

ANNEX K: LAND ACQUISITION AND RESETTLEMENT PLAN – DRAFT

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GLOSSARY OF TERMS

Affected Persons	Term used to describe all people that are affected by the project impacts. In the context of a RP it refers to those that are economically or physically displaced by the project. It is increasingly being replaced by the term "Displaced Person" following ADB Safeguard Policy 2009 – but is still in common use in the field. The terms of affected persons (APs) and displaced persons (DPs) are used interchangeably in this document
Compensation	Means payment in cash or kind for an asset to be acquired or affected by a project at replacement cost at current market value.
Cut-off-date	Means the date after which people will NOT be considered eligible for compensation i.e. they are not included in the list of Aps as defined by the census. Normally, the cut-off date is the date of the detailed measurement survey.
Detailed Measurement Survey	With the aid of the approved detailed engineering design, this activity involves finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and lists of APs earlier done in RP preparation. The final cost of resettlement can be determined after this is complete.
Displaced Persons	Sometimes referred to as Affected Persons (APs). In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Economic Displacement	Loss of land, assets, access to assets, income sources, or means of livelihoods as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Encroachers	Those people who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project.
Entitlement	Means the range of measures comprising cash or kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and relocation which are due to DPs, depending on the type and degree nature of their losses, to restore their social and economic base.
Inventory of losses	Means the pre-appraisal inventory of assets as a preliminary record of affected or lost assets. Also referred to as the detailed measurement survey (DMS).
Land acquisition	Means the process whereby a person is compelled by a public agency to alienate all or part of the lands/ he owns or possesses, to the ownership and possession of that agency, for public purposes, in return for fair compensation.
Meaningful Consultation	A process that (i) begins early in the project preparation stage and is carried out on an on going basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
Non-leased(non-titled)	Means those who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or guarantee. Those people without legal lease to land and/ or structures occupied or used by them. ADB's policy explicitly states that such people cannot be denied compensation.
Poor	The poverty line established is F\$4,000 per capita per year. It is estimated that 26% of Fijian households received incomes below that line, meaning that they experienced periodic difficulties in meeting their daily costs of living for food and other essential expenditures.
Physical Displacement	Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Replacement cost	means the value of assets to replace the loss at current market price, or its nearest equivalent, and is the amount of cash or kind needed to replace an asset in its existing condition, without deduction of transaction costs or for any material salvaged.
Significant impact	means where 200 or more DPs suffer a loss of 10% or more of productive assets (income generating) or physical displacement.
Vulnerable	means households that are (i) headed by single woman or woman with dependents and low incomes; (ii) headed by elderly/ disabled people without means of support; (iii) households that fall on or below the poverty line; (iv) households of indigenous population or ethnic minority; (v) households of low social group or caste; and (vi) person without title to land.

I. Executive Summary

A. Project scope and impacts

The Fiji Water and Wastewater Management Project will upgrade water supply and sanitation in the Greater Suva Area (GSA). It has two major components. The first is a water intake, 30 ML water treatment plant (WTP), and 3 ML reservoir on the right bank of the Rewa River in Viria, an additional 3 ML reservoir at the highest elevation between there and the urban area, and a 26 km water main. Second is enlargement of the wastewater treatment plant (WWTP) in Kinoya, increasing the capacity of 30 to 35 existing wastewater pumping stations with larger pumps and switch boards, constructing two new pumping stations plus sewer mains to the WWTP, relining existing sewers as needed, and reticulating densely crowded areas to provide sewer access to 4000 households in Suva and Nasinu. Additional components focus on capacity development and demand management and include continuing corporatization of the Water Authority of Fiji (WAF) with attention to gender equity within WAF, trade waste management, tariff reform, reduction of non-revenue water, system performance monitoring and maintenance, and public education and outreach.

Land must be acquired for the water intake, WTP, and the first reservoir. These will be on freehold land which is in the process of being sold to a local man who is willing to negotiate with the Government of Fiji. No buildings will be affected but the access road requires improvement and 3-phase electricity must be brought to the site. Limited land acquisition and compensation in the event crops are damaged or other property affected during installation of transmission lines may be required.

The second reservoir is on iTaukei land. Officers of the WAF land division have visited the matanqali owners and received their expression of no objection. The water main will run through road reserve for its entire length. Its construction will sometimes block access to a limited number of residences and businesses as the road traverses rural areas for most of its length, requiring careful assessment and payment of compensation in the event of lost income or damage to any property not within the road reserve.

Upgrading of the Kinoya WWTP can be done within the territory of the plant. Enlargement of the existing pumping stations, and relining of sewers will cause minimal disturbance in the surrounding neighborhoods as the work can be done through manholes; vehicular traffic may be affected while the work is underway. The new pumping stations in Nakasi and Nausori will be on state land, and on the border between state and Nausori Town Council land, respectively, and thus present no significant land acquisition challenges. New transmission lines to these two stations will also be required, with an unlikely possibly of need for minor land acquisition or compensation for temporary affects.

Construction of the sewer mains from these two stations to the WWTP and reticulation of residential neighborhoods will result in significant temporary, and some permanent affects, despite efforts to confine work to road reserves. Easements will be required through some properties to ensure uninterrupted flow; a few agricultural fields will be crossed just south of the Rewa River, and a few squatters may be affected by installation of the mains.

B. Entitlements

The landowner in Viria must be compensated for land acquisition, any damage to crops, loss of trees, and temporary loss of access to and degradation of at least one large cultivated field. The iTaukei owners of land where the second reservoir will be located must also be compensated for land and trees. Other nearby properties may be slightly affected by installation of new transmission lines and require compensation for land and / or damage to crops and other property such as fences. Compensation must also be given to residents and businesses that lose income due to blocked access during construction of the new water main.

Land acquisition will not be required for enlarging the capacity of the WWTP, existing wastewater pumps, or relining existing sewers. State and Nausori Town Council land must be acquired for the two new pumps and land acquired and/or compensation paid to those affected by routing new transmission lines to those pumps. Significant affects will be related to construction of sewer mains from the new pumps and reticulation of neighborhoods to reach 4000 households. Easements will be required through a limited number of neighborhoods for reticulation, and for the new sewer mains, relocation might be required of a limited number of families in informal settlements (where residents live with permission of landowners) and squatter areas. Temporary compensation will be necessary for businesses that lose income due to the work and to home owners whose fences, trees, gardens, out-buildings, and/or driveways etc. are damaged.

C. Budget Summary

To cover all compensation and administrative costs for resettlement, \$3 million has been allocated. In addition, the following staffing will be needed to manage the process.

Position / Expense	Time /. Extent	Unit Cost (US\$)	Total cost (US\$)
International Resettlement Specialist	18 months	22,000/month	396,000
Mid-level Domestic Consultant	40 months	4,500/month	180,000
Community Outreach Specialist	40 months	3,000/.month	120,000
			696,000

II. Project Description

A. General Description

The Fiji and Wastewater Management Project will assist the Government of Fiji (GOF) in ensuring adequate potable drinking water supplies and wastewater treatment for the residents and businesses in the Great Suva Area (GSA), which includes Suva, Lami, Nasinu, and Nausori, through 2033, and thus promoting continuing economic and social development. Urbanization is rapid in Fiji now. The population of the GSA in 2007 was 250,242 and is projected to reach 346,366 to 380,349 by 2033. The project includes two construction components and will also support continuing corporatization of the Water Authority of Fiji and include capacity development for demand management related to non-revenue water, tariffs, trade waste, and gender within WAF.

B. Major components

The two major components are a water intake and 30 ML (designed to be expanded to 70ML) water treatment plant (WTP) and a 3ML reservoir on the right bank of the Rewa River above the confluence with the Waidina River. In addition, a second 3ML reservoir will be constructed 8.46 kilometers from the WTP at the highest elevation (132 meters) on the route to its junction with an existing water supply line 17.74 km from the second reservoir. The pipe will run in road reserve throughout. Currently there are two water intakes drawing from the Waimanu River with WTPs at Tamavua and Waila. Tamavua is designed for 60 ML/day and produces 55ML. Waila is designed for 100 ML/day and 95ML of clean water per day. Both plants run at full capacity precluding necessary preventive maintenance, but several areas within the GSA receive water only intermittently. Payment for 49% of the water produced is not recovered due to carelessness such as leaving taps running, leaks, inoperative meters or inadequate billing procedures, and some theft. This non-revenue water raises the daily usage to 202 liters/person/day (lppd); with proper demand management this is expected to fall to 180 lppd by 2033. See figures 1 to 4.

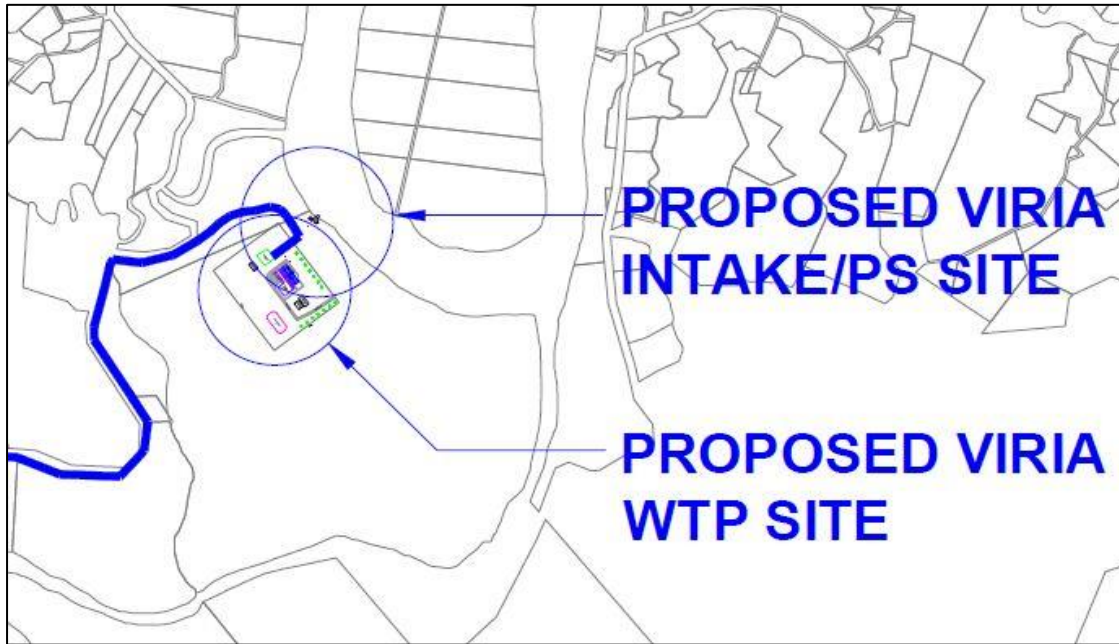
The second, wastewater treatment, includes expansion of the wastewater treatment plant (WWTP) at Kinoya, increasing the capacity of 31 existing pumping stations and construction of two new pumping stations in Nakasi and Nausori, lining aging or weak pipes, and reticulation of residential areas to reach 4000 households. Currently the Kinoya plant handles wastewater for 151,808 persons though it is designed for 105,000. Smaller plants at Naboro and Wailada with capacity of 1,000 and 800, are also overloaded, serving 2,024 and 3,023 persons respectively. Another two small WWTPs are underloaded: Nadali is designed for 5,000 and serves 2,811, and ACS, designed for 800 persons serves only 388 persons. See figures 5 to 7.

