

Social Safeguards Due Diligence Report

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Tonga: Nuku'alofa Network Upgrade under the Pacific Renewable Energy Investment Facility

Prepared by Tonga Power Limited and the Ministry of Finance, Tonga for the Asian Development Bank.

ABBREVIATIONS

ADB	-	Asian Development Bank
AP	-	affected person/s
DDR	-	due diligence report
EA	-	Executive Agency
GRM	-	grievance redress mechanism
HH	-	household
IA	-	Implementing Agency
MEIDECC	-	Ministry of Meteorology, Energy, Information, Disaster Management, Environment, Climate Change and Communications
MLSNR	-	Ministry of Land, Survey and Natural Resources
MOF	-	Ministry of Finance
MOI	-	Ministry of Infrastructure
NNUP	-	Nuku'alofa Network Upgrade
RCD	-	residual current device
ROW	-	right of way
SPS	-	Safeguard Policy Statement 2009 (ADB)
TPL	-	Tonga Power Limited

WEIGHTS AND MEASURES

ha	-	hectare
MV	-	medium voltage
km	-	kilometre
kWh	-	kilowatt hour
kV	-	kilovolt
LV	-	low voltage
m	-	meter
m ²	-	square meter

NOTE

In this report, "\$" refers to US dollars unless otherwise stated.

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EXECUTIVE SUMMARY

The proposed project will support the network upgrade and rehabilitation of the Nukualofa Network Upgrade Project (NNUP) Area 5. This project will upgrade both MV and LV electrical network of NNUP Area 5 and it will minimize power distribution losses and therefore reduce the fuel consumption at the existing diesel power plants. Consequently, this project will replace existing grid equipment i.e., cable, poles, distribution transformers and switchgears in Area 5 of the existing NNUP.

This Due Diligence Report (DDR) is for the NNUP Area 5. The purpose of this social DDR is to record the due diligence process examining the land acquisition and resettlement impacts of the project. This review is based on the current network situation, the proposed NNUP scope of works and mitigation measures in accordance with key donor social safeguards. It must be noted from the onset that the proposed NNUP project will not entail any permanent land acquisition and resettlement.

A. Socioeconomic information

There are a total of 5,107 people (50% female) living in 7 villages (Siaatoutai, Sopu, Hofoa, Isileli, Maui, Hala'ovave, Tuatakilangi) of the northwestern district of the Nuku'alofa urban area. All five subproject communities are mainly urban, relying mainly on permanent jobs in government and the private sector. Other sources of income include private business in Nuku'alofa and remittances from overseas. Access to basic social services by residents in the subproject area is very good with power and water supply provided by the urban power and water supply utilities (Tonga Power Limited and Tonga Water Board Power).

Access to electricity. From the 2016 Tonga Power Statistics, only 83 % (935) of the households (HH) in Area 5 were connected to electricity (active meters [m]). In seven villages, HHs connected to electricity ranges from 77% to 84%.

Access to sanitation. From the 2016 Census, 70% (761) of the total HHs in Area 5 have access to flush toilets, 4% (46) of the total HH have access to pour toilets and 2% (18) are using pit toilets.

Socioeconomic Summary

Aspect	Nuku'alofa Network Upgrade Area 5
Location	Northwestern district of Nuku'alofa Urban Area
Population (2016)	5,107
Livelihood	Formal employment (private sector and government employment) Informal employment (buy-and-sell local vegetables and fruits, betel nuts)
Health & Education Services	5 Government Primary Schools & 2 Health Clinics
Water Supply	Tonga Water Board
Power Supply	Tonga Power Limited

B. Scope of Works

The scope of works for the proposed project will improve the existing electrical network, replace old grid equipment i.e., cables, poles, distribution transformers, and switchgears in Area 5 of the existing NNUP. Subsequently, it is estimated that 34 kilometers (km) of LV Electrical Line, 14 km MV Electrical Line, 119 new transformers, 1038 MV poles, 5,528 LV poles, 4081 single phase meters, 216 three phase meters are the major items needed for the upgrading of Area 5.

C. Scope of Land Acquisition and Involuntary Resettlement

The project is identified as Category C as there will be no land to be acquired for the upgrading of the existing Electrical Network in NNUP Area 5. Proposed Network rehabilitation will be carried out within the existing network. There were no identified crops, trees, and fixed assets such as fences and driveways to be affected by the project as the proposed repair and upgrade will be within the existing network which are located on state-owned land and right of ways (ROW).

D. Consultations and Information Disclosure

A total of 5 consultations meetings were held between November to December 2021. Consultations were led by TPL and was attended by community members of the affected project areas. An overview of the project was provided, along with the technical design of NNUP. The participants were then asked several questions in relation to the Network Upgrade and rehabilitation. A socioeconomic survey was carried out in parallel, and a record of consultations was documented with the list of participants in Appendix 1.

There were no issues raised in relation to social impacts, including involuntary resettlement of the proposed network upgrade. All consulted communities strongly supported the proposed project. The proposed investments were welcomed with a recognition of improved efficiencies, better electricity infrastructure and more resilient hardware.

E. Grievance Redress Mechanism

A grievance redress Mechanism (GRM) was developed in accordance with government policies and procedures, as well as ADB's Safeguard Policy Statement. The GRM was designed to work within existing legal and cultural frameworks, providing an opportunity to resolve grievances at the project level.

F. Legal Framework

In Tonga, there are no laws or legislations which could specifically address matters related to involuntary resettlement. Rather, land acquisition is governed by the following laws:

- (i) Constitution of Tonga as revised 1988 and 1990;
- (ii) Government Act 1988;
- (iii) The Land Act 1988 revised edition (amended in 1991 and 1997); and
- (iv) National Spatial Planning Act 2012.

G. Institutional Arrangements

The Ministry of Finance (MOF) is the executing agency (EA) for this proposed project, and they are responsible for the overall administration, while the Tonga Power Limited (TPL) will be the implementing agency (IA). All responsibilities for land-related matters will be managed by TPL.

Consequently, TPL will implement the project through the Project Management Unit (PMU). The PMU will be responsible for the day-to-day implementation of the project activities and ensure that all relevant safeguard plans are implemented so as to meet their intended requirements.

H. Monitoring and Reporting

The PMU will be responsible to monitor and manage the timely resolution of all grievances and consultation with the project's stakeholders and communities. Consequently, this will include consultations with the project communities including during detailed design/prior to construction to inform them of the proposed scope of works, construction schedule, GRM and potential local employment opportunities through discussions with the contractor.

I. INTRODUCTION

1. Tonga is dependent on imported petroleum to meet its energy needs for electricity and transportation. Electricity generation consumes nearly 13 million liters of fuel per year, at a cost equivalent to about 10% of total gross domestic product (GDP). The proposed project is aligned with the Tonga's Second National Determined Contribution (NDC) 2020, which sets out a strategic and policy framework to reduce electricity losses on network and the installation of resilient hardware to cyclone and natural disasters.
2. The project in this context will assist the government of Tonga to increase efficiency of electricity through upgrading and modernizing the electrical network within Area 5 of the Nuku'alofa urban area.
3. The purpose of the due diligence report (DDR) is to determine the status of land ownership in the proposed sites and to identify potential involuntary resettlement impacts, and to plan appropriate measures to mitigate potential impacts. These assessments and measures are based on the Safeguards Policy Statement 2009 (SPS 2009) of the Asian Development Bank (ADB) and the relevant laws of the Government of Tonga. The DDR also documents consultations held with key stakeholders, their concerns, and recommendations as well as measures on how to address them during project implementation. In summary, the DDR describes the following:
 - (i) brief project background;
 - (ii) component activities;
 - (iii) current status of land ownership or use; and
 - (iv) identification of land requirement and potential issues.

II. BACKGROUND AND OBJECTIVES

4. The Tongan National Strategic Planning Framework aims to improve electricity generation systems and its management in an effort to improve the living standards of all Tongans. The framework highlights a desire to improve services, accountability, and revenue collection as well coordination of development partners. These are also core drivers behind the Tonga Energy Roadmap approach.
5. The electricity Act 2007 provides the governance framework for the electricity sector and TPL. The Act includes the following Institutional arrangements:
 - (i) Defines the role of Electricity Commission (EC) in regulating tariffs, customer service standards and electrical safety, as well as the approval and licensing of electricians, and the creation of regulations for major electrical works
 - (ii) Provides MOF with the authority to be part in the concession contract between the EC and the Concessionaire, and to establish regulations to ensure effective management of the electricity utility. The Concession Agreement states the utility's operations in detail, including how the tariffs are calculated.
 - (iii) Creates a Renewable Energy Authority within the Ministry of Lands, Survey and Natural Resources to deal with matters concerning renewable energy, currently exclusively for off-grid uses. Tonga has also set ambitious goals for the utilisation of renewable energy.
6. The Nuku'alofa urban area of Tongatapu has a population of approximately 25,000 people. While 98% of the population are of Tongan descent there are number of foreign national's resident and citizens of Tonga. The communities in the project area have the same language, customs

and traditions creating a close-knit cultural composition. Social norms readily adopt the benefits that electricity and communications provide.

