

SFG2039 REV

**SOLOMON ISLANDS GLOBAL PARTNERSHIP ON  
ELECTRICITY ACCESS EXPANSION PROJECT  
(GPOBA PROJECT)**

**DRAFT**

**ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK  
(ESMF)**

**GOVERNMENT OF SOLOMON ISLANDS**

**June 2016**

**Acronym**

CEMP	Construction Environmental Management Plan
ECD	Environment and Conservation Division
ESMP	Environment and Social Management Plan
ESMF	Environment and Social Management Framework
FPIC	Free, prior, informed consultation
FTE	Fixed Term Estate
GPOBA	Global Partnership on Output Based Aid
IA	Implementing Agency
IP	Indigenous People
MECDM	Ministry of Environment Climate Change Disaster Management Meteorology
OP	Operational Policy
PE	Project Engineering
SOP	Standard Operating Procedure
SP	Solomon Power
SREP	Scaling Up of Renewable Energy Program in Low Income Countries
UXO	Unexploded Ordinance
WB	The World Bank

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# 1. INTRODUCTION

The Solomon Islands Electricity Access Expansion Project (the Project) is supported by grants from the Global Partnership on Output Based Aid (GPOBA) and Scaling Up of Renewable Energy Program in Low Income Countries (SREP) under the Strategic Climate Fund aims to increase access of low-income households to electricity in peri-urban and rural areas of Solomon Islands. Provision of infrastructure such as stable supply of grid-based electricity has the potential to promote economic growth, for example, by refrigeration of fish, pumped irrigation, processing of produce, and development of the tourism industry. Solomon Power is committed to expanding its service area both in Honiara and in the outer islands, but the initial connection fee is an impediment which cannot be overcome without financial support.

The Project forms part of a broader initiative of Solomon Power (the state-owned enterprise responsible for energy generation and distribution within the Solomon Islands) which has recently started to invest in strengthening and expanding its system. The investment program includes installation of an additional 10 MW of diesel generator capacity at Lungga Power Station in Honiara, 23 subprojects to expand the Honiara grid and development of three outstations with solar-diesel hybrid systems in Afio, Seghe and Taro. The investment plan also includes development of power generation and distribution systems in a further 35 outstations.

The Project will assist eligible poor households to connect to the existing electricity grids in peri-urban areas of Honiara and other provinces; and also assist all low income households in targeted rural villages, or outstations - such as Taro, Seghe and Afio - to connect to new micro-grids by addressing the ability of the poor households to pay the up-front connection charges and costs of basic wiring. This project targets about 2,125 household connections to the existing grid and 440 household connections to other renewable energy and off-grid supply through micro-grids. The direct project beneficiaries will be approximately 15,000 persons.

Since the exact sites of the household electrical connections are not all known prior to the project appraisal, an Environmental and Social Management Framework (ESMF) is prepared as required under the World Bank's Operational Policy (OP). 4.10 (Environmental Assessment). The purpose of this ESMF is to ensure that the subsidized connection meets with both the environmental and social safeguard policy of the World Bank and laws and regulations of Solomon Islands.

## 2. PURPOSE AND SCOPE OF THE ESMF

The ESMF will serve as the Project's umbrella for the environmental and social management document, setting out the strategy to screening process that will ensure capturing all the project's environmental and social issues. The purpose of this ESMF is to guide the Implementing Agency (IA) – Solomon Power (SP) on the environmental and social screening of the Project activities and subsequent environmental and social assessment of these activities during project preparation, design and implementation. This ESMF together with Standard Operating Procedures of the Solomon Power (SP), provides:

- Project design to mitigate impacts and optimize benefits
- Protocol during construction to mitigate any impacts to be restored as prior to construction;

- Protocol for confirming and documenting authorization of impacts on any affected land and assets prior to connection;
- Consultation mechanism on the project and the ESMF and records of consultation;
- Complaint handling mechanism;
- Roles, responsibilities and capacity of those involved;
- Monitoring and reporting mechanism;
- Budget mechanism

The draft ESMF was prepared based on substantial stakeholder consultation. The Solomon Power undertook serial initial consultations in Taro, Seghe and Afio on establishment of hybrid generation systems in the provinces during September – October 2015. That the feedback has been incorporated in this document. It was subsequently disclosed at the Solomon Power website and the World Bank website.

### 3. PROJECT DESCRIPTION

The Solomon Islands GPOBA Project proposes to enable access to electricity for approximately 2,700 households in low-income areas of Solomon Islands. The primary beneficiaries are located in peri-urban areas of Honiara grid-extension coverage and provincial grids and micro-grids in rural areas. Micro-grid off-grid systems comprise generation plant (such as solar panels) and low voltage distribution networks with capacities between about 2 kW and 100 kW supplying a village (or small cluster of villages).

A house located 30 meters from the nearest pole will have to pay about SBD2,500 (US\$313) for the service line and the meter (excluding about SBD1,700 which Solomon Power shoulders for the first 20 meters of connection), and additionally pay more than SBD10,000 (US\$1,250) for in-house wiring. These costs adding up to SBD12,500 (US\$1,560) is clearly unaffordable given that the monthly income of the lowest quartile in urban areas is SBD2,000. Although Solomon Power did not have accurate data, the OBA Consultant identified many low-income households in the existing Honiara grid area who were not connected to the grid since they could not afford this initial connection cost.

In the outer islands, where the costs of the service line and in-house wiring is even more expensive, and further compounded by the lower monthly income of SBD850 for lowest quartile, makes the affordability gap even greater. The proposed GPOBA grant will provide targeted subsidies to low-income households to buy down the capital costs of service connections and in-house wiring, not just to provide lighting, but also to provide income-generating opportunities.

The proposed project has a strong pro-poor focus, and hence the project supports GPOBA's central objective of providing targeted subsidies to low-income consumers to access basic infrastructure services, including energy. It delivers i) the benefits of grid electrification, including improved, safer lighting and more reliable power potentially for income-generating activities to the low-income households that would otherwise not be able to afford the cost of connection, and ii) access to electricity in unserved peri-urban and rural areas.

Component 1 of the project will provide OBA subsidies for new electricity service connections and subsidies for household wiring for low income households accessing electricity services. This will provide one-off subsidies to cover the cost (up to a predefined limit) of household connection to grid and mini-grid and household wiring for household accessing grid-based electricity services under the project.

Specifically the Bank will support the connection between the low-voltage cables constructed by Solomon Power to the house and household wiring. Component 2 and 3 will provide implementation support to cover operating costs, including environmental and social impact management, and independent verification of outputs respectively.

The OBA subsidy will cover materials and installation of the service line and auxiliary pole, when needed; a pre-paid meter; and in-house wiring including protection, earthing, and two LED light bulbs. Figure 1 illustrates the service line connection, in-house wiring and auxiliary pole (if needed). Solomon Power would be the implementing agency for the project. Solomon Power will undertake the service connection and will contract suitable qualified electricians to undertake in house wiring.

The Bank supported activities will comprise connection of the households to the low voltage cables installed along roads under independent funding from Solomon Power. The World Bank project cannot operate without the low voltage power being generated and distributed under the Solomon Power project. Similarly the Solomon Power project cannot be effective without households' connection. Thus the World Bank safeguard policy requires application of World Bank Safeguard Policies in the Solomon Power project, covering grid extension and micro-grid installation.

The grid densification/extension will take place in Honiara areas, such as in Kakabona area, Green Valley, Burns Creek areas, Ohiola/Mbaranaba sites and other further identified areas. The new electricity connection through micro-grid (hybrid generation system) will be located in Taro area in Choiseul Province, Seghe area in Western Province, and Afio in Malaita Province and other areas in other further identified remote provinces.

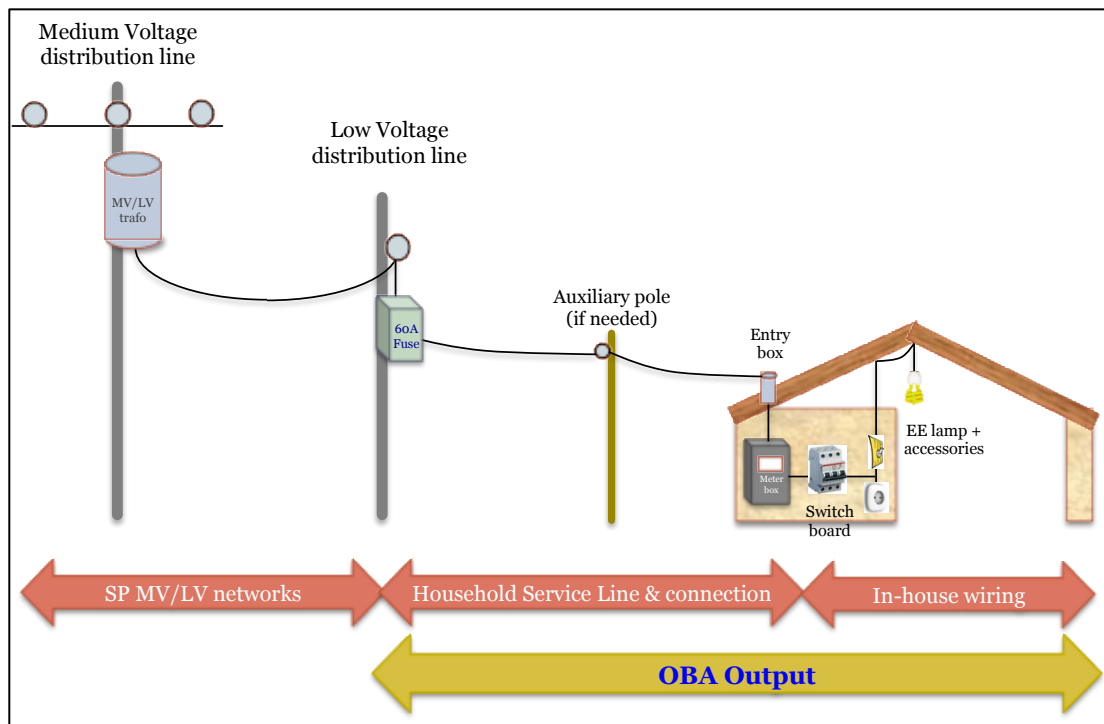
Figure 1 illustrates the service connection with a household wiring component and an auxiliary pole.

## **4. POTENTIAL IMPACTS**

### **4.1. ENVIRONMENT IMPACTS**

The potential environment impacts are assessed based on the design, scope of work as well as the physical and biological environment of the project site. Mitigation measures for each potential environment and social impacts are designed to avoid, minimize or remediate the impacts. Relevant Standard Operating Procedures (SOPs) are listed in the Annex C to support and manage activities undertaken by Solomon Power on a day to day basis.

#### **Figure 1: Diagram of electricity network, service line and in-house wiring**



The OBA project will only be subsidized for new electricity connections and for household wiring. This will involve very little construction i.e. auxiliary poles (if needed) connected low-voltage poles to house. The only new construction involve the construction of micro-grid in Seghe area, Taro area, Afio area and other provinces. As such the environmental impacts are expected to be minor, if any.

Soil digging activities for erecting power poles and laying foundation for outstations may result in the generation of dust, potential drainage issue and disposal of the excess excavated materials. However the scale of this activities is small and the environmental impacts are expected to be minor. None the less, Solomon Power and the contractor are expected to prevent pollution emanating from these activities and take remedial measures.

**Dust:** The construction works will have a minor and temporary impact in the form of dust during dry windy conditions. Some air pollution is expected from vehicles transporting power poles, cables, and other construction materials. Except from concrete foundations for outstations, there will be very little construction related activities requiring large scale stock piling of materials.

**Construction and demolition waste:** It is possible that remains of construction and demolished materials may accumulate at the project sites. Solid wastes, debris, spent oils or fuel from construction machinery or plant, construction material, or waste vegetation may be resulted by project activities.

**Impacts on noise level:** There are no noise standard in Solomon Islands, and the noise generated by the project will be temporary (i.e. during construction) and intermittent.

Construction noise is generally intermittent, attenuates quickly with distance, and depends on the type of operation, location and function of equipment. During construction, there will be a temporary adverse



impact due to the noise of the construction equipment. However, all the works, especially for the installation of outstation, are in fairly remote areas, away from school or residences.

**Impact on access:** the project may cause temporary negative impacts, including inconvenience, minor disruptions to traffic using the road and on local access during the construction period, especially for grid extension related activities in Honiara.

**Impacts on health and safety:** the project's construction phase may cause potential health and safety impacts. The main impacts on health and safety associated with (i) risk of accident at work sites, and (ii) traffic safety issues. The risk of spread of communicable disease is considered to be negligible because there is no expected high influx of people in search of jobs at project sites.

There will be no operation related impacts except for low level humming noise from the diesel generator. The noise is not discernable from the road side and given the remote locations of the facility, no impacts are anticipated.

**Chance to find unexploded Ordinance (UXO):** UXO is defined as explosive ordinance that has been primed, fused, armed or otherwise prepared for use in armed conflict but has failed to explode. The area of Solomon Islands were the scenes of bitter fighting during World War II. While this was over 60 years ago, UXO may still be found in the area. Pre-construction impacts are expected to be associate mostly with the clearance of UXO from the proposed location of the project.

**Table 1: Potential environmental Impacts envisaged**

<b>Preconstruction Impacts</b>	<b>Construction Impacts</b>	<b>Operation Impacts</b>
Demolition wastes including disposal of oil, chemicals, debris, concrete, contaminated soil, scrap metals, etc.	Operation of construction machines creating noise and emissions;	Accident arises posing risk to workers (worker health and safety);
Transportation of demolition wastes creating dust;	Sedimentation and siltation to adjacent water bodies;	Operation of generator creating noise and emissions eg. NOx, Sox, CO and burnt hydrocarbons;
Operation of demolition machines creating noise and vibrations;	Water quality can be affected during construction activities when soils, wastewater, oils and lubricants, sewage and other materials are allowed to move into the environment;	Accidental spillage of oil and fuel during at Power Station (solid and liquid waste);
Workers safety a concern;		Storm water drainages;
Accidental spillage of chemicals to waterways causing pollution.	The project's construction phase can cause a range of health and safety impacts;	Continuous supply of water to project sites (power station) for use by generators and for use in emergency responses when an accident occurs important;
The clearance of UXO from the proposed location of the project.	It is possible that remains of construction waste accumulate at the project sites. Construction	

Preconstruction Impacts	Construction Impacts	Operation Impacts
	waste will be disposed at designated site approved by Solomon Power	There are marginal impacts involving delivery and storage of fuel. Negligence of protocol can result in a disaster.

## 4.2. SOCIAL IMPACTS

Solomon Islands is one of the largest countries in Melanesia, and is spread across six large islands, dozens of smaller islands, and hundreds of islets and atolls. More than 80 percent of Solomon Islanders live in rural villages of several hundred people, and this widely dispersed population, along with a narrow economic base, makes the provision of public services challenging. The population is culturally diverse, with 120 indigenous languages spoken throughout the archipelago. Melanesian pidgin is the lingua franca. The social system<sup>1</sup> of the traditional Solomon Islands Melanesian, the institutional hierarchy gives meaning to society. These institutions are based on a land tenure system which binds together all persons within the group. In this context, people's relationship to the land is an integral part of their relationship with each other. Tribe system, which is a larger grouping bound together by descent from the first pioneer to have settled and populated an area of land. The customary communities have unique inheritance and limited distribution mechanism with land and resources managed through village and family units<sup>2</sup>.

The main social impacts from the Project are strongly positive. Provision of electricity supply will strengthen the socio-economic integration of the beneficiaries through giving them the opportunity to access education, improving health outcomes and providing income generating opportunities amongst others.

### 4.2.1. BANK'S PROJECT

This GPOBA Project will be subsidized for new electricity connections and for household wiring for low income households accessing electricity services under the project. The electricity installation under the subsidy will cover basic wiring from the nearest power pole to house, including installation of auxiliary poles if needed, pre-paid metered connection and in house-wiring. The project itself will not create any significant impacts and no need to acquire land. Minor damages to assets during connections may happen due to the activities during installation covering digging a hole for a power pole (if needed), trimming vegetation, and arranging easement for over-head line from the property boundary to the house. Since the installation work will be undertaken if there is demand or application from the applicant/consumer (household owner), the work will be conducted based on obtaining consent from the household owner on any impacts on land. The consumer will organize the access from the street boundary to the property boundary as well as from property boundary to the house, including trimming vegetation. The installation itself will be conducted by the licensed service provider (contractor), thus any damage regarding pole installation and household wiring will be handled by contractor.

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<sup>1</sup> Social Policies in Solomon Islands and Vanuatu. Biman Chand Pasad and Paul Kausimae. UNRISD. 2012.