C. Alternatives considered

Water intakes and WTPs at two locations on the left bank of the Rewa were considered. The need for construction of a road extension through iTaukei land to the first intake, and an ongoing dispute about compensation due to road construction on land owned by six members of one family at the site of the second intake and WTP suggested that proceeding in those locations was unwise. Most important, both intake sites were downstream of the confluence with the Waidina River along which a major copper and gold mine is planned. The risk of

contamination of the Rewa by trailings from the mine, and the catastrophic consequences of collapse of a retaining wall at a storage site which would make it impossible to draw water for a multiyear period led to the decision to locate the intake and WTP in the present location.

The possibility of decentralizing wastewater treatment to a number of locations was also considered. By far, it is most cost effective option was to enlarge the existing WWTP at Kinoya. Acquisition of additional land, and the need to obtain clearance for installing pipes to the decentralized stations were also factors that were taken into consideration.



Figures 1 and 2: Viria water intake and pumping station, cadaster and Google Earth



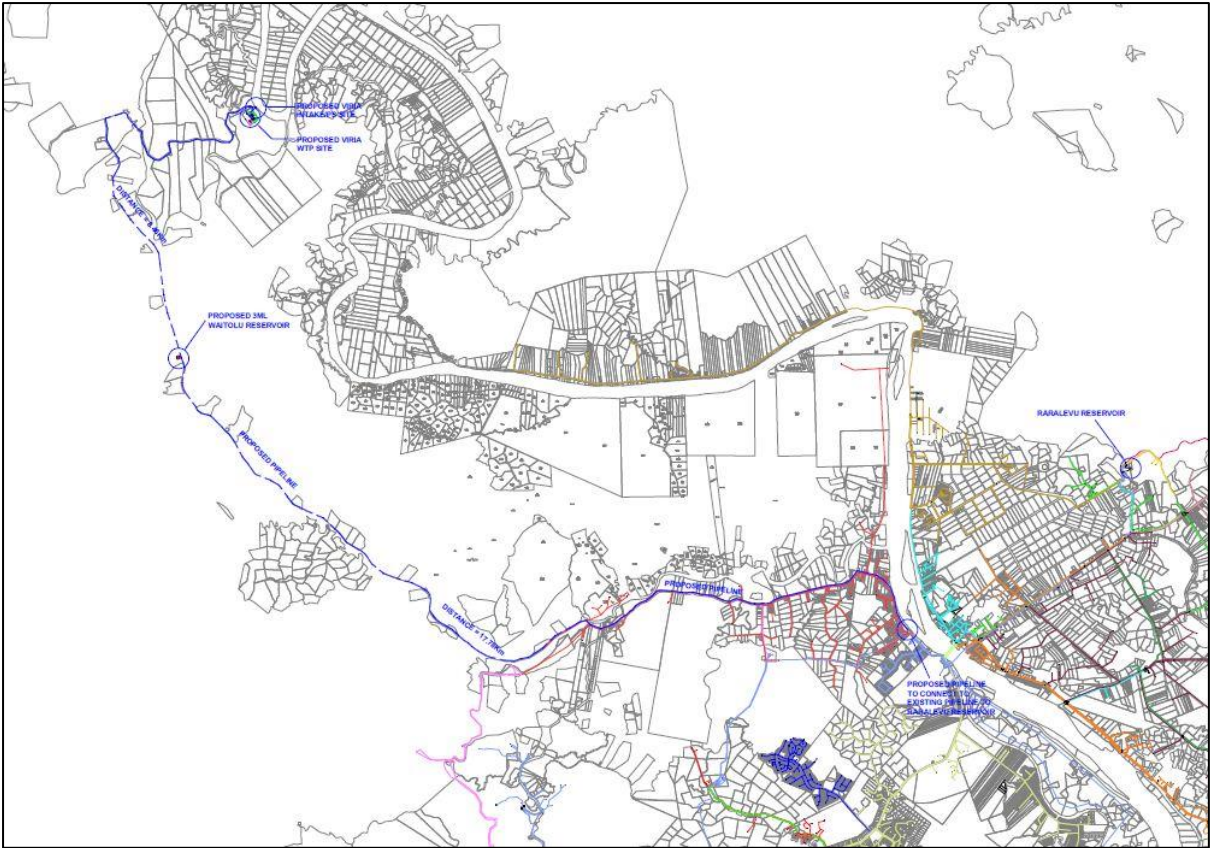


Figure 3: Pipeline from Viria via Reservoir to connection with Raralevu line, cadaster

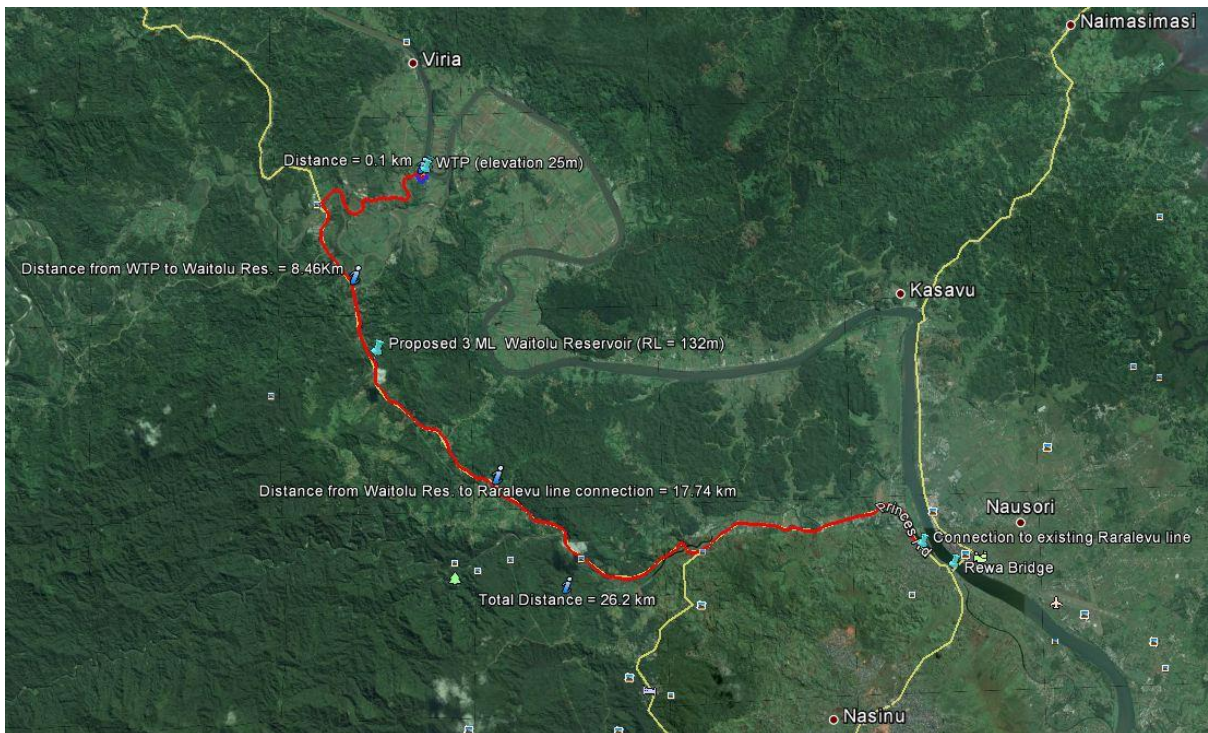


Figure 4: Pipeline from Viria via Reservoir to connection with Raralevu line, Google Earth

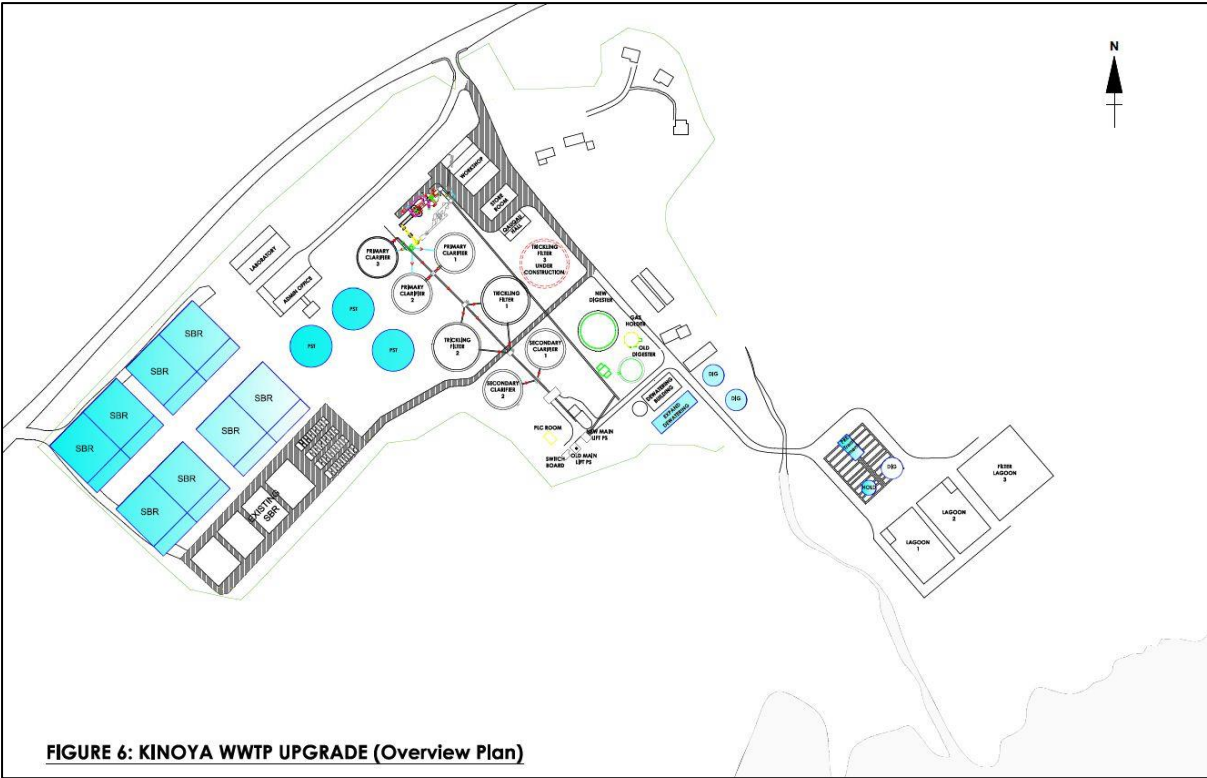
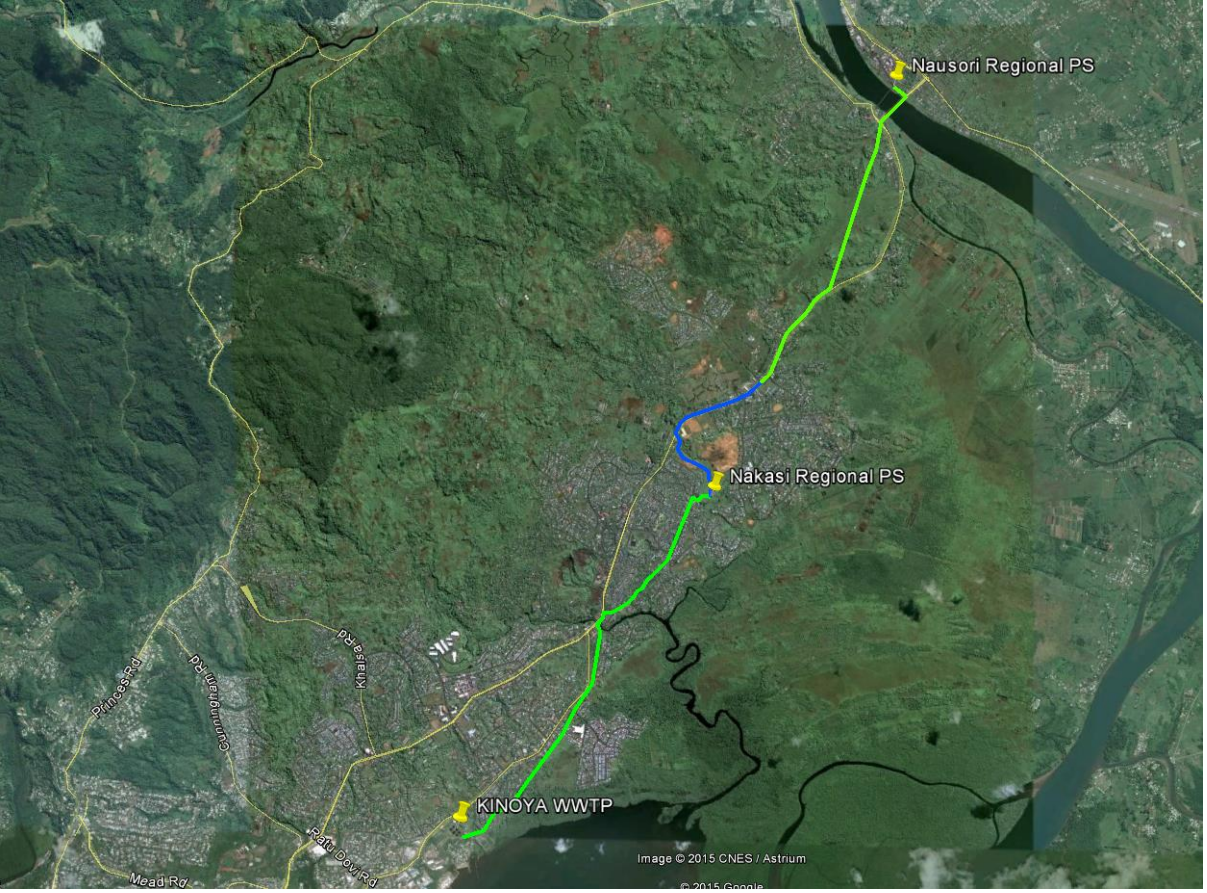


