



**Solomon Islands  
Government**

**Ministry of Mines, Energy and Rural  
Electrification**

**Tina River Hydropower  
Development Project (TRHDP)**

**Land Acquisition and Livelihood  
Restoration Plan**

January 2017

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# 1 INTRODUCTION

## 1.1 OBJECTIVES OF THE LALRP

This document describes the actions that will be taken to avoid, minimise, mitigate, and otherwise manage the adverse impacts on peoples' livelihoods *of the land acquisition* for the Tina River Hydropower Development Project (TRHDP) in Solomon Islands.

The goal of this Land Acquisition Livelihoods Restoration Plan (LALRP) is to achieve an equitable and sustainable outcome for the people and communities transferring or surrendering their ownership or use of land and livelihoods assets in order for the hydro development to proceed. This includes ensuring those directly affected by the development activities are involved in the planning, and have opportunities to participate in devising and implementing livelihoods impact mitigations and enhancements.

This plan has been prepared as part of the World Bank and Asian Development Bank safeguard requirements with respect to the management of the impacts on local communities caused by the involuntary taking of land by the Solomon Islands Government for the TRHDP and/or by economic displacement the people of the project affected area. The requirements of the World Bank are described in the Operational Policies as of 2014. The requirements of the Asian Development Bank are described in the Safeguard Policy Statement of 2009. ADB requirements have been included as the Solomon Islands' Government has requested financing from the Bank. It is noted that final ADB due diligence is not yet complete.

The requirements under Solomon Islands' law relating to land acquisition and compensation are specified in the *Land and Titles Act*.

This plan complements the Environmental and Social Impact Assessment (ESIA) for the Project, which has been prepared as a separate document with reference to funding agency safeguard requirements including IFC Performance Standards and World Bank Operational Policies. Chapter 12 of the ESIA, and the Environmental and Social Management Plan in Chapter 13 of the ESIA, set out the socio-economic and cultural impacts and mitigation measures relating to the construction and operation of the Project. This LALRP, which can be read together with the ESIA, looks specifically at the impacts of the acquisition of land and assets by the Solomon Islands' Government (SIG).

## 1.2 THE NEED FOR THE LALRP

As a key development premise of the Project, no physical displacement of people will occur. All land selected for the Project, including the dam site, reservoir, powerhouse, access roads, construction lay-down areas and quarries, is non-residential land.

Supplementary field surveys also found that no physical displacement of people from their homes would be needed in order for the SIG to upgrade and re-align the Black Post Road and include the electricity transmission line in the Black Post Road corridor. However, the

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Government's land acquisitions could impact negatively on some peoples' livelihoods assets and incomes, that is, there could be 'economic displacement'. In these circumstances WB OP4.12 (Involuntary Resettlement) is "triggered" and ADB *Safeguard Requirements 2: Involuntary Resettlement* will apply.

OP4.12 requires various response measures, typically the preparation of a resettlement plan or resettlement policy framework. In such a situation of economic displacement only, a Livelihoods Restoration Plan (LRP) is required rather than a full Resettlement Plan

World Bank officials in discussion with the PO determined that the LRP should take the form of a "Land Acquisition Livelihoods Restoration Plan" (LALRP). The LALRP should focus on the effects of the project land acquisition, and should be prepared before the loan application proceeds to feasibility assessment by the WB and ADB.

### 1.3 THE DEVELOPMENT OF THE LALRP

The process of developing the LALRP has been both integral to and an extension of the social impact assessment and community consultation activities undertaken as part of the overall project planning.

The social safeguards/assessment methodology and studies used to inform the LALRP are described in the ESIA. These include:

- a systematic program of participatory village workshops in which a rich picture was developed of the social, economic and cultural context for the project, of peoples' understandings and concerns about the development, and the potential impacts and local development opportunities;
- a questionnaire survey of a sample of village women about their households, livelihoods, nutrition, and way of life;
- semi-structured face-to-face interviews with village leaders about local society, culture, important places, livelihoods, and impacts management;
- face-to-face consultations with agency and NGO representatives about the potential socio-economic impacts and their management;
- team conferencing, including participation by village-based community liaison officers on the potential impacts and their management, including livelihoods issues;
- preparation of preliminary environmental and social impacts mitigation proposals, which were then refined at 2 workshops of leaders from the affected communities; and
- preparation of a written draft ESIA document, which was then provided to key stakeholders for ongoing review, comment.

Subsequent to the completion of the draft ESIA and ESMP documents, it was determined by the WB and PO that a livelihoods restoration plan would be required. The SIA studies and consultations on the proposed impact mitigations became the basis for preparing the LALRP, supplemented by information from the following:

- two community workshops, respectively at Managikiki/Verakuji (adjacent to the Core Area) and at Vera'ande/Grassy (adjacent to a part of Black Post Road where the road/transmission corridor requires widening);

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- a land survey of the proposed road and transmission routes and Core Area;
  - an inventory and valuation of the timber assets of the Core Area;
  - inventories of the livelihood assets and their owners where applicable on the proposed road and transmission routes;
  - schedules of compensation payments for trees and plants used by the Ministry of Agriculture and Livestock Development;
  - a systematic registration of the members of the local customary landowning tribes; and
  - ongoing consultation by the Project Office with the affected communities (see Annexure 14 to the ESIA).

## 1.4 INFORMATION SOURCES FOR THE LALRP

A host of technical studies, associated reports, and reviews have been produced as part of the Project Planning. Key documents and secondary information used in the preparation of the LALRP include:

- *The Environmental and Social Impact Assessment (ESIA)* prepared by BRLi in 2014-15. This includes a description of the pre-project social conditions in the project area and an assessment of the potential impacts of the development on local people and communities. The ESIA was prepared in compliance with the *Environment Act* (1998) WB safeguards policies. The ESIA was updated by the Project Office in 2016;
- A draft *Resettlement Policy Framework (RPF)*, prepared by Jean Williams in August 2012 for the SIG and the WB;
- A land valuation for the Tina Hydro 'Core Land', prepared for SIG in 2014;
- A *Forest Valuation Report*, which provides the formal valuation of the commercial timber trees within the Core Land area, prepared by Myknee Sirikolo in April 2015;
- Report on legal framework and process for the land acquisition prepared by Jen Radford of the Project Office in 2015. This provided the source text for much of Chapter 4;
- The report on the Tribal Registration process for the Malango peoples (the local tribal/language group), with an associated database, assembled by Kellington Simeon in April 2015 and updated in early 2016;
- The 2015 reports on the land surveys for the proposed road and transmission line corridor to Back Post, prepared by Solomon Islands Survey and Land Consultancy, Honiara, and updated in early 2016;
- The *Asset Identification and Valuation Survey* for the Core Area and the Black Post Road and Transmission corridor with a geo-referenced database, assembled by Kellington Simeon and Pacific Horizons Consultancy Group in November 2015;
- A preliminary Livelihood Asset Survey of two options for the power transmission corridor between Black Post Road and Lungga Power Station, prepared by Kellington Simeon and Sebastian Misiga in mid-2016; and
- Statistical Enumeration Area data tables from the 2009 Solomon Islands national census, published in late 2014.

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## 2 PROJECT DESCRIPTION

### 2.1 OVERVIEW

The TRHDP is a 15 megawatt (MW) hydropower scheme to be located on the Tina River, in Central Guadalcanal, Solomon Islands. Tina Hydro is intended to supply renewable electricity to Honiara, the capital of Solomon Islands. The project is located in the Bahomea district of Malango Ward (Ward 20) – approximately 30km east of Honiara (figure 2.1).

The Tina River has a catchment area of approximately 150km<sup>2</sup>, most of which is mountainous, heavily forested, and unoccupied. The site of the proposed 53m high concrete dam and 30.5ha storage reservoir on the Tina River is remote and unoccupied.

Until August 2014, when it was legally acquired by the Solomon Islands Government (SIG), the majority of the land required for the Project was owned by five indigenous tribes from Bahomea and Malango districts (Figure 2.1 and 2.2). These tribes are part of the Malango-speaking area which is indigenous to the upland central Guadalcanal region.

The Tina Hydro development is being implemented by a dedicated Project Office (PO) within the SIG's Ministry of Mines, Energy and Rural Electrification (MMERE). Beginning in 2009, the PO has undertaken the planning of all aspects of the project in continued dialogue with the indigenous land owners and village communities of the Tina-Ngalimbiu Catchment and wider Malango Ward, and with the assistance of advisors from the World Bank, hydro engineers and other local and international specialists. From a social development and impacts management perspective, a feature of the project planning has been the comprehensive and sustained programme of community consultation and involvement run by the PO (as set out in Annexure 14 of the ESIA), and the collaborative development of a programme of benefits sharing with local peoples.

A full description of the Project is set out in Chapter 2 of the ESIA.

Figure 2-1 Guadalcanal Island showing the location of the Tina Hydro project



Figure 2-2 Key locations, rivers, villages, and hydro infrastructure





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## 2.2 THE PROJECT ELEMENTS

The project consists of the following key elements:

- a 55 meter high Roller Compacted Concrete dam on the Tina River at an elevation of approximately 123m asl and roughly 30 river km from the sea. The dam will include a spillway to release excess water, and an outlet to provide sufficient water to maintain an environmental flow in the 5.7km section of the river between the dam and the powerhouse tailrace.
- a 3.3 km underground tunnel to a powerhouse and a tailrace, located at elevation 73m asl.
- A storage reservoir formed by the dam extending upstream approximately 2.6km and with a surface area of about 28 hectares at an elevation of 175m asl.
- A powerhouse located 3 km downstream from the dam directly alongside the left bank of the Tina River, with water being diverted to the powerstation from the reservoir through the underground tunnel. Initially, the powerhouse will have 3 turbine/generator units, each with a capacity of 5MW, allowing a maximum discharge of about 18m<sup>3</sup>/s and a minimum discharge of 2.4m<sup>3</sup>/s.
- A 23km or longer 33kVa transmission line along the Black Post road, then via an as yet undefined route west to the Lungga Powerstation.

Several access roads – including upgrading, widening, and realignment of 13km of the existing Black Post Road, and the creation of approximately 7km of new site-access roads for the dam site and powerstation. Construction activities will last 3 years and will take place in the recently acquired “Core Area” and along Black Post Road.

Up to 180 technical, highly skilled, and low skilled workers may be required for the hydro construction, providing employment opportunities for an estimated 80-100 local people in construction and support roles. No construction start date has been announced.

As noted, there are several possible routes for the power transmission line between the Tina/Black Post Road corridor and the Lungga Powerstation- a distance of approximately 10km. Solomon Power (a state owned enterprise) is yet to decide on the final route.

## 2.3 CONSTRUCTION AND OPERATION OF THE TRHDP

In 2015 K-Water won the rights to a term of exclusive negotiation for an agreement to build, own, operate and transfer the hydropower infrastructures (known as a BOOT arrangement). K-water is a South Korean Government-owned international water resources company developing and operating multi-purpose dams in South Korea, Pakistan, Equatorial Guinea, Philippines, China, Peru, Cambodia and Myanmar. Its proposed construction partner is Hyundai Engineering and Construction, also of the Republic of Korea. SIEA (trading as Solomon Power) will buy and distribute the electricity generated by the Project.

With the agreement of the customary landowners, the SIG compulsorily acquired the land in the Core Area on 21 August 2014. Compensation offers were made to the identified owners by the SIG, and all landowning groups accepted or were deemed to have accepted these

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offers. The details of the process of identifying the owners of the Core Area and the subsequent land acquisition are described in Section 5. The acquired land will be owned by the Tina Core Land Company (TCLC), a 50:50 joint venture established between the customary landowners and the SIG. K-water will lease the land from the TCLC for a fixed term.

## **2.4 OPTIONS CONSIDERED TO MINIMISE RESETTLEMENT IMPACTS**

In accordance with WB and ADB safeguard requirements, the Project considered options to minimise resettlement impacts both with respect to the dam site and power station, as well as the alignment of the Infrastructure Corridor.

One of the primary objectives of the Project is to avoid the physical resettlement of any residential houses or villages. Physical resettlement has the potential to cause upset to community social structures and the provision of quality replacement housing has potential to cause disputes.

### **2.4.1 Dam and Power Station Site Options**

In accordance with WB and ADB safeguard requirements, the Project considered options to minimise resettlement impacts.

One of the primary objectives of the Project is to avoid the physical resettlement of residential houses or villages. Physical resettlement has the potential to cause upset to community social structures and the provision of high quality replacement housing has potential to cause disputes.

A range of project options were examined along the Tina River by Entura, the hydro development consulting engineers to the PO. In 2010 six options for a site between the Mbeambea River tributary (at the top of the Tina River catchment) and the Toni River tributary were evaluated. These options covered different combinations of dam location, type and size of dam, headrace tunnels, and power station location. All were of a similar scale and capacity, though with different levels of potential social impacts and physical displacement.

Entura's "Phase 3" technical study considered two key dam sites, known as Option 6E and Option 7C. Entura identified 7C (the current proposed dam site) as the preferred option, determining that geological conditions were favourable and away from human settlement. Entura evaluated this option as having "superior economic, social and technical value" in comparison with earlier proposed sites.

In particular, the 7c option selected avoided the physical resettlement of the residents of 3 villages at Choro, Senghe and Koropa. Under the alternative 6E option, the relocation of these villages required the resettlement of 39 inhabitants.

Chapter 4.4 of the ESIA compares the various site options in terms of potential impacts, and confirms that the current proposed site would not require any physical displacement (and therefore resettlement) of local people.

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### 2.4.2 Infrastructure Corridor Site Options

The Infrastructure Corridor alignment was selected to prevent physical displacement and to minimise economic displacement.

An initial route selected for the road corridor, based on existing roadways, optimal terrain and the avoidance of villages and settlements, was then assessed for displacement impacts.

The assessment was undertaken by a team of local consultants working together with a surveyor. All assets, included fruit and nut trees, trees providing building materials or timber, gardens, houses, canteens, pig pens and other structures along the 50 metre corridor and adjacent land were logged by GPS with reference to the surveyed route, photographed and described.

The consultants met with the PO Land Team to assess each identified asset and consider alternative routes to minimise impacts on the asset with reference to adjoining assets mapped outside of the initial corridor.

This process resulted in four amendments to the initial alignment to avoid acquiring land hosting residential houses and to relocate the alignment further away from a settler community to minimise traffic impacts. Areas amended included:

- A diversion to the east along the border of the Levers Parcel and Timothy Urobo et al. Parcel;
- A diversion north of Menagikiki; and
- A diversion south of menagikiki.

The amended alignment was confirmed by a road engineer from the Ministry of Infrastructure Development to confirm engineering feasibility. A qualified and registered surveyor completed a survey of the re-aligned corridor.

The final alignment avoids the need for any physical resettlement in the Infrastructure Corridor.



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## **3 LAND REQUIRED FOR THE PROJECT**

### **3.1 OVERVIEW**

Land is required for the construction and operation of all Project Elements set out in Section 2.2. The land requirements can be broadly divided into the three areas defined below:

#### **3.1.1 The Core Land**

The Core Land is an area of 428 Ha on which the vast majority of project elements will be located. This includes the dam, reservoir, water tunnel, penstocks, powerhouse, new access roads, substation, quarries, supporting construction infrastructure, laydown areas and buffer areas.

The Core Land includes the part of the 50 metre wide infrastructure corridor for road and transmission lines south of Marava, the point at which the land changes from registered land to customary land. The portion of the infrastructure corridor north of this point is registered land, discussed separately below.

Prior to the compulsory acquisition in August 2014, the Core Land was customary land owned by tribal groups.

#### **3.1.2 Monitoring Sites**

The monitoring sites comprise of two small (<1 Ha) sites for the location of a flow gauge and a rain fall gauge. The flow gauge site is located in the river bed in an area known as Koemolu. The rain gauge site is located in the catchment in an area known as Chupukama.

The two monitoring sites are customary land owned by tribal groups, currently in the process of registration and a voluntary negotiated transfer to SIG.

#### **3.1.3 Northern Infrastructure Corridor**

The Northern Infrastructure Corridor is a 50 metre wide stretch of land from Black Post to Marava. It comprises the existing constructed Black Post Road, as well as land adjacent to the road to accommodate road corridor widening and improvements, and the installation of the transmission line.

This land is currently registered land, owned by a combination of private and public owners. SIG is in negotiations to acquire the corridor by private treaty.

The potential effects on the livelihoods of the owners and users of these land areas are assessed in subsequent sections, and compensation and impacts management arrangements are presented according to the requirements of the World Bank OP4.12 (Involuntary resettlement) and ADB (2009) Safeguard Policy Statement. Each of the land areas being acquired for the project is described in more detail below.

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## 3.2 THE CORE LAND

The Project Office identified that 428.8 ha of forested and partly forested land under customary ownership by local indigenous people is required for the key infrastructure elements of the Project (Figure 3.1). In 2015 the SIG's Commissioner of Lands, using the legally sanctioned land identification process (described in Section 5) determined that 5 of the 27 Malango peoples' tribes were the customary collective owners of this land, as follows<sup>1</sup>:

- Roha tribe (171 ha) – 161 registered members
- Buhu-Garo tribe (two lineages combined, (161.5ha) – 65 registered members
- Kochiabolo tribe (65.7 ha) – 109 registered members
- Uluna-Sutahuri tribe (two lineages combined, 29.9 ha) – 537 registered members
- Viurulingi tribe (14.0 ha) – 4 members

On 21 August 2014, under a written agreement with the identified owners, the SIG acquired this land, and its commercial assets, using its 'compulsory acquisition' powers under the Solomon Islands' *Land and Titles Act*.

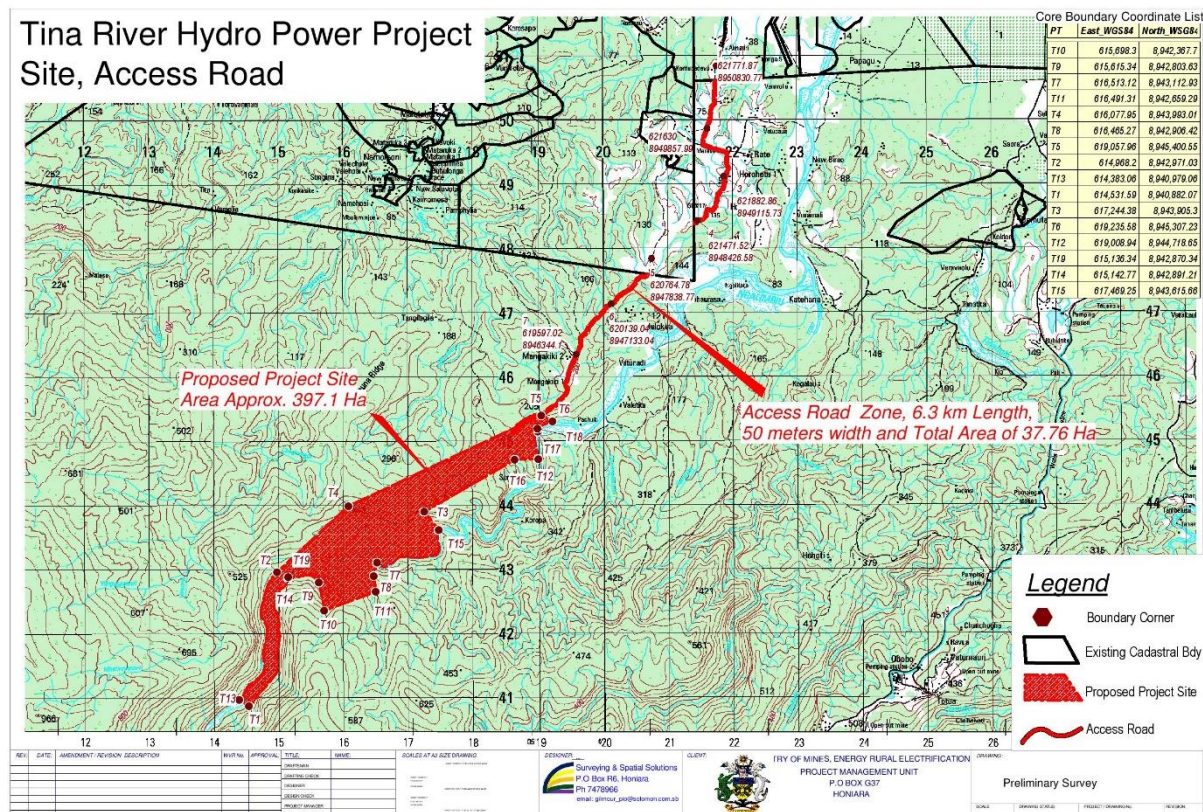
The Core Land includes the southern part of the Infrastructure Corridor. Near Marava and Ngongoti the road will deviate towards Rate and follow a new alignment south for 1.5km before re-joining the existing formed road that travels as far as Managikiki. This short section of new alignment is intended to reduce the grade, making it easier to transport heavy equipment and freight to the construction sites (figure 3.3).

Figure 3.1: Acquired Core Land

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<sup>1</sup> Membership details are according to the Tribal register, as of September 2016.

## Tina River Hydro Power Project Site, Access Road



### 3.3 NORTHERN INFRASTRUCTURE CORRIDOR

Along Black Post Road 32.4 ha of privately owned registered land from the Black Post Road to Marava will be acquired by the SIG to provide for a 50 meter-wide improved public roadway and power transmission corridor (Northern Infrastructure Corridor).

Black Post Road begins on the Kukum Highway and is the current main access to the villages of Bahomea district and the left bank of the Tina Valley. Depending on the weather, the current shingle and dirt road enables suitable vehicles to travel as far inland as Managikiki village, and potentially beyond.

Within the Northern Infrastructure Corridor the land to be acquired is largely to the east of the existing road reserve. The road widening and transmission lines will avoid those living on the west side being displaced from their homes and will make the road safer.

Four parcels of registered land will be affected (Table 3.1 and Figure 3.2), one of which is already owned by the SIG. Using a voluntary purchase arrangement, the PO is acquiring a width of the land from the remaining three parcels with a total area of 32.6ha. This acquisition will not require any resettlement of local people, though a survey in 2015 showed some livelihoods assets will be affected. Again, because it is being acquired by the SIG, the requirements of WB OP4.12 and ADB SPS will apply to the livelihoods assets on that land.

Table 3-1 Registered land required for the Tina infrastructure corridor

No.	Land Parcel	Perpetual Estate	Other interests
1	192-015-0018	Commissioner of Lands	FTE - Levers Solomons Limited
2	192-005-0015 100 LR 536	Nathanial Boboli , Timothy Urobo, Nesta Besta, Daniel Sekani, Selwyn Boboli, (Joint Owners)	Lease – Guadalcanal Plains Palm Oil Limited (GPPOL). 50 years from 1 January 2005
3	192-005-0017	Church of Melanesian Trust Board	Nil.
4	192-029-024	Commissioner of Lands	Nil.

Figure 3-1 The location and boundaries of the lands required for the Tina Infrastructure Corridor

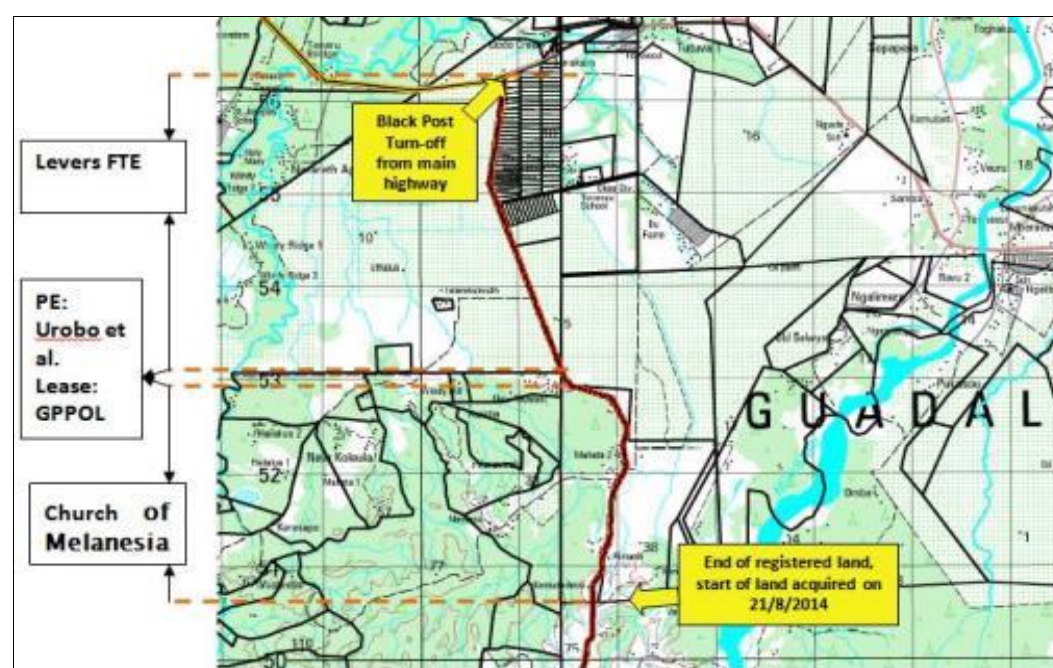
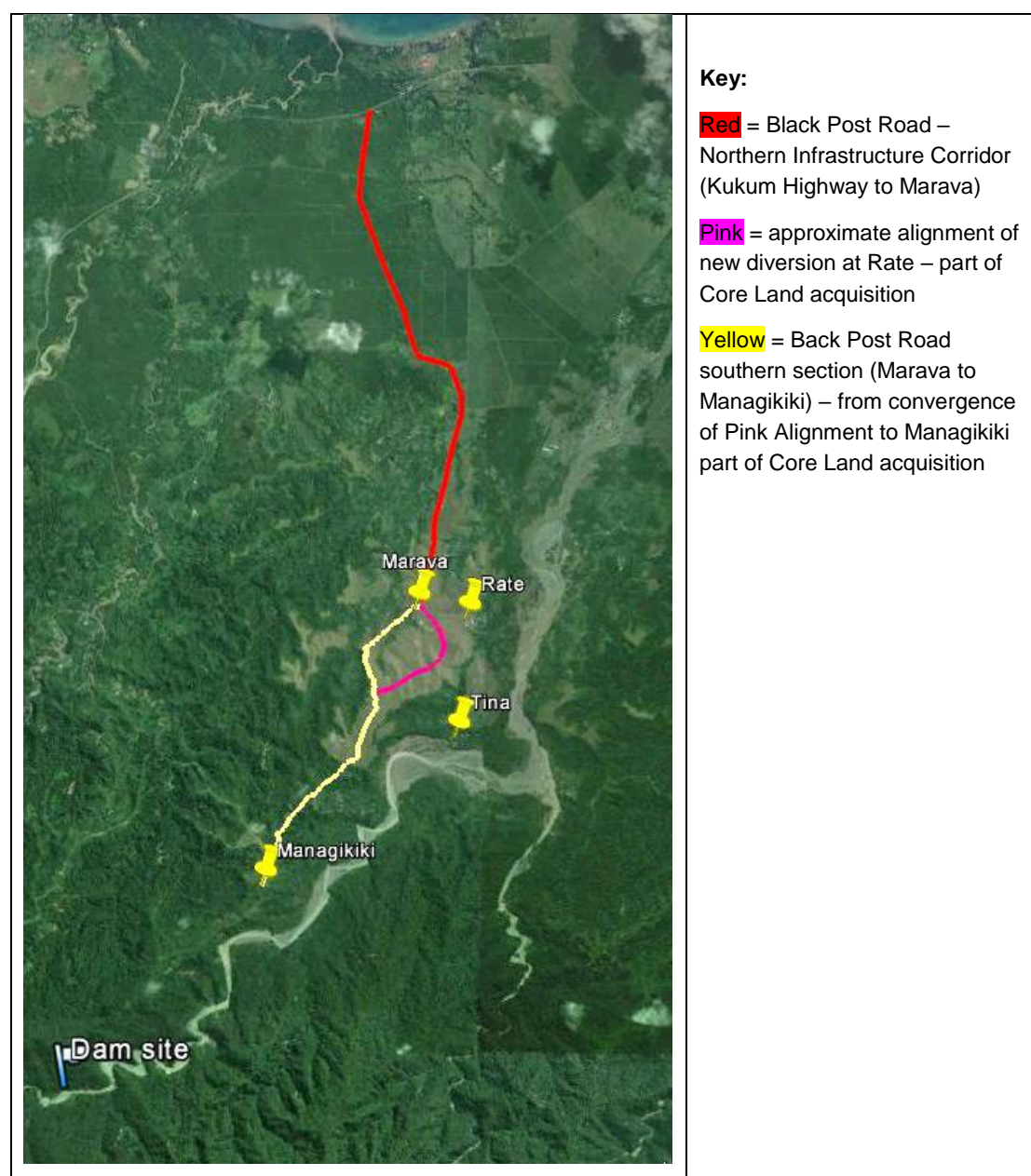




Figure 3-2 Approximate location of the various sections of the Tina access road (not to scale)



### 3.4 LUNGA TRANSMISSION LINE CORRIDOR

A 33kv overhead power transmission line will take power from the Tina hydro powerhouse to the Solomon Power Lungga powerstation site. The line may involve either a twin or single transmission line system. The line will be developed, installed, and managed by Solomon Power. For livelihoods restoration planning purposes the land required for the transmission corridor is considered in two sections, i.e.,

- The Tina Infrastructure Corridor, as described in the project outline; and
- the Lungga Transmission Corridor – the alignment of which is still under investigation and not yet decided.

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### 3.4.1 Section 1 – The Tina Infrastructure Corridor

The Tina transmission line will travel north from the Tina powerhouse to a point yet to be decided (on Black Post Road) where it will turn west and link to the wider power network. The final design will specify the type of power pole to be used, including height and length of span.

The land required for this first section is part of the 50 m-wide Infrastructure Corridor. This comprises of the registered land component of the corridor (described as the Northern Infrastructure Corridor) and the customary land acquired as part of the Core Land (the Southern Infrastructure Corridor).

A livelihoods assets survey of this section of the transmission and road corridor was carried out in mid-2015 in which existing physical assets and natural assets likely to be affected by the development of the road and transmission line were identified and inventoried. The physical assets included non-residential structures (huts, livestock pens, fences etc.), service points, and community infrastructure. The natural assets included mainly planted trees and food gardens. Altogether 22 owners of assets were recognised, including various individual owners from neighbouring communities. Some assets were reported by local people to be the common property of those who lived in the vicinity.

### 3.4.2 Section 2- The Lungga corridor

As of October 2016, several possible routes to take the transmission line from the Tina Infrastructure Corridor to the Lungga power station were under consideration by Solomon Power.

The corridor to Lungga is being constructed by Solomon Power (SP) as part of its wider network development. Solomon Power, is a state-owned enterprise sourcing development funds for its network development. As such, a separate ESIA and resettlement plan based on the IFC's Performance Standards will be prepared. A framework arrangement for the required resettlement plan is set out in Chapter 11.

## 3.5 MONITORING SITES

Sites for a rain gauge and a river flow gauge are required respectively at Chupukama and Koemolu in the upper Tina catchment – upstream of the hydro reservoir. The site for the river flow gauge is in the vicinity of the Mbeabea River and Tina River junction. The two sites together are less than 500 sq.m in area and both are very remote and only accessible by a long and difficult forest hike or by helicopter.

An acquisition officer appointed by the Commissioner of Lands under Division 1 of Part V of the *Land and Titles Act* found that the Chupukama site belongs to the Uluna-Sutahuri tribal group (with 537 registered members). The findings of the acquisition officer have not been challenged and the land is in the process of being registered to enable a lease to SIG.

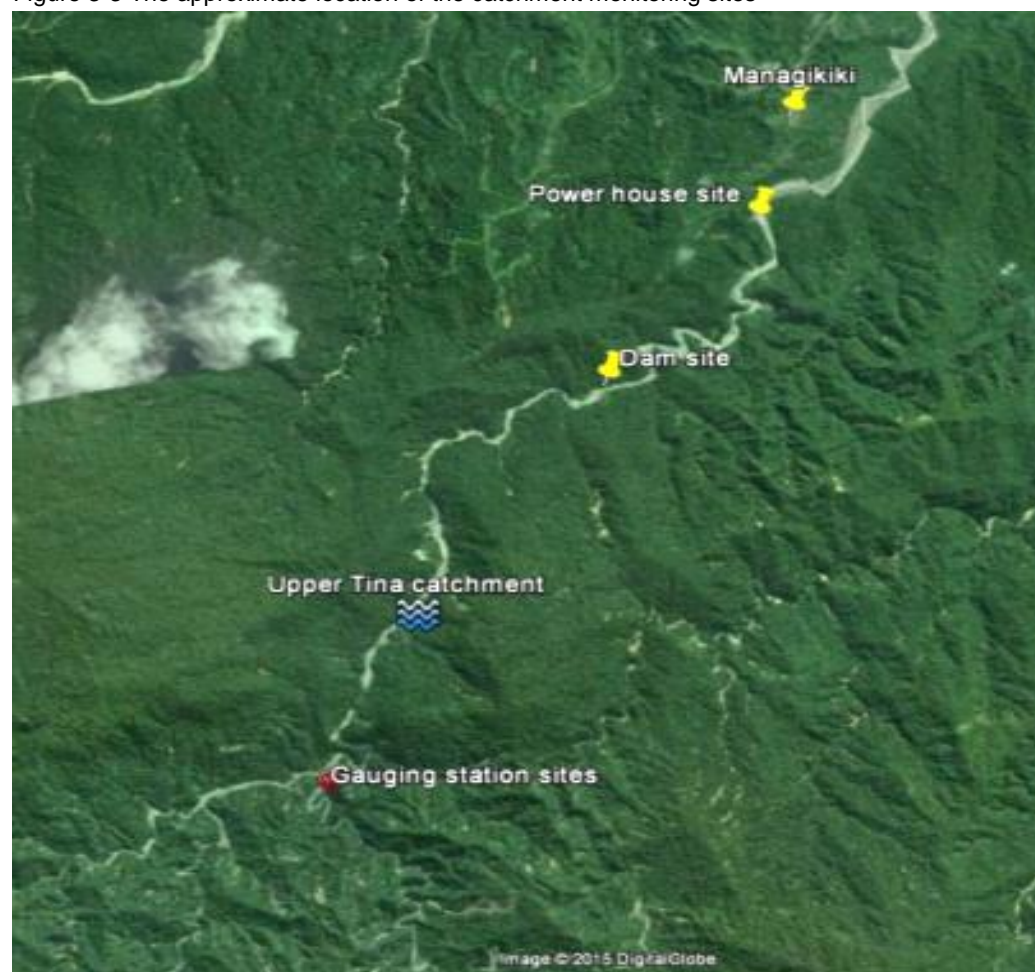
The acquisition officer identified the Kaipalipalai tribe as the owners of the Koemolu site (with 361 members), but the acquisition officer's findings are the subject of an appeal in the

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Magistrates Court. As of September 2016 an alternative to this site was under investigation near the upper limit of the reservoir and within the Core Area. The Magistrate's Court's decision is still pending.