<sup>2</sup> National Development Strategy 2011 to 2020. Government of the Solomon Islands.

#### **4.2.2. LINKED PROJECT**

The linked project is funded by Solomon Power covering extension of grid for distribution and installation of hybrid generation system.

##### **4.2.2.1. DISTRIBUTION SYSTEM**

The grid densification/extensions will involve only minor civil works such as soil digging of holes for power poles and for easement of over-head line. For purpose of erecting power poles land may be required, however very small. All poles will be located either along existing road corridors or within communal/community owned land.

##### **4.2.2.2. GENERATION SYSTEM**

The new micro-grid (out station) facilities in remotes provinces will be built on the ground and required land area of around 1 Ha, for solar panel, battery, diesel generators and for Solomon Power site office. The Solomon Power will obtain the needed land through lease approach for 25 years that after 25 years it will either be extended or be handed over to other party. This approach has been conducted for existing hybrid generation systems by Solomon Power and ‘as of right’ under law. Therefor the proposed project activities, including the implementation of associated facilities do not encroach any privately owned land or communal land. In Seghe, SP has surveyed land belonging to church to be leased and currently in the evaluation stage. In Afio and Taro, the required land has been identified that it is owned by provincial government and further survey will be carried out by Solomon Power. The same approach to obtain the required land will be used for other areas for new micro-grid installation.

Any removal of trees/vegetation on non-road reserve to facilitate household connections will require consultation with the tree owner and will base on consent of the owner. If there is any demand to get compensation from the owner to remove the affected trees, SP will provide compensation for the trees in accordance with rates prescribed under law (referring to rates issued by Ministry of Agriculture). In the case of the affect to private structure, the project will avoid to impact to any structure. Thus impact of the project to structures will not be envisaged.

## **5. POLICY AND REGULATORY FRAMEWORK**

### **5.1. WORLD BANK SAFEGUARD POLICY**

The World Bank’s environmental and social safeguard policies are a foundation to achieve sustainable poverty reduction. The objective of the policies is to prevent and mitigate undue harm to people, their livelihoods and their environment in the development process. The project triggers two safeguard policies, i.e. OP 4.01 Environmental Assessment and OP 4.10 Indigenous Peoples. The project does not trigger OP. 4.12 Involuntary Resettlement that will be explained below.

#### **5.1.1. OP.4.01 ENVIRONMENTAL ASSESSMENT**

The proposed project to be financed by World Bank requires Environment Assessment to ensure that it is environmentally friendly and sustainable. OP 4.01 (Environment Assessment) sets out the general policies and principles for environmental and social protection for projects financed by WB and requirements for assessment of impacts and implementation plans and measures to mitigate or manage impacts. The OP 4.01 has been used to classify the project category. For this project, the proposed project is expected to have minimum adverse environmental impacts, therefore the project has been classified as a Category B project. These impacts are expected to be temporary and can be readily mitigated.

### **5.1.2. OP 4.10 INDIGENOUS PEOPLES**

OP 4.10 ensures that the development process fully respects the dignity, human rights, economies, and cultures of Indigenous Peoples (IP). The World Bank recognizes that the identities and cultures of IP are inextricably linked to the lands on which they live and the natural resources on which they depend. These distinct circumstances expose IP to different types of risks and levels of impacts from development projects, including loss of identity, culture, and customary livelihoods, as well as exposure to disease. IP are defined under OP 4.10 as distinct, vulnerable, social and cultural groups possessing the following characteristics in varying degrees:\

- self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- an indigenous language, often different from the official language of the country or region.

Country-level social analysis undertaken during the preparation of the ESSIP suggests that groups meeting the four defining characteristics of OP 4.10 are likely to be found in Solomon Islands, which is recognized as including numerous self-identifying groups with distinctive institutions, with patterns varying from island to island.

While there are indeed many groups within Solomon Islands that meet the IP definition, the key qualifier for the applicability of the policy is whether these groups are present in the project area of influence.

Project investments will be predominantly within existing urban areas (eg. Honiara and outstation sites) with infrastructure sited on Government-owned land. Beneficiary populations within these urban areas are expected to be heterogeneous with individuals from various cultural groups, both local and from further afield in Solomon Islands. Hence, while individual members of IP communities may reside within the project area of influence the nexus with distinct habitats or ancestral territories within the project area may not exist. Notwithstanding, ancillary infrastructure (eg. power lines) may traverse customary land outside the boundaries of existing urban areas and there is the potential for grid extensions into IP areas.

If there is potential for IPs to be affected by a subproject, the policy requires:

- a process of free, prior and informed consultation (an inclusive, transparent, and continuing process of consultation with affected Indigenous Peoples);
- a social assessment by the borrower to evaluate the project's potential positive and adverse effects on Indigenous Peoples, and to examine project alternatives where adverse effects may be significant;
- a summary judgment by the Bank that affected Indigenous Peoples have provided broad community support to a proposed project;
- preparation of an Indigenous Peoples Plan (IPP) guided by the Indigenous Peoples Planning Framework (IPPF) included here in Annex ;
- public disclosure of the social assessment report and the relevant safeguard instrument;
- attention to emerging issues affecting Indigenous Peoples / Ethnic Minorities, which may include, for example: an action plan for the legal recognition of Indigenous lands and territories, equitable benefits in commercial development of natural resources, or prior agreement to the commercial development of their cultural resources and knowledge.

### **5.1.3. OP.4.12 INVOLUNTARY RESETTLEMENT**

Involuntary resettlement refers to management of adverse impacts of loss of, or damage to, land, assets or livelihoods, where the affected persons have no choice.

The physical work of the project is covered under component 1. This GPOBA Project will subsidy basic wiring from the nearest pole to house, meter and in-house wiring. The project itself will not need to acquire any land. The micro-grid and grid densification/extensions, although they are not financed by the GPOBA project, are considered to be associated facilities that their implementation should follow the World Bank's safeguard policies. The grid densification/extensions will involve only minor civil works such as soil digging of holes for power poles and easement provision for over-head line. For purpose of erecting power poles may require land, however very small. All poles will be located either along existing road corridors or within communal/community owned land. The implementation of micro-grid (out station) facilities in remotes provinces will be built on the ground and need land around 1 Ha, for solar panel, battery and diesel generators, as well as site office of Solomon Power. Solomon Power will obtain the required land through lease approach for 25 years. This approach has been conducted for existing hybrid generation systems by Solomon Power and 'as of right' under law (Electricity Act). The proposed project activities, including the implementation of associated facilities do not encroach any privately owned land or communal land. Involuntary land acquisition in the Solomon Islands is extremely time consuming and can lead to social unrest and substantial project delays which is part of the reason SP has no intention of applying eminent domain for the purposes of land acquisition. Notwithstanding this, it is possible that Involuntary land acquisition (and preparation of an Abbreviated Resettlement Action Plan) may be required if additional land is required during project implementation and the landowner is not a beneficiary of the project and the pre-requisites for negotiated settlement/VLD are not satisfied (It is noted that this is considered very unlikely as projects will be scoped and designed by SP in close collaboration with the community), or where land acquisition is for some reason restricted and

involuntary land acquisition processes need to be applied. Therefore the project triggers World Bank Policy OP4.12 on Involuntary Resettlement.

In the case that land owner would like to donate their land voluntarily to the project or allow to use their land for the project, the ESMF provides procedures on voluntary land donation protocol and procedure on land use agreement (if applicable) to be followed, although it will not be envisaged. Please see Annex A and B.

## 5.2. SOLOMON ISLANDS REGULATORY REQUIREMENTS

This section provides a brief overview of the specific policies in relation to environmental and social safeguard applicable to the preparation and implementation of this project.

**Table 2: Relevant policies or regulatory**

Act	Main Objectives
Environment Act of 1998 and Environment Regulation of 2008	The Environment Act of 1998 and the Environment Regulation of 2008 require development consent for prescribed activities to be obtained from the Ministry of Environment, Climate Change and Disaster Management (MECDM). A development consent application must include an environmental assessment which complies with Environment Act and Environment Regulations requirements.
Labor Act of 1978	<p>This Act deals with employment of workers. Part IX care of workers, requires the employer under:</p> <ul style="list-style-type: none"> <li>• Article 65: to provide workers with rations.</li> <li>• Article 66: to protect workers and dependent from malaria</li> <li>• Article 67: to provide workers with an accessible supply of clean, non-polluted water for drinking, washing and for other domestic purposes. Water supplies may be inspected by a Health Officer.</li> <li>• Article 68: requires the employer to make sufficient and proper sanitary arrangements for workers.</li> <li>• Articles 69: requires employer to provide accommodation for the worker and his family if they are not conveniently located to the work place.</li> <li>• Article 70: requires the employer to provide medical care at the workplace</li> <li>• Article 71: states that depending on the circumstances the employer may be required to provide medical facilities</li> </ul>
Safety at Work Act of 1996	<p>This Act consists of 4 parts.</p> <ul style="list-style-type: none"> <li>• Part II: Articles 4 states that it is the duty of every employer to ensure the health and safety at work of his employees.</li> <li>• Article 6: states that it is the duty of the employer to provide a safe workplace for persons other than his employees.</li> <li>• Article 7 and 8: requires manufactures, supplier of tools and equipment, and suppliers of chemicals and other hazardous substances to ensure that these are safe and without health of risks.</li> <li>• Article 12: states that any employer who operates unsafe machinery or substances and is injured will be responsible for the damages.</li> <li>• Part III: Article 15 requires the employer to protect people from dust, fumes, etc. Article 16 provides for limits of exposure to dust and fumes.</li> </ul>

Act	Main Objectives
	<ul style="list-style-type: none"> <li>Article 17, 18, 19 and 20 require employers to comply with the operating requirements for: (i) pressure and vacuum systems, (ii) machinery; (iii) dangerous machinery, and (v) electrical installations.</li> <li>Article 21 and 22 require workplace to have fire protection and to take precautions against explosions.</li> </ul>
River Waters of 1973	Control over waters for equitable and beneficial use; establishes activities for which permits are required.
Land and Titles of 1988 (amended in 1996)	Consolidates the law relating to the tenure of land, registration of interest in land, and compulsory acquisition of land. The Act covers customary land rights. Part V of the Act deals with the purchase or lease of customary land by private treaty, and compulsory acquisition of land. For public works the land is not acquired as such, it is gifted or contributed following an extensive period of consultation and agreement through the signing of a Memorandum of Understanding (MOU). The MOU waives the customary interest in the land in lieu of the public infrastructure. in Article 12, the Constitution allows the compulsory acquisition of customary land or any right over of interest in it, as long as there have been negotiations with the owner(s) of the land, right of interest prior to the acquisition, the owner have a right of access to independent legal advice, and the interest in the acquired land is limited to a fixed-term interest.
Electricity Act of 1996	Sections 33 provides law basis on land acquisition and dealings in land. It says that “Subject to the provisions of the Land and Title Act, the Authority (Solomon Power) may for all the purpose of any of its functions under this Act, by agreement acquire, whether by way of purchase, lease, gift or exchange, any land situate within Solomon islands, whether such land is immediately required or not. The Act provides power to authority among others to enter and dig out and to consult with relevant parties and provide notice prior work will be conducted. The Act also provides grievance redress mechanism that any person who sustain any damage or loss by reason of the exercise of any of the powers conferred by this sections upon the Authority or a licensee may make application for compensation in writing in that behalf to the Authority or licensee.
Provincial Government Act of 1997	<p>The Act gives power to the provinces to make their own legislation including environment and conservation. Schedule 3 of the Act provides a list of activities for which the provinces have responsibility to pass ordinances.</p> <p>The State of the Environment Report (2008) shows that eight provincial ordinances have passed which include:</p> <ul style="list-style-type: none"> <li>One environmental protection ordinance</li> <li>Six wildlife and wildlife management and conservation area ordinances; and</li> <li>One marine and freshwater ordinaces</li> </ul>

## 6. PROCEDURE TO ADDRESS ENVIRONMENTAL AND SOCIAL ISSUES

### 6.1. ENVIRONMENTAL PROCEDURE

Below is provided measures to mitigate environmental impacts.

**Dust:** There are a number of good engineering practices that can be employed to ensure that dust and vehicle related air quality impacts are mitigated during construction. These include:

- Construction equipment being maintained to a good standards. The equipment will be checked at regular intervals to ensure they are maintained in working order and the checks will be recorded by the Solomon Power as part of environmental monitoring;
- Prohibition of the use of equipment and machinery that causes excessive pollution (i.e. visible smoke) at the project sites;
- Ensuring that all vehicles transporting potentially dust-producing material are not overloaded, are provided with adequate tail-boards and side-boards, and are adequately covered with a tarpaulin (covering the entire load and secured at the sides and tail of the vehicle) during transportation;
- Material stockpiles being located in sheltered areas and be covered with tarpaulins or other such suitable covering to prevent material becoming airborne; and
- Periodic qualitative air quality monitoring (by observation rather than testing).

**Construction and demolition waste:** Demolished materials and construction materials will be disposed of at designated site approved by Solomon Power. These wastes should be removed fairly immediately at the first instance during the construction phase to allow accessibility and for health and safety reasons. Solid wastes, debris, spent oil or fuel from construction machinery or plant, construction material, or waste vegetation removed from worksites will not be dumped in streams or near streams.

**Impacts on noise level:** As mentioned, during construction there will be a temporary adverse impact due to the noise of the construction equipment. However, all the works are in fairly remotes areas away from schools or residence. Nonetheless, the following general measures will be taken to mitigate the effects of noise:

- Solomon Power and/or the contractor will be required to maintain all vehicle exhaust systems and noise generating equipment in good working order and maintained regularly;
- Prohibition of any construction activities between 9pm and 6am in, or close to, residential sites;
- Solomon Power will prepare a schedule of operations that will be approved by affected stakeholders. The schedule will establish the days, including identifying days on which there should be no work, and hours of work for each construction activity and identify the types of equipment to be used;
- Workers will be provided with noise abatement equipment as may be required; and
- Any complaints regarding noise will be dealt with by the Solomon Power in the first instance through the redress grievance mechanism.

**Impact on access:** Mitigation of impacts on access will include:



- Care taken during the construction period to ensure that disruptions to access and traffic are minimized;
- Signs and other appropriate safety features will be used to indicate construction works are being undertaken; and
- Solomon Power will ensure access roads to private owned land are not disturbed.

**Impacts on health and safety:** Observing general health and safety requirements, including supply of safety and protective gear and equipment to workers, to reduce the risk of accidents at the work sites. Mitigation measures for reducing and avoiding impacts on health and safety include:

- Provide construction workers training in health and safety issues, and on the specific hazards of their work;
- Provide workers with personal protection equipment, such as safety boots, safety glasses, reflector vests, helmets, gloves, and protective clothing;
- Provision of adequate protection to the general public in the vicinity of the work site, including advance notice of commencement of works, installing safety barriers if required and signage or marking of the work areas.

## **6.2. UNEXPLODED ORDINANCE (UXO)**

The proposed project areas and alignments will be swept for UXO and if found will be cleared as per the established procedures before the site is ready for construction. Should UXO be discovered, the SP or contractor is to immediately cordon off the area, arrange the evacuation of nearby residences and inform the police on the finds. Currently all UXO finds are reported to the police who arrange the pickup, transport, storage and ultimate disposal of the finds. While construction site are expected to be swept for and cleared of UXOs, a chance find procedure for handling the UXOs during the construction is included in the ESMF. Please see annex C.

## **6.3. SOCIAL PROCEDURE**

The impact of the proposed project is minor, site specific and of short duration. The social impact will cover impact on land for erecting poles, including installation of auxiliary pole if needed, and for laying foundation for power house of hybrid generation system, trimming or removal vegetation during construction for the extension of the over-head line. The impact of land acquisition and relocation due to the project are not anticipated.

Standard Operating Procedure (SOP) of Solomon Power provides mechanism to undertake construction operation for activities listed above, including mechanism to handle any damage. The SOP support and manage activities undertaken by SP on a day to day basis and will be within the usual business as usual operation of SP.

The project will involve only minor civil works such as digging holes for power poles. This activity will be undertaken at the existing road right of way and within communal land. Under Solomon Power's SOP, SP will send notification to Ministry of Infrastructure Development (MID) to get consent when grid extension activity will use road right of way and to avoid any encroachment to private land. The same as when SP will install pole for distribution network in the customary land, SP should get consent from

Ministry of Land. Since the installation work will be undertaken if there is demand or application from the applicant/consumer (household owner), the work will be conducted based on obtain consent from the household owner on any impacts on land. This is consistent with current SP policy to ensure no involuntary impacts on land or assets of applicants and other affected parties.