7. The proposed Nuku'alofa Network Upgrade Project (NNUP) aims to upgrade and modernize the electrical network within the Area 5 of the Nuku'alofa urban area on Tongatapu. The activity is to replace all existing power poles, cables, and all network fittings for both medium voltage (MV) and low voltage (LV) electrical network. New pole location will be surveyed and assuring that all power poles will be at the boundary of all premises. Conductors will be replaced most of the existing on both LV and MV with Aerial Bundle Conductor. The customer's service cable will be buried underground from the network service pole to the household (HH) kilowatt hour (kWh) metering. Project will provide free new connections to premises that do not have an existing power connection.

8. NNUP proposed Area 5 has come about after the successful implementation of NNUP Areas 1 to 4. These works included the upgrading of the electrical network on both MV and LV for 55 villages in Tongatapu. The construction for NNUP Area 5 will be similar to NNUP Area 1 to 4 which is confirmed under the New Zealand standard and providing several benefits such as improving the reliability, resilience, and safety of the electrical supply.

III. METHODOLOGY

9. Site visits, meetings with current project implementation consultants, government representatives and desktop review of existing project documents were carried out by the social safeguard consultant during the project feasibility study between October and December 2021.

IV. PROJECT DESCRIPTION

10. The proposed project will support the government through the Tonga Power Limited in upgrading the electrical network and hardware on Area 5 (Sopu, Tuatakilangi, Halavave, Maui, Isileli, Siaatoutai, Hofoa). Consequently, the project will restore reliable access to the electricity supply network and make it more resilient to extreme weather and disasters. The old hardware will also be replaced such as cables, poles, transformers, and switch gears.

11. The project's impact is aligned with improved reliable electricity supply in Nuku'alofa. The project's outcomes are reduced technical power losses and climate vulnerability of the electricity network in Nuku'alofa. The project has the following outputs:

- (i) Output 1: Nuku'alofa electricity network system improved. This output will: rehabilitate 16.5 km of 11 kilovolt (kV) medium-voltage transmission network; (ii) upgrade 50 km of 0.4 kV low-voltage distribution network in eight seven villages; (iii) climate and disaster proof Nuku'alofa electricity network benefiting 1,240 customer connections; and (iv) connect 59 new households.¹⁵
- (ii) Output 2: Public management capacity of TPL improved. This output involves: (i) improving the project management capacity of TPL; and (ii) enhancing gender inclusiveness of TPL operations.

12. Further, the recent tsunami that affected the Nuku'alofa peninsula along Vuna road, Sopu, the project proposes to realign the High Voltage Network along the secondary road where the existing Low voltage has been installed. Figure 1 shows the proposed realignment (in red) which will require an additional 0.65km of newly constructed MV Network as opposed to the original route (in purple) and then connect back to the original route along the waterfront on Vuna road

heading to the Ministry of Fisheries. The High Voltage Network will be built along the current network paths with the Low Voltage strung below as an underbuilt using the same MV poles. This realignment will eliminate the risk of around 1.3km of MV network along the waterfront from future tsunami or inundation impacts and strengthen the resilience and security of supply for one of the essential communication services entities, Tonga Cable Limited.

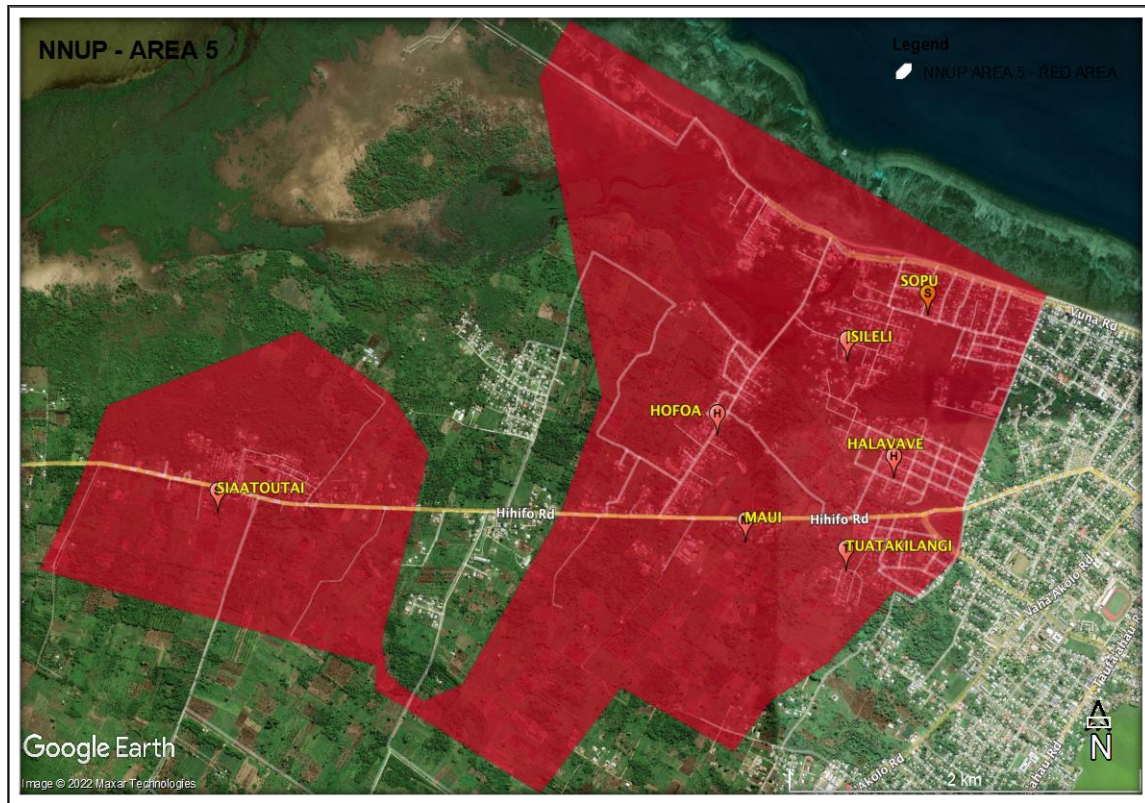
Figure 1: Proposed Realignment of MV and LV for the Waterfront Area



A. Project Location

13. The proposed project area includes seven villages as listed in Table 1 and illustrated in Figure 2.

Figure 2: Nuku'alofa Network Upgrade Area 5



Source: Google Earth.

B. Summary of Area 5

14. Area 5 occupies the western end of the overall NNUP areas project site. It comprises of the communities of Siatoutai, Sopus, Hofoa, Isileli, Maui, Hala'ovave, and Tuatakilangi Situated on the northwest of Area 5.

Table 1: The NNUP Area 5

Village	Population
Siaatoutai	460
Sopu	1166
Hofoa	1173
Isileli	666
Maui & Halaovave	903
Tuatakilangi	739

Source: Department of Statistics: Census 2016.

C. Civil Works

1. MV Network

15. Upgrading of 11 kV feeders is part of the proposed works for NNUP-Area 5. This includes new conductors, new 11 kV insulators, pole fittings, connectors, etc. Consequently, there are existing 11 kV feeders, then these poles can be reused in some cases provided the poles are in good condition, if not then new poles will be required.

16. In some cases where there is a need for two 11 kV feeders, then the second circuit will be underbuilt with the requisite vertical clearance between circuits.

17. Three phases 11-kV/LV distribution transformers will be pole mounted in one of the standard sizes of Tonga Power Limited (TPL). Transformers are protected by 11 kV drop - out fuses. On the LV side, each feeder will be protected by HRC fuses.

18. The key quantities are shown in Table 2. The proposed works follow international best practice and have been proven through several major tropical cyclones that have affected the country recently

Table 2: Proposed Quantity for Key MV Item

Item	Quantity
New Transformers	42
Rebuild Transformers	77
Light kV poles	119
Heavy 11 kV poles	519
MV Cables (km)	519
Total 11 kV km	14

Source: TPL (January 2022).

2. Low-Voltage Network

19. The new LV will be installed as Aerial Bundle Conductor because of the essential safety and technical advantages over the open wire system.

20. The key quantities are shown in Table 3. The proposed works follow international good practice and are considered acceptable. It is expected that the new works will reduce system losses.