As all of these sites are small, remote and located in steep rocky terrain, voluntary agreement for lease between the SIG and the owners is not expected to have any negative impacts on the owners' livelihoods.

Figure 3-3 The approximate location of the catchment monitoring sites



### 3.6 USE OF THE TINA RIVER WATER

The design and operation of the Project requires the use of the water of the Tina River. In Solomon Islands, there are no formal allocations of water rights. Unlike, for example, rights to fish in an area or collect shells, which can be closely held under custom (and recognised by law), the High Court<sup>2</sup> has held that flowing water is a public right, unowned by the owners of the land over which it passes. In making this determination the Court found that the English common law position also reflected customary understandings of water rights:

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<sup>2</sup> *Solomon Islands Water Authority v Commissioner of Lands* SBHC 58

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In spite of what we may say, it is common knowledge that water is essentially or necessity of the human being. It is always advocated by health officials in public talks and media etc that "water is life". This sum(s) up what I would say on the qualifications as local circumstances render necessary... on applying this common law on water.

And I am satisfied that the common law principles of nobody own(ing) flowing water is not inconsistent with any law or Acts and; its applicability or appropriateness in the circumstances of Solomon Islands is not inconsistent with the Schedule 3 of the Constitution and therefore make a ruling that it is the law in Solomon Islands on the flowing water.

The conclusion in the case also reflects the findings of the 1959 Alan Report that noted that customary rights holders do not ordinarily assert control of water supplies.<sup>3</sup>

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<sup>3</sup> Allan, C. H. 'Customary Land Tenure in the British Solomon Islands Protectorate' *Report of the Special Lands Commission* Honiara, Western Pacific High Commission, 1957. Considering customary rights to water the report found 'In general, the principle can be stated that the tenure of water supplies is subject to little control'. This was found to be in contrast to strictly held rights to fishing areas along the rivers in Northern Guadalcanal.



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## 4 POLICY AND LEGAL CONTEXT FOR THE LAND ACQUISITION

This section describes the legal, policy, and institutional context for the SIG's acquisition of the land required for the TRHDP, along with provisions for compensation and livelihoods restoration. It particularly describes the safeguards requirements of the World Bank and the ADB, the Solomon Islands legal requirements, and the gaps between them.

### 4.1 WORLD BANK REQUIREMENTS

#### 4.1.1 Overview

The project planning is supported by funding and expertise from the World Bank (WB), and the Bank may provide a partial risk guarantee and concessional financing for the Project's construction. The land for the project is being acquired by the SIG and the hydropower project will be constructed and operated by a private sector company – expected to be a special purpose vehicle majority owned by Korea Water. The project must therefore comply with the World Bank's Safeguard Policies which aim to avoid, mitigate, or minimize adverse environmental and social impacts of projects.

The safeguards are set out in the World Bank's Operational Manual. The Bank's Operational Policies (OPs) are based on its charter, its conditions, and policies as approved by the Board. There are 10 Safeguard Policies, and compliance with the relevant Safeguard Policies is an important factor in project preparation and approval. In addition to determining the type of ESIA that is appropriate (as per OP4.01), the Bank also decides on whether the project triggers any other key OPs or not. In the case of the TRHDP proposals, OP4.12 (Involuntary Resettlement) is triggered.

#### 4.1.2 OP 4.12- Involuntary resettlement

WB OP 4.12 (*Involuntary Resettlement*) concerns the effects of displacement of people and communities caused by a project or part of a project. The policy (section 3) specifically mentions the "economic and social impacts caused by involuntary taking of land" resulting in "relocation or loss of shelter", "loss of assets or access to assets", and "loss of incomes sources nor means of livelihood".

Two kinds of displacement or loss are therefore recognised - physical displacement (loss of shelter), and economic displacement (loss of livelihoods assets). The ESIA, prepared in compliance with OP 4.01 (*Environmental Assessment*) found that no involuntary physical displacement of people or loss of shelter will occur due to any of the activities associated with the TRHDP. However, because of the compulsory acquisition of land for the project by the SIG, the following will occur, or has already occurred:

- The customary owners of the Core Land will involuntarily lose some of their land and the livelihoods assets on the land.

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- Local community members who have use rights to the Core Land will experience an involuntary loss of access for livelihoods activities such as gardening, hunting, fishing and gathering.

The WB policy requires (in Section 6) that the borrower explore all viable alternative project designs to avoid physical displacement of indigenous peoples and those with land-based livelihoods. In the event of involuntary loss of land and livelihoods assets, the borrower must, among other things,

- inform the displaced persons about their options and rights, provide them with timely and relevant information, consult with them on resettlement options, and offer them opportunities to participate in planning, implementing and monitoring resettlement/restoration activities;
- prepare a resettlement plan or resettlement policy framework that includes, among other things, measures to ensure that the displaced persons are provided prompt and effective compensation, offered support to restore their livelihood and standard of living, and provided with development assistance.
- pay particular attention to the needs of vulnerable groups among the displaced.

In keeping with the WB policy and Solomon Islands law the SIG is implementing a plan to replace the lost resources, compensate affected persons for them in full, and provide livelihood support and economic development opportunities as necessary.

#### **4.1.3 Indigenous peoples**

The project affected persons (PAPs) are 'indigenous' people of Solomon Islands and the Central Guadalcanal region. However the WB operational policy on safeguards for indigenous peoples (OP 4.10) is not explicitly triggered in this instance because:

- the local Malango speaking tribes people are one of many indigenous Solomon Island groups who collectively make up about 95% % of nation's population and almost all of the local PAPs;
- in Ward 12 of Guadalcanal where the project is located the Malango people are the dominant group;
- the Malango people cannot be considered to be socially, culturally, or economically vulnerable in that they own, occupy, manage, control, and utilise their own lands and economic resources, control their own local social and cultural affairs, and have their own elected representatives in the provincial and central governments;
- the Malango people have their own cultural institutions, but are politically and culturally connected to other Guale peoples – such as their neighbours, the Ghaobata, and people from the Weather Coast.

Nevertheless, the aims of the WB policy have been acknowledged and its measures voluntarily incorporated in the project planning, assessment and management of environmental impacts, the livelihoods restoration and planning, and the development of a benefit sharing arrangement.

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As the vast majority of affected persons are indigenous people, measures to address impacts on this group are mainstreamed in all safeguard documents and a separate IPP is not required.

Particular consideration has been given to the local Malango people's needs, especially in that:

- they have been, and continue to be, fully engaged and consulted about the development through a systematic and well-resourced 'free prior and informed consultation' process;
- Core Land owners have explicitly assented to the development;
- the project planning and the ESIA process (required under OP4.01) has specifically addressed the potential social, economic and cultural impacts of the project on the IP communities, and sought to avoid, minimize, mitigate, and compensate for such effects;
- they will benefit directly and indirectly from it in a variety of ways, and will be beneficiaries in a formal benefit sharing arrangement. The specific terms of the benefit sharing arrangement will be designed through the implementation of a JSDF funded community benefit share pilot between 2017 – 2020.

IFC Performance Standards do not apply to the Project's land acquisition as it undertaken by the Solomon Islands Government as the borrower. However, the aims of the IFC policies, and in particular the requirement for free, prior and informed consent, have been voluntarily adopted for the Project. The process for obtaining free, prior, informed consent, including through a negotiated agreement for the acquisition of the Core Land is set out in 5.2.2.

## **4.2 ADB RESETTLEMENT SAFEGUARD POLICY REQUIREMENTS**

The Solomon Islands' Government has made a request for Project financing to ADB and ADB are in the process of conducting due diligence on the Project. While ADB are not yet in a position to confirm support, the Project has been designed to comply with the ADB *Safeguard Policy Statement* (2009). An ADB policy analysis is therefore included in the LALRP and drafts of this report have been subject to initial ADB safeguard review.

The ADB *Safeguard Policy Statement* (2009) requires ADB-assisted projects to (i) avoid resettlement impacts wherever possible; (ii) minimize impacts by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all affected peoples (APs) in real terms relative to pre-project levels; and (iv) improve the standards of living of the affected poor and other vulnerable. It covers both physical displacement and economic displacement.

The ADB Involuntary Resettlement Safeguards apply where land is either (i) obtained through a compulsory acquisition process, or (ii) where lands are acquired through negotiated settlements where compulsory acquisition could have resulted upon the failure of negotiation.

ADB safeguards have been adopted for the Project as the Core Land was acquired through a compulsory acquisition process under relevant legislation. It is appropriate to apply the safeguards notwithstanding that in the case of the Project, customary landowners agreed to

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the acquisition of the land in a negotiated agreement before the acquisition commenced, and SIG committed not to acquire the land absent this consent.

The key principles of the ADB safeguard policy on involuntary resettlement are as follows:

- Screen project's resettlement impacts and risks early.
- Carry out meaningful consultations with and participation of APs, inform all APs of their entitlements and resettlement options. Pay particular attention to the needs of vulnerable groups.
- Establish a grievance redress mechanism.
- Improve, or at least restore, the livelihoods of all APs through (i) land-based resettlement or cash compensation at replacement value, as relevant, (ii) prompt replacement of assets, (iii) prompt compensation at full replacement cost, and (iv) additional revenues and services through benefit sharing schemes where possible.
- Provide APs with needed assistance, including: (i) if there is relocation, secured tenure to relocation and, better housing; (ii) transitional support and development assistance; and (iii) civic infrastructure and community services, as required.
- Improve the standards of living of the displaced poor and other vulnerable groups to at least national minimum standards.
- Ensure that APs without titles but with recognisable claims to land are eligible for resettlement assistance and full replacement cost for land and assets.
- Ensure that APs without recognisable claims to land are eligible for resettlement assistance and compensation for loss of non-land assets at full replacement cost.
- Prepare a RP elaborating on APs' entitlements, income and livelihood restoration strategy and so on.
- Disclose a RP in an accessible place and a form and language(s) understandable to APs and other stakeholders.
- Conceive and execute resettlement as part of a development program.
- Provide compensation and other entitlements before physical or economic displacement.
- Monitor and assess resettlement outcomes, their impacts on the standards of living of APs.

## 4.3 SOLOMON ISLANDS LAW

### 4.3.1 Overview

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

Land in Solomon Islands is either customary land or registered land (aka, "alienated land"). Approximately 87% of land in the country is held as customary land and most natural resources (with some exceptions, such as river waters) belong to the land owners under custom.

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The LTA defines customary land as " *any land... lawfully owned, used or occupied by a person or community in accordance with current customary usage...* ".

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*".

#### **4.3.2 Registered Land**

Dealings in registered land are governed primarily by the LTA. This Act regulates the process of converting customary land into registered land, as well as the transfer and lease of registered land. Two predominant types of registered land estate are provided for under the LTA, perpetual estates (PEs) and fixed term estates (FTEs). The perpetual estate is similar to a free-hold estate and gives the right to occupy, use and enjoy the land for all time, 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 prescribed by Parliament, has the right to hold or acquire a perpetual estate 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 the 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.

#### **4.3.3 Customary land**

As described previously, the TRHDP involves the involuntary and voluntary acquisition of customary land by the state. There are a number of characteristics of land under customary tenure that influence a resettlement process associated with an involuntary land acquisition. In Guadalcanal, as in much of Solomon Islands, there is no systematic 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 TRHDP site, landowning groups have divided into smaller sub-groups or lineages made up of family units. These units are referred to by Bahomea – Malango people as "tribes" – implying communities of interest and place that are grounded in kinship and custom and having a degree of internal cohesion and leadership structure. Among the local people tribal affiliation is assigned through matrilineal descent, i.e., based on one's mother's lineage.

Land ownership claims are made through reference to '*Kustom*', particularly special knowledge of

oral histories, custom stories, legends, genealogy, the whereabouts of boundary markers (such as special landscape features, rocks, special trees etc.), and of sacred '*tambu*' places (i.e, places with special spiritual significance, originating places, ancestral grave sites, etc).

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## 4.4 LAND ACQUISITION FOR THE TINA HYDRO PROJECT

The SIG has used three processes provided for in the LTA to obtain ownership of the land required for the TRHDP. These are the compulsory acquisition of customary land, voluntary acquisition of customary land, and voluntary purchase of registered land. These processes will result in the registration of all land needed for the Project.

The first process used is a compulsory acquisition under Division 2 of Part V of the LTA of the customary land needed for the bulk of the Project activities, including the dam site, power station site, and parts of the access road located on customary land. This land is referred to as “the Core Land”. Following acquisition, the Core Land will become registered land.

The second process is a voluntary land acquisition, under Division 1 of Part V of the LTA, for two small parcels of customary land (total 500m<sup>2</sup>) needed to site the gauging instruments in the upper Tina catchment. Through this process the two parcels will be registered in the name of the customary tribal owners and voluntarily leased to the developer.

The third process is the voluntary purchase of registered land needed for the widening and enhancement of the section of access road from Black Post to Rate. The original registration of this land predates the Tina Hydro proposal.

## 4.5 COMPULSORY ACQUISITION

### 4.5.1 Compulsory Acquisition Powers

The SIG’s powers of compulsory acquisition are set out in Division 2 of Part V of the LTA. 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>4</sup> This broad power is circumscribed by protections provided in Section 8(1) of the Constitution; compulsory acquisition can only 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.

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<sup>4</sup> Section 71(1) of the LTA.

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The Constitution also requires Parliament to provide that 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 land acquisition. These various safeguards have been applied in the case of the TRHDP, and are discussed in more detail below.

#### **4.5.2 Procedures for compulsory acquisition**

The compulsory 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 is therefore 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. Note that there is no systematic 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>5</sup>;
- 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 purpose for which the land is required;<sup>6</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>7</sup> At this point owners have six months to appeal to the High Court to have the declaration quashed;<sup>8</sup>
- 5) Public Notification – following the declaration the 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.
- 7) Assistance to prepare claims – the Provincial Secretary for each Province assists claimants to prepare claims.<sup>9</sup>

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<sup>5</sup> Section 112(a) of the Solomon Islands Constitution

<sup>6</sup> Section 71 of the LTA

<sup>7</sup> Section 75 of the LTA

<sup>8</sup> Section 76 of the LTA

<sup>9</sup> Section 74 of the LTA

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- 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>10</sup>
  - 9) Submission of claims – Persons or groups wishing to claim compensation for their rights and interests taken in the acquisition of the land must submit a claim 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>11</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>12</sup>
  - 12) Acceptance or appeal – Claimants have 3 months from the COL's decision to appeal to the High Court about any rejection of claim or the amount of compensation offered. Where no appeal is lodged, landowners are taken to have accepted an offer.
  - 13) Payment of compensation – 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>13</sup>
  - 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 the land, but cannot develop the land without the COL's consent<sup>14</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.

#### 4.5.3 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. Such an appeal must be made to the High Court within 6 months of the publication of the Minister's notice<sup>15</sup>. The primary ground for such an appeal is that the acquisition was not made for a public purpose. The time for appeals against the validity of the TRHDP compulsory acquisition expired on 21 February 2015. No appeals have been lodged.

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<sup>10</sup> Section 112(b) of the Solomon Islands Constitution

<sup>11</sup> Section 79(1) of the LTA

<sup>12</sup> Section 84 of the LTA (as amended in 2014)

<sup>13</sup> Section 79(2) of the LTA

<sup>14</sup> Section 78 of the LTA

<sup>15</sup> Section 76 of the LTA



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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 of land or the COL's valuation of the land. 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.

#### 4.5.4 Compensation

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)."*

Despite this provision, Parliament has not provided specific criteria for arriving at the amount of compensation for land that is being compulsorily acquired. Under the LTA, the COL may offer such *"amount of compensation as he may think proper"*.<sup>16</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>17</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>18</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:

- "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 Garde Principle*).

There have been no cases considering the applicability of these laws in Solomon Islands <sup>19</sup>.

In addition to these broad principles, laws governing natural resource usage rights are also 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.

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<sup>16</sup> Section 79(2) of the LTA

<sup>17</sup> Section 83 of the LTA

<sup>18</sup> Section 76, Sch 3, Para 1 of the Constitution

<sup>19</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.

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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 forest 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.

In contrast to timber, flowing water is not owned as property under Solomon Islands law and compensation for water in a river bed is not payable. Water is taken to be a free resource available to all. The impacts on local people from the modification and use of the river waters for the TRHDP are covered in the ESIA documentation.

## **4.6 VOLUNTARY REGISTRATION AND LEASE OF CUSTOMARY LAND**

### **4.6.1 Overview of the LTA Division 1 Process**

As noted above, the second type of land acquisition being used by the Project is the voluntary registration of customary land under Division 1 of Part V of the Lands and Titles Act, and the lease of that land from the registered owners. This process has been applied for acquisition of the two small parcels of land needed for the gauging stations.

The *voluntary* acquisition process is separate to and distinct from the compulsory acquisition process. Voluntary acquisition was not used for the Core Land because it presented various risks – as experience in Solomon Islands has shown – that it could lead to lengthy Court appeals and bitter and entrenched community disputes. Such risks would be amplified because the Tina Hydro development is a comparatively large project for Solomon Islands and significant payments would be at stake.

However, voluntary acquisition was considered appropriate for the gauging station sites due to the small amount of land involved and the correspondingly lower amounts of compensation potentially due to the owners. The Project secured the use of the gauging station sites with the agreement of the relevant tribes while the land ownership is being resolved. The money owing as rent on the sites is being held by the PO on trust for the landowners who are being identified through the statutory process. This is a common practice in Solomon Islands for smaller developments while the formal landowner identification is undertaken. As noted, one of the sites has a recognised tribal group owner, while ownership of the other is under appeal by several groups.

The registration of customary land under Division 1 of Part V requires the involvement of the Government through the Ministry of Lands, Housing and Survey. At the completion of the process title is ordinarily transferred to up to five nominated representatives (trustees) of the customary land owning group, and a lease is granted to the COL on the terms agreed.

### **4.6.2 Purchase or Lease Process**

The process for purchasing or leasing customary land is set out in Division 1 of Part V of the LTA as follows:

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- 1) The Commissioner of Lands (COL) must appoint an Acquisition Officer (AO) to act as the Commissioner's agent;
  - 2) The AO marks out the boundaries of the relevant land on the ground or on a map in such manner as to bring them to the notice of the persons affected;
  - 3) The AO prepares a written agreement for the purchase or lease of the land with the people who claim to be the owners;
  - 4) The AO gives public notice of the written agreement and organises a public meeting to determine whether the persons named in the agreement are the correct customary land owners;
  - 5) If there is no dispute at the meeting, and no other claimants, the AO records this fact and sends a copy of their determination to the COL;
  - 6) If there are rival claimants, the AO must determine the rightful owners of the land and send a copy of his determination to the COL and bring it to the attention of the originally identified parties and any claimants;
  - 7) An appeal of the AO's determination can be made to the Magistrates Court within 3 months;
  - 8) The decision of the Magistrates Court can be appealed to the High Court only on a question of law.
  - 9) Once any appeals have been determined, or the period for appealing has expired, the agreement for sale or lease of the land in question can be implemented. Where the land is being leased, the Commissioner makes an order vesting the perpetual estate in the persons named as lessors – commonly representatives of the customary land group found to own the land.

## **4.7 VOLUNTARY ACQUISITION OF REGISTERED LAND**

### **4.7.1 The ownership situation**

Portions of the Black Point Road access corridor and transmission route are made up of registered/alienated land. As noted, this land was legally registered many years ago. The route will pass through four parcels of registered land (figure 3.1). Since this land is already registered, the legal process for purchasing it for the project is a relatively straightforward negotiation, sale, subdivision and transfer.

Two of the four parcels are owned by the COL on behalf of the SIG, one is owned by the Church of Melanesia, and one by the trustees of a Guadalcanal Plains tribal group.

### **4.7.2 Legal process**

The LTA provides a standard process for the purchase and transfer of registered land. Section 172 enables an owner of a perpetual estate, fixed term estate, or lease interest to transfer that interest using a standard instrument of transfer in the prescribed form.

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The consent of the COL may be required where this was a condition of the original grant of the estate. As the purchaser will be the Commissioner in this instance, this step will be part of the transfer.

The LTA provides additional safeguards for a transfer where registered land is owned by trustees on behalf of a tribe<sup>20</sup>. Land that is jointly owned by two or more persons is deemed to be held on a 'statutory trust' for the beneficiaries<sup>21</sup>. These safeguards will apply to the disposition of the perpetual estate owned jointly by Timothy Urobo, Daniel Sekani and Selwyn Boboli. The law requires<sup>22</sup> that before the transfer can be registered there must be produced to the Registrar a statutory declaration made in public by each of the joint owners that the persons beneficially interested have been consulted and that the majority of them are in favour of the transfer.

The law also considers all jointly owned registered land to be subject to the following requirements (known as the "statutory trusts")<sup>23</sup>:

- The registered interest is held upon trust for the beneficial owners;
- The registered owners have the power to sell the land;
- The trustees must hold the net proceeds of sale on behalf of the beneficiaries; and
- Any beneficiary is entitled to a full account of the proceeds.

In negotiating for the transfer of the portion of the access road that passes through the property of Timothy Urobo et al., the Government must ensure that these requirements are fulfilled.

As a voluntary sale the law does not impose any requirements pertaining to the valuation of the land, or require that market compensation be paid. The parties may undertake their own valuations to inform their own negotiations.

## 4.8 GAP ANALYSIS

Figure 4-1 Gaps between WB OP 4.12 and ADB SPS (2009) and Solomon Islands law regarding assets and livelihoods loss from land acquisition

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<sup>20</sup> Section 195(3) of the LTA.

<sup>21</sup> Section 200(1) of the LTA

<sup>22</sup> Section 195(3) of the LTA2

<sup>23</sup> Section 214 of the LTA.

Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)	Relevant Provisions of ADB Involuntary Resettlement Safeguards	Provisions of Land and Titles Act and Constitution	GAP and proposed response
Requirement to avoid or minimize impacts of economic displacement	Seek to avoid or minimise involuntary resettlement.  Borrower to explore to maximum extent possible alternative project designs to avoid physical resettlement of indigenous persons.	No requirement to avoid or minimize impacts, can declare any land subject to acquisition for public purposes.	Avoiding physical resettlement key criteria for screening site options. Alternative project designs explored. Chosen option avoids physical displacement and minimises economic displacement (section 2.4).  Economic displacement compensated for in acquisition 'process agreement', and in livelihood restoration plan (LRP)

Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)	Relevant Provisions of ADB Involuntary Resettlement Safeguards	Provisions of Land and Titles Act and Constitution	GAP and proposed response
Free, prior and informed consultation	Client encouraged to acquire land and other assets through negotiated settlement where possible, based on meaningful consultation, including with persons without legal title to land.  Requirement to undertake 'meaningful consultation' with affected persons and host communities with particular attention to needs of disadvantaged or vulnerable groups.	Constitution requires prior negotiation with customary owners and provides for access to independent legal advice.  LTA Part V Division 2 does not require consultation; Minister declares land is required and provides for "notification" of owners.  No requirement for consultation with host communities.	PO stakeholder engagement policy implemented for comprehensive programme of community consultation during project planning. Consultations included environmental & social impacts assessment and management planning, and livelihoods restoration planning with both landowners and host communities.  Extensive consultations regarding proposal to acquire customary land. Negotiation of written agreement of customary landowners giving consent to acquisition of Core Land prior to declaration of acquisition (Chapter 5.2.2).

Compensation and assistance for land and resource acquisition, restricted access to land and resources, and loss of livelihood	Requirement for compensate for full replacement cost for lost land, structures and livelihood sources for persons with recognisable claims to land.  Requirement to improve or restore income earning capacity, and to provide opportunities to derive development benefits from the Project.  Requirement to improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards	Covers only acquisition of land, however, market valuation includes all fixtures on land including trees and gardens. Does not specifically require consideration of livelihood impacts or losses.  Recognises customary title and right to compensation if customary title is compulsory acquired.  No requirement to improve or restore income earning capacity or to provide development benefits.  No requirement to improve standards of living of displaced poor and vulnerable groups to national minimum standards. SIG does not provide a national minimum living standard.	Compensation offers include market value of land and commercial forest assets on acquired customary land. Included offer of replacement land and/or cash settlement. All affected tribes opted for cash compensation.  Through LRP, other lost assets (e.g. crops etc) to be replaced in full or paid for in cash at market rate (Entitlement Matrix, Chapter 8).  Establishment of and support for co-operative societies to improve income earning capacity for customary landowners (Chapter 5).  Development benefits in form of royalty agreed with landowners in Process Agreement (Chapter 5).  Both landowning and non-landowning affected persons to derive development benefits from the Project through implementation of a Benefit Sharing Fund.  Survey to be undertaken to identify vulnerable groups losing access to livelihood assets and fishing/hunting. Entitlement Matrix sets out measures to improve standards of living for these groups.
A time-bound plan setting out assessment of losses and impacts, consultations, compensation	Requires plan prepared to elaborate APs' entitlements, livelihood restoration measures,	Does not require a "plan" or assessment report, requires only	PO process agreement with customary land owners establishes

Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)	Relevant Provisions of ADB Involuntary Resettlement Safeguards	Provisions of Land and Titles Act and Constitution	GAP and proposed response
process and schedule is to be prepared	implementation arrangements, and budget	publication of declaration and valuation of compensation.	an agreed process for land acquisition.  PO preparing LRP consistent with WB and ADB requirements. Chapter 9 sets out implementation arrangements, schedule and budget.
Recognizes non-titled persons as eligible for compensation (for structures, crops, trees etc.) and land in some cases	Requirement to compensate for full replacement cost of assets for persons without recognisable claims to land.	Recognizes all interest holders in the land whether registered or customary. Also recognises customary interests to crops, trees and structures where claims are made.  Does not recognise illegal occupancy, use or squatting interests.	Compensation and livelihoods restoration for other land users, regardless of ownership rights, included in LALRP.  Assets surveys/census conducted to identify and describe affected structures and crops and their owners and value full replacement costs.
RP must be satisfactorily implemented (compensation paid, livelihood assistance measures commenced and monitoring undertaken) prior to any changes in land title	No economic replacement to occur until (i) compensation paid to displaced persons, (ii) entitlements provided to displaced persons and (iii) comprehensive income and livelihood restoration plan in place with budget	Land register can be altered in favour of Government 6 months after acquisition date provided there are no appeals against declaration (prior to compensation being paid).  Notice to vacate land can be issued before compensation paid, however additional interest is payable on compensation where this occurs.	Notices to vacate yet to be issued. Construction yet to commence  LALRP to be put in place with implementation budget before notice to vacate land issued. LALRP timeframe requires compensation and entitlements to be provided before economic displacement through notice to vacate.



Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)	Relevant Provisions of ADB Involuntary Resettlement Safeguards	Provisions of Land and Titles Act and Constitution	GAP and proposed response
Compensation to be paid proactively to land/resource owners (including individuals or groups) based on identification in an inventory –as of certain date.	Requirement to compensate economically displaced persons proactively, including persons without claims to land.  Borrower to undertake census of affected persons and inventory of assets.	Compensation only paid if interest holders submit a claim within three months of declaration and offer of compensation accepted by interest holder	LALRP provides a census and inventory of all assets, and entitlements matrix, including assets of non-landowners, settlers or squatters.  Compensation process agreement signed by all affected landowning tribes. No identified customary owners of Core Land challenged COL compensation offer.
Valuation of land and resources based on replacement cost at current market prices	Valuation of land and assets to be based on replacement costs. Valuation to be undertaken by a qualified and experienced expert.	Valuation primarily based on condition of land. Amount of compensation is at the discretion of the Commissioner of Lands (though must be just). No case law exists. Best interpretation based on legal analysis of UK law is current market value of land and resources.	Land compensation based on professional valuation of land and standing forest. Customary owners become equal shareholders with government in the registered company holding the title to the acquired land under terms of the Process Agreement.  Experienced social scientist conducted valuation of assets at full replacement cost without allowance for depreciation.  LALRP following WB and ADB policies. Where possible, resources to be replaced or re-established like for like, rather than cash compensation paid.

Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)	Relevant Provisions of ADB Involuntary Resettlement Safeguards	Provisions of Land and Titles Act and Constitution	GAP and proposed response
Special identification of and measures to be provided for “severely” affected households (i.e. those losing 10% or more of productive assets)		No differentiation made for magnitude of losses, no additional measures required (compensation for land and assets lost regardless of impact of loss.	Existing data suggests that no households may be severely affected. Additional study required to confirm or identify any severely affected households. Study is a requirement of the Implementation Schedule (Chapter 8).  Severely affected households identified to receive additional support in accordance with Entitlements Matrix.  WB policy adopted for project. Livelihoods restoration addressed in LALRP.

Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)	Relevant Provisions of ADB Involuntary Resettlement Safeguards	Provisions of Land and Titles Act and Constitution	GAP and proposed response
	<p>Preference to be given to land based resettlement strategies for displaced persons whose livelihoods are land based with factors at least equivalent to the land taken.</p> <p>If land is not preferred option of displaced persons, opportunities for employment or self-employment should be provided in addition to cash based compensation.</p>	<p>No requirement for land based compensation.</p>	<p>PO and Ministry of Lands, Housing and Survey provided option for portion of compensation package for Core Land to comprise of replacement land. Replacement land offered superior in location to acquired land with commercial development potential.</p> <p>All landowning tribes declined offer of land and elected to receive 100% cash compensation (see 5.2.6).</p> <p>Establishment of Co-operative Societies for each tribe provides for a third of compensation funds to be applied to investments and businesses with support and training from PO.</p> <p>Implementation Agreement between Developer and SIG provides for host community to receive first preference for employment and contracts in Project.</p>

Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)	Relevant Provisions of ADB Involuntary Resettlement Safeguards	Provisions of Land and Titles Act and Constitution	GAP and proposed response
	Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner before project appraisal , in an accessible place and a form and language understandable to affected persons. Final Resettlement Plan and/or updates will also be disclosed when available.	No requirement to prepare resettlement plan	Draft resettlement plan to be disclosed to the public through the website and copies made available at the Project Office.
	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons and whether the objective of the Resettlement Plan has been achieved.	No monitoring requirements	Quarterly monitoring and reporting of livelihood restoration measures for 3 years from May 2017. Monitoring and reporting on performance of grievance management system (Implementation Schedule).

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## 5 THE ACQUISITION OF THE LAND FOR THE TINA HYDRO PROJECT

### 5.1 PROJECT PLANNING ACCESS AGREEMENT

All the site investigations and studies for the TRHDP have been conducted with full agreement of the local landowning tribes. In 2011, the SIG entered into a “land access agreement” with the 27 land owning Malango tribes. In the agreement, the customary landowners guaranteed to provide physical access to their lands for 18 months to enable investigative drilling, and for environmental and social impact studies to be carried out. In return the SIG gave each tribe a “goodwill payment” of SB\$100,000, i.e., a total of \$2.7 million, paid into a “*special account held on behalf of the landowners, and under control of the [then] Landowner Council*.”<sup>24</sup> The Land Owner Council (LOC) was established and funded by the SIG (via the PO) as a Malango Ward consultative body for the project. The funds were disbursed by the SIG to the tribes, though the details of their internal distribution remain confidential to the tribes themselves.

In February 2013, following a programme of community consultations involving more than 500 members of the affected communities, the landowners agreed to extend the access agreement for a further 18 months to enable finalisation of the technical investigations.

### 5.2 ACQUISITION OF THE CORE LAND

SIG acquired the Core Land using a ‘compulsory’ process under the *Land and Titles Act* (LTA). While a ‘compulsory’ process was used, the acquisition of the Core Land was contingent on first obtaining the consent of all identified landowning tribes. This consent was obtained through the negotiation of a written ‘Process Agreement’. The steps involved in the acquisition process are discussed in more detail below and indicate that the land acquisition has been consistent with the World Bank’s OP 4.12 and ADB Safeguard Policy Statement 2009 (as set out in the Indigenous Peoples Plan) with regard to free, prior and informed consultation with the land owners and communities. The process is also consistent with the WB Performance Standards 7 requirement for ‘free prior and informed consent’.

Furthermore, community support for the hydro project was explicitly discussed and confirmed during the community social impact workshops in 2013 and 2014.

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<sup>24</sup> Press release TRHDP project office, 2011. “Energy minister hands over 2.7 million dollars to Tina River landowners”.

**Tina River Hydro Power Project Site, Access Road**

**Proposed Project Site Area Approx. 397.1 Ha**

**Access Road Zone, 6.3 km Length, 50 meters width and Total Area of 37.76 Ha**

**Legend**

- Boundary Corner
- Existing Cadastral Boundary
- Proposed Project Site
- Access Road

PT	East WGS84	North WGS84
T10	615,698.3	8,942,367.7
T9	615,615.34	8,942,803.63
T7	616,513.12	8,943,112.93
T11	616,491.31	8,942,859.29
T4	616,077.85	8,943,983.01
T8	616,495.27	8,942,906.42
T5	619,057.96	8,945,400.55
T2	614,968.2	8,942,971.03
T13	614,383.06	8,940,979.06
T1	614,531.69	8,940,882.07
T3	617,244.38	8,943,805.3
T6	619,235.68	8,945,307.23
T12	619,008.94	8,944,718.65
T18	615,136.34	8,942,870.34
T14	615,142.77	8,942,891.21
T15	617,489.25	8,943,615.68

In 2011, the LOC agreed to undertake the investigation of the customary land ownership for the land required for the project. However, its makeup, internal dynamics, orientation, and incentive structure meant that it was unable to make any progress on identifying customary landowners. It was also unable to transmit information effectively, leading tribal members to express dissatisfaction with performance and wanting to dissociate from the process.

The BLIC used Guadalcanal *Kustom* methods to determine land ownership – including examining historical and traditional oral knowledge about land ownership, tribal groupings, and various forms of evidence of ownership. Much of this information would not be available to the younger generation and is considered confidential to each tribe. Hence the reluctance to have it aired in a public forum which would occur if a LTA Division 1 process were

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followed. No women served on the BLIC, and it is not clear if they were invited to serve. The BLIC land identification process took more than 12 months and involved more than 50 meetings between different elders, chiefs and tribal representatives. There is no evidence of land owner bias or of conflicts of interest in the Committee's determinations of land ownership – demonstrated in ownership determinations where it is shown that its principal members were not generally found to hold primary interests in the Core Land.