During the construction of household wiring the consumer will organizes the access from the street boundary to the property boundary as well as from property boundary to the house, including trimming vegetation. The installation itself will be conducted by licensed service provider (contractor), thus any damage regarding auxiliary pole installation and household wiring will be handled by contractor and will be monitored by SP. The project must restore any damage due to the digging hole for the poles to the previous status before the construction. Restoring any damage in soil for holes of power poles at existing road corridors or within communal land will be conducted by SP itself.

The land needed for new micro-grid development (hybrid generation system) will be carried out through lease approach. Therefore the project will not involve land acquisition and relocation.

Any removal of trees/vegetation on non-road reserve to facilitate household connections will require consultation with the tree owner and will base on consent of the owner. If there is any demand for the compensation to remove the affected trees from the owner, SP will provide compensation for the trees in accordance with rates prescribed under law (referring to rates issued by Ministry of Agriculture).

In the case of the affect to private structure, the installation of proposed facilities will be undertaken by avoiding to impact any private structures. Thus impact of the project to structures will not be envisaged. Under SOP of Solomon Power for each application for new connection, the applicant shall provide consent to SP on the legal status of land (Fixed Term Estate Register - FTE) or if in the case of communal land, the applicant should provide consent letter from 50% of land owning tribe as well as letter of consent from adjoining land owner for line access. All required consent letter shall be attached together with the application form for SP's further process. Please see annex E on the application for new connection. The requirement to provide consent regarding status of land is to avoid any land dispute that SP will not provide connection on illegal owned land.

The planning of the distribution network within the community will ensure that related damages caused by the construction is avoided or restored with the consent of the affected people. If the assets owners refuse to have facilities on their property (if any), the project will look for alternative location.

Below table provides summary of social impacts and the interventions to be applied.

**Table 3. Social Impact and the Interventions**

Social Impacts	Interventions	Implementing Agency
Land <ul style="list-style-type: none"> <li>Erecting power poles</li> </ul>	It will use existing road right of way and within communal land (base on obtained consent from community). SP should get consent from Ministry of Infrastructure Development and/or Ministry of Land.	Auxiliary poles will be conducted by Contractor and will be monitored by SP. LV poles will be conducted by SP.

<b>Social Impacts</b>	<b>Interventions</b>	<b>Implementing Agency</b>
<ul style="list-style-type: none"> <li>Development power house for micro grid</li> </ul>	It will be built at Solomon Power leased land.	Solomon Power
Damage due to soil digging activity.	Any damage will be restored to the previous status before construction.	Solomon Power
Vegetation  Removal of trees/vegetation privately owned to facilitate household connections	Require consultation with the tree owner to obtain consent. If there is any demand for the compensation to remove the affected trees from the owner, SP will provide compensation for the trees in accordance with rates prescribed under law (referring to rates issued by Ministry of Agriculture).	Solomon Power
Structure	No impact to structure. The project will avoid any impact to structure.	

## 7. GRIEVANCE REDRESS MECHANISM

Solomon Power has existing grievances and complaints resolution mechanism. These mechanisms will be informed during consultation with relevant stakeholders as part of the project information prior to implementation activities in each locality. It is anticipated that most complaints arising during construction are expected to be minor.

Complaints concerning dust, health and safety implication, trimming tree/vegetation and noise that should be able to be resolved quite easily. Simple matters such as obstruction of access to the complainant's premises or more complex matters (such as unexpected issues with internal wiring, accidental damage to premises, etc.) are dealt with as soon as possible. Complaint submitted by individual will be handled one by one individual basis. Complaint raised by communal will be handled through consultation with the community to provide solution on the grievance.

Complaint on environment issues, installation, etc. the AP will be directed to discuss their complaint directly with the Project Engineer (PE). For the straightforward complaints, the PE can make an on-the-spot determination to resolve the issue. For more complicated complaints, the PE will forward the complaint to the Solomon Power Management. The SP Management has a maximum of two days to resolve the complaint and convey a decision to the AP. The AP may if so desired, discuss the complaint directly with SP Management. If the complaint of the AP is dismissed, the AP will be informed of their rights in taking it to the next step. If the complaint regarding environmental issues, a copy of the decision will be sent to Environment Conservation Division (ECD). Should the AP not be satisfied, the AP may take the complaint to the Permanent Secretary (PS) in Ministry of Environment Climate Change Disaster

Management Meteorology (MECDM) who will appoint the Director of the ECD to review the complaints. The PS will have 15 days to make a determination.

All complaint will be registered and responded to the complainant, informing them of the proposed solutions to the matter, with an indication of the process and time for resolution. All complaint will be entered in a Register with data on: date, name, contact address and reason for the complaint. A duplicate copy of the entry is given to affected people (AP) for their record. The register will show who has been directed to deal with the complaint and the date when this was made together with the date when the AP was informed of the decision and how the decision was conveyed to the AP. The Register then signed off by the person who is responsible for the decision and the dated. The Register will be kept at the front desk of Solomon Power office and is a public document. The duplicate copy given to the AP will also show the procedure that will be followed in assessing the complaint, together with a statement affirming the rights of the AP to make a complaint. There will be no cost to the AP for making the complaint.

Complaint related to billing, meter, power cash will be received by Customer Service Department that will record, categorize and channel the complaints to relevant department for further solution. Solomon Power will have Solomon Power site office for every project location for micro-grid development. For each site office there will be two Solomon Power staffs that one of the two will be Customer Service Officer that their task is to receiving applicant for connection and as channel for grievance redress mechanism.

If complaint pertaining to land exist, although it is not anticipated, existing community processes can be used for dealing with any complaint regarding land, especially for customary land and regarding any other project concern. They include the village chief, other elders, church leaders and other recognized civil society leaders.

Any complaint on the execution of this project submitted to the Solomon Power need to be documented. The Solomon Power maintain a register of complaints including:

- The complainant and contact details
- Date of registration of the grievance or claim
- Nature of grievance or claim
- Amount of the claim, if applicable
- Process for resolution
- Date and record of resolution
- Number of unresolved complaints and reasons, where applicable

More detail on grievance redress mechanism will be provided in the Project Operation Manual.

## **8. PUBLIC CONSULTATION AND DISCLOSURE**

### **8.1. PUBLIC CONSULTATION**

The customer service and public relations department of Solomon Power will undertake a targeted consultation and awareness campaign to reach potential beneficiaries and inform them of the objectives and structure of the program, as well as encourage them to apply for the power connection subsidy.

Solomon Power will also provide communication material and information of the safe use of electricity, in the form of vouchers, posters, focus groups, among others.

The awareness campaign will consist of public consultations and face-to-face interviews with beneficiaries to illustrate how the OBA subsidy scheme works. It is responsibility of Solomon Power to properly explain to eligible households and provide advice on the benefits, costs, and tradeoffs of grid electricity, as well as how the program works, who can benefit, what are the procedures, etc.

The objectives of the identification process and the awareness campaign are: i) to inform the village and ultimately obtain village consensus on the list of eligible participants; ii) to ensure that all eligible households who decide to participate are well advised of the costs, obligations, and financial requirements of participating; and iii) to raise awareness of the whole community on the OBA program. Posters and schematic drawings written in local language will be provided highlighting the dangers of inappropriate use of electrical appliances, and recommending best practices. The Program Manager will support SP in the preparation and design of the awareness campaign.

Since OP 4.10 on Indigenous People is triggered for this project, consultation conducted by Solomon Power must follow the key principles for free, prior and informed consultation (FPIC) which include:

- **FREE** – Information should be transparent and free from coercion or bias and conducted in a manner that allows Indigenous Peoples to openly their preferences or concerns without intimidation or trepidation;
- **PRIOR** – Consultation starts as early as possible in the project planning. This include giving Indigenous Peoples sufficient time to go through the traditional processes of decision making, deliberation and consensus-building, such that the preferences or concerns raised by Indigenous Peoples communities may be considered before project design decisions or implementation arrangements are finalized;
- **INFORMED** – Indigenous Peoples must be given enough information, transparent about the project scale, and in such a way that allow them to understand fully the impacts being discussed with them and feed into the decision-making process where appropriate, and had sufficient opportunity to consider relevant information about the project;
- **CONSULTATION** – An inclusive process that allows Indigenous Peoples to participate meaningfully in decisions directly affecting them, including proposed management and mitigation measures and benefit sharing or distribution, through methods that enable concerns of women, the elderly, or others who customarily may not be expected or allowed to participate in community meetings to be considered.

In the context of the ESMF, information releases and public consultations will take place by the project proponent. The WB's Safeguard Policies and the Government of Solomon Islands' regulations require project related ESMF to be subject to public consultation and disclosure. These will inform the general public and potential beneficiaries about the project, the access requirements for a subsidized connection and to seek/encourage inputs from the stakeholders on environmental and social issues. Comment will be invited and the public will be aware that there is a mechanism for registering complaints.

Customer Service Department in Solomon Power has regular awareness program (media outreach) through radio that is conducted weekly every Saturday and monthly end of every month. In this program community are able to raise question and submit complaint that are directly responded by SP. Through this program SP also uses it to introduce their project/program, to do community's awareness on safety around electricity, their procedure in regards to get connection, complaint mechanisms, etc. This proposed project will also be publicly launched through this approach to get wide coverage area of people to understand the project.

Prior to commencing work on grid or micro-grid extension the Solomon Power will work together with chief of villages to arrange community meeting, distribute pamphlets informing existence of the project, apologize for possible inconvenience (noise, dust, traffic disturbance, crowded area caused by workers, material, equipment and vehicles) and inform the affected community on measures that will be taken to minimize such effects to the people and make them aware of grievance procedure.

As initial step, Solomon Power conducted initial introduction consultation in new micro-grid areas e.g. in Afio, Seghe and Taro in October 2015. The initial consultation was conducted to provide the community living in the proposed project areas on the role of Solomon Power and about the project plan. Main concern that community raised is about the affordability to get household connection. A brief note from the consultation and some pictures on the consultation can be seen in annex F.

The consultation process will be conducted and expanded during the project implementation to ensure that stakeholders are fully engaged in the Project and have the opportunity to participate in its development and implementation and understand that there is a process in place for them to submit any grievances or complaints.

## **8.2. INFORMATION DISCLOSURE**

Disclosure will conform to the Public Communications Policy of the WB: Disclosure and Exchange of Information which requires that the ESMF document for WB projects be accessible to the interested parties and the general public. Prior to the appraisal, the ESMF document will be disclosed in the World Bank Infoshop and made available to the public from Solomon Power website: [www.SIEA.com](http://www.SIEA.com)

# **9. INSTITUTIONAL ROLES, RESPONSIBILITIES AND CAPACITY**

## **9.1. WORLD BANK**

The World Bank will:

- Advise the SP about WB Safeguard Policy requirements
- Screen and determine environmental categorization of projects, including the environmental assessment requirements.
- Review and clear environmental assessment reports as a basis for project approval;
- Publicly disclose the ESMF in the Infoshop and on the WB website

- Review all statutory environmental clearance granted by ECD (Environmental and Conservation Division), particularly the conditions of the Development Consent and note all conditions in approving a project;
- Review EMP implementation and where appropriate take actions (as necessary) in close consultation with ECD;
- Monitor the EMP implementation and conduct due diligence as part of review missions;
- Ensure there is no land acquisition for the project and the land donation is conducted voluntarily (if any)
- Ensure that SP will conduct the required consultation with community and project's beneficiaries, including indigenous people and women; and other relevant stakeholders in the project area and discloses relevant information on the project's component, project impacts, including grievance redress mechanism in an appropriate form, manner and language (s) accessible to those being consulted

## **9.2. SOLOMON POWER**

Solomon Power will be the implementing agency for the project that will have overall responsibility for the project management. The Ministry of Mines, Energy and Rural Electrification (MMERE) will oversee the implementation of the project.

Solomon Power will be responsible for ensuring the implementation and compliance of the ESMF. Considering the activities of the project components are main area of Solomon Power expertise that the impacts of the project is minor, site specific and of short duration, the implementation of the ESMF will be within the usual business as usual operations of Solomon Power. The impacts of the project will be mostly handled by Technical Department under Solomon Power. While SP has significant experience to implement the ESMF and to handle any possible impacts of the project, its resource are limited. However, SP has seriously considered to establish environment department within Solomon Power to look after its own operations, especially it is plans to undertake a larger project in the near future. Currently SP has added Environment Department under SP structure and has assigned an officer to responsible for SP environmental issues. As new department capacity building is substantially needed.

Once the detailed design and site surveys are available, the Solomon Power will prepare a detailed Environmental and Social Management Plan (ESMP) using the ESMF as a guidance document. A template of ESMP is provided in annex G. The detailed ESMP will be submitted to the World Bank and ECD for review, comment and approval. The ESMP will be included as an integral part of the bid documents to enable the contractors to bid on the project with awareness of the environmental issues and mitigation measures to be implemented as part of the project. The successful contractor will prepare a Construction Environmental Management Plan (CEMP) outlining how to implement and monitor the EMP during construction.

Solomon Power will be responsible for updating the ESMP at construction stage, whenever additional engineering information is available and for implementing the environmental, health and safety actions included in the ESMP. As required, Solomon Power will be responsible for environmental monitoring during construction and operation of the project. The ECD will also be responsible for verifying the

monitoring undertaken by the Solomon Power through audits and spot-checks. The outcomes of the monitoring will be included in the overall monthly progress reports to be submitted by Solomon Power to ECD.

Solomon Power will have responsible to follow the procedure on obtaining land for the project, ensuring relevant stakeholders, including indigenous people, involve and participate in the project and get benefit for the project, receiving, resolving and maintaining a register of any complaints or grievances submitted by people as guided in the ESMF.

### **9.3. ENVIRONMENTAL AND CONSERVATION DIVISION (ECD)**

As the national agency responsible for environment and conservation, the ECD will need to be involved in the various aspects of the environmental management activities. Under the requirements of the Environment Act 1998, ECD will need to review the EIA and monitor the progress of implementation activities if consent is given. The ECD has been fully informed of the status of the project and also awaits the submission of the EIA.

The ECD will need to be consulted during the construction phase of the project to ensure that all monitoring requirements are adhered to. The ECD will be tasked also to assist in the auditing of implementation of the ESMPs and ensure that environmental management and mitigation of the project is undertaken to a good standard.

### **9.4. ENVIRONMENTAL MANAGEMENT AND REPORTING ARRANGEMENTS**

Monitoring is a component of impact assessment setup to combat uncertainties pertaining to unanticipated impacts, to ensure mitigation measures are working and to reassure public on the progress of the development. Progressive monitoring must accompany various stages of the project activities (construction and operational phase). The Environmental Monitoring Plans is based on the potential impacts, significance of impacts and mitigation approaches identified during the screening study. It comprises of parameters to be monitored, frequencies and responsible authorities as per impact. ECD is responsible for monitoring compliance, review Solomon Power monthly monitoring report and suggest ways to improve or strengthen mitigation approaches.

The ECD is required to:

- Co-ordinate compliance monitoring programs; and
- Review Solomon Power monthly monitoring report and suggest ways to strengthen mitigation approaches.

**Table 4: Responsibilities for Environmental Management and Monitoring**

<b>Project Stage</b>	<b>Responsible Organization</b>	<b>Responsibilities</b>
Feasibility study and appointment	SP and WB	Prepare EA including overall ESMP Preliminary design



Project Stage	Responsible Organization	Responsibilities
Feasibility study and project review and approval	ECD, SP and WB	<ul style="list-style-type: none"> <li>Review and approval of EIA including overall ESMF and ESMP</li> <li>Review all feasibility study documentation, prepare Board presentation and submit to Steering Committee (as required)</li> <li>Provide inputs to monitoring requirements</li> </ul>
Detailed design	SP	<ul style="list-style-type: none"> <li>Prepare detailed design</li> <li>Update ESMP based on specifics of detailed design</li> <li>Submit EMP to ECD and WB for review and approval</li> </ul>
Construction	SP and/or contractor	<ul style="list-style-type: none"> <li>Implementation and supervision of the EMP</li> <li>Audit construction phase through environmental inspections and review monitoring data</li> <li>Preparation and submission of monthly environmental reports</li> <li>Provide awareness/training to workers</li> </ul>
	MECDM	<ul style="list-style-type: none"> <li>Ensure compliance with Government requirements</li> <li>Review complicated issues arising from the project</li> </ul>
Operation	SP	<ul style="list-style-type: none"> <li>Provide budget to undertake long term environmental monitoring</li> <li>Undertake environmental monitoring and prepare bi-annual reports</li> </ul>

## 9.5. MONITORING AND SUPERVISION

The Solomon Power as the project implementing agency will report progress with a frequency agreed and as indicated in the grant agreement and Project Operation Manual. This report will include documentation of consultation for each project area, evidence obtaining consent, evidence on leasing contract for the needed land, proof of voluntary land donation (if any) a summary of complaints and outcomes and any incidents in relation to ESMF. The MMERE will review and forward the report to the World Bank which will provide feedback.