Table 3: Key LV Quantities

Key Item	Quantity
Supply under built LV 3 phase	56
Supply LV 3 phase	102
Total LV 3 phase	158
Poles LV 9 m 6 kN	4,069
Poles LV 9 m 12 kN	1,459
Total Poles LV	5,528

Source: TPL (January 2022)

3. Customer Service Line

21. The customer service line will be laid underground, to replace the existing overhead services, which in many cases are in poor condition and often an associated danger to the customer. This will run from a riser down the LV pole in the street to a meter box mounted in an accessible place on the side of the customer's house. Each meter box will contain a tariff meter, main switch, and surge diverter. Apart from added safety advantage, the underground service will also minimise the risk of damage during cyclones.

22. Currently, TPL standard installation provides a digital tariff meter on all new connections. However, a recent pilot project in the Nuku'alofa area has installed a limited quantity of smart meters as a trial. It is recommended that only smart meters be used in future in keeping with modern international practice.

23. It is also recommended that the main switch be replaced by a residual current device (RCD)¹ type to provide full safety protection to the power outlets in the house. Fitting of RCDs is mandatory in new domestic installations in New Zealand and Australia.

24. The key quantities of customer connections (service lines) are shown in Table 4. The proposed works follow international good practice and are considered acceptable. The proposed designs will improve customer safety and reduce non-technical losses.

Table 4: Key Customer Services Quantities

Customer Service Lines	Quantity
Single phase	4,081
Three phases	216
Total	4,297

25. **Local infrastructure required.** Upgraded network will be built to a modernized related network which is safe, efficient, reliable, and high resilience. Both MV and LV network will be in overhead topology mostly along the legal access road down to the HH. All electric poles will be wooden type at 11m and 9m high for MV and LV, respectively. Majority of pole location will be erected at the boundary of all HHs, whereas all boundaries have confirmed through the Ministry of Land and Survey Natural Resources (MLSNR).

¹ RCD is a device to protect electricity users from electric shock. The RCD continuously monitors earth leakage and in the event of a person touching a live wire will immediately switch the circuit off, significantly reducing the risk of death or serious injury.

26. Poles are locally produced from a local company Aotearoa Tonga Forest Product. Sourcing from a local forest located in the Island of 'Eua (Lies 40km south-east of Tongatapu). They are cut in required length from 'Eua and transported through inter-island ferry to the main Island of Tongatapu via the domestic wharf. Poles are delivered for the treatment process at the ATFP main yard in the Village of Tokomololo.

27. Majority of the project materials such as cable and conductors and all required network hardware are supplied from overseas. All delivery is arranged by the overseas supplier through both air, or sea freighting from the local destination to the TPL depot.

28. During the construction work, all the lines truck will be up on the road at least 8 hours per day, 6 days a week. There will be an impact on the traffic as these trucks will occupied up to the half-way mark and some road will need to redirect. Tonga Police has engaged a special team to work closely with the project to minimize and avoid any unnecessary negative impact that might occur.

V. LAND REQUIREMENT AND POTENTIAL ISSUES

29. The NNUP Area 5 will not involve involuntary resettlement or land acquisition. The upgrade work will be conducted within the scope of the proposed area which is entirely within government-owned land and right of ways. The proposed works for NNUP Area 5 will not take or require any additional land so a Resettlement Plan (RP) is not required for this project. None of the sites in question also contain any dwellings buildings (either temporary or permanent) or non-residential assets within a modified natural environment.

30. Table below provides a summary of the activities to be implemented under the project and their implications for involuntary resettlement.

Table 5: Summary of Land and Involuntary Resettlement Impacts

Output	Activities	Land Requirements	Involuntary Resettlement Impacts
Output 1: Nuku'alofa electricity network system improved	Rehabilitation of 16.5 km of 11 kilovolt MV electricity network; and upgrade of 50 km of 0.4 kilovolt LV distribution network	Yes Network and poles rehabilitation will be within the existing old network which is currently on government properties.	None There will be no physical or economic displacement impacts. All activities will be within the existing grid network.
Output 2: Publica management capacity of TPL improved	comprehensive program to reduce the identified remaining capacity gaps in project management, gender, and other relevant areas.	None Capacity strengthening and technical advice. No civil works.	None There will be no physical or economic displacement impacts. All activities will be within the existing grid network

VI. SOCIOECONOMIC INFORMATION

A. Livelihood

31. The economy of Tonga is largely based on agriculture and fisheries. Subsistence agriculture plays an important role throughout Tonga. In addition, remittances sent from relatives working abroad play a significant part in the Tongan economy as a whole, and in the economy of individual HHs.

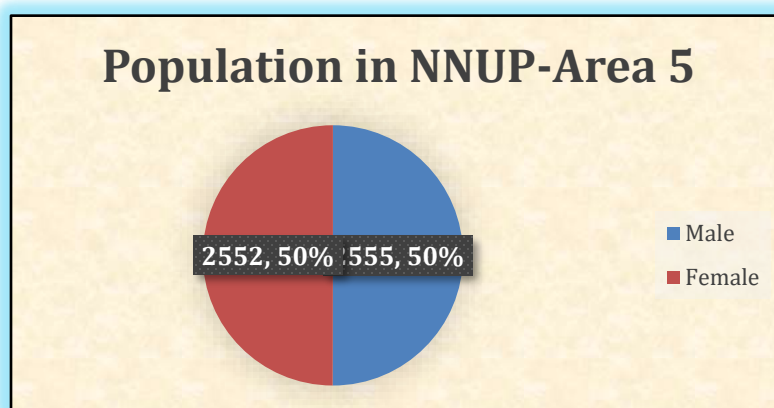
B. Population

32. According to the Tonga 2016 Census of Population and Housing, the urban area has 23,221 people; 11,529 males, and 11,692 females.²

C. Population in NNUP-Area 5

33. From the 2016 Census, there are a total of 5,107 people: 2,555 males, and 2552 females (Siaatoutai, Sopu, Hofoa, 'Isileli, Maui, Hala'ovave, Tuatakilangi).

Figure 3: Population in Area 5 (7 Villages)



D. Population Density and Household Size

Villages	Total Number of Household
Siaatoutai	156
Halavave & Maui	167
Sopu	279
Isileli	120
Hofoa	214
Tuatakilangi	144
Total	1080

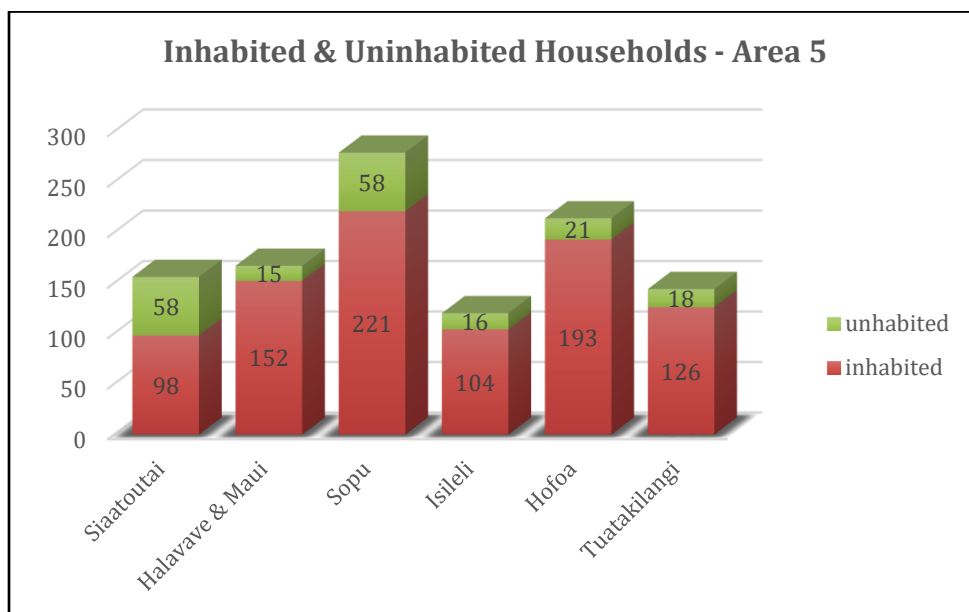
Source: Department of Statistics

² Tonga Statistics Department (2017): Tonga 2016 Census of Population and Housing.

E. Household in Area 5

34. From the 2016 Census, a total of 1,080 households in Area 5 (Siaatoutai, Sopu, Hofoa, 'Isileli, Maui, Hala'ovave, Tuatakilangi), in which 83% (894) are inhabited and 17% (18) of the total HHs are uninhabited.