Using this culturally appropriate and accepted consultative and investigative process, the customary land owning lineages were identified as being:

- the Roha tribe,
- the Buhu Garo tribe,
- the Kochiabolo tribe, and

the Viurulingi tribe.

The boundaries of each tribe's interest were mapped and these boundaries will be kept confidential to the tribes.

The PO subsequently sought to confirm the BLIC findings through a series of discussions with representatives from different tribes, and reviewed and considered written and verbal landownership claims. As a result of this process, the Project Office took into account:

- Customary land evidence received;
- Previous decisions of Chiefs' Hearings, Local Court, Customary Land Appeals Court and High Court concerning land ownership in the Core Land;
- Boundaries walked by tribal representatives accompanied by a qualified land surveyor;
- Tambu sites identified by tribal representatives with a qualified surveyor; and
- The support of neighbouring tribes regarding the land boundaries.

This process resulted in some refinement of BLIC's initial findings with respect to some of the smaller land parcels, and clarity of boundary lines, to arrive at the land boundaries which established relative benefits for each tribe in the Process Agreement.

As discussed in more detail below, the Commissioner of Lands (in considering evidence submitted in support of claims for compensation arising from the compulsory acquisition in August 2014) later determined that a fifth tribal grouping (the Uluna-Sutahuri) was the customary owner of the land on the right bank of the proposed reservoir. The Uluna-Sutahuri grouping was later included in the Process Agreement.

### **5.2.2 Process Agreement Negotiation**

With BLIC having identified the customary owners of the Core Land, the PO undertook a negotiation with those owners on how to proceed with the land acquisition. The Project Office negotiated a Process Agreement with the relevant tribes over a period of months in mid-2014. Project staff and 6-10 representatives of each tribe negotiated the agreement and the majority of tribes included women in these negotiations. The tribes were asked by the PO to bring both male and female representatives to the negotiations, and approximately half complied with this request.



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Consistent with the WB safeguard policy, the PO funded a lawyer, engaged through the Landowner's Advocacy and Legal Support Unit (LALSU) of the Public Solicitor's Office, to provide independent legal support to each of the landowning tribes. This ensured they received full and independent information and advice regarding the land acquisition process.

Approximately 6 rounds of negotiations were held with each tribe, conducted in Solomon Islands' Pijin. After each round, amendments were made to the text of the draft Process Agreement. Early negotiations took place with each tribe separately, while later negotiations involved representatives of all tribes together.

The final text as agreed by representatives of the landowning tribes was then discussed all full tribe meetings to confirm broad tribal support and understanding beyond the representatives. The PO presented the key clauses of the Agreement, explained the process of land acquisition, and provided maps of the Core Land to be acquired. Tribal members were given an opportunity to comment and to ask questions. None of the tribal members attending these meetings objected to the acquisition of the land for the Project.

For the formal signing of the Process Agreement, each tribe chose seven representatives of whom two were women. The final signatures were made at a public ceremony before the Prime Minister (Gordon Darcy Lilo) in July 2014.

Figure 5-2 Process Agreement Signing Ceremony before Prime Minister Gordon Darcy Lilo, July 2014



At the time the Agreement was negotiated, a portion of the land acquired for the purposes of the reservoir was outside of Bahomea. As such, BLIC did not conduct land identification for this area and the reservoir land was not included in the Process Agreement. The Commissioner of Lands advised the potential owners to register an interest in the land as part of the compulsory acquisition step that followed, and they did so in November 2014. Provision had been made in the Process Agreement for including the owners of the reservoir



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land in the Tina Core Land Company once they had been identified. This was the land parcel later found to belong to Uluna-Sutahuri, whose representatives also signed the Process Agreement.

### 5.2.3 Terms of Process Agreement

In the Process Agreement the Core Land Tribes consented to the “compulsory” acquisition of the land by the SIG under Section 75 of the LTA, and to provide unimpeded access to the Core Land for the constructor, and developer/operator. This effectively ended the previous access agreement.

The Process Agreement provided a number of benefits to the landowning tribes and formalised the long term goal of a partnership between landowners and SIG. Under the agreement, landowners and SIG are to hold 50/50 ownership of a joint venture company with registered title to the land. To improve income earning capacities of tribal groups and access to employment opportunities, the Process Agreement also provides for SIG to support tribal groups to establish co-operative societies to engage in sustainable investment and business activities. Annual lease payments by the developer to the joint venture company will fund ongoing sustainable support for the administration of the co-operative societies.

Ongoing benefits connected to the development also include a 1.5% royalty payable quarterly. Finally, the agreement provides for the land to be returned to landowners at the end of the Project.

Figure 5-3 Female representative at signing of Process Agreement in July 2014



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The key terms of the Process Agreement are set out below:

- Return to tribal landowners of 50% ownership in the acquired land after the acquisition through the creation of the Tina Core Land Company (TCLC) - a joint venture company between SIG and the landowning tribes. This joint venture company will lease the land to the developer;
- Provide assistance to the landowning tribes for each to establish a corporation;
- Financial and management training to corporations;
- Ongoing payment of a revenue share (royalty) of 1.5% of the amount paid by Solomon Power to the developer under the power purchase agreement;
- A consent/signing fee for each tribe and signatory - paid in cash;
- A guaranteed minimum payment per hectare for the acquired land (with the land owning tribe also entitled to compensation for lost livelihoods assets as per the LTA and the World Bank/ IFC requirements);
- Legal support to assist the tribes to work through the statutory compulsory acquisition claims process.
- The benefit of the full rental payable by the developer to the Tina Core Land Company under the lease; and
- Return of 100% ownership of the land to the customary landowners after the hydro scheme has ceased operations and completed all closure obligations.

In addition to enabling the project land acquisition to proceed in a culturally appropriate manner, the Process Agreement is intended to meet requirements to:

- Improve or restore income earning capacity
- Provide opportunities for affected persons to derive development opportunities from the Project
- Provide meaningful, and free, prior and informed consultation
- Acquire land through negotiated settlement where possible
- Prepare a plan for acquisition and compensation process

#### **5.2.4 Advantages of Compulsory Acquisition**

The Process Agreement provided the free prior and informed consent of the identified Core Land owning tribes to the compulsory acquisition of the Core Land.

An agreed compulsory acquisition process under the LTA has advantages over the other form of customary land registration available under Solomon Islands' law and provides an opportunity to ensure greater social and cultural safeguards.

LTA Division 1 acquisition requires public hearings for the presentation of traditional and sacred evidence in support of customary ownership claims, and thus publicly exposes IP's secret traditional knowledge of the land and its resources. Such public exposure risks theft of this knowledge by rival claimants who can later use this knowledge to strengthen their own claims. This has occurred previously. In consultations and negotiations over the TRHDP land acquisition, the land owners were legitimately concerned that use of the Division 1 process could lead to the wrong claimants being recognised as owners, thereby giving rise to long-term injustice and internal social conflict.

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The Division 1 process results in a “winner-loser” outcome. In this process the Land Acquisition Officer makes a decision as to which of the claimants is the rightful owner of the land to be acquired. There is no possibility of recognising overlapping claims, so the result of the Division 1 process always results in a winner and a loser in the community. People who have experienced this result from Division 1 acquisition say that they did not want it to be repeated for the Tina Hydro.

The LTA Division 1 acquisition process also results in the identification of “trustees” who hold the title of the land on behalf of the tribal owners. Unfortunately, trustees are not always trustworthy or representative of the tribal group, and tend to be exclusively male. In logging and other developments people have experienced trustees acting as the ‘sole owners’ of the tribal land, and absorbing or appropriating lease payments and royalties received. The system provides only for the selection of five trustees which do not always fairly represent the whole group and women’s interests are also frequently ignored. Throughout the project planning awareness meetings and consultations, including the Social Impact Assessment consultations, local people insisted that they did not want the land acquisition to result in title being given to trustees. Experiences in neighbouring Gold Ridge were particularly pertinent to these discussions.

LTA Division 1 process examples suggest that land ownership disputes, which must be settled prior to acquisition, can take up to 10 years or more and can see matters referred through the Magistrates Court and High Court, with referrals back to the lower Court where issues are identified. In contrast, the LTA Division 2 process provides greater certainty to public purpose projects by allowing for the land acquisition to take legal effect even while disputes as to the amount of compensation or the identity of the beneficial landowners are being determined by the High Court.

## **5.2.5 Acquisition Process**

### **1.1.1.1 Ministerial Declaration**

Following the Process Agreement, the Core Land (including the main project area and part of the infrastructure corridor) was acquired by publication of a notice, from the Minister of Lands and Housing, in the Government Gazette on 21 August 2014, under the title of “Tina River Hydro Public Purpose Declaration Order, 2014”.

The order was made under Section 71 of the *Land and Titles Act* (LTA). Section 75 of the Act provides that the notice acquires rights over the land and extinguishes all prior rights. Attorney General’s Chambers vetted the notice and confirmed that it complied with legal requirements.

### **1.1.1.2 Consultation and Awareness**

On 2 October, 2014, following the requirements of Section 73 of the LTA, leaders of the 27 known tribes in the Bahomea and Malango districts were advised by letter from the COL of the tribes’ rights to claim any interest in the acquired land should they believe they had one. In addition, the letter:

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- (a) included a map of the land to be acquired;
  - (b) provided a notice “*setting out the effect of the acquisition and of the rights, liabilities and restrictions resulting from it*” including the Commissioner of Lands’ right to use and occupy the land on behalf of the Government;
  - (c) advised that the acquisition “*removes customary rights of ownership or usage in the land and changes those rights into the right to receive payment for their value*”;
  - (d) provided details of the process for registering a claim for primary or secondary customary interest in the land (“*such as the right to use resources on the land or to access the land*”), the date by which the claim must be made (3 months), and how to get assistance with lodging a claim;
  - (e) included a brochure with a list of peoples’ frequently asked questions.

In addition to the letters the Project Office and Ministry of Lands conducted a communications campaign with the aim of informing all potential customary landowners of their right to claim compensation under the LTA process.

- Publication of whole page advertisements in the two national newspapers providing a map of the acquired land and setting out a set of frequently asked questions on the acquisition and claims process.
- Posting of A3-sized notices and maps at the boundary to the Core Land and in key locations in the villages of Bahomea and Malango;
- Posting of A3-sized notices and maps at Guadalcanal Provincial headquarters;
- Training and equipping multi-lingual community educators to speak in villages in and around the area about the acquisition process assisted by A3 graphic aids;
- Landowners’ Advocacy and Legal Support Unit (within the Public Solicitors’ Office) led a series of community awareness meetings with Core Land Tribes to discuss the compulsory acquisition process, compensation, and landowners’ rights;
- Numerous impromptu and organised meetings at the PO premises to answer queries and concerns with APs;
- Ongoing communication in person, by phone, and by SMS with many individual community members.

#### 1.1.1.3 Independent Legal Assistance

Claimants were provided with independent legal support to prepare their claims. To avoid conflicts of interest, separate legal assistance was arranged. The Core Land Tribes (signatories to the Process Agreement) were assisted by a lawyer working with the Public Solicitor’s Office. Non-signatory claimants were assisted by a private lawyer appointed through the Provincial Secretary for Guadalcanal Province. The involvement of the Provincial Secretary is a statutory role provided for under the *Land and Titles Act*. All legal costs were met by the Project Office.

The independent lawyers worked with the respective tribes to gather evidence and draft claim documentation for submission to the Commissioner of Lands within the statutory timeframe.

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A total of 5 compensation claims (submitted by 4 separate tribal groups) were prepared and submitted by the private lawyer on behalf of non-signatory tribes while 4 claims were prepared by and on behalf of the 4 signatories to the Process Agreement.

#### 1.1.1.4 Land Valuation

The market value of the Core Land was derived by reference to three key sales located in Guadalcanal outside of Honiara (Gilbert Camp, 200+Ha proposed hospital site close to Honiara; Doma, 105 Ha proposed university site, West Guadalcanal; and Church of Melanesia, 181.85Ha, Central Guadalcanal). In addition to this figure, a further amount was added to reflect an assessment of the commercial value of the timber on the land by a forestry expert.

The three comparable sales were adjusted for inflation and the market rate applied takes into account the following factors:

- In relation to infrastructures of roads, water, electricity, business activities, and general property market the three sites were found to be more favourable than the Core Land site
- Similar to the Core Land the 3 comparative sales were located outside of Honiara city however, however, a notable feature of the 3 comparative sales was their direct accessibility to infrastructure developments.
- Stark contrast between the general land characteristics of the 3 comparative sales in comparison to the Tina Core land. Tina Core Land is generally hilly with steep slopes while the 3 comparative sales are generally undulating and rolling hills with one site being basically flat land.
- Two sites were in a location with a generally active property market. The third site, the Church of Melanesia site, was found to have a generally inactive property market.
- The principle of Pointe Guardie in relation to compulsory acquisition which disregards any increase or decrease in value caused by the public purpose for which the land is acquired.

A valuation of the commercial timber on the land was prepared by forestry expert, Myknee Sirikolo in April 2014. The methodology applied to the assessment included:

- Flora surveys in 2010 and 2013 using 25m x 25m forest plots across 10 sites within the Core Land area;
- Record of average number and log volume of fellable commercial trees per lot;
- Assessment of portion of Core Land hosting commercial timber, excluding areas of rocky ravine and river bed;
- Assessment of average net round log export market value with reference to Central Bank and Ministry of Forestry and Research applicable rates; and
- Assessment of average net value of locally millable sawn timbers and percentage of millable timbers identified in forest plots.

In addition to the above, a social scientist, Kellington Simeon, prepared an inventory of all assets within the Core Land and Lower Access Corridor. These assets include medicinal plants, gardens and fruit trees. As the majority of these assets are owned by individuals rather than tribes, and some owners are members of tribes other than the landowning tribes

for the area, compensation for these assets forms part of this LALRP and was not included in the Commissioner of Lands' offers. Each offer stated:

*"Compensation will also be available for any food crops and other improvements that you may own on the land, including gardens, fruit trees and forest produce."*

Further, compensation for tambu sites are governed by the Cultural Heritage Management Plan set out in the ESIA and does not form part of the offers from the Commissioner of Lands.

#### 1.1.1.5 Compensation Offers and Grievance Options

In August 2015, acting under Section 79 of the LTA, the Commissioner of Lands made written offers of compensation to each of the tribes found by the Commissioner to be rightful customary landowners within the Core Land. These offers included acknowledgement of the tribe's interests in the land and the details of the named land areas in which the tribe had an interest.

Offers were provided to 5 tribes while notices of rejection were provided to the remaining 4 claimants. The notices of rejection set out the rights to appeal within three months of the date of service of the notice.

Each letter of offer set out the following:

- The name of the customary land area
- The number of hectares within the customary land area as assessed by a qualified surveyor
- The total compensation offered
- An alternative land based resettlement option
- The option to appeal the offer to the High Court within 3 months of service of the offer

Awareness meetings were held with each of the offer recipients following service of the offer. The meetings included information on the right of appeal and timeframes for commencing the appeal. In particular, tribes were informed that offers are legally deemed to have been accepted three months from the date of service absent an appeal. None of the tribes appealed within the three month period and all are now deemed to have accepted the COL's offer of compensation.

Figure 5-4 Tribal interests in the Core Land and Compensation Offered by Commissioner of Lands in August 2015

Tribal group	Area (ha)	% of total area acquired	Number on tribal register	Compensation offered (SBD)	Compensation for costs of the claim <sup>a</sup>
Roha	171.0	38.7%	168	6,973,000	82,250
Buhu-Garo	161.5	36.5%	65	6,586,000	82,250
Kochiabolo	65.7	14.9%	109	2,468,000	82,250
Uluna Sutahuri	29.9	6.8%	435	1,221,000	82,250
Viurulingi	14.0	3.2%	4 <sup>b</sup>	810,000	82,250
Total	442.1		777		

<sup>a</sup> To cover custom ceremonies and valuation costs (already met by the Project Office).

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<sup>b</sup> Since the tribal registration, the last remaining members of the tribe have passed away. The tribe's interest was passed by written will to four male relatives

### 5.2.6 Land based resettlement option

In accordance with WB and ADB safeguards a land based compensation option was provided to each of the recognised landowning tribes. An area of land owned by the COL was identified for this purpose at Vara Creek Heights in the outskirts of Honiara. Each tribe was offered the option of cash-only compensation or cash plus an interest in a proportion of a 6.5 ha parcel of urban residential land. If accepted, the land would be transferred as perpetual estate title to the claimants, subject to approval by the SIG Land Board. Discussions were held with MLHS and the SIG Land Board for this purpose.

Each tribe chose to accept the cash-only compensation. The reason given by each group was that they felt they had large remaining areas of customary land and preferred the option of cash payments to develop existing land.

### 5.2.7 Equal Benefit Sharing

Concerns were raised by tribal members throughout consultations that payments made to chiefs and other representatives are not shared equally with other members of the tribal group, particularly women, youth and the elderly. While this concern was primarily raised by women it was also reflected in discussions with male representatives concerned with the responsibility, pressure and distrust accompanying the distribution of tribal payments. Experiences with other projects in Solomon Islands suggests that payment disbursement not managed with care may cause internal disputes and fissions within tribal groups.

To provide for equality of benefit sharing the PO worked with the tribes during the process agreement negotiations to plan the creation of co-operative societies. Under the arrangement, each tribe is to incorporate a co-operative society owned equally by all members of the tribe. This plan was also reflected in the terms of the compensation offer provided by the Commissioner of Lands: *"Payment will be made to a corporate entity representing the tribe or, where such an entity is not established within a reasonable time, payment will be made in such manner as to ensure fair distribution to tribal members at the discretion of the Project Office."*

All payments for the market value of the Core Land, as well as future royalty payments under the Process Agreement, will be paid into the Co-operative Society accounts.

The PO developed by-laws for the societies to reflect their nature as a tribal group, and the agreed mechanisms for equal benefit sharing.

Two practical mechanisms key to enabling the establishment of the societies are:

- An accurate register and photograph of the members of each tribe prepared by local PO consultants, agreed by tribal leaders and later confirmed at the initial AGM. Draft Registers for each tribe were completed by PO in 2015, with amendments upon finalisation at each inaugural AGM;

- The creation of a bank account for individual members of each tribe, including trust accounts for children



Figure 5-5 Tribal member registration for Co-operative Societies and photographs for bank account identification with Project Office – March 2016 (names removed for privacy)

The cooperative societies promote equal benefit sharing through equal ownership by all members of a tribe, including women, men and children, and by providing equal voting rights to all tribal members aged over 15.

The overall distribution of payments is determined by each Society with support from the Project Office. The two established societies for Roha and Uluna Sutahuri have agreed to allocate funds across four separate uses: equal dividend payments to all members directly to each member's bank account, a cultural obligations fund to sister tribes and reciprocal customary rights holders, an investment and business fund, and an ongoing administration fund. Payments were divided approximately equally across the first three allotments with a smaller amount allocated to administration.

The direct payment of equal dividend payments to individual accounts has received strongly positive feedback from tribal members, particularly women.

The remaining three tribes have not yet established their societies. Although each of the tribes are taken to have legally accepted the compensation offer, select individual male members of Vuralingi, Kochiablo and Buhu Garo have expressed a desire for the compensation amounts offered to be increased. Consultations with other tribal members suggest a diversity of opinions within each tribe but a reluctance to proceed until a collective decision is agreed internally.

Of these tribes, ongoing consultations with Vuralingi has led to an agreement among all members to proceed to establish their co-operative society and receive the compensation payment. The group have agreed to by-laws for their society providing for the majority of the payment to be distributed equally to each member, with a portion set aside for investment and administration. The group are aiming to formally register the Society in December 2016. The Project Office is continuing discussions with members of the remaining two tribes (Kochiablo and Buhu Garo).

The Project Office plays a hands on role in the ongoing management of the Co-operative Societies, assisted by a qualified accountant from a private financial firm. The accountant acts as a compulsory signatory on all Co-operative Society Account transactions. The



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accountant plays the role of an Administrator and is responsible for ensuring that all transactions comply with the payment distributions agreed by members and the by-laws. Sustainable funding for the on-going role of an Administrator is intended to be sourced from the rental payments of the Developer to the Tina Core Land Company.

#### **5.2.8 Targeted measures for dis-advantaged and vulnerable persons**

Women, youth and the elderly have been identified as vulnerable and disadvantaged persons within the Core Land Tribes. The majority of the members of each tribe have low cash incomes, particularly following the closure of Gold Ridge Mine, and could be classified as impoverished and so specific measures to address this group have been included in overall Project planning rather than separately addressed.

A number of targeted measures have been introduced to ensure that adverse impacts do not fall disproportionately on these groups and that they are not disadvantaged in relation to the sharing of benefits and the opportunities of the Project in accordance with WB and ADB safeguards.

A key element of addressing disadvantages of women, elderly and youth is the provision of individual bank accounts and the equal payment distributions to all tribal members. Bank accounts are not family or household accounts, and so provide women and elderly persons with some greater freedom to determine expenditure of their allocation. Consultations with women supported this approach and confirmed that they had previously had very limited access to funds from developments on their customary land, including logging and the Gold Ridge Mine.

Other targeted measures for women include mandatory gender equality requirements in the Executive Committees of each society, with a minimum of three women on each seven member committee, and at least one women holding an officer position of Chair, Vice-Chair, Secretary or Treasurer. The signatories for the main Co-operative Society accounts must include at least one woman from the executive to ensure women are involved in all key financial decisions.

The Societies also incorporate a separate sub-committee for women, known as the Matrilineal Membership Committee, tasked with maintaining an up to date register of tribal members each year, and providing a women's only space to discuss the operations of the Society.

The Co-operative Societies' also provide for equal weighting of votes for women at general meetings. This is important for ensuring that no changes are made to these incorporated safeguards without the consent of the women who would be affected. All changes to the by-laws require a 75% vote of members and as such require on average the support of a majority of women in each tribe.



Figure 5-5-6 - Member of Roha Co-operative Society voting in secret ballot on the distribution of the land compensation payment

Both established societies, Roha and Uluna Sutahuri, have enacted these provisions and women have been prominently engaged in their operation.

Targeted measures for addressing vulnerabilities of youth and children have also been adopted. As discussed all youth above the age of 15 have the right to vote in decision of the Co-operative Society's General Meetings. Consultations suggest that youth are ordinarily excluded from decision making and have little access to transparent information on financial payments.

Consultations suggested that education was the identified priority for the children of the area and that literary rates and school attendance were low. As a result safeguards have been implemented through the Societies to ensure that individual payments to all children and youth below the age of 18 years are secured in trust accounts. All payments to youth members will remain in an account in their name until they turn 18. However, withdrawals will be permitted for school fee payments made directly to the relevant school upon provision

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of an invoice. It is hoped that this measure will improve the school attendance of the children in the Core Land Tribes, while also relieving parents of the financial burden of yearly fees. Special trust account conditions have been set up by the PO with the assistance of the Pan Oceanic Bank.

In addition to the above, specific provisions for displaced vulnerable groups are set out in the Entitlements Matrix. Impacts on vulnerable groups are distinguished between (a) impacts on personal or household' livelihood assets (including gardens, fruit trees and structures) and (b) impacts on vulnerable users of communal livelihood assets (predominantly fishing and pig hunting). These provisions include:

For personal assets:

- Needs based additional assistance with re-establishing or enhancing household food production, including by providing training and practical assistance;
- Training and practical assistance with income generating activities (such as niche crops, handicrafts development, home-based small enterprise) where appropriate and in consultation with the relevant group or individual
- Ensuring payments are made directly to the most senior female members of a household where possible; and
- Provide priority access to training for suitable employment in project construction.

For common assets:

- Provide the affected hunting/fishing/gathering household with comparable food based on results of vulnerable persons identification study (likely predominately fish and wild greens) or store vouchers to the value of \$25,000 (being 50% of average annual income for Bahomea households), provided to the senior female of the household; and
- Provide priority access to training for suitable employment in project construction.

### **5.2.9 Improved income generation and employment opportunities**

Where land-based resettlement is not available, WB safeguards require the provision of opportunities for employment, or self-employment. Similarly, ADB requires measures for income restoration and livelihood improvement (ADB).

The Co-operative Societies provide an opportunity for each tribe to set up an income earning business. A portion of the compensation money (a minimum of 25%), and a portion of future royalty payments under the Process Agreement, are to be applied towards investment and business. The PO provides support to the tribes in business planning, and all plans are to be approved by a qualified accountant in the role of the Administrator.

One of the key criteria for the Administrator to approve a proposed business is whether:

- (a) the proposed business will provide equal employment and leadership opportunities for women; and

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- (b) where a business will not provide equal opportunities for women, whether another business or charity is also proposed that will predominately provide employment and leadership opportunities for women. <sup>25</sup>

As provided for in the Process Agreement, the PO has worked with the Solomon Islands Small Business Enterprise Centre to develop a business planning and management course. The first session of this course was completed in mid 2016 with the members of the Executive Committee's of the Roha and Uluna Sutahuri Co-operative Societies. The course will be repeated with members of the remaining tribes once their co-operative societies are established.

The Roha Co-operative Society is the first society to commence a business operation. The Society has used part of their investment fund to establish a transport business, securing three trucks for the movement of people and goods. As well as creating a source of income for the Society the business is also improving accessibility to Honiara for the surrounding community.



Figure 5-5-7 – Chairperson of Roha Co-operative Society, Daniel Una, business launch – October 2016

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<sup>25</sup> Roha Co-operative Society By-Laws

## 5.3 THE ACQUISITION OF THE REGISTERED LAND

The SIG will purchase the registered land for the Project through voluntary negotiated sales. However, as the SIG technically has the power to compulsorily acquire the land for a public purpose under the *Land and Titles Act* the acquisitions are included in this LALRP. The acquisitions will not result in any physical displacements though safeguards for economic displacement will apply.

A survey of livelihood assets within the alignment of the Northern Infrastructure Corridor and the Core Land was undertaken in 2015, and the owners of those assets have been recorded identified and recorded by Kellington Simeon. The Project Office will offer compensation to the owners of each identified asset according to the schedule of entitlements provided in this LALRP.

### 5.3.1 Northern Infrastructure Corridor – registered land

The land expected to be required for the project infrastructure corridor (road and transmission lines) from the Core Land (ending at Marava) to the Black Post turn off is indicated on figure 3.3, and is detailed below. As of November 2016, a suitable power transmission corridor route from Black Post Road to the Lungga power station was still under investigation.

Four parcels of registered land on the Black Post Road section of the infrastructure corridor will be affected by the acquisition, as follows:

No.	Land Parcel	Perpetual Estate holder	Other interests
1	192-015-0018	Commissioner of Lands	FTE - Levers Solomons Limited
2	192-005-0015 100 LR 536	Nathanial Boboli Timothy Urobo Nesta Besta Daniel Sekani Selwyn Boboli (Joint Owners as trustees)	Lease – Guadalcanal Plains Palm Oil Limited (GPPOL). 50 years from 1 January 2005
3	192-005-0017	Church of Melanesia Trust Board	Nil.
4	192-029-024	Commissioner of Lands	Nil.

#### 1.1.1.6 Parcel One

This land parcel is owned by the Commissioner of Lands with a 75 year fixed term estate to Levers Solomons Limited, a company which previously operated several coconut plantations across Solomon Islands before disruptions to their business during the country's ethnic tensions. As a result the land is planted with a disused coconut and cocoa plantation.

Ongoing consultations have been held with Levers Solomons Limited and negotiations are currently underway for the subdivision and transfer of the land at market value. MLHS has advanced subdivision plans for the lot which are expected to be registered shortly.

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Compensation for livelihood assets of non-title holders is provided for in the Livelihood Restoration Plan in Chapter 8.

#### **1.1.1.7 Parcel Two**

Parcel 2 is owned jointly by trustees on behalf of a tribe of Ghaobata people from the Guadalcanal plains. The parcel is in the name of five people: Nathaniel Boboli, Timothy Urobo, Nesta Besta, Daniel Sekani and Selwyn Boboli. Of these five, Timothy Urobo, Daniel Sekani and Selwyn Boboli are still living.

The parcel is leased by the trustees for 50 years to the Guadalcanal Plains Palm Oil Limited (GPPOL) which currently operates a palm oil plantation on the land. As such, the land is not used by the tribe or local community for any subsistence livelihood activities.

The valuation of the land will take into account the rental payments under the lease and the royalty payments payable for the oil produced by GPPOL from the oil palm trees on the land. MLHS has advanced subdivision plans for the lot which are expected to be finalised shortly.

As the parcel is owned by trustees, safeguards under the *Land and Titles Act* will apply. Before the transfer may be registered, each of the joint owners must make a statutory declaration in public that the persons beneficially interested (tribal members) have been consulted and that the majority of them are in favour of the transfer.<sup>26</sup>

#### **1.1.1.8 Parcel Three**

Parcel 3 is owned by the Anglican Church of Melanesia. The land was purchased in 2008 for the purpose of building a seminary training school with a later expansion for a university. Consultations with the Church suggest that the Church has not progressed detailed construction plans, however, the Church hopes that the Project will benefit their plans through improvements to the road and the potential for grid connection.

The Church Board has approved the survey of the land for subdivision and survey activities are now complete. Negotiations for transfer are expected to commence shortly.

Compensation for livelihood assets of non-title holders is provided for in the Livelihood Restoration Plan in Chapter 8. However, as the land has been owned by the Church for a number of years there are few if any livelihood assets on the land which is largely open grass land.

#### **1.1.1.9 Parcel Four**

As parcel 4 is owned by the Commissioner of Lands no acquisition of the parcel is required. The land will be subdivided to provide the future option of a transfer to SIEA or a lease to the developer.

Compensation for livelihood assets of non-title holders is provided for in the Livelihood Restoration Plan in Chapter 8.

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<sup>26</sup> Section 195(3) of the LTA

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### 5.3.2 The Lungga transmission corridor

Solomon Power is investigating potential routes to connect the transmission lines from the Black Post Road to the existing power station at Lungga. Two potential routes – largely contained within existing road reserves and registered land, have been surveyed by the PO to understand potential resettlement and livelihoods impacts to inform the preparation of a RAP framework. These assessments assumed two parallel power lines and a corridor width of up to 40m.

The PO study identified assets belonging to registered land owners as well as “informal” users of public land, abandoned plantations, and road reserves.

PO policy guidance is that the choice of the Black-Post Road to Lungga section of the power transmission route should:

- ensure it can comply with best practise for safety,
- minimise the need to acquire land and avoid customary land where possible,
- avoid disruption to residences and therefore the need for physical resettlement;
- avoid disruption to structures, facilities, and livelihoods.

Until the route for this section of the line is decided, it is not known which parcels of land will be required for the project, if any. Once known, consultation will commence with the land owners and a plan developed for managing the impacts and compensating for losses. A framework for this plan is set out in Chapter 8.

## 5.4 INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

### 5.4.1 Free prior & informed consultation

Information flow from the Project Office to the affected communities has been of a high standard. The PO recruited a well-known indigenous Solomon Island media expert to develop and document the information sharing and awareness raising activities for the Project. The presentation of information briefings and associated consultations and discussions with local communities, tribal groups, specific landowning tribes, and various other stakeholders has been done in local languages, and where appropriate accompanied by the use of audio-visual aids. The PO has maintained a database of all the consultations and awareness raising activities undertaken, along with notes of proceedings. A summary of this database is provided in Annexure 14 of the ESIA, recording over 250 meetings.

The Project Office has employed a variety of culturally acceptable ways of communicating with local communities and stakeholders. Important communications are done face- to-face, starting with clan and village chiefs and senior women, and then extending out to the wider village communities. Local communications are done by the project’s community relations staff (who are Solomon Islanders) and locally-resident Community Liaison Assistants (CLAs), and endorsed by community leaders. Where outside consultants have been involved in community engagement, the CLAs have acted as translators for the local



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indigenous language to ensure villagers, especially women, are able to understand and participate in discussions.

A wide variety of communications tools have been used to inform the communities and to receive comment and advice in return. Among these are:

- printed materials, including a project booklet;
- a project website (*www.tina-hydro.com*);
- face- to-face briefings and discussions with groups of community leaders, individuals, community interest groups (e.g., mother's clubs, and church groups) and agency representatives;
- participatory workshops for men and women;
- newspaper articles;
- presentations using video, photographs, maps, and posters;
- mobile phone and SMS; and
- accompanied site visits.

From the records of the Project Office, discussions with Project Office staff and CLAs, observations, and explicit comments from participants during the 2013 ESIA village community workshops and 2014 mitigation workshops, it is evident that

- there is broad support among local communities for the project and there is no clear direct opposition to it.
- hydroelectricity development is widely seen as the most preferred and least destructive development opportunity for the Tina/Ngalimbiu catchment (others being gold mining and logging of primary forest)<sup>2728</sup>;
- community concerns about the project are generally confined to the mitigation of potential impacts and the securing of benefits;
- there has been a high level of participation of community members of all genders and ages in the TRHDP Project Office's activities. However there are still customary constraints on women speaking out in mixed community meetings.
- there is wide-spread understanding of the purpose of the TRHDP, and what it generally involves;
- there is a comparatively high level of trust of the TRHDP Project Office and the information it provides. Local people generally believe that their concerns are listened to and dealt with; and
- there has been considerable discussion within and between the communities about the project, including its benefits and potential impacts.

In short, TRHDP planning to date appears to comply with the requirement for free, prior, and informed consultation. Further, although IFC safeguard requirements do not apply, the community consultations and the negotiation of the Process Agreement go beyond consultations and evidence indigenous landowner and local community free prior and informed consent for the Project. Ongoing community engagement by the PO at present is focusing on land acquisition, assets compensation, livelihoods protection and restoration,



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benefits sharing arrangements, and building the capacity of the local tribes and communities to manage their financial and business affairs.

### 5.4.2 Consultation Outcomes

The consultations and information sources informing the LALRP development are discussed in sections 1.3 and 1.4. Consultations included both dedicated LALRP community workshops run by Gerard Fitzgerald held respectively at Managikiki/Verakuji (adjacent to the Core Area) and at Vera'ande/Grassy (adjacent to a part of Black Post Road) as well as feedback from communities and individuals received as part of ongoing Project consultations facilitated by the Project Office.