## **10.BUDGET PROVISION**

All of the requirements in the ESMF will fall within the usual business as usual operations of the Solomon Power except for consultation, including outreach and awareness activities and logistic cost to ensure supervision of the project compliance with the ESMF to be covered by the Component 2 (Implementation Support for Solomon Power)

## **ANNEX A    Land Use Agreement**

Land Use Agreement (LUA) may be required where (i) activities require access on a permanent or temporary basis to certain sites on customary land; (ii) no suitable alternative sites exist; (iii) customary land owners have agreed for the land to be used for a specific purpose for the benefit of the whole community; and (iv) any other situation where it may be deemed the most appropriate instrument for the local context.

It is important that absentee landowners are engaged, and that a suitable witness (non-clan member) signs the agreement.

The process used to enter into the LUA is as follows:

- Share the rationale for the project and its proposed siting, and seek the granting of access of the necessary land by landowning clan or household;
- Village representatives of the community, organize a meeting with the representatives of the specific clan/s who have customary ownership of the proposed land or access-way;
- Any person with fixed physical assets on the land/proposed site, but not considered a landowner, is involved in the meetings and their rights are taken into consideration;
- The meeting would discuss the proposed project with the landowning clan or household to reach an understanding that the project is for the benefit of the whole community and access of land (either permanent or temporarily) is required;
- The payment of access fees should be discussed and agreed in writing (if applicable);
- The landowners would be clearly notified that the agreement to allow land access should be completely voluntary and the specific timeframe should be mutually agreed too;
- If agreement to proceed is reached, then a LUA will be entered into between the clan, the other clans and the leader of the community;
- The LUA should be endorsed by the Village Chief or equivalent;
- The signed LUA will be submitted as part of the project proposal;
- The LUA is submitted to the local magistrate or equivalent for certification.

If all landowner parties are in disagreement about the land or condition of LUA, or if landowners are excluded from the initial discussion then the project will not proceed and the grievance process must be followed where relevant.

## LAND USE AGREEMENT TEMPLATE

Project: ..... Province: .....

Location: .....

Land Parcel: .....

Land Title Reference: .....

Dear Sir/Madam,

- 1) We, the undersigned being the representatives of the .....  
hereby acknowledge that .....have the right under the customary law  
to make decisions on the land known as .....for the purpose of  
.....with the rights to the receive the proceeds  
of any development or other conducted on the said land. We certify that all members of the  
village agree to the truth of this certificate and that we are the persons authorized to sign it.
- 2) We, the undersigned being the representatives of .....clan of  
.....Village, .....Province,  
.....hereby declare that:
  - 1) We have the right under customary law to allow access or use of the land  
.....for the purpose of .....(project  
name) and agree to allow access to ..... to support the project (entity).
  - 2) That we undertake not to interfere in any manner on any activities or developments  
undertaken by our .....on the said parcel of land;
  - 3) We commit ourselves in upholding the contents and the spirit of this agreement for so  
long as it remains in force;
  - 4) We will undertake efforts to convey the contents of this agreement to members of the  
.....village/s or clan/s and to ensure that they so  
honor it.

### Infrastructure

Details of infrastructure funded by Govt:

.....  
.....

### Ongoing Maintenance

Responsibility of landowner (detail of specific infrastructure)

.....

.....

**Time frame/scheduling arrangements**

.....

.....

**3) SIGNATORIES**

I/We hereby sign confirming that the above is true and correct:

Party	Name	Signature	Date
Landowner			
Village Representative			
Project Representative			

**4) WITNESSES**

We, the undersigned being representatives of .....clan (who share the land boundary with .....clan) hereby declare that the Customary Law, we are rightful owners of the land known as .....located at .....Village .....Province and that it has the right by customary law to transfer/lease the said parcel of land.

Project Partner	Name	Organization
Solomon Power Representative		
Province Officer		
Local Representative		

Made under our hands these agreements:

This.....day of .....20...at .....

Village .....Province.....in .....

Submitted to:.....

On this .....day of .....20...at.....

## **ANNEX B     Resettlement Policy Framework (including Voluntary Land Donation Protocol)**

### **RESETTLEMENT POLICY FRAMEWORK**

#### **A. Introduction**

In consideration of the complex land acquisition arrangement in the Solomon Islands, the project has been designed to avoid to the greatest extent the need to use land other than Government owned land or land owned by substantial land owners with whom equitable negotiations towards either “willing buyer – willing seller”, long term leases or “voluntary land donations” can be executed such as the Uniting and other major churches. Where land not fitting these criteria may be required, the project would screen out these sub-projects from project support. The only exception to this would be where individuals or customary groups (far more likely in the Solomon Islands as approximately 85% of land holding is under customary title) would be able to donate the land or enter a negotiated agreement (such as a lease) with Solomon Power (SP).

Involuntary land acquisition in the Solomon Islands is extremely time consuming and can lead to social unrest and substantial project delays which is part of the reason SP has no intention of applying eminent domain for the purposes of land acquisition.

Notwithstanding this, it is possible that Involuntary land acquisition (and preparation of an Abbreviated Resettlement Action Plan) may be required if additional land is required during project implementation and the landowner is not a beneficiary of the project and the pre-requisites for negotiated settlement/VLD are not satisfied (It is noted that this is considered very unlikely as projects will be scoped and designed by SP in close collaboration with the community), or where land acquisition is for some reason restricted and involuntary land acquisition processes need to be applied.

In such instances, the requirements of this Resettlement Policy Framework (RPF) will need to be implemented.

#### **B. Project Description**

The project will subsidize the cost of electricity service connections and in-house wiring for households in the Honiara grid (existing service area and planned expansion areas), and in the outstations including those currently being developed in Afio, Seghe and Taro. A summary of the project components follows:

Component 1: US\$2.125 million to cover a portion of the upfront cost of electricity service connections for 2,565 households to the Honiara grid and outstations through pre-paid metered connections. This includes materials and installation of the service line and auxiliary pole, when needed; a pre-paid meter; and in-house wiring including protection, earthing, and two LED light bulbs. The project only involves providing targeted subsidies to provide service connections from the nearest distribution to the beneficiaries dwelling and the in-house wiring within. The project does not include the extension of the power grid or the development of the outstations, but are regarded as associated facilities. This RPF applies to the associated facilities only to the extent that it requires due diligence to ensure that the key principles of World Bank safeguard policies have been satisfied for these facilities.

Component 2: US\$100,000 for implementation support for project management throughout the Output Based Aid (OBA) program to manage its implementation, including (i) procuring materials for service lines and in-house wiring; (ii) hiring licensed electricians to perform in-house wiring; (iii) managing distribution of materials; (iv) administering or managing payments to suppliers and electricians; (v) reporting to IVA and the World Bank; and (vi) other related activities.

Component 3: US\$75,000 for independent verification of outputs to verify and recommend payment of OBA subsidies to Solomon Power for electricity service connections delivered. This component will be Bank-executed.

### **C. Land Acquisition for the project**

Project components have specifically been selected to minimize land acquisition issues. No physical relocation or loss of income is expected from the implementation of the project as the components will be constructed either along existing road corridors or within communal/community owned land. Although the land required for these connections will widely be held under customary title, it is foreseen that the land will be acquired through voluntary arrangements with communities. If Voluntary Land Donation is envisaged, it will follow the VLD protocol developed for the Pacific Islands as documented in the *Environmental & Social Instruments for the Pacific* (ESSIP) (see Appendix 1) which was prepared by the Bank to address the specific needs of the Pacific Island Countries. The VLD protocol is used extensively throughout the Pacific, including in other projects in the Solomon Islands, to allow the donation of land subject to certain criteria being met. Notwithstanding this, it is possible that Involuntary land acquisition (and preparation of an Abbreviated Resettlement Action Plan) may be required if additional land is required during project implementation and the landowner is not a beneficiary of the project and the pre-requisites for negotiated settlement/VLD are not satisfied (It is noted that this is considered very unlikely as projects will be scoped and designed by SP in close collaboration with the community), or where land acquisition is for some reason restricted and involuntary land acquisition processes need to be applied. Accordingly, OP4.12 (Involuntary Resettlement) is triggered as a precautionary measure in case.

### **D. Justification for Preparing a Resettlement Policy Framework**

Siting of infrastructure works for the projects has not been determined, and will be decided largely based on feedback from consultations with stakeholders and affected people (APs). Furthermore, a fundamental part of the project identification process will be ensuring that there is a high level of community demand and “ownership” of the project. The bulk of land required is expected to be either owned by the Government or the Church. In some instances however private or customary land may be traversed. In these rare circumstances, a negotiated arrangement culminating in a “willing buyer-willing seller” transaction or lease/easement or voluntary land donation (VLD) will be the mechanism. In most cases, the only private land traversed will be owned by the beneficiary households. Any VLD will follow guidance provided in the Environmental and Social Safeguard Instruments for the Pacific Islands (ESSIP). See VLD Protocol in Appendix 1.

A Resettlement Policy Framework (RPF) therefore is the appropriate social safeguard instrument. No physical displacement is envisaged.

If involuntary land acquisition is unavoidable, an Abbreviated Resettlement Action Plan (ARAP) will be developed as per Operational Policy 4.12, Annex A paragraph 22. The ARAP will form part of the agreement between the Government and the World Bank.

### **E. Objectives, Definitions and Key Principles**

The guiding principles for the project are that involuntary resettlement is to be avoided or minimised. Affected People (APs) should be better off or at least as well off as before the project. All persons affected by the project are to be consulted throughout the project, have the opportunity to participate in planning, and to share in project benefits. The project should contribute to sustainable development.

These principles entrain a process of early identification of stakeholders, and in particular of APs; frank and effective public disclosure of any known impacts; consultation and participation to avoid or mitigate negative impacts identified, and to ensure that no person or impact is overlooked; fair, transparent and timely intervention to support APs during implementation, land acquisition and restoration of livelihoods; and commitment where possible to improve upon the status quo, particularly for those who may be vulnerable by reason of poverty, ethnicity, gender, age, disability, or social status.

The over-riding objective is to avoid any resettlement impacts via subproject identification, and effective infrastructure design. To ensure that the projects contribute to the objective of sustainable development, SP will adopt a comprehensive disclosure and consultation process that includes all stakeholders. The consultation process with APs will reveal all foreseeable impacts, and will elicit AP concepts of how mitigation options and resettlement planning can contribute to their aspirations for sustainable restoration or improvement of their livelihoods. In the unlikely event of loss of land, and land-based assets, the aim will be to replace like for like, and if this is not possible, to compensate for lost land, assets and income, and meet the costs of relocation and restoration of livelihoods. Restoration includes not only physical assets, but also social and cultural assets. If there is a risk of disruption of these values, which are often disproportionately encountered by women, the APs will contribute to selection of mitigation and resettlement options to ensure policy objectives are met.

## **F. Legal and Regulatory Framework**

### **Overview**

The legislation governing the acquisition of land in the Solomon Islands is contained in the *Lands and Titles Act* 1970 (LTA). The LTA defines ownership arrangements, governs the management of land, and sets out procedures for the acquisition and lease of land.

Land in the Solomon Islands is either customary land or registered land (also referred to as alienated land, since it has been alienated from customary ownership). Approximately 87% of land in the country is still held as customary land and most natural resources (with some exceptions) belong to the land owners under custom. The LTA defines customary land as "*any land (not being registered land, other than land registered as customary land, or land in respect of which any person becomes or is entitled to be registered as the owner of an estate pursuant to the provisions of Part III) lawfully owned, used or occupied by a person or community in accordance with current customary usage, and shall include any land deemed to be customary land by paragraph 23 of the Second Schedule to the repealed Act*".

Land includes "*land covered by water, all things growing on land and buildings and other things permanently fixed to land but does not include any minerals (including oils and gases) or any substances in or under land which are of a kind ordinarily worked for removal by underground or surface working*".

Dealings in land are governed by legislation, primarily the LTA. The LTA regulates the process of acquiring customary land and converting it into registered land as well as the transfer and lease of registered land.

Two predominant types of estate are provided for under the LTA: perpetual estates (commonly referred to as PE), and fixed term estates (commonly referred to as FTEs). The "perpetual estate" is akin to a free-hold estate and gives the right to occupy, use and enjoy the land in perpetuity, subject to the performance of any obligations, and subject to any restrictions that may be imposed under law. The Solomon Islands Constitution establishes that only a Solomon Islander, or other person as may be prescribed by Parliament, has the right to hold or acquire a perpetual interest in land. A "fixed term estate" provides for the right to occupy, use and enjoy the land and its produce for a fixed period of time (usually 75 years), subject to payment of any rent and the performance of any obligations and subject to restrictions that may be imposed.

Lease estates in land, including long term leases, are also increasingly common.

### **Customary land**

There are a number of characteristics of land under customary tenure that influence the resettlement process associated with involuntary land acquisition. In much of Solomon Islands there is no systematic authoritative record of customary ownership or tribal land boundaries. Land use, settlement, and community composition are



dynamic in response to a number of social and physical influences. In many areas, including the Project site, broad clans have in recent times divided into smaller sub-clan groups or lineages made up of family units.

Land ownership claims are made through reference to custom, particularly special knowledge of oral histories, custom stories, legends etc., ancestors and lineages, the whereabouts of boundary markers (such as special landscape features, rocks, special trees etc.), and the whereabouts of sacred (tambu) places, i.e., places with special spiritual significance, ancestors' settlement sites, grave sites, etc. and knowledge of their 'stories'.

### **Scope of the power of eminent domain**

The Solomon Islands Government's powers of involuntary land acquisition are set out in Division 2 of Part V of the *Land and Titles Act*. Division 2 gives the Minister of Lands the power to compulsorily acquire any customary or registered land where it is 'required for any public purpose'.<sup>3</sup>

However, this broad power is circumscribed by protections provided in the Constitution: Section 8(1) of the Constitution only allows an involuntary land acquisition to occur where:

- the acquisition is "necessary or expedient in the interests of defence, public safety, public order, public morality, public health, town or country planning or the development or utilisation of any property in such a manner as to promote the public benefit";
- there is reasonable justification for causing any hardship to the interest holders;
- the acquisition is done under a law which provides for reasonable compensation (including lump sum or instalments, and by cash or other form) in a reasonable time; and
- the acquisition is done under a law which provides interest holders with the option of appealing to the High Court with respect to their ownership, the legality of the acquisition, or the compensation payable.

The Constitution also requires Parliament to provide the following additional safeguards where customary land is compulsorily acquired (section 112):

- prior negotiations must take place with the owners;
- the owners shall have a right to access independent legal advice; and
- as far as practicable, the interest acquired shall be limited to a fixed term interest.

Although Parliament has not provided for these safeguards in the LTA, the Minister of Lands and the Commissioner of Lands can take these into account in conducting the acquisition. These safeguards are discussed in more detail below.

### **Legal and administrative procedures for involuntary land acquisition**

The involuntary land acquisition process is set out in Division 2 of Part V of the LTA, taking into account the additional protections afforded in the Constitution. The legal process therefore becomes as follows:

1. Landowner identification – While not a legal step, landowner identification is necessary to identify the owners of any customary land in order to conduct the prior negotiations required in the Constitution. As discussed above, there is no recognised record or register of customary landowners or land boundaries in Guadalcanal.
2. Prior Negotiation – Negotiations must be conducted with the owners of customary land before the land is acquired<sup>4</sup>

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<sup>3</sup> Section 71(1) of the LTA.