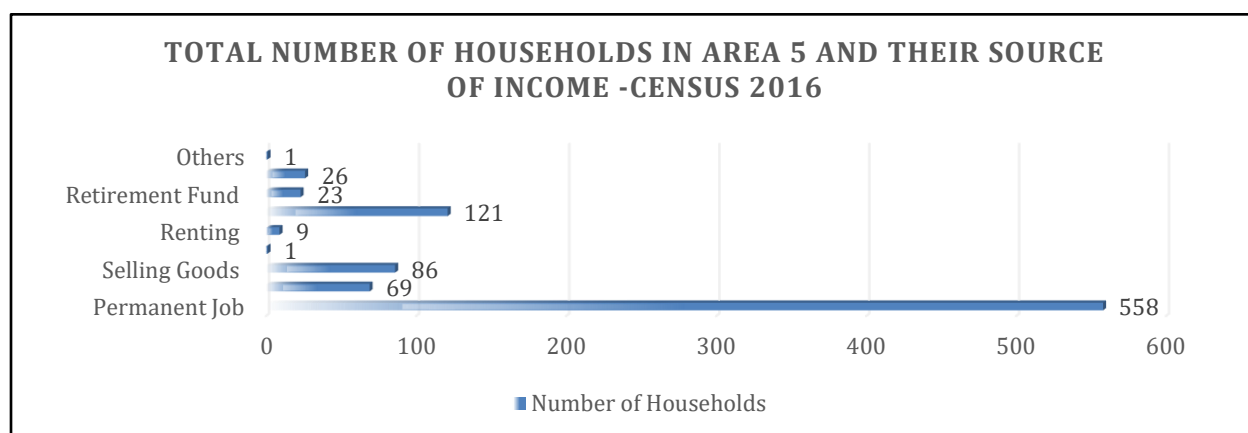
Figure 4: Inhabited and Uninhabited Households in Area 5



F. Household income for Area 5

35. According to the Tonga 2016 Census, within the project area some 62% (558) of the household income is from permanent jobs while 35% (309) rely on private businesses, selling goods, land leased, leasing properties, remittances, retirement fund for income, and the remaining 3% (26) stated that had no income (Figure 5).

Figure 5: Area 5 Total Number of Households vs. Source of Income



Source: Department of Statistics, 2022

G. Poverty

36. In Tonga, 22.1% of the population were living below the poverty line in 2015. To compare with other Pacific Islands countries, Fiji has 28% living below the poverty line, and Samoa 18.8%, and the Solomon Islands 12.7%.

H. Access to Electricity

37. From the 2016 Tonga Power Statistics, only 83% (935) of the HHs in Area 5 were connected to electricity (active meters). In seven villages, HHs connected to electricity ranges from 77% to 84%.

Table 6: Number of Household Connections

Village	Total Household Connections	Active Meters	Disconnected Meters
Siaatoutai	187	157	21
Sopu	294	241	39
Hofoa	155	130	18
Isileli	96	81	10
Maui	62	48	11
Halaovave	155	123	25
Tuatakilangi	181	155	17
Total	1130	935	141

Source: Tonga Power Limited.

I. Access to Sanitation

38. From the 2016 Census, 70% (761) of the total HHs in Area 5 have access to flush toilets, 4% (46) of the total HH have access to pour toilets and 2% (18) are using pit toilets.

Table 7: Sanitation Facilities

Villages	Total Number of Household (inhabited + uninhabited)	Flush Toilets	Pour Toilets	Pit Toilets
Siaatoutai	156	94	3	1
Halavave and Maui	167	145	6	1
Sopu	279	145	6	1
Isileli	120	101	3	0
Hofoa	214	155	24	14
Tuatakilangi	144	121	4	1
Total	10,80	761	46	18

Source: Department of Statistics.

J. Access to Water Supply

Table 8: Household versus Source of Water Supply

All	Siaatoutai	Halavave and Maui	Sopu	Isileli	Hofoa	Tuatakilangi	TOTAL
Tab Water	11	24	17	42	10	10	114
Rainwater - cement tank	36	86	116	45	113	79	475
Community water tank/ ---	40	18	42	12	48	14	174
Water from the shop	11	23	46	5	22	22	129
Boiled Water		1	0	0	0	1	2
TOTAL	98	152	221	104	193	126	894

K. Health and Disability

39. According to Tonga Census 2016, 5% (269) people in Area 5 has been classified as disability people with having major health issues. 0.45% (23) people are not able to see, 0.43% (22) people are not able to hear, 1.12% (57) people are not able to walk, 0.49% (25) people have mental problems, 1.98% (101) people are not able to control themselves and 0.80% (41) people are not able to talk.

L. Education

40. The table below indicates the number of people on each village are currently in school.

Table 9: Number of People Currently in School (Primary School up to University) -2016

All	Siaatoutai	Halavave and Maui	Sopu	Isileli	Hofoa	Tuatakilangi	TOTAL
Age - 5-9	58	96	129	75	108	73	539
Age - 10-14	54	93	96	65	163	85	556
Age - 15- 19	31	84	98	55	72	67	407
Age - 20 - 24	17	25	20	23	19	19	123
Age - 25 - 29	12	7	6	6	2	11	44
Age - 30- 34	12	2	0	4	4	9	31
Age - above 35	36	3	1	16	5	26	87
TOTAL	220	310	350	244	373	290	1787

VII. INFORMATION DISCLOSURE, CONSULTATIONS, AND PARTICIPATION

A. Feasibility Study Stage

41. For the purpose of this DDR, the primary stakeholders and 7 village communities in Area 5 will benefit from the electric network upgrade and rehabilitation. The second primary stakeholders in regard to land matters is the national government represented by the Ministry of Finance,

Ministry of Lands, District and Town Officers and TPL who is the primary responsible counterpart for the operation of electricity in Tonga.

42. A total of five consultation meetings were held. An overview of the project was provided, along with the estimated timeline for the proposed work. The participants were then asked a number of questions in relation to tariff, home appliances, and climate resilience.

Table 10: Summary of Consultation Meeting Participants

Date	Meeting Area	Participant Details	Participation Numbers		
			Female	Male	Total
	Siaatoutai	Community	11	30	41
	Hofoa	Community	13	6	19
	Sopu	Community	4	12	16
	Halavave	Community	9	4	13
	Tuatakilangi	Community	9	6	15
	Total Consulted People		46	58	104

43. There were no issues raised in relation to social impacts, including involuntary resettlement, of the proposed network rehabilitation for Siaatoutai, Hofoa, Tuatakilangi, Halavave, Maui, Sopu, and Isileli. The proposed investments were welcomed with a recognition that improved efficiencies, better electricity access, as well as climate resilience. There were some comments on improved cost efficiencies, particularly through the savings from electricity loss on MV and LV lines.

44. Further to the consultation with communities, a number of meetings with other key government and nongovernment stakeholders were undertaken as part of the safeguards process. The following organizations were those relevant to the water supply improvement subproject, that met on an individual basis to discuss the proposed project, its potential impacts, and mitigation strategies.

- (i) TPL;
- (ii) Department of Environment – MEIDECC;
- (iii) MLNR; and
- (iv) Ministry of Infrastructure.

B. Detailed Design Stage

45. During detailed design, the project needs to consult again with the project communities, and relevant government agencies. Participants will include landowners or land users along the areas where network will be upgraded. Moreover, to consult and inform the community-based organizations including women’s groups and private sector with interest on the subprojects. The objectives of these consultations are to inform the community stakeholders about the project particularly the Electricity line rehabilitation plan and collect concerns and suggestions from the project communities and consider them in finalization of the detailed design.

46. A summary of consultations has been included in Table 11 below and a list of participants are in Annex 1. These consultations will continue during implementation, with TPL tasked to undertake the following:

- (i) quarterly meetings with the Project Steering Committee;
- (ii) consultations with nearby residents before the construction activities commence; and
- (iii) community-wide communications campaign about schedule of works and requirements for access.

47. This Due Diligence Report will be disclosed publicly by TPL and uploaded onto the ADB website.

Table 11: Summary of Community Consultations

Date and Venue	Scope of Works	Current Status of Land Ownership or Use	Participants/Consulted	Consultation Activities	Questions / Comments	Response by Team
16 th November 2021 9:00 am – 11:00 am Siaatoutai Hall	Upgrading of the Existing Network and replacing old hardware		Total participants – 41 Male – 30 (73%) Female – 11 (27%) Participants from Siaatoutai Village including women, youth representatives, landowners.	Public consultation	Participants are highly supportive of the scope of work for Network Upgrade at feasibility study and detailed design phase. (i) Is there any compensate fees from Tonga Power Limited (TPL) for damaged appliances due to unplanned power outages? (ii) New Power Connections (iii) TPL to advise power outages in advance in order to prepare their households (HHs).	(i) TPL will do an investigate on the case and if it is true then they will pay for the damages. (ii) Project will cover the cost of reaching out the power line to a new household or new customers (iii) TPL will inform customers inf there will be any outages in their area due to scheduled maintenance works.
23 rd November 2021 7:00 pm – 8:00 pm Hofoa Community Hall	Upgrading of the Existing Network and replacing old hardware		Total participants – 19 Male – 6 (31%) Female – 13 (69%) Participants from Hofoa Village including women, youth representatives, landowners.	Public consultation	Participants are highly supportive of the scope of work for Network Upgrade at feasibility study and detailed design phase. (i) Dual connection for two properties in one land compound connected through 1 meter (m). (ii) Is there a specific requirement for the selected area for the underground cable? (iii) What is the difference between the role of TPL and electrical contractor? Please distinguish and clarify the role of TPL and the electrical contractor (iv) In my neighbourhood, some of the powerlines are extended through our property to neighbouring houses because there are no roads. How can you address this?	(i) Options for separate meters is possible for two-storey houses. Application forms will be provided to the town officer for the community. (ii) The preferred excavation and installation of underground cables is closest to the meter and power pole. Extra care will be taken to dig around trees or other structures that are of value to them. This also includes water pipes, telephone lines and sewerage tanks etc. You are advised to please communicate this to TPL prior to construction phase. Please note, the excavation works will be undertaken by the contractor, and it is the responsibility of the land or homeowner to communicate to TPL their preferences for looking after their assets and they will then advise the contractor.