A summary of these consultations is set out in Annexure 14 to the ESIA. Feedback from consultations on the construction and operation impacts of the Project and the incorporation of that feedback in mitigation measures is set out in Chapter 12 of the ESIA.

Table 5-1 sets out some of the key issues raised in consultations relating to land acquisition and livelihood restoration, and the manner in which these concerns are addressed in this LALRP.

Table 5-1 – Consultation Outcomes

Key Consultation Feedback	Treatment in LALRP
Uncertainty as to corridor alignment and assets affected	Corridor now pegged with permanent survey markers  Awareness meetings to discuss resettlement actions to be held with affected groups
Supportive of changes to access road alignment to acquire neighbouring village (some expectation of large compensation cash payments)	Policy of minimising land acquisition and resettlement impacts applied. Physical resettlement to be avoided. Communities informed that road alignment will continue to by-pass villages.
People are well aware of the project and should no longer be planting gardens near the road alignment	Resettlement awareness meetings will confirm the cut-off date

Fears of dam failure and for the safety of dams and houses close to the river, and a desire for relocation	Policy of minimising land acquisition and resettlement impacts applied. Physical resettlement to be avoided. Dam safety awareness sessions to be held with downstream river communities in accordance with the Framework ESMP set out in Chapter 13 of the ESIA
Compensation for garden assets and trees to go beyond the cash payments. Money comes and goes quickly.	PO to provide assistance to displaced persons to establish replacement gardens. Cash payments to be paid upon successful re-establishment to ensure sustainable ongoing livelihoods in addition to cash.
Any cash payments should be more than the Government issued crop compensation list as this list is designed for forestry operations and is old and out of date.	The Ministry of Agriculture and Livestock Development's (MALD) "Crop Compensation Rate" values shall be updated before any application. This process should be undertaken by the Ministry, however, in the event that this is not completed, the PO shall conduct an update taking into account current market rates and the national inflation rate (Chapter 8).
Customary processes and customary evidence form part of the landowner identification process	Bahomea Land Identification Committee formed of elders and storytellers reviewed and considered customary evidence
Concerns that chiefs will not distribute to other members including women and younger men	Individual bank accounts opened and recorded for all members (women, men and children) of Core Land Tribes.
Concerns that tribal bank account investment funds will be accessed and emptied by individuals	National accounting firm compulsory signatory for tribal co-op bank accounts
Compensation payments will come and go quickly (in pijin "squish"). Lasting change will need more than cash payments	Investment funds established for each co-operative with support from accounting firm

Some individuals expressed a desire to access children's bank accounts for ongoing household expenses	This request has not been adopted in the LALRP. Children's accounts to be accessible exclusively for school fee invoices. Education identified as priority in broader community consultations
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### 5.4.3 Project Implementation Consultation Mechanisms

Consultation mechanisms for LALRP implantation will follow the Project's Stakeholder Engagement Policy (SEP) dated January 2017. The LALRP and SEP will be made disclosed on the website and hard copies will be made available at the Project Office.

Consultations for resettlement activities will have an emphasis on small group and household discussions to facilitate arrangements and payments for individual households.

The Project's experience has been that written materials are infrequently read or understood, and in person discussions are the preferable means of communication. At a minimum the following consultation schedule is anticipated for the LALRP.

Topic	Dates
Community awareness and consultation meeting to discuss RAP activities, timeframes and grievance mechanism	May - June 2017
Small group meetings to be held with affected persons to discuss personal assets and resettlement actions set out in this LALRP. Consultations to be held with both men and women, and women only consultations are to be used where possible where women are the primary owners or users of a livelihood asset	July – October 2017
Awareness of survey results identifying significant users of wild common assets (fishing, hunting, food gather) to be held with identified users to implement action plan	September – December 2017
Meetings to be those identified in the vulnerable persons survey to determine appropriate further assistance	##
Meeting with NGOs to update on LALRP implementation progress	By end of 2017

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Ongoing small group meetings with affected persons to implement action plan, including actions to re-establish gardens and confirm land availability	November 2017 – August 2018
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## 6 PROFILE OF THE PROJECT-AFFECTED PEOPLE AND COMMUNITIES

### 6.1 INFORMATION SOURCES

Reliable and accurate village-level socio-economic data for the Project area, as with elsewhere in Solomon Islands, is scarce. Challenges faced in building accurate social datasets at the local level include:

- disrupted and under resourced systems for gathering, processing and publishing timely official information (such as Census of Population, and surveys of income and expenditure). Also poor infrastructure, low-density settlement, and remoteness make surveying difficult and expensive;
- problems relating to geographical location and classification, such as local and national inconsistencies in the naming of villages and communities, lack of clarity over the boundaries between named settlements, and the ephemeral nature of smaller settlements;
- questionable reliability of information provided by householders in social surveys, especially about land, resources, and household economy. This is especially problematic once respondents are aware of the potential for compensation and/or development opportunities.

Faced with these, it becomes necessary to use a range of available data – typically from several sources, gathered at different times using a range of methods, and at various levels of aggregation. This approach has been required in the case of the Tina Hydro LALRP. This section draws on data from:

- the 2013 Social Impact Assessment (SIA) studies for the ESIA, including a household survey and village workshops regarding livelihoods, household economy, population, and project impacts. The SIA studies did not include a local census of households since the land required for the project, and therefore the particular PAPs, were not known at the time;
- the Malango tribal registration records assembled by the PO in 2015. This is limited to only those people who are members of the 27 named tribes;
- the 2009 Census data for the Census Enumeration Areas <sup>29</sup>(CEA) covering Bahomea district, especially EA 62010. According to findings from the village workshops, the majority of users and owners of the Core Land reside in the two village clusters of Managikiki- Verakuji and Antioch-Velasala, and to a lesser extent in the riverside settlements of Choro, Koropa, and Senge. These all fall within the boundaries of EA 62010, which is referred to here as “the Core Land Neighbourhood” (figure 6.1). The assets survey confirmed to concentration of owners in this area. The

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<sup>29</sup> Enumeration areas are the smallest mapped geographical unit used for collecting and reporting on the census. The boundaries typically follow community organisational boundaries and physical landscape features. While they are subdivisions of administrative Wards, EAs are not administrative units.

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CEA data and maps only became available in 2015 – 18 months after the completion of the social baseline and impact assessment fieldwork; and

- the livelihoods assets survey conducted on the Core Land and the Lower Access Corridor along Blac which attempted to identify the owners of recorded assets.

The SIA studies in 2013 recorded the populations of the villages, grouped according to anticipated source of project impact. Section 8.1 of the ESIA gives the populations as enumerated at the time. The localised CEAs data and maps subsequently become available for the 2009 census, and these provide the most comprehensive set of data available on the Project Affected Persons (PAPs). The boundaries used for census data collection are provided on figure 6.1, and are used for subsequent description of the PAPs.

## **6.2 THE CORE LAND OWNERS**

### **6.2.1 Population and affiliation**

The customary owners of the Core Land are the members of the Kochiabolo, Roha, Buhu Garo, Viurulingi, and Uluna Sutahuri tribes. They have been recognised by the COL as having a legitimate and defensible interest in the Core Land. All five groups are Malango /Teha speaking peoples and are the matrilineal descendants of the first peoples who came down from the mountainous interior to settle on the land in question. The tribal register shows there are 777 members of these five subtribes. Together, they make up 22% of the 3,464 recorded members of the Malango people. For privacy reasons, the individual names of the owners are not provided in this document, though the tribal register will be available if necessary to those charged with implementing this plan.

### **6.2.2 Residence**

The vast majority of the Core Land owners live within Malango Ward: 51% live in the Bahomea district where the project is located, 29% in settlements in Malango district to the west of Bahomea, and 12% in settlements in Belaha district to the west of Malango (Table 6.1). Most of the remaining 8% reside in Honiara or elsewhere on Guadalcanal. Members of the five Core Land tribes make up half (50.2%) of all the registered tribes people in Bahomea. Appendix A lists the current village residences of the registered members of the Core Land tribes.

Figure 6-1 District residences of the registered members of the Core Land owning tribes

District	Roha	Kochiabo lo	Buhu - Garo	Viurulin gi	Uluna- Sutahur i	Total registered members	% of total
Bahomea	54	94	0	0	250	398	51%
Malango	95	2	0	0	127	224	29%
Belaha	19	0	49	0	27	95	12%
Elsewhere	0	13	16	0	32	61	8%
Totals	<b>168</b>	<b>109</b>	<b>65</b>	<b>0</b>	<b>435</b>	<b>777</b>	<b>100%</b>

The Core Land tribes tend to be associated with particular villages and districts. For example, based on information in the tribal register

- the members of the Roha tribe are mainly located at Horohotu and Managikiki, and at Pamphylia and three other villages in Malango district.
- The Kochiablo tribe are almost all living in settlements in Bahomea – especially at Managikiki, Antioch, and Vuramali villages which are very close to the Core Land and within EA62010. These are the landowners most likely to make regular use of the land and resources of the Core Land, especially the upper forested area.
- the Buhu-Garo members are most likely to be living at Pao in Belaha district – some 15km from the Core Land – and therefore do not regularly use the land for their livelihoods (Appendix A) .
- The Uluna-Sutahuri tribal grouping, numerically the largest of the five Core Land-owning tribes, is mostly concentrated in Bahomea district, including in settlements immediately adjacent to the Core Land area and within census EA62010.
- **None of the Core Land owners live or have residences on the Core Land or other land being acquired for the project**, though retain an association with the land and with other areas in the mountains inland.

Of the 539 tribes people living in the neighbourhood of the Core Land (i.e. in census EA 62010), 255 (or 47%) are Core Land owners. In addition to having primary ownership rights over the Core Land, these particular people, along with their fellow locals, are also likely to be using the area as part of their livelihoods.

Choice of residence is largely dictated by custom: indigenous Solomon Islands women tend to move to their husband's village after marriage. In a matrilineal descent system, this means that women are more likely to live away from their own land, which will be under the control of their brothers. As people living in villages where they are not land-owners, married women and their children are therefore outsiders when it comes to village community decision-making, particularly about land and resources. Women are far more likely to be in this situation than men. Among the Malango tribes, two thirds seem to take up residence in their husband's / father's village.

### 6.2.3 Gender & age

Among the Core Land tribes there are more males than females (males making up 55%). Males particularly outnumber females among children (5-14 years of age) and those of child-

rearing age (25-44 years) (Table 6.2). The median age for the members of the Core Land owning tribes is 21 years, which is consistent with the other local tribes and slightly higher than for the national population (20 years). In 2015, the oldest person among the Core Land owners was aged 83.

Figure 6-2 Age and sex profile of Core Land tribes

	Age Group (years)						Total	%	Dependency ratio
	0-4	5-14	15-24	25-44	44-59	60 and over			
Female	36	82	81	87	41	22	349	45%	
Male	34	108	82	137	38	29	428	55%	
Total	70	190	163	224	79	51	777		0.67
% of total	9.1%	24.4%	20.9%	28.8%	10.2%	6.6%	100.0		

Compared with the national population, the Core Land owners are older, have fewer children, and have more youth. They also have a relatively low dependency ratio (0.67 children & elderly per person of working age) compared with the provincial and national populations (both 0.85), though similar with the population of Malango Ward (0.70).

No other socio-demographic information is available in the tribal register about the members of the Core Land Tribes.

Figure 6.1 shows that the Core Land and its neighbouring villages where a significant proportion of the Core Land customary owners and resource users reside within a single CEA (#62010). The census data for this area is therefore used, in lieu of a full household survey, to describe the socio-economic characteristics of those likely to be directly affected by the SIG's acquisition and use of the Core Land. Figure 6.1 also shows the CEAs and location of the settlements in the Bahomea district in relation to the Infrastructure corridor.



The map displays the Malakco area, characterized by its mountainous terrain and dense vegetation. Key settlements and locations are marked with yellow dots and labeled, including Mataruka, Veralande, Koropa, and many others. A network of roads is shown, with major routes highlighted in white and other roads in red. The map also shows various geographical features like rivers and lakes. Numerous numerical codes are scattered across the map, likely representing administrative or surveying identifiers.

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## 6.3 THE USERS OF THE CORE LAND

The focus of this section is on those people whose livelihoods could be affected by loss of access to the Core Land and Lower Infrastructure Corridor for hunting, fishing and gathering, and agriculture. These potential PAPs tend to be concentrated in villages in the 'neighbourhood' of the Core Land (i.e. in CEA 62010). This neighbourhood includes 519 people on the tribal register, 255 of whom are locally-resident customary owners, and 264 registered tribe's people with secondary/use rights to the Core Land. In addition, there are up to 100 people living locally who have married into, or are guests of, the indigenous communities. Some of the local households also have 'private' assets within the Core Land, such as nut trees, food gardens, and fruit trees etc, which were identified in the livelihoods assets survey.

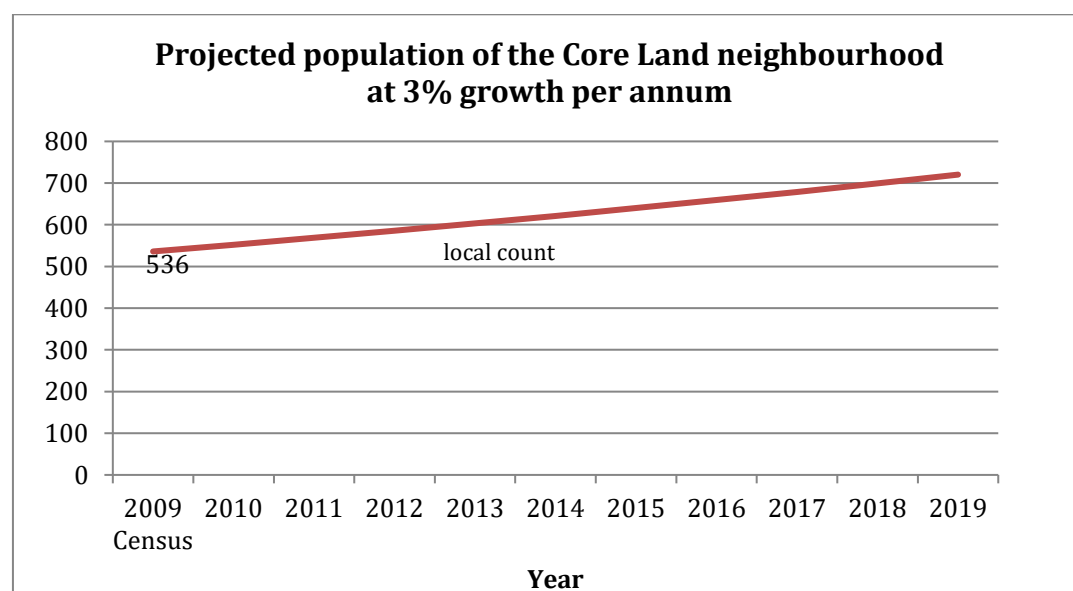
The main centres of population in this neighbourhood /CEA are the Antioch-Valesala village cluster and the Managikiki-Verakuji cluster, respectively 5km and 3.5km from the proposed dam site. Each of these clusters contains several named settlements of varying size. The Managikiki-Verakuji village cluster lies alongside the western boundary of the southern section of the infrastructure corridor (part of the Core Land), while Antioch-Valesala lies 300 meters east of the alignment.

In 2009 there were 86 households in the Core Land neighbourhood (CEA 62010), with a total population of 536 (table 6.3). In 2013 the SIA studies recorded the population at 627, in approximately 125 households. The census and SIA study data taken together indicate an annual population growth of approximately 3% (compared with 4.4% for Guadalcanal Province and 2.3% for Solomon Islands as a whole). As of late 2016, there could therefore be approximately 130 households getting some part of their livelihood from the Core Land which includes the Southern Infrastructure Corridor.

Figure 6-4 Households and populations of the project neighbourhood (River, Core Land, and Infrastructure Corridor)

Settlement in CL neighbourhood (South to North)	2013 estimate		2009 census		2015 tribal register
	Households	Population	Households	Population	Tribal register
Choro	1	4			2
Koropa	3	19			7
Senge	3	16			4
Managikiki	21	111			102
Verakuji	11	56			46
Antioch	23	110			87
Valesala	20	105			80
Habusi	6	33			36
Pachuki	14	65			77
Namopila	5	27			41
Komureo	6	28			1
Vatunadi	1	5			0
Valekocha	5	26			1
Kolanji	2	10			1
Veramaota	4	12			13
Tahurasa					19
<b>Total CEA 62010</b>	<b>125</b>	<b>627</b>	<b>86</b>	<b>536</b>	<b>519</b>

Figure 6-5



## 6.4 POPULATION AFFECTED BY THE TINA INFRASTRUCTURE CORRIDOR

The following profile of the people and communities affected by the development of the Tina Infrastructure Corridor draws on the asset survey, data from the SIA studies, and data from the census for areas where the households affected by asset loss are located.

The 2015 survey of the livelihoods assets within the acquired identified assets belonging to 36 individuals, 2 corporate bodies (i.e., the Anglican Church of Melanesia, and GPPOL), and assets held in common among residents of particular villages. Table 6.4 show the residences of persons likely to be affected by the corridor development as known in late 2015. In 2016 the southern end of this corridor was resurveyed and realigned to avoid several structures which had been constructed by local people in 2013-14.

For the Tina infrastructure corridor, 22 of the affected people and their households live within the project neighbourhood (CEA 62010), described above. 12 of the remaining affected people and their households live in villages within in CEA 62006 at the northern end of Black Post Road.

In 2009 the total population of CEA 62006 (which contains the affected villages) was 535, in 93 households. The corridor development could therefore affect about 12% of the households of CEA 62006.

Figure 6-6 Residences of owners of individual assets in the Tina infrastructure corridor (may change)

Locality	Residence	Identified owners of affected assets
Core Land neighbourhood	Managikiki /Verakuji	19
	Antioch/Valesala	3
Black Post Road north	Marava	1
	Horohotu 2	1
	Koloula	1
	Konga	1
	Grasshill	2
	Camp	1
	Hailalua	1
	Vera'ade	4
	Verabongi	1
	Not known	3
	<b>Total</b>	<b>38</b>
Corporates		2

As well as residence (as above), the livelihoods asset survey for the Core Land and Tina Infrastructure Corridor recorded the sex, age welfare status, and tribal affiliation of each of the identified asset owners. Seven (20%) of the 36 affected owners are female and 29 male (80%). The majority of the owners (48%) are middle aged, 30% are in the child rearing age group, and 17% are seniors (aged 65 and over). Two of the female owners are elderly widows, and one of the males is described as 'elderly'.

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## 6.5 ETHNICITY OF THE PAPS

The available census data shows that the population of Malango Ward is 95.4% Melanesian Solomon Islander (SI). This compares with 97.8 % Melanesian SI in the adjacent West Ghaobata Ward and 98.5% for the whole of Guadalcanal Province.

As far as can be ascertained, all of the households being affected by the TRHDP land acquisition are Teha/Malango -speaking members of the tribes of the first peoples of the region who make up the vast majority of the population of Bahomea.

The ESIA notes that groups of Weather Coast 'settlers' are residing legitimately in the Bahomea area under customary agreements with the land owning tribes and their chiefs. They have been granted rights to use local land for residences and gardens, but primary ownership is retained by the customary landowning tribe. Some have married into local families. As far as can be ascertained, no 'formal' settler household's livelihood assets will be affected by the development of the Tina infrastructure corridor.

Since the 1970s there has been unsanctioned and non-legal occupation of customary land and abandoned government land by indigenous people from elsewhere in Solomon Islands who came to Guadalcanal to work. These people were forced to move elsewhere during the ethnic tensions, but from the mid-late 2000s there has been a growth in informal non-legal occupation of land ('squatting') in Malango Ward. Survey work conducted has found that no livelihoods assets of 'informal settler' households will be affected by the acquisition of the Northern Infrastructure Corridor. However, the survey found that there are a number of such households in census EA 62004 (west of Black Post Road) that might be affected by the development of a Lungga Transmission corridor should this route be selected.

Planning for the Lungga corridor development, including preparation of an ESIA and livelihoods restoration plan, will be undertaken as a separate exercise according to the *WB Performance Standards for Projects Supported by the Private Sector*. A framework for assessing and managing the livelihoods impacts of the Lungga Transmission corridor has been provided in Chapter 11.

## 6.6 MARITAL STATUS

In 2009 there were 151 males and 135 females aged 15 and over in the Core Land neighbourhood. Just under two thirds were legally married or married according to local custom (60% of males and 67% of females). In the neighbourhood of the Lower Infrastructure Corridor a higher proportion of males and females aged 15 and over were married (respectively 61% and 65%). While not sufficiently different from each other, both areas show a higher rate of marriage compared with the national population (58% for males and 62% for females). Most marriages nowadays are legal rather than customary.

The Core Land neighbourhood had a higher proportion of widowed people than the Infrastructure Corridor neighbourhood, with widows outnumbering widowers by at least 4 to 1 in both areas. Both areas also had higher proportions of widowed people compared with the rest of the nation. There is no information to suggest these widows were more socio-

economically disadvantaged compared with the rest of the community since they tend to be living with their families rather than alone.

Rates of marriage breakdown were low compared with the rest of the nation. In 2009, approximately 5% of the adults nationally were separated or divorced. In the Core Land neighbourhood females were more likely than males to be separated or divorced (4% vs 1%), but there was no difference between males and females in the Infrastructure Corridor neighbourhood.

## 6.7 EDUCATIONAL STATUS OF THE PAPS

Education and knowledge is a form of human capital, and educational attainment is an indicator of the level of its development. In the two key CEAS, as elsewhere in Guadalcanal, educational achievement through formal schooling is low, and very few people have completed high school. There is almost a complete lack of achievement in vocational education among males and females, which, together with low numbers who have had high school education (table 6.5), suggests that local people could struggle to be recruited to work on the TRHDP construction, other than in unskilled roles. A comparatively very low level of achievement among females aged 15 and over is evident in both CEAs, and this may be a legacy effect from older generations and times when schooling was less accessible in the hinterland, especially for young women.

Figure 6-7 Educational achievement in the project affected communities

	Males aged 15 and over			Females aged 15 and over		
	completed primary	completed secondary forms 5 -7	vocational certificate	completed primary	completed secondary forms 5 -7	vocational certificate
Tina Infrastructure Corridor neighbourhood (CEA 62006)	31.0%	7.0%	0.0%	26.0%	3.4%	0.0%
Core Land neighbourhood (CEA 62010)	21.2%	6.6%	2.0%	12.6%	0.0%	0.0%

However, data from 2009 suggests that achievement among both males and females is likely to improve considerably in the next generation, especially among those living closer to secondary schools. For example, at the time of the 2009 census, in the neighbourhood of the Northern Infrastructure Corridor 82% of both males and females of secondary school age were attending full time and only 10% had not been to secondary school. In contrast, in the Core Land neighbourhood two thirds of males and females of secondary school age had not attended secondary school, and only a third were attending full time. The reasons for nonattendance include insufficient funds for school fees, lack of transport, lack of incentives and social expectation. Both the owners and users of the Core Land are therefore educationally disadvantaged, with adult females more disadvantaged than men.

Future economic development of the TRHDP host community therefore needs to include projects to improve access to secondary and post-secondary education. The creation of

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educational trust funds for the members of the Core Land Tribes aged under 18 is one measure targeted to address this (Chapter 5).

## **6.8 DISABILITIES**

Human health and wellbeing is another form of human capital. The Solomon Islands' census of 2009 collected data on the incidence of various forms of limitation in basic human functioning among local (CEA) populations, including ability to walk, see and hear. Functioning for each person enumerated was recorded as “no difficulty”, “some difficulty” or “cannot perform the task”.

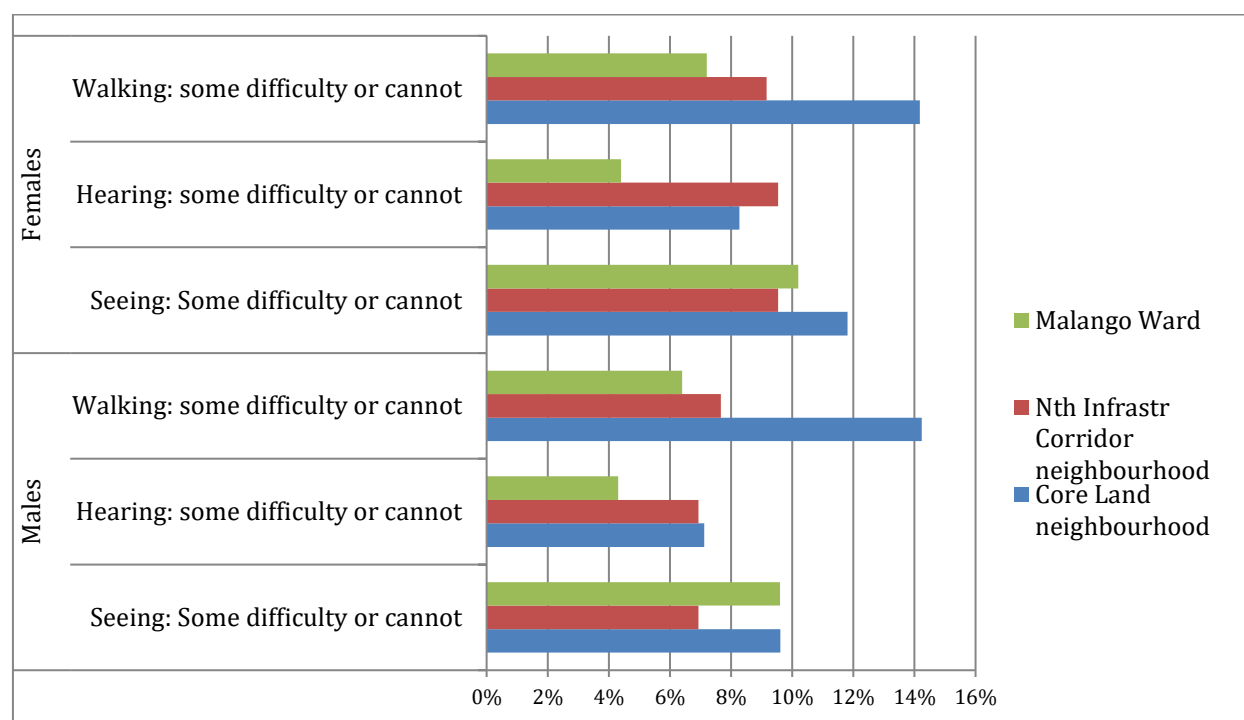
In rural areas such as Bahomea, being able to walk is essential for accessing services and making a living. Especially in this area, ability to walk considerable distances over uneven and steep terrain, and ability to see well, are essential for being able to garden, hunt and gather wild foods and to gather bush materials.

In the Core Land neighbourhood, 14% (24 people) of the population were recorded as having difficulty walking (figure 6.3), with the rate of disability being the same among males and females. Only 1 person was recorded as not able to walk. The rate of walking impairment in this area was higher than in the Infrastructure Corridor neighbourhood and the whole of Malango Ward, and does not appear to be directly correlated with the proportion of elderly.

Visual impairment is the next most common disability, affecting 8% (44 persons – 1 person severely) in the Core Land neighbourhood and 12% (41 persons – 2 significantly) in the infrastructure corridor neighbourhood. Hearing impairment also affected a similar number of people (respectively 44 and 41 persons – 1 being significantly affected in the Core Land neighbourhood, and 2 in the infrastructure corridor neighbourhood).



Figure 6-8 Incidence of impairment or disability or in the Project Affected Communities\*



\* Source: 2009 Census

## 6.9 HOUSEHOLD COMPOSITION

While not reported directly, it appears that many households in Bahomea consist of extended families, eg., parents, offspring and their partners, grandchildren, and sometimes the siblings of the parents. This is not unexpected given Solomon Islanders' cultural obligations to family and *wontoks*. The extended family household is also the main source of social capital in communities. In the Core Land neighbourhood, for example, 51% of the population were children of the head of the household in which they were living, 8% were grandchildren, 3% were siblings<sup>30</sup>, and 6% were related to the head in some other way.

Households in Bahomea are typically headed by married men. For example, only 8 (9%) households of the Core Land neighbourhood were headed by females, and while there were other household members, none of these women had a male partner. In the households of the Northern Infrastructure Corridor Neighbourhood, 10 (11%) were headed by females, and 7 of them did not have a male partner. In contrast, almost all of the male-heads of households in both areas had female partners.

<sup>30</sup> Adult sisters may live in the same household, likewise adult brothers, but custom prohibits adult brothers and sisters living in close proximity.



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## 6.10 ECONOMY AND LIVELIHOODS OF THE PAPs AND COMMUNITIES

### 6.10.1 Livelihoods

A livelihood is *“the capabilities, assets (including both material and social resources) and activities required for a means of living”* (DFID Sustainable Livelihoods Framework<sup>31</sup> (SLF)). The SLF provides a way of conceptualising and describing livelihoods. In short, households utilize the assets available to them (i.e., natural, social, human, physical, and financial capital) to achieve their particular livelihoods goals, but access to these assets and the achievement of their goals is conditioned by the particular physical, economic and institutional, social and cultural context in which people find themselves – which can be supportive or otherwise. Thus, livelihoods are considered adaptive and dynamic.

A livelihood is considered sustainable when it can cope with and recover from stresses and shocks and maintain or enhance its capabilities and assets in the present and in the future, while not undermining the natural resource base. The key elements of the SLF are used in the discussion that follows on livelihoods of those affected by the acquisition of land for the Project.

### 6.10.2 Livelihoods goals and strategies

The Tina Hydro ESIA notes that the main livelihood goals of the people and households of Bahomea are daily food security, obtaining cash to acquire necessary goods and services for their families, and protection of the family from a range of environmental and other risks.

Households of Bahomea tend to use a range of strategies involving different activities at different times to achieve a livelihood, including:

- traditional small-scale, slash-and burn shifting agriculture which is focused on growing staple vegetables and fruits for subsistence, combined with gathering wild foods (e.g. plants, nuts, fruits), and very occasional hunting and fishing;
- cash-generating activities to enable purchase of foods (such as rice, canned fish, and market vegetables) and shop goods, and to meet community obligations and pay for school fees and other household needs. Such activities typical include one or several of the following:
- household-scale cash crop production, with the produce typically sold in the markets in Honiara;
  - chainsaw-based small-scale timber milling on customary owned land for the local and Honiara markets;
  - local day labouring;
  - full or part time employment with a government agency or large company – typically the Gold Ridge Mining Company (GRMC) before its closure, GPPOL, Earthmovers

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<sup>31</sup> UK Department for International Development, 2000. : Sustainable livelihoods guidance sheets.

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Logging Company, a local market gardening enterprise, and the Tina River Hydro project;

- home-based business, such as home baking, handicrafts, a canteen selling small items, or vehicle hire etc.
- ‘windfall’ occasional income from the sale of harvesting rights to commercial logging companies, and royalties from gold mining, gravel extractions, and more recently, payments from the SIG and TRHDP. These are basically short-term “windfall” cash payments made to and distributed by tribal trustees.

The most important convertible natural asset for local communities is the commercially valuable timber in the natural forests, which are periodically exploited by the customary landowners working in partnership with logging companies. Such logging is continuing in Bahomea in 2016.

The range of local livelihoods activities is described in the ESIA. However, the importance and quantum of each activity in each affected household is not known, and now unlikely to be able to be accurately determined since there is a high level of project awareness among local householders, and an evident sensitisation to opportunities for making compensation claims in relation to the Project.

At a community-level scale, data on household sources of income and economic activities is available from the 2009 Census for CEAs and for Malango Ward. Data from the SIA household survey and observations in the affected communities provide additional insight into local livelihoods.

### **6.10.3 Subsistence activities of PAPs**

#### **6.10.3.1 Food production**

Subsistence activities underpin the livelihoods of the PAPs including the Core Land and corridor land users, and support the primary goal of food security. For example, the 2009 Census data show that almost every household in the Core Land Neighbourhood and the Infrastructure Corridor Neighbourhood grows food for home consumption (table 6.6).

Only a minority of households in Malango keep poultry and/or pigs, though in the Core Land Neighbourhood, where pigs are typically used for customary exchange, ceremonial feasting, and an occasional source of protein, pig raising is relatively common.

#### **6.10.3.2 Fishing**

The 2009 census data on fishing (table 6.4) show that only 31% of households in the Core Land Neighbourhood ever caught fish or shellfish for their own consumption, and they only went fishing monthly or less often. The data also indicate that in this neighbourhood fishing is confined to fresh water. It further suggests that the Tina and other local rivers are not a regular source of food for the community, though 15% of households, especially those located beside the river, go fishing at least weekly. This is in line with the findings on nutrition from the household survey in the villages of the Core Land neighbourhood (which was carried out over the course of a week during a period of settled weather). It found that 25%

of those surveyed had consumed fresh fish, eel, or crustaceans within the previous 24 hours.

