



**Solomon Islands  
Government**

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

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

A photograph of a river with white water rapids flowing over large, dark rocks. The river is surrounded by dense green forest. The text "Land Acquisition and Livelihood Restoration Plan" is overlaid in white.

# **Land Acquisition and Livelihood Restoration Plan**

**May 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. It also details the manner in which indigenous communities in the project area are involved in a way which provides that the development process respects the dignity, human rights, economies, and cultures of Indigenous Peoples in the project area. It includes identification of measures to avoid potentially adverse effects on the Indigenous Peoples' communities; enhance potential benefits; and when avoidance is not feasible, to minimize, mitigate, or compensate for such effects. The LALRP also details how social and economic benefits are culturally appropriate and gender and inter-generationally inclusive.

This LALRP provides consolidated assessment and management measures for the overall project. In turn, the project is covered by a number of policies which reflect international good practices for both private sector and public sector infrastructure investments. The LALRP has been prepared to meet the applicable standard of the World Bank safeguard policies concerning Involuntary Resettlement (OP 4.12) and Indigenous Peoples (OP 4.10), and the requirements of SIG, for any particular aspect. The intention is to ensure that for all activities, the required level of protection is provided to the people and communities affected by the project and its components.

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 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 of people in the project affected area. The requirements of the World Bank are described in Operational Policies 4.10 and 4.12.

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 World Bank Performance Standards OP 4.03 and World Bank Operational Policies as they apply to the private entity developing the dam and power house. Chapter 12 of the ESIA, 'Assessment of Socio-Economic Impacts' 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

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operation of the Project. In addition, the LALRP complements the Community Development Plan (CDP) prepared to provide for culturally appropriate benefit sharing for Indigenous Peoples communities in the Bahomea and Malango areas. This LALRP, which can be read together with the ESIA and CDP, 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**

The LALRP establishes the processes under which the communities affected by land acquisition are an integral part of the project and its benefits either directly or indirectly through the project's development outcomes. 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 quarries, realignment and upgrade of the Black Post Road, and the transmission line corridor along the Black Post Road alignment is non-residential land and no physical relocation of houses will be required.

However, the Government's land acquisitions could impact negatively on some peoples' livelihoods assets and incomes, that is, there could be 'economic displacement'. In these circumstances, and on the basis that SIG is undertaking all land acquisition required for the Project, WB OP4.12 (Involuntary Resettlement) will apply.

In addition, WB OP 4.10 applies. Since the vast majority of project beneficiaries and affected people are indigenous as defined by OP 4.10, the elements of an IPP have been integrated into the project design and the LALRP (and ESIA) rather than requiring the preparation of an Indigenous Peoples Plan (see Section 5). The CDP is also designed to integrate all the elements of an IPP to ensure that the project provides culturally appropriate benefits to indigenous peoples based on a process of free, prior and informed consultations leading to broad community support.

## **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 and documented 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 and comment.

Subsequent to the completion of the draft ESIA and ESMP documents, it was determined 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 (see Chapters 5 and 6 of the LALRP for more details):

- 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);
- 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 Chapters 3, 4 and 6;
  - 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 Black 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 acquired by the Solomon Islands Government (SIG), the customary 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 identification of these landowning tribes was based on a land ownership review process.

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 (as described in detail in the CDP).

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

### **2.2 PROJECT AREA**

Tina River is located 30 km South East of Honiara at the upstream end of the Ngalimbui River Basin in Malango Ward 20, Central Guadalcanal District. The Tina River catchment and proposed transmission line route are in the Malango Ward within Central Guadalcanal District.

The Map at Figure 2-1 depicts the dam, reservoir and power station sites in the context of the Black Post Road, Main Highway and Ngalimbiu River.

Figure 2-1 – Map of Project Location



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



The Tina River is derived from the joining of three rivers: the Mbeambea, the Voraha and the Njarimbisu rivers. The Tina River catchment area is roughly 150km<sup>2</sup>. The Tina River joins the Toni River, a much smaller river with a catchment of about 45km<sup>2</sup>, to form the Ngalimbiu River, which flows through a coastal plain before discharging into Iron Bottom Sound on Guadalcanal's North coast. This coastal plain is more highly developed than the upstream areas of the catchment, and has more settlements and agriculture activity. At its headwaters, Tina River flows through a very narrow, steeply sided and incised, limestone gorge. In its mid reaches, the slopes gradually become less steep and are dotted with a few human settlements and gardens.

The Project area landscape is comprised of volcanic mountains, dissected river ridges in the South and central areas, and low terraces and fertile flood plains toward the North coast. The flora and fauna in Guadalcanal is both rich in diversity and endemism. The project site is dominated by tropical moist forests, and is associated with a majority of low altitude forests, grasslands and mix of habitats. The Tina River upper catchment area is comprised of undisturbed montane forests and aquatic ecosystems.

Key locations, rivers, villages, and hydro infrastructure are shown in Figure 2-3 below.



Figure 2-3 Key locations, rivers, villages, and hydro infrastructure



Figure 2-4 Project layout and study areas

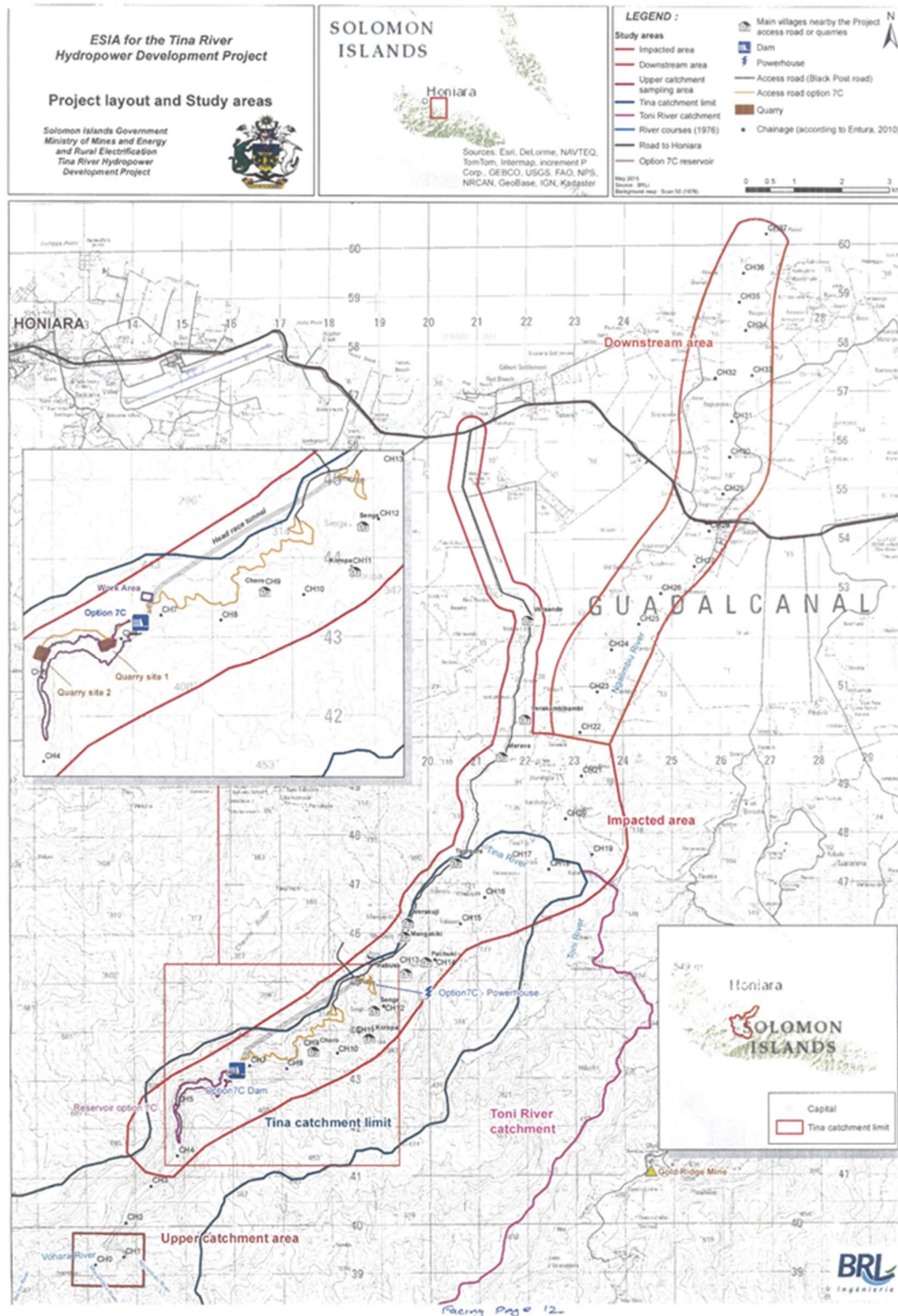
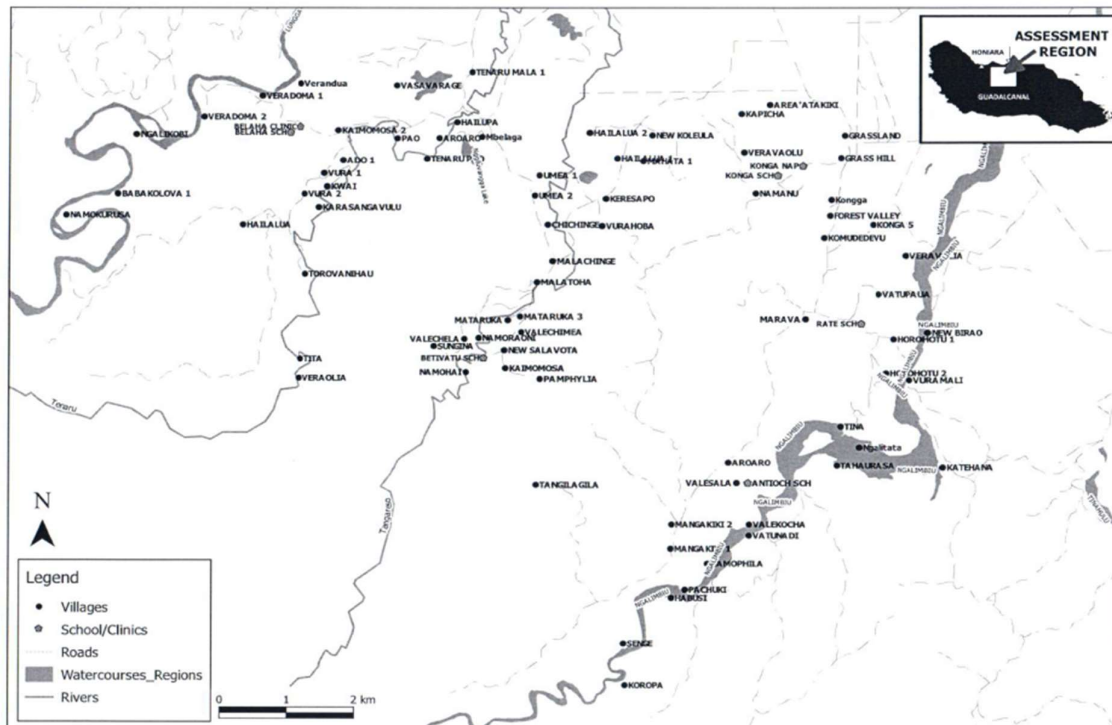


Figure 2-4 shows the areas for social and environmental assessment, as well as the key features of the project. It also shows the impacted area, downstream area where the River joins the sea, catchment areas and the northern access corridor connecting the core area to the highway.



**Error! Reference source not found.** shows the broader areas of Malango/Bahomea, owned by 27 landowning tribes.. These groups will benefit from a community benefit sharing scheme as detailed in Chapter 9 of this LALRP and in the CDP. This benefit sharing scheme goes beyond the provisions of the LALRP which addresses impacts to the five land-owning tribes and to affected people losing livelihood assets and incomes in connection with the taking of land.

Figure 2-5 – Map of Malango/Bahomea Area within Malango Ward



Communities further downstream along the Ngalimbiu River are not affected by project construction and land acquisition and are therefore not covered by the LALRP or the benefit sharing scheme. Impacts on these communities, which are deemed minor, are addressed in the ESIA through the provision of alternative water supply and through monitoring and mitigation measures, if needed, concerning potential impacts on fisheries and income from gravel extraction are also addressed through the ESIA.

## 2.3 THE PROJECT ELEMENTS

The project consists of the following key elements:

- a 53 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 the Black Post Road (described as the Norther Infrastructure Corridor).

Figure 2-6 shows an illustration of the proposed Project Scheme.

Figure 2-6 – Illustration of Project Scheme



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. Workers from outside the local communities will be housed in or around Honiara and Lungga and will be transported to and from construction sites; no labour camps will be established. 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. A

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Resettlement Process Framework is included in Chapter 12 of the LALRP to inform the preparation of a Resettlement Plan once the route is determined.

## **2.4 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 identified customary landowners, the SIG compulsorily acquired the Core Land on 21 August 2014. Compensation offers were made to the owners identified by the COL under a statutory process, and all landowning groups accepted, or have been deemed to have accepted, these offers. The details of the process of identifying the owners of the Core Area and the subsequent land acquisition are described in Chapter 6. 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. The Developer will lease the land from the TCLC for a fixed term.