Date and Venue	Scope of Works	Current Status of Land Ownership or Use	Participants/Consulted	Consultation Activities	Questions / Comments	Response by Team
					<p>(v) What happen if the properties fenced already? Will the New underground cable damage the concrete foundation?</p> <p>(vi) When will the construction works begin?</p>	<p>(iii) TPL only installs the wiring and connection from the power pole to the meter. The connection from the meter to the house is the responsibility of electrician companies.</p> <p>(iv) As part of this project, the Lands and Survey will conduct assessments to demarcate your land boundaries and will determine new roads. At present, the Ministry of Land Survey and Natural Resources (MLSNR) has subdivided land in the village and roads have also been mapped out but have yet to be constructed. Hence, once this project is underway, all lines will be contained within people's land boundaries.</p> <p>(v) The excavation works will only be 2-feet deep and will not affect the fence footing. If the concrete needs to be cut through, TPL and the contractor will repair it back to its original form. If the property has concrete all around, the overhead cables will be retained ,and no further excavation works will be carried out.</p> <p>(vi) The current works for Area 3 will be completed by June 2022 and this area 5 will commence after that, hopefully Q4 2022 or Q1 2023.</p>
30 th November 2021 7:00 pm – 8:00 pm	Upgrading of the Existing Network and replacing old hardware		Total participants – 16 Male – 12 (75%) Female – 4 (25%) Participants from Sopusu & Isileli Village including	Public consultation	<p>-Approximate time for this operation to be conducted.</p> <p>-Current state of electricity within our zones. Been having an</p>	<p>-The project is currently ongoing along the areas of Ma'ufanga, Fasi, etc.</p> <p>-Depending on the consultants reports for consultation and approval from ADB, we are hoping to procure</p>

Date and Venue	Scope of Works	Current Status of Land Ownership or Use	Participants/Consulted	Consultation Activities	Questions / Comments	Response by Team
Free Wesleyan Hall			women, youth representatives, landowners.		<p>electricity pole since 98. What would the project do?</p> <ul style="list-style-type: none"> -Land Areas yet without buildings. -Dual meters process -Sopu is very low lying, and we are worried about the safety of the underground installation of electric cables and wires. How safe is the underground cable? -Concrete grounds concerns -Dual meters process -Low lying house, wires are near the ground when connected to the house. -New residential Land Areas yet without buildings. -Filling of forms at Electricity commission requires maps and landlords' approval. It slows our needs for electricity since the landlord is not here, and the MLNR processes takes ages. (years) -What do you do with the old electricity poles. -5 years electricity poles contract -Intersecting of lines within houses -Concrete grounds in property 	<p>equipment by June 2022 to commence the work here.</p> <ul style="list-style-type: none"> -Concrete grounds will not be destroyed and if part of it is removed, it will be replaced or fixed. -with gates, we will dig underneath, 2 feet -same thing applies to sidewalks, footpaths etc. -last option, is to connect wires above the ground if we are not able to install underground wires. -overall, it will totally depend on each household's survey, whatever is possible and not risky, that will be done. What is best for you, us and the environment will be done. -of course, we would not want to destroy your gardens and trees that you have been planting all your lives. Communication matters, and that is why we are here tonight. -NOTE that we will seek your permission prior to undertaking works on your property. However, it is important that you contact us directly as the contractor will act on the direction from us. -forms needs to be filled by both households -those that already have electricity, just inform us, you do not need to fill a form -Only new customers' needs to go through the usual processes. i.e., hiring contractors, paying bonds to electricity

Date and Venue	Scope of Works	Current Status of Land Ownership or Use	Participants/Consulted	Consultation Activities	Questions / Comments	Response by Team
						<p>commissions, from there, we can install meters for electricity connections to your house.</p> <p>-Note that bond \$100 are to be paid, to cover bills should you leave the country.</p> <p>- the current network is experiencing shortages in wires and proper equipment, however, if you experience such problem, please call us on 944.</p> <p>- first fill up forms and contact us to see what plan/electricity package you want for your house</p> <p>if its short-term usage of electricity, you have to contact contractors namely Palu at Sunia aka Veka Road, Siale, and Aisea Fisilau, either one of them and then from them to the electricity commission for approval and bond paying and then will connect it for you.</p> <p>- these are usual requirements, and were made because of several cases before like, one can stay and has their own electricity at a land area and has left without paying bills.</p> <p>-again, communication is important, or just have your maps ready by the time the project starts here. You have time to complete all that so you can take part in this offer.</p> <p>-we gathered the old electricity poles, and we are selling them for an amount below \$50 or \$100. You can buy one and sign a contract of 5 years of owning it.</p> <p>-before connecting your own line, you must sign a 5-year contract, you will own these assets you bought for 5</p>

Date and Venue	Scope of Works	Current Status of Land Ownership or Use	Participants/Consulted	Consultation Activities	Questions / Comments	Response by Team
						<p>years, but then after that, even though you connected the line yourself, the maintenance expected due to natural disasters will be covered by the project.</p> <p>-Under this project, all lines will be connected within the main/sub roads only, there will be no intersecting, unless there is a home that does not have a pathway/road, then there also be a contract sign by the main electricity host agreeing to allocating space for the neighbour to have a meter located at their compound</p> <p>-All properties damaged during this project will be fixed. These includes gates, ground cement, water pipes etc. If the underground installation process is not feasible for your property, we will connect the line with the overhead wires</p>
<p>1st December 2021 7:00 pm – 8:00 pm</p> <p>Free Wesleyan Hall</p>	<p>Upgrading of the Existing Network and replacing old hardware</p>		<p>Total participants – Male – 12 (75%) Female – 4 (25%) Participants from Halavave & Maui Village including women, youth representatives, landowners.</p>	<p>Public consultation</p>	<p>-The probable cause of fire through electricity.</p> <p>-Plans for the underground installation of electricity if grounds are plastered with cement.</p> <p>-What unit of our electricity meters that the Government usually pays for?</p>	<p>-Most of the previous destructive house fire here in Tonga were being suspected by the Tonga Police Fire Department to have been electrically caused. That is why we call on people to leave all electrical work especially installation of electricity to their houses to the experts.</p> <p>-There are many licensed contractors namely Siale Hola here in Hala'ovave, Pau and 'Aisea Fisilau, they and other electrical contractors are qualified to install electricity. They are trustworthy of installing electricity safe for your household.</p>

Date and Venue	Scope of Works	Current Status of Land Ownership or Use	Participants/Consulted	Consultation Activities	Questions / Comments	Response by Team
						<p>-In addition to that, most electrical fires are caused by faulty electrical outlets and old, outdated appliances.</p> <p>-the whole process will depend on the pole's position however, homes with gates and concrete grounds will be surveyed carefully to avoid damaging any structure. If possible, to be installed underground, we would do, and if not, it will be lead directly above from the pole. This applies to the sidewalk, if damaged by our workers, we will fix the damages</p> <p>-The Government usually pays for the first 100 unit of our electricity bill, but only due to emergencies and unexpected circumstances such as tropical cyclones, tsunamis, the Covid-19 pandemic etc.</p>
<p>2nd December 2021 7:00 pm – 8:00 pm</p>	<p>Upgrading of the Existing Network and replacing old hardware</p>		<p>Total participants – Male – 6 (40%) Female – 9 (60%) Participants from Tuatakilangi Village including women, youth representatives, landowners.</p>		<p>-Should the village wait for this project to connect their electricity if they are currently not connected to the power grid?</p> <p>- Concerns around safety of underground cables</p> <p>-What is the depth of installation of the underground cables?</p> <p>-What about properties with 2 different meters?</p>	<p>- You can connect to electricity any time you need. You do not have to wait for the project and the connection process does not take too long.</p> <p>- The cables are completely safe and have been designed to be water resistant and have a safety feature that automatically switches off if there is a breach in safety conditions</p> <p>-2 ft deep and once installed, an orange warning tape is laid over it to notify landowners in case they undertake further development works on their land.</p> <p>- Two poles may be installed to connect to those meters.</p>