In contrast, those living in the Tina infrastructure corridor neighbourhood are more than twice as likely to catch or buy fish, and nearly three quarters of households do some fishing. The data suggest that this is mainly freshwater fishing but includes some salt water fishing, possibly in the vicinity of the Ngalingbiu River or other river estuaries. Clearly fishing is more important to households in this area, though it is not likely to be disturbed by the SIG's acquisition and use of land for the project. Interestingly, the nutrition data from the SIA household survey in 2013 showed that none of the surveyed village households in the Infrastructure Corridor neighbourhood had eaten fresh fish in the previous 24 hours but 22% had eaten pork as left-overs from a community feast event

Figure 6-9 Common agricultural activities in the project-affected communities\*

<b>Household livelihoods – agriculture</b>	<b>Core land neighbourhood (CEA 62010) % of households (n=86)</b>	<b>Nth corridor neighbourhood (CEA 62006) % of households (n=93)</b>
Growing food for subsistence only	59.3	17.2
Growing food for subsistence & sale	39.5	75.3
Not growing food	1.2	2.2
Keeping poultry	18.6	21.5
Keeping pigs	46.5	9.7
Growing vegetables as a cash crop	52.3	76.3
Growing cocoa as cash crop	16.3	15.1
Growing timber as a cash crop	15.1	0%
Growing betel nut as cash crop	34.9	9.7
Growing tobacco as cash crop	10.5	0
Growing flowers as a cash crop	0	6.5
Growing coconut or copra as cash crop	0	22.6
Growing other cash crops	18.6	0
Not growing cash crops	4.7	7.5%

\*source: 2009 census

Figure 6-10 Household fishing in the project-affected communities\*

<b>Household livelihoods – fishing</b>	<b>Core land neighbourhood (CEA 62010) % of households (n=86)</b>	<b>Nth corridor neighbourhood (CEA 62006) % of households (n=93)</b>
Fishing - subsistence only	29.1	78.5
Fishing – subsistence & sale	0	2.2
Catching or buying freshwater fish	31.4	72.0
Catch fish/shellfish for own consumption more than once /week	5.8	9.7

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Catch fish/shellfish for own consumption once /week	9.3	29.0
Catch fish/shellfish for own consumption once/ month	14.0	11.8
Catch fish/shellfish for own consumption less than once/month	2.3	24.7
Catch fish/shellfish for own consumption – never	68.6	24.7

*\*source: 2009 census*

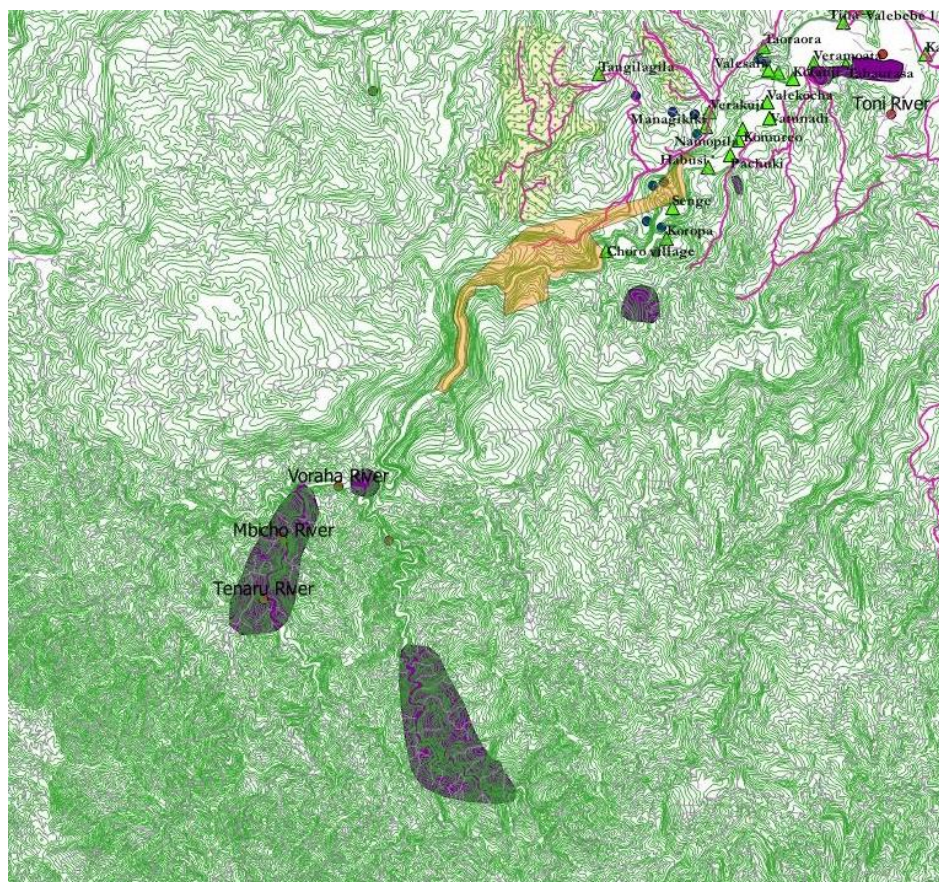
River fishing by people in the Bahomea area, and especially the residents of the Core Land neighbourhood, is focused on the river holes and pools in the upper catchment, especially upstream of Choro (some of which may be lost to the hydro reservoir) and around the confluence of the Mbicho and Mbeambea Rivers (see figure 6.4). The main mode of fishing is by spearfishing with mask, snorkel and spear gun, and is sometimes carried out at night.

### **6.10.3.3 Hunting**

People in the villages of the Core Land neighbourhood – in the direct impact area as described in the ESIA – hunt mainly in the uppermost parts of the Tina River catchment, upstream of Choro, and especially around the original tribal areas on the northern slopes of Mt. Popomanaseu. Hunting mostly takes place as “expeditions” lasting several days to a week and is mainly focused on wild pigs. Such hunting parties may pass through and hunt in the Core Area, though commonly they base themselves at a shelter at the confluence of the Mbicho and Mbeambea Rivers, and hunt in the forests well beyond the Core Area.

Residents of the Tina and the Haimane/Vuramali cluster of villages downstream of the junction of the Tina and Toni rivers tend to hunt in the Toni River Catchment, and local forested areas.

Figure 6-11 Approximate locations of the main areas used for hunting and fishing expeditions



Pig hunting is done by able bodied young men with dogs, and is mostly carried out to raise funds for church and other events, and when people “feel like a feed of wild meat”. The precise number of households involved in hunting is not known, but the number is potentially quite limited: SIA studies found that 3% of households in the Core Land neighbourhood and none in the Tina infrastructure corridor neighbourhood had eaten game meat (i.e. wild pork) in the previous 24 hours. It appears that wild game hunting is not a key feature of the livelihoods of local communities, though it may have some role in the livelihoods of particular households.

#### 6.10.4 Cash generating activities

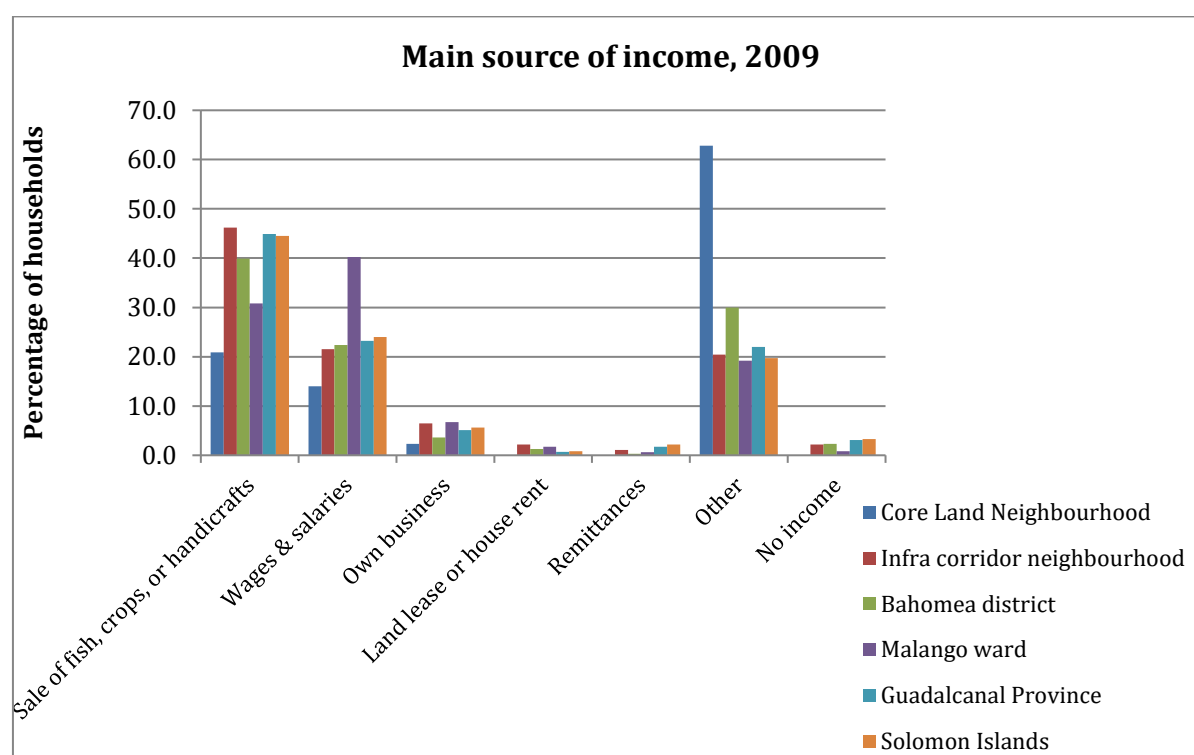
Livelihoods of households in the Core Land neighbourhood and the wider Bahomea district are becoming diversified as reliable motorised transport and mobile phones become more available. For example, increasing availability of public transport has brought regular contact with Honiara and more participation in the cash economy. In 2009 in the Core Land neighbourhood approximately 14% of households, and a quarter of households in Bahomea district, relied on waged employment (in the mining or logging industries, or other work outside the home district) as their main source of income (figure 6.5).

However, the most important source of income among those in the Core Land neighbourhood was “other source”, which includes royalties from commercial logging and gold mining (Gold Ridge), and income from small-scale sawmilling. The closure of Gold

Ridge will have impacted on employment rates in mining. The SIA studies in 2013 did not identify any landowner-based small-scale sawmilling taking place in the Core Area, and none was found in the asset survey in 2015. The section of the Tina river from above Koropa to Habusi and Pachuki is used by the small-scale sawmillers to float rafts of timber from harvesting sites to pickup points downstream. The sawn timber is used by the millers for their own housing, is sold directly to builders, sold directly through the market or to timber merchants. The importance of this activity is described in the ESIA. The main effect of the TRHDP on the small scale timber millers would be to require them to schedule their timber rafting according to the future modified flow regime, i.e., when water was being spilled from the hydro dam. This would not affect the size of the millers' incomes, but may affect its timing.

In 2009, almost all households of the project-affected communities were producing and selling produce, mainly in the Honiara Central Market. This is possible due to having access to transport and passable roads; 95% of Core Land neighbourhood households are involved in selling food that they grow (table 6.3). The most commonly produced cash crops among the Core Land neighbourhood households are vegetables, fruits, and betel nuts – for which the Bahomea district is renowned.

Figure 6-12



Up until 2014, a resident of Senge village<sup>32</sup> was running a small ecotourism business. It relied on having access to the nearby forest and the pools of the Tina River and use of the foot track from Managikiki to Senge. This operation has not recommenced.

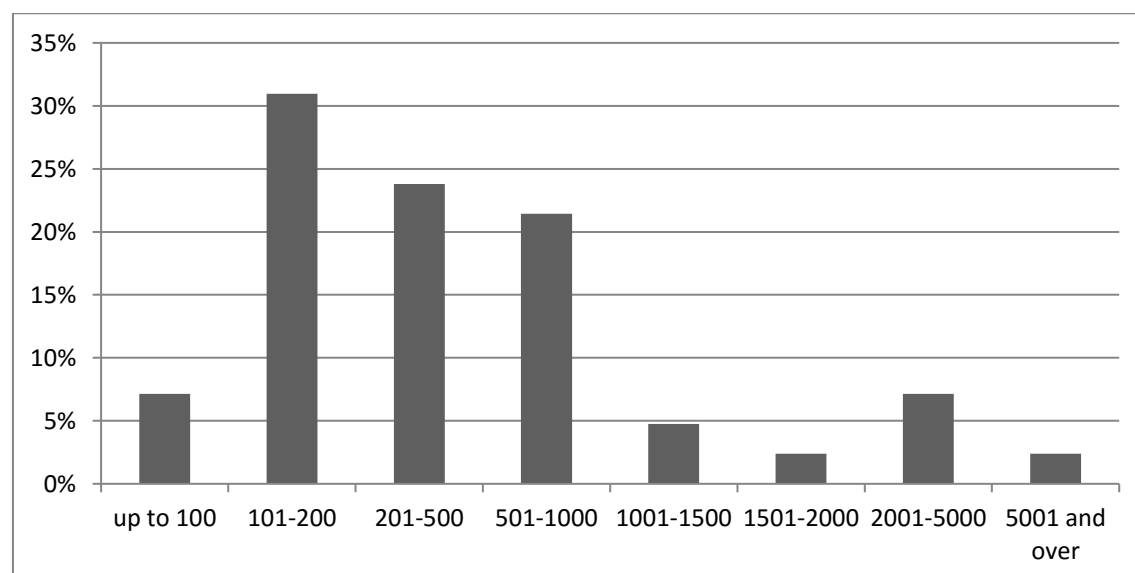
### 6.10.5 Cash incomes

The reports of the 2009 census contain no information on average household incomes for Malango Ward or its CEAs. Some data is available from the 2012-13 National Household Income and Expenditure Survey (HIES) and from the household survey conducted as part of the SIA studies.

The HEIS calculated that the average annual household income for Guadalcanal was SBD\$ 58,556, or \$1,126 per week. However there was a considerable range of incomes, hence the median income was SBD \$36,796, or \$707 per week. By comparison, the survey of householders in the local communities found that the average cash income for local households was slightly lower than the provincial average, that is, approximately SBD\$ 875<sup>33</sup> per week, and the median income was SBD\$ 500. As with Guadalcanal province as a whole, the range of weekly cash incomes in 2013 was (Figure 8-8) very wide, ranging from SBD\$ 100 to SBD\$ 6000.

In addition to income generating activities of various kinds, some members of the communities of the project area receive periodic payments from logging on customary land, and until recently, from Gold mining royalties. Such payments tend to be treated as windfall income and used to purchase major items.

Figure 6.6 Weekly cash incomes in Solomon Islands Dollars (SBD) for the sampled households in the study area



National data from the 2012-13 HIES indicates that average annual household expenditure in in Guadalcanal households was SBD\$58,339 for an average household of 5.3 persons,

<sup>32</sup> Since deceased.

<sup>33</sup> Approximately \$121 US.



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giving an average per capita expenditure of SBD 10,910; 91% was consumption expenditure, of which food and non-alcoholic drink made up 45%, housing 18%, transport 11 %, and alcohol and tobacco 10%. No data on local household expenditure were collected in the social survey.

#### **6.10.6 Access to land**

Access to land is crucial for subsistence and cash crop horticulture in the project-affected communities. 2009 Census data show that 57% of households in the Core Land neighbourhood were owners of the land they used, while 43% were “leasing land” under a customary or private arrangement. Looking at the Bahomea district, a similar proportion (of the 353 households) were freehold owners, 45% were customary leasing, and 10% (or 35 households) were leasing from the government.

The owners of the livelihood assets on land within the Core Land include 9 individuals who are known to be landowners of the customary land, and 4 individuals with rights to use customary land. Of the 30 identified owners of assets on the Infrastructure Corridor, including at the southern end of the corridor, 9 are Core Land owners, 11 are members of other Malango tribes, and 6 are members the Sarahi tribe - which is not one of the listed Malango tribes.

All households that are legitimate residents of Bahomea have access to land as of right, or if not customary owners, are allocated an area of land by the village chief on which to grow food. This applies, for example, to clergy and teachers who come and live in the area from elsewhere. The asset survey showed that no squatters/informal settlers (who do not have rights of access to customary land) will be affected by the TRHDP land acquisition and use, including the Infrastructure Corridor. Some squatters on registered land may be affected by the creation of the Lungga Transmission Corridor, though that will depend on the route chosen.

#### **6.10.7 Diets and utilisation of natural assets**

While participants in the community workshops claimed to use a wide range of natural food resources, including fresh fish and wild game, (Appendix B), their use was not especially evident in people’s diets as recorded in the household 24 hour meal recall survey. The survey shows that households largely rely on shop-bought imported rice supplemented by fresh garden produce from their own gardens and the market. Canned tuna (“taiyo”) is the main source of protein for local households, and wild animal protein is not a regular or significant part of their diets. This is consistent with the census data.

Despite local peoples’ knowledge of the fish and animal species in the Tina and Ngalmibiu catchment and wider district, from a livelihoods point of view hunting is a minor activity and essentially limited to periodic trips by youths and younger adults into the hinterland upstream of the Core Land including the future dam reservoir. As noted above, these trips are often associated with getting wild pork for community events. The wide range of edible wild green leafed plants & ferns (“cabbage”), fruits, and nuts claimed to be harvested by local people in the adjacent forests and river beds are not especially evident in their diets.



The wild food and game species available from the forests, streams and wetlands also have a role as 'stocks' that can be drawn on when money for shop food is tight, when cash is required, and in emergencies (e.g. climatic shocks, garden crop loss etc.). No accurate assessment of such use has been done or indeed seems possible in the wake of the announcements of the acquisition of the Core Land and other land.

Arrangements are proposed between the TCLC and the developer/operator to allow hunting and fishing on the forests of the Core Land and upstream of the hydro reservoir to continue in the future once construction activities are completed.

### 6.10.8 Shelter

The dependence on forest materials for construction of houses and other buildings is evident in the project-affected villages, and is recorded in the census.

In 2009, within the Core Land neighbourhood, 67 of the 86 households (78%) had dwellings with traditional sago palm thatch roofs, 30 (35%) had walls made of plaited bush materials and the remaining 53 had wooden walls, mostly consisting of planks produced locally by chainsaw-based millers who may be the home owners themselves.

Sago palm leaves and bamboos are sourced from trees located close to villages, and these trees may be individually owned. Posts and poles are taken from accessible forest areas (that is, within a few hours walk, including the Core Land). Sawn timber is purchased from logging companies and/or local small-scale sawmillers.

Traditional houses have a limited life and need to be replaced or repaired periodically. Local community members reported the working life of various components of a local traditional house as follows:

- thatched roof - 5-10 years depending on the quality;
- woven bamboo or rattan walls - up to 20 years;
- wood planked walls – up to 20 years;
- loya cane for lashing – 8-10 years;
- split cane/bamboo flooring - up to 8 years;
- hard timber wood flooring – up to 20 years;
- framing – hard wood posts and rafters etc. – up to 20 years.

In addition to having access to their own resources, local people are able to obtain materials from neighbours and from merchants and markets located in Honiara.

Figure 6-13 Local use of traditional materials & wood for dwellings and fuel

Household use of local resources for housing & fuel	Project neighbourhood - % of households (n=86)	Bahomea district (5 EAs) % of households (n=353)
Walls - mainly traditional materials (rattan, leaf)	34.9	37.4
Walls – mainly wood	61.6	60.1
Floors – mainly traditional materials (earth/stone)	54.7	19.3

Floors – mainly wood	44.2	76.5
Roof – mainly traditional materials (palm thatch)	77.9	72.8
Cooking energy – mainly wood or coconut husk	100.0	99.2

Source: 2009 Census of population and households

### 6.10.9 Household energy

All local households make use of wood and/or coconut husks for cooking (Table 6.5). Wood fires are also used for heating. In the project area, this material is typically sourced from the adjacent forest margins, garden clearing slash, waste from logging operations and small-scale sawmilling. Some may purchase firewood from neighbours or merchants located in the various markets in Honiara. In November 2015 a 25 kg bundle of wood, considered enough for 3 to 4 days cooking, cost SBD20.

Using 1999 census data, SPREP estimated the national household wood and coconut husk consumption at 311 million kg (311,000 tonnes) per annum. This equates to an average of 512 kg per annum per wood-using household, or approximately 42.5 tonnes for the households of the Core Land neighbourhood. At today's prices, the average annual firewood bill for a household would be in the order of SB\$410 if bought in the market.

## 6.11 VULNERABLE HOUSEHOLDS

The IFC advises that vulnerable or at-risk groups include *“people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more diversely affected by displacement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.”*

In the context of Solomon Islands, those who might be especially vulnerable to experiencing negative livelihoods outcomes due to compulsory land acquisition could include:

- any household that is dependent on products from the acquired land as its main source of income and which will lose a significant proportion of those assets;
- disabled persons, especially those reliant on easily accessible gardens, produce and materials that are located on the acquired land;
- the elderly owners of affected assets, especially those living alone;
- women-headed households without adult males that lose livelihoods assets;
- households without ownership or access rights to local land who lose assets in the infrastructure corridor.

As part of LALRP implementation, data on the vulnerability of affected households should be gathered and additional assistance provided where required. Additional assistance could include, for example, improved access to health care, assistance with subsistence food production, improvements to housing and household amenity, and assistance with establishing alternative income sources.

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No affected households have yet been identified as ‘poor’, however, this will need to be reviewed and confirmed through a survey of vulnerable persons to be undertaken as set out in Chapter 8.

It is difficult to define ‘poor’ in the context of the affected communities. There is no national minimum standard provided for Solomon Islands. The HEIS calculated that average incomes for local households in the project area was slightly lower than the provincial average (\$875 compared to \$1126). However, as discussed in section 6.10.4, the most important source of income among those in the Core Land neighbourhood was “other source”, which includes periodic or ‘windfall’ payments such as royalties from commercial logging and gold mining (Gold Ridge), and income from small-scale sawmilling. These windfall payments make determining an ‘average’ income for a household more difficult. One reference for a national standard that could be applied is the minimum wage for Solomon Islands, currently set at SBD \$4 per hour,<sup>34</sup> equating to an average full time gross weekly wage of \$160 SBD. The Monitoring and Evaluation Specialist will assist the PO to determine the appropriate baseline data to be collected to inform a definition of ‘poor’ and the appropriate minimum standards to be applied to the identification of ‘poor’ persons.

In Solomon Islands societies, as in local society and communities, females are comparatively more disadvantaged in that they:

- have shorter lifespans than their male counterparts,
- have poorer nutritional status,
- have lower levels of educational attainment
- have lower personal incomes,
- often do not feel safe in their own communities, and
- do most of the household’s domestic manual work.

The gender division of labour for local communities, including the Core Land neighbourhood, was documented in the household survey in 2013. It shows, as did previous surveys in the 1990s, that woman and girls are largely (and sometimes solely) responsible for the household and family maintenance activities, livestock care, planting and cultivating food gardens, harvesting crops, marketing, purchasing of supplies, and care of household finances. However, they do not yet have a significant role in land-related decision making, even though inheritance is matrilineal.

Women themselves report that senior men typically take control as trustees over rent & royalty money paid to the land owners by logging companies and mining companies, and then spend a significant proportion of it on drinking, gambling and their own advancement. The same happens with the share of money that is distributed to the members of the tribe. So despite the matrilineal system of inheritance, patriarchy has become increasingly the norm in traditional communities that become involved in commercial resources exploitation.

Targeted mechanisms to address this issue in relation to the payment of compensation to the Core Land Tribes are set out in Chapter 5.

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34 Labour Act s31, see Minimum Wage Order, Legal Notice No.31, Gazetted 23 April 2008

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With respect to individually owned livelihood assets, the survey found that 28 (78%) of the asset owners are males and 8 (22%) are females, including widows who have gardens located close to their homes. Given that females do most of the work associated with gardens, the asset “ownership” may reflect the tendency for women to move to their husband’s village after marriage.

Based on the asset survey, no persons with significant disabilities are known to be losing personal or household livelihoods assets. However, 2 of the 36 PAPs are noted as being elderly and potentially more vulnerable to a disruption in their livelihoods.

Recognising the comparative disadvantage of women, the PO put in place measures to ensure that, for this project, each individual Core Land owner receives his or her share of the SIG’s compensation payment for the Core Land, and has an inalienable share of the Core Land owning company which will receive rent for the use of the land by the project. These include a full register of individual tribal members, individual bank accounts, and individual shareholdings. The PO has also required each of the Core Land owning tribes to include women in the signing of the process agreement for acquisition of the land, which was accompanied with a payment from the SIG, and to include women in its corporate governance structure.

As far as can be ascertained in the asset survey and community consultations, no ethnic minorities or households without ownership or access rights to local land will be affected by loss of livelihoods assets due to the land acquisition for the TRHDP (see section 6.5).

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## 7 IMPACTS OF THE PROJECT ON LIVELIHOODS

### 7.1 THE MAIN EFFECTS

The principal effects of the land acquisition for the Project will be:

- 1) the loss of future income by customary land owning tribes due to their loss of ability to harvest commercially valuable timber trees on the Core Land;
- 2) a reduction in the stock of planted and wild foods, other non-timber forest products, and food gardens located on the Core Land and in the Tina infrastructure corridor where land disturbance and construction take place;
- 3) a temporary loss of access to the Core Land for hunting, fishing, gathering, and harvesting of materials for medicinal, construction and other uses;
- 4) the loss of physical assets, such as roadside market stands and pathways, and livestock pens that need to be removed to make way for construction in the Infrastructure Corridor.

No homes will be required to be removed or resited for the Project.

### 7.2 LOSS OF COMMERCIALY-VALUABLE FOREST

429ha of customarily owned land was acquired as “Core Land” in order to build and operate the Project. This Core Land was owned by 5 tribes of Malango people, with a total registered membership of 777. The land will be transferred to joint ownership between the original owners and the SIG in 2017. The owning tribes are

- Roha tribe: 168 members
- Buhu Garo tribe: 65 members
- Kochiabolo tribe: 109 members
- Uluna-Sutahuri tribe: 435 members
- Viurulingi tribe: 4 members

The Core Land was independently surveyed as part of the government’s compulsory acquisition process, and found to contain 172ha of ‘natural forest area’ which held 24,768m<sup>3</sup> of commercial timber (Sirikolo, 2015). The value of this forest resource, at 2015 market rates, was SBD\$28,111,581 which would yield net payments for the owners of up to SBD\$5,186,400 - divided according to the share of the forest on each tribe’s land. The value of the expected income from the exploitation of the commercial timber resource was included in the compensation offer made by the SIG to the customary owners. None of the five land owning tribes appealed the amount of compensation offered. This process is discussed in Chapter Five.

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## 7.3 LOSS OF NON-TIMBER FOREST RESOURCES

### 7.3.1 Core land assets

Loss of planted and wild foods, non-timber forest products, and food gardens on the Core Land and Infrastructure Corridor has implications for households that exercise their customary rights to harvest wild foods in common ownership. These include bananas, fruits, ngali nuts, and fern greens for home consumption and sale. However, most commercially valuable food trees on the Core Land and in the Infrastructure Corridor are “owned” by particular individuals and households.

As outlined above, the main users of the Core Land (including the Southern Infrastructure Corridor) reside in the “Core Land Neighbourhood”. Section 6.2 describes that there are over 600 people living in this area, of whom approximately 255 are customary land owners and 274 are members of other Malango tribes.

Almost every household in this neighbourhood produces food for home consumption but only one household has a food garden within that part of the Core Land south of the Infrastructure Corridor. While their main source of cash income is from “other sources”, such as small scale saw milling and royalties, almost all households earn money from selling produce (most commonly vegetables and betel nuts, some of which come from the Core Land). Note that collecting wild foods and bush materials, like hunting, is carried out over a much greater area of Tina River Catchment than just the Core Land.

Table 7.1 summarises the productive assets identified in the survey of the Core Land, and Table 7.2 shows the tribal affiliation of the owners of those assets. Two thirds of the assets belong to customary land owners and their households, and about one fifth are in common ownership. The balance of the recorded assets belongs to members of other Malango tribes.

Figure 7-1 Productive livelihood assets identified in the Core Land

Row Labels	number	Plants/items
Banana Patches	33	255
Fruit and Nut patches	32	113
Garden patches	1	*
Planted Commercial Tree groups	1	2
Sago Palm patches	0	
<b>Total</b>	<b>67</b>	

\* incomplete count

Figure 7-2 Core Land assets by tribal affiliation of owner

Tribe of asset owner	Banana Patch	Fruit or nut tree patch	Food Garden patch	Planted Commercial Tree patch
Roha	5	1		
Kochiabolo	17	11	1	

Sutahuri	5	2		
Chacha	1			
Kaipalipali	2	5		1
Koenihao	1			
Common	1	13		
Not known	1			
Total	33	32	1	1

The alignment of the site access roads within the Core Land is not yet known. It is therefore not known which specific assets will be damaged or removed for the project. Because much of the area will remain undisturbed by the construction, many of the assets will continue to exist and in theory could be available to the owner through proposed access arrangements during operations, although access to these assets will be restricted during the 3 year construction period. The owners therefore will lose, at a minimum, 3 years' worth of production. At worst, they will lose all of the crops that may have been produced for the remaining life of the asset (e.g. nut tree). For the purposes of the implementation of this LALRP all planted livelihood assets within the Core Land will be treated as lost, irrespective of whether they will be disturbed by construction.

Temporary loss of access to the Core Land for hunting will reduce local people's ability to get wild pork and other game for community events that involve feasting. However, most hunting takes place across a much wider area and further into the mountains, so the reduction in the area available for hunting is likely to have only a minor and temporary effect on livelihoods. Also, construction activities may displace wild pigs into adjacent forest areas, as has occurred in the past with commercial logging.

While some households value and make use of the identified assets, the social assessment studies suggest that the Core Land is of minor importance in terms of most local households' day to day or subsistence needs.

### 7.3.2 Infrastructure Corridor assets

Table 7.3 lists the types of productive assets identified as lying in or immediately adjacent to the Infrastructure Corridor – which could be lost to their owners.

Figure 7-3 Productive livelihood assets in the Infrastructure Corridor

Row Labels	number	Plants/items
Banana Patches	10	197
Fruit and Nut patches	45	176
Garden patches	17	165*

Planted Commercial Tree groups	12	210*
Sago Palm patches	4	31
<b>Total</b>	<b>72</b>	

\* Incomplete count

Figure 7-4 Identified owners of livelihood assets in the Infrastructure Corridor (names removed for privacy)

Owner	Banana Patch	Fruit/nut Tree	Food Garden	Planted Commercial Tree	Sago Palm tree	Structure	Total
Common		1					1
Anglican COM		1					1
GPPOL				1			1
Person 1		1					1
Person2				1			1
Person 3			1				1
Person 4							
Person 5				3			3
Person 6		2					2
Person 7		3					3
Person 8							
Person 9							
Person 10							
Person11					1		1
Person 12		4				1	5
Person 13	1	2			1		4
Person 14	1		1				2
Person15		3				1	4
Person16		3	1				4
Person 17	3						3
Person18	2	1		2			5
Person 19		2					2
Person20		2					2
Person 21	1	5					6
Person 22		2					2
Person 23		5					5
Person24					1		1
Person25				3			3
Person26			1				1
Person27							
Person28	2	2	1		1		6
Person29			1	1			2
Person30		4					4
Person 31		2		1			3
<b>Grand Total</b>	<b>10</b>	<b>45</b>	<b>6</b>	<b>12</b>	<b>4</b>	<b>2</b>	<b>79</b>



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The asset survey also recorded the presence of 1 grave site, and 2 huts used as roadside stands for selling betelnut (see table 7.3). The sago palm is primarily used as thatch for traditional leaf houses.

Together, the loss of planted food crops and other natural capital, if not adequately replaced, could result in hardship and poorer nutrition for some households, and increase consumption of shop food such as rice, noodles, and canned fish – providing they have access to cash to pay for it.

The effects of the land acquisition for the Project will be mitigated by:

- the terms of the land lease between the future Core Land owners (the Tina Core Land Company) and the Special Purpose Vehicle owned by Korea Water and SIG) regarding community use of the Core Land and its resources during the operational period(e.g. for hunting, collecting, and transit); and
- the livelihoods protection and restoration arrangements put in place through this LALRP.

Arrangements for these are discussed in Chapter 8.

## **7.4 EFFECTS ON VULNERABLE PERSONS AND COMMUNITIES**

The World Bank advises that the poor and vulnerable can be more severely affected by involuntary resettlement and economic displacement than others. Vulnerable persons typically include the poor, the elderly, the handicapped, women, children, indigenous people, social minorities, and those without land rights. These various sections of the populations of the communities affected by the land acquisition have been described in Section 6.

The incidences of disabilities in 2009 among people in the communities where the Core Land users reside has been described in section 6.8. None of the assets owners in 2015 was recorded as having a handicap.

In 2009 there were 18 female-headed households in the two CEAs likely to be affected by project land acquisition, and 15 of them did not have a male partner. This could render them vulnerable through lack of inclusion in local decision making. The livelihood asset survey found that 7 females owned a total of (at least) 133 of the identified assets: 3 of these female owners are known to be aged 70 or over and 2 are known to be widows.

Based on the livelihood asset survey, the land acquisition and development for the project is unlikely to impact on any of the livelihoods assets of the informal settlers /squatters known to be living on the government land and abandoned plantations at the northern end of the project area. Also, providing the water supply stream near Marava that feeds Verakabikabi village is protected during the infrastructure corridor development work around Marava and Rate, there should be no negative effects on the 'formal' Weather Coast settler community.

Most households are poor by international standards. However, most are comparatively rich in terms of natural capital in the form of customary /collectively owned land and natural resources. The only data available on household incomes for the PAPs comes from the 2013 survey conducted as part of the SIA studies. It indicates that the average weekly cash income for the households of the Core Land neighbourhood was SBD\$1,400 (or

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approximately SBD\$70,000 per annum), and SDB\$1,164 (approximately SBD\$ 58,214 per annum) for the households in the northern part of the Infrastructure Corridor. On average, both areas have higher cash incomes than elsewhere in Guadalcanal. Not counting the value of subsistence production. From the evidence, it is not anticipated that any of the project affected households are likely to lose 10% or more of their cash or subsistence incomes due to loss of assets in the Core Land.

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## **8 LIVELIHOODS RESTORATION**

### **8.1 APPROACH TO LIVELIHOODS RESTORATION**

Livelihood restoration is not required under Solomon Islands laws but it is required by the World Bank, ADB and other potential donors. The aim here is to ensure that the livelihoods of people affected by the land acquisition for the Tina Hydro development are maintained at the same level, and preferably, improved – both in terms of sustainability and standard. The aim is also to ensure that the standard of living is improved for the poor and vulnerable.

The consideration of livelihoods restoration measures and entitlements outlined below has been guided by the findings of the social studies and consultations carried out as part of the project planning, along with the documented socio-economic and cultural circumstances of those likely to be affected by the project land acquisition. These have been developed as a set of principles that have been subject to discussion with affected landowners, PO officers, and other stakeholders. These principles are:

- do no harm to the livelihoods and property of local householders, and preferably improve their well-being;
- avoid disruption and damage to villages, homes and other structures;
- do not increase social and economic disadvantage and inequality;
- protect affected peoples' livelihoods where possible, and maintain access to livelihoods assets;
- protect essential infrastructure such as water supplies, village access points, schools, churches, and meeting places;
- if assets are taken and restoration is required, it should focus on existing sustainable livelihoods strategies and assets;
- improve the situation of women and other vulnerable persons;
- avoid substituting real livelihoods with cash compensation pay-outs;
- where cash compensation is provided to tribes and households, make sure female members receive a fair share, and the money is not wasted.

These principles, along with WB, ADB and Solomon Islands legal requirements, are embedded in the proposed livelihood restoration measures and entitlements described below.

### **8.2 LIVELIHOODS PROTECTION AND RESTORATION MECHANISMS**

As specified in the entitlements matrix below, a range of mechanisms and actions are proposed to protect and maintain the livelihoods of those potentially affected by the acquisition of the land for the Tina Hydro project. These are:

- Locate the project infrastructure and construction activities where they will do the least damage to people's livelihoods and property. The choice of dam and powerhouse sites and the proposed alignment of the infrastructure corridor (road and

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transmission lines) will, it is believed, avoid the need for resettlement of any households or their dwellings.