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

In accordance with WB safeguard requirements, a detailed options analysis was undertaken to define the optimal proposal for delivery of the project development outcome. This assessment including examination of hydro, thermal, wind, solar, and solar and storage. These options are detailed in Chapter 4 of the ESIA. Once hydro was determined the preferred option, the Project then considered different 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 have long-term impacts on livelihoods and upset community social structures.

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

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

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

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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.

## 2.5.2 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 (these parcels are described in section **Error! Reference source not found.**;
- A diversion immediately north of Mengakiki; and
- A diversion south of Mengakiki.

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 formal survey of the re-aligned corridor for the purposes of land registration.

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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.

The land was acquired for the Project at that time, as a measure to assure potential developers that land acquisition would not be a deterrent to investment.

#### **3.1.2 Monitoring Sites**

A rain gauge site located on a small area of land called Chupukama (approx. 500 square meters) in the catchment has been used during project design to obtain rainfall data. During preparation, the PO consulted with the land owners and have been paying a monthly rental fee for the land. A registration process has commenced for this land. It is not known whether the project developer will continue to use this land, or relocate the rain gauge. The project developer will negotiate any ongoing arrangement (purchase or lease) either in this location or in another location.

SIG will work together with the project developer to provide documentation to allow due diligence assessment by WB. This documentation will include consultation records, valuation/negotiation processes, and transfer/use documentation.

During project preparation, the PO also installed a flow gauge in the Tina River above the reservoir within an area known as Koemolu. As with the rain gauge site, the PO consulted with landowners regarding the gauge and paid a monthly rental fee. This gauge has now been relocated to a site within the core land area following a flood and the rental of land at Koemolu is no longer required.



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### 3.1.3 Northern Infrastructure Corridor

The Northern Infrastructure Corridor is a 50 metre wide stretch of land from the Black Post turnoff on the main highway 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 (rather than customary 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). Each of the land areas being acquired for the project is described in more detail in section **Error! Reference source not found..**

## 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 a statutory land identification process (described in Section 5) determined that 5 tribes (from 8 claimant 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 trustees

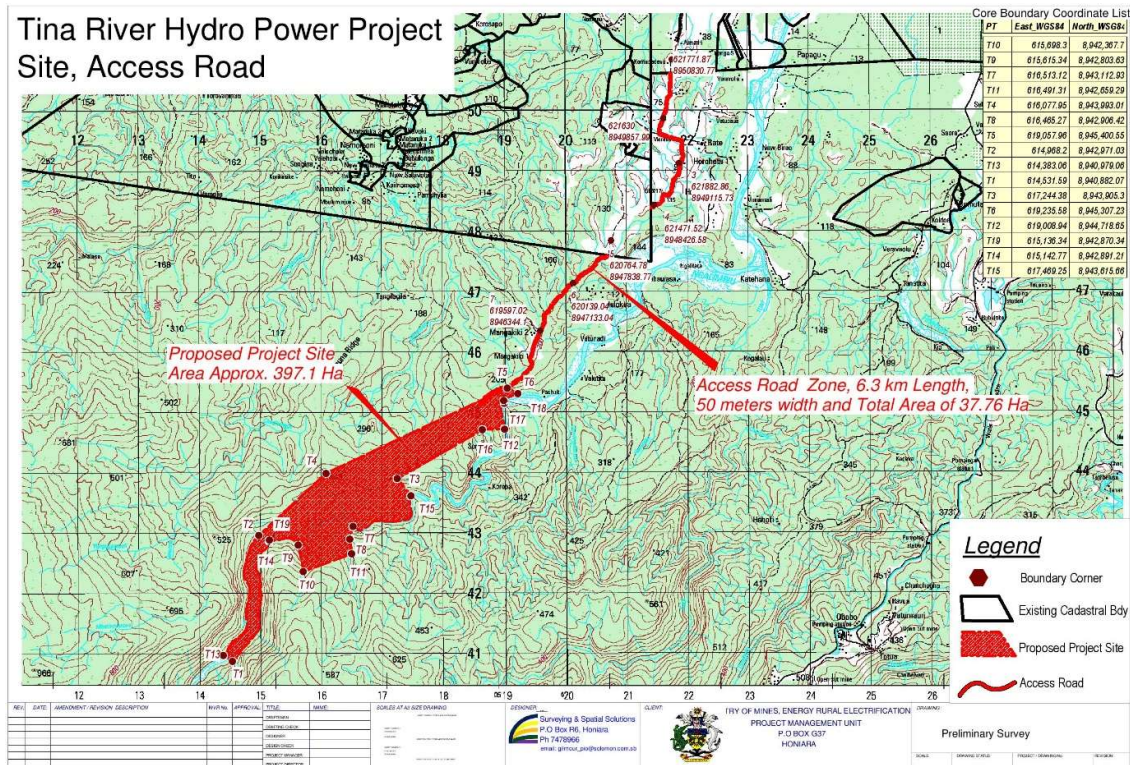
On 21 August 2014, under a written agreement with the identified owners, the SIG acquired this land, and its commercial assets, using its 'compulsory acquisition' powers under the Solomon Islands' *Land and Titles Act*.

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 Mengakiki. 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.

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

Figure 3-1 – Acquired Core Land



### 3.3 NORTHERN INFRASTRUCTURE CORRIDOR

Along Black Post Road 32.4 ha of privately owned registered land from the Black Post turnoff 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 Mengakiki village, and potentially beyond.

Within the Northern Infrastructure Corridor the land to be acquired is largely incorporating and to the east of the existing road reserve. The road widening and transmission lines will avoid displacing those living on the west side 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, SIG is subdividing and acquiring land from the remaining three parcels with a total area of 32.4 ha. This acquisition will not require any physical resettlement of 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 will apply to the livelihoods assets on that land. See Chapter 6.

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<br>100 LR 536 | Nathanial Boboli , Timothy Urobo,<br>Nesta Besta, Daniel Sekani,<br>Selwyn Boboli, (Joint Owners) | Lease – Guadalcanal Plains<br>Palm Oil Limited (GPPOL). 50<br>years from 1 January 2005 |
| 3   | 192-005-0017               | Church of Melanesian Trust Board  | Nil.  |
| 4   | 192-029-024                | Commissioner of Lands   | Nil.  |

Figure 3-2 The location and boundaries of the lands required for the Tina Infrastructure Corridor

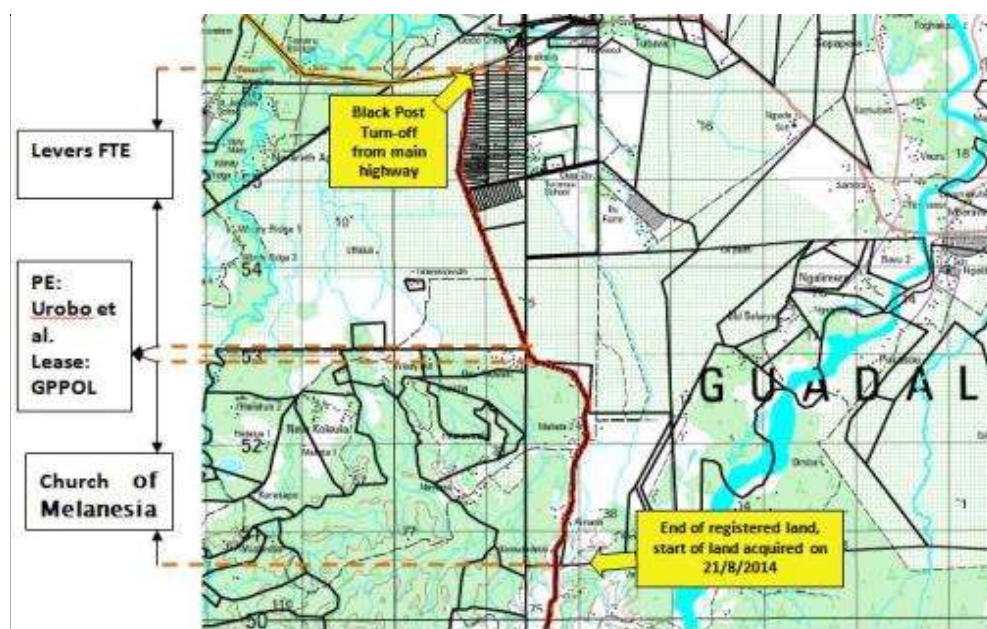
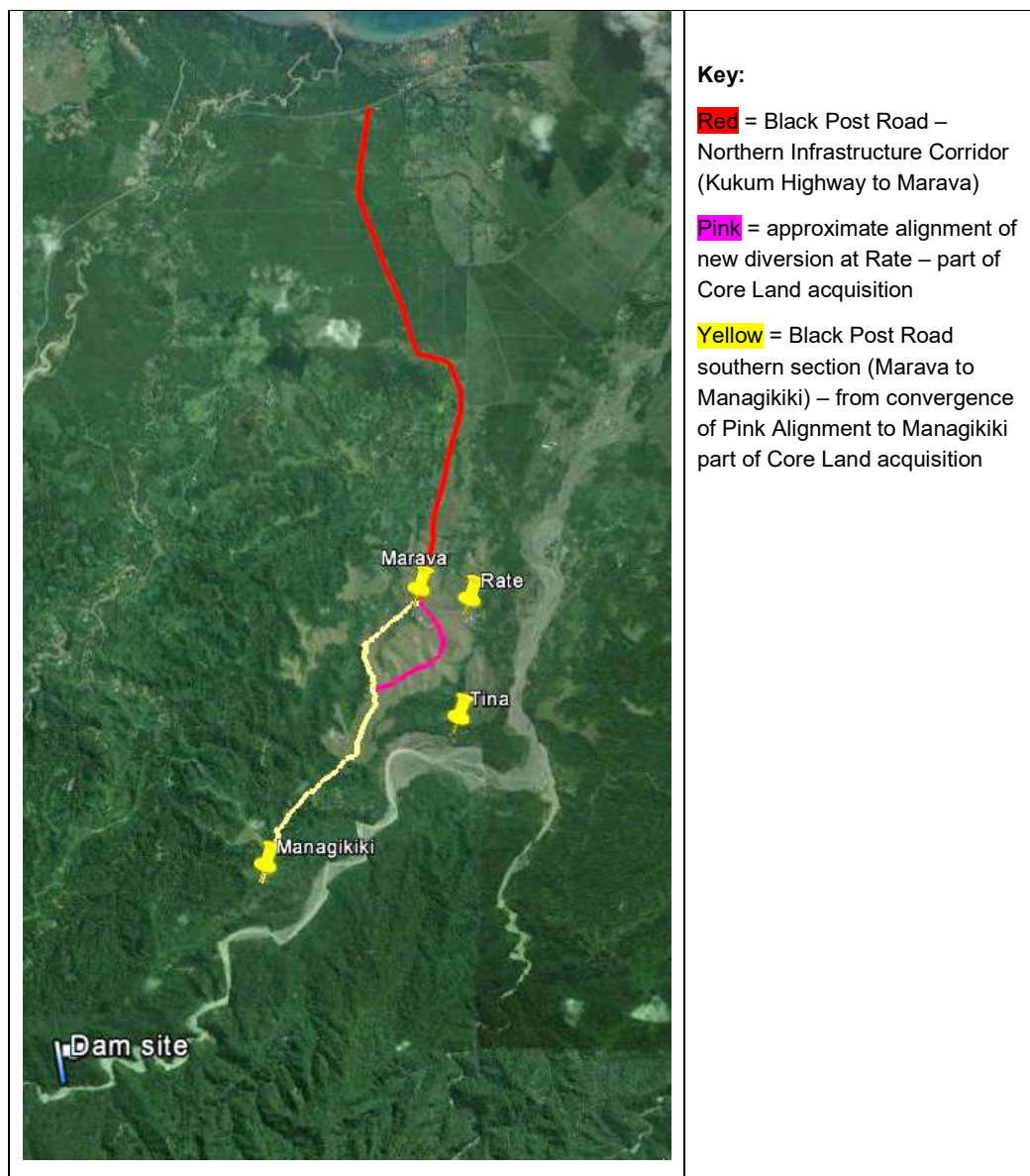




Figure 3-3 Approximate location of the various sections of the Tina access road (not to scale)



### 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, within the 50m Black Post Road alignment; and
- the Lungga Transmission Corridor – the alignment of which is still under investigation.

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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 preliminary 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. The survey will be up-dated and a cut-off date established in advance of physical works. Civil works will not commence until the affected people have received compensation.

### **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. SP is a state-owned enterprise sourcing development funds for its network development. As such, a separate ESIA and resettlement plan based on World Bank policies will be prepared in line with the framework arrangement for the required resettlement plan set out in Chapter 12.

## **3.5 MONITORING SITES**

Sites for a rain gauge and a river flow gauge were initially used at Chupukama and Koemolu respectively in the upper Tina catchment – upstream of the proposed hydro reservoir. Both sites are very remote and only accessible by a long and difficult forest hike or by helicopter. No livelihood assets or uses were identified at either site.