3. Declaration – the Minister of Lands declares that land is required for a public purpose. The declaration specifies the boundaries and extent of land required and the nature of the purpose for which the land is required;<sup>5</sup>
4. Publication – The declaration must be published in such manner as the Minister thinks fit. It is common practice to publish the declaration in the Government Gazette. It is upon publication that the land is legally acquired.<sup>6</sup> At this point owners have six months to appeal to the High Court to have the declaration quashed;<sup>7</sup>
5. Public Notification – following the declaration the Commissioner of Lands ( COL )posts notices describing the declaration, its effect and the right to compensation;
6. Notification of owners – the COL serves written notice of the declaration to each owner or landowning group, or each person who appears to own, or to claim to own, the land. The identification of landowners above will also assist in this step.
7. Assistance to prepare claims – the Provincial Secretary for each Province assists claimants to prepare claims.<sup>8</sup>
8. Access to legal advice – the timing of access to the independent legal advice that must be provided to customary landowners is not specified in the Constitution but would be relevant to the preparation of compensation claims.<sup>9</sup>
9. Submission of claims – by persons or groups wishing to claim compensation for their rights and interests taken in the acquisition of the land. Claims must be submitted within 3 months of the acquisition (date of publication in gazette). For customary land these claims in effect should include some evidence of customary ownership as well as any evidence as to value<sup>10</sup>;
10. Valuation and payment of compensation – The COL considers the claims, accepts or rejects them, and makes an offer of compensation. Offers and rejections are to be issued within 3 months of receipt of the claim. While not a specified legal step, it is at this stage that the COL may seek advice from the Valuer General, or other valuer, to inform the amounts of compensation payable.
11. Compensation by land – Where the land that is acquired is customary land, the COL may make an offer of land in lieu of cash, with the approval of the Land Board and the endorsement of Cabinet. Landowners may choose to accept either the land or the cash equivalent.<sup>11</sup>
12. Acceptance or appeal – Claimants have 3 months from the COL’s decision to appeal any rejection, or the amount of compensation offered, to the High Court. Where no appeal is lodged landowners are taken to have accepted an offer.
13. Provided there are no appeals in respect of the compensation amount and the offer is accepted, the COL shall cause payment to be made within 3 months of acceptance;<sup>12</sup> and

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<sup>4</sup> Section 112(a) of the Solomon Islands Constitution

<sup>5</sup> Section 71 of the LTA

<sup>6</sup> Section 75 of the LTA

<sup>7</sup> Section 76 of the LTA

<sup>8</sup> Section 74 of the LTA

<sup>9</sup> Section 112(b) of the Solomon Islands Constitution

<sup>10</sup> Section 79(1) of the LTA

<sup>11</sup> Section 84 of the LTA (as amended in 2014)

14. Notice to vacate – persons with an interest in the acquired land may continue to use and occupy the land until the COL gives them a notice in writing requiring them to vacate, but cannot develop the land without the COL’s consent<sup>13</sup>;
15. Alteration of the Land Register – provided that there are no appeals and the declaration has not been quashed, the land may be registered to the COL on behalf of the Government.

### Judicial Remedies

The LTA provides two broad types of judicial remedy to those with an interest in the acquired land. The first is the option to appeal the validity of the acquisition. An appeal against the validity of the acquisition must be made to the High Court within 6 months of the acquisition of the land (the publication of the Minister’s notice in the Gazette).<sup>14</sup> The primary ground for such an appeal is that the acquisition was not made for a public purpose. Only persons with an interest in the land have standing to appear under the LTA. The timeframe to hear such an appeal will vary. The two previous public purposes appeals suggest that a judgment at first instance will take between 8 - 12 months from the date the appeal is lodged. Any appeal to the Court of Appeal can take a further 12 months.

The second judicial remedy is an appeal to the High Court against the COL’s offer of compensation. This can be an appeal as to ownership or the COL’s valuation. Any person who has submitted a claim for compensation will have standing to bring an appeal. The appeal must be lodged within 3 months of the COL’s offer or rejection of their claim. It is open to the COL and Attorney General Chambers to settle a Court case out of Court and ADR procedures may be used to agree a disputed compensation amount.

### Law governing valuation

The Constitution allows for Parliament to provide for the *“criteria to be adopted in regard to the assessment and payment of compensation for ... compulsory acquisition (which may take account of, but need not be limited to, the following factors: the purchase price, the value of improvements made between the date of purchase and the date of acquisition, the current use value of the land, and the fact of its abandonment or dereliction).”*

Notwithstanding this power, Parliament has not provided express criteria. The LTA provides that the COL may offer such *“amount of compensation as he may think proper”*.<sup>15</sup> Where an offer of compensation is appealed, the High Court may award such compensation as it *“in its absolute discretion thinks just”* with regard to the condition of the land on the date of acquisition and such other matters and circumstances the Court may consider relevant.<sup>16</sup>

Under the Constitution, the Acts of the United Kingdom Parliament of general application and in force on 1 January 1961 continue to apply in Solomon Islands where not inconsistent with national laws.<sup>17</sup> The relevant UK laws include the *Land Clauses Consolidation Act* and *The Acquisition of Land (Assessment of Compensation) Act 1919*. Basic valuation principles stemming from these Acts include:

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<sup>12</sup> Section 79(2) of the LTA  
<sup>13</sup> Section 78 of the LTA  
<sup>14</sup> Section 76 of the LTA  
<sup>15</sup> Section 79(2) of the LTA  
<sup>16</sup> Section 83 of the LTA  
<sup>17</sup> Section 76, Sch 3, Para 1 of the Constitution

- “Equivalence” – an owner should be paid no more or less than he suffers as a consequence of the forced sale. The principle of equivalence can include an amount for disturbance or other incidental loss;
- Compensation to have regard for the development potential of the land, where land is undeveloped or under developed;
- Compensation cannot be based on the value of the land to the acquiring body;
- Any increase in value due to the underlying scheme for which the land is acquired must be disregarded (often referred to as the Pointe Guarde Principle).

There have been no cases considering the applicability of these laws in the Solomon Islands.<sup>18</sup>

In addition to these broad principles, laws governing natural resource usage rights will also be relevant to the valuation of compensation. As discussed above, customary land rights include rights to some natural resources in accordance with customary law unless inconsistent with national legislation.

The value of profits from commercial timber should be taken into account in the valuation of land as trees are broadly considered ‘owned’ under custom. When determining the value of such resources to landowners reference must be had to the *Forest Resources and Timber Utilisation Act* which regulates the forestry industry and the sale of customary timber rights.

### World Bank Policy

World Bank (WB) resettlement policy starts from the principle of restoration or improvement of livelihoods at replacement cost, rather than current value, recognizing not only financial and physical assets, but also the environmental, social, and cultural assets of an individual, irrespective of gender, ethnic or social status, in the resettlement context. The Involuntary Resettlement policy (OP 4.12) enjoins avoidance and minimization of adverse impacts not only because it is less costly, but also because it avoids damage to the less tangible and hard-to-value aspects of livelihoods and cultures. WB resettlement policy has a positive objective of sustainable development, with particular regard for the vulnerable.

### Legal Gap Analysis

The gaps between the Solomon Islands laws and OP 4.12 requirements on land acquisition and resettlement have been identified and necessary gap-filling measures developed to meet the requirements of OP 4.12 as summarized below.

Table 1 – Legal Gap Analysis

SI Laws	World Bank Safeguard Policies	Gap-Filling Measures
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<sup>18</sup> It is a question to be determined by the High Court as to whether the wide discretionary provisions of the LTA would be inconsistent with the application of English law in this regard.

There are no provisions to prepare RP based on meaningful consultations with APs, including the poor, the landless, elderly, women, and other vulnerable groups.	OP 4.12 requires that RPs must be prepared based on consultations with APs, and that poorer and vulnerable people are also consulted and informed of their entitlements and resettlement options.	ARAPs will be prepared in consultation with APs, including vulnerable groups, and disclosed by SP; translated or summary versions will be available at the provincial, district and local level. Local clan leaders whose members are affected will also receive a copy of the ARAP.
There are limited provisions to improve or at least restore the livelihoods of all APs.	It is necessary to improve or at least restore livelihoods of APs by a range of strategies targeted at APs. Nobody is to be worse off as a result of the development project.	Where such impacts will be experienced, ARAPs will include measures for improvement or at least restoration in living standards of APs to pre-project levels.
Limited provisions to provide assistance/compensation to APs who lose access to non-land assets	Requires that APs are compensated for all losses, including non-land assets, at full replacement cost.	The project will follow the principle of replacement cost for compensation of affected assets.
There is no requirement for the monitoring and assessment of resettlement outcomes.	OP 4.12 requires that resettlement outcomes be monitored and assessed.	ARAPs will include indicators and baseline data to monitor impacts on living standards of APs. The monitoring reports will also be disclosed including to APs.

### **G. Approach to land acquisition**

The RPF applies to the project, including any activities which may be considered to be “linked”. Consultation and Grievance Redress Mechanism (GRM) requirements apply irrespective of land acquisition method applied. In most cases it is anticipated that the land required for project delivery will be obtained via Voluntary Land Donation or Negotiated arrangements – generally “willing buyer-willing seller” or long term leases; in which case specific requirements will apply. An Abbreviated Resettlement Action Plan (ARAP) will only be needed in the unlikely event of involuntary land acquisition being required for activities funded by the project.

Involuntary land acquisition may be required if additional land is required during project implementation and the landowner is not a beneficiary of the project and the pre-requisites for negotiated settlement/VLD are not satisfied (It is noted that this is considered very unlikely as projects will be scoped and designed by SP in close collaboration with the community), or where land acquisition is for some reason restricted and involuntary land acquisition processes need to be applied.

The “linked” activities (such as the generation units and LV distribution, etc.) which are to be constructed at the same time as (or immediately prior to) the project funded activities will be subject to due diligence as outlined in Table 2. Where (such as in the Honiara grid densification activities), the generation and HV already exists, there will be no requirement for due diligence for these elements

These approaches and their key characteristics are shown in Table 2 below.

Table 2 – Land access arrangements and key characteristics

Land access arrangement	Key characteristics and documentation requirements
Voluntary Land Donation (VLD)	<ul style="list-style-type: none"> <li>• Minor impacts &lt;10% impact on any individual household or land user</li> <li>• Documents to demonstrate compliance with VLD protocol (see Appendix 1 of this RPF):               <ul style="list-style-type: none"> <li>○ Establish informed consent of the person(s) donating the land. Power of choice is a fundamental foundation of VLD</li> <li>○ Land owner(s) donate the land for the purposes of the project which would benefit the community</li> <li>○ Determine and document the appropriateness of VLD in the context of Project.</li> <li>○ Due diligence on owners and users of land donated.</li> <li>○ Full consultation and disclosure.</li> <li>○ Document the legal transfer of land donated.</li> <li>○ Grievance Redress Procedure and Mechanism.</li> <li>○ Any differential impacts (where negative impacts are unequally shared) would not exist, or would be very minor and compensated</li> </ul> </li> </ul>
Negotiated arrangements – generally “willing buyer-willing seller” or long term leases	<ul style="list-style-type: none"> <li>• Not significant impacts</li> <li>• Documentation to demonstrate:               <ul style="list-style-type: none"> <li>○ Establish informed consent of the person(s) donating the land. Power of choice is important</li> <li>○ Land owner(s) provide a legally binding agreement such as a lease or right of way over the land for the purposes of the project.</li> <li>○ May be accompanied by one-off or ongoing payment or other compensation for the provision</li> <li>○ Due diligence on owners and users of land to ensure correct parties are a part of the negotiated agreement</li> <li>○ Full consultation and disclosure (possibly without financial terms)</li> <li>○ Documentation of negotiated arrangement required.</li> <li>○ Grievance Redress Procedure and Mechanism.</li> </ul> </li> </ul>
Involuntary Land Acquisition	<ul style="list-style-type: none"> <li>• No projects supported by the Bank project will create significant resettlement (or environmental impacts)</li> <li>• Detailed ARAP to be prepared which documents:               <ul style="list-style-type: none"> <li>○ Description of the project activity causing involuntary resettlement and explanation of efforts to avoid or minimize involuntary resettlement associated with the project (alternative project designs considered).</li> <li>○ Range and scope of potential adverse resettlement impacts.</li> <li>○ Socioeconomic survey and baseline census survey information.</li> <li>○ Review of relevant laws and regulations relating to land acquisition and involuntary resettlement (see section above on legal and regulatory framework for more details).</li> <li>○ Description of asset valuation procedures and specific compensation rates (or alternative measures) for all categories of affected assets.</li> <li>○ Other assistance measures, if any, necessary to provide opportunities for livelihood restoration for affected persons.</li> <li>○ Assistance to affected commercial enterprises.</li> <li>○ Eligibility criteria for compensation and all other forms of assistance.</li> <li>○ Relocation arrangements, if necessary, including transitional support.</li> <li>○ Resettlement site selection, site preparation, and measures to mitigate impacts on host communities, if necessary.</li> <li>○ Restoration or replacement of community infrastructure and other</li> </ul> </li> </ul>

	<p>services.</p> <ul style="list-style-type: none"> <li>○ Land donation arrangements and documentation requirements, if relevant.</li> <li>○ Organizational arrangements for implementation.</li> <li>○ Consultation and disclosure requirements and arrangements.</li> <li>○ Resettlement implementation schedule.</li> <li>○ Costs and budget.</li> <li>○ Monitoring arrangements.</li> <li>○ Grievance procedures.</li> <li>○ Summary entitlements matrix.</li> </ul>
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## H. Preparing ARAP

If involuntary land acquisition is required for the project, an ARAP will be prepared to document the matters identified in Table 2 above.

- The ARAP(s) will be prepared having regard to the following: Responsibility for preparation, implementation and monitoring of ARAPs (including responsibility for meeting all associated costs with their implementation), in accordance with this RPF, rests with SP.
- As necessary, SP will coordinate actions with any other agencies involved to ensure timely and effective ARAP implementation.
- Preparation of the ARAP begins as soon as it is determined that involuntary land acquisition is essential to complete any of the project activities and shall be finalized prior to the commencement of any works to carry out said project activities. SP will carry out, or cause to be carried out, a census survey to identify and enumerate Affected Persons and to identify and inventory land and other assets to be required. The census survey must cover 100% of the affected persons. The census survey also establishes whether any affected persons are significantly affected by loss of productive land, whether any commercial enterprises are affected, or whether any households will be required to physically relocate.
- The ARAP will be prepared in accordance with the policy, principles and planning and implementation arrangements set forth in this RPF. The ARAP is to be based on accurate baseline census and socioeconomic survey information, and establishes appropriate mitigation measures (e.g., compensation at full replacement cost for loss assets, transitional assistance for relocation, and transitional assistance for livelihood restoration, and transitional assistance for commercial enterprises) for all relevant categories of adverse impacts.

## I. Communal Land Acquisition – Guiding Principles

Given the prevalence of customary (communal land) in the Solomon Islands, the following guidance is provided for the preparation of ARAPs for this project:

- a) The World Bank's Voluntary Land Donation protocol (see Appendix 1) is to be applied in full where land donation anticipated to allow project delivery.
- b) Alternatives to land acquisition are considered. Especially where replacement land is scarce or non-existent, or where customary land tenure is deemed inalienable, negotiated agreements for long-term lease, even for alternative infrastructure siting, should be considered.
- c) Where communal land must be acquired, collective compensation may be appropriate. Under such conditions, compensation is used solely for appropriate community purposes, or is distributed equitably among community members. The ARAP describes arrangements for usage of collective compensation.

d) Individual users and occupants of acquired communal land are identified in the census prepared for the ARAP and the ARAP describes mitigation measures or negotiated agreements providing for restoration of their livelihoods or living standards.

e) Where replacement land does not exist, it will be impossible to establish a technical valuation for replacement cost. The ARAP will describe alternative means used for valuation. This may include negotiated agreement with affected communities.

f) If relevant, the ARAP describes any changes that may occur regarding land use and tenurial arrangements for remaining communal land in project-affected areas.

g) The ARAP describes a process by which conflicting claims to ownership or use rights will be addressed.

## **J. Entitlements**

### **Criteria Defining Affected Persons**

Eligibility of an individual entitlements under this RPF will relate to their:

- Loss of land, whether an owner, lessee or informal occupant.
- Loss of trees or other plants, whether on owned, leased or informally accessed land.
- Loss of land-based improvements – houses, shelters, business buildings, also irrespective of the ownership status of the land.
- Loss of access to commons and reserves, e.g. road reserves, whether or not legally encroached, and restricted areas.

Eligibility for loss of non-land assets, whether temporary or permanent, will be recognized for project-induced impacts on:

- An individual's business or income.
- Soil or water quality changes that impact the individual's livelihood activities in the direct or indirect impact area.
- Air, light or noise pollution, or restrictions on access to social or economic resources that impact property values and amenity.
- Access to resources due to quarrying operations.
- Any other assets or elements of livelihoods recognized in the Solomon Islands law and in WB Operational Policy that may be discovered during disclosure and consultation.

Persons demonstrating that they will suffer losses from any of these causes as at the cut-off date for entitlements will be regarded as eligible for resettlement assistance. Losses from encroachments or activities commenced after the cut-off date for the respective projects will not be eligible.

Table 3 summarizes eligibility and entitlements for AAPs.