- Provide sufficient lead time for threatened assets and their owners to be clearly identified, and to enable owners to establish replacement assets and maximise returns from existing gardens etc.
- Replace lost assets within the acquired land with similar assets at the same or better standard to ensure continuity of current livelihoods. This will be achieved through provision of materials, seedlings, labour, and expertise.
- Employ able youth in the local communities to undertake reestablishment of garden, tree plantings etc. to provide them with employment experience and training.
- Provide incentives for owners of natural assets such as food gardens, fruit and nut trees, timber trees, and structures to re-establish these assets.
- For temporary or permanent loss of common property or shared livelihoods assets, the assets will be replaced where possible by the project or compensation will be paid into a collective fund to be used for community social and economic development and customary events.
- Provide funds and training programmes to enable especially disadvantaged and vulnerable owners and users of assets to improve their wellbeing and build more sustainable livelihoods.

### **8.3 IMPACTS AND COMPENSATION AND RESTORATION RESPONSES**

The following matrix Table 8.1 provides the programme for livelihoods restoration for those affected by the acquisition of land for the TRHDP. This intended to specify the intervention logic for livelihoods restoration, along with specific policies and actions.

Table 8.2 presents the proposed interventions for vulnerable persons and women potentially affected by the project land acquisition. The latter case, the focus is also on long term improvement in women's circumstances and addresses their underdevelopment in the communities associated with the Project.

The actions/interventions described on both tables are intended to protect, restore, and where possible improve the livelihoods of all persons and their households affected by the acquisition of land for the construction and operation of the project, with a particular emphasis on improving the livelihoods of vulnerable groups. The proposed actions are derived from:

- Legal requirements, especially the compensation offers from the Commissioner of Lands to the Core Land Owners
- Ideas and suggestions raised during community consultations by the PO and the ESIA team with communities and land owners
- Compensation and entitlement proposals from the Environmental and Social Impacts Management plan (2016)
- Suggestions and proposals from consultation meetings with the two main affected groups of villagers, that is – the Core Land Neighbourhood, and in the

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neighbourhood of the northern section of the proposed Infrastructure Corridor [Black Post Road].

The plan is organised according to the needs of particular affected parties, that is:

- The customary land owners;
- The owners of the assets on the Core Land;
- The users of the assets on the Core Land;
- The owners of assets on the Infrastructure Corridor land;
- The owners of registered land in the infrastructure corridor – not subject to involuntary resettlement;
- Vulnerable groups, including the poor, handicapped, elderly; and landless/outsideers;
- Women owners and users of affected livelihoods assets.

## 8.4 ASSET VALUES

The asset survey recorded the known livelihoods and cultural assets on the Core Land and the Infrastructure Corridor land. Recording included the GPS coordinates, photographic record, type of asset, a detailed description, quantities/counts (of trees, plants etc), and owner. This information as used to calculate the dollar value of each asset.

The PO has proposed that that for the purpose of calculating losses and compensation, assets be valued at market rates– which is in line with the approach of the WB and ADB. However, the only official SIG guide available for valuing crops and trees for compensation purposes is the Ministry of Agriculture and Livestock Development’s (MALD) “Crop Compensation Rate” which was gazetted in 1985. This schedule of rates continues to be used by government in its official dealings, and has therefore been used for valuing the assets identified in the 2015 asset survey. These official rates are well below local peoples’ understandings of the market value of their crops, and should not be used for calculating compensation or the cost of livelihoods restoration activities for the TRHDP.

To enable the PO to put in place a fair compensation regime, prior to the PO settling the compensation for individually owned assets (as per the plan below), MALD should urgently carry out a survey of retail crop prices in the Honiara Central Market and make an interim revision to its compensation schedule for use in this LALRP. Failing that, the MALD should revise the existing schedule by adjusting for inflation as per the Consumer Price Index, using technical advice from the Solomon Islands Central Bank. Supporting provincial level data on cost etc are available from the 2012-13 HEIS. The current cost of building materials for the replacement of huts and animals shelters etc can be also be ascertained from the Honiara Central Market.

In circumstances where MALD do not revise the existing schedule in accordance with the implementation timelines for the LALRP, PO are to undertake this task.

## 8.5 ENTITLEMENTS MATRIX

Figure 8-1 Compensation and restoration plan: responses, entitlements, and implementation

Affected persons	People/ places	Impacts	Livelihoods consequences	Livelihoods Responses	Actions	Responsibilities for actions	Proposed Timeframe
<b>Customary Land owners</b> Members of the customary land owing tribes of the Core Land. i.e., Roha tribe (168 members), Buhu Garo tribe (65 members), Kochiabolo tribe (109 members), Uluna-Sutahuri tribe (435 members), Vurulingi tribe (4 named successors).  Total of 777 registered tribal members. Names provided on tribal registers and confirmed in co-operative society membership lists as developed.	Core land area 428 Ha (including the South In Infrastructure Corridor of 31.7ha. Defined in landowner agreement and mapped by independent qualified surveyor: Roha-171ha ; Bahu-garo 161.5ha; Kochiabolo 65.7ha; Uluna-Sutahuri 29.9ha; Vurulingi 14.0 ha	Permanent loss of customary title to land.  Permanent loss of rights to 172ha of harvestable natural timber trees (total volume of 24,768m3 ).	Reduced control over use of customary land.  Loss of future income to tribal members from logging royalties.	Compensation packages to the customary owners covering consideration, at market rates, for the land and the commercial forest on the land. [Compensation for loss of improvements/livelihoods assets to be compensated separately based on assets survey.]	Inventory and valuation of commercial forest in Core Land  Core Land (CL) valuation  Compensation Offers issued  Compensation offers accepted or deemed to have been accepted by tribes  Tribal registration/enrolment drive, and creation of tribal member registers for all Malango tribes (PO)  Bank accounts for each member of the CL tribes to be opened.	PO, Commissioner of Lands (COL)  PO, Valuer General, COL COL, PO  Core Land Tribes  PO, Tribal chiefs  PO, ANZ Bank Pan Oceanic Bank	Completed. 2015  Completed. April 2015  Completed. August 2015  Completed. 2015  Completed 2016. Ongoing updating (tribal entities)  Ongoing 2016-17. Roha completed
				Compensation for land and forest to be paid into bank account held by each tribe's corporate entity and dispersed in accordance with benefit sharing arrangements in Co-op by-laws. Payment to be made by SIG once formal administrative and governance arrangements in place .	Planning and establishing Co-operative Societies for each Core Land Tribe, agreeing on distribution and investment proposals, holding inaugural AGM, establishing Executive Committees with male and female representatives, finalising and updating tribal membership	PO, CL Tribes, Registrar of Co-operative Societies	Roha & Uluna Sutahuri established 2016. Other groups by June 2017 (or asap before project construction commences)



				<p>Establishment of the Tina Core Land Company (TCLC) with CL owners in 50:50 JV with SIG to hold the registered title to the land. Shares in proportion to the tribe's share of the acquired land.</p> <p>The TCLC will receive income from leasing its land to the Developer</p> <p>Each CL owner group represented on the board of the TCLC. SIG representative as chairperson.</p> <p>An annual royalty of 1.5% of the amount paid by SIEA/Solomon Power to the Operator under the power purchase agreement. Income to be distributed directly to each tribal organisation in proportion to land ownership</p>	<p>Establish TCLC and governance arrangements (PO)</p>	PO, Attorney General's Chambers	By June 2017
					Appoint/elect board members	PO, TCLC, Landowner entities	By June 2017
					Term of the Process Agreement between SIG and Core Land Tribes	PO, CL owner entities	Agreement completed 2014.
					Term of Implementation Agreement between SIG and Developer (SPV) and term of Power Purchase Agreement		Agreements to be completed October 2017. Payments within 3 months of first PPA capacity payments to SIEA.
				Members of the Malango and Bahomea host communities to be given priority access to locally-recruited employment on the Project's construction and operation.	Legal condition of Project Documents (Implementation Agreement)	Developer, PO	by May 2017
					Training needs survey & analysis	JSDF Project, Developer, PO	by May 2017
					Provision of training to males and females to enable local communities to gain employment of the project construction	JSDF Project, Developer, PO	to commence by August 2017
				Return of the registered land to the original customary land owing group in proportion to the group's original lost portion at the decommissioning of the hydropower facility	Term of Process Agreement made in 2014.		
					MOI regarding closure	Developer (if early closure), SIG, TCLC, Ministry of Environment, Tribal entities	By 2080 or upon decision for any early closure
<b>Core land asset owners</b>					Asset survey of Core Land and Infrastructure Corridor. Assets mapped, described, quantified, valued, and owners identified.	PO	Completed 2016
Owners of livelihoods assets on the main part of the Core land (excluding the Infrastructure Corridor)	12 individuals, 9 of whom are known to live in Mangagikiki-Vetkuji	Potential loss of 1 food garden area	Reduced supply of fresh food for home and for sale; reduced household incomes	Maintain and improve continuity of food availability and income. Garden owner will receive practical assistance to continue gardening and food production outside of the boundaries of the acquired land.	Follow up survey to document individual asset owners' circumstances, and consult on proposed compensation/livelihoods restoration	PO	July 2017
						PO	October 2017. Deliver at least three months in



[illegible]

		Potential loss of trees and tree cops: 255 bananas, 35 breadfruits, 7 ngalnut , 2 beilnut, 2 cutnut, 1, lemon, 1 mango, 2 mahogany.	Reduced supply of fresh food for home and for sale; reduced household incomes	Maintain and improve continuity of food availability and income by providing planting materials and labour to establish plantings	Payment of a "garden re-establishment cash grant" of SBD \$1000, payable after three months if new garden of same size is in production and maintained, to the owner's household.	PO	By 6 months after notice to vacate. Monitoring inspection
					Free use of the identified trees until date to vacate. The owners may retain the produce from those trees up to that time.  Free practical assistance with replacement of trees, including - free replacement tree seedlings of same species for planting on land outside of the boundaries of the acquired land - 3 days labour assistance with replanting (contracted locally, and paid for by PO).	PO	Until date to vacate.
				Pay compensation at market rates for lost production	Investigate local market rates for particular produce. Calculate compensation payments, consult and pay to asset owner	PO	To be completed before date to vacate
	Members of land owing tribes	Potential loss of 65 perennial ngali nut trees by land owning tribes	loss of fresh food. Reduced food security	Compensation payment to relevant tribe or individual owner for each tree @ \$1000 per tree.	Identify tribes that own the trees held in common using available GPS information and survey of tribal boundaries. Consult, make payments to land owning tribes. Where trees are owned by individuals, pay to individual owner of tree	PO	Monitoring visits  by June 2017
<b>Core land users</b>							
Users of the Core Land for hunting, fishing and gathering	Members and non-members of Core Land tribes. Includes male and female residents of villages near the Core Land (especially Koropa, Managiki/ Verakui, Senge, Valesala/Antioch)	Loss of access to area for hunting, fishing, and NTFP harvesting during project construction. Quantities unknown.	Reduction of protein in some local household diets (wild pig, possum, and possibly fish, eel).	Compensation for 3 years' worth of loss of access to Core Land.	Three annual payments of SBD \$20,000 to be made to a Bahomaea community grant fund for the purchase pigs and other produce for community events, regardless of tribal affiliation.	Administration and disbursements from Fund to be managed by PO	Payments to be made annually throughout the year as appropriate, with reference to timing of community events
				Replace/offset lost fishery	Investigate fishery for hydro lake and establish if feasible	PO, Developer	by Year 1 of scheme operation
				Reduced availability of wild green vegetables, medicines etc	investigate and promote substitutes where required	PO, Ministry of Agriculture, women's groups	by date of notice to vacate
			Longer journeys , work of making new tracks	Investigate alternative access arrangements, noting that existing road on Tina River right bank may provide suitable alternative.	Provide free labour to create new by-pass tracks/routes if required.	PO, village chiefs	by beginning of project construction

				Re-establish non-extractive customary use of CL area	Define non-exclusion area to be used after hydro scheme is operational Permit and monitor non-extractive use of remaining CL forest areas.	Developer, TCLC  Developer, TCLC	by Year 1 of scheme operation  by Year 1 of scheme operation
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Infrastructure corridor asset owners						
The owners of assets located in Infrastructure corridor	30 identified persons, including 7 women, and their households from villages adjacent to the corridor	Loss of 16 active gardens, with a total area of approximately 4300 sq.m, containing cassava, and assorted mixed crops in various stages of development (2 fallow garden patches)	Reduced livelihoods asset base for Bahomea communities; Reduced food supply & security; Reduced household incomes; Reduced availability of home-grown and collected food for households, and related increased use of shop food.	Maintain and improve continuity of fresh food availability and income by establishing replacement garden, providing planting materials and labour. Provide compensation as required	Owner of garden will have free use of the identified area of garden land for food production until date specified in notice to vacate	PO, SIEA
					Prepare and issue notice for asset owners to vacate with advanced warning	PO, SIEA,
				Maintain and improve continuity of fresh food availability and income by establishing replacement garden, providing planting materials and labour. Provide compensation as required	The area for the new garden must be identified by the owner of the garden and their household and approved by the landowner if relevant.	PO, asset owner
					Provision of 3 days' labour (contracted locally) to clear the new garden area and prepare for planting under the guidance of the Garden owner. Payment of a "garden re-establishment cash grant" of SBD \$1000, payable after three months if new garden of same size is in production and maintained, to the owner's household.	PO
					Free use of the identified trees until date to vacate. The owners may retain the timber and produce from those trees up to that time.	PO, SIEA
	Loss of fruit trees, including: 197 bananas, 12 mango (1 in common), 8 breadfruit, 2 malay apple, 1 guava. Loss of nut trees including: 44 coconut, 25 betelnut, 20 ngali nut, 1 cocoa			Compensate for lost tree at market rates	Pay compensation for all productive trees as per December 2016 market value	
		Loss of approximately 31 planted sago palms (estimate value \$1,550)	Need to source building materials from further afield or market, including cash purchasing..	Establish replacement plantings/sources replacement garden, providing planting materials and labour. Provide compensation as required	Free replacement tree seedlings of same species for planting on land outside of the boundaries of the acquired land  Free labour assistance with replanting (contracted locally, and paid for by PO).	PO
						PO and asset owner
						1-3 months after notice to vacate
						1-3 months after notice to vacate

			Compensate for lost tree at market rates	Pay compensation for all productive trees as per December 2016 market value	PO, SIEA, MOA	by date to vacate
	Loss of approximately 210 planted timber trees (mahogany, teak, koilo) of varying ages	loss of future income	Compensation on market value (assuming maturity)	Inventory and valuation by qualified forester, consultation, and payment of compensation	PO	by June 2017
	Loss of 2 market stalls/huts	Cost of huts. Temporary loss of trade.	Free use of the identified trees until notice to vacate. Owners may retain the produce and timber.	Issue notice to vacate	PO	expires on date to vacate
			Compensation for cost of materials and labour plus 50%	payment to owner of cost at market rates	PO	by date to vacate
Registered land owners (voluntary acquisition)						
Owners of registered land acquired for the infrastructure corridor	Perpetual estate and fixed term estate title holders:  Levers Solomons Ltd (FTE holders – 12ha), Anglican Church of Melanesia Trust Board (11 ha), N Boboli, Urobo, Besta, Sekani, and S Boboli (1,2 ha),	Permanent loss of registered land:  Loss of 1 mango tree	Price by negotiation on voluntary sale basis.	Complete sale and purchase agreement	PO	By commencement of construction
	GPPOL as FTE holders and N Boboli, Urobo, Besta, Sekani and S Boboli as PE holders and royalty recipients	Loss 59 Oil Palm trees and their future production	Consultation with GPPOL suggests area too minor a proportion of lot to cause changes to labour requirements.	Compensation included in purchase price	PO	

Affected persons	People/ places	Impacts	Livelihoods consequences	Livelihoods Responses	Actions	Responsibilities for actions	Proposed Timeframe
Vulnerable affected persons and their households (number unknown)	Throughout affected communities. Includes Asset owners and users on CL and corridor land who have significant handicaps, are unemployed, are elderly living alone, live in low income hlds, not a member of indigenous land owning tribes.	Potential for decreased access to land for food production and other resources.	Decreased fresh food supply and food security, Decreased cash income. Poverty	Protect and enhance VP's livelihoods Enhance opportunities to improve standard of living through grants and employment  Avoid/Reduce potential exposure to reduction in quality of life	Assess vulnerability of each identified asset owner through a survey of owners of garden and fruit tree assets  Establish database of vulnerable persons & households  Provide assistance to vulnerable households informed by results of survey and in consultation with VPs. Could include ensuring payments are made directly to women, assisting vulnerable groups with bank account access, providing assistance with re-establishing or enhancing household food production, providing training and practical assistance with income generating activities (such as niche crops, handicrafts development, home-based small enterprise. Etc)	PO  PO with assistance from NGOs and development agencies.	By October 2017
					Identify people and households dependent on fishing & gathering on CL by consulting CLAs, & village chiefs and senior women to identify households where hunting/fishing and gathering makes up 10% or more of livelihoods.	PO, CLA, village chiefs.	By October 2017
					In addition to standard livelihoods/compensation measures above, provide the affected hunting/fishing/gathering household with comparable food based on study results (predominately fish and wild greens) or store vouchers to the value of \$25,000 (being 50% of average annual income for Bahomea households). provided to the senior female of the household.	PO	By date of notice to vacate

					VPs provided with priority access to training for suitable employment in project construction.	PO, developer	Upon commencement of jobs training program as part of the Community Benefit Share Pilot
<b>Women in affected households</b>	Households that lose assets and/or income throughout the villages of Bahomea	Range of livelihoods Impacts more likely to fall on women and children	Decreased wellbeing of women & children	Where possible, pay compensation for lost assets into senior female's bank account Consult with women on implementation of other assistance (replacement gardens and assets)			Begin by August 2017
		Compensation for lost assets could be captured by elites and male household heads.					
			Decreased wellbeing of women & children, Loss of livelihoods development opportunities Poverty/hardship	Provide training to local women in alternative and enhanced livelihoods, and skills.	<ul style="list-style-type: none"> <li>• Potential training opportunities raised in consultations include: <ul style="list-style-type: none"> <li>• Sewing</li> <li>• Flower Arranging</li> <li>• handicrafts</li> <li>• Home-based bakery</li> </ul> </li> </ul>	PO, MAF, Tribal entities, Ministry of Women.	Begin by August 2017 – ongoing
		Loss of control over essential household resources	Decreased wellbeing of women & children	Plan livelihoods interventions in close consultation with women in the Bahomea community	Establish women's consultative forum, with representation from key villages and groups to deal with livelihoods restoration planning, women's development, and social impacts management.	PO, CLAs, senior village women	Begin by May 2017

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## 8.6 COMMUNITY BENEFIT SHARE PROPOSAL

In addition to the livelihood restoration and improvement provisions set out in this LALRP, TRHDO PO proposes to prepare a benefits sharing fund for the communities of Malango and Bahomea.

The fund is intended to provide development opportunities for the wider host community. As such, it is not intended to provide compensation or mitigation for land acquisition impacts or livelihood losses of project affected persons. Measures to address safeguard requirements are elsewhere addressed in this LALRP.

The Community Benefit Share is proposed as two components:

### 8.6.1 A pre-operation Community Benefit Share Pilot

To prepare the community for the benefit share arrangement, the TRHDP and the World Bank propose to pilot a project using the Japanese Social Development Fund (JSDF) in the World Bank. The fund is proposed to provide pre-operation community infrastructures such as water supply and electricity access, as well as training for construction jobs. The JSDF is intended to provide community benefits from the project before the power scheme becomes operational.

This pilot stage shall design and establish the implementing body for the ongoing community benefit share fund (post operation). It shall also facilitate the following three sub-projects:

- Electricity distribution to identified communities in the Bahomea and Malango Area;
- Provision of pre-employment training to members of the Bahomea and Malango Area; and
- Water supply identified for identified communities.

### 8.6.2 Ongoing Community Benefit Share from commencement of operation

The structure of the ongoing benefits sharing package is not yet finalised. This will be completed as part of the overall financial structure of the Project in 2017. Options include an equity share in the special purpose company undertaking the development and a yearly endowment calculated with reference to diesel savings.

The internal management of the final fund, and its formal objective, will be designed in partnership with the community under the JSDF Community Benefit Share Pilot project. The fund is intended to focus on community benefits and services and is not intended to incorporate cash payments. Early consultations suggest that some key objectives of the fund may include:

- Permanent provision of reliable clean water supplies;
- Provision of sanitation and drainage facilities with improved water supplies;
- Provision of better quality, more accessible education for the young people of this community;



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- Implementation of in-village and residential training for local youth in technical skills;
  - Improvement of access to health services, especially for women and children;
  - Skills based training for women and utilisation of women's centres;
  - Development of ecotourism opportunities in the Central Guadalcanal area, involving people of Malango District/ward; and
  - Support for the development of local artisanal, home-based enterprises that maximise the benefits of electricity connection, including low interest loans, guarantees, and insurance.

## 8.7 INSTITUTIONAL ARRANGEMENTS

### 8.7.1 Project Office

The main agent for the implementation of the LALRP will be the Tina Hydro Project Office. Project Office has sufficient in-house capacity to undertake these tasks with the assistance of a locally engaged assets livelihood mapping and survey consultant. Proposed actions include:

- Maintain existing community liaison committee for ongoing liaison, awareness, and consultation with the project affected people, land owner groups, and communities.
- Appoint a women's liaison and development officer to organise and facilitate women's participation in the plan implementation and monitoring.
- In consultation with affected communities, establish and operate a system for receiving, recording, and resolving project -related community complaints and livelihoods restoration grievances
- Maintain a register of affected livelihoods assets, including the location of replacement assets
- Conduct additional assessments and valuations of assets as required, including of commercial timber stocks on Infrastructure Corridor land
- Maintain the Core Land Tribal membership registers for the Co-operative Societies and support the Matrilineal Membership Committees of each society to maintain the registers.
- Establish the various proposed institutions/entities such as the TCLC, the tribal entities (cooperative societies), and community fund .
- Establish systems, processes, and resources for delivering of the various livelihoods interventions and entitlements.
- Manage funds (compensation, community development funds etc), and reporting system
- Facilitate interactions and communications between various organisations involved in livelihoods restoration actions and plan implementation.
- Recruit an independent specialist to conduct 6 monthly independent assessments of the livelihoods restoration plan implementation, and report to PO and community liaison committees.

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As per the requirements of the World Bank and the ADB, all proposed compensation payments should be made, livelihoods restoration activities planned and agreed, and grievance mechanism put in place prior to the land vacation date and commencement of construction of the project – including the Infrastructure corridor/access road.

Other participants in the plan include the project constructor, various government departments including the Ministry of Agriculture and Livestock, the Ministry of Forests (and/or forestry consultants), Ministry for Women, training providers, community groups providing labour and materials for restoration activities.

### **8.7.2 The developer**

The Project developer will also have a role in implementing livelihoods restoration and protection measures. Its key contribution will be:

- Produce detailed designs for the scheme infrastructure that avoid creating risks to houses and structures located near the acquired project land
- During construction, putting into place and adhering to protection measures for sacred sites, graves, cultural and archaeological sites, and valued community assets.
- Establishing a compensation fund to cover accidental (unplanned) damage to private and community land and assets outside of the acquired land
- Implementing the Environmental and Social Impacts Management Plan
- Participating in community liaison activities of the project office including meetings with the community liaison committees and consultation with community leaders
- Establishing and implementing an auditable system for recording and acting on environmental issues raised by community members.
- Engage specialist independent consultants for reviewing the performance of the impact management plan.

### **8.7.3 Independent SIA and livelihoods specialist**

AS noted, the Project office and the developer together need to engage the services of independent external consultant to:

- Regularly review the implementation of the environmental and social impacts management plan;
- Regularly review the implementation of the livelihoods protection, compensation, and restoration activities;
- Regularly review the performance of the community engagement plans of the developer and the Project office;
- Review the effectiveness and performance of the Gender Action Plan and measures intended to manage the effects of the project on women and on affect vulnerable people ;
- Evaluate the outcomes of the livelihoods restoration activities and plan.

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## 8.8 IMPLEMENTATION SCHEDULE, RESPONSIBILITIES, AND BUDGET

Figure 8-3 proposes an implementation schedule for the range of activities that are need to

- (a) understand and manage the impacts of the land acquisition for the project on the livelihoods of the people of the project area;
- (b) build sufficient capability to carry out livelihoods restoration ;
- (c) plan and implement a range of proposed livelihoods restoration and protection activities, that utilises culturally appropriate processes, and is realistic about the capacity of local communities, institutions and agencies to deliver on those activities in a timely fashion;
- (d) reflect and learn from the actions taken.

Establishing the timing of the multitude of activities is difficult given that compensation and restoration arrangements must be put in place prior to the construction of the project commencing. According to the WB and ADB requirements, all matters of compensation and livelihoods restoration need to be settled prior to the acquisition of people's land and assets. However such formal acquisition has already taken place and the planning for the development is well advanced. Negotiations over terms of compensation and benefits sharing are also well advanced, and are following the prescribed path under the Lands and Titles Act. The list of activities on table 8.3 and their timing should therefore be read in the light of the action already taken by the Commissioner of Lands and the Project office to advance the project, albeit with a high level of involvement by the affected communities and with their approval. Proposed timetabling for LR activities on the table 8.1 planning matrix will need to be aligned with the TRHDP project implementation once that becomes clearer. For the most part, activities must be initiated by, or completed by the date for the vacation of the acquired land.

Figure 8-3 Tina Hydro livelihoods restoration plan: implementation schedule

Action	Lead Organisation	Assisted by	Completion deadline	Budget estimate	Financing Arrangements
Appoint livelihoods restoration manager	Project office	Community leaders of men and women	March 2017	\$150,000	SIG
Appoint livelihoods restoration women's officer	Project office	Community leaders of men and women	March 2017	\$150,000	SIG
Updating and confirmation of tribal registers for co-operative society membership, photographing and opening bank accounts for each member	Project office	Matilineal Membership Committees, local consultant	ongoing	\$25,000 per tribe x 3 remaining tribes = \$75,000	SIG
Completion of the assessment and valuation of commercial timber plantations (in infrastructure corridor) and minor structures	Project office	Professional forester and local livelihoods consultant		\$12,000	SIG
Disclose Draft LALRP for consultation and publicly disclose register of assets and owners affected by the land acquisition. Consultations to occur in pijin in affected communities. Copies of report to be made available to communities.	Project office	Assets surveyor	May 2017	Nil.	N/A
Conduct consultations over replacement or existing alternatives of community assets and infrastructure (Senge pathway and CL bush tracks). Identify new route/s and construct as appropriate	Project office, developer	Developer		\$30,000 – Studies \$500,000 - \$1 million – Construction Estimate	Part of Developer costs under PPA – Set out in ESMF of ESIA
Close off the register of livelihoods and community assets	Project office	Assets surveyor	Date of notice to vacate	Nil.	N/A

Action	Lead Organisation	Assisted by	Completion deadline	Budget estimate	Financing Arrangements
Survey of household and individual asset owners to identify vulnerable persons and identify measures to address vulnerabilities (Vulnerable Persons Survey)	Project office	Local Livelihood Consultant	By notice to vacate	\$50,000	SIG
LALRP updated to reflect Vulnerable Persons Survey	Project office		Within 1 month of Vulnerable Persons Survey completion	Nil.	N/A
Updated LALRP disclosed to ADB	Project office		14 days following any update to LALRP	Nil.	N/A
Legal establishment of the remaining Core Land tribal entities	Project office	Registrar of Co-operative Societies Tribal leaders	June 2017	No additional – part of ongoing PO activities	SIG (existing PO)
Appointment of private Administrator to oversee finances of co-operative societies	Project office		2017	\$200,000 per annum	SIG for 2017. After 2017 lease payments from Developer to TCLC for Core Land will be used to cover this cost
Provide financial management and governance training to tribal corporation board members	Project Office	Solomon Islands Small Business Enterprise Centre	Ongoing – December 2017	\$70,000	SIG
Pay-out COL compensation to the Core Land tribal corporations	COL, Project Office		on establishment of Tribal corporations	\$18.086 million	SIG
Establish the TCLC	Project office	SIEA, relevant government agencies	July 2017	\$50,000 for meetings and workshop costs. Preparation part of	SIG

Action	Lead Organisation	Assisted by	Completion deadline	Budget estimate	Financing Arrangements
Develop a written policy on local recruitment for the project construction and operation, including employment for women	Project office	PO, Developer, tribal and community leaders	June 2017	\$25,000	SIG
Recruitment, training and equipping of asset re-establishment crew (new gardens, cultivation, tree planting, track making) from among local youth	Project office	LRP manager, training provider, work supervisor	By date in notice to vacate	Labour costs: \$70,000 (estimate \$200 per day, 3 youth per garden for 5 days, plus 3 youth for 10 days of tree replanting) Tree sapling cost for estimate of 784 saplings: \$100 x 784 = \$78,400	SIG
Completion of replacement gardens	Project office	Asset re-establishment crew	Within 6 months of date to vacate	As above.	SIG
Inspections and mapping of asset re-establishment work	Project office	Livelihoods mapping consultant	ongoing	\$20,000 for GPS mapping	SIG
Payments of garden re-establishment grants to households	Project office		Within 6 months of date to vacate	Garden reestablishment grants @ \$1000 per garden x 17 gardens = \$17,000	SIG
Update schedule of compensation rates for fruit and nut	Ministry of Agriculture and Project Office	Project office, market researcher	May 2017	\$3,000	SIG
Payment of compensation to owners of fruit, nut, and planted timber trees, and structures	Project office		Date for vacating land	\$90,000 (subject to revision as per 8.4) plus commercial tree	SIG

Action	Lead Organisation	Assisted by	Completion deadline	Budget estimate	Financing Arrangements
Payment of full costs of re-establishing any damage to water supplies (located outside of acquired land), bridges, cultural sites, and graves	Project office & valuer	Community leaders Assets re-establishment crew	Prior to the commencement of project construction	plantations (estimated at \$300,000, subject to professional forester valuation) Part of Developer's cost of implementing ESM in ESIA	Part of Developer's cost of implementing ESM in ESIA
Provision of practical labour support for re-establishment or relocation of community infrastructure within acquired land if required (none identified in surveys)	Project office	LRP manager Assets re-establishment crew	Prior to the commencement of project construction	\$10,000 if required	SIG
Conduct livelihoods assessments for vulnerable affected households reliant on hunting/fishing/gathering for more than 10% of livelihood	Project office		May 2017	\$80,000	SIG
Creation of fund for compensation for loss of access to common hunting and gathering resources.	Project office	TCLC	Prior to the commencement of project construction	\$60,000 plus any one off food supplies/vouchers to value of \$25,000 to any household identified as losing more than 10% of livelihood. Assume 5 x 25,000 for budget purposes	SIG
Monitoring and quarterly reports on livelihoods re-establishment and compensation activities	Project office	LRP manager	From May 2017 for 3 years	Part of RAP Manager and Officer staffing costs (above)	SIG

Action	Lead Organisation	Assisted by	Completion deadline	Budget estimate	Financing Arrangements
Prepare training plan and establish skills training for women of Bahomea	Project office	Woman's agencies, community members Community development funds, international aid funds,	2017	\$200,000	SIG
Establish and promulgate grievance and issues management system in consultation with the community	Project office	LRP manager, Community members and leaders	Prior to compensation for assets commencing	\$50,000 for community consultation meeting expenses. Incorporated into PO and RAP staff costs	SIG
Monitor and report on livelihoods restoration issues and the performance of the grievance management system	Project office	LRP manager	Ongoing from initiation of system	Incorporated into PO and RAP staff costs	SIG
Update the Project community stakeholder engagement plan to take account of livelihoods restoration activities	Project office	Developer	February 2017	Incorporated into PO and RAP staff costs	SIG
Systematic evaluation and reporting on the performance of the livelihoods restoration programme	Independent reviewer	Project office and program beneficiaries and participants	2019, or as required by the World Bank/ADB	\$20,000 US per year for two years = \$315,000 SBD	SIG



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## 8.9 FINANCING ARRANGEMENTS

Table 8.3, final column, sets out the financing arrangements for the LALRP.

The majority of the costs relating to the land acquisition will be financed by SIG, through an allocation under the budget for the Ministry of Lands, Housing and Survey for the land acquisition.

The remaining costs included in the implementation schedule for completeness relate to costs of the Developer under the PPA, as part of the Developer's obligations under the ESIA, including the ESMP in Chapter 13 of that document.

Figure 8-4 Recorded livelihoods assets on the acquired land (names of owners removed for privacy)

ID	CATEGORY	ITEM(S)	No. of ITEM(S)	ITEM DESCRIPTION
1	Fruit Tree	Breadfruit	8	Breadfruit trees along the eastern ridge a few metres from each other.
2	Fruit Tree	Ngali Nut	15	Ngali Nut trees along the eastern ridge a few metres from each other.
3	Fruit Tree	Ngali Nut	2	Mature tree
4	Garden	Mix crops	Not assessed	Garden recently planted with cassava, potato, etc
5	Sago Palm	Sago Palm	2	Young plant.
6	Garden	Kasava	28	Garden recently planted and contains young kasava
7	Garden	Mix crops	Not assessed	Cassava garden with potato mounds already harvested.
8	Fruit Tree	Mango	1	Mature
9	Fruit Tree	Ngali Nut	2	Mature Plants
10	Fruit Tree	Betlenut	1	Mature Plants
11	Banana Patch	Banana	9	50% are Mature Plants
12	Fruit Tree	Betlenut	2	Mature Plants
13	Fruit Tree	Mango	1	Young Plant
14	Garden	Mix crops		Garden beside the main house.
15	Fruit Tree	Ngali Nut	1	Mature Plant
16	Sago Palm	Sago Palm	3	Young Plants
17	Fruit Tree	Betlenut	1	Mature Plant
18	Fruit Tree	Coconut	1	Mature Plant
19	Banana Patch	Banana	29	Young Plants & Mature Plants
20	Fruit Tree	Betlenut	21	Young and mature trees.
21	Structure	House	1	Moro-style house made of local materials.
22	Structure	House	1	Incomplete house made of local materials
23	Structure	House	1	Incomplete low house made of local materials - only roof.