A land registration process was commenced for the Chupukama site in accordance with Division 1 of Part V of the *Land and Titles Act*. This legal process is described in section 4.5. The acquisition officer appointed by the Commissioner of Lands 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 under the Act's appeal processes and the land is in the process of being registered and titled in the name of representatives of the

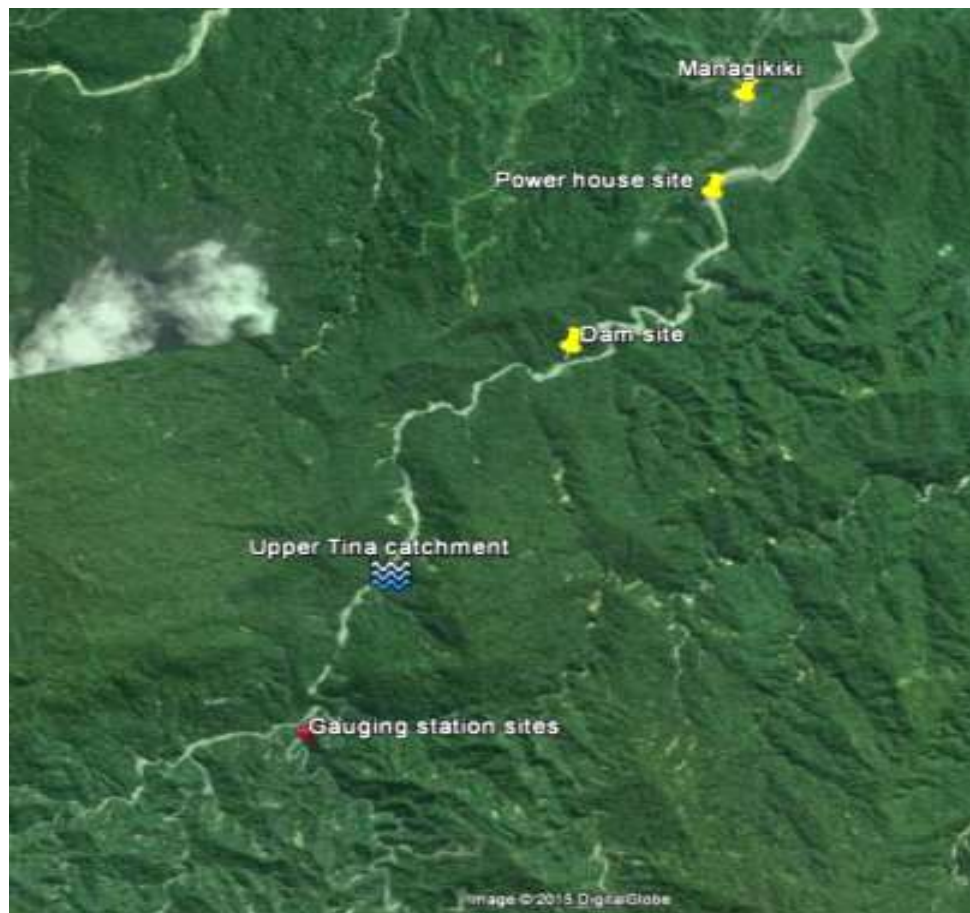
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Uluna Suthahuri tribe. Once registered, the SIG will negotiate a lease of the site, which will later be transferred or on-leased to the Developer in consultation with the landowners. As the site is small, remote and located in steep terrain, voluntary agreement for lease between the SIG and the owners to continue to host the rain gauge site is not expected to have any negative impacts on the owners' livelihoods.

In April 2014, a strong flood destroyed the flow gauge at Koemolu, and the site for the gauge was moved in 2016 to a new location within the acquired Core Land at the upper limit of the reservoir. As such, the previous site of the flow gauge at Koemolu will not be acquired or leased for the Project.

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Figure 3-4 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:

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

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

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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 AND INDIGENOUS PEOPLES

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, the Solomon Islands legal requirements, and the gaps between them.

### 4.1 WORLD BANK REQUIREMENTS

#### 4.1.1 Overview

Because the construction and operation of the dam and associated infrastructure and access roads (identified as Components 1 and 2 for the purposes of WB funding) will be delivered by a private entity, the WB Performance Standards will apply to construction and operation activities, including PS 7 on Indigenous Peoples.

However, all land acquisition for the project is being undertaken by the SIG and accordingly, the provisions of the WB Operational Policies (OP) 4.12 – Involuntary Resettlement and 4.10 – Indigenous Peoples apply to the project in relation to land acquisition and indigenous people respectively. These policies aim to avoid, mitigate, or minimize adverse environmental and social impacts of projects.

#### 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 covers 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 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 have lost some of their customary land and the livelihoods assets on the land, although this loss was agreed in the negotiated Process Agreement.
- Local community members who have customary use rights to the Core Land will experience an involuntary loss of access for livelihoods activities such as gardening, hunting, fishing and gathering.
- Some individual households will be affected by loss of assets (e.g. gardens) for the access road and transmission line.

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The WB policy requires 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.
- where land acquisition has already occurred, conduct due diligence and any remedial measures to ensure compliance with World Bank policies.

In keeping with the WB policy and Solomon Islands law the SIG has chosen a project design that avoids physical displacement and is implementing a plan to replace 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. In relation to the application of OP4.10, the following considerations are important:

- The local Malango speaking tribes people are one of many indigenous Solomon Island groups who collectively make up about 95% of the nation's population and almost all of the local PAPs,
- In Ward 20 of Guadalcanal (the project area), the Malango people are the dominant group;
- 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.

Paragraph 12 of OP4.10 establishes that when Indigenous Peoples are the sole or the overwhelming majority of direct project beneficiaries, a separate Indigenous Peoples Plan (IPP) that sets out the measures through which the borrower will ensure that (a) Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for, is not required. Instead of a separate IPP, these key elements of an IPP should be built into the overall project design.

As the vast majority of affected persons for this project are indigenous peoples and as they will also receive culturally appropriate benefits as provided for in this LALRP and the CDP, measures to address impacts on this group have been mainstreamed into project planning,

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design, assessment and management of environmental impacts, the livelihoods restoration and planning, and the development of a benefit sharing arrangement, and associated safeguard documentation.

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 through a Process Agreement signed with the SIG;
- 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 is described in the CDP and are anticipated to be further designed through the implementation of a JSDF funded community benefit share pilot between 2017 – 2020.

## 4.2 SOLOMON ISLANDS LAW

### 4.2.1 Overview

The legislation governing the acquisition of land in Solomon Islands, including indigenous customary land, 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.

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*".

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#### 4.2.2 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.

#### 4.2.3 Customary land

The Project involves the compulsory acquisition of customary land by the state (albeit that the acquisition took place with the consent of the affected customary owners). The rain gauge monitoring site also involves the voluntary acquisition of customary land.

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, larger 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).

### 4.3 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, the compulsory acquisition of customary land (Core Land), voluntary acquisition of customary land (rain gauge site), and voluntary purchase of

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registered land (Northern Infrastructure Corridor). These processes will result in the registration of, and rights to, all land needed for the Project.

The SIG acted unilaterally early on to formally acquire land needed for the project as a measure to incentivise potential developers. Past experiences with large infrastructure developments suggested that the lengthy and uncertain process of customary land identification and acquisition deters developers and is incompatible with commercial project timeframes. Nevertheless, this LALRP, and due diligence assessment, ensures that compensation and related measures to address impacts of previous land acquisition for the project were and are to be carried out in compliance with World Bank policies.

The majority of the land required for the project was acquired as a compulsory acquisition under Division 2 of Part V of the LTA, after first obtaining the consent of customary owners. This area, referred to as the Core Land, included the land needed for the dam site, power station site, and parts of the access road located on customary land. Following acquisition, the Core Land became registered land and it will be transferred to a joint venture company between the landowning tribes and SIG to be called the Tina Core Land Company.

A small area of customary land, (total 500m<sup>2</sup>), needed to site the rain gauge instrument in the upper Tina catchment was acquired as a voluntary land acquisition, under Division 1 of Part V of the LTA. Through this process the parcel will be registered in the name of representatives of the customary tribal owners and voluntarily leased to SIG. The lease will be transferred or subleased to the Developer in consultation with the owners.

Finally, the purchase of registered land needed for the widening and enhancement of the section of access road from Black Post to Marava will be agreed as a willing buyer/willing seller arrangement with the registered owners. The original registration of this land from customary land predates the Tina Hydro proposal.

Table 4-1 – Acquisition Types

| Land Area                         | Process                        | Tenure                      | Acquisition   |
|-----------------------------------|--------------------------------|-----------------------------|---|
| Core Area                         | Registration of customary land | Perpetual Estate (freehold) | Compulsory Acquisition premised on negotiated Process Agreement |
| Rain Gauge (ongoing)              | Registration of customary land | Lease                       | Willing Lessor/Willing Lessee                                   |
| Infrastructure Corridor (ongoing) | Transfer of registered land    | Perpetual Estate (freehold) | Willing Buyer/Willing Seller                                    |

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## 4.4 COMPULSORY ACQUISITION

### 4.4.1 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.

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 requirements in the LTA, the Minister of Lands and the Commissioner of Lands can take these into account in conducting the land acquisition. These requirements were applied in the case of the TRHDP, and are discussed in more detail below.

### 4.4.2 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 - Landowner identification is necessary to identify the owners of any customary land in order to conduct the prior negotiations required in the Constitution as there is no systematic record or register of customary landowners or land boundaries in Guadalcanal;

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

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- 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>
  - 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.

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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

<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)

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- 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.

#### **4.4.3 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.

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.

#### **4.4.4 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>.

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<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

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

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



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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 Guarde 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.

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.

For the purposes of the LALRP, compensation has been assessed with respect to full replacement cost.

## 4.5 VOLUNTARY REGISTRATION AND LEASE OF CUSTOMARY LAND

### 4.5.1 Overview of the LTA Division 1 Process

The rain gauge site at Chupukama is in the process of being registered under Division 1 of Part V of the Lands and Titles Act. Once registered, the land will be leased by SIG from the registered owners.

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<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 *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.

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.

#### **4.5.2 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:

- 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.

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## 4.6 ACQUISITION OF REGISTERED LAND

### 4.6.1 The ownership situation

Portions of the Black Post Road access corridor and transmission route are made up of registered/alienated land. 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.

One parcel is already owned outright by the COL on behalf of the SIG, one is held by Levers Pty Ltd (a large private entity) under a fixed term estate, one is owned by the Anglican Church of Melanesia, and one by the trustees of a Guadalcanal Plains tribal group.

Land acquisition in this area will be by process of “willing buyer – willing seller”. Wherever “willing buyer – willing seller” is used for land acquisition, due diligence will be shared with WB to ensure appropriate compensation has been paid and other negotiated aspects are delivered in a timely manner.

### 4.6.2 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.

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

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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.

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- Any beneficiary is entitled to a full account of the proceeds.

## **4.7 GAP ANALYSIS – INVOLUNTARY RESETTLEMENT**

Table 4-2 - Gaps between WB OP 4.12 and Solomon Islands law regarding assets and livelihoods loss from land acquisition

| Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)   | Provisions of Land and Titles Act and Constitution   | GAP and proposed response  |
|--|--|--|
| Requirement to avoid or minimize impacts of economic displacement  | No requirement to avoid or minimize impacts, can declare any land subject to acquisition for public purposes.  | <p>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).</p> <p>Economic displacement compensated for in acquisition ‘process agreement’, and in livelihood restoration plan (LRP)</p>   |
| Meaningful consultation and participation in planning and implementing resettlement programs (OP 4.12). Free, prior and informed consultation leading to broad community support (as defined under OP 4.10) when indigenous peoples are affected | <p>Constitution requires prior negotiation with customary owners and provides for access to independent legal advice.</p> <p>LTA Part V Division 2 does not require consultation; Minister declares land is required and provides for “notification” of owners.</p> <p>No requirement for consultation with host communities who are not landowners.</p> | <p>PO stakeholder engagement policy implemented for comprehensive programme of community consultation during project planning. Consultations included environmental &amp; social impacts assessment and management planning, and livelihoods restoration planning with both landowners and host communities.</p> <p>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 6.2.2).</p> |

| Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)   | Provisions of Land and Titles Act and Constitution  | GAP and proposed response   |
|--|---|---|
| <p>Compensation and assistance for land and resource acquisition, restricted access to land and resources, and loss of livelihood to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p> | <p>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.</p> <p>Recognises customary title and right to compensation if customary title is compulsory acquired.</p> <p>No requirement to improve or restore income earning capacity or to provide development benefits.</p> <p>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.</p> | <p>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.</p> <p>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 9).</p> <p>Establishment of and support for co-operative societies to improve income earning capacity for customary landowners (Chapter 6).</p> <p>Development benefits in form of royalty agreed with landowners in Process Agreement (Chapter 6).</p> <p>Both landowning and non-landowning affected persons to derive development benefits from the Project through implementation of a Benefit Sharing Fund.</p> <p>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.</p> |
| <p>A time-bound plan setting out assessment of losses and impacts, consultations, compensation process and schedule is to be prepared</p>  | <p>Does not require a “plan” or assessment report, requires only publication of declaration and valuation of compensation.</p>  | <p>PO process agreement with customary land owners establishes an agreed process for land acquisition.</p> <p>PO preparing LRP consistent with WB requirements. Chapter 9 sets out implementation arrangements, schedule and budget.</p>  |

| Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)   | Provisions of Land and Titles Act and Constitution  | GAP and proposed response   |
|--|---|---|
| Recognizes non-titled persons as eligible for compensation (for structures, crops, trees etc.) and assistance  | Recognizes all interest holders in the land whether registered or customary. Also recognises customary interests to crops, trees and structures where claims are made.<br><br>Does not recognise illegal occupancy use or squatting interests.  | Compensation and livelihoods restoration for other land users, regardless of ownership rights, included in LALRP.<br><br>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 land acquisition or changes in land title | 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).<br><br>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<br><br>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. |
| Compensation to be paid proactively to land/resource owners (including individuals or groups) based on identification in an inventory –as of certain date.                           | 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.<br><br>Process agreement signed between SIG and landowning tribes.   |

| Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)  | Provisions of Land and Titles Act and Constitution   | GAP and proposed response  |
|---|--|--|
| Valuation of land and resources based on replacement cost at current market prices  | 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. | <p>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.</p> <p>Experienced social scientist conducted valuation of assets at full replacement cost without allowance for depreciation.</p> <p>LALRP following WB policies. Where possible, resources to be replaced or re-established like for like, rather than cash compensation paid.</p> |
| 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.  | <p>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 9).</p> <p>Severely affected households identified to receive additional support in accordance with Entitlements Matrix in Chapter 9.</p> <p>WB policy adopted for project. Livelihoods restoration addressed in LALRP.</p>   |



| Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)  | Provisions of Land and Titles Act and Constitution                | GAP and proposed response   |
|---|---|---|
| <p>Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based.</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). The establishment of Co-operative Societies for each Core Land Tribe provides for a third of compensation funds paid by the COL 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> |
| <p>The borrower provides the Bank with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them.</p> | <p>No requirement to prepare and disclose a resettlement plan</p> | <p>Draft resettlement plan to be disclosed to the public through the website and copies made available at the Project Office. LALRP disclosure meetings held with affected communities.</p>   |

| Relevant Provisions of WB OP 4.12 – (Involuntary Resettlement)  | Provisions of Land and Titles Act and Constitution | GAP and proposed response  |
|---|--|--|
| The borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. Upon completion of the project, the borrower undertakes an assessment to determine whether the objectives of the resettlement instrument have 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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## **4.8 GAP ANALYSIS – INDIGENOUS PEOPLES**

The project involves land acquisition activities undertaken by the Borrower (SIG) and related impacts as well as construction and operation activities undertaken by a private entity. The World Bank's OP 4.10 is applied to the activities involving SIG, particularly in relation to land acquisition and broader impacts and the benefit sharing arrangements for the Bahomea / Malango communities (as described in the LALRP and CDP), while the WB's PS 7 on Indigenous Peoples is triggered for construction and downstream related impacts involving the private entity (as described in the ESIA).

| No. | IP Safeguard Policy Requirements   | WB  | Project's Planning Compliance with Safeguard Policy/Standard Requirements  |
|-----|--|-----|--|
| 1   | The borrower/client will identify through an environmental and social risks and impacts assessment process all communities of Indigenous Peoples within the project area of influence who may be affected by the project, as well as the nature and degree of the expected direct and indirect economic, social, cultural (including cultural heritage) and environmental impacts on them.   | Yes | The Environment Act provides for the identification of IPs and other affected persons and communities through the social impact requirements of the ESIA. The Project's ESIA has adequately achieved this key requirement. The ESIA covered the area of influence.   |
| 2   | Adverse impacts on affected communities of Indigenous Peoples should be avoided, where possible. Where alternatives have been explored, and adverse impacts are unavoidable, the client will minimize, restore, and compensate for these impacts in a culturally appropriate manner commensurate with the nature and scale of such impacts and the vulnerability of affected peoples and Affected Communities of Indigenous Peoples. | Yes | Project's potential adverse impacts on tribal peoples (IPs) and especially on their vulnerability were identified by ESIA adequately. Development measures, especially culturally appropriate mitigation measures including livelihood strategies have been identified and adequate measures have been presented in the Land Acquisition & Livelihoods Restoration Plan. The Project obtained full participation of affected tribal population to ensure that their opinions are taken into account and to minimize adverse impacts. |

| No. | IP Safeguard Policy Requirements  | WB  | Project's Planning Compliance with Safeguard Policy/Standard Requirements   |
|-----|---|-----|---|
| 3   | The borrower/client will undertake an engagement process with the affected communities of Indigenous Peoples  | Yes | The borrower/client stakeholder engagement plan is a dynamic document. Local populations' concerns and grievances will be gathered throughout the lifespan of the Project. Solutions to them will be formulated to ensure ongoing communication with them.  |
| 4   | WB OP 4.10 requires broad community support of affected Indigenous Peoples communities through a process of free, prior and informed consultations. | Yes | PO consultations and ESIA workshops prepared the way for broad community support by presenting local populations with sufficient information on various components and impacts of the Project. Social Surveys have also prepared the way for BCS. The assessment of BCS including a negotiated Access Agreement, Process Agreement, and records of wider affected community consent, is presented in the LALRP, ESIA and CDP. |
| 5   | The borrower/client will consider feasible alternative project designs to avoid the relocation of Indigenous Peoples from communally held lands.    | Yes | The selected project layout alternative avoids any physical relocation of people. It also minimizes economic displacement.  |

| No. | IP Safeguard Policy Requirements  | WB  | Project's Planning Compliance with Safeguard Policy/Standard Requirements  |
|-----|---|-----|--|
| 6   | Where a project may significantly impact on critical cultural heritage that is essential to the identity and/or cultural, ceremonial, or spiritual aspects of Indigenous Peoples lives, priority will be given to the avoidance of such impacts. Where significant project impacts on critical cultural heritage are unavoidable, the client will obtain the broad community support of the affected communities of Indigenous Peoples. | Yes | ESIA focused on gathering information on cultural heritage in the project areas from interviews with the local population. It identified cultural sites that will be affected by the reservoir impoundment and road upgrades. During the mitigation workshops, measures were discussed with local populations to ensure that their opinions regarding the fate of cultural sites were taken into account and that compensation will be paid for any losses incurred. |
| 7   | The borrower/client and the affected communities of Indigenous Peoples will identify mitigation measures in alignment with the mitigation hierarchy as well as opportunities for culturally appropriate and sustainable development benefits.   | Yes | Development of measures has already been completed during ESIA and follow- up consultations. These measures were developed with full participation of local populations to ensure that their opinions are taken into account (during mitigation workshops).<br><br>Post-ESIA consultations have been continued by PO to keep the APs fully informed of the project's progress and the finalization of the LALRP and CDP.   |

| No. | IP Safeguard Policy Requirements  | WB  | Project's Planning Compliance with Safeguard Policy/Standard Requirements  |
|-----|---|-----|--|
| 8   | The nature of the project, the project context, and the vulnerability of the affected communities of Indigenous Peoples will determine how these communities should benefit from the project. Identified opportunities should aim to address the goals and preferences of the Indigenous Peoples including improving their standard of living and livelihoods in a culturally appropriate manner, and to foster the long-term sustainability of the natural resources on which they depend. | Yes | Development of mitigation measures, including measures to ensure safeguarding of livelihoods, was carried out during the ESIA and 'Land Acquisition and Livelihood Restoration Plan' with the participation of local affected population. Measures to ensure long-term benefits for local population were proposed and are part of the Project described in the CDP. |
| 9   | The client/borrower will prepare a plan that together with the documents prepared by the responsible government agency will address IP safeguard requirements.  | Yes | Specific measures for restoring the livelihoods of indigenous peoples with respect to land acquisition are covered in the Land Acquisition and Livelihood Restoration Plan. Benefit sharing arrangements are covered in the CDP.   |
| 10  | The safeguard instruments will be disclosed together with ESIA.   | Yes | The PO has disclosed the draft ESIA and LALRP to communities in Solomon Islands' Pijin and uploaded to the Project's webpage and facebook sites. Final plans, including the CDP, will be re-disclosed. on its webpage. Plans are disclosed in English as SI Pijin is not readily understood as a written language. WB will also disclose the safeguard plans.        |

| No. | IP Safeguard Policy Requirements   | WB  | Project's Planning Compliance with Safeguard Policy/Standard Requirements  |
|-----|--|-----|--|
| 11  | Prepare an action plan for legal recognition of customary rights to land and territories or ancestral land | Yes | Solomon Islands' law, legally recognizes customary land rights, and the actions documented in the LALRP, identified five tribes and formulated a participatory action plan to acquire land, prepare compensation packages, and implement a livelihood restoration program. PO has planned co-operative societies for the affected tribes to invest compensation and provide ongoing livelihood benefits. |
| 12  | Monitor the implementation of safeguard plans and disclose monitoring reports                              | Yes | = The PMU will have safeguard personnel and an information management system to systematically monitor the implementation of compensation, mitigation and benefit sharing arrangements in consultation with the APs.   |



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## 5 INDIGENOUS PEOPLES SAFEGUARDS

### 5.1 OVERVIEW

As outlined above, OP 4.10 sets out the measures through which the borrower will ensure that (a) Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for. Instead of a separate IPP, these key elements of an IPP should be built into the overall project design.

Meaningful consultation and engagement has been undertaken with the affected communities throughout project design, and the elements of an IPP have been mainstreamed into project design and documentation (including the ESIA, LALRP and CDP). This section summarizes the measures taken during project design to ensure the elements of an IPP are integrated into the project and points the reader to where these aspects are documented

Chapter 8 (Socio-economic/socio-community baseline) and 12 (Assessment of socio-economic/socio-community impacts) of the ESIA provide detailed information on existing conditions and analysis of likely impacts of the project. Importantly, they provide substantial detail in relation to indigenous peoples.

### 5.2 MEETING WORLD BANK POLICY REQUIREMENTS

#### 5.2.1 World Bank Policy Requirements

OP 4.10 establishes minimum requirements for a project for Bank funding that affects Indigenous Peoples. The following table details how the key policy requirements have been taken into account.

| Policy Requirement  | How requirement has been satisfied  |
|---|---|
| Screening to identify whether Indigenous Peoples are present in, or have collective attachment to, the project area | Section 8.1.4.3 of the ESIA - <i>The People of the Project Area</i> – describes the language, kinship/tribal structures and political organization aspects of the Bahomea - Malango people who inhabit the project area.<br><br>It is concluded that the Bahomea-Malango people are considered to be Indigenous for the purposes of application of the World Bank's policy. |
| A Social Assessment   | Section 8 of the ESIA – <i>Socio-economic / socio-community baseline</i> details the primary aspects of socio-economic structures in the community and addresses: (i) Community and stakeholder participation; (ii) Social organization; (iii)  |

|  |  |
|--|--|
|  | <p>Socio-economic profiles (iv) sources of livelihoods; (v) human capital; (vi) physical capital; (vii) social capital; (viii) financial capital; (ix) natural capital, and; (x) Cultural Heritage and Gender aspects.</p> <p>Section 12 of the ESIA, <i>Assessment of Socio-economic / Socio-community Impacts</i> associated with the project.</p> <p>Section 12 includes details and assessment of (i) community workshops; (ii) broad community support and Project Planning; (iii) Women's participation; (iv) Potential Adverse Social Impacts and Mitigation; (v) Potential Beneficial Social Impacts.</p>  |
| <p>A process of free, prior, and informed consultation with the affected Indigenous Peoples to fully identify their views and ascertain their broad community support for the project.</p> | <p>Whereas OP4.10 requires free, prior and informed consultation to ascertain broad community support under WB OP 4.10 for activities relating to land acquisition and community benefits. Mitigation Workshops prepared the way for the BCS by presenting local populations with information on the various components and impacts of the Project. Social Surveys also prepared the way for BCS. The assessment of BCS is presented in the social baseline section in Chapter 8 of the ESIA.</p> <p>Section 12.3.3.1 of the ESIA details how the Project Office achieved BCS. The early and sustained engagement with the affected communities enabled the development of a good working relationship between the Project and local people, and for the inclusion of their concerns and knowledge into the consideration of various options.</p> <p>Section 12.3.3.1 concludes that:</p> <ul style="list-style-type: none"> <li>• There is broad support among local communities for the Project and no clear direct opposition to it. A minority of clan leaders and aspirants objected publicly to the land identification and acquisition process.</li> <li>• There is a written agreement between each of the five landowning tribes and SIG for the acquisition of the land to construct and operate the Project ('Process Agreement');</li> <li>• There is broad community support to the benefit sharing arrangements (as described in the LALRP and CDP);</li> <li>• Hydroelectric development is widely seen as the most preferred and least destructive development opportunity for the Tina/Ngalimbiu River catchment</li> </ul> |

|  |  |
|--|--|
|  | <p>(others being gold mining and logging of primary forest);</p> <ul style="list-style-type: none"> <li>• community concerns about the project are generally confined to the mitigation of potential impacts and the securing of benefits;</li> <li>• There has been a comparatively high level of participation of community members of both genders and all ages in the TRHDP PO's activities.</li> <li>• There is wide-spread understanding of the purpose of the TRHDP, and what it involves, although the details of particular hydropower generation options are not well understood;</li> <li>• There is a high degree of trust of the TRHDP PO and the information it has provided, and a sense that local peoples' concerns are being heard and dealt with; and</li> <li>• There has been considerable discussion within the communities about the Project, including its benefits and potential impacts.</li> </ul>  |
| Preparation of an Indigenous Peoples Plan or Indigenous Peoples Planning Framework | <p>Paragraph 12 of OP4.10 establishes that when Indigenous Peoples are the sole or the overwhelming majority of direct project beneficiaries, a separate Indigenous Peoples Plan (IPP) that sets out the measures through which the borrower will ensure that (a) Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated for, is not required. Instead of a separate IPP, these key elements of an IPP should be built into the overall project design. While the project presents a number of specific impacts and risks to indigenous peoples present in the project areas, it also includes a number of benefit sharing arrangements for both land-owning tribes as well as other tribes in the project area and it is deemed that the elements of an IPP can be incorporated into project design and other safeguard plans instead of a stand-alone IPP.</p> <p>Together, the ESIA, this LALRP and the CDP document the IPP elements in project design including: (i) summary of legal and institutional framework, and baseline data, as relating to Indigenous Peoples in the project context; (ii) social assessment; (iii) Summary of consultations with Indigenous Peoples communities; (iv) Actions to ensure that Indigenous Peoples receive culturally appropriate</p> |

|   |   |
|---|---|
|   | social and/or economic benefits; (v) identification of Actions to address any adverse impacts on Indigenous Peoples communities; (vi) Cost estimates and financing plan for implementing actions or activities; (vii) culturally appropriate grievance and M&E procedures   |
| Disclosure of documentation in local language to the affected communities | The documents have been disclosed on the website of the TRHP website as well as the World Bank website. Disclosure using local language and customs has also been achieved in the project area. This disclosure included two rounds of disclosure for the ESIA, as documented in Chapter 1 of the ESIA, as well as disclosure of progressive versions of the LALRP to communities in November 2015 and March 2017 respectively. |