Table 3 – Entitlement Matrix

Type of Impact	Entitled Person(s)	Entitlements
Temporary use of land.	Legal/ customary landowners/land users	Will only occur with agreement with landowners/APs.  Affected landowners/APs will be paid rent on terms negotiated and agreed with them. The land will be returned to respective landowners/APs after its restoration.
Permanent acquisition of land	Legal owner(s)/customary landowners	Landowners will be provided equivalent size and quality of land, or cash compensation at replacement cost.
	Informal settlers (e.g. on land acquired for ROW) with no legalizable rights	APs will be provided compensation for their damaged non-land assets (e.g. crops, trees, and structures) on project-affected land.
Loss of crops and trees	All APs irrespective of their legal status	APs will be given notice to harvest crops and trees before site clearance or removal from required land. If APs are not able to harvest, they will be paid cash compensation at replacement cost. In case of perennial crops and trees, the compensation will also include loss of income for a period until new crops or trees produce an equivalent income
Loss of structures (only a few roadside markets are expected to be affected)	All APs (whether having legal title to land or not)	APs will be provided compensation at replacement cost without deductions for depreciation or salvaged materials and assistance in finding an alternative site. It will be ensured that replacement structures are ready to move before relocation of existing structures.  In case business activities are disrupted, the business owners will be provided disruption allowance for the duration of business being disrupted.
Displacement of community structure (if any)	Community representatives as identified by the social impact assessment	Affected structures will be restored in consultation with community or the affected community will be provided with cash compensation at replacement value without deductions for any materials salvaged.  Community will be assisted in dismantling and relocating structure/property.
Impacts on vulnerable APs	Vulnerable AP households identified by social assessment.	Vulnerable households will receive (i) priority employment in project construction and maintenance works; and (ii) additional cash allowance to purchase foodstuffs during the period of income disruption. Amount to be confirmed in the RP for each road/bridge.
Unforeseen impacts	Concerned affected persons	These will be determined as per the principles of the RF

## **K. Implementation Arrangements**

Implementation arrangements such as a time-bound implementation schedule of all activities relating to all land acquisition shall be included at the development of an ARAP. Finalization of land and asset transfer (as relevant) as well as any associated payments (such as where there is a “willing buyer-willing seller” arrangement and/or for fixed assets etc.) should be completed at least one month prior to land acquisition. If there is a delay of one year or more between land or asset valuation and payment of compensation, compensation rates will be adjusted for inflation purposes.

### **Process for negotiation of Voluntary Land Donations (VLD) and Long Term Leases**

Clear parameters are defined in the VLD protocol in Appendix 1. SP will ensure that the requirements of the protocol are met for land is acquired via VLD. Where land is leased via negotiation, SP will need to ensure the following matters are considered and documented:

- Establish informed consent of the person(s) donating the land. Power of choice is important
- Land owner(s) provide a legally binding agreement such as a lease or right of way over the land for the purposes of the project.
- May be accompanied by one-off or ongoing payment or other compensation for the provision
- Due diligence on owners and users of land to ensure correct parties are a part of the negotiated agreement
- Full consultation and disclosure (possibly without financial terms)
- Documentation of negotiated arrangement required.
- Grievance Redress Procedure and Mechanism.

### **Budget and Costs**

SP bears responsibility for meeting all costs associated with involuntary land acquisition. Any ARAPs require a budget with estimated costs for all aspects of their implementation. All APs are entitled to compensation or other appropriate assistance and mitigation measures, regardless of whether these persons have been identified at the time of resettlement planning, and regardless of whether sufficient mitigation funds have been allocated. For this reason, and to meet any other unanticipated costs that may arise, the ARAP budget shall include contingency funds, i.e., at least 10% of estimated total costs. Compensation must be paid promptly and in full to the APs. No deductions from compensation will occur for any reason. The ARAP is to describe the procedures by which compensation funds will flow from SP to the APs.

### **Approval of ARAP(s) by the World Bank**

All ARAPs will need to be submitted to the World Bank for its clearance and review – and full entitlements delivered - prior to any project works commencing on the land (or affecting any other aspect such as livelihoods) to which the ARAP applies

### **Disclosure and consultation on the RPF**

Extensive consultation was carried out during the preparation of the project ESMF and RPF including discussion with key stakeholders including SP, other government ministries, local administrators, and members of potential subproject communities in February 2016. During these consultations, the various issues associated with accessing land for the purposes of project delivery – especially the focus on identification and design of projects so that any land impacts would be avoided - were discussed. The ESMF including land aspects was formally submitted to and disclosed on the World Bank’s InfoShop and on the SP website in May 2016.

This RPF will be made available on the WB InfoShop and SP websites, and hard copies available at SP (or other appropriate) offices in project areas.

### **Disclosure and consultation on the ARAP**

To ensure that the projects contribute to the objective of sustainable development, SP will adopt a comprehensive disclosure and consultation process that includes all stakeholders during project implementation. The consultation process with APs will reveal all foreseeable impacts, and will elicit AP concepts of how mitigation options and resettlement planning can contribute to their aspirations for sustainable restoration or improvement of their livelihoods. In the unlikely event of loss of land, and land-based assets, the aim will be to replace like for like, and if this is not possible, to compensate for lost land, assets and income, and meet the costs of relocation and restoration of livelihoods. Restoration includes not only physical assets, but also social and cultural assets. If there is a risk of disruption of these values, which are often disproportionately encountered by women, the APs will contribute to selection of mitigation and resettlement options to ensure policy objectives are met.

The ARAP must describe measures taken to consult with affected persons regarding proposed land acquisition, transitional assistance, relocation arrangements, and other arrangements, and summarizes results of those consultations. SP will also be required to disclose the ARAP- both the draft and final versions – to the affected persons and the general public in the project area, in a language and location accessible to them. Disclosure of the draft ARAP should occur at least one month prior to Bank review. Disclosure of the final ARAP occurs following WB acceptance.

### **L. Monitoring Arrangements**

Monitoring arrangements will be established in the ARAP to assess the effectiveness of ARAP implementation in a timely manner. Monitoring includes review of progress in land acquisition, payment of compensation, provision of transitional assistance, and functioning of project grievance procedures. The ARAP should establish the frequency of monitoring activities. Monitoring should be conducted by an individual, firm, or community organization not directly affiliated with SP. Any issues or problems associated with ARAP implementation that are observed in the monitoring process will be reported to SP and the WB project team.

Prior to project completion, the monitoring process will assess whether livelihoods and living standards of affected persons have been improved, or at least restored. If these objectives have not been achieved, SP identifies plans and implements supplemental measures necessary to achieve satisfactory outcomes.

### **M. Grievance Procedures**

During the course of the project it is possible that affected persons or communities may have concerns with the project's social or environmental implementation occurring during construction and possibly during operation.

Any ARAP or other documentation prepared to meet the requirements of this RPF will include details of the specific GRM process applying to that activity. This GRM process will need to ensure that any concerns are addressed quickly and transparently, and without retribution to the affected parties.

World Bank funded projects are required to implement a GRM to receive and facilitate resolution of affected peoples' concerns, complaints, and grievances about the project's performance, including concerning environmental and social impacts and issues. The mechanism ensures that: (i) the basic rights and interests of every affected person by poor environmental performance or social management of the project are protected; and (ii) their concerns arising from the poor performance of the project during the phases of design, construction and operation activities are effectively and timely addressed.

In the early stages of engagement, project stakeholders and affected communities must be made aware of:

- how they can access the GRM;
- who to lodge a formal complaint too;
- timeframes for response;
- that the process must be confidential, responsive and transparent; and
- alternative avenues where conflicts of interest occur.

The grievance process is based upon the premise that it imposes no cost to those raising the grievances; that concerns arising from project implementation are adequately addressed in a timely manner; and that participation in the grievance process does not preclude pursuit of legal remedies under national law. Local communities and other interested stakeholders may raise a grievance at any time to SP or the World Bank's Inspection Panel.

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/GRS>.

For information on how to submit complaints to the World Bank Inspection Panel, please visit [www.inspectionpanel.org](http://www.inspectionpanel.org)

## ANNEX 1 – VOLUNTARY LAND PROTOCOL

### Voluntary Land Donation Protocol

#### 1. Background

This Voluntary Land Donation Protocol (VLDP) has been prepared by the World Bank for the purpose of due diligence. For cases where communities and/or individual landholders have offered to donate their land for the project because it is of benefit to the broader community, the World Bank's Voluntary Land Donation Protocol (VLDP) should be followed. The project team is to exercise their best judgment where voluntary land is offered and conduct due diligence to avoid adverse impacts and reputational risks. Donations are based on the premise that the project benefit will offset or outweigh the loss of the land donated.

VLD is only suitable for projects where the landowner and/or community wish to 'gift' land parcels or small areas for small-scale community infrastructure that will be of direct benefit to the donor's community.

#### 2. When VLD is Applicable

Voluntary donation of land by beneficiary households is acceptable where:

- It has been verified the donation did not result from any form of coercion or manipulation and is offered in good faith;
- The donation does not severely affect the living standards of the community and/or individual landholder responsible for the donation (i.e. impacts are marginal based on percentage of loss and minimum size of remaining assets);
- Alternatives and the viability of other locations or sites have been considered;
- The donation does not result in the displacement of households or cause loss of income or livelihood;
- The landholder/s making the donation will directly benefit from the project;
- Consultation has been conducted in an open and transparent manner and to a degree that the landholder/s can make an informed choice;
- The land is free from disputes regarding ownership or tenure;
- Land transactions are supported through the transfer of titles;
- Full and proper documentation of all consultations, meetings, grievances and actions taken to address grievances has been reviewed and made available;
- Where impacts are minor and other alternative sites are not viable.

#### 3. When VLD is NOT Applicable

VLD is not applicable under the following scenarios:

- Medium/large-scale infrastructure particularly in cases where a government agency or entity that has a statutory obligation to provide the infrastructure and/or services for which the land is required
- Where inadequate consultation with donors results in lack of understanding about the terms and conditions of the donation;
- In lieu of formal procedures for land acquisition where these do not exist;

- Where donor property owners, landowners or customary rights holders do not support, or will not directly benefit from, the Project;
- Where conflicts over land exist, including customary collective ownership;
- Conflicting land titling that make it difficult to establish with certainty who has a right to own, donate and use a specific parcel of land;
- Where donors did not provide their informed consent and were subject to political or social pressure and coerced into making the donation.

#### **4. Process for Voluntary Land Donation**

This section provides guidance on the process for VLD, namely on how to:

- Determine and document the appropriateness of VLD in the project context;
- Verify the requirements of the donation and the formalization of the donation;
- Carry out due diligence on the owners and users of land donated;
- Ensure appropriate consultation and disclosure;
- Establish informed consent of the person donating the land; and
- Establish grievance redress mechanism.

This section outlines the process that should be followed once the threshold considerations set out in Section 1 have been considered, and it has been determined that it is appropriate for the land to be provided to the project by voluntary donation.

It is necessary to follow a clear process for the donation, and to prepare and maintain documents that demonstrate such process. Each step set out below should be addressed in the context of the specific project, and fully documented.

##### **(i) Determine and document that VLD is appropriate in the circumstances of the project.**

The team should record the reasons why it thinks that the donation of land is appropriate for the project. In certain cases, only some of the land the project requires will be donated or alternatives to land donation exist. The project team should identify (in as much detail as possible):

- What the land will be used for;
- How much land the project will require on both a permanent and temporary basis;
- How much of the land will be donated;
- What alternatives to donation exist (e.g., right of use, right of way);
- The terms of the donation;
- The identities of the parties who intend to donate;
- The beneficiary of the donation; and
- Any details that are relevant to why donation may be appropriate.

##### **(ii) Verify the requirements to transfer, and formalize the transfer of, the land**

It is important to understand the process that should be followed to transfer the land, and appropriate ways to formalize the transfer so as to achieve certainty for both the transferee of the land and the project. In many countries this will require consideration of the legal and administrative requirements but also, particularly in the

case of customary land, local and community processes. In some cases these will constitute two different but parallel (and overlapping) systems and a process will have to be established to ensure that the requirements of each system are satisfied. An important consideration will be how transparent the process and the decision making process actually is, and what can be done to enhance the process.

### **(iii) Conduct due diligence on who owns and uses the land**

Given the specific issues surrounding land ownership and use in the PICs, it is important that the project team carries out careful due diligence to understand the type of land rights that exist in the project area, and to identify any particular issues relating to land ownership and use. Thereafter, a more specific due diligence must be conducted on each parcel of land proposed for donation to identify:

- The owner or owners of the land;
- The users of the land, or any parties that occupy the land (either physically or through ownership of an asset or conduct of livelihood or business activities on the land);
- Any competing claims of ownership or use;
- Structures and assets on the land;
- Any encumbrances on the land.

It is important to: (a) identify the right that is being transferred (an ownership right, a use right, a right of way, etc.); and (ii) check whether the transferee actually has the right s/he claims to have. In many circumstances where careful due diligence has not been carried out, significant conflict has arisen at a later stage when another party claims that they have the same or a competing right. In some circumstances – but not all – the transferee will have documentary evidence of such right. Where no such evidence exists, the due diligence can establish rights by speaking with local community officials and neighbours.

### **(iv) Disclosure and Consultation**

The decision to donate must be taken on the basis of a full understanding of the project and the consequences of agreeing to donate the land. Accordingly, the parties that will be affected by the donation (the owners and users of the land) must be provided with accurate and accessible information regarding what the land will be used for, for how long, and the impact the donation will have on them and their families. It is important that prior written notification indicating the location and amount of land that is sought be provided and that its intended use for the project is disclosed.

Where the intention is to deprive the parties affected by the donation of the land permanently, or for a significant length of time, this must be made clear. It should be noted that in many communities the concept of alienation of land is uncommon and difficult to understand, and care needs to be taken to ensure that the implications of this are fully understood. It is also important to decide who else should be consulted about the proposed donation; for example, spouses and older children.

There should be a clear agreement as to which party will pay the costs associated with the donated land. This could include measurement costs, documentation and notarial fees, transfer taxes, registration fees. It should also include the costs of re-measuring/re-titling the transferee's remaining land and any new documentation relating to it.

#### **(v) Establishing Informed Consent**

It is crucial that the project team is confident that the decision to donate was taken in circumstances of *informed consent or power of choice*. As discussed earlier, this means being confident that the owner(s) or user(s) of the land understand:

- What the land is going to be used for, by whom and for how long;
- That they will be deprived of the ownership or right to use the land, and what this really means;
- That they have a right to refuse to donate the land;
- Whether there are alternatives to using this land;
- What they will need to do to donate the land (e.g., execute documents, get spousal consents, pay taxes);
- The effect of the donation on their family, and what they can do if they (or their family or heirs) want the land back.
- The exact demarcation of land boundary for the project's use;
- Whether there are proposals which would allow other land to be used;
- What they will need to do to donate the land;
- The intergenerational effect of the donation on their family, what they can do if they (or their family or heirs) want the land back.

The terms and conditions of the land donation must be mutually agreed upon and detailing in a written agreement.

#### **(vi) Documentation**

It is necessary to distinguish between: (a) the agreement to donate the land; and (b) the document that carries out and evidences the legal transfer of the land. While it is important to have evidence of an intention and agreement to donate the land, it is equally important to ensure, where required and appropriate, that the land is legally transferred. While the process relating to the legal transfer of the land is frequently complicated and time consuming, it must be addressed. [In specific circumstances, for example where the land is being transferred to the community, it may not be necessary to legally transfer the land. However, experience indicates that lack of formal transfer can create significant uncertainty in the future, which impacts on the sustainability of the infrastructure and services, and can have a negative effect on community relations.]

To ensure that any land provided for the siting of subprojects is contributed voluntarily, in accordance with the requirements of the ESMF, two representatives of the landowners (family or clan) are asked to sign a Land Commitment Letter (see below). This certifies that the land is voluntarily donated for the purposes of the subproject and for the benefit of the community. The signature of the Letter is witnessed (as attested by their signature) by a suitable project representative.

The project team should:

- Identify the appropriate documentation, including the agreement to make the transfer and any legal documentation that may be required;



- Ensure that the agreement:
  - Refers to the consultation has taken place;
  - Sets out the terms of the transfer;
  - Confirms that the decision to transfer was freely made, and was not subject to coercion, manipulation, or any form of pressure;
  - Attaches an accurate map of the land being transferred (boundaries, coordinates);
  - Sets out who will bear the costs of the transfer (e.g., notarial fees, taxes, title issues) and documenting the residual land rights.
- Ensure that all necessary parties sign the documents, including obtaining consent from spouses and children over a certain age;
- Ensure that the transfer and title is registered or recorded; and
- Ensure that the land remaining after the donated land is excised is properly titled, registered or recorded.

It is also important to maintain a record of the process that has been followed. Such documents could include the following:

- The notification indicating the location and amount of land that is sought and its intended use for the project, with a record of when and where this was made public;
- Records of the consultations that were held and what was discussed;
- A copy of the due diligence that was conducted;
- Copies of each of the formal statements of donation, establishing informed consent as described above, and signed by each owner or user involved;
- Copies of all documents, registrations or records evidencing the legal transfer of the land; and
- A map, showing each parcel of land.

The Project implementing agency should maintain a record with documentation for each parcel of land donated. Such documentation must be available for World Bank review, and for review in relation to any grievances that may arise.