24	Structure	House	1	Complete house, local materials.
25	Fruit Tree	Pomelo	1	Non-bearing mature plant.
26	Planted Commercial Tree	Mahogany	Not assessed	Wood lot estimated to be more than 100.
27	Structure	Hut	1	Hut for Managikiki ECE outdoor activities.
28	Structure	House	1	Managikiki ECE Classroom. Built with timber and galvanized corrugated iron.
29	Fruit Tree	Mango	2	Young plants.
30	Fruit Tree	Mango	2	Young plants.
31	Planted Commercial Tree	Mahogany	1	Young plant.
32	Structure	Hut	1	Bettlenut Market Hut, recently built (2015).
33	Structure	House	1	House built with local materials and rough sawn timber.
34	Fruit Tree	Mango	3	Very young plants.
35	Fruit Tree	Coconut	1	Young plant.
36	Fruit Tree	Pineapple	1	Non-bearing mature plant.
37	Planted Commercial Tree	Teak	36	Approximately 15-25 years old trees.
38	Planted Commercial Tree	Teak	Refer ID 37	
39	Banana Patch	Banana	1	Young plant.
40	Garden	None	0	Garden left to fallow.
41	Banana Patch	Banana	34	Patches of banana plants in the bushes down the slope. Not well kept.
42	Planted Commercial Tree	Koilo	41	Approximately 15-25 years old trees.
43	Planted Commercial Tree	Koilo	Ref ID 42	
44	Planted Commercial Tree	Koilo	Ref ID. 42	
45	Banana Patch	Banana	26	Banana patches not well kept.
46	Banana Patch	Banana	30	Banana patches not well kept.
47	Banana Patch	Banana	4	Banana patches not well kept.
48	Garden	None	0	Recently cleared plot for, assumed gardening.
49	Banana Patch	Banana	1	Single mature banana plant.
50	Planted Commercial Tree	Teak	3	Young trees.
51	Fruit Tree	Coconut	1	Young dwarf coconut tree.

52	Garden	Mix crops		Mix crop recently planted.
53	Garden	Mix crops		
54	Garden	Mix crops		
55	Sago Palm	Sago Palm	25	Young sago plants.
56	Garden	Mix crops		First cycle of crops already harvested, with potato as main crop.
57	Banana Patch	Banana	62	
58	Garden	Mix crops		
59	Structure	House	1	Incomplete house, only posts and frames with no walls and roofing.
60	Garden	Cassava	87	87 cassava mound planted.
61	Banana Patch	Banana	1	Only one young banana.
62	Fruit Tree	Coconut	1	Only one young coconut.
63	Fruit Tree	Coconut	2	Only one young coconut.
64	Sago Palm	Sago Palm	1	Only 1 sago palm planted in the area.
65	Garden	Garden	0	Recently cleared plot for gardening with no crops yet planted.
66	Important Object	Grave	1	Jack Chakus grave.
67	Fruit Tree	Mango	1	Mature, non-bearing tree.
68	Fruit Tree	Malayan Apple	1	Mature tree.
69	Fruit Tree	Coconut	1	Mature, fruit-bearing local tree.
70	Fruit Tree	Malayan Apple	1	Mature, non-bearing tree.
71	Fruit Tree	Mango	1	Mature tree, non-bearing.
72	Fruit Tree	Mango	1	Mature tree, non-bearing.
73	Garden	Mix crops		New garden, recently cleared and cultivated.
74	Structure	Hut	1	Bettlenut Market Hut, just built.
75	Fruit Tree	Coconut	3	fruit-bearing local coconuts
76	Structure	House	1	House used for canteen.
77	Fruit Tree	Pineapple	61	Non-bearing plants.
78	Planted Commercial Tree	Teak	29	Trees range from 5-15 years old.
79	Fruit Tree	Pineapple	Ref ID 77	
80	Planted Commercial Tree	Teak	Ref ID 78	

81	Planted Commercial Tree	Teak	Ref ID 78	
82	Fruit Tree	Coconut	17	non-bearing Rennell coconuts
83	Fruit Tree	Coconut	3	Mature local coconuts.
84	Fruit Tree	Coconut	4	non-bearing young local coconuts.
85	Garden	Cassava	50	Small cassava patch.
86	Fruit Tree	Coconut	1	Young non-bearing local coconut.
87	Fruit Tree	Coconut	1	Young non-bearing local coconut.
88	Fruit Tree	Coconut	1	Young non-bearing local coconut.
89	Fruit Tree	Coconut	1	Young non-bearing local coconut.
90	Fruit Tree	Coconut	1	Young non-bearing local coconut.
91	Fruit Tree	Coconut	1	Young non-bearing local coconut.
92	Fruit Tree	Coconut	1	Young non-bearing local coconut.
93	Fruit Tree	Coconut	1	Mature local coconut tree.
94	Fruit Tree	Cocoa	1	Mature non-bearing tree.
95	Fruit Tree	Guava	1	Mature fruit-bearing tree.
96	Garden	Mix crops		Pana, yam & pineapples.
97	Fruit Tree	Coconut	1	Non-bearing young tree.
98	Fruit Tree	Coconut	1	Non-bearing young tree.
99	Garden	Mix crops		Cassava, potatoes, & pineapples
100	Creek			
101	Creek			
102	Creek			
103	Planted Commercial Tree	Oil Palm	59	Mature fruit-bearing trees.
C1	Fruit Tree	Breadfruit	21	Young and mature trees.
C10	Fruit Tree	Breadfruit	5	Mature tree
C11	Fruit Tree	Breadfruit	2	Mature tree
C12	Banana Patch	Banana	1	Mature tree
C13	Banana Patch	Banana	6	Young and mature trees.
C14	Banana Patch	Banana	7	Young and mature trees.

C15	Banana Patch	Banana	3	Mature plants
C16	Banana Patch	Banana	14	Patch of mature and young plants
C17	Banana Patch	Banana	3	Patch of mature and young plants
C18	Banana Patch	Banana	2	Mature plants
C19	Fruit Tree	Ngali Nut	1	Mature tree
C2	Banana Patch	Banana	20	Young and mature trees.
C20	Fruit Tree	Mango	1	Young tree
C21	Fruit Tree	Breadfruit	1	Mature tree
C22	Banana Patch	Banana	10	Patch of mature and young plants
C23	Banana Patch	Banana	8	Patch of mature and young plants
C24	Banana Patch	Banana	17	Patch of mature and young plants
C25	Banana Patch	Banana	1	Mature banana
C26	Fruit Tree	Breadfruit	1	Mature tree
C27	Banana Patch	Banana	13	Patch of mature and young plants
C28	Banana Patch	Banana	9	Patch of mature and young plants
C29	Banana Patch	Banana	7	Patch of mature and young plants
C3	Banana Patch	Banana	6	Young and mature trees.
C30	Banana Patch	Banana	7	Patch of mature and young plants
C31	Fruit Tree	Ngali Nut	1	Mature tree
C32	Banana Patch	Banana	2	2 mature banana trees
C32	Fruit Tree	Ngali Nut	1	Mature ngali nut
C33	Fruit Tree	Cut Nut	1	Mature tree
C34	Fruit Tree	Ngali Nut	3	Mature trees
C34	Planted Commercial Tree	Mahogany	2	Mature trees
C35	Fruit Tree	Cut Nut	1	Mature tree
C36	Banana Patch	Banana	11	Patches of banana plants.
C37	Fruit Tree	Lemon	1	Mature non-bearing local bush lime
C38	Banana Patch	Banana	11	Banana patches.
C39	Fruit Tree	Breadfruit	1	Mature tree

C4	Fruit Tree	Bettlenut	1	Mature, fruit-bearing tree.
C40	Fruit Tree	Breadfruit	1	Mature tree
C41	Fruit Tree	Breadfruit	1	Mature tree
C42	Banana Patch	Banana	12	Banana Patches
C43	Banana Patch	Banana	1	Mature plant
C44	Banana Patch	Banana	5	Young and mature plants.
C45	Banana Patch	Banana	7	Young and mature plants.
C46	Banana Patch	Banana	8	Young and mature plants.
C47	Banana Patch	Banana	9	Young and mature plants.
C48	Banana Patch	Banana	12	Young and mature plants.
C5	Banana Patch	Banana	21	Young and mature trees.
C50	Banana Patch	Banana	7	Young and mature plants.
C51	Banana Patch	Banana	1	Mature plant.
C52	Banana Patch	Banana	7	Young and mature plants.
C53	Fruit Tree	Bettlenut	1	Mature tree
C54	Fruit Tree	Ngali Nut	1	Mature tree
C55	Fruit Tree	Ngali Nut	1	Mature tree
C56	Fruit Tree	Ngali Nut	1	Mature tree
C57	Fruit Tree	Ngali Nut	1	Mature tree
C58	Fruit Tree	Ngali Nut	50	Mature trees within 25m radius.
C59	Fruit Tree	Ngali Nut	2	Mature trees
C6	Fruit Tree	Ngali Nut	1	Mature, fruit-bearing tree.
C60	Fruit Tree	Ngali Nut	1	Mature tree
C61	Fruit Tree	Ngali Nut	1	Mature tree
C62	Fruit Tree	Ngali Nut	5	Mature trees within 25m radius.
C63	Garden	Mix crops		Garden area beside river with fruit trees & empty potato patch
C64	Fruit Tree	Breadfruit	1	
C65	Fruit Tree	Ngali Nut	1	
C66	Fruit Tree	Ngali Nut	1	

C7	Banana Patch	Banana	1	Mature tree
C8	Banana Patch	Banana	6	Young and mature trees.
C9	Fruit Tree	Breadfruit	1	Mature tree



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## 9 GRIEVANCE RESOLUTION

### 9.1 TYPES OF GRIEVANCES

The WB and ADB operational policies for involuntary resettlement require that the LRP includes procedures for dealing with concerns or complaints raised by individuals or groups about the project land acquisition and associated mitigations, such as payment of compensation. It is recognised that, given the history of developments in Solomon Islands and especially this part of Guadalcanal, complaints are likely to arise which if not dealt with in a timely and fair way, could lead to conflict between the community and the developer, the community and the government, and/or between groups or individuals within the affected communities.

The World Bank, ADB and other development banks suggest that grievance redress arrangements or mechanisms need to be:

- culturally and socially appropriate;
- able to take into account of and allow for “judicial recourse and community and traditional dispute settlement mechanisms”;
- pays attention to impacts on vulnerable groups;
- gender responsive;
- appropriate to scale;
- accessible without cost;
- participatory;
- affordable ;
- prompt; and
- transparent, accountable, and fair.

Grievance Redress Mechanism is not to impede access to the country’s judicial or administrative remedies.

Several types of grievances or disputes could arise that could present a risk to the project :

- the ownership of the land and the assets affected - which could be between community members and groups;
- the implementation of the livelihoods restoration programme (e.g. compensation rates, restoration work etc.); and
- the impacts of the construction and operation of the TRHDP.

The first type of grievance or issue, while precipitated by the project, is typically dealt with on a regular basis under the traditional *kastom* system and involves knowledgeable tribal elders and chiefs undertaking an investigation, consulting with the parties, and arbitrating for a resolution. In the particular context of the Project, specific measures to resolve land ownership grievances through the BLIC process, and subsequent consultations are discussed in Chapter 5. Administrative and judicial remedies, and the legal assistance provided to tribes with respect to these, are also set out in Chapter 5.

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The second type of issue or concern is directly about the implementation of the LALRP, and in practise grievances are likely to arise from:

- misidentification of the assets or land owner due to mapping errors or inaccurate or misleading information during the assets surveys;
- disputes, arising for various reasons, over ownership of assets, e.g. fruit and nut trees, timber trees etc., in the Core Land area or infrastructure corridor;
- disagreement over the valuation or quality of an asset where compensation is payable
- disagreement over the type of measure applied to achieving livelihoods restoration;
- dissatisfaction with the quality or quantity of the restoration measure applied (e.g. clearing and planting of replacement garden);
- disagreement over the cut-off date applied.

Matters concerning the LALRP will be the direct responsibility of the Project Office, as the implementing agency and with overall responsibility for TRHDP implementation on behalf of the SIG. The Project Office will play a key role as a project coordinating body for the first five years, including distribution of compensation payments, managing livelihoods restoration, and arranging and overseeing the consultation and community relations strategy.

In order to implement the LALRP as part of its responsibilities, the PO will need to establish a livelihoods restoration unit or team lead by the Livelihoods Restoration Officer.

## 9.2 GRIEVANCE MANAGEMENT APPROACH

The proposed approach to grievance resolution for the LALRP combines community-based resolution with PO-based resolution, and potential use of the legal system if complainants prefer. It provides for multiple entry points to the system, formal recording of concerns, multiple resolution pathways depending on the nature of the grievance, use of *kastom* conflict resolution where possible, active consultation, and an appeal system.

In the case of the TRHDP livelihoods restoration work, community members have said it is preferable for concerns or complaints from affected persons to be dealt with using *kastom* conflict resolution processes within the community where possible. This would be most appropriate for land and assets ownership issues that arise. Consultative methods will be preferred over formal legal methods, and a detailed protocol for their use will be developed by the PO in consultation with the community leaders.

Community-based resolution (*kustom* resolution) is proposed for disputes relating to land or asset ownership and involves the use of village, community or tribal leaders. It will take two forms: (1) for minor grievances between community members or within a tribe, PO will refer matters to the relevant leaders for resolution and (2) where grievances are between village, community or tribal leaders, the PO will facilitate a mediation or negotiation between the relevant parties. Where a grievance relates to the PO's management of this resettlement action plan, *kustom* resolution is not appropriate.

Grievances relating to land, resettlement action plans or compensation will be dealt with in accordance with the grievance mechanism set out in section 9.3 . Project construction and operation impacts shall be managed in accordance with the grievance redress mechanisms

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to be prepared by the Developer in accordance with the Framework Environment and Social impact Management Plan (ESMP) set out in Chapter 13 of the ESIA. Any grievances raised with PO staff relating to construction or operational grievances will be referred to the appropriate entity in accordance with the Developer's grievance mechanism.

### **9.3 MECHANISM FOR DEALING WITH GRIEVANCES**

Grievances relating to land acquisition, livelihoods restoration, compensation and related matters will need to be separated from grievances relating to the impacts of the project construction and operation on local communities. The former concerns the Project Office, the SIG and local communities and their leaders, while the latter principally concerns the developer-operator, although Project Office will continue to play a role in resolution of such concerns.

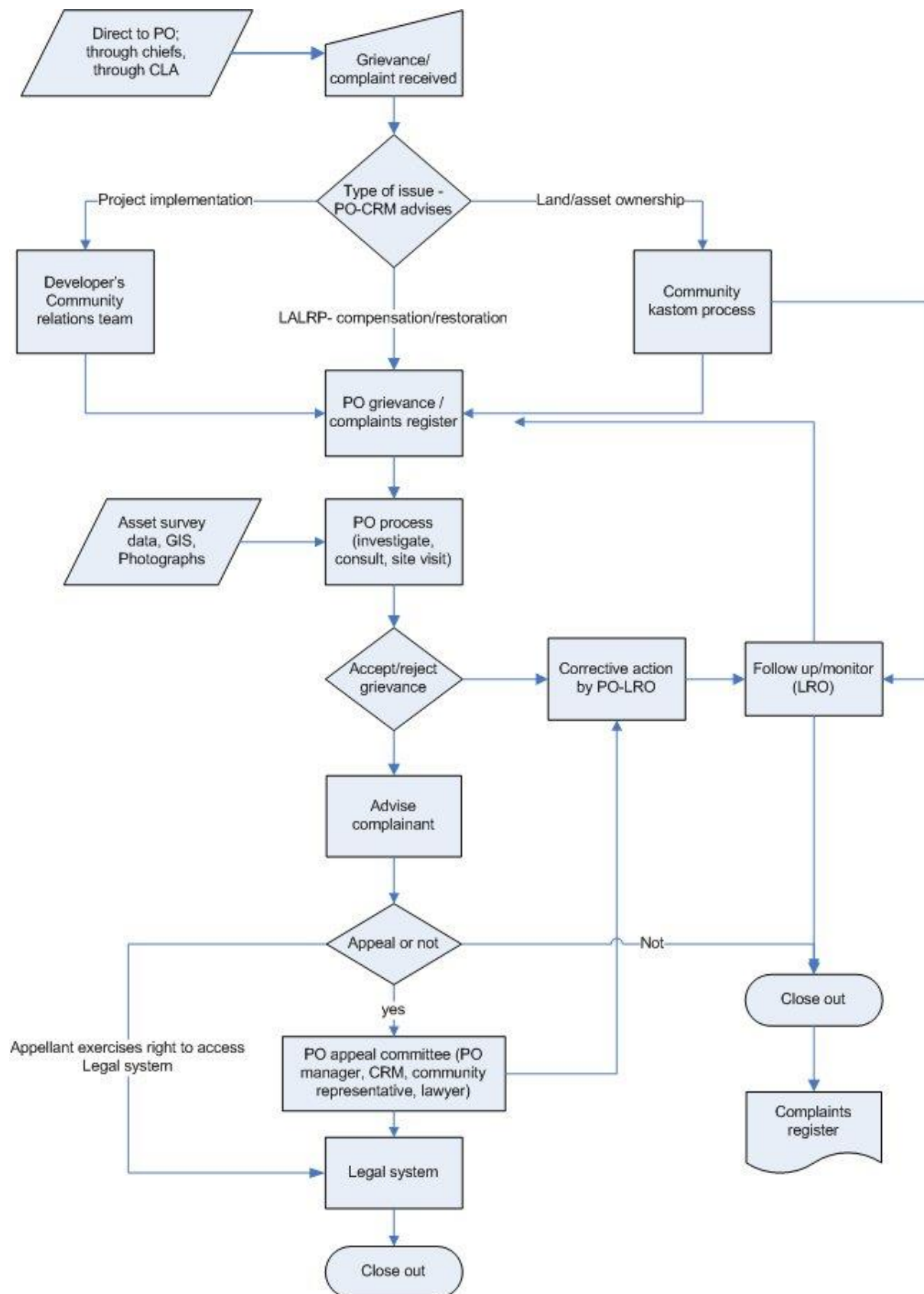
This mechanism will principally apply to land ownership issues related to asset restoration activities. Appeal and grievance pathways for the already completed compulsory acquisition of the customary land are set out in Chapter 5, however, any future grievances may still be raised in accordance with this mechanism.

The Project Office currently employs a male community relations manager (CRM) responsible for liaison and relations with project stakeholders generally. It is proposed that this officer also play the role of the livelihoods restoration officer (LRO) who will be focused on day to day implementation of the LALRP. The livelihoods restoration officer will be supported by a female officer/s to receive and deal with grievances and complaints originating from women.

A schematic process for dealing with grievances and complaints etc. is presented on Figure 9-1 Grievance resolution process and options. The PO's CRM / LRO will establish and maintain systems for

- receiving, and recording complaints and concerns regarding land acquisition and livelihoods restoration;
- allocating the complaint/grievance to the appropriate persons and process for investigation
- consulting with the interested parties;
- investigating the grievance, including drawing on the assets survey data, GPS locational data, and photographic evidence;
- achieving resolution of received complaints and grievances, including agreement-making.
- reporting back to the AP/complainant;
- sign-off/closeout;
- follow up and monitoring;
- reporting on the grievance system as part of the overall project monitoring and reporting.

Figure 9-1 Grievance resolution process and options



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## 10 MONITORING

### 10.1 PURPOSE

The approach to design and planning of the project means that physical displacement of people from their homes will not occur as part of the land acquisition and project construction, although there will be some economic displacement, as described in previous sections of this LALRP.

Solomon Islands law requires compensation be paid for involuntary land acquisition, and this is already underway for the affected tribes. Compensation and livelihoods restoration is also being provided to the owners of lost improvements, such as food gardens, fruit and nut trees, timber trees etc. The PO is responsible for distributing the compensation payments and implementing the Livelihoods Restoration Plan.

The World Bank OP4.12 and ADB SPS 2009 require that the SIG, as the bank client, *establish procedures to monitor and evaluate the implementation of a Livelihood Restoration Plan and take corrective action as necessary*. The extent of monitoring activities should be *“commensurate with the project’s risks and impacts”*. The principal purpose of any monitoring will be to check whether the compensation and livelihoods restoration activities are being delivered as intended, and whether the livelihoods of the APs have been sustained and possibly improved.

### 10.2 ORGANISATION AND ROLES

The monitoring will use a combination of “internal” participatory and expert-lead monitoring and evaluation, along with “external” independent review.

Internal monitoring will be carried out by the LALRP implementation team within the PO. Its task will be to monitor and report on:

- the day to day delivery of the livelihoods restoration entitlements to the affected persons;
- the timeliness and accuracy of payment of cash compensation to the APs;
- the delivery of other forms of livelihoods support;
- compliance with agreed policies and procedures, including assistance to vulnerable APs and their households;
- use of the grievance mechanism;
- the effectiveness of the livelihoods restoration activities;
- the need for any corrective actions, interventions, and/or modifications to the plan.

External monitoring and evaluation will be carried out by an independent expert six monthly for the first two years of the LRP implementation followed by a summative evaluation. The external expert will:

- assess the overall performance of the LRP and its goal of sustaining the livelihoods of affected persons, including consulting with APs and affected communities;

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- verify that the particular livelihoods restoration activities have been undertaken, and the compensation funds have been distributed appropriately, to the agreed beneficiary, and in a timely fashion;
  - review the performance of the grievance resolution mechanisms;
  - assess the adequacy of measures put in place to protect the livelihoods of women and vulnerable APs and their households;
  - Specify any corrective actions or improvements to the implementation and/or the LALRP.

A draft TOR for the independent expert is provided at Appendix E.

The independent consultant will be supported by a financial auditor appointed by the SIG, and together they will submit periodic written reports to the PO/MMERE, the World Bank and other donor partner institutions. At the end of the plan period the external consultant and financial auditor will provide a written summative evaluation of the performance of the livelihoods restoration plan and compensation arrangements.

### **10.3 APPROACH & METHODS**

The monitoring will combine participatory and expert-based assessment, and use qualitative and quantitative methods.

As part of its day to day work, the PO- LALRP team will:

- observe and check on livelihoods restoration activities;
- interact and consult with the affected persons and local leaders;
- pay particular attention to the needs and views of affected women and vulnerable persons in such interactions;
- fill out observation sheets and written notes of consultations/discussions with APs, and
- record any grievances or complaints received.

The PO will conduct an annual public consultation on the LALRP with key affected communities and their leaders, with separate meetings for women and men. The purpose is for the PO to publicly report on and discuss the performance of the plan with local people.

The PO will conduct a confidential questionnaire survey of the households of beneficiaries of livelihoods restoration and support. The findings will be used as baseline data to evaluate the performance and outcomes of the LALRP activities, and identify opportunities to enhance local livelihoods. At a minimum the baseline study is to include a household income and expenditure survey.

The independent expert will be responsible for working with the PO to determine the relevant data required in the baselines survey and set future monitoring indicators.

The PO –LALRP will provide quarterly written reports to MMERE and the WB and other donor partners on the status of compensation payments and the delivery of livelihood supports to the affected persons, including details of the amount of funds that have been delivered as compensation and expended on livelihood support. The PO will annually report

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on the outcomes of the compensation and livelihoods support provided, and make the report available to the affected communities, WB, ADB and to the public through the PO's website.

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## 11 A RESETTLEMENT AND LIVELIHOODS RESTORATION FRAMEWORK FOR THE LUNGA TRANSMISSION CORRIDOR

### 11.1 BACKGROUND

This section of the LALRP presents a framework for resettlement and livelihoods restoration planning for the proposed power transmission corridor between the northern end of the Tina Infrastructure corridor and the existing Lungga powerstation. A number of possible routes for this Lungga Transmission Corridor (LTC) are under consideration by Solomon Power (SP)- the state-owned enterprise responsible for producing, distributing and retailing electricity in Solomon Islands. The route is yet to be decided, though it can be expected that its development might impact on the property and livelihoods assets of people and households in Malango Ward to the west of the Ngalmibiu/Tina River.

Solomon Power will be the developer and operator of the transmission corridor, and the Tina Hydro Project Office will undertake the land and safeguards planning on its behalf. Under the *Electricity Act* Solomon Power has the power to acquire any land for its purposes by voluntary agreement (section 33).

Solomon Power also has the right to a statutory easement under the *Electricity Act* to construct and maintain transmission lines without acquiring registered rights to the land (section 34). Where statutory rights are used in lieu of land acquisition, Solomon Power are obligated under the Act to provide compensation for any damage or loss caused to either the owners and users of the land. While the Act requires a PAP to make a claim for compensation within three months, the RAP will require a pro-active livelihood restoration and compensation regime in accordance with WB and ADB safeguard requirements. As a state-owned enterprise client of the World Bank, SP will be obliged to develop the Lungga Transmission Corridor in accordance with Solomon Islands law and the requirements of WB OP /BP 4.04 - *Performance Standards for Private Sector Activities*. The Performance Standards (PS) listed under OP4.03 include:

- PS 1: Assessment and Management of Environmental and Social Risks and Impacts
- PS 2: Labour and Working Conditions
- PS 3: Resource Efficiency and Pollution Prevention
- PS 4: Community Health, Safety, and Security
- PS 5: Land Acquisition and Involuntary Resettlement
- PS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources
- PS 7: Indigenous Peoples
- PS 8: Cultural Heritage.

The following table presents the key features of PS5, which will guide the RAP process for the Lungga Transmission Corridor.

*Summary of the key features of PS 5: Land Acquisition and Involuntary Resettlement*



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### **Objectives**

Performance Standard 5 (PS5) recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons that use this land.

Involuntary resettlement should be avoided. Where unavoidable, it should be minimized and appropriate measures to mitigate adverse impacts ... should be carefully planned and implemented.

Clients are encouraged to use negotiated settlements while addressing the following PS5 objectives:

- avoid, when avoidance is not possible, minimize displacement by exploring alternative project designs;
- avoid eviction;
- anticipate and avoid, or where avoidance is not possible, minimize adverse social and economic impacts from land acquisition or restrictions on land-use by providing compensation for loss of assets at replacement cost, and ensuring that land resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;
- improve, or restore, the livelihoods and standards of living of displaced persons;
- improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.

### **Impacts covered**

Involuntary resettlement as a result of project-related land acquisition refers to:

- Physical displacement - relocation or loss of shelter, and/or
- Economic displacement - loss of assets or access to assets that leads to loss of income sources or other means of livelihood

### **Required Measures**

THE WB requires its clients to apply the Performance Standards to manage the environmental and social risks and impacts so that developmental opportunities are enhanced.

PS 5 Measures comprise:

- **Project Design:** Feasible alternative designs will be considered to avoid or minimize physical and/or economic displacement, while balancing environmental, social, and financial costs and benefits and paying particular attention to the poor and vulnerable
- **Compensation and Benefits:** Compensation will be awarded for loss of assets at full replacement cost, along with assistance to restore standards of living or livelihoods as provided by PS5. Compensation standards will be transparent and applied consistently to all communities and persons affected. Where livelihoods are land-based or land collectively-owned (and where feasible), land-based compensation will be offered.
- **Possession of acquired land and related assets** will occur after compensation has been made available. Opportunities will be provided to displaced communities and persons to derive appropriate development benefits from the project.

- Community Engagement: The client will engage with affected communities through the process of stakeholder engagement described in PS1. Decision-making processes related to resettlement and livelihood restoration should include options and alternatives where applicable. Disclosure of relevant information and participation will continue during the planning, implementation, monitoring and evaluation of compensation payments, livelihood restoration activities, and resettlement to achieve outcomes consistent with PS5.
- A Grievance Mechanism, consistent with PS1 will be established by the client in the project development stage.
- Resettlement and Livelihood Restoration Planning and Implementation (outlined in Planning, Implementation and Monitoring).

#### ***Eligibility for Compensation and Benefits***

A census will establish the status of 'Displaced persons' who may be classified as:

- Persons who have formal legal rights to the land or assets they occupy or use
- Persons who do not have formal rights to land or assets, but have a claim to land that is recognized or recognizable under national law
- Persons who have no recognizable legal claim to the land or assets they occupy or use.

#### ***Planning, Implementation, and Monitoring***

The client will be responsible for the development of:

- A Resettlement and/or Livelihood Restoration Framework, outlining general principles compatible with PS5.
- A Resettlement Action Plan or Livelihood Restoration Plan and Procedures (expanded and specific)

#### ***Resettlement Instruments***

- A Resettlement and/or Livelihood Restoration Framework, outlining general principles compatible with PS5.
- A Resettlement Action Plan or Livelihood Restoration Plan and Procedures.

## **11.2 PROJECT PLANNING AND ASSESSMENT**

The TRHDP Project Office will manage the planning for the LTC on behalf of Solomon Power, using the specialist skills developed over the past 6 years for the Tina Hydro. This will include:

- developing and implementing a programme of community and stakeholder engagement;
- assisting in identifying and assessing potential LTC routes and alignments with respect to livelihood impacts;
- undertaking an environmental, social and cultural impact assessment on the preferred route/s;
- establishing and implementing safeguards for SP to acquire any land, or make use of statutory easement provisions, as required to establish a corridor that meets the

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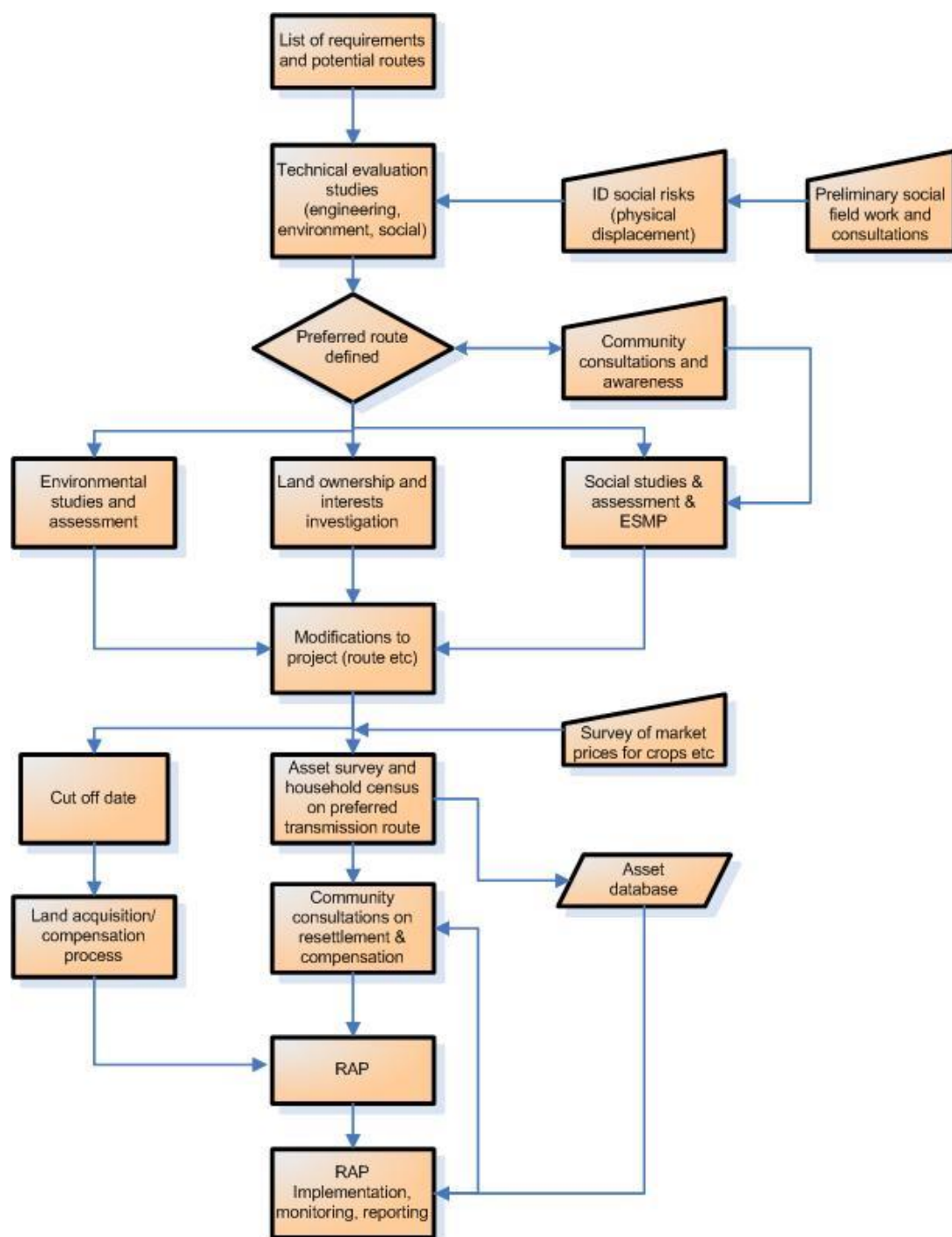
requirements and standards for environmental performance and for public health and safety);

- developing and implementing a resettlement action plan and livelihoods restoration programme in relation to any involuntary resettlement.

Drawing on lessons from the Tina Hydro development, the PO will establish a LTC planning team, and engage suitably qualified and skilled persons to assist in the implementation of the community engagement programme on the ground, and to support necessary technical investigations and studies. The PO's proposed planning and assessment process for the Lungga Transmission Corridor is presented in figure 12.1. This indicates how the assessment of the effects of involuntary resettlement will be identified, and the steps involved in arriving at a resettlement action plan (RAP) for the preferred option.

Importantly, the people, households, property, and communities affected by acquisition of land and assets for the selected transmission corridor will be identified through a systemic ground survey that will record the location, type, condition, and quantity of all assets and improvements lying within the surveyed corridor boundaries. The owners of these assets will be identified, and a questionnaire survey will be administered to determine each affected households' socio-economic characteristics, livelihoods, and wellbeing. The AP questionnaire will be consistent with the census questionnaire, and will gather sufficient information to enable the PO to determine the impact of the loss of the identified assets on the household's livelihood and wellbeing. The questionnaire will contain separate section for female members of the household. Where the assets belong to an institution or corporate, the survey team will interview the senior manager of the facility or land to determine the potential loss and identify suitable compensation arrangements. Where possible, the PO will assist Solomon Power to negotiate with such land owners to voluntarily acquire the land, or where acquisition of the land is not required, negotiate with land owners to agree an appropriate amount of compensation, for an easement for the construction and operation of the corridor.