### 5.2.2 Definition of Broad Community Support

The Project Office (PO) under the MMERE was responsible for planning and delivery of the broad community support seeking consultative program and for informing and consulting with local communities and other stakeholders concerning project concept and design, power generation option investigations and selection, detailed proposals, and matters related to the use of land and resources belonging to local communities. International development agencies define free, prior and informed consultations in several ways. For the purposes of the Project the following definitions were used:

“Free” - implies the absence of coercion, intimidation or manipulation (including bribery or rewards).

“Prior” - implies that sufficient time is provided to indigenous communities and stakeholders during consultations and decision-making processes. This allows community members and stakeholders to receive adequate information, come together, discuss the proposal, and make decisions prior to providing any formal response on support.

“Informed” - implies that the affected communities and stakeholders have access to relevant information on the project in order to engage in consultations and decision-making processes. Providing ‘access’ to information implies that the information is (i) in a form and language that is suitable for the particular communities and stakeholders; (ii) accurate; (iii) delivered in a culturally appropriate and inclusive way; and (iv) made available to every member of the community.

“Consultation” refers to an inclusive and fair process of interaction, engagement, and dialogue between various stakeholders with respect to a proposed development or activity. The intention is to achieve a clear, shared understanding of the proposal, the issues and concerns of all parties, and of any future actions and decisions. It does not imply common agreement or consensus as an outcome.

### 5.2.3 Methods of Consultations and Affected Communities Broad Community Support and Free and Informed Participation

The overall scope and stakeholder consultation and participation could be structured at two levels (i) consultation, participation and formal agreement and support from the five core landowners whose lands have been acquired; and (ii) consultation, participation and broad community support from all the affected indigenous peoples communities from the project impact zone. These outcomes have been achieved through complementary consultations and engagement approaches by the ESIA team from 2013-2014 and by the Project Office who has been continuously consulting, engaging and disclosing key information to all affected indigenous peoples communities from 2011 until the present. Except for dedicated consultations with core landowning tribes regarding land acquisition and compensation, all consultations undertaken were participated by both core landowners and other non-core land tribes who belong to the same Malango speaking indigenous peoples and separate meetings held with Ghaobata tribes from downstream areas.

The awareness raising and consultation activities by PO commenced in the Tina/Ngalimbiu River catchment early in the development process during 2011, prior to any investigations of suitable dam sites. Initially, consultations focused on landowners' consent to undertake geological and hydrological investigations in the catchment leading up to the signing of the Consent Agreement by all the 27 tribes in the project area. This involved identifying all the relevant clans and developing arrangements for consultation with them. These arrangements evolved over time, and consultation processes were formalized in 2012 through a Stakeholder Engagement Plan which was made available to the public. This Stakeholder Engagement Plan served as a guide to ensure continuous engagement to minimize any consultations constraints and challenges specific to the project context and attend to issues early, and build better understanding of the project and the communities with which the project is interacting. The also PO regularly discloses any new information to all the indigenous peoples communities where the project site is located to pro-actively mitigate any risk of misinformation in the affected indigenous communities.

Table 5-1 – Project Stakeholder and Engagement Plan

| Stakeholder              | Form of Engagement                           | Frequency        | Responsibility          |
|--------------------------|--|------------------|-------------------------|
| Project Area Communities | Community Meetings with CLA                  | Monthly          | CLA                     |
|                          | Community Meetings with LOC                  | Monthly          | LOC                     |
|                          | Community Meetings with HOC                  | Monthly          | HOC                     |
|                          | PO Meetings with CLA                         | Monthly          | PO                      |
|                          | PO Meetings with LOC                         | Regularly        | PO/LOC                  |
|                          | PO Meetings with HOC                         | Regularly        | PO/HOC                  |
|                          | Group awareness on specific issues           | Every two months | PO                      |
|                          | Participatory activities (village maps, etc) | As required      | PO/ESIA/SA<br>Community |

| Stakeholder  | Form of Engagement  | Frequency  | Responsibility   |
|--|---|--|--|
|  | Inquiries through CLA, LOC, phone text, PO<br>Meetings with Land Acquisition Officer<br>Project documents at village locations<br>Radio Broadcasts<br>Meetings with Women/Youth/Church<br>Targeted meetings with vulnerable groups<br>Meetings with study groups                | As required<br>Ongoing<br>Ongoing<br>Weekly<br>Monthly<br>Monthly<br>Ongoing   | Lands Officer<br>PO<br>PO<br>PO<br>PO<br>ESIA/SA Teams                         |
| Lower Downstream Communities                         | PO meetings with CLA<br>Meetings with HOC<br>Participatory activities (village maps, etc)<br>Open days<br>Inquiries through CLA, phone text, PO<br>Project documents at village locations<br>Radio Broadcasts<br>Meetings with Women/Youth/Church<br>Meetings with study groups | Every two months<br>Twice a year<br>As required<br>Twice a year<br>Ongoing<br>Ongoing<br>Weekly<br>Twice a year<br>Ongoing | PO<br>PO<br>PO/ESIA/SA<br>PO<br>Communities<br>PO<br>PO<br>PO<br>ESIA/SA Teams |
| SIG - MMERE  | Briefings and meetings with relevant officials<br>Meetings with Taskforce<br>Workshops<br>Open Days<br>Email/Telephone communication<br>Newsletter  | As required<br>Ongoing<br>Twice a year<br>Once a year<br>Regular<br>Twice a year   | PO/SIG<br>PO/Taskforce<br>PO<br>PO<br>PO/SIG<br>PO                             |
| SIG – other Ministries (PM, TF, MECDM, MLHS, MWYCFA) | Briefings and meetings with relevant officials<br>Workshops<br>Open Days<br>Email/Telephone communication<br>Newsletter   | As required<br>Twice a year<br>Once a year<br>Ongoing<br>Twice a year  | PO/SIG<br>PO<br>PO<br>PO/SIG<br>PO   |

| Stakeholder                                       | Form of Engagement  | Frequency  | Responsibility                                  |
|---|---|--|---|
| SIEA  | Briefings and meetings with relevant officials<br>Workshops<br>Open Days<br>Email/Telephone communication<br>Newsletter | Ongoing<br>Twice a year<br>Once a year<br>Ongoing<br>Twice a year      | PO/SIEA<br>PO<br>PO<br>PO/SIEA<br>PO            |
| Donor partners (WB, EIB, IFC)                     | Email and phone communication<br>Briefings and meetings<br>Workshops<br>Open Days<br>Newsletter                         | Regular<br>As required<br>Twice a year<br>Once a year<br>Twice a year  | PO/Donors<br>PO/Donors<br>PO/Donors<br>PO<br>PO |
| Provincial Government of Guadalcanal              | Briefings and meetings with relevant officials<br>Workshops<br>Open Days<br>Telephone/Email inquires<br>Newsletter      | Quarterly<br>Twice a year<br>Twice a year<br>As needed<br>Twice a year | PO/PGG<br>PO<br>PO<br>PO/PGG<br>PO              |
| Women's Development Desk for Guadalcanal Province | Briefings and meetings with relevant officials<br>Workshops<br>Open Days<br>Telephone/Email Inquiries<br>Newsletter     | Quarterly<br>Twice a year<br>Once a year<br>As needed<br>Twice a year  | PO/WDDG<br>PO<br>PO<br>PO/WDDGP<br>PO           |
| General Public                                    | Media – Press releases, stories, webpage<br>Open Days<br>Email/Telephone inquires<br>Newsletter (on website)            | As required<br>Once a year<br>As needed<br>Twice a year                | PO<br>PO<br>Public<br>PO                        |
| NGOs, donor community                             | Media – Press releases, stories<br>Open Days<br>Email/Telephone inquiries<br>Meetings by request                        | As required<br>Once a year<br>As needed<br>As required                 | PO<br>PO<br>NGOs, donors<br>PO, NGOs, donors    |

| Stakeholder           | Form of Engagement                | Frequency            | Responsibility |
|-----------------------|-----------------------------------|----------------------|----------------|
|                       | Newsletter                        | Twice a year         | PO             |
| Solomon Islands Media | Media announcements and briefings | As needed            | PO             |
|                       | Media Interviews                  | As needed/by request | PO/Media       |
|                       | Site visits                       | Once a year          | PO             |
|                       | Open days                         | Once a year          | PO             |
|                       | Newsletter                        | Twice a year         | PO             |
| Others                |                                   | As needed            |                |

PO: Tina Hydro Project Office, SIEA: Solomon Islands Electricity Authority, CBO: Community Based Organizations SIG: Solomon Islands Government; PGG: Provincial Government of Guadalcanal; WDDGP: Women's Development Desk for Guadalcanal Province; MMERE: Ministry of Mines, Energy and Rural Electrification; ESIA: Environment and Social Impact Assessment Team; CLA: Community Liaison Assistants; HOC: House of Chiefs; LOC: Landowner's Council; SA: Social Assessment Team.

The early and sustained engagement with the affected communities has enabled the development of a good working relationship between the Project and local people and the inclusion of their concerns and knowledge into the consideration of various options for the hydro development. Table below provides a summary of the consultation undertaken from 2011 – 2016.



Table 5-2 – Summary of the timing and location of consultation undertaken by the Project Office

| <b>Year</b> | <b>No. of meetings and consultations held</b> | <b>Communities</b>   | <b>Key Activities/ Items Discussed</b>   |
|-------------|---|--|--|
| 2011        | 26 meetings                                   | Tribal representatives and House of Chiefs, Communities in Malango and Bahomea, Downstream representatives and communities, Provincial government officials, Guadalcanal Women's Centre. | <p>Awareness about the project, history rationale, benefits and potential impacts.</p> <p>Solicit tribal views including women on whether the project should go ahead or not.</p> <p>Briefing about the initial investigative work.</p> <p>Selection of CLAs</p>   |
| 2012        | 38 meetings                                   | Tribal representatives and House of Chiefs, Communities in Malango and Bahomea, Downstream representatives and communities, settlement villages  | <p>Updates/workshop and consultations on progress of project activities</p> <p>Consultations on results of feasibility studies and investigative work such as drilling</p> <p>Updates on the status of land identification and discussion on landowners benefits</p> <p>Workshop among CLAs on how to work in their communities, understand the project and pass on information to communities</p> <p>Workshops among HOCs, tribal leaders and members to exchange ideas on project benefits</p> |

|      |             |  |   |
|------|-------------|--|---|
|      |             |  | <p>and feedback on their priorities</p> <p>Sort out misconception that project will be launched downstream</p> <p>Get views on Stakeholder Engagement Plan</p> <p>Communities confirmed support for Project to proceed (see section 6.1)</p>  |
| 2013 | 66 meetings | Tribal representatives and House of Chiefs, Communities in Malango and Bahomea, Downstream representatives and communities, Settlers from Weather Coast of Guadalcanal | <p>Formal and informal updates/meetings and consultations about the project progress, feasibility study, benefit share</p> <p>Workshop among CLAs on how to explain technical terminologies on hydropower</p> <p>Taskforce from several government agencies visited and meet with the communities</p> <p>Seek the views of tribal leaders on some project sites</p> <p>Meeting with BLIC</p> <p>Briefing, awareness and specific meetings on the land identification process and outcomes</p> <p>Specific meetings with the potential core tribes</p> <p>Identification and briefings among the community champions</p> |
| 2014 | 55 meetings | Tribal representatives and House of Chiefs, Communities  | Outcomes of landownership   |

|      |             |  |  |
|------|-------------|--|--|
|      |             | in Malango and Bahomea, Downstream representatives and communities | <p>identification by BLIC, land boundaries, LTA provisions on appeal</p> <p>Negotiation on the Process Agreement</p> <p>Project updates and consultations</p> <p>JSDF support initial discussion</p>   |
| 2015 | 32 meetings | Core landowning tribes, communities in Bahomea and Malango         | <p>Meeting with core landowning tribes on compensation offers, cooperatives and implementation/requirements of process agreement, livelihood restoration plan</p> <p>Updates on developer, route on access road, JSDF funding</p>  |
| 2016 | 31 meetings | Core landowning tribes, communities in Bahomea                     | <p>Meetings on formation of cooperatives for core landowning tribes and release of compensation pay</p> <p>Discussion of gender issues in the project</p> <p>Update and consultation on road concept design by Cardno Australia</p> <p>Community champions meetings regarding the benefit share scheme and how to consult with community members.</p> <p>Disclosure of ESIA.</p> |
| 2017 | 2 meetings  | Bahomea and Malango communities                                    | Disclosure of 2017 LALRP and consultation  |

|  |  |  |   |
|--|--|--|---|
|  |  |  | on community benefit share fund.<br><br>Communities supported Project proceeding. |
|--|--|--|---|

Source: Summary of ESIA 2017, Annex 14

Details of the consultations and key issues discussed as components of broad community support are outlined below.