Date and Venue	Scope of Works	Current Status of Land Ownership or Use	Participants/Consulted	Consultation Activities	Questions / Comments	Response by Team
					<p>-What is the process for installing 3 face meters?</p> <p>-What if my neighbour does not want to cut down trees in their property that may be a threat to the electricity lines?</p> <p>-I have sandalwood trees on my property growing close to power lines. I want them trimmed but not destroyed.</p> <p>-Some of the streetlights in our area have been removed by TPL. This poses safety issues for our women and children. When can these be replaced?</p> <p>-When will our electricity tariff be reduced?</p>	<p>- There is a form to fill in to get those 3 face meters.</p> <p>- The law is 1 meter clearance from the home boundary. You can submit a complaint to us so we can assess the issue accordingly.</p> <p>-We can arrange that with the contractor to only trim but not cut the tree down. However, you must communicate this with us so we can inform the contractor.</p> <p>- The streetlights were removed as they had old parts that could not be replaced. Most streetlights are being replaced by LED lights.</p> <p>-In addition, the distribution of streetlights is determined by the Ministry of Finance. The process is that they approve which areas to install the streetlights and they contact us to install them.</p> <p>- - Hopefully, soon with the many projects being implemented.</p>

VIII. GRIEVANCE REDRESS MECHANISM

A. General Principles

48. A grievance redress mechanism (GRM) will be established to uphold the project's social and environmental safeguards performance. The purpose of the GRM is to record and address any complaints that may arise during the implementation phase of the project and/or any future operational issues that have the potential to be designed out during implementation phase. The GRM is designed to address concerns and complaints promptly and transparently with no impacts (cost, discrimination). The GRM works within existing legal and cultural frameworks, providing an additional opportunity to resolve grievances at the local, project level.

49. The grievance redress process will be disseminated to all APs during project consultations. It will promptly address and use an understandable and transparent process that is gender responsive, culturally appropriate, and at no cost and without retribution, to the APs.

50. The GRM has been developed in accordance with government policies and procedures, as well as ADB Safeguards Policy Statement. The GRM is designed to work within existing legal and cultural frameworks, providing an opportunity to resolve grievances at the project level. Specifically, the project GRM has been designed to:

- (i) be understandable, culturally appropriate, and accessible to project-affected persons, with its availability communicated to residents of the island;
- (ii) address a wide range of grievances and concerns – both those based in factual data and those arising from perceptions or misperceptions;
- (iii) be transparent and allow persons to submit a grievance at no cost and without retribution to the party that expressed the issue or concern;
- (iv) protect the identity of the persons raising the grievance;
- (v) resolve concerns in a timely manner, via consultation with stakeholders, or forward any unresolved cases to the relevant authority;
- (vi) report back to the community (through the Steering Committee) periodically on the types of cases and how they were resolved; and
- (vii) be evaluated periodically to ensure that it is working effectively.

B. Grievance Coordination

51. Similar to other development projects, the grievance focal point (GPF) will be the town officer in each project site (Siaatoutai, Halavave, Maui, Isileli, Sopu, Tuatakilangi, Hofoa), who will coordinate and address all complaints and concerns arising from the project. The contact details will be provided to all APs.

52. The GPF will be assisted and supported by PMU, who will maintain a register of complaints, keep track of their status and report to the Project Steering Committee or its equivalent. They will regularly monitor complaints received, actions taken and the status of resolution. In the initial stages, complaint forms will be distributed to the GFP to facilitate recording of complaints. The PMU will enter these complaints into a customized database, such as that which has been developed by the project manager. By using an electronic database, reporting on complaints and actions will be systematic, and summaries from the database can be easily incorporated into monitoring reports.

C. Grievance Procedures

53. APs will be informed that they can ask any questions or discuss grievances with their community leader (the District or Town Officer) by phone or in person, or to project staff visiting the area.

54. If these questions/grievances are not answered within 1 week, they will need to prepare their grievance/complaint in writing using the assistance of the GFP. APs will also be informed that national and international project staff will also assist them with writing a grievance, if necessary.

55. The APs can lodge complaints at any level at any time, they will be informed that the preferred process is to send or deliver the written grievance to the District GFP. He/she will have one week to deliver a resolution to the AP.

56. When there is no satisfactory provided, the AP can lodge the complaint with the PMU and receive a reply within 7 days.

57. The APs will have the right to take the dispute to the CEO of TPL or the Minister of Public Enterprises, who will also have 1 week to respond.

58. If the situation is not resolvable, or they do not accept the decision, the APs may have recourse to the court. All court costs incurred by the APs (preparation and presentation) will be paid for by the project unless it can be demonstrated the action was unreasonable and the outcome mirrors the answers provided by the Minister of Public Enterprises.

59. During implementation, a grievance register will be held at each project site, maintained, and monitored by the project manager. All complaints arriving at a site office are to be entered in a Register (by, date, name, contact address and reason for the complaint) that is kept at site. A copy of the entry is given to the AP for their record at the time of registering the complaint. The register will show who was directed to deal with the complaint and the date when this was made together with the date when the AP was informed of the decision and how the decision was conveyed to the AP.

60. The register is then signed off and dated by the person who is responsible for the decision. The register is to be kept by NNUP project manager and is a public document. The duplicate copy given to the AP will also show the procedure that will followed in assessing the complaint, together with a statement affirming the rights of the AP to make a complaint no costs will be charged to the AP.

61. In the event that grievances pertaining to land cannot be resolved at the local level, TPL will hold the compensation amounts in escrow or trust account. Compensation will be paid in full upon final resolution of the case in the courts or other forum, in accordance with the entitlements of the APs.

62. Table 12 below outlines a summary of the grievance resolution process:

Table 12: Grievance Resolution Process

If an AP has any concern or grievance about the project, at any stage, they can submit a grievance to any level of their choosing. The recommended process is as follows:	
Stages in Response Handling	Required Activities
District/Town Officer Grievance Focal Point (GFP)	Verbally responds to questions and or complaints. If no response within 1 week or response is unsatisfactory, AP prepares a grievance in writing (utilize standard forms if available).
Contractor (Construction)	Receives grievance on site through its community liaison officer. Registers complaints (including verbal). Will provide feedback immediately, if possible,
Contractor (DSC)	This could be done after initial notification of grievance through the Grievance Focal Point (Town/District Officer as), Contractor's site office, or through the DSC (Resident Engineer).
PMU Social Safeguards/Community Liaison Officer	Registers the written complaint and attempts to resolve it with the AP within 2 weeks.
Grievance Redress Committee	GRC will have to resolve the complaint within 2 weeks and the resolved complained will have to be communicated back to the community.
Resolve through Local Legal Process	The court hears the case and makes a final decision that is binding on all parties.

IX. APPLICABLE POLICIES AND LAWS

A. Land Tenure in Tonga

63. Under the Constitution of Tonga (1875), all land in the Kingdom belongs, in principle, to the Crown and is classified as (i) King's land, (ii) hereditary estates of members of the Royal Family, (iii) ancestral estates of nobles, and (iv) government land. The latter two categories are subdivided into allotments for the rest of the people of Tonga. In theory, every Tongan male over the age of 16 is entitled to a "tax allotment" of 3.3 hectares (ha) for agriculture, and a "town allotment" of between 758 square meters (m²) and 1,618 m² for residential purposes. In practice, there is now little land available for distribution, particularly in the Nuku'alofa area.

64. When the registered owner of an allotment dies, the allotment is inherited by the eldest son or another male heir. Women can only lease land or hold land in trust for their male heirs. Sale of land is prohibited, but land may be leased. Leases cannot be sold, except by the landowner. Both leases and allotments may be used to secure bank loans. Given the fact that there is already limited land available, especially for the allocation of town lots to all eligible males, this future increase in demand will put further pressure on the existing system of land allocation.

B. Relevant Provisions for Involuntary Resettlement in Tonga

65. There are no laws or legislations in Tonga that specifically address matters related to involuntary resettlement. Rather, land acquisition is governed by the following laws:

- (i) Constitution of Tonga as revised 1988 and 1990;
- (ii) Government Act 1988;
- (iii) The Land Act 1988 revised edition (amended in 1991 and 1997); and
- (iv) National Spatial Planning Act 2012.

66. Specifically, the lease process and procedures stated in this project are based under Land Lease Act 1988 revised edition. Detailed procedures are based on the Ministry of Land's internal policies and procedures that were formulated to ensure that all land transactions are in line with the governing Act.