#### **(vii) Grievance Arrangements**

Grievances may be referred to customary conflict mediation arrangements where they are not directly affiliated with traditional leaders who are a party to the donation process.

## ANNEX 2 – CHECKLIST FOR ABBREVIATED RESETTLEMENT ACTION PLAN

A complete ARAP will have the following minimum contents:

Contents of the ARAP	Yes	No	Remarks
<i>Introduction</i> - Rationale of Bank support to the project described (country/sector context) - Amount of Bank financing and co-financing described - Bank-supported activities described			
<i>Project Description and Components</i> - Project development objective, components, geographic coverage and typology of subprojects described - Project location, including related activities well described - Map/maps of project area/area of coverage, components, etc., presented			
<i>Objectives, definitions and key principles of the ARAP provided</i>			
<i>Legal, Policy and Regulatory Frameworks</i> - OP 4.12 presented and with rationale for triggering fully explained/described - Country policies, laws, rules and regulations applicable to land and involuntary resettlement presented and fully explained - Relevant international agreements host country entered into that are applicable to the project presented and fully explained - Gap analyses between host country laws and regulations vis-à-vis the Bank policies and gap filling measures fully described in the ARAP			
<i>Census survey and asset inventory</i> - Detailed presentation of the findings of the socio-economic studies conducted (e.g., current occupants of the affected area)			
<i>Institutional and implementation arrangements</i> - Implementation clearly spelled out - Delineation of responsibilities for implementing resettlement clearly described - Capacity building measures explained in detail			
<i>Monitoring and evaluation arrangements</i> - Explained in a clear manner			
<i>Resettlement packages and eligibility criteria</i> - Presented in detail (including valuation methodology)			
<i>Grievance Redress Mechanism</i> - Mechanism/s to receive complaints, grievances and facilitate resolution in a fully transparent way clearly described			
<i>Public Consultation and Disclosure</i> - Consultation processes and disclosure of information, instruments, etc. clearly presented and details provided			
<i>Budget and costs</i> - Estimate of budget and costs clearly detailed - Authorities responsible for providing the budget clearly identified			

## LAND DONATION COMMITMENT LETTER TEMPLATE

Date: .....

Village, Province: .....

I/We ..... [name(s)] acknowledge, I  
am/we are the rightful representative (s) of the land located at  
.....

I/we confirm, I/we have the right under custom law, with agreement of community leaders, to gift this  
land for the purpose of ..... and sign this letter as a commitment  
of our voluntary donation that will benefit our whole community.

I/we declare that:

I/we have the right to transfer rights to use or access this land;

I/we understand that all residents will have access to this site and in order to maintain the  
asset/infrastructure;

I/we commit ourselves in upholding the contents and spirits of this agreement for so long as it  
remains in force;

I/we understand this donation is a gift that will benefit our whole community and understand no  
compensation payments will be made now or in the future;

I/we understand that dishonoring this agreement could result in project termination.

Details of the land (size in sqm, location of village, structure, type –unused, bush, garden)

.....  
.....

For the purpose of: (specify activity)

.....  
.....

For the duration of: (specify commencement date and duration)

.....  
.....

\*Natural Resources Donation (optional) [*This may require a separate agreement form depending on the context, quantity being donated, and number of resource owners*]

I/We .....are the rightful resource owner(s) (e.g. sand, gravel, rocks, timber) located at .....that area also being donated to the project.

I/We commit to donating .....as a contribution for the project.

Signed:

Position	Signature	Name
Male Household Head		
Female Household Head		
Landowner^		
Clan or landowner representative (if applicable)		
Resource Owner (1)*		
Resource Owner(2)*		
Village Chief		
Govt/Project Representaive		
Witness		

^(append list of all custom owners if relevant)

## **ANNEX C    Relevant Solomons Power Standard Operating Procedures (SOPs)**

SOP - Managing Air Quality during Construction and Operation

SOP - Fueling Vehicle

SOP – Transportation of Fuel + Chemicals to Project Site

SOP – Surface Water Quality Monitoring

SOP – Waste Oil Collection Storage and Removal

SOP – Hydrocarbon Spills

SOP – Erosion and Sediment Control

SOP – Storm Water Design – Drainage Techniques

SOP – Vegetation Clearing

SOP – Wood Waste and Timber Off-cuts Handling, Disposal and Management

SOP – Oily Rags Waste Handling, Disposal and Management

SOP – Waste Scrap Steel and Metals Handling, Disposal and Management

## **ANNEX D Procedure for handling UXOs**

### **1.0 Introduction**

Solomon Islands was the site of severe battle between the Japanese Army and the American Allied Forces during WWII. The war resulted in hundreds of thousands of firearms and UXO items left behind.

WWII ordnance found in Solomon Islands can be defined as either unexploded (UXO) or abandoned (AXO). Unexploded ordnance are explosive ordnances that has been primed, fused, armed or prepared for use in armed conflict but has failed to explode. Abandoned explosive ordnances are explosive ordnance unused during the war and subsequently left behind.

For the purpose of this guide, UXO is used as the general term to describe unexploded or abandoned ordnance, munitions and explosive devices left behind during WWII which represents a hazard to people and to any future development of the land on which they are abandoned.

Although UXO is not captured in the Environmental Act 1998 and Environmental Regulation 2008, UXO clearance activities have become an integral part in any development activity in the Solomon Islands. As the ministry responsible for infrastructure development in SI, MID has a draft UXO procedure developed as a means to render safe and take responsibility for UXO related hazards on any development activity occurring on SIG crown land.

Note that this guide only provides guidance for the management of UXO threats. It does not give detailed guidance on EOD contracting practise. The safety of SIEA employees, its clients and customers, developers and partners, consultants and contractors are not guaranteed.

More guidance on international standards on unexploded ordnance for the construction industry can be obtained from **CIRIA C681: Unexploded Ordnance (UXO)**

### **2.0 Objective of the Guide**

The overall purpose of this guide is to provide a policy and framework governing responsibility and procedures to assess, mitigate and eliminate any UXO related hazard from any SIEA project site before any construction work commences. It provides guidance on the management of any UXO hazards associated with any development activity carried out by the Authority.

This guide also helps the Authority conduct appropriate UXO risk management procedures at the design phase, provide budget for and seek appropriate advice and guidance on UXO contamination and disposal.

It provides the steps to follow to allow EOD contractors to sweep and clear contaminated project sites before any building, engineering, geotechnical investigations, and maintenance work of a construction nature starts.

### **3.0 Target Audience**

This guide is targeted for SIEA staff, its clients and customers, developers and partners, consultants and contractors. It should be applicable to health authorities, the environmental division, land owners and other relevant local agencies and stakeholders involved in the development project.

SIEA Contractors and Engineers are equally responsible for the wellbeing of their personnel on site and would be advised at the initial contract meetings of their responsibility, the process to manage UXO risks and who to contact at SIEA regarding UXO sightings and threats during project construction.

### **4.0 Responsibility and Risk Mitigation Measures**

Risk mitigation measures are put in place to ensure so far as is reasonably practical the health and safety of SIEA employees and of any other persons affected by the development activity.

#### **4.1 Authority**

SIEA and all its employees have a responsibility under the SIEA OH&S policy<sup>19</sup> to ensure the safety of its staff and every other person involved or affected by its normal day to day operation or any development activity.

The responsibility to report a sighting of a UXO or any suspicious article found at project sites or any SIEA location in the country resides with the SIEA and all its employees.

In the event of a suspicious UXO find, the following risk mitigation measures should immediately be followed.

- the area must be cordoned off appropriately
- physical measures put in place to avoid unauthorised tampering of the UXO find
- highly visible markings are provided at the HIGH RISK area.
- the UXO risk is communicated to surrounding communities

The find is reported to the SIEA Capital Works Programme Manager (CWPM) and the RSIPF-EOU. The CWPM will be responsible for the assessment, mitigation or elimination of any UXO related hazard with responsible authorities and EOD clearance

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<sup>19</sup> The SIEA policy on Occupational Health and Safety 2010 is being reviewed.

contractors. SIEA will keep statistics and records of UXO information from studies done on its sites and the report made available to public upon request.

A reporting system is required to be established, communicated to all parties and managed for UXO clearance activities.

SIEA is responsible for public awareness and consultation and building employee and stakeholder capacity to respond to the UXO threats at SIEA locations

UXO clearance will be considered and integrated into capital development activities and budget.

#### **4.2 General Public**

The general public must be consulted and encouraged to provide feedback and comments on their general short and long term safety during planning and design stage through the operational life of the project. These public consultations are carried out as part of required activities at the initial project initiation, planning and design stage.

Public comments and concerns must be properly documented and timely feedback provided. The mechanism to address public concerns will follow the existing SIEA mechanism for handling of customer complaints, through the Customer Service Department and the Public Relations Officer.

#### **4.3 EOD Contractors**

EOD contractors are required to be competent and registered to carry out this type of service. They are required to have the necessary expertise and equipment to identify, isolate, remove and safely dispose all UXO threats with assistance from the RSIPF-EOU.

The EOD contractor is responsible for site safety procedures and are required to have in place appropriate strategies to manage risks and environmental impacts and have appropriate insurance coverage.

The contractor will provide to SIEA before any clearance work begins,

- Supporting documentation on competency (experience and references), insurance coverage and legal registration where necessary
- Proposed suitably qualified and experienced staffing to carry out the service
- Proposed procedures complying with international standard UXO clearance practices
- Proposed UXO identification and clearance methodology and timing
- Contract amount for the service



The typical activities to be carried out by EOD contractors is summarised below.<sup>20</sup>

- Carry out and complete UXO survey of the project site including affected areas outside of the project site but related to the project.
- Cordon off areas and prevent unauthorised tampering where suspected UXO threats are determined.
- Arrange for and carry out safe removal of all UXO ordnance from project site.
- Responsibly dispose UXO ordnance in accordance with relevant local law
- Ensure strategies and resources are in place to manage unintended accidents and explosions.
- Provide a report confirming completion of UXO survey, detection, removal and disposal.
- Provide necessary documentation to RSIPF – EOD and other relevant SIG agencies for the issuing of a Certificate of Clearance.
- Continuously monitor, document and report to SIEA and RSIPF any residual UXO threats arising during project implementation

The contractor will confirm and certify in accordance with **CIRIA C681: Unexploded Ordnance (UXO)** or an alternate internationally accepted standard.

#### **4.4 RSIPF – EOU**

The RSIPF– EOU is the body responsible for clearance and disposal of UXO finds. The RSIPF EOU also responds to public reports of UXO and undertake clearance activities. Where there are no nearby police stations in the outer islands, reports should be directed to relevant government district agencies which then notify police at the provincial headquarters.

The RSIPF EOU will provide a Certificate of Clearance after suspected UXO ordnances have been removed by them or by EOD clearance contractors before any construction work can begin.

### **5.0 Risk Assessment and Management**

#### **5.1 Preliminary Risk Assessment**

Preliminary risk assessment is required to be carried out to enable SIEA to identify any potential UXO risk or threat and decide whether a detailed risk assessment is required.

Preliminary risk assessment includes:

- examination of existing historical data

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<sup>20</sup> The procedures are summarised from the MID's '9.0 Unexploded Ordnance Procedure'

- talking with local surrounding communities about any past occurrences with UXO's
- provide probability on threat potential and
- recommend further steps to take

This is to be documented and filed and communicated to the CWPM or Project Engineer. A Preliminary risk assessment form is attached in Annex 1.

If potential risks are identified, a detailed risk assessment leading to detection and identification, recovery and disposal will be initiated.

## 5.2 Detailed Risk Assessment

In the Detailed Risk Assessment stage, project planning will take into consideration UXO activities in the design and budget for the project.

Risk mitigation measures are put in place and the public made aware of the UXO risk.

## 6.0 Contact Details


All SIEA staff, clients and customers, developers and partners, consultants and contractors are to contact the following SIEA and RSIPF personnel regarding UXO issues on SIEA land.

Organisation	Contact Detail
SIEA	Grace Ma'ai Hybrid Project Manager P.O. Box 6 Honiara Email: <a href="mailto:Grace.Maai@siea.com.sb">Grace.Maai@siea.com.sb</a> Tel: 32944
	Robin Simpson Safety Officer P.O. Box 6 Honiara Email: <a href="mailto:robin.simpson@siea.com.sb">robin.simpson@siea.com.sb</a> Tel: 32944
	Rubina Tagana Public Relation Officer P.O. Box 6 Honiara Email: <a href="mailto:rubina.tagana@siea.com.sb">rubina.tagana@siea.com.sb</a> Tel: 32944
RSIPF	Officer in Charge Explosive Ordnance Unit P.O. Box G1723 Honiara Tel: 20443
Ministry of Environment, Climate Change,	Director

Disaster Management and Meteorology.	Environmental Conservation Division P.O. Box 21 Honiara Tel: 23031
MID	Under Secretary (Technical) P.O. Box G8 Honiara Tel: 25783

## 7.0 Annex

### Annex 1. Preliminary risk assessment form

	Details	
Name of assessor		
Date of assessment		
Site Address		
Development Proposed		
Historical findings		
Findings from Interviews	Name of interviewee	Detail
Threat potential / Probability <sup>21</sup>	Probability and risk of UXO encounter	Rating
	 <p>Rating 1 LOW</p> <p>Rating 2</p> <p>Rating 3</p> <p>Rating 4</p> <p>Rating 5 MODERATE</p> <p>Rating 6</p> <p>Rating 7</p> <p>Rating 8</p> <p>Rating 9 - 10 HIGH</p>	
Recommendation		
Other Notes		

<sup>21</sup> The threat probability rating is extracted from CIRIA C681: Unexploded Ordnance (UXO)

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Note: Attach site plan and map of area assessed.

## ANNEX E      Application Form for New Connection (under SOP of Solomon Power)

### PART A: THE CUSTOMER

TO: General Manager, Solomon Islands Electricity Authority

#### TERMS AND CONDITIONS:

I/We jointly and severally hereby apply for and agree to receive from Solomon Islands Electricity Authority, electricity at the premises described in this Agreement subject to the following terms and conditions:

1. The supply of electricity will be provided in accordance with the Electricity Act Cap 128; the Regulations made there under and as may be amended from time to time.
2. To pay the charges for electricity consumed by me, any charges payable for the hire apparatus, or any other services rendered by the Solomon Islands Electricity Authority within 15 days after the date upon which the account has been given to me/us. The prices for supply of electricity shall be in accordance with such tariffs as may, from time to time, be prescribed by Electricity (Tariff) (Automatic Base Tariff and Fuel Adjustments) Regulations 2005).
3. As security for the payment for electricity supplied to and consumed by me/us and for hiring Electricity apparatus from Solomon Islands Electricity Authority supply. This sum will be an estimate of the total amount of all charges likely to incur by me/us for the supply of electricity and hire of apparatus for two months or alternatively, as determined at the sole discretion of the Authority upon reassessment of my/our usage of electricity during the continuity of this Agreement.
4. To be responsible for safekeeping of all meters and equipment provided and fixed at my/our premises by the Solomon Islands Electricity Authority and bear any loss due to illegal connection or damage to any meter or other equipment while it is fixed at my/our premises.
5. To obtain all easements/way leaves, or statutory consents or approvals and consent of the lessor/landlord (where the customer is a tenant as maybe necessary for the supply of electricity to me/us [the authority]. The easements/way leaves, or statutory consents or approvals and consent of the lessor to be in writing and signed by the landlord or owner of the property and witnessed by an independent person whose name and contact details should be printed on the said authority.
6. To allow Solomon Islands Electricity Authority or its employees to read the electricity meter regularly [every once a month]. The months Solomon Islands Electricity Authority cannot read the electricity meter it will estimate the reading by taking into account your average consumption in the previous month.
7. To provide original proof of tenancy (where the customer is a tenant e.g. Tenancy agreement or rental receipts.)
8. To pay a Security deposit of \$3,000.00 as a new domestic customer or \$6,000.00 as a new commercial customer for a new kwf installation, as provided for in the Regulations under the Electricity Act, Section X, on *Security Deposits and Service Charges and* determined at the sole discretion of the Authority upon reassessment of my usage of electricity during the continuity of this Agreement.
9. To provide certified true copy of Power of Attorney where I am the legal care taker of the said premises.
10. To pay reconnection, penalty and other fees as stipulated by SIEA.
11. To inform SIEA when the premises is vacated.
12. To ensure that the power factor requirement at my/our premises shall be at full load and is not less than 0.85.
13. To provide original proof of identify for sighting and photocopying by SIEA Officer receiving the Agreement. (e.g. Driver's License, Passport, NPF Card, any previous utility bill for last three months, Employment Card, Certificate of Incorporation in respect of a limited

**PART B: CUSTOMER SERVICES DEPARTMENT**

**1. CUSTOMER NAME:**

First Name:\_\_\_\_\_ Middle Name:\_\_\_\_\_ Surname:\_\_\_\_\_

**2. MAILING ADDRESS:**

PO Box No.\_\_\_\_\_ Town: ie. Honiara/Auki etc.) \_\_\_\_\_

Suburb (ie.. Vura)\_\_\_\_\_ Telephone No.:\_\_\_\_\_

Email:\_\_\_\_\_

**3. REASON FOR REQUIRING SERVIC :**    ☐Temporary Supply        ☐New Connection to new building    ☐ Separation ☐Addition    ☐ Alteration  
☐ Standby Gen Set    ☐ Solar PV Grid Connect        Other\_\_\_\_\_

Comment\_\_\_\_\_

**4. CHECKLIST REQUIREMENTS: [FOR NEW CONNECTION]**

Parcel No. of Property:-\_\_\_\_\_ Lot No. \_\_\_\_\_ Additional description of location, (ie. next to ..... or Building Name)\_\_\_\_\_

**Attach copies of:**        ☐ FTE Register        ☐Passport No. /Driver's License No. or NPF No. \_\_\_\_\_

Or ☐ Current Photo and Statutory Declaration

☐ Town Council Approval of Building Plan

☐ Letter of Consent from Adjoining Land Owner for Line Access

☐ If Tribally Owned Land, consent Letter from 50% of Land Owning Tribe.