**ESIA consultation.** The social impact assessment by the ESIA team further facilitated community engagement and feedback on the potential benefits and impacts of the project and proposed responses to those impacts. The scope of the ESIA covers (i) Talu-speaking customary landowning residents, including leaders, general public, groups, kinship groups, women, and youth; (ii) the "settler" residents (that is, people originating from elsewhere in Guadalcanal, but residing locally as 'guests' of the landowners; (iii) users of the Tina River; (iv) other stakeholders including customary landowners who do not regularly reside in the project area' and (v) environmental NGOs and community-based social organizations.

To ensure that various stakeholders were covered by the consultative programs and fieldwork investigations, the Tina River catchment area was divided into four broad areas or zones, each with a different set of issues investigated as follows:

1. Any communities located in the *Direct Impact Area*, that is, the lands required for the construction and operation of the proposed dam, storage reservoir, headrace tunnel, and powerhouse, as well as any borrow areas, set down areas, and yards, etc (Core Area) and any communities located in the 50 metre wide access road and transmission line corridor (Infrastructure Corridor). No communities or residences were identified in this area or in the Upstream Area above the reservoir.
2. The people and communities likely to be mainly affected by changes in the river water quality, volume, or availability during the construction or operation of the hydro scheme –downstream of the power station site. This area was designated as the *Downstream Area*. Within this group, the Senge Community are the villages located closest to the Direct Impact Area.
3. The people and communities likely to be mainly affected by modifications to, and use of, the existing or new access road/s, and transmission line corridor but who are not located within the *Direct Impact Area*. These areas were designated as the *Infrastructure Area*.
4. The communities with ownership rights to customary land and natural resources in the project area and in downstream areas, but do not reside in the Tina-Ngalimbiu River valley. These community areas were designated as the *Wider Impact Area* (WIA).

These area categories are generally consistent with the communities' geographical distance from the key project infrastructure locations. Groups 1 to 3 could also be affected by loss of access to livelihoods and resources upstream of the proposed dam, and by the potential

presence of a construction workforce. However, all categories could benefit from employment or contracting opportunities during construction and operation of the scheme.

Using this classification, the villages and hamlets in each of the different project impact areas were identified, as shown in the table below.

Table 5-3 – Classification of settlements by Potential Project Impacts

| Impact area  | Customary landowning communities   | Non-customary communities                               |
|--|--|---|
| Direct Impact Area (DIA) and Upstream Area Settlements | <i>None.</i>   |   |
| Downstream Area Settlements                            | <p><i>In Bahomea district:</i></p> <p>Senge Community (proximate to the reduced flow reach):</p> <p>Choro, Koropa, Senge</p> <p>Other Bahomea:</p> <p>Habusi, Pachuki, Namopila, Komureo, Vatunadi, Tahaurasa, Tina, Valebebe 1 &amp; 2, Vuramali, Haimane, Valebariki, Horohutu2</p> <p><i>In Ghaobata area (plains):</i></p> <p>Popolo 1 &amp; 2, Old Selwyn, Ngalimera, Selaghoghorro, Pokasou, Siroigha, Kadavu, Ravu area, villages on Tenakaro Road, and riverside road to Tetero between main road and the mouth of Ngalimbiu River .</p> | <p>Horohutu1</p> <p>New Birao</p> <p>GPPOL village,</p> |
| Infrastructure Area settlements                        | <p><i>Bahomea District</i></p> <p>Mangakiki/Verakuji, Pachuki, Marava area, Vera'ande/Grassy</p>   | Verakabikabi, Namanu area                               |
| Wider Impact Area (WIA) settlements                    | <p><i>In Malango district</i></p> <p>Communities of Malango area and Belaha area</p>   |   |

Consistent with the catchment settlement of projected impacted areas (table below), the ESIA team held a four-week interview program and participatory workshops in July-September 2013 with the Tina and Ngalibiu River communities, and adjacent land owner's communities in Malango. The 15 community focus workshops covered all of the villages in

the project area, and had a total recorded (minimum) attendance of 511 people. The workshops were arranged in advance with the help of the TRHDP PO and involved directly the locally-based community liaison assistants (CLAs).

Table 5-4 – Communities where focal workshops were held in 2013

| Date      | Venue            | Communities  | Number of Participants | WARD/District                  |
|-----------|------------------|--|------------------------|--------------------------------|
| 2-Sep-13  | Marava           | Marava, Vatupaua, Rate CHS, Ngongoti   | 31                     | Bahomea (Upstream Communities) |
| 3-Sep-13  | Haimane          | Horohotu 2, Vuramali, Haimane, <del>Kotibane</del>                             | 44                     |                                |
| 4-Sep-13  | Tina             | Tina, Valebebe, Valebarik, Valemaota, Tahurasa                                 | 38                     |                                |
| 5-Sep-13  | Antioch          | Antioch, Valesala, Komeo   | 41                     |                                |
| 9-Sep-13  | Senge            | Senge, Koropo, Choro   | 22                     |                                |
| 10-Sep-13 | Pachuki          | Habusi, Pachuki, Veraloka  | 43                     |                                |
| 12-Sep-13 | Verakuji         | Mangakiki & Verakuji   | 80                     |                                |
| 13-Sep-13 | Namopila         | Namopila, Komureo, Valekocha, & Vatunadi                                       | 28                     | Malango/Belaha                 |
| 17-Sep-13 | Mataruka and Ado | Mataruka 1, 2, 3, 4, Belaha, More than ten villages (2 separate meetings held) | 83                     |                                |

|           |                          |   |    |   |
|-----------|--------------------------|---|----|---|
| 18-Sep-13 | Veraande & Horohotu 1    | Veraande, Verakwele, Konga Horohotu 1, Niumahata (NB: Two separate meetings held) | 24 | Bahomea Settlements Communities         |
| 19-Sep-13 | Ravu                     | (at least 5 communities represented)  | 19 | Gaobata/Plains (Downstream Communities) |
| 20-Sep-13 | Verakambikmbi Old Selwyn | Verakambikmbi Old Selwyn (Popoloi) (NB: Two separate meetings held)               | 58 |   |

Source: ESIA, 2017

A follow-up mitigation workshop was held in 2014 by the ESIA team. This was a wider workshop composed of several communities in a single venue. There were 2 workshops held in Bahomea and 2 in Malango and 1 in downstream Ghaobata. The workshops included the review of the results of the community public awareness, consultation and workshops held. The ESIA findings provided information on the potential impacts of the project and proposed responses to those impacts. Senior TRHDP officers were present to respond to technical questions or policy issues.

### Recording People's Responses

Community members who attended the workshops in 2013 and 2014 were given the opportunity to inform the ESIA team of their specific communities' interests and their concerns regarding the construction and operation impacts of the Project. These were recorded on a white board, and detailed notes were also made.

The PO has made use of a variety of culturally acceptable means for communicating with local communities and stakeholders including both the core-landowning tribes and the non-core landowning tribes who are the host community for the project and whose access to core land will be affected and as well as upstream and downstream areas. Important communications have been, and continue to be, done face-to-face, starting with clan and village chiefs, and senior women, and then extend out to the wider village communities including community interest groups (mother's clubs and church groups). Local communications are undertaken by the project's tribal community relations staff and Community Liaison Assistants (CLAs) selected by the community leaders themselves. The PO also recruited a well-known indigenous media person to develop and document the information sharing and awareness raising activities of PO.

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The presentation of information briefings to local communities and various groups of stakeholders at key points in the project planning process was done in local languages and accompanied by audio-visual aids. In addition to face to face meetings, other communication tools include: printed materials, including a project booklet; mobile phone and SMS, presentations using video, photographs, maps, and posters and site visits. Engagement activities by PO were recorded, lists of attendees were taken, and minutes were prepared of consultations, meetings, and issues arising from the consultations. The PO has also made a photographic record of its community awareness raising and consultation activities in affected communities.

The Project is the first of its kind in the country and therefore requires more than awareness raising among the affected indigenous communities. To ensure a more informed participation, the SIG sponsored study tours among the representatives of the affected tribes to visit hydropower projects which constructed dams in Fiji where they were required to report back to their tribe members their observations and feedback. Other measures in place to ensure sufficient and informed understanding among the affected indigenous communities include (i) trainings among the community-identified CLAs to translate difficult terminologies and concepts to understandable terminologies to be provided to the communities during consultations and (ii) formation of committees as focal points to the benefit-sharing mechanism which can directly inform the community members about any updates and clarify any concerns. The groups are living together with the community members themselves which allows for informal and formal means of community interaction and awareness raising. The timing and scope of consultation allowed enough time for the communities to prepare for the meeting as tribal representatives' support and consent first need to be acquired so they can inform their tribes prior to any visits. The PO also maintains an open venue for any members of the community to come to the office and request for any clarifications and explanations on matters they are not particularly clear.

The participation of the affected core-landowning tribes leading to their formal support and consent was also based on informed decision. The Commissioner of Lands (assisted by PO) provided information on the proposed land acquisition and compensation arrangements that went beyond the statutory requirement to all the tribes in the project area. Such public information and AP engagement activities were explicitly designed to ensure that all potential interested landholders were made aware of the proposed land acquisition, their right to claim compensation, and appeal arrangements. This process is detailed in Chapter 6. The public information dissemination program included:

- Publishing full page notices, maps and FAQs in Solomon Islands' national newspapers;
- Posting A3-sized notices and maps at the boundary to the core land area and at key locations in the villages of Bahomea and Malango Wards;
- Posting A3-sized notices and maps at Guadalcanal Provincial Headquarters;
- Training, providing, and equipping multi-lingual community educators to speak in villages in and around the area about the land acquisition process and to display the associated printed information; and



- 
- Delivering letters to representatives of each of the 27 tribes registered in Bahomea and Malango Wards explaining the land acquisition and compensation claim processes.
  - In addition, PO continued to maintain communication in person, by phone, and by SMS with many individual community members of the core landowning tribes. Numerous meetings have also been held at PO to discuss the land acquisition process with those potentially affected. Lawyer has been engaged through LALSU and selected by the tribes to assist them in negotiating for the Process Agreement. He has also undertaken a series of community awareness meetings to discuss the compulsory acquisition process and landowners' rights among the core landowning tribes.

Among the Ghaobata Ward communities and their House of Chiefs (HOC) which have a lot of experience in dealing with industrial and resource developments in the Guadalcanal plains, rent- seeking and requests for payments to engage in project planning have been quite explicit. Under advice by knowledgeable senior people from this area, PO has avoided being drawn into direct negotiations with HOCs. Instead it worked through Guadalcanal Provincial Government officers and its own CLAs to provide information and to encourage local people to discuss the Project within the community.

The PO's activities and program is designed to avoid coercion, intimidation, bribery or inducement for local people to be involved in discussions about the project. Conversely, some landowners and their tribal/clan leaders demanded and received sizeable "access payments" from the Government to allow site investigations, consultations, and related planning activities and meetings to proceed in the proposed project areas. In keeping with local custom and the expectations of local communities, PO has presented *chupu* (customary presentations) and hospitality to local chiefs and communities as part of its activities.

**Consultations during ESIA.** The ESIA itself was specifically designed and implemented to achieve active participation of affected village residents, affected downstream residents, project planners, and environmental, technical, and social specialists. The participatory workshops combined with face-to-face interviews and direct observation on local communities helped achieve their active participation in consultations and the interaction between the ESIA team and all project stakeholders.

Prior to conducting field visits, information was gathered from various stakeholders, including MECDM, MHMS, Guadalcanal Provincial Office, and the Census Office. The main stakeholders consulted during the ESIA included PO, MECDM, MHMS, Guadalcanal Provincial Office, National Census Office, and international consultants working on ESIA. The PO discussed the issues pertaining to the project location. It was supported by CLAs and CLCs. Governance issues relating to the Project were discussed with MECDM and Guadalcanal Provincial Assembly. Health issues were discussed with MHMS.

A key output of the consultation planning stage was a program schedule for the village workshops. The schedule took into consideration the amount of time available for social studies, the size of the project area, and the impact of weather on accessibility to some project locations. As part of the schedule, key focal villages were identified as optimum locations for conducting workshops and face-to-face interviews. The ESIA team recognized

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that it would be difficult to conduct village workshops in each and every village within the project area owing to limited resources and the approved timeframe.