67. Collectively, these regulations provide a fundamental basis for acquiring land (through lease) for this project and for compensating landowners and users according to the registered use of the land. The Land (Amendment) Act (No.2) 1991 provides for the compulsory grant of easements to the Crown. However, PUMA/MLSNR have indicated they intend to lease all required lands.

68. A third-party verification is not a requirement by the MLSNR. MLSNR process lease applications when prescribed forms are completed, signed, and delivered to the Ministry. Once the landholder signs the form, the assumption is that the landowner/user (AP) understood the lease terms prior to signing. (However, under the ADB SPS 2009, a third-party verification will be required under the project.)

69. A recently approved National Spatial Planning and Management (No. 7 of 2012) provides for spatial development of Tonga and in particular, provides for the fair, orderly, economic, and sustainable use, development, and management of land including the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity. It establishes the National Spatial Planning Authority and appoints the Minister for Lands as the Authority. The principal function of the Authority shall be the implementation land use and development planning and policy to be integrated with environmental, social, cultural, economic, conservation and resource management policies at national, regional, district, village, and site-specific levels. Also, to protect public utilities and enable coordination of public utilities and other facilities for the benefit of the community. Individuals or groups could apply for a development consent for private or public purpose to be approved by a Tribunal. The Act requires consultation with potentially affected parties prior to approval of a development consent and provides a grievance redress process through the tribunal to reach a decision on any complaints.

70. In summary, the King or the Minister of Lands can compel any holder of land to grant an easement to the Crown. If land, crops, or premises are taken, the government shall pay fair value, or an amount determined annually by government. People have the right to relinquish land for public purposes for no compensation voluntarily. A brief description of legislation about compensation and the provision of land is provided in the later section of this report.

C. ADB's Policy on Involuntary Resettlement

71. The ADB policy on involuntary resettlement is detailed as "Safeguard 2" in the ADB SPS 2009. It emphasizes ADB's efforts to assist developing member countries in pursuing sustainable and inclusive economic growth. Also, ADB is committed to ensuring the social and environmental sustainability of the projects it supports.

72. In this context, the goal of the safeguards is to promote the sustainability of project outcomes by protecting people from projects' potential adverse impacts.

73. The objectives of ADB's social safeguards are to:

- (i) avoid adverse impacts of projects on people, where possible;
- (ii) minimize, mitigate, and compensate for adverse project impacts on APs when avoidance is not possible; and

- (iii) Help borrowers/clients to strengthen their safeguard systems and develop the capacity to manage social risks.

74. The key principles of ADB's Involuntary Resettlement Policy and procedures relevant to the land acquisition and resettlement are detailed in the later section of this report.

D. Comparison of Tonga and ADB Involuntary Resettlement Policy, Regulations and Procedures

75. The main variation between Tonga laws/regulation and ADB Safeguards policy are outlined below. Any key differences have been resolved of ADB policy, particularly in areas where practices are less subject to independent oversight.

76. Comparison of the Tonga's land acquisition and resettlement laws with the ADB requirements on involuntary resettlement under the SPS indicates that key elements of the ADB Policy are present in Tonga laws - particularly those related to valuation of immovable property. The ADB's principle of avoidance or minimization of resettlement is also reflected in Tongan Legislation.

77. The key policy difference is about providing compensation to APs without lease/title to land and structures and provision of proactive livelihood restoration and improvement activities for APs. The APs under this project are landowners or leaseholders of affected allotments; however, this is not expected to be an issue as those initially consulted APs are supportive of leasing their lands to the project. The overseas APs who could not be consulted at this stage are also expected to support the project due to their awareness of the worsening flooding at their properties and high level of support from relatives who are in Tonga. This however will be confirmed during detailed design.

E. Principles and Policies of the Project

78. The following principles for the compensation of displaced people or families affected by the project will be followed, and communicated to all stakeholders:

- (i) No displacement or civil works will take place prior to full compensation.
- (ii) The cut-off date for identifying affected lands, families and individuals will be identified at the conclusion of the detailed measurement survey. This date will be when project scoping will take place and when any affected people within the proposed project site will be informed.
- (iii) Project planning will include avoidance of the need for structural acquisition and minimize agricultural land acquisition.
- (iv) Where there is a permanent acquisition of land, identification, compensation, and assistance will be provided before any construction commencing.
- (v) All displaced persons will receive compensation for non-land assets, even if they are without a lease or formal recognition.
- (vi) All construction on agricultural land will be timed to avoid any impacts on the income and activities of adjoining land parcels. If impacts do occur, compensation will be provided to affected land and crops.
- (vii) Detailed seminars and consultations will be available for all APs to keep them informed of the process. Representatives of affected households will be involved in valuation meetings following detailed design.
- (viii) A defined grievance procedure will be established. When a landowner or user does not agree with a decision regarding compensation or change of the land use (lease),

it may not be exercised before the dispute is resolved judicially. Also, any person who feels that they are in any way worse off can take their grievance to the highest level, at the cost of the project.

- (ix) There are no APs who face significant impacts (>10% of their land being leased and physically displaced from housing).
- (x) Vulnerable groups, including female-headed households, the poor, disabled, or families with significant numbers of elderly or disabled members will receive additional support, assistance, and compensation to ensure that they are not severely affected.
- (xi) APs may use and exercise their rights to a land plot and make necessary expenditures in compliance with its purpose after notification of acquisition for public needs until compensation is agreed. However, there will be no entitlement to additional compensation based on these improvements if made after the cut-off date.
- (xii) If a land plot becomes unviable due to acquisition, then the whole land plot will be compensated.

X. INSTITUTIONAL ARRANGEMENTS

79. Following are the different agencies responsible for the updating, implementing, monitoring, and reporting of the progress of the DDR:

80. **Executing agency.** The MOF will be the executing agency, responsible for overall administration of the project, while TPL will be the implementing agency. All responsibilities for land-related matters will be held by TPL.

81. **Implementing agency.** TPL will implement the project through PMU. PMU will be responsible for the day-to-day implementation of project activities. PMU will ensure that all relevant safeguard plans are implemented so as meet their intended requirements. They will undertake the following activities to fulfil the following TPL's role:

- (i) undertake adequate consultations with and dissemination of relevant information to APs during detailed design, pre-construction, and during construction;
- (ii) ensure that the NNUP's detailed design and implementation consultants take into account safeguard issues and try to avoid or minimize social impacts through appropriate design. The PMU will brief TPL technical design team in this regard;
- (iii) address any project-related grievances of APs and facilitate in resolving disputes on land ownership;
- (iv) undertake public consultation to inform APs and secure their inputs into the detailed design/construction of the subproject and schedule of the subproject activities, including construction, the hiring of local unskilled labor, and other related activities;
- (v) following the award of the civil works contract, the PMU will arrange a briefing to the contractors to raise their awareness on safeguard requirements;
- (vi) coordinate with relevant authorities including the town and district officers to ensure that land-related activities are completed prior to the start of the construction activities; and
- (vii) undertake regular monitoring and reporting on implementation progress of safeguard plans.

A. Implementation Arrangement and Schedule

82. NNUP Area five will use the existing Institutional arrangement, in which the Ministry of Finance (MOF) will be the executing agency and TPL will do the implementation. A Project Coordination Committee (PCC) chaired by the MOF will supervise the project implementation.

83. TPL has key hands-on expertise and will nominate counterpart staff with adequate capacity in engineering and power system planning, finance, environment, and social areas. Specifically, an Environment and Social Unit will be established within TPL Project Management Unit (PMU) to implement and monitor safeguards with capacity building support provided by the project. TPL will also carry out the operations and maintenance of the network. During project implementation a PCC chaired by the MOF will supervise project implementation. An assessment of TPL, the proposed implementing agency, confirmed that the organization is well capable of taking on and managing the proposed project. TPL has the necessary resources, experience, and technical and commercial services to ensure a successful outcome.

XI. MONITORING AND REPORTING OF SAFEGUARDS ISSUES

84. TPL through the PMU will focus on monitoring and ensuring the timely resolution of all grievances and consultation with the stakeholders. The scope of monitoring includes consultation with the project communities including during detailed design/prior to construction to inform them of the proposed scope of works, construction schedule, GRM, and potential local employment opportunities through discussion with the contractor.

85. TPL through PMU will maintain proper documentation of consultation process and keep relevant records of community consultations, particularly concerns and recommendations by the consulted communities to feed into the detailed design or for any further action by PMU or contractor. PMU will document the consultation process, complaints received during the construction phase (resolved and pending issues), and resolution of grievances to be submitted to ADB and government as part of project performance monitoring.