Figure 5 Kinoya Wastewater Treatment Plant



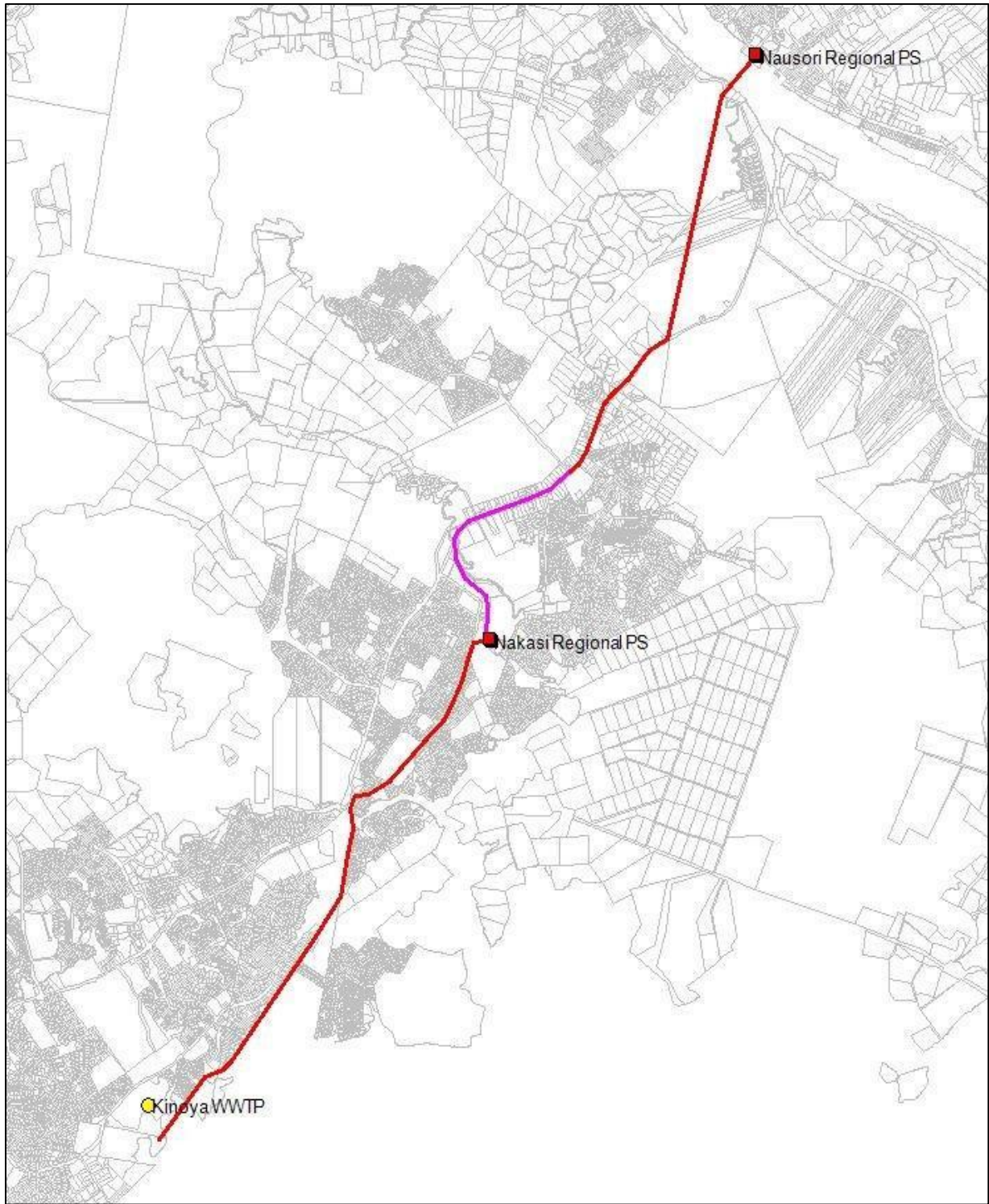


Figure 7: New pumping stations and mains to Kinoya WWTTP, cadaster

III. Scope of Land Acquisition and Resettlement

A. Potential Impacts

Land must be acquired for construction of the water intake, WTP, and primary reservoir

in Viria, and for the secondary reservoir along the road to the city. One cultivated field will be inaccessible for one year and trees will be cut in both locations but no buildings will be affected. The Viria site is located on a subdivided freehold property and the second reservoir is on land owned by Fijian clans.

Construction work at the Kinoya WWTP can all be carried out within the land owned by the plant. Two new sewage pumping stations will be built in Nakasi and Nausori, on State and Nausori Town Council lands. Each of these will necessitate new sewer main to the Kinoya WWTP, which, like the reticulation of neighborhoods with 4000 households, will necessitate excavation primarily in road reserves. Potentially, some freehold property will be taken to provide easements for pipes that must follow a route that deviates from the road reserve to ensure unrestricted flow. In addition, the sewers and pipes that extend toward individual household properties to facilitate later connections may damage productive trees, fences, out-buildings, or driveways.

B. Scope of Land Acquisition and Resettlement – Water Supply, Viria Line

The water intake and WTP will be located at the northern end of a large freehold property. Approximately 12.5 acres of land are required for the water treatment plant site. Another 0.25 ha of land will be needed for the intake and pumping station. The estimated value of this land, based on recent sales of nearby land, is up to F\$6,000 per acre. Limited additional land may be affected during the construction process, notably between the intake site and the treatment plant. This is owned by a Mr. Ajay Ram who resides outside Fiji and in the process¹ of being sold to a Mr. Indar Narayan whose relatives have farmed part of the land for decades. Previously, a section at the northern end of this property was sold to members of this family: Sanjay, Ronald Ajit, and Elvin Narayan. Originally the property totaled 163 acres.

There are seven homes where farmers reside on the property and farm the land adjacent to the two rivers. Two other residences are located at some distance from the cultivated area. No houses or other buildings will be affected by the plant or the construction work. The prospective owner intends to evict all current residents and farm the entire area himself.

The Viria road is unpaved and runs 4 km from just north of the bridge over the Waidina at Nagali to a track that leads through the original property, now initially the portion owned by the three family members, to the construction site. The road requires reinforcement and the track requires considerable upgrading. Single phase electricity runs through the area, so a larger supply and substation at the WTP will be required.

One field of nearly 1.0 ha between the access road and the river bank will be temporarily uncultivable. Limited permanent loss of land will result when the intake is completed and the land restored around an access track. However, fertility of the land may be reduced due to spillage of materials during the construction process.

Where the treatment plant is constructed, trees will be cut but it does not appear that these are producing fruit or nut crops. Replanting along the periphery might be appropriate following completion of construction work.

¹ Court record number 216-2014

The pipe exiting the WTP will also need to traverse the property for a short distance. Thereafter it will be located in the road reserve of the upgraded gravel road for 4 km before reaching the main road at Nagali. From there to the reservoir and on to the Raralevu line, it will affect access to the limited number of residences and businesses along the road during construction.

Construction of the second reservoir and an access road of 0.1 km will require acquisition of 0.3 ha. A somewhat larger area will be disturbed during the construction process. The land in this area belongs to a local clan and is controlled by the iTaukei Land Trust Board.

Erection of poles or pylons for electricity transmission to the intake and WPT may require acquisition of small amounts of land and/or compensation to farmers for damage to crops in cultivated areas for damage during construction in the Viria area. Details have not been specified thus far.

C. Scope of Land Acquisition and Resettlement – Wastewater Treatment

Expanding the capacity of the Kinoya WWTP can be accomplished within the available land area. Replacement of existing pumps with larger pumps and greater electricity supplies can also be carried out with minimal disruption to surrounding homes and businesses. Relining of existing pipes as required will cause minimal disturbance to homes on the sewer lines and properties surrounding the man holes through which they will be reached.

The new pumping station in Nikasi is on state land while the one in Nausori is on the border of State and Nausori Town Council land. Adjacent freehold properties are very unlikely to be affected temporarily, by the construction process, or, permanently, by access roads. Additional electricity lines, poles and transformers may be required for both of these new stations, possibly affecting adjacent land slightly.

Care must be taken during detailed design to ensure that minimal affects to private property are caused by construction of the sewer mains from Nausori and Nakasi to the Kinoya WWTP. These mains and reticulation of backlog neighborhoods will require excavation primarily in road reserves. Temporary resettlement issues will result from this work. For example, pipes to individual lots may damage fences, gardens, trees, out buildings, or driveways. In addition, some businesses may be temporarily affected. More significant damage will result if the pipes must deviate from the roadways to ensure unrestricted flow. An assessment must therefore be carefully carried out in conjunction with the detailed measurement study and census during the design stage.

D. Summary of Key Impacts

Land acquisition is required for the water intake, WTP, and two reservoirs, one on iTaukei land. Compensation will be required for residences and businesses along the road from the WTP to the city where access is temporarily restricted by the construction process or to other damage to property not in the road reserve.

Wastewater treatment will involve acquisition of State and Town Council Land for two new pumping stations. Compensation will be necessary for acquisition of land for easements where sewer mains or local pipes must cross freehold property to ensure unrestricted flow. Compensation will also be required for temporary income loss of access to businesses and

damage to driveways, fences, trees, out-buildings, or gardens in residential and commercial areas when local pipes are installed.

IV. Socioeconomic Information and Profile²

A. Socioeconomic Overview

The 2014 population of Fiji at the end of 2013 was 882,065.³ The population of GSA reached 244,489 in 2007, revealing the concentration of people in this area. Annual population growth is 0.7%, considerably lower than the total fertility rate of 2.6, reflecting the high level of out-migration, especially among Fijian-Indians. Life expectancy of women is 73 while that of men is 67 and both men and women are increasingly affected by non-communicable diseases and related disabilities.

Between the 1996 and 2007 censuses the population over 15 years of age grew by 18.6% while the rate of employment dropped by 9.8%.⁴ By 2011, the rate of economically inactive people had dropped 13% from 2005. Over the same period the number in salaried positions increased by 12% while the number of less skilled wage earners dropped by 6% and there was a 112% increase in the numbers working for the family. Work in skilled agriculture and fisheries increased 72%, professional occupations increased by 24%, top management and government official positions grew by 20% while elementary work decreased by 21% and technician level employment shrank by 17%.⁵

Two thirds of the population are Christian, with Methodism predominating among the denominations. Hindus constitute 28% of the population, and others include Sikhs and Muslims.⁶

Modest growth in income occurred between 2002 and 2006, but from 2007 to 2009 the economy shrank.⁷ Growth has continued to the present, with GDP rising by 4.7% in 2013, 3.3% in 2014 and projected to rise by 3% in 2015. Inflation was low at 0.7% in June, 2014 and it is projected to reach 3% soon. Major sectors are tourism, with arrivals primarily from New Zealand and Australia, and sugar production.⁸

Median household incomes in 2008 were F\$9573 in rural areas and F\$17032 in urban areas. In the Central division, which includes the GSA, from 2002 to 2007, average urban income grew from 16475 to 26611 while rural income grew from 12807 to 12529. Overall, real household income per capita in urban areas grew 24% from 2002 to 2008, and the median household income in urban areas increased by 16%. Non-wage income grew dramatically in this time. Foreign remittances to urban families from 2002 to 2008 grew 241%, local remittances by 111% and gifts to urban families by 113%.⁹ By contrast, in rural areas foreign remittances increased 55%, local remittances by 21% and gifts by 166%.¹⁰

² Additional data will be available when results of a social and willingness to pay survey are analyzed.

³ Fijieconomy.com

⁴ 2007 censuses, op. cit.

⁵ 2010-11, Employment and Unemployment Survey

⁶ Ibid.

⁷ 2008-09 Preliminary Report

⁸ ADB CSP update, 2014

⁹ 2008-09, Household income and Expenditure Survey.

¹⁰ 2010-11. Op. cit.

Primary school enrolment is over 99% among 6 to 13 year olds, secondary school enrollment approaches 90% among 14 to 18 year olds, and 40% of 19 to 21 year olds are in tertiary education. In addition pre-school enrolment of 5 year olds is about 43%.¹¹

Significant improvements in health status have been recorded for Fiji between 1990 and 2008. The decentralized health system facilitates widespread access to health care and the well-developed transport system in urban areas provides further assistance. The quality and staffing of rural health facilities lag behind the urban areas.

B. Gender and Ethnic Minority Issues

Female participation in the economy is 34% compared with male participation at 65%. 56% of rural women are active economically compared with 41% of urban women. Together they constitute only 36% of the economically active population and only 33% of wage earners outside of agriculture. Unemployment for men and women is low at 4.5% and 5% respectively, but underemployment among women at 74% compared with that of men at 28%. Women are also far more likely to be unemployed for three or more years than men. Their salaries lag those of men and, other than in clerical work, there are fewer positions for women in all sectors. 64% of economically active women earned less than F\$4000 a year compared with about 40% of men. Studies in 2005 and 2010-22 showed that women work fewer hours than men in paid employment, but overall they work 26% to 31% more than men when housework is included.

Infant and maternal mortality rates are low yet pregnancy rates among girls between 15 and 19 are quite high at 40/1,000 in 2013. Contraceptive use is low, only 38% in 2013. Private and emergency obstetric care is available as well as public health services in cities but women in rural areas are at a disadvantage. Still 99% of deliveries are attended by skilled physicians. Efforts have been made to train both police and rural health workers to identify and respond to gender based violence (GBV). The quality of water, sanitation, and power infrastructure affects family health and require time that women might devote to economic activities.

More girls than boys are enrolled in secondary and tertiary school, but it appears that more drop out due to family and economic considerations. There is a tendency to track students into various programs by gender in secondary and vocational and technical training. The quality of rural schools lags behind that of cities. High rates of teen pregnancy and poor sexual and reproductive health education are problematic.

Women are granted equal rights under law and nondiscrimination is in the Constitution of Fiji and the Bill of Rights. Numerous decrees and promulgations have supported gender equality, but even the Domestic Violence Decree of 2009 and parts of the criminal code that criminalize offenders has not reduced the widespread violence against women. The CEDAW committee identified concerns about the independence of the judiciary and the Human Rights Commission in relation to GBV. In 2014, 41 of 248 or 16% of candidates for elected office were women, up from 12% in 2004. Thus currently there are 7 women in the 50-member Parliament whereas before this 8 women were among 71 members, an improvement from 11% to 14%. The Government of Fiji has made gender equality a crosscutting priority and defined sector-based indicators for improvements. The National Gender Policy of 2014 has

¹¹ 2010-11, op. cit.

four objectives: i) improvement development and quality of life for men and women, ii) stronger linkages between gender equality and development, iii) gender mainstreaming throughout government, and iv) removal of all forms of gender inequality and discrimination. Fiji is also committed to the Pacific Platform for Action which derives from the Beijing Platform of Action.

Fiji is inhabited by Fijians, Indians (descendants of people brought by the British to work on sugar plantations), some Chinese and other groups. Fijians constitute 57% of the population, 50% of the urban population, and 64% of the rural population. They also constitute 62% of the people living in the Central Division on the eastern half of Vita Levu, the main island. Indians comprise 37% of the total population, 43% of urban, and 33% of rural residents. The median age of Fijians was 23 in 2007, and 28 among Indians, probably reflecting both higher age of marriage and lower fertility.¹² iTaukei household income grew by 6%, Indo-Fijian by 10% and that of others by 49% during this period. 1996-2007¹³

V. Information disclosure, Consultation, and Participation

A. Project Stakeholders

Stakeholders for this project include the Government of Fiji, the Ministry of Finance, the Ministry of Infrastructure and Transport, Ministry of Local Government, Housing and Environment / Department of Environment, Department of Town and Country Planning, iTaukei Land Trust Board (TLTB), Water Authority of Fiji (WAF), the Commissioner Central Region, the City/Town Councils of Suva, Lami, Nasinu, and Nausori, the Nausori Rural Local Authority, and residents, businessmen, and civil society organizations throughout the GSA. The Asian Development Bank (ADB), the European Investment Bank (EIB), and the Green Fund are external stakeholders.

B. Information and Consultation Mechanisms

Information dissemination, meaningful consultation, and participation of affected persons and key local agencies will be undertaken to maintain transparency, raise awareness, reduce potential conflicts and delays, and achieve the objective of this Land Acquisition and Resettlement Policy (LARP). The actions that will be undertaken for participation in the various stages of land acquisition and resettlement planning are:

- Identification of stakeholders, who will be involved in planning and implementation: affected persons, local officials (Town and Rural Councils, Office of the Commissioner, Central etc.), local communities / community and women's organizations, project authorities, implementing agencies, and NGOs.
- Dissemination of information (including project entitlements), and appropriate mechanisms for feedback and facilitation of the consultation process.
- Setting of a grievance redress mechanism and procedures.
- Community participation in monitoring the LARP.

¹² 2007 census, Fiji Bureau of Statistics

¹³ 2010-11, op. cit.

A variety of mechanisms will be utilized to consult with stakeholders and DPs during preparation and implementation of LARP including: (a) village meetings involving both women and men from communities - to consult them and to disseminate information about the project; (b) specific facilitated meetings with affected people including mataqali leaders, land owners, and users affected directly by the project; (c) separate meetings with affected women and vulnerable households; (d) key informant interviews with relevant government staff, *mataqali* leaders, *Turaga-ni-Koro*, chiefs, women, religious and youth leaders (d) one-to-one socio-economic household survey of affected people (in conjunction with the census) and affected communities; (e) participatory compilation of the Inventory of Losses, and (f) informal conversations with people in the neighborhoods that will be affected by installation of pipes. Consultations, interviews, and focus groups will be conducted in the Fijian, Hindi, or English as appropriate.

An important incentive to greater participation is to ensure consultations are undertaken at venues and times that do not disadvantage women. Where it is impossible or inconvenient for women to attend community meetings or DP consultations because of child care responsibilities, caring for the sick and elderly, or because of traditional norms, women will be consulted in their own homes.

C. RP Preparation

Decisions were made about the location of the water intake, WTP, reservoirs, the two new wastewater pumping stations in Nakasi and Nausori, the mains from these to Kinoya, and the neighborhoods that will be prioritized for wastewater reticulation during the final weeks of the design TA. Necessarily, preparation of the LARP was carried out in haste.

First, the names of owners of the lands on which these installations are planned were sought from the Department of Lands. Subsequently, staff of the WAF lands division met with the iTaukei owners of the site for the second reservoir (between Viria and the Raralevu line). Subsequently, initial meetings and discussion with residents and owners of affected areas were conducted as described below.

Finalization of the LARP will follow completion of the details engineering design. A census of residents in all affected neighborhoods must be carried out and information about the project, the grievance mechanism, and other important information disseminated simultaneously to men and women in all of the affected households.

A cut-off date will be determined in conjunction with the census. After that any new residents of a squatter settlement, for example, who construct a residence in the area to be affected by the project will not be eligible for compensation.

An Inventory of Losses (IOL) study must also be conducted to determine precisely what relocation of households, if any, will be necessary; to determine the value of crops and quality of cultivated land; to identify trees that will be cut; and to calculate what temporary economic displacement will occur and the value of compensation that must be provided.

If necessary to clarify any issues and to verify data from the IOL, a Detailed Measurement Study (DMS) will be subsequently be required as well. In conjunction with this as well, information should be disseminated about the project, and a variety of related topics.

D. Summary of Project Consultations

Members of WAF land office and the resettlement specialist met two of the families residing on and farming the property on which the intake, WTP and primary reservoir will be located. The intended plant was described, the area pointed out, a map with the plant included was shown, and the disruption caused by the construction process described. Without hesitation, support for the project was enthusiastically given as the farmers now collect water from the roof in large barrels or carry it from the river in buckets for cooking, washing, and all domestic purposes.

They also met with Mr. Indar Narayan, prospective owner of the property which is currently owned by Mr. Ajay Ram. He indicated that he intends evict all current resident families and cultivate the area himself. In an overseas telephone call, Mr. Ram confirmed that he is selling the land to Mr. Narayan.

Members of the WAF land department visited members of the clan that owns the land where the second reservoir will be located on the road from Viria to the city to discuss the desired construction. They carried out the requisite traditional greeting rituals and were well received by the clan members. At an earlier consultation meeting with the Commissioner Central Division about the project, the resettlement specialist emphasized to him that the event, at which the headmen of two villages supported the proposed plans for a different project location, was inadequate to meet ADB requirements for consultation. The need to physically point out the location of proposed infrastructure, to explain the disruption that will be caused by the construction process, and allow sufficient time to answer all questions that arise from both women and men was stressed.

Thus far no consultation has been undertaken in relation to wastewater enhancements. All construction at Kinoya WWTP will be carried out within the territory controlled by the plant. Sites for the two new pumping stations are on State land while one is close to Nausori Town Council land. Some residential lots that are likely to be affected by sewer mains and reticulation in residential neighborhoods have been identified, ownership clarified and estimates of property values made. Until the detailed design work is complete, it is not appropriate to contact these people in case pipes are routed slightly differently and their property is not affected. A detailed measurement study (DMS) will be required upon completion of the design of all new pipes.

E. Further Information Disclosure

In addition to door to door canvassing in conjunction with the census, meetings should be organized with neighborhood and local women's groups to ensure complete understanding of the planned work and provide opportunities for responding all stakeholder questions. In all of these activities the opportunity should be taken to share other relevant information, such as procedures for connecting to sewers, tariffs, proper use of infrastructure, demand management, and details of the project grievance redress mechanism, should be shared. A website, cell phone courtesy messages, and/or regular, periodic newspaper notices might be used to disseminate an updated schedule for construction in each local area.

Records of all discussions and negotiations related to information sharing and compensation must be recorded. In the event that someone claims they were not consulted, or that negotiations were carried out without their knowledge or participation, the dates of visit(s) to

the household and other meetings including the date(s) they were advertised, plus the people present, could then be easily retrieved from the records.

VI. Grievance Procedures

A. General Principles

A well-functioning grievance mechanism, following specific procedures, is essential for resolving problems that arise during project implementation by identifying and responding to unintended impacts, ensuring respect for affected stakeholders, and preventing delays or other complications. The ADB, like the other international banks and many bilateral organizations have implemented grievance mechanisms. The European Investment Bank (EIB) as a two-tiered system that allowed parties to access the European Ombudsman as well as the Bank's own redress mechanism.

B. Grievance Coordination

A Grievance Redress Mechanism (GRM) will be developed by the PMU in conjunction with WAF. It will operate transparently throughout the project and be available to all affected persons with no fees will be charged for assistance. Traditional conflict resolution procedures will be employed in negotiating resolution to complaints, and affected persons will always be allowed to file a case in court.

All steps of the GRM including instructions for filing a complaint, must be clearly explained to all affected people, and the name of an individual or title of the responsible party in the PMU provided to all. This will best be done in conjunction with the census and the inventory of loss study. A handout should be prepared for neighborhood organizations, women's groups, and made available to each household that will be affected.

C. Grievance Procedures

The GRM will record, categorize, and prioritize complaints, settle grievances through consultation with stakeholders, inform the aggrieved persons of their decision and forward unresolved cases to higher authorities. It will engage with appropriate officials in WAF and PMU staff as required. Issues related to land will be handled in conjunction with government authorities. The Department of Lands (DOL) and the iTaukei Land Trust Board (TLTB) must always be available to the PMU specialist, other officers in the PMU, and WAF officials. All costs associated with the involvement of these agencies will be borne by the project, not the complainant.

This GRM specialist must be free to act independently and ensure transparency and equitable treatment of women and men in all decision making. An individual, local official or civil society organization may submit a complaint. Each complaint should have date of submission, complainant's name, gender, and national identification number, the property address, a statement of the problem leading to the complaint, and the complainant's signature. Each must be assigned a reference number, stamped with the date on which it was received, and the property number assigned by the project. Each complainant should receive a copy of the complaint including the numbers and date assigned by the project. All data must be systematically entered into a data base that is kept up to date. Progress to resolution must be carefully monitored and all relevant conversations recorded in the data base as well to ensure that fairness and justice are served.

The following table outlines the steps involved and the time allowed for each.

Table 1: Grievance Redress Process

Stage	Process	Required Timing
1	Affected person takes grievance to WAF / PMU specialist responsible for this work	Any time
2	The specialist reviews and finds solution to the problem in consultation relevant agencies	2 weeks
3	The specialist reports the decision taken to the complainant	1 week
If unresolved or not satisfied with the outcome by the complaint review and decision		
4	The complainant registers dissatisfaction with the decision	Within 2 weeks of receipt of decision in step 3
5	The specialist, together with the head of the PMU and WAF officials reviews the complaint again	4 weeks
6	The specialist reports back the final solution/decision to the complainant	1 week
If unresolved or at any stage if affected person is not satisfied		
The complainant can take the matter to appropriate court		As per judicial system

VII. Legal Framework

A. Fiji Laws on Land Tenure and Ownership

Land in Fiji is managed through three complementary systems: (i) iTaukei (native) land; (ii) freehold land; and (iii) state (crown) land. Native land, which is owned by iTaukei people, accounts for about 84 percent of all land, with freehold and crown or Government land accounting for around 8 percent each. Native and crown land cannot be bought or sold, but each is available on a leasehold basis, with leases often lasting up to 99 years, while freehold land can be bought and sold on the open market.

Native land is communally owned and administered by mataqalis (clans) and cannot be bought or sold except to the state for public purpose. The iTaukei Land Trust Board (TLTB) is the statutory body with the responsibility to administer, develop and manage this land on behalf of its owners and for their benefit according to the Native Land Trust Board Act. The TLTB identifies the land required for use by traditional Fijian communities and makes the remainder available for leasing. The TLTB, not the actual owners, issues the legally binding leases or agreements, which can be for agricultural, commercial, industrial or other uses.

All farmers of native land are either tenants or landowners farming with the permission of their own landowning clan. Some of these may have formalized their status by leasing the land and so have become tenants. Other tenant farmers will be either iTaukei from other islands or parts of Viti Levu, or Indo-Fijians.

The Agricultural Landlord and Tenant Act (ALTA) governs all agricultural leases of more than 1 ha and the relations between landlords and agricultural tenants. Minimum 30-year and maximum 99-year leases are allowed with no right of renewal. In practice, most leases are for 30 years. In the event of non-renewal, the tenant must vacate the land after a grace period.

The maximum annual rental is 6% of the unimproved capital value. In theory, the rental rate is reviewed every five years. The tenant can claim compensation for all development and improvements of the property with claims determined by the Agricultural Tribunal. Tenants can, however, only be compensated for improvements if the TLTB has granted prior approval to these improvements. In practice, there is a fixed schedule of lease rental rates under the ALTA, which has not been updated since 1997. The TLTB has, however, introduced a lump sum payment to induce landowners to lease their land for an additional 30-year period, but this “new lease consideration” has mostly been applied only to Indo-Fijian and not often to Fijian farmers.

The ALTA has been supplemented by the 2009 Land Use Decree No.36 (2010) because it was recognized that the requirement for tenants to vacate land once the fixed lease and grace period have expired causes both social and economic hardship. Government therefore amended the land laws to increase the flexibility of leases and to facilitate leasing of lands which are currently idle or unutilized on terms and conditions which are meant to be attractive to both the landowners and tenants. The decree provides for longer tenure leases (up to 99 years) for agricultural and commercial development. Reserve land is presently not leased, but reserved by Mataqali/Government for future use.

B. Fiji Laws on Land Acquisition and Compensation

The Constitution of Fiji provides for protection of private property against arbitrary expropriation. The Constitution states that iTaukei (native) land cannot be permanently alienated except for the public purpose. It requires just compensation for all land or rights acquired by the government.

Land acquisition in Fiji is governed under the State Acquisition of Lands Act¹⁴ (SALA). Under the Act, all types of land can be acquired for public purposes. The law provides that in cases of land acquired for public purposes, legal title holders have a right to compensation. The law also provides for the right of land owners to legal proceedings for solving disputes and grievances. The customary rights of indigenous peoples without formal title are also protected.

The SALA guarantees compensation to those with recognized legal rights or interests in land. Compensation is paid at market values effective from the date at which notice of the State’s intention to acquire the land is given. Structures are, however, compensated only at book/depreciated values. Compensation includes for land, crops and trees, damage to portions of land not acquired (if any), changes in use and restrictions on use of any unacquired portions – and any reasonable expenses associated with necessary changes of residence or

¹⁴Originally the Crown Acquisition of Lands Act, 1940, subsequently amended: by Ordinance numbers 24 of 1940, 11 of 1942, 15 of 1943, 9 of 1955; Orders of Jan 1967 and Oct 1970 and Act of Parliament (Act No 1 of 1998).

places of business.

In some areas, there may be, however, a substantive difference between local market prices and the prices overseas investors are willing to pay. There is now realization that there needs to be recognition of new values in certain areas. These new values would derive from recent sales prices to overseas investors. However, this is unlikely to be currently applicable to the Sigatoka Valley, a poor rural area where most projects are expected to be located.

C. ADB Safeguard Policy Statement Requirements

The ADB policy on resettlement addresses both: (i) social and economic impacts, permanent or temporary, caused by acquisition of land and other fixed assets; and (ii) changes in the use of land or restrictions imposed on land as a result of a Bank operation. An affected or displaced person (AP/DP) is one who experiences such impacts. The objectives of the policy are: (i) to avoid involuntary resettlement impacts wherever feasible; (ii) to minimize resettlement impacts by choosing alternative viable project options; and (iii) to ensure that affected people receive compensation, assistance for relocation (including provision of relocation sites with appropriate facilities and services) and assistance for rehabilitation, so that they will be at least as well off as they would have been in the absence of the project.

ADB safeguard policies.

ADB has the following policy principles on involuntary resettlement:

- (i) Screen projects early on to identify past, present, and future involuntary resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned non-governmental organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.
- (iii) Improve or at least restore, the livelihoods of all displaced persons through (a) land-based resettlement strategies when affected livelihoods are land-based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods; (b) prompt replacement of assets with access to assets of equal or higher value; (c) prompt compensation at full replacement cost for assets that cannot be restored; and, (d) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically displaced persons with needed assistance, including the following: (a) secure land tenure on land identified for new sites and (b) if necessary transitional support and development assistance such as land development, credit facilities, training, or employment opportunities.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards and provide access to land and

other resources that is both legal and affordable.

(vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.

(vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation of loss of non-land assets.

(viii) Prepare a draft resettlement plan and disclose a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule. Implement resettlement as part of the project.

(ix) Pay compensation and provide other resettlement entitlements before physical or economic displacement and implement the resettlement plan under close supervision throughout project implementation.

(x) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring and disclose these monitoring results.

D. Comparison of ADB and Fiji Laws on Land Acquisition

The following table provides an analysis of gaps between ADB requirements and Fiji Laws and gap filling measures on land acquisition and resettlement.

Table 2: Gaps and Gap-filling Measures

ADB Requirements on Involuntary Resettlement	Fiji Laws on Land Acquisition/ Resettlement	Gaps	Gap-filling Measures
Avoid and/or minimize involuntary resettlement wherever possible by exploring project and design alternatives.	The Constitution and the State Acquisition of Land Act (SALA) set out the conditions under which land may be compulsory acquired. The property can only be acquired for the public good, and with the payment of reasonable compensation.	No explicit reference to the need for minimizing resettlement impacts by exploring alternatives.	The LARP includes measures on avoiding/minimizing land acquisition and resettlement impacts. It provides principles on compensation and entitlements.
Enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels. Particular attention to be	General principles of compensation for land and assets are set out in the Constitution and SALA.	FIJI Laws do not prescribe measures to restore/improve standard of living.	The LARP includes measures on compensation at replacement cost for affected land/assets and to minimize and mitigate adverse social and economic impacts. It is recommended for the Government to undertake a

ADB Requirements on Involuntary Resettlement	Fiji Laws on Land Acquisition/ Resettlement	Gaps	Gap-filling Measures
paid to the needs of vulnerable groups among those displaced who may not be protected through national land compensation legislation.			social assessment of the impacts, particularly for the poor and vulnerable groups.
Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.	SALA sets out the process for land investigation which includes identification of affected landowners and their assets.	No specific requirements for census, cut-off date, impact assessment and scoping of resettlement planning.	The LARP includes measures on survey/census, cut-off-date, assessment of impacts and resettlement planning.
Carry out meaningful consultations with APs, host communities, and concerned NGOs. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations.	SALA sets out the process of notification of the land acquisition.	No specific provisions for preparing and implementing LARP based on meaningful consultations with DPs, including the poor, the landless, elderly, women, and other vulnerable groups	The LARP includes measures on consultations with DPs, including vulnerable groups, during preparation and implementation of RP. The concerns of women will be identified based on sex-disaggregated socio-economic data, separate discussions on women's concerns, and ensuring adequate measures and budgetary allocations in the resettlement plan to compensate and resettle them in a manner that does not disadvantage them. In this effort the assistance of national NGOs currently engaged in women's welfare will be sought;
Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural	SALA provides for appeal against a declaration of public purpose for compulsory acquisition and amount of	No requirements for a project-specific grievance redress	The LARP includes measures on the grievance redress mechanism.

ADB Requirements on Involuntary Resettlement	Fiji Laws on Land Acquisition/ Resettlement	Gaps	Gap-filling Measures
institutions of displaced persons and their host population.	compensation.	mechanism.	
<p>Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.</p>	<p>SALA sets out the process that any person who claims to be entitled to an interest in compulsory acquired land may make a claim for compensation (within 3 months). SALA also sets out the requirements for payment and the provisions for assessing compensation.</p>	<p>No specific requirement for land-based resettlement, replacement of assets, compensation at replacement cost, and benefit sharing.</p>	<p>The LARP includes measures of on-site relocation, replacement of affected structures, compensation at replacement cost and priority of project employment to DPs.</p>
<p>Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities;</p>	<p>No equivalent provision.</p>	<p>FIJI laws have no specific provisions on relocation, transitional support and civic infrastructure and services.</p>	<p>The LARP includes measures on-site relocation of affected structures, transitional allowances and restoration of civic infrastructure.</p>

ADB Requirements on Involuntary Resettlement	Fiji Laws on Land Acquisition/ Resettlement	Gaps	Gap-filling Measures
and (iii) civic infrastructure and community services, as required.			
Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.	DOL has Procedures for Land Acquisition through negotiated settlement or purchase.	No provision of maintaining the same or better income and livelihood status for APs.	The LARRP describes measures on maintaining or improving livelihoods of APs through paying compensation at replacement cost and other assistance.
Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets	Customary rights for Fijian people/ Indigenous People stipulate that individuals without formal title are also protected.	There is nothing in the FIJI Laws to address the issue of displaced persons without land title or legal land rights.	The entitlement matrix for the project provides for resettlement assistance and compensation for non-land assets to non-titled DPs as well.
Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.	--	FIJI Laws have no provision of preparing LARP.	The LARP includes measures for land acquisition and resettlement impacts.
Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the	SALA sets procedures in notification of landowners at different stages of land acquisition steps.	No requirements on disclosure of an LARP.	The LARP includes disclosure measures, including posting of documents on website as well as providing information to DPs.

ADB Requirements on Involuntary Resettlement	Fiji Laws on Land Acquisition/ Resettlement	Gaps	Gap-filling Measures
final resettlement plan and its updates to affected persons and other stakeholders.			
Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.	No explicit provision	-	Land acquisition/resettlement costs will be included and financed out of the project cost.
Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.	SALA sets timing for payment of compensation.	SALA states within 30 days of notification, but does not specifically state before displacement. DOL Procedure provides for 75% before construction and 25% after construction.	The LARP includes measures on full payment of compensation for affected assets before start of civil works on affected land.
Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	No equivalent provision	Gap.	The LARP includes monitoring measures, including requirements of semi-annual safeguard monitoring report. Arrangements for monitoring of resettlement activities will be done by implementing agency, supplemented by independent consultant if sub-project is considered high risk.

In terms of major gaps, the Fiji SALA and its regulations do not require compensation payments to affected persons who have no recognized legal right or interest in the land, and only require compensation on a depreciated/book value basis for structures. Informal sharecroppers and squatters (non-titled) are, therefore, not entitled to any kind of compensation for the land they use. However, to comply fully with ADB resettlement requirements, any non-titled people affected by the Project at the time of the land survey to determine the cut-off date for eligibility for compensation and rehabilitation assistance will be entitled to compensation for loss of structures, crops, trees, or incomes they derive from land, regardless of whether they have formal title to the land or not. And, all compensation including for structures will be at replacement cost without any deduction of depreciation.

The SALA does not provide relocation sites (in the case of resettlement) and there is no provision for assistance for the rehabilitation of adversely affected people. However, the project seeks to avoid resettlement where possible and otherwise minimize through alternative project designs. In case resettlement cannot be avoided, mitigation measures to restore livelihoods and standards of DPs/APs to pre-project levels are described in the LARP, including how resettlement should be conceived and executed with the need for APs/ DPs to be meaningfully consulted and involved in the planning and implementation of any sub-project resettlement plan

The Fijian law does not provide for any special assistance for vulnerable groups or the poorest section of those adversely affected, but it does not prevent Government from providing assistance to adversely project affected people including vulnerable groups. The LARP includes provisions to ensure that affected people particularly vulnerable and disadvantaged people are assisted to improve their living standards.

VIII. Entitlements, Assistance, and Benefits

A. Governing Principles

The project's LARP has adopted a set of resettlement policy principles for the project. The principles are:

- Land acquisition will be avoided or minimized through careful engineering design during detailed design. There will be no or minimum physical displacement of people. The Project will avoid resettlement impacts of significant nature.
- Land acquisition and resettlement impacts will be assessed on time and LARP prepared based on social assessment. The draft LARP will be disclosed to affected persons before construction begins.
- WAF will be responsible for public consultation and public information. Consultations and public participation will be carried out as an ongoing process throughout project planning, design and implementation stages.
- Preparation of appropriate documents, planning and implementation for the acquisition of land and other assets will be carried out in consultation with the affected people. They will receive prior information of the compensation, relocation and other assistance available to them. Further details appear below.
- Affected people will receive compensation at replacement cost from WAF for their loss of land and assets (houses, other fixed structures), crops and trees and this should ensure they will be as well off or better off as without the Project. Compensation for

vulnerable households will aim to restore or improve their livelihood and will be carried out with respect for their cultural values and specific needs.

- Additional compensation and assistance will be provided, as required, to restore or improve living standards of all APs including: (i) compensation to non-title holders such as squatters and sharecroppers recorded as of the cut-off date; (ii) compensation for any loss of livelihoods or income; (iii) compensation at full replacement cost for structures without deduction of depreciation, inclusive of transaction costs; (iv) compensation for transaction costs such as administrative charges, taxation and registration and titling costs; and (v) income-restoration measures.
- All compensation will be fully paid to affected people prior to the commencement of construction in their areas.
- Absence of formal title is not a bar to compensation and assistance, and particular attention will be paid to women and other vulnerable groups, as well as to tenants without legal rights.
- Land acquisition will be conceived as part of the project and costs related to the land acquisition/resettlement will be included and financed out of the Project cost as part of the Government of Fiji contribution.
- Project impacts including unforeseen losses and damages that may occur during either construction or operation, will be carefully monitored and remedial steps taken as required.

B. Eligibility for entitlements and types of affected persons

The date of the census, conducted at the same time as the land survey, will be the “cut-off-date” for eligibility of compensation and rehabilitation assistance. Landowners and/or users that have documented claims to affected land, crops, and trees as of the cut-off date will be eligible for compensation and/or rehabilitation assistance as per the project policy.

30. The main categories of displaced /affected persons eligible for compensation include:
- a) DPs with formal legal rights (Type 1). These are generally the customary owners of *iTaukei* lands or those with individual freehold titles recorded in the title registry and cadastral records in Fiji. This category also includes leaseholders with formal legal rights as tenants.
 - b) Persons whose rights are not formal or legal, but whose claims on land or assets are recognized under national laws, such as those having informal leases on *iTaukei* land. (Type 2). Customary land tenure systems in Fiji are based on usufruct rights to land, and although no titles may exist, in practice some *mataqali* or individual households are granted use of land by owners, without formal title or leases. Where land records cannot be legalized, documentation and testimony from village chiefs and community leaders may be proposed to determine eligibility for compensation, replacement land, or other resettlement assistance.
 - c) Persons with no legal rights to land or assets at the time of assessment or census. (Type 3). This may include sharecroppers, squatters, or wage laborers who depend upon the land acquired. They have neither legal rights nor recognizable ownership claims, but if the project land acquisition destroys their livelihoods, they are

considered displaced persons and are entitled to receive resettlement assistance.

C. Calculation of compensation

Land acquisition procedures will be initiated once land surveys are completed, the design is done, and the alignment plan is agreed and approved by WAF. WAF will forward outline plans to the DOL, showing the estimated land-take, and request them to acquire the land. The DOL, on receiving the request, passes the alignment plan to the statutory section to prepare acquisition diagrams and carry out a search on land owners affected. After this, the plans are forwarded to the Valuation Division, which will assess compensation requirements and obtain all the land clearances. Once the Valuation Division has received the consent of the landowners, field inspections are carried out and a valuation report prepared based on an inventory of losses, taking into account relevant data and sales analysis. WAF's lands and valuation officers work with DOL and relevant agencies in this process, including valuation of compensation. WAF will also inform landowners of availability of the service of private valuer at the beginning stage of this process.

Where *iTaukei* lands are involved, as for the second reservoir, a meeting will be convened with members of the identified *mataqali*, arranged by WAF (usually the Lands Liaison Officer), assisted by the Provincial Council, to undertake negotiations to come to agreed values. WAF will send the proposal to the TLTB, which will negotiate on behalf of the landowners. The *mataqali* owning the land will, however, have a final say whether to accept or reject the TLTB recommendations.

A Sale and Purchase Agreement is then entered into between the TLTB on behalf of the *mataqali*, and DOL. The Sale and Purchase Agreement is forwarded to the TLTB for its Board's consent, accompanied by the relevant fees. Checks are then processed and paid to the TLTB Board, based on estimated area, to be adjusted after the final survey and completion of works.

Leasehold native land follows a similar process, where a field inspection is carried out, a Valuation Report prepared and a Price Agreement executed. The Agreement is sent to the TLTB with relevant consent fees for the Board to approve. If the lease is a registered one, then a caveat is lodged in the Titles Office (as an interim arrangement to prevent changes before the Sale and Purchase agreement can be finalized). The price paid for land will sometimes need to be divided between lessees and owners. Crown or state leases follow a similar process but do not require the Director of Lands consent.

In the case of freehold lands, after discussion with the DOL, the Valuation Division will prepare a Sale and Purchase Agreement and negotiate the purchase.

When compensation has been paid, a Certificate of Transfer is prepared and sent for execution. WAF will then be able to begin construction.

Following completion of the construction work, a final survey plan is done and once approved, this is viewed against the original acquisition diagrams. If the land used is found more than the original estimate then compensation will be adjusted to the exact size of the land used. In the case of leasehold land, after final surveys have been approved, compensation is adjusted in case of any excess land and surrender documents are prepared.

The lessee is asked to provide lease documents for registration of the surrender at the Titles Office. The surrender documents are then forwarded to the TLTB prior to registration. The caveat is then withdrawn and title is returned to the owners.

WAF's counterpart and the resettlement specialist in the PMU, will work closely with the DOL and the TLTB to ensure safeguards are implemented as set out in the LARP.

D. The Valuation Process

WAF prepares initial valuations using local market prices, and data used is maintained by their land division. Finally determined prices, nonetheless, come about through negotiation with affected persons, because often market conditions for the replacement of land and assets are absent.

The current practice is to undertake valuation by WAF valuers and provide a private valuer to affected landowners in case of any disagreements. WAF will continue providing the private valuer under the project, as a regular practice. It will inform the affected landowners at the beginning of the negotiation process about the availability of a private valuer and pay the valuer's fee if landowners decided to use this service.

The compensation to be offered will be at replacement cost based on actual market price of affected land and asset. If the government policy does not provide for full replacement costs (e.g. for transaction costs), the project's compensation will include top-up payments or assistance to cover the full replacement cost.

Full replacement cost is the cost of replacing an expropriated asset of the same or better quality in the current land and/or asset. Full replacement cost includes the following elements:

- a) Fair market value: Where markets function, fair market value can be assessed by examining land sales records in the last 3 or 4 years for similar properties. In parts of Fiji, land values differ widely because of factors such as proximity to the coast (for tourist developments), or fertility and flatness of agricultural land (for market gardening). In such cases, the market value is the going price of an asset in the open market, but where markets do not exist (as in much of rural Fiji), field investigations are needed to collect baseline data to value assets, and to ensure that the valuation is realistic.
- b) Transaction costs: These may include the legal and documentation expenses associated with updating land records to reflect sales, transfers, inheritances and leases, as well as the legal expenses associated with registering property titles for replacement lands and houses. Transport costs may also be included. These costs will be paid by the project and are counted as part of the replacement cost.
- c) Interest accrued: When there is a gap of time between the agreed schedule and the actual payment of compensation, the interest that accrues over that period must be included in the replacement costs.

- d) Transitional and restoration costs: Transitional cost involves a short-term subsistence allowance to support the displaced persons through a period of income loss due to the project. Restoration cost refers to necessary improvements on land or to housing to achieve the objectives of enhancing or at least restoring, livelihoods, compared with pre-project levels.
- e) Depreciation will not be considered when valuing compensation for affected structures.

E. Entitlement Matrix

The matrix below has been developed for the project taking into account potential impacts of the project.

Table 3: Entitlement Matrix

Type of Loss	Entitled persons	Compensation and Rehabilitation Measures	Implementation Issues
Water Component			
A. Loss of Land			
Temporarily affected agricultural, residential or commercial land	<ul style="list-style-type: none"> -Farmer cultivating crops near the river -Owners and/or cultivators where electric poles or pylons are erected -Owners / residents of residential or business property along the road who encounter difficulties accessing their property during construction of the pipe 	<ul style="list-style-type: none"> -Farmer must be granted access to equivalent land and/ or cash compensation -Cash compensation for damage to standing crops during construction required -Access must be assured during construction and driveways, access roads restored -Income losses to businesses so affected must be fully compensated 	<ul style="list-style-type: none"> -Requires consultation with the land owner and assessment of the quality and value of affected land -All anticipated losses must be identified and assessed in conjunction with the detailed measurement study and census
Permanently affected agricultural, residential or commercial land	<ul style="list-style-type: none"> -Landowner – intake, WTP, and first reservoir site -Landowners of property immediately north of intake, WTP, reservoir site -Landowner(s) –second reservoir and access road -Farmer 	<ul style="list-style-type: none"> -Purchase or lease must be negotiated -Purchase or lease of land traversed by the track to WTP site -Purchase or lease must be negotiated -Access to some additional land or cash compensation must be provided 	<ul style="list-style-type: none"> -Landowner resides overseas, purchase by a local man is in process -Land value must be valued by independent registered assessor -Land value must be assessed; -Negotiation with iTaukei Land Board will be required -Availability of arable land in the same property must be assessed -Crop values must be ascertained with staff input -Damage to soil fertility from construction must

	-Owners and/or cultivators where electric poles or pylons are erected	-Cash compensation for acquisition of land may be required	be estimated -Design of electric supply lines and valuation of affected land required by independent, registered assessor
B. Loss of Houses or Other Structures	No structures affected anticipated (unless they overlap the road reserve)		
C. Loss of Crops and Trees	-Landowner (intake, WTP and reservoir) and -Landowners of property immediately north of WTP site traversed by 0.15 km of track to WTP -Landowner(s) (reservoir and access road) -Farmer -Owners and/or cultivators where electric poles or pylons are erected	-Cash compensation at full replacement value at current market rates for all affected persons	-Value of lost (non-productive) tree cover must be assessed -Value of annual crops and/or productive trees must be ascertained
Wastewater Component			
A. Loss of Land			
Temporarily affected agricultural, residential or commercial land	-Owners of land adjacent to the two new wastewater pumping stations and along the routes where the mains and local sewer lines will be constructed -Owners and/or cultivators where electric poles are erected near new pumping stations	-Cash compensation for damage during the construction work must be paid at current market prices before work begins -Land must be restored to prior condition following completion of the construction work	-Landowners must be identified, informed, and consulted in a meaningful way -Condition of land must be determined before construction
Permanently affected agricultural, residential or commercial land	-Land owners at Nakasi and Nausori pumping station sites -Landowners of properties that will be affected along the new sewer mains and pipes to residential backlog areas -Owners and/or	-Discussion must be conducted with the Dept. of Lands and Nausori Town Council about the new pumping stations -Compensation must be provided at current market prices for all losses before construction commences -If agricultural land is affected, equivalent land should be granted to the owner and tenants if possible -Compensation must be	-Appropriate documentation must be filed with relevant authorities -Current fertility of land that will be affected must be assessed

	cultivators where electric poles are erected	negotiated and paid before construction	
B. Loss of Houses or Other Structures	-Owners of houses or other structures affected by installation of sewer mains and local pipes	-Compensation at full present market value for all losses -Identification of new lots and assistance with relocation if required -Permission must be given to use existing building materials -Restoration of income generation opportunities	-Cataloguing and assessment of affected property must be carried out in conjunction with detailed measurement study and census -Affected property must be valued by an independent registered assessor.
C. Loss of Crops and Trees	-Land owners affected by construction of sewer mains and local pipes and any electric poles	-Cash compensation at full replacement value at current market rates for all affected persons	-Value of mature and immature crops and trees must be ascertained and recorded
D. Loss of Business Income	-Persons conducting enterprises along the new mains and local pipes or affected by construction of the new pumping stations	-Compensation for economic losses due before commencement of construction work	-Monthly income and the type and time period of dislocation due to construction work must be assessed accurately

A sample table of losses and compensation as must be prepared for all affected people follows. This must be prepared in detail for each and every affected person in the whole project. Included here are a limited number of properties that are most likely to be affected by installation of sewer mains from Nausori and Nakasi to Kinoya, and in residential neighborhoods where deviation from road reserves is necessary to ensure unrestricted flow.

Table 4: Compensation Required per Property*

Cadaster number	Lot number	Size	Land Value F\$	Nature of Losses	Compensation required
SO 4296	4	206 sq. m.	14,425	Easement	Cash for land at current market prices
SO 4296	5	206 sq. m.	14,425	Easement, fence and vegetable garden	Cash for land, for replacement of fence, and for lost produce all at current market prices
DP 8852	6	421 sq. m.	38,000	Easement, fence, trees	Cash for land, relocation of fence, and for trees at current market prices
DP 8852	5	427 sq. m.	38,500	Easement, fence, and driveway	Cash for land and replacement of fence, and for construction of alternate driveway, at current market prices
DP 8485	30	250 sq. m.	24,500	Easement, productive tree	Cash for land, and cash for new tree plus value of produce until it is expected to

					mature and produce income generating fruit
DP 8485	31	325 sq. m.	38,000	Easement and shed	Cash for land and replacement of shed at current market prices
Cultivated field near Rewa bridge	Not available	Not available	Not available	Easement, damage to crops and soil, loss of annual income,	Provision of equivalent land or cash for land lost, rehabilitation of fields, cash for crops lost until field restored at current market prices
House in informal settlement near Omkar Road	Not available	Not available	Not available	Loss of residence and likely loss of livelihood	New location for residence, current market value of building materials, permission to salvage all materials from present location, assistance with physical relocation, livelihood restoration or improvement through job opportunity, training program, or provision of seeds and tools etc. at new location

* To be revised and expanded following completion of the detailed engineering design

IX. Income Restoration and Rehabilitation

A. Special Assistance to Vulnerable Groups

Vulnerable groups are those who may suffer disproportionately or face the risk of being marginalized due to physical or economic displacement. Women headed households with dependents, households where the head is disabled, the poor, the landless, elderly households with no means of support, households without security of tenure, ethnic minorities, or marginal farmers.

All women, whether classified as vulnerable or not, suffer extraordinary burdens due to resettlement. They earn lower incomes, often lack property rights, and bear much of the burden of transferring household goods and keeping children out of danger around construction projects. Also, their voices carry less weight

Thus special efforts are required to inform women of the detailed plans for construction work and respond to their questions carefully, to include them in decision making, to ensure that they have equal opportunities for work related to project implementation and management. Examples include meeting with neighborhood and women's groups to present planned construction, explain such rules as the requirement that all houses must be connected to the sewers within one year of their installation in a neighborhood, and offer suggestions for managing demand by turning off faucets and installing flow restrictors in showers and taps.

During construction, special attention must be given to facilitating access by the disabled and

elderly if their sidewalks are blocked. This might include arranging help with grocery shopping or special services to assist with mobility. Special training programs should be organized, possibly through local NGOs, to teach interested members of vulnerable groups about tap repair and basic business practices so individuals can earn a small income while addressing demand management. Advice on how to widely use funds that are provided as compensation for easements or other lost property could be of considerably benefit as well.

Special programs should be created in conjunction with the Ministry of Social Welfare to help vulnerable citizens afford sewer connections. Those receiving support from the MSW could either be granted subsidies, or extended payment arrangements, or both. Special assistance might be provided to those who are physically incapable of doing heavy work with reconstruction of damaged fences or outbuildings or replanting of trees that are affected by the construction work as well.

B. Other Activities

Apart from direct compensation, implementation of other measures to restore incomes for DPs will be adopted, such as employment in project construction, skills training, community development, or assistance to vulnerable groups. Income restoration measures will focus on the poor and vulnerable people whose daily income and livelihood sources are at risk.

It is estimated that construction of the water intake and treatment plant in Viria would take one year and work opportunities would be available for residents of the area, especially any farmers still resident on the property on which the plant will be located. In urban areas, jobs will be prioritized for affected persons and on the job training provided to them.

X. Resettlement Budget and Financing Plan

A. Responsibilities

The Government of Fiji will be responsible for land acquisition costs. WAF will be responsible for implementation of the resettlement plan in accordance with all relevant ADB policies and Government of Fiji laws. Staff of the PMU will assist WAF counterparts to ensure that procedures are correctly followed and detailed records maintained of all relevant discussions and transactions.

B. Budget Summary

A total of \$3 million has been included in the project total to cover land acquisition and all other resettlement costs including fees for land title changes or other government fees such as stamp duty. All costs for negotiating grievance redress will also be borne by the project.

Resettlement staff in the PMU will be as follows.

Table 5: Resettlement specialists in the PMU

Position / Expense	Time /. Extent	Unit Cost (US\$)	Total cost (US\$)
International Resettlement Specialist	18 months	22,000/month	396,000
Mid-level Domestic Consultant	40 months	4,500/month	180,000

Community Outreach Specialist	40 months	3,000/.month	120,000
Total			696,000

XI. Institutional Arrangements

A. Institutional Responsibilities

The following are key agencies responsible for the project's land acquisition, resettlement and compensation activities:

- (i) The Ministry of Finance will be the Executing Agency. WAF as the Implementing Agency will have overall responsibility of the project including safeguards. WAF responsibilities are (a) identification of affected areas; (b) all community liaison; (c) budgetary provision; (d) supervise the counterpart that works with the PMU resettlement staff;
- (ii) WAF will ensure that compensation is paid as required under the LARP. WAF's counterpart and the PMU resettlement staff will also be responsible for identifying capacity gaps and providing training and capacity building to Fijian agencies involved in land acquisition.
- (iii) The DOL and WAF land and valuation officers will be responsible for (a) all initial valuations; (b) identification of owners and leaseholders and (c) negotiations with land owners.
- (iv) The TLTB, which represents and negotiates on behalf of the *mataqali* land owners, will sign agreements on their behalf and will be responsible for securing the consent of *mataqali* members prior to making such agreements.

WAF

WAF will be responsible for overseeing and managing project execution including compliance with project requirements including safeguards. It will appoint a counterpart to work with the PMU resettlement specialist team for the project. WAF's counterpart and the PMU resettlement specialists will ensure that the procedures and processes established in this LARP are followed for the project.

PMU

The PMU will include international and national specialists to implement the safeguard tasks as required by the LARP, as noted above. This will include: (i) social safeguard/resettlement specialist (international) (SSS); and (ii) safeguards specialist (national) (NSS); and (iii) a community outreach specialist. The DSC will be headed by a team leader.

Safeguards responsibilities of the PMU include:

- Ensuring that safeguards are implemented as set out in the LARP and other safeguard documents so as to meet intended requirements.
- Supervising conduct of the census and IOL, managing the grievance redress process, monitoring all resettlement-related activities, and reporting regularly on

its activities for inclusion in project reports.

- Supervising the safeguards implementation, including implementation of relevant LARP activities.

Department of Lands

The DOL will be responsible for (a) attending village consultation meetings; (b) initial valuations; (c) identification of owners and leaseholders (d) negotiations with land owners; (e) preparation of Sale and Purchase Agreements and sending to the TLTB for Board endorsement; (f) approval of final land surveys on completion of Project, and adjustment of land compensation required; (g) preparation of land transfer, lease surrender, or freehold dedication documents; and (h) registration of titles.

iTaukei Land Trust Board (TLTB)

The TLTB, which represents and negotiates on behalf of the *mataqali* land owners, signs agreements on their behalf and is responsible for securing the consent of *mataqali* members prior to making such agreements. The TLTB Board must endorse and approve the Sales and Purchase Agreements, and transfer documents.

Disbursement and Payment of Compensation

WAF will coordinate with DOL, TLTB, Provincial Councils and District Administrations to disburse and pay compensation to DPs in accordance with the Entitlement Matrix as described in preceding sections. Compensation will be paid and affected structures, if any, will be relocated before taking possession of land/properties and prior to the start of civil works. Local authorities, particularly, the village leaders (*Turaga-ni-Koro*), will assist in identifying entitled persons and delivering the compensation amounts.

Capacity Development support

The capacity of WAF and government agencies involved in land acquisition is still weak in the areas of safeguards and will be strengthened under the project. WAF's counterpart and the PMU resettlement staff will provide training to staff of WAF and relevant government agencies such as DOL and TLTB, mainly in the form of on-the-job training, but also through special workshops to enhance their institutional capacity and improve safeguard practice in Fiji, as desired and considered beneficial. Based on the experience of training together, working groups can be established to ensure interdepartmental coordination. An initial workshop might be held for all staff involved in land acquisition in the early stages of the project, following by mentoring and on-the-job training. Further workshops on specific topics will be organized, as needed, once implementation is underway, particularly to ensure that monitoring activities are undertaken according to the LARP.

Other organizations: civil society and women's groups

There are few local NGOs or women's groups involved in the planning and management of any land acquisition or resettlement activities, except for groups of the landowning *mataqali*. Local groups and leaders will be consulted when identifying any particularly vulnerable

people. Other NGOs, if available, will be consulted about land and livelihoods issues. They will also be consulted during monitoring of the LARP and its outcomes, as required.

These groups may assist with community or local group meetings to disseminate information about the project, water demand management, proper use of sewers, how to report leaks or overflows, tariff and connection fees etc. They might also be engaged in sustained outreach to schools and other local organizations and provide training to women on tap and small leak repair and maintenance.

XII. Implementation Schedule

A. Pre-resettlement activities

Along with the engineering survey of each area, a census which establishes the cut-off date, social assessment to identify vulnerable households, and dissemination of information about the project and related issues must be conducted. Meaningful consultation with affected households and neighborhood groups to ensure that all stakeholder questions are addressed follow periodically as an Inventory of Losses is conducted and the losses valued by an independent registered assessor. Negotiations with the affected persons over compensation lead to signed agreements on amounts to be paid and/or otherwise provided, and full transfer of compensation is required prior to commencement of construction work.

Wherever land must be acquired clarity on its ownership – freehold, iTaukei / customary / tenancy / lease etc., or non-titled – must be determined by WAF, DOL, and TLTB. The cadaster must be confirmed or updated, and titles searched. Signatures of 60% of the matagali that controls land that is to be acquired must be obtained before the TLTB will proceed. The land and its crops and trees must be valued by an independent assessor, and negotiations conducted with owners and residents about compensation.

B. Resettlement implementation phase

An indicative implementation schedule for the Project land acquisition and resettlement activities for the initial construction work in Viria, the second reservoir, the pumping stations and the water and sewer mains is provided in the Table below. Scheduling of installation of sewers in residential areas must be phased. The sequence of census, (which establishes the cut-off date) and social assessment, the inventory of losses, valuation of those losses, and negotiation and payment of compensation prior to construction will be the same, but will commence at different times in each area. Thus, a more detailed schedule including installation of major pipes and neighborhood reticulation must be prepared after completion of the detailed engineering design.

	Activities	Responsible Agency	Timing
	Update LARP		
1	Confirm land requirements based on detailed engineering design. Determine areas of land which will fall outside the existing road reserve	Consulting engineers	Month1

	where pipes will be installed.		
2	Provide plans identifying areas to be acquired to DOL and TLBT	WAF	Month 1
3	Determine type of affected land tenure (iTaukei, leased, or freehold)	DOL & TLTB	Month 1
4	Determine numbers in <i>mataqali</i> group, land owners and users affected through conduct of census of all households along pipe routes thereby establishing cut-off date, and identify any vulnerable households through simultaneous social assessment	DOL, TLTB, and WAF	Month 2
5	Conduct consultations with affected households and communities to disseminate information on the project, agree on land acquisition,	DOL, TLTB, WAF	Month 2; Ongoing
6	Obtain written consents from mataqali and households that will be affected during consultations	DOL & TLTB	Month 2-3-4
7	Cadastral survey of land if not previously done, and submission for land registration	DOL; WAF	Month 2
8	Conduct titles/leases search in Government titles registration office for affected land ownership	DOL and WAF	Month 2
9	Determine and mark areas for each land unit required, and each household that will be significantly affected	DOL and WAF	Month 2
10	Conduct inventory of losses – land, trees, crops and provide valuation for compensation	WAF, Valuation Division DOL & MAFF	Months 3, 4 & 5
12	Negotiate compensation with land owners (<i>mataqali</i>) or holders of Native Leases or freehold landowners	WAF, DOL & TLTB	Month 3 - 4
13	WAF submits the updated LARP for approval and uploading on the ADBwebsite	WAF& ADB	Month 6
	LARP Implementation		
14	Execution of Sale and Purchase Agreement. Endorsed by TLTB.	WAF, DOL and TLTB	Month 5
15	Payment of compensation and allowances for Viria and pumping stations	DOL, WAF and TLTB	Month 6
16	DOL completes land transfers & registration, Viria, second reservoir, and pumping stations	DOL	Month 6

17	WAF submits the Land Acquisition Completion Report to ADB for Viria, reservoirs, and pumping stations	WAF	Month 7
18	Award of civil works contract, clearance of land, and briefing of contractor on safeguards	WAF	Month 7
19	Commencement of civil works (contingent on compensation and allowances being paid)	WAF	Month 8
20	Final survey plan on completion of work; payment of adjusted compensation as required	WAF and DOL	Month 15
	Monitoring		
21	WAF starts socio-economic monitoring of affected peoples	WAF	Month 12
22	WAF submits progress report to ADB on implementation of the LARP	WAF	Six - monthly
23	WAF conducts post-project survey and final monitoring report	WAF	Month 16

XII. Monitoring and Reporting

WAF will monitor all activities associated with land acquisition and payment of compensation to affected people. The scope of monitoring includes: (i) compliance with the agreed policies and procedures for land acquisition; (ii) prompt approval, allocation and disbursement of compensation payments, including if necessary, supplemental compensation for additional and/or unforeseen losses; and, (iii) remedial actions, as required. The monitoring will also cover the social impacts of the project and whether affected persons are able to restore and preferably improve, their pre-project living standards, incomes, and productive capacity.

WAF will prepare and submit semi-annual progress reports to ADB as part of project performance monitoring.

WAF will coordinate with DOL and TLTB as well as Provincial and District administrators in monitoring activities associated with land acquisition.