### **Structured Community Meetings**

Structured community workshops designed to collect information in each village about (a) the local way of life, social organization, history of settlement, resources, and livelihoods, and (b) views on potential project impacts on it. Each workshop brought together several associated hamlets. The meetings typically took about 4 hours and followed a standard format. Discussions were conducted in Solomon Islands *pidgin* and occasionally in the local indigenous language (*talu*), and were assisted by the use of large format maps, printed satellite imagery, and sketched diagrams. The PO and ESIA team, where necessary, provided them with additional explanation of the hydro project components and operations to ensure their sufficient understanding of the topic. Attendance sheets were completed for each meeting.

A questionnaire survey was conducted with a randomly selected female householders from each hamlet participated in the community meeting. This questionnaire covered household health, gender and age structure, resources and income, and anticipated project impacts. Approximately 50 such interviews were conducted, each lasting about 30 minutes.

The national cultural impact specialist conducted individual interviews with village leaders, tribal chiefs, and older knowledgeable about sacred and important other cultural sites and issues. Where time permitted, the ESIA team conducted walks through villages and garden areas complemented by photography and voice recording.

### **Village Community Workshops**

All consultations and workshops preceded by local announcements of their timetables, purpose and the programs. They were facilitated locally by members of PO, CLAs and community relations officers. During the brief introduction of the village community workshops (which was given in English, *pidgin*, and relevant indigenous language), participants were advised that:

The ESIA team was independent of PO and individuals' comments and viewpoints would be treated anonymously in the assessment; and

People were free to stay or leave the meeting as they wished. A consent form was distributed by the village chief/s among all participants.

During the workshops, questions were asked regarding peoples' awareness of the proposed project, and whether the participants and their communities supported the proposed Project or not. The community workshops were participatory and interactive. Each key topic of the project was discussed and displayed on a whiteboard.

### **Mitigation Workshops**

Mitigation workshops were used to discuss and to obtain inputs from participants on how to mitigate potential project-related impacts. The mitigation workshops followed the same methodology as the village community workshops: prior announcements, meeting place arrangements by project liaison officers (PLOs) and community liaison assistants (CLAs) who delivered a brief introduction to the Project and meeting, and distributed consent forms.

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The mitigation workshops were district-wide and were, therefore, larger than the village community workshops with larger venues (e.g., meeting halls). The workshops were attended by PO's technical personnel who answered questions and provided technical explanations, when required.

#### **5.2.4 Conduct of Gender Inclusive Consultations**

The recruitment of mature women as CLAs facilitated women involvement and participation during consultations. ESIA reported that 93% women responded that they attended community meetings held by the PO. However, the household surveys suggest that women are less involved in land acquisition discussions, as only 41% of adult women reported that they were involved in deciding on land issues in their household. Most of the women leave their own tribes and join their husband's tribes. They are therefore not part of tribal decision-making on land claims and ownership issues.

The ESIA community workshops in 2013 were attended by 45% women and girls. In the Bahomea district, located in the direct impact area and core project area and in the infrastructure impact area, at least 48% of participants attending the workshops were females. Although it seems that women have limited decision-making power in Guadalcanal societies, their active involvement in the ESIA process is a positive sign, especially when looking at their willingness to participate in the household survey. Finally, the social impact assessment takes into account women's perceptions and concerns about the proposed TRHDP as well as their preferences for mitigations and benefits sharing. Measures to incorporate gender inclusion in land acquisition discussions and agreements are explained in Section 5.

#### **5.2.5 Broad Community Support.**

The World Bank requirement for broad community support from Indigenous Peoples communities is triggered in this project due to commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of Indigenous Peoples. Broad community support is required by Indigenous Peoples present in the project area.

**Core land tribal landowners.** The 5 tribes who owned the Core Land have given their formal consent for the land acquisition and the project through a Process Agreement.<sup>24</sup> BCS and consent was derived from the direct engagement and participation of both the tribal representatives and full tribes.

The PO held 6 or more sessions of negotiations with each of the 4 initial tribes as part of one process. The fifth tribe called Uluna-Sutahuri was identified as part of the core-landowning tribes after the COL made a determination of their legitimacy after BCS was obtained from

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<sup>24</sup> Signed Process Agreement: Kochiabolo tribe dated 26 June 2014; Buhu Garo tribe dated 11 July 2014; Raho tribe dated 26 June 2014; Vuralingi dated 24 June 2014. Signed Process Agreement for Uluna-Sutahuri tribe dated 22 December 2015.

the 4 initial tribes (in September 2015). After each session of negotiation and consultation with the 4 initial tribes, the text of the Process Agreement was amended to reflect the changes and new agreements. Some negotiations took place with each tribe separately, and others with representatives from all 4 tribes together. The table below shows the key issues discussed and how the process of BCS has been adjusted to address these issues.

Table 5-5 – Incorporation of Feedback in Process Agreement

| <b>Consultation Feedback</b>   | <b>Consideration in the Process Agreement and the LALRP</b>   |
|--|---|
| 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. Further details are set out in Chapter 6.                                 |
| Changes in the ownership between SIG and core landowning tribes of the Tina Core Land Company from 51/49 to 50/50 share. | Process agreement revised accordingly   |
| Cooperative corporations will need training or support   | Trainings to be provided to cooperative   |
| Request from tribes for a royalty payment  | Provisions included in the Process agreement  |
| 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 landowning 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 cooperative<br>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 |
| Need to hold tribal meetings before signing  | Full tribal meetings held by the PO.  |

When the final text (in English) was agreed by the representatives of 4 tribes, PO held community awareness meetings in key villages of each tribe. At the meetings, PO presented the key clauses of the Process Agreement and explained the acquisition

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processes in pijin, and provided maps of the core land to be acquired to tribes. The extensive community-level social impact assessment workshops held in 2013 and 2014 by the PO also confirmed the affected tribes' agreement and support for the Project and for the acquisition of the customary land for the Project. The last tribe called Uluna-Sutahuri was identified as part of the core-landowning tribes after the COL made a determination of their legitimacy in August 2015. Consultation and negotiation for the process agreement started shortly after the COL's determination, and Uluna Sutahuri signed the agreement in December 2015. The land acquisition process is described in Chapter 6.

**Host communities who have access rights to the core land.** The broad community support from all the affected Indigenous Peoples Communities from the host community (the cultural community of Malango and Bahomea) was ascertained in 2 ways as part of the ESIA exercise: a) by evaluating the awareness raising and stakeholder engagement plans of the PO and the records of its meetings and interactions with stakeholders, combined with observations of field practice by PO; and b) by noting feedback received from the communities and other stakeholders regarding the PO's activities and how the Project responded to the issues raised. Previous sections confirmed the high-level of stakeholder engagement to the project. The ESIA team independently confirmed that based on the records at PO, discussions with PO staff and CLAs, field observations, explicit comments from participants during the 2013 village community workshops and 2014 mitigation workshops, and subsequent frequent meetings with tribal representatives, it appears that:

- There is broad support among local communities for the Project, and there is no clear direct opposition to it. A minority of clan leaders and aspirants objected publicly to the land identification and acquisition process, but later they supported the ESIA and participated in the consultation programs;
- Communities in the project area widely see hydroelectricity development as the most preferred and least destructive development opportunity for the Tina/Ngalimbiu River catchment (others being gold mining and logging of primary forest) from which they all can benefit;
- Community concerns about the Project were generally confined to the mitigation of potential adverse impacts and securing of better benefits;
- There has been a comparatively high level of participation of community members of all genders and ages in PO's activities;
- There is wide-spread understanding of the purpose of the Project, and what it generally involves;
- There is a high degree of trust of PO and the information it has provided, and a sense that local peoples' concerns are being heard and dealt with, even though there is little trust in Government, generally;
- There have been extensive consultations with communities on the proposal for a community benefit share fund, informing the Community Development Plan;
- Disclosure consultations on the LALRP in March 2017 included feedback from communities that they supported the Project proceeding; and

PO consultation meetings with CSOs demonstrate broad support of the CSO community for the Project, including the Network of Indigenous People Solomon Islands (although this group does not expressly represent any landowning groups).

The broad community support for the Project is contingent on the project's benefit-sharing mechanism and mitigation measures to address risks from construction and operation in the absence of any formal written consent. Section 12.5 and 12.6 of ESIA's Chapter 12 details the potential impacts and benefits from the project on communities, including the Ghaobata community, and Section 13.2. of Chapter 13 outlines the specific mitigation measures to address adverse impacts as part of the ESMP. The entitlement matrix includes compensation measures to replace the impacts of loss of access to the core land. Section 9.6 describes the benefit-sharing mechanism for the host communities under the project; this is detailed in the CDP. Some of the key feedback and response are summarized in the table below. No major disagreements among community members were recorded in the proposed mitigation measures and initial plans from the benefit-sharing mechanism although it's possible that a few members may have a different opinion. Ongoing community engagement by the PO at present is focusing on assets compensation, livelihoods protection and restoration, benefits sharing arrangements, and building the capacity of the core landowning tribes to manage their financial and business affairs.

Table 5-6 – Key issues raised by the affected indigenous peoples' communities

| <b>Consultation Feedback</b>  | <b>Response/Mitigation Measures</b>   |
|---|---|
| Supportive of changes to access road alignment to acquire neighbouring village (some expectation of large compensation cash payments) | Policy of minimizing land acquisition and resettlement impacts applied. Physical resettlement to be avoided. Communities informed that road alignment will continue to by-pass villages.  |
| Loss of and or damage to cultural sites of importance to indigenous peoples   | Developer will put in place a protocol for managing cultural sites, including arrangements for relocation and compensation. Annex 18 of the ESIA presented the cultural heritage protocol   |
| Activities that could strain relationships among project affected communities   | <p>Community liaison will be in place to oversee monitoring and mitigation measures are properly implemented. Monitoring will include state of relationships between the different clans. Regular reports will be provided on community grievances and monitoring of impacts.</p> <p>Capacity building activities will be provided to the Community Liaison Assistants. To minimize social disruptions arising from</p> |

|   |   |
|---|---|
|   | increased amounts of cash in the community, the landowning tribes will be provided with trainings on money management and as well as locally recruited workers. The administrative procedures will be in place in facilitating financial benefit sharing among all the tribal members.  |
| Changes in local customs and way of life  | The developer will be required to implement code of conduct and conduct code of conduct pre-commencement training with workers.   |
| Barrier to passage of migratory fish species and ongoing disturbance to downstream aquatic habitats | Implement a trap and haul system in accordance with the proposed mitigation measures for facilitating upstream fish migration in the ESMP.  |
| Impact on timber rafting as a mean to transport sawn timber down the Tina River                     | An alternative will be proposed by the TRHDP PO, so timber millers can continue to transport and recover their timber around the dam and the bypassed section of Tina River. Arrangements for the transport of timber extracted by local landowners from their lands above the proposed dam site will need to be put in place prior to dam construction and operation. One option to do this is through the creation of a truck pickup point beside the river and future reservoir, connected to the dam access road. |

TRHDP complies with the requirement of broad community support of the World Bank OPs and Performance Standards, and to date, community support has been achieved at each stage of project planning, land acquisition and compensation payment.

A select number of male leaders in the tribes of Buhu Garo and Kochiabolo have expressed discontent with the value of compensation awarded by the Commissioner of Lands for their interests in the Core Land, valued under the *Land and Titles Act* process. As documented in section 6.2.8.5, although the tribes were informed of their right to appeal the offered amount to the High Court, neither tribe elected to exercise this right. The COL has expressed an intention to abide by the procedures of the LTA, under which the timeframes for any appeal have now passed. The total compensation offered by the COL significantly exceeded the minimum compensation rate agreed by the tribes in the Process Agreement (rate of compensation offered - \$37,564 SBD/Ha for Kochiabolo and \$40,780 SBD/Ha for Buhu Garo

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(see section 6.2.8.5), and rate of minimum compensation agreed in Process Agreement - \$12,000 SBD/Ha (see section 6.2.6). As such, no additional amount is payable under the terms of the Agreement. The compensation offered to the two tribes has been transferred to a trust account to be paid to their co-operative societies once established.



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

### 6.1 PROJECT PLANNING ACCESS AGREEMENT

All site investigations and studies for the TRHDP were conducted with the full agreement of the tribal landowners of the Tina Catchment. In 2011, the SIG entered into a written “land access agreement” with the representatives of the tribes claiming an interest in the catchment. The catchment lies within a cultural region known as Bahomea, part of Malango Ward.

At the time this agreement was made, the preferred option for the project had not been determined. Site investigation work by necessity covered a much wider area of land than the parcel that would later be identified as the Core Land. For this reason, and to allow the agreement to precede the lengthy process of customary boundary identification (see further discussion below), the agreement to allow access for site investigations and studies was made with all tribes claiming an interest in the 150 km<sup>2</sup> catchment area.

The agreement was signed with 27 tribes, based on the membership of the Land Owner Council. The Land Owner Council (LOC) was established by the Ministry of Mines, Energy and Rural Electrification in 2009 and funded by the SIG (via the PO) as a consultative body for the project. The LOC, comprised of representatives of each of 27 landowning groups, was formed to copy a similar body of 16 tribes established for the adjoining Gold Ridge Mine. It is probable that some new tribes formed for the purpose of LOC membership however as the objective of the LOC was to be a representative body for affected people, the Ministry did not challenge the number of tribes represented.