APPENDIX 1: ATTENDANCE LIST OF CONSULTATIONS



Nuku'alofa Network

Upgrade Project

Villages Pre-awareness Meeting

Siatoutai

Tuesday 16th November 2021

Attendance Record

	Name	Village CONTACT	Male/ Female	Signature
1	Kaione Lounoh	7784542	M	<i>[Signature]</i>
2	Mele Laua Finau	7714570	F	<i>Mele. Finau.</i>
3	SINIVA Puatisi	7202960	F	<i>Puatisi.</i>
4	Selu Nganamo.	7202064	F	<i>Selu.</i>
5	Tule Lokotui	7736314	F	<i>Lokotui</i>
6	Akosita Prango.	77-51652.	F.	<i>P.</i>
7	Pepe Huihu	77-30620	F	<i>Huihu.</i>
8	Meleana Tenifa.	77 22 886	F	<i>Tenifa.</i>
9	Liviale Nulu.	7752569	M	<i>[Signature]</i>
10	Farueli Mabe	8414082	M	<i>Mabe.</i>
11	Lakulaki Simiyala	7789644	m	<i>Simiyala</i>
12	Apolosi. Fagafala	843-8876	M	<i>Fagafala.</i>
13	Lopeti Taunga	7711109	M	<i>Taunga</i>
14	Sotaleki Mafe	7709658	male	<i>Mafe.</i>
15	Litani Tupou	7735922	M	<i>Tupou</i>
16	Pilimilou Liavaia	7746611	M	<i>[Signature]</i>
17	Ehasi Taufa	871-4656	M	<i>Taufa</i>
18	Lopini Tupou	881-1596	M	<i>[Signature]</i>
19	Tivionale m. Fenua	81641776	m	<i>[Signature]</i>
20	M. SAKIUMI.	7708751	M	<i>[Signature]</i>
21	Siosoria Kofe Makoni	7709890	M	<i>[Signature]</i>
22	Viliami K. Malia.		m	<i>[Signature]</i>
23	Sione Man	8421824	m	<i>[Signature]</i>
24	UESILI TOKOMATA	7725600	M	<i>Tokomata</i>
25	Pepilo Aholetu	8626517	m	<i>Aholetu</i>
26	Sione Kofe	7753001	M	<i>[Signature]</i>
27	SALESI T. Prango	8780263	M	<i>[Signature]</i>
28	Finau Nekesi	77-11505	M	<i>[Signature]</i>

	Name	Village CONTACT.	Male/ Female	Signature
28	Kemueli' John	7200270	M	
29	Simione Ofanoli	7725887	M	
30	Kolani' Tusi Elias	7743211	M	
31	Sitalaki' Fagalahi	7724402	M	
32	Vivien' Paee		M	
33	Kolofai' Tuinavai	7121139	M	
34	Daviona Tuinukuafe		M	
35	NOKU TUINUKUAFE	7230399	M	
36	Telusila Fifita	7758482	Fm.	
37	Lesley H. Nio	7717001	F.	
38	Mele Ncu	77-03328	Fm	
39	Melanne Alofi	77 03835	F	
40	Melaniati Sifa Bedekawa	8785686	M	
41	Ebenas Mai	8123824		
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Nuku'alofa Network
 Upgrade Project
Villages Pre-awareness Meeting
Hofoa

Tuesday 23rd November 2021

Attendance Record

	Name	Contact	Male/ Female	Signature
1	Dorothy Foliaki	7748628	female	[Signature]
2	Mele Toyofayo	8722003	female	[Signature]
3	Anutia Ni	8404389	female	[Signature]
4	Sine Manu	8721744	female	[Signature]
5	Sim Tei	8746423	Female	[Signature]
6	Mele Akavila	8787682	Female	[Signature]
7	Hepi Kanongataa	8402902	Female	[Signature]
8	Mele Nua Nua	8421935	Female	[Signature]
9	Vaimana Kau	7724038	Female	[Signature]
10	Jacinta Koto	7743031	FEMALE	[Signature]
11	Kale Tupou	21-144	Male	[Signature]
12	Melani Tupa	8452251	female	[Signature]
13	Janice Halasine	7708209	M	[Signature]
14	Katalena Tuiti	7774137	Male	[Signature]
15	Grace Puniari	2521-256	Female	[Signature]
16	Uani Ni	7778007	M	[Signature]
17	Jessie Manu	8420410	M	[Signature]
18	[Signature]		Female	[Signature]
19	Aleki Kanongataa		Male	[Signature]
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Nuku'alofa Network
 Upgrade Project
 Villages Pre-awareness Meeting
Sopu

Tuesday 30th November 2021

Attendance Record

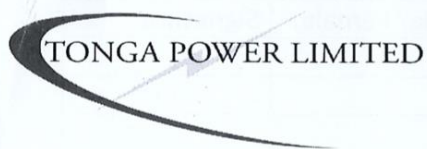
	Name	Contact	Male/ Female	Signature
1				
2	Pehiva, Heta	-	F	PH
3	Fana Saini Ika	7769 8664	F	Fana
4	MALINA A OTOLOLO	887-9550	F	Malina
5	LOSIPELI KUMAKI	7790115	M	Losipeli
6	MATEAKI HOKO	845-9483	M	Mateaki
7	ISILELI MATANGI	871-5067	M	Isileli
8	SEKOPU TALATAUAFI	77-41430	M	Sekepe
9	Aksa Lomeli	77-37267	F	Aksa
10	SIONE MISA	871 9909	M	Sione
11	LILIANI MAKASINI	77-30555	F	Liliani
12	SAMU MOTULIKI	7715 819	M	Samu
13	Samuela Pehiva	7712346	M	Samuela
14	FOLAMUOLA PHEA	7777280	M	Folamula
15	LOPETI LOMU	7761156	M	Lopeti
16	ALIJULITI ISITOLO	845 2204	M	Alijuliti
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Nuku'alofa Network
 Upgrade Project
Villages Pre-awareness Meeting
Halavave
 Tuesday 1st December 2021

Attendance Record

	Name	Contact	Male/ Female	Signature
1	Dorothy Foliaki	7748628	Female	<i>[Signature]</i>
2	Eriketi Pulu	8633874	Female	<i>[Signature]</i>
3	Masini Lomau	7756666	Female	<i>[Signature]</i>
4	Maleson Nouru	7783308	n	<i>[Signature]</i>
5	Lesieli Pulu	7700477	Female	<i>[Signature]</i>
6	Mele Pulu	25-335	Female	<i>[Signature]</i>
7	'Aivi Fakahua	7708573	Female	<i>[Signature]</i>
8	Melenaita Tuiamaloa	7758103	Female	<i>[Signature]</i>
9	Imise Hela	24-028	F.	<i>[Signature]</i>
10	Siale A. Hela	7715766	MALE	<i>[Signature]</i>
11	Amelia	740 776771	Female	<i>[Signature]</i>
12	LOSIKELI KUKKI	7790115	M	<i>[Signature]</i>
13	Lunka Maile	772055	M	<i>[Signature]</i>
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Nuku'alofa Network

Upgrade Project

Villages Pre-awareness Meeting

Tuatakilangi

Tuesday 2nd December 2021

Attendance Record

	Name	Contact	Male/ Female	Signature
1	Mele Tuitupou	94994	F	<i>[Signature]</i>
2	OFA FAVARICO	7724326	F	<i>[Signature]</i>
3	Hendri Puleika	7742572	M	<i>[Signature]</i>
4	Lompeli Puleika	7790115	M	<i>[Signature]</i>
5	Limaki Maite	772055	M	<i>[Signature]</i>
6	TOFA SOAKIUNI	7708251	M	<i>[Signature]</i>
7	FOKI KATA MATANGI	7784923	F	<i>[Signature]</i>
8	Talita, lo	8785767	F	<i>[Signature]</i>
9	Teofaaki Puleika	8414244	F	<i>[Signature]</i>
10	Dolofi Foliaki	7748628	F	<i>[Signature]</i>
11	Keletia Lavaki	7711915	F	<i>[Signature]</i>
12	Evaesi Hala	8788860	F	<i>[Signature]</i>
13	SAMIUELA LATU	8428146	M	<i>[Signature]</i>
14	Efueni Ngaleata	7717855	M	<i>[Signature]</i>
15	Condra Mam	77-28271	F	<i>[Signature]</i>
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APPENDIX 2: PHOTOS FROM OF NNUP AREA 5 AND CONSULTATIONS

Sia'atoutai Community Consultation



Hofoa Community Consultation



Sopu Consultations



Halavave Consultations



Tu'atakilangi Community Consultations



Drone shots and photos of the existing Network - NNUP Area 5



View of Hofoa Looking East



VIEW OF HOFOA LOOKING FROM THE WEST



AREIAL VIEW OF MANGROVES BESIDE HOFOA VILLAGE



AREIAL VIEW OF MANGROVES BESIDE SOPU AND ISILELI VILLAGE



AREIAL VIEW OF NETWORK DISTRIBUTION INSIDE HOFOA VILLAGE



AREIAL VIEW OF HOFOA LOOKING FROM THE WEST