☐ If Commercial customer, Company Registration and Business License

**5. TYPE OF INSTALLATION:**        ☐ Domestic    ☐ Commercial    ☐ Industrial

If Commercial or Industrial, state Business Name: \_\_\_\_\_

**6. SIEA LICENSED ELECTRICAL CONTRACTOR DETAILS:**

Name of Electrical Contractor: \_\_\_\_\_ Registration No. \_\_\_\_\_

Tel. No. \_\_\_\_\_

**7. APPLICANT DECLARATION:**

**I declare that the above information are true and correct and I bear responsibility for and on behalf of this application.**

PART C: REGULATORY DEPARTMENT

PERMIT NUMBER: \_\_\_\_\_

**PERMIT TO WIRE**

**10. ELECTRICAL CONTRACTOR DETAILS:**

Name of Electrical Contractor: \_\_\_\_\_ License No. \_\_\_\_\_ Tel. No. \_\_\_\_\_

**11. TYPE OF METER REQUIRED:**

**12. PHASES:**

☐ Kilowatt Meter    ☐ Cash Power    ☐ CT Meter

☐ 1    ☐ 2    ☐ 3

**13. DISTANCE TO NEAREST SUPPLY POINT:** \_\_\_\_\_ **NEAREST METER** \_\_\_\_\_

**14. LOAD DETAILS:**

**15.** Please include a Sketch detailing where the supply is including the nearest existing supply point.  
more space is needed.

Draw at the back of this form if

**16. DECLARATION:**

I (Electrical Contractor) apply for Permission for electrical works as described in this application. The declaration has been read and explained to me in Pidgin/English and I fully understand the content. I will obtain all easements / way leavers of statutory, consents or approval as may be necessary. I have/ have not previously engaged an electrical contractor to carry out the electrical works at the specific installation.

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\_\_\_\_\_  
Electrical Contractor Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Rubber Stamp



## PART D: DISTRIBUTION

### 18. SURVEY AND QUOTATION

18.1 Date Permit Received \_\_\_\_\_ 18.2 Date of Survey: \_\_\_\_\_

18.3 Description of Location to Confirm Installation No. : \_\_\_\_\_

18.4 Job Description: \_\_\_\_\_

18.5 Total Quotation: \$ \_\_\_\_\_ (Attach Copy of Quotation)

18.6 Survey Team Leader: \_\_\_\_\_  
Name Signature Date

### 18.7 APPROVAL

Manager Distribution: \_\_\_\_\_  
Name Signature Date

## PART E: CUSTOMER SERVICES DEPARTMENT

### 19. PAYMENT

19.1 Date Quotation Received: \_\_\_\_\_

19.2 Date of Payment: \_\_\_\_\_ Receipt No. \_\_\_\_\_ (Attached)

19.3 Payment: Material /Labor Cost: \$ \_\_\_\_\_  
Security Deposit: \$ \_\_\_\_\_  
Installation Fee: \$ \_\_\_\_\_  
Total Payment : \$ \_\_\_\_\_  
=====

## PART F: DISTRIBUTION DEPARTMENT

### 20. CONSTRUCTION OF LINE

20.1 Material Ordered from Stores: (Date) \_\_\_\_\_

20.2 Material Received from Stores: (Date) \_\_\_\_\_

20.3 Line Constructed: (Date) \_\_\_\_\_

20.4 Transformer No. \_\_\_\_\_ Phase Connected \_\_\_\_\_

20.5 Team Leader: \_\_\_\_\_

**ANNEX F     A Brief Consultation Note conducted by SP**

**SOLOMON POWER CONSULTATION BRIEF NOTE ON SOLOMON ISLANDS  
ELECTRICITY ACCESS EXPANSION AND ESTABLISHMENT OF HYBRID  
GENERATION SYSTEM PROJECT IN THE PROVINCES**

The Solomon Power undertaken serial initial consultations in Taro, Seghe and Afio on establishment of hybrid generation systems in the provinces during September – October 2015. The Solomon Power team consist of General Manager of Customer Services, including Public Relation Officer, Engineering Officer and Technical Officer; Health and Safety Officer under Corporate Service Department; as well as Chief Inspection of Regulatory Department.

The consultation was attended by Provincial Government Representative; member of National Parliament, people from commercial sector (kiosk owners, retailers), school representative (teacher and student in Afio and in Seghe); Church Representatives in Seghe, and community living in the project areas, including women.

During the consultation meeting the Solomon Power has introduced themselves as the national electricity agency that has task to generate, distribute and sell electricity to Solomon Islands supported by existing law and regulations. As part of the State-Owned Enterprise, Solomon Power has responsibility among others on social responsibility covering awareness activity, health and safety issues, policies, procedures including how to submit complaint, environmental issues and involving all stakeholders. The consultation informed upcoming hybrid generation system projects in the targeted provinces and explained to the people regarding the preparation of the project, including land required for the project. The Solomon Power provides awareness regarding the benefits of power for community, such as improving quality lighting, facilitating education activities, generating household income, enhancing church programs and community events.

During the consultation, an equal participation among the community was occurred, including women. Participants raised their questions and concerns freely. The main concerns raised during the consultation in the three project locations are i) how safety is electricity (e.g. is it safe; how to switch power); ii) the connection process (e.g. who will do the connection, procedure to apply the connection, what meter will be used); iii) cost of connection (e.g. who will pay the line; the cost amount, is it affordable).

During the consultation time, Solomon Power also conducted community awareness incorporation with local schools in Seghe and Afio to teach student on health and safety of electricity.

Some pictures from field are provided below.



*Consultation meeting in Seghe*



*Solomon Power presentation in Seghe*





*Solomon Power presentation in Seghe at school on safety of electricity*



*Consultation meeting in Afio*





*Solomon Power presentation in Rokera School – Afio*



*Solomon Power consultation meeting with Hauhui Chiefs in Afio*





*Meeting with Provincial Executives*



*Consultation meeting with community in Taro*



*Taro meeting house*

## ANNEX G    Template of ESMP

- A. Executive Summary
- B. Policy, Legal and Administrative Framework
  - 1. Solomon Islands Environmental Law and Regulations
  - 2. Solomon Islands Environmental Assessment Process
  - 3. World Bank Safeguard Policy Requirements
  - 4. Institutions
  - 5. Extent of ESMP
- C. Description of the project
  - 1. Project Background
  - 2. Project Component and Activities
  - 3. Implementation Arrangement and Schedule
  - 4. Project Benefit and Justification
- D. Anticipated Environmental Impacts and Mitigation Measures
  - 1. Impacts and Mitigation Measures Due to Pre-installation Activities
  - 2. Impacts and Mitigation Measures Due to Installation Activities
  - 3. Impacts and Mitigation Measures from Operation
  - 4. Impacts and Mitigation due to Decommissioning
  - 5. Cumulative Impacts
- E. Analysis of Alternative
- F. Consultation and Information Disclosure
  - 1. Stakeholders/Community Consultations
  - 2. Information Disclosure
- G. Grievance Redress Mechanism
- H. Environment and Social Management Plan
  - 1. Environment Management Plan
  - 2. Social Management Plan
  - 3. Implementation Arrangement
  - 4. Budget and Resources

Table of Environment and Social Management Plan

Project activity/ stage	Potential impact	Proposed mitigation measures	Mitigation Cost	Institutional Responsibility	Implementation Schedule

Table of Environmental Monitoring Plan

Environmental Features	Aspect to be monitored	Time and Frequency of Monitoring	Location	Monitoring Cost	Responsibility party for implementation

- I. Conclusion and Recommendation



## **ANNEX H Indigenous Peoples Planning Framework**

### **Introduction**

Country-level social analysis undertaken during the preparation of the ESSIP suggests that groups meeting the four defining characteristics of OP 4.10 Indigenous Peoples (IP) are likely to be found in the Solomon Islands, which is recognized as including numerous self-identifying groups with distinctive institutions, with patterns varying from island to island.

Each subproject will need to be screened in accordance with OP 4.10 to determine if IP communities are present within a subproject's area of influence. As insufficient project information was available on the subproject sites prior to appraisal, this Indigenous Peoples Policy Framework (IPPF) has been prepared.

### **Potential Issues and Impacts Relating to Indigenous Peoples Communities**

The ubiquitous nature of IP communities in Solomon Islands combined with the geographic spread of potential subprojects suggests that these communities have the potential to be present in subproject areas. The potential positive and negative social impacts on IP communities are similar to those for non-indigenous populations. These subproject locations are currently unknown however it is conceivable that they may be located in IP community homelands. If the majority of beneficiaries of a subproject are IP the elements of an Indigenous Peoples Plan (IPP) will be incorporated into overall subproject design.

These elements include:

- identifying issues relating to the particular IP community via a social assessment process;
- undertaking free, prior and informed consultations and reviewing outcomes to determine broad community support;
- ensuring equitable access to culturally-appropriate benefits for the IP community;
- actions to avoid, minimize or otherwise mitigate any adverse impacts affecting the IP community;
- accessible and culturally appropriate means to address grievances; and
- monitoring and information disclosure arrangements.

Investments are unlikely to meet the four defining criteria for IP communities in PNG under the *Environmental and Social Safeguard Instruments for the Pacific Islands Countries* (ESSIP) as most infrastructure will be sited within urban areas which are expected to comprise heterogeneous populations. However ancillary infrastructure (eg. power lines) may traverse customary/IP community lands beyond the urban boundary in which case OP 4.10 would be triggered.

### **Legal, Policy and Institutional Framework**

Should any community within a sub-project area exhibit all of the following then OP 4.10 will be triggered:

- Self identification as members of a distinct indigenous cultural group that is recognised by other members of the community.
- Collective attachment to geographically distinct habitats or ancestral territories or have access to specific natural resources in these habitats or territories.
- Customary cultural, economic, social, or political institutions that are separate and distinctly different from the dominant surrounding community.
- An indigenous language that is different to the official language of the region.

The relevant subprojects will be planned and implemented in a manner consistent with the principles and procedures of OP 4.10.

### **Implementation Arrangements**

The Solomon Islands Government bears official responsibility for ensuring that any IPP (where required) is prepared and implemented. Direct authority for IPP development and implementation is vested in Solomon Power, which will exercise its authority as necessary to coordinate actions with any other agencies or jurisdictions involved in planning or implementation. If an IPP is required for a particular subproject a technical consultant (anthropologist) will be engaged by Solomon Power to develop, implement and monitor the plan.

### **Consultation Arrangements**

Initial consultations will be undertaken at the subproject screening stage to establish if IP communities are present with the respective area of influence. If IP are present the consultation process, to be coordinated by the relevant agency, will be undertaken in a free, prior and informed manner that results in a collective expression by IP communities of broad community support for the project. The consultation process will be conducted in a manner that is:

- free, allowing Indigenous Peoples communities to openly express their preferences or concerns without intimidation or trepidation;
- in a timely manner, such that the preferences or concerns raised by Indigenous Peoples communities may be considered before project design decisions or implementation arrangements are finalized;
- informed in that Indigenous Peoples communities have been provided, and have had sufficient opportunity to consider, relevant information about the project;
- inclusive, with special consultation arrangements included where necessary to obtain the preferences or concerns of women, the elderly, or others who customarily may not be expected or allowed to participate in community meetings.

A summary (including date, location, approximate number and status of persons in attendance, and summary of issues discussed and any agreements reached) will be prepared and recorded for each consultation meeting.

## **Arrangements for Social Assessment**

A social assessment will be undertaken where an IPP is required, with the scope, level of detail, and methodological aspects of the assessment commensurate with the nature and extent of subproject-related impacts and risks. The social assessment will be incorporated in the sub-project ESMP and will include the following elements (as relevant):

- description of the subproject and potential issues or impacts relating to IP communities;
- identification of relevant IP communities and other key stakeholders to be consulted in the social assessment process;
- baseline information on the demographic, social, cultural, economic and political characteristics of relevant IP communities;
- elaboration of a culturally appropriate process for free, prior and informed consultations with IP communities during IPP preparation and project implementation;
- assessment of the potential adverse impacts and benefits likely to be associated with the project based on consultation; and
- summary of preferences and concerns of Indigenous Peoples communities relating to project objectives, access and cultural appropriateness of project benefits, mitigation of any adverse impacts, and project implementation arrangements.

## **Broad Community Support**

Based on results of consultations and the social assessment process, Solomon Power will determine whether there is broad community support for the project among relevant Indigenous Peoples communities. This determination generally is based upon collective and often informal expression of supportive views regarding project purposes, plans, and implementation arrangements. This determination does not require unanimity; broad community support may exist even when there is internal disagreement within the community or when there is limited opposition to project purposes or proposed arrangements. The IPP explains the basis upon which the determination has been made.

## **Outline of an Indigenous Peoples Plan**

The scope and level of detail required in the IPP is commensurate with the nature and extent of subproject-related impacts and risks which in the case of the Project is likely to be low. The IPP will include the following contents:

- project description and summary description of issues relating to Indigenous Peoples;
- a brief summary of relevant issues and findings of the social assessment process;
- a summary of results from consultations and review of determination of broad community support;

- actions to ensure equitable access to culturally appropriate benefits for Indigenous Peoples communities;
- actions to avoid, minimize or otherwise mitigate any adverse impacts affecting Indigenous Peoples communities;
- cost estimates, budget and financial responsibilities for implementation of the IPP;
- accessible and culturally appropriate means to address grievances raised by Indigenous Peoples (individually or collectively);
- monitoring arrangements; and
- arrangements for information disclosure.

### **Disclosure Arrangements**

The Solomon Islands Government, through Solomon Power agrees to disclose relevant information regarding project design and implementation arrangements to Indigenous Peoples communities and to the broader public. Specifically, results of the social assessment process, this ESMF and IPPF, and any subsequently prepared IPP will be made available in a manner, location and language accessible to Indigenous Peoples communities. If a draft IPP or IPPF is subject to subsequent revision, the revised documents will also be disclosed in a similar manner.

Disclosure of documents will be facilitated through the World Bank's InfoShop, the Solomon Power website and in hard copy at a location accessible to the relevant IP community. If necessary, the IPP technical consultant will provide interpretation of the relevant documentation to the IP community during the implementation of the IPP.

### **Monitoring Arrangements**

If the IPP contains any specific actions to benefit Indigenous Peoples communities, or measures to mitigate any adverse impacts upon them, a monitoring process will be defined in the IPP to assess the effectiveness of actions or mitigation measures, and to provide a means for ongoing consultation with those communities throughout the implementation period.

### **Grievance Procedure**

Arrangements will be established to ensure that Indigenous Peoples communities may bring complaints to project management attention, and that the WSSDP responds to complaints in a timely and considered manner. Within Indigenous Peoples communities, complaints can be raised by individuals, groups, or by the community as a whole. Specific arrangements for raising and addressing grievances will be defined and described within the relevant subproject IPP. It has been agreed that the grievance procedures will:

- be accessible (e.g., location, language, and socially inclusive) to all community members;
- use local customary arrangements for conflict resolution in an initial stage of review, as appropriate in the project context;

- have a second stage of review at the project management level, with a grievance committee chaired by the CEO of Solomon Power; and
- have defined and disclosed performance standards for replying to grievances received at both initial and project management-level review stages.

Individuals or communities with complaints that have not been resolved to their satisfaction may also seek legal recourse consistent with laws and procedures of the country.