In this Access 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>25</sup> The funds were disbursed by the SIG to the tribes, though the use or internal distribution of the funds remains unknown as it is considered confidential to the tribes themselves.

In November 2012, a programme of community consultations was held involving more than 500 members of the affected communities to seek the agreement of landowners to extend the access agreement for a further 18 months to enable finalisation of the technical investigations.

Three days of consultations were held at Rate School, with free transport provided daily to allow access to villagers from all of Bahomea, Malango and Belaha subregions within Malango Ward. At these meetings, the communities were informed of the Project process,

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<sup>25</sup> Press release TRHDP project office, 2011. “Energy minister hands over 2.7 million dollars to Tina River landowners”.

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the need for continued access for further studies, and workshopped priorities for the community benefit share.

The format of the event consisted of a day long programme repeated three times. This was done in order to ensure that there was ample opportunity for villagers to have repeated contact with the material, and have some flexibility to attend and participate around their daily work and activities. This was especially important for women, who often had more demands on their time than men.

One of the key elements of these extensive community consultations was a “referendum” held at their conclusion. Members of the communities were asked to vote ‘Yes’ or ‘No’ to the continuation of the Project. Participants were informed the Project would not proceed without their consent, and that no additional funds would be provided for the extension period. A ballot was handed out and each person present voted at their choice, either secretly or publicly on a yes/no question as to whether they agreed that the Project should proceed.

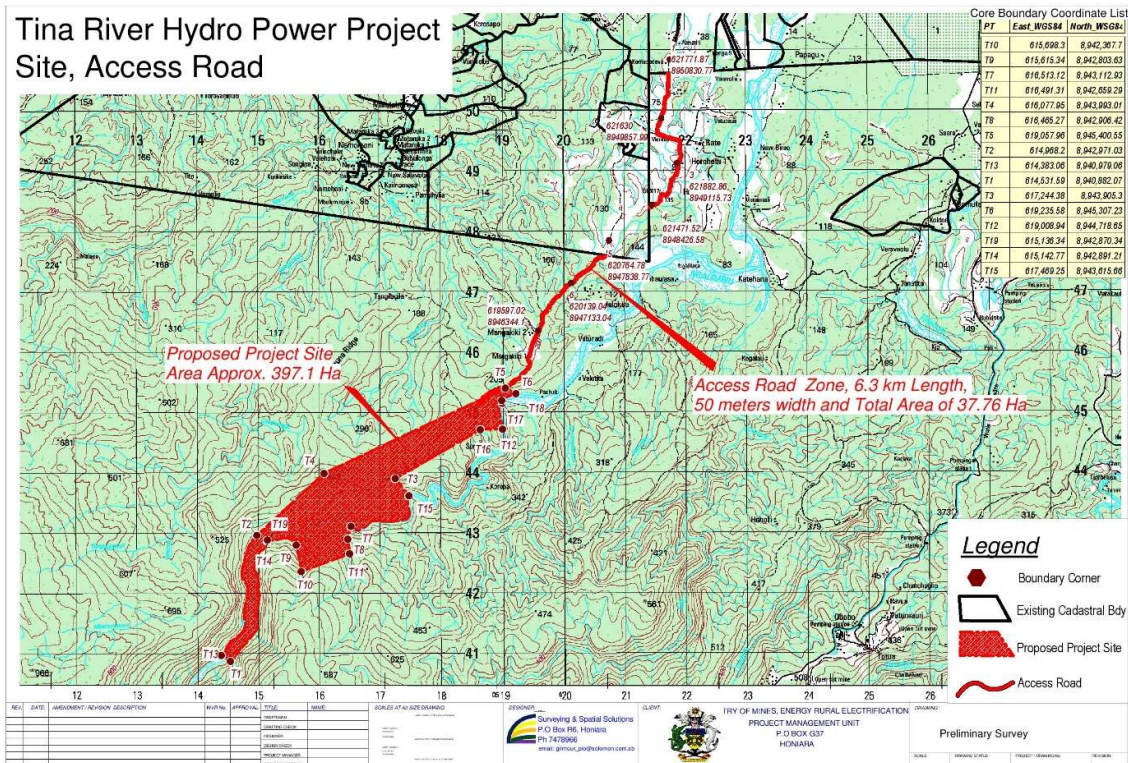
While a small percentage (<10%) of participants initially wrote their names in the “no proceed” column, this number dropped to zero when it was explained that the Project would not go ahead if the community did not support it. On the basis of these consultations, the Access Agreement was extended by agreement for a further 18 months in February 2013.

## **6.2 ACQUISITION OF THE CORE LAND**

In early 2014, upon completion of the feasibility studies, Option 7C was selected as the preferred option for the Project. The area of land necessary to build and operate the Project for this Option was identified and became known as 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 is compliant and consistent with the World Bank’s OP 4.12 with regard to free, prior and informed consultation with the land owners and communities.

Figure 6-6-1 Map of Acquired Core Land



## 6.2.1 Identification of customary owners for the purpose of seeking free, prior, informed consent

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. Despite more than \$2 million Solomon dollars of funding and three years of meetings the LOC did not agree on a process for land identification, or start such a process. It was also unable to transmit information effectively, leading tribal members to express dissatisfaction with performance and wanting to dissociate from the process.

In the first quarter of 2013, the Project's ministerial taskforce made a decision to place a transparency and accountability conditions on its funding of the LOC. These measures included that meetings take place in the Tina River catchment rather than in Honiara, that agendas be prepared prior to each meeting and that minutes be prepared at their conclusion. Following this decision, the LOC ceased to arrange meetings and effectively went into recess.

In 2012, a group of Bahomea traditional chiefs and other leaders who wanted to progress the question of local land ownership established the "Bahomea Land Identification Committee" (BLIC) and began investigating the primary land ownership of the Tina River catchment during 2012 and 2013.

The committee was a self-selected group of traditional knowledge holders (known as story tellers), chiefs and elders from different tribes. The executive positions of Chairperson and

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Secretary were held by two elders, Peter Rocky (a member of Saerahi Tribe) and Michael Litany (a member of Uluna). The status of the chiefs, elders and story tellers in their tribes and communities gave the Committee a reputation as representative of the community and as providing a more culturally authentic land identification process than the stalled LOC arrangement. Their tribal membership was considered irrelevant. However, none of the original members of this committee proved to be members of the Core Land tribes other than the fifth tribe, Uluna Sutahuri (who were not recognised as landowners by BLIC but identified by the COL under the LTA process). While the Committee was formed largely from Bahomea residents and was considering land ownership in the Tina River catchment which lies within the Bahomea region, a significant percentage of members of the core land tribes are resident in the adjacent Malango region. The core land is uninhabited.

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 followed. 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. Of the 25 persons who attended the first meeting of BLIC, 3 were members of Uluna Sutahuri found by COL to be owners of part of the reservoir. The other 22 were members of tribes found by the committee to not have an interest in the Core Land.

As Option 7C and the Core Land were not selected as the preferred option until early 2014, the BLIC process outlined tribal land boundaries for a much larger area than the Core Land and was not focused on the ownership of only the land area later acquired.

Although BLIC was an indigenous body, formed by local elders rather than the Project Office, the Committee provided a number of minutes to the Project Office documenting many of its meetings and activities throughout 2013.<sup>26</sup>

## **6.2.2 Consultations on the BLIC Process**

The BLIC process initially commenced as an organic indigenous process, however, once underway the BLIC engaged with the PO and a series of consultations were facilitated by the PO to inform communities and tribal leaders of the process and its outcomes. Details of

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<sup>26</sup> Minutes provided included "Storyteller confirmation of Sister Tribe Endorsement", signed by more than 20 members of the Bahomea House of Chiefs, dated 1 October 2013; "Token of Appreciation", incorporating a list of sitting members as at 23 August 2013; "Bahomea Land Identification Model Meeting Resolution 2013" providing a summary of 9 BLIC meetings from 7 January 2013 to 3 April 2013; "Bahomea Land Identification Committee Minutes, 30 April 2013" detailing tribal history investigations and adopted criteria for land identification.

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these meetings are set out in Annex 14 to the ESIA and are shown in the timeline at Figure 6-2.

In April-May 2012 a series of community consultations were held across 5 villages to update communities on the customary land identification process. Following progressive BLIC updates to the PO in June 2012 and February 2013, the PO held an additional round of community consultations from March-July 2013 informing communities of the BLIC land ID process. In early August 2013 BLIC also updated the Project's Community Liaison Assistants.

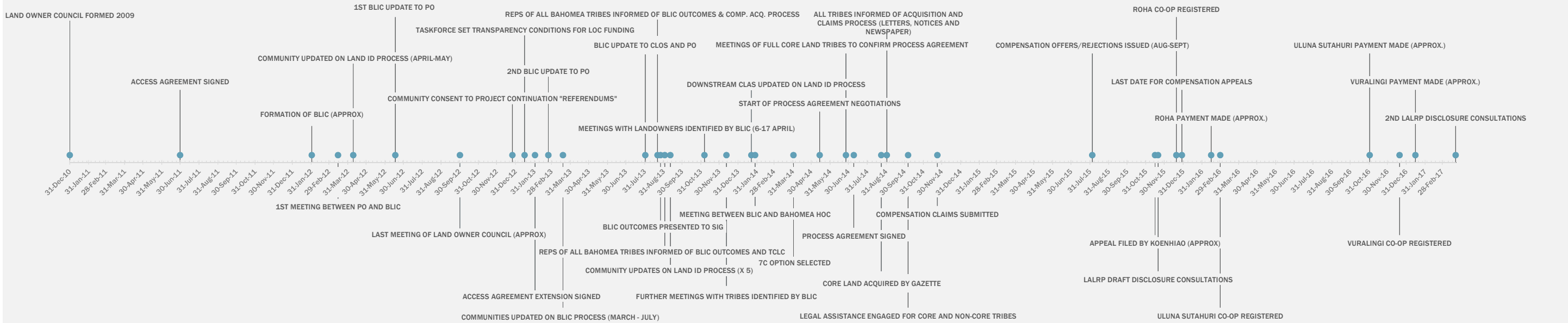
In a series of meetings over 4 days from 21 August to 24 August 2013 the BLIC consulted on the appropriate criteria to determine customary ownership and customary rights and presented its preliminary outcomes to representatives of the tribes considered to own an interest in land in the wider Tina River catchment. Representatives from the 27 tribal members of the LOC were invited to attend these meetings held at Doma and the PO arranged free transport. During these same meetings, a representative from the Attorney General's Chambers spoke to the tribal representatives about the proposal for a compulsory acquisition of the land.

A follow up meeting was held on 2 September 2013 at the Guadalcanal Women's Resource Centre with the same tribal representatives, to further discuss the BLIC outcomes and compulsory acquisition process and to commence discussions of the proposal to create a Tina Core Land Company (TCLC) as a joint venture with the owners of the land required for the Project, once the site for the land was finalised.

Following these meetings, further community consultations were undertaken from September to October 2013 to update communities on the BLIC process including in Chichinge, Mataruka, Ado, Antioch and Marava.

In November to December 2013, a number of individual and group meetings were also held with representatives from tribes whom BLIC had identified as holding common land boundaries to discuss and confirm the BLIC outcomes. The tribes involved included Roha, Charana, Buhu Garo, Salasivo, Kaipalipali, Koenihao, Kaokao, Kochiabolo and Uluna Sutahuri.

Figure 6.2 - Land Acquisition Timeline



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### **6.2.3 Identification of prospective Core Land Tribes following identification of 7C Site**

Option 7C was selected as the Project site in early 2014. Once selected, the PO reviewed BLIC's findings for this site, and took into account the discussions held with the representatives of the tribes identified as owning adjoining lands, as discussed above. As a result of this process, the Project Office took into account:

- Customary land evidence recounted;
- 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.

The customary land owning lineages were identified as:

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

As discussed in more detail below, the Commissioner of Lands (in considering evidence submitted in support of claims for compensation for the compulsory acquisition) 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.

### **6.2.4 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. Women from approximately half of the tribes attended the negotiations.

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.



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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 6-6-3 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 not within the area of land considered by BLIC. As BLIC did not conduct land identification for this area the reservoir land was not included in the Process Agreement. Uluna-Sutahuri submitted a successful claim for this land under the compulsory acquisition process. Provision had been made in the Process Agreement to include the owners of the reservoir land in the Tina Core Land Company once they had been identified. After Uluna-Sutahuri were found to be the owners of the land by the COL, their representatives signed the Process Agreement.



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### 6.2.5 Public information distributed on the Process Agreement

Information on the Process Agreement was publicised in a two-part series of Frequently Asked Questions in full page advertisements of the Solomon Star in early July 2014 (4 and 7 July). The FAQs set out the rationale for the Process Agreement and the manner in which it would interact with the legal acquisition process under the LTA. The series included responses to the following questions:

- Why does the Project need to acquire customary lands?
- Who will own the acquired land?
- How much land will be acquired?
- How were the customary owners identified?
- What is the process for the acquisition?
- Why is there a process agreement before the acquisition?
- What will happen after the process agreement?
- What will happen to the other people in the Tina area whose land was not acquired?
- Why is