Figure 11-1 Impacts identification and management process



### 11.3 PRINCIPLES UNDERPINNING THE RAP FOR THE LUNGA TRANSMISSION CORRIDOR

While payments for a negotiated land purchase, and compensation for any lost or damaged improvements is payable under the *Electricity Act*, full livelihood restoration is not required. However, resettlement planning and livelihoods restoration is required by the World Bank,

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ADB and other potential donors. The aim of the development banks' policies is to ensure that the livelihoods of people affected by the involuntary land acquisition for the LTC project are maintained at the same level, and preferably, improved – both in terms of sustainability and standard. The aim is also to ensure that the standard of living is improved for the poor and vulnerable.

The planning for the LTC by the PO and Solomon Power will be guided by the following principles:

- In the design, land or easement acquisition and implementation of the project, do no harm to the livelihoods and property of local householders, and preferably improve their well-being;
- avoid disruption and damage to villages, homes and other structures;
- do not increase social and economic disadvantage and inequality;
- protect affected peoples' livelihoods where possible, and maintain access to livelihoods assets;
- protect essential infrastructure such as water supplies, village access points, schools, churches, and meeting places;
- where possible, acquire the necessary land through voluntary sale and purchase rather than through the power of eminent domain;
- if assets are taken involuntarily and restoration is required, it should focus on existing sustainable livelihoods strategies and assets, and avoid substituting real livelihoods with cash compensation pay-outs;
- improve the situation of women and other vulnerable persons;
- where cash compensation is provided to tribes and households, make sure female members receive a fair share, and the money is not wasted.
- Livelihood restoration and compensation should be matched to the circumstances of the affected household and their level of loss.

These principles, along with WB, ADB and Solomon Islands legal requirements, will be embedded in the RAP to be prepared once Solomon Power transmission route needs are finalised.

## **11.4 POTENTIAL LIVELIHOODS IMPACTS OF THE TRANSMISSION CORRIDOR**

In order to identify the potential impacts of a transmission corridor, the PO commissioned a preliminary livelihoods assets survey in 2016 of 2 notional routes for the Lungga Transmission Corridor. One of these followed the line of an existing Solomon Power transmission line known as "Feeder 12", and the other assumed a route running parallel to the Kukum highway from Black Post Road junction to Henderson Airport, through the Betikama College to Lungga power station. The surveys assumed corridor widths of 40 metres and 42 metres respectively.

Two types of physical intrusion onto land were possible depending on the design and layout of the transmission lines and the corridor: a) where there could be a pole/pylon placed on the land, and/or b) where the transmission lines would pass above the land. During construction,

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properties could be affected by the creation of an access way, and earthworks for the erection of power poles. In the longer term, land owners will suffer the loss of the area of land needed for the power pole foundations, and from the permanent removal of vegetation and structures from within a specified clearance radius of poles and power lines as required for public safety. The final clearance radius will depend on the transmission line voltage. Construction of a transmission line is likely to have a greater negative impact on livelihoods assets than the longer term corridor operation, but construction livelihoods losses will not be permanent.

A range of types of land could be affected by the creation of the LTC including:

- Customary land belonging to one or several tribes
- Registered land belonging to the provincial government
- Registered land belong to religious institutions
- Registered land belonging to the Commissioner of Lands
- Registered land in the name of corporations/registered companies, including a plantation company whose land is described as 'abandoned'
- Registered land in the name of private individuals – who may be trustees for traditional owners

The types of assets falling within the boundaries of the notional corridors included, in quantitative order,

- Structures, including houses, community facilities, food canteens and market stalls, water bores/wells, sheds, water tanks, fences, and pig and poultry pens
- Food gardens in private and institutional ownership;
- Trees, including coconut, ngali nut, fruit trees, and timber trees;
- Plantations including banana and cocoa;
- Animals paddocks; and
- Recreational grounds.

In addition to the formal owner-occupants of the land affected, the survey found that assets belonging to informal settlers (squatters) occupying plantation and government land could be affected by the establishment of a corridor.

## 11.5 RESETTLEMENT AND LIVELIHOODS RESTORATION

The range of mechanisms and actions proposed for the Tina Hydro LALRP could be used to protect and maintain the livelihoods of those potentially affected by the acquisition of the land for the Lungga Transmission Corridor. These are:

- Locate the project infrastructure and construction activities where they will avoid, or do the least damage to people's livelihoods and property.
- Provide sufficient lead time for owners of threatened assets to establish replacement assets and maximise returns from existing gardens etc.
- Replace lost assets within the acquired land with similar assets at the same or better standard (or equivalent market replacement cost) to ensure continuity of current livelihoods

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- Provide incentives for owners of food gardens, fruit and nut trees, timber trees, and structures to re-establish these assets.
  - For temporary or permanent loss of common property or shared livelihoods assets, the assets will be replaced where possible or compensation will be paid into a collective fund to be used for community development and events.
  - Provide funds and programmes to enable especially disadvantaged and vulnerable land and asset owners to improve their wellbeing and build more sustainable livelihoods.

The following matrix Table 11-1 provides a framework for livelihoods restoration for those affected by the acquisition of land and assets for the LTC, or use of a construction and operation easement. This intended to specify the intervention logic for livelihoods restoration, along with proposed policies and actions.

Table 11-1 also presents the proposed approach to interventions for vulnerable persons and women affected by the LTC project. The proposed actions will be refined and customised according to the particular needs of the PAPs, as identified in the asset survey and accompanying socioeconomic census.

The resettlement and livelihood restoration framework is organised according to the probable needs of different types of affected parties, that is:

- Customary land owners, in the event the LTC is routed across land in customary title;
- The owners or leaseholders of registered land;
- The owners of the assets on the acquired customary or registered land, including those with customary or legal rights to be occupying and using the land, and those without such rights;
- Vulnerable groups, including the poor, handicapped, elderly, women, and landless, as identified in the household survey.

Table 11-1 Lungga Transmission Corridor – resettlement and livelihoods restoration entitlements for involuntary land acquisition

<i><b>Affected persons</b></i>	<i><b>Impacts</b></i>	<i><b>Livelihoods consequences</b></i>	<i><b>Livelihoods Responses</b></i>	<i><b>Actions/entitlements to be provided for</b></i>
<b>All affected land and asset owners</b>	Involuntary physical or economic displacement		This RAP	Section 34 of the Electricity Act provides for notice of entry and compensation for damage. This shall not be used to limit the actions and entitlements as below.  All APs will receive at least 3 months advanced notice before vacating the land.
<b>1. Owners of assets on land purchased or taken for the transmission line easement</b>	a) Unavoidable removal of occupiers' houses & structures	Loss of shelter, Loss of workplaces, Cost of replacement- labour, materials, & house site	Maintain access to shelter and workplaces; relocate or replace structures where possible, or pay compensation at full replacement cost. Provide practical support.	No compensation for land  Owner of a structure in place on the cut-off date who is required to relocate will be compensated in cash for the full value of an equivalent structure and supporting facilities (e.g. water supply/bore, access paths, power supply). The AP will have the right to recover, free of charge any materials for sale or reuse before vacating the site. AP will be provided with transport and free labour to help in reconstructing the structures on another site outside the LTC, with the written approval of the site's landowner, and within 25km of current site. Where the structure is a workplace/small business/shop etc, the owner will also receive cash compensation of the equivalent of 3 average month's net takings. If AP is an informal /non-titled occupant of the site (ie has no formal land rights), the PO will also work with the AP and SIG to identify a resettlement site that provides more secure tenure.
	b) Loss of food gardens	Reduced supply of fresh food for home and for sale; reduced household incomes; increased household costs.	Maintain and improve continuity of food availability and income through free practical assistance to continue gardening and food production on another site, or pay cash compensation and provide support.	Owner of garden as at the cut-off date will have free use of the identified garden land for food production until notice to vacate. The area for the new garden must be identified by the owner of the garden and their household and approved by the landowner. Provision of 3 days/ labour (contracted locally) to clear the new garden area and prepare for planting under the guidance of the garden owner Geo-referenced register of new gardens created. Garden owner's household will be paid a "garden re-establishment cash grant" of SBD \$1000, payable after three months if new garden of same size is in production and maintained.
	c) Loss of trees & tree crops	Reduced supply of fresh produce for home consumption and for sale; reduced household incomes; reduced access to construction materials	Maintain and improve continuity of food and materials availability and income by providing free planting materials and labour to re-establish plantings.  Pay compensation at full market rates for lost production.	AP will have free use of the identified trees until date to vacate/clear. The owners may retain the produce from those trees up to that time. AP will receive free practical assistance with replacement of trees, including tree seedlings of same species for planting on land outside of the corridor (as formally approved by the land owner, if relevant), plus 1 day labour assistance with replanting (contracted locally, and paid for by PO). Geo-referenced register of new plantings.  If no alternative land is available, the tree owner will be paid compensation at the full market rate for the lost trees, plus the equivalent of 1 year's production of food and/or materials from them.



<i>Affected persons</i>	<i>Impacts</i>	<i>Livelihoods consequences</i>	<i>Livelihoods Responses</i>	<i>Actions/entitlements to be provided for</i>
	d) loss of water sources	Loss of water supply for home and productive use, increased expenditure Lost production from gardens, animals etc Increased workloads for household members.	Provide alternative supply at no cost to the users	If users/owners are not relocating, the developer/PO will provide an alternative equivalent local supply at no cost. This may include establishing a new well/bore and storage tank that complies with national health standards.
<b>2. Owners of land used during the construction of the transmission line</b>	Temporary loss of productive and non-productive land	Damage to productive land, soils etc Cost of repair/reinstatement	Rehabilitation/reinstatement of land to previous productive capacity, Compensation for land area used/affected at market rates	The developer will pay a market rental for the use of the land for at least 6 months, and either restore the land to its former condition to the satisfaction of the APs, or pay compensation equivalent to, the cost of restoring it to its previous condition.
<b>3. Owners of the assets on land used during the construction of the transmission line</b>	Temporary restriction of livelihoods activities	Reduced income Reduced wellbeing	Sustain livelihoods and incomes during the construction Reinstate livelihoods activities and assets	If damage to assets (structures, crops etc) is unavoidable, the developer will a) pay the APs the market cost of materials and labour for fully repairing any structure, including houses, huts, pens, water supplies, market stalls etc) to their former condition b) pay the full cost of rent for alternative temporary equivalent or better accommodation where necessary, along with an allowance for additional costs (eg transport) c) pay the AP the full market rate for all crops that are damaged or unable to be re-established during the period of construction and prior to land rehabilitation d) Provide 3 days labour (contracted locally) to enable the AP to clear/create an alternative garden area and plant it to a similar standard.
	Other damage to assets	Losses to communities	Prevent losses Restore assets to same or better standard as soon as possible Provide temporary alternative	Direct consultation and negotiation with the asset owners/affected communities. Possible responses include Pay meetings costs /ceremonials Pay institution/organisation compensation for damages to the asset Where appropriate, provide temporary alternative Pay for repairs/reinstatement of asset.
<b>4. Owners of the land used to create transmission line in easement corridor</b>	Permanent loss of productive and non-productive land	Loss of capital Loss of land for livelihoods activities	Compensation for land area at market rates	SP will pay annual rental (preferably under a formal long term lease) for the land area required for poles/pylons – payable to the land owner. The amount paid should be at least the market rental for productive garden land.
<b>5 Vulnerable persons and households as identified determined by household survey</b>  Potentially Includes Asset owners and users on corridor land who have significant handicaps, are unemployed, are	Potential for decreased access to land for food production, access to other resources.	Danger of impoverishment or further impoverishment, threat to personal and household wellbeing	Prevent exposure to losses Replace/re-establish lost or damaged assets Provide alternative sources and means that can enhance livelihoods and improve their sustainability Compensate for losses	Assess vulnerability to poverty of each identified asset owner through the survey of APs Establish database of vulnerable persons & households Provide free assistance to VPs and their households informed by results of survey and in direct consultation with VPs over their needs and capabilities.  Possible actions include: - ensuring compensation and assistance payments are made directly to women,

<i><b>Affected persons</b></i>	<i><b>Impacts</b></i>	<i><b>Livelihoods consequences</b></i>	<i><b>Livelihoods Responses</b></i>	<i><b>Actions/entitlements to be provided for</b></i>
elderly living alone, live in low income households, and/or have no legitimate land use, occupancy , or resource rights.				<ul style="list-style-type: none"> <li>- assisting VPs and households with bank account access,</li> <li>- providing practical assistance with re-establishing and maintaining household food production,</li> <li>- providing training and practical assistance with income generating activities (such as niche crops, handicrafts development, home-based small enterprise. Etc)</li> <li>- providing employment on the transmission line construction and livelihoods restoration activities</li> <li>- providing enabling equipment and access to health care to invalidated sick and the handicapped</li> <li>- investigating with the SIG and corporate and institutional land owners the provision of legal access to land for the non-titled/ informal occupant APS</li> </ul>
<b>6. Women in affected households</b>	<p>Range of livelihoods impacts more likely to fall on women and children</p> <p>Compensation for lost assets could be captured by elites and male household heads.</p> <p>Loss of control over essential household resources</p>	<p>Decreased physical and psychological wellbeing of women &amp; children</p> <p>Loss of livelihoods development opportunities</p> <p>Poverty/hardship</p>	<p>Where possible, pay compensation for lost assets into senior female's bank account</p> <p>Consult with women on implementation of other assistance (replacement gardens and assets)</p> <p>Provide training to affected women in alternative and enhanced livelihoods, and skills.</p> <p>Plan livelihoods interventions in close consultation with women in affected communities</p>	<p>Consult with women APs separately about design of interventions and using data from household survey</p> <p>Establish women's consultative forum for the LTC, with representation from key villages and groups to deal with livelihoods restoration, women's development, and LTC social impacts management.</p> <p>Provide training opportunities for women APs, especially for home and community-based business and employment</p>

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## **11.6 GRIEVANCE MECHANISM**

In consultation with the APs, affected communities (ACs), and the developer of the LTC, the Project Office will develop processes for receiving and dealing with grievances relating to the creation and operation of the LTC that are consistent with the requirements of PS 4.5.

Where possible, these will be integrated with the grievance mechanism and associated organisational arrangements being established for the Tina Hydro Development. These are described in Section 9 of this report.

## **11.7 MONITORING**

The LTC Resettlement and Livelihoods Restoration programme will include processes and arrangements for monitoring, reporting on, and adapting its implementation. As with the Tina LALRP, the monitoring will use a combination of “internal” participatory and expert-lead monitoring and evaluation, along with “external” independent review and reporting.

Monitoring of the LTC resettlement and livelihoods restoration will have similar purpose, and will be expected to follow similar procedures and methods, as those being established for the Tina Hydro Development, as described in Section 10 of this report.

Close integration of the two monitoring efforts within the PO will create efficiencies, and enable the development of a strong project monitoring capability, supported by external experts and the development agencies. It will also result in the generation of valuable insights and learnings for the management of future projects in Solomon Islands.

## **APPENDICES**

### **Land Acquisition and Livelihoods Restoration Plan**



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## **Appendix A**

### **Location of Landowners of Core Land**





## Appendix A

### Location of Landowners of Core land

District	Settlement	Roha	Kochiabolo	Buhu -Garo	Vuralingi	Uluna-Sutahuri	Grand Total	%
<b>Bahomea</b>	Managikiki	16	36			38	90	
	Antioch		27			32	59	
	Valesala		1			40	41	
	Tina	4				28	32	
	Vuramali	9	15			5	29	
	Pachuki					28	28	
	Haimane					23	23	
	Horohotu	12				4	16	
	Katihana					15	15	
	Ngongoti	1	10				11	
	Marava	5				5	10	
	Veramaota		2			8	10	
	Tagilagila	7				2	9	
	Tahurasa					6	6	
	Habusi					5	5	
	Namopila					4	4	
	Horohotu1		3				3	
	Buvi					1	1	
	Hajoha					1	1	
	Kolaji					1	1	
	Komureo					1	1	
	Tantita					1	1	
	Valekocha					1	1	
	Verabariki					1	1	
subtotal		54	94	0	0	250	398	51%
<b>Malango</b>	Mataruka					36	36	
	Pamphylia	32					32	
	Malatotha	21				6	27	
	Bokorade					21	21	
	Bubulake					18	18	
	Valechimea					18	18	
	Namohoai	15					15	
	Chichinge	9				3	12	
	Salavota	12					12	
	Keresapo					11	11	
	Camp	3				5	8	
	Ngalihau					6	6	
	Greenland		2				2	
	Hailalua	2					2	
	Bubulonga					1	1	
	Koloula	1					1	
	Sungina					1	1	
	Umea					1	1	
Subtotal		95	2	0	0	127	224	29%

District	Settlement	Roha	Kochiabolo	Buhu -Garó	Vuralingi	Uluna-Sutahuri	Grand Total	%
<b>Belaha</b>	Pao	19		35			35	
	Kaimomosa					2	21	
	Tita			8			8	
	Ado					7	7	
	Huhula			6			6	
	Kwai					5	5	
	Verachiria					5	5	
	Belaha					3	3	
	Koku					3	3	
	Kwai Kara					1	1	
	Vura					1	1	
subtotal		19	0	49	0	27	95	12%
<b>Other</b>	Nazareth Centre		9				9	
	GPPOL area		1			17	18	
	Tenaru					6	6	
	Guadalcanal other					3	10	
	Other prov.		1				1	
	Overseas		1			1	2	
subtotal		0	13	16	0	32	61	8%
<b>Grand Total</b>		<b>168</b>	<b>109</b>	<b>65</b>	<b>0</b>	<b>435</b>	<b>777</b>	

## **Appendix B**

### **Livelihoods Recorded in SIA Village Workshops 2013**



## Appendix B

### Livelihoods Recorded in SIA Village Workshops 2013

TINA CATCHMENT COMMUNITIES	VILLAGES REPRESENTED	REPORTED LIVELIHOODS ACTIVITIES	EMPLOYMENT & CASH ECONOMY
SENGE COMMUNITY	SENGE	Fishing & Diving (spears and lines - 19+ types of fish named); Gathering food (5 types, incl watercress & betelnut, cocoa, fern/kaisume, sold for cash. Gathering plant materials (ropes, building) + medicine; Hunting with dogs and spear (5 species) upstream; foraging in forest.	Selective logging & chainsaw milling at Koropa - landowners - maybe \$1000 mth; Marketing (ferns, tomato, eggplant, timber); Development of eco & culture-tourism (from 2009 till early 2013 had 29 guests- paid a total of \$15,000). - . Koropa chief makes craft items for sale.
	CHORO		
	KOROPA		
VERAKUJI - MANAGIKIKI COMMUNITY	VERAKUJI	Subsistence gardening (list of 15+ crops); Fishing; Hunting (wild pig, possum, hunnu, birds, gota, big frog); Firewood; Gathering (water lillies, wild yams, muse, palm, bicho, nuts, megapods);	Marketing (tobacco, bicho, betelnut, kua, wild mango, ngali nuts, vato, ura, housing materials); Handicrafts (baskets, weaving); 5 chain-sawyers/ millers (men and youth); 1 local taxi; 1 4WD hire; 2 employed by GRML, 3 by Earthmovers ;1 teacher headmaster (at Gold Ridge); 1 pastor;
	MANAGIKIKI		
	HANILAKE		
ANTIOCH COMMUNITY	ANTIOCH	Gardening Spear fishing in Tina & Toni Rivers (12 types of fish + shellfish); Collecting river-plants (2 types planted, 9 wild); Hunting, pig, opossum, iguana, flying fox, hunnu, giant frog	Employed: 3 teachers, 2 GPPOL, 4 earth movers, 1 Gold Ridge, 1 pastor; Day Labour; milling timber; handicrafts; Others - marketing (timber, firewood, flowers, crafts, crops, megapode & turkey eggs, betel nuts, building materials, local tobacco, ngali nut and coconuts)
	VALESALA		
	KOLANUI		
	KOMEO		
MARAVA COMMUNITY		Gardening (13 crops listed); Fruit Trees (9 listed); Gathering wild foods (swamp taro in emergencies); Hunting (spears, dogs, guns); Spear fishing (7 species); Gathering materials (housing);	Garden produce marketing: 4 employed in GRML; logging; milling timber (employees share proceeds), timber retail; selling firewood; Cocoa to local buyers; Women's jobs (weaving, flowers, baking); operating small canteens; Royalty payments from GRML. (Have been recent improvements to housing, roads, communication, health)
	MARAVA		
	NGONGATI		
PACHUKI COMMUNITY	VATUPAUA	Gardening/ subsistence farming; (kasava, kumara, taro); Fishing (trap, line, net, diving); Hunting (wild game, nuts);	Employed (1 GRML, 1 Earth); marketing of flowers & plants; crops (kasava, kumara, kasume, fern, taro, banana, betelnut, lemon fruits, cut-nut);
	PACHUKI		

TINA CATCHMENT COMMUNITIES	VILLAGES REPRESENTED	REPORTED LIVELIHOODS ACTIVITIES	EMPLOYMENT & CASH ECONOMY
	HABUSI	Gathering (kasume, rova, boto, kaimomosu, kaichiu, bania, kaikai, wild yam (boko, uvi kanbe, tege), matura.	Local sale of pigs & chickens; kokorako; Timber milling & building materials sago palm leaves; Saw milling for hire (1 employed at Habusi)
	VERALOKA		
NAMOPILA COMMUNITY	NAMOPILA	Gardenning (left to regrow as forest after 1 year, left for 5 years before cultivated again).	No salary earners in the village but Day Labourer's earn \$50 - 200 for clearing / brushing, \$2000 - 5000 for house building; Marketing (bettnut, flowers, loyacane, banubu, sago palms); Crops (cabbage, potato, kasava, coconuts); Timber milling; Hunting and fishing (selling); Piggery; Gravel (Pacific Timber);
	KOMUREO	Hunting (wild pigs, lizards); Fishing & eeling (5 locations); Gathering river Plants (list of 23 types); Emergency Wild Food (used during cyclone in 1986) including uvi kanbe, ngali nut, poicho, matura.	
	VATUNADI		
	VALELCOCHA		
TINA COMMUNITY	TINA	Gardenning (veges, root crops, fruit) - womens activities involve gardenning;	Employed: 12 GoldRidge, 1 GPPOL, 3 teachers, 1 THP office, 1 public servant, 2 police; local timber milling Marketing at Honiara market (vegetables; crops like potato, cassava, taro, clothes; flowers; wild pig meat)
	VALEBARIK	Fishing -using line, net and diving (10+ types of fish);	
	VALEBEBE	Hunting (only between Toni and Tina);	
	TAHURASA	Gathering wild yams etc;	
	VALEMAOTA		
	Kaithana		
VURAMALI COMMUNITY	VURAMALI	Gardenning (cabbage, eggplant, tomato, capcicum), Hunting & Diving (between Toni and Tina); Fishing top-most part of river;	Sell produce (cabbage, banana, pawpaw, kasava, ferns, kumara); Cash cropping copra and cocoa; Royalties from mining, logging; 15 people at Haimane employed (GRML, GOV, CBSI, ports, Fisheries, teaching); timber milling; canteen; weaving and handicrafts (mats, baskets); sewing; royalties from Gold Ridge; many unemployed youths in the village
	HAIMANE		
	HOROHOTU 2		
	VUVAMALI		
HOROHUTU I	HOROHOTU 1	Gardenning (kumara, kasava, tomato, beans, pawpaw, banana, eggplant, yams + poma); Fishing	Crops for selling (eggplant, beans, tomato, corn, cucumber, melon, pumpkin). Day labour to land-owners (timber milling); Truck-hiring; Paid Employment - 12 including with World Vision - 1; Warden - 1; GRML - 1; GPPOL - 6; Aviation -1; Logging Company - 2;
VERA-ANDE COMMUNITY	VERA-ANDE	Gardenning is families' main source of food. Fishing and Diving along Tina by young people (no hunting);	Marketing of cocoa, kasune, cake, bettnut, rolled cigerettes, sago palm; Gold panning
	VERAKWELE		

TINA CATCHMENT COMMUNITIES	VILLAGES REPRESENTED	REPORTED LIVELIHOODS ACTIVITIES	EMPLOYMENT & CASH ECONOMY
	NEW MAHATA		Timber Milling; GRML - 1 (Kitchen); GPPOL - 1; Day Labour; Lee Kwok Kueen (Veraander - 6, New Mahata - 8, Verakwele - 3)
VERAKABIKABI COMMUNITY (Settlers)	VERAKABIKABI	Gardening: Growing swamp taro; Gathering fern-kasume, amau leaves (eat young ones, old ones for washing pots and utensils) ; Hunting (pig, eelfish, opossum); eel traps at Betisasanga.	Marketing of banana, cocoa: Truck Hire; Panning for gold; Day Labour; many family members away at Goldridge

MALANGO & BELAHA	VILLAGES	LIVELIHOODS	EMPLOYMENT
MATARUKA COMMUNITY	MATARUKA	Gardening (kumara, kasava, banana, taro, yam, pana, cabbage); Hunting for eating and selling (wild pigs, possums, lizards, frogs)	Cocoa (wolf beans and dry beans); Coffee; Piggy (10 - 20 pigs); Marketing (yam, mushrooms, veges); Timber Milling (30 + people with chainsaws); Employment with Earthmovers; GRML (~ 50); GPPOL (5); Teachers (30); Central Govt (10); Prov Govt (2); PhD's (2); Medical (1); Ports (1); Operating small shop (many); bus (6 contracted out)
	PAMPHILA		
	NAMORAONI		
	SUNGINA		
	CHICHINGE	Gardening Fishing (river shells - leve & doe, eelfish, tilapia, shrimp); Hunting (wild pigs, lizards, opossum); Gathering wild foods & river Plants (taro, choro, bicho, uvi kambe);	Employment (GRML - 20, Earthmovers - 10-20, 10 SIG – teachers), Day Labour; Timber; Piggy and Poultry; Services (transport, store); Running small business. 50% of garden production is for cash crops); Market (cocoa, bettenut, copra, fish, gardening, coconut); timber milling; Running small shop (rice, taiyo, noodle, drinks) Gold prospecting,
BELAHA COMMUNITY	ADO		





## **Appendix C**

### **Stakeholder Consultations on preliminary plans: Issues Raised**



## **Appendix C**

### **Stakeholder Consultations on Preliminary Plans**

#### **A.1 Mengakiki**

Community briefing and consultation on livelihoods restoration plan, and proposed schedule of entitlements. 20 November, 2015. 11.45- 2.15pm

Presenters: G. Fitzgerald (international social consultant), K. Simeon (Assets assessment consultant and translator), S. Para (CLA, indigenous language translator; women's facilitator)

Also present: J. Scott (gender specialist, World Bank); B. Tavalia (PO community liaison officer), J. Maka'a (PO communications officer), and T. Siapu (PO water resource officer and liaison, and local resident).

##### *Matters raised by participants*

- Uncertainty over the final alignment of the corridor, and therefore the actual assets affected.
- Is the recently surveyed alignment & boundaries of the corridor the same as those described in the process agreement and as acquired by the COL in August 2014.
- Presence of gardens and other assets around Senge.
- Alignments of the roads to the powerstation site and the dam site within the Core Land are not known. Hard to determine what private assets might be affected. Will require a specific assessment once the alignment is decided. Due to steepness of the valley, there may be engineering limitations to adjusting the alignment to avoid assets.
- What will be the extent of replacement of structures if necessary, Ref to resettlement conducted at Gold Ridge. Some people want the village, or particular houses to be similarly relocated, even though they will not be affected by the land acquisition.
- Future safety of the road – need for fence.

Notes: One man particularly outspoken about the accuracy and location of the corridor boundaries.

#### **A.2 Grassy Hill**

Community briefing and consultation on livelihood planning and proposed schedule of entitlements relating to the infrastructure corridor and registered land. 20 November, 2015. 2.40 – 4.15pm

Presenters: G. Fitzgerald (consultant), K. Simeon (Assets assessment consultant and translator), S. Para (CLA, indigenous language translator; women's facilitator).

Also present: J. Scott (gender specialist, World Bank); B. Tavalia (PO community liaison officer), J. Maka'a (PO communications officer), and T. Siapu (PO water resource officer and liaison, local resident).

##### *Matters raised by participants*

- Proposed approach to compensation and livelihoods protection for gardens and other assets makes sense, though only one local person is affected, and he was not present.
- A new house has been built 6 mths ago, and home garden created, close to the corridor on the GPPOL leased land nearby. What will happen there?
- Safety of the road in the future
- Compensation for and replacement of shade trees, if affected. Some “timber trees” (e.g. teak) are actually shade trees.
- People here have known for a long time, and have repeatedly heard about the project and the proposed changes to the road. Its peoples own fault if they then go ahead and plant gardens or build structures in the alignment and they are damaged by the construction (general agreement).

Notes: a balance of males and females present. Women participated well. Several loaded logging trucks passed by during the meeting. The village seems to be a bus stop and pickup point for local people.

## **Appendix D**

### **Household Division of Labour**



## Appendix D

### Household Division of Labour

	Female adults	Female teens	Female children	Male adults	Male teens	Male children
Fetching Drinking Water	93%	52%	16%	55%	27%	11%
Doing the Laundry	95%	7%	5%	9%	34%	2%
Preparing and Cooking Food	95%	30%	0%	30%	9%	0%
Fetching Firewood	82%	27%	7%	52%	18%	5%
Caring for the Yard	95%	32%	2%	25%	11%	2%
Cleaning the House	89%	30%	5%	9%	5%	5%
Building and Maintaining House	9%	0%	0%	91%	11%	5%
Feeding Pigs and Chickens	52%	20%	2%	25%	11%	5%
Child Minding	98%	25%	5%	45%	14%	2%
Taking Children to School	36%	2%	5%	11%	0%	5%
Clearing Forest for Gardens	50%	2%	5%	86%	5%	5%
Cultivating the Gardens	82%	9%	2%	66%	9%	2%
Harvesting Planted Crops	93%	14%	2%	48%	5%	2%
Hunting	2%	0%	0%	48%	5%	2%
Catching Fish/Eels in the River	32%	9%	2%	61%	20%	9%
Collecting Wild Fruit etc.	50%	20%	7%	45%	18%	5%
Selling Produce/Cash Crops	86%	7%	0%	18%	5%	0%
Looking after Household Finances	82%	0%	0%	50%	0%	0%
Buying Food/Supplies	82%	5%	0%	45%	2%	0%
Attending Community Meetings	93%	2%	0%	68%	2%	0%
Deciding on Land Issues	41%	0%	2%	75%	0%	2%

(% of households in which each group is involved )





## **Appendix E**

### **Draft TOR**

### **Monitoring and Evaluation Specialist**



## **TERMS OF REFERENCE**

Monitoring and Evaluation Specialist  
Tina River Hydropower Development Project  
Ministry of Mines, Energy and Rural Electrification

### **BACKGROUND**

The Solomon Islands Government (SIG) has acquired land for the construction and operation of the Tina River Hydro Project. As part of the Government's commitment to meet international safeguard requirements, including WB OP4.12 and ADB SPS 2009, SIG has prepared a Land Acquisition and Livelihood Restoration Plan (LALRP) meeting the requirements of a resettlement action plan under safeguard policies.

The goal of this Land Acquisition Livelihoods Restoration Plan (LALRP) is to achieve an equitable and sustainable outcome for the people and communities transferring or surrendering their ownership or use of land and livelihoods assets in order for the hydro development to proceed. This is to be achieved through the following principles:

- Compensation for full replacement cost of land, livelihood assets
- Improve or restore income earning capacity
- Improve standards of living for economically displaced poor and other vulnerable groups

SIG is engaging a Monitoring and Evaluation Specialist to confirm whether the compensation and livelihoods restoration activities are being delivered as intended, and whether the livelihoods of the affected persons have been sustained and or improved.

### **MAJOR DUTIES AND RESPONSIBILITIES**

1. Develop confidential questionnaire survey for beneficiaries of livelihoods restoration and support to provide baseline data to inform monitoring indicators
2. Develop criteria for vulnerable persons including criteria for 'poor' persons
3. Develop and maintain the project's monitoring and evaluation plan, based on the LALRP. This will include the following:
  - a. Identify sources of data, collection methods, who collects data, how often, cost of collection and who analyzes it
  - b. Develop criteria and evaluation scheme for the project impact, benefit and sustainability
  - c. Develop monitoring indicators
  - d. Prepare detailed M&E budget and calendar of M&E activities
4. Oversee and execute M&E activities with particular focus on results and impacts, including:
  - a. Undertake twice yearly monitoring in accordance with the monitoring and evaluation plan
  - b. Prepare twice yearly consolidated reports including identification of problems, causes of potential bottlenecks in LALRP implementation, and providing specific recommendations.
  - c. assess the overall performance of the LALRP and its goal of sustaining the livelihoods of affected persons, including consulting with APs and affected communities;
  - d. verify that the particular livelihoods restoration activities have been undertaken, and the compensation funds have been distributed appropriately, to the agreed beneficiary, and in a timely fashion;
  - e. review the performance of the grievance resolution mechanisms;

- f. assess the adequacy of measures put in place to protect the livelihoods of women and vulnerable APs and their households;
- g. Specify any corrective actions or improvements to the implementation and/or the LALRP.
- h. Check that monitoring data are discussed in the appropriate forum and in a timely fashion in terms of implications for future action.
- i. Undertake regular visits to the field to support implementation of M&E and to identify where adaptations might be needed.
- j. Facilitate, act as resource person, and join if required any external supervision and evaluation missions.
- k. Monitor the follow up of evaluation recommendations

### **REQUIRED QUALIFICATIONS**

Education: Degree in social science or development related fields

Experience: At least five years of proven experience with:

- The logical framework approach and other strategic planning approaches;
- Planning, design and implementation of M&E systems; M&E methods and approaches and data/ information analysis'

### **FUNCTIONAL COMPETENCIES**

- A solid understanding of livelihood resettlement, with a focus on participatory processes and gender issues;
- Willingness to undertake regular field visits and interact with different stakeholders, especially communities;
- Technical report writing skill and a high-level of computer literacy
- Good knowledge and experience of Solomon Islands or Pacific Islands livelihoods, customary land and resource use;
- Fluency in written and spoken English
- Good personal organization, interpersonal and communication skills
- Working at national and sub-national level in national development issues is an asset

### **EXPECTED RESULTS**

1. Project monitoring and evaluation plan is developed, approved and under implementation
2. Baseline household survey is developed and approved
3. Criteria for vulnerable persons is set
4. Monitoring indicators are developed with the Tina Hydro Project Office and approved
5. Twice years reports are submitted in good order and within set deadlines
6. Key stakeholders support will be ensured in implementation of new approaches and best practice models, initiated by the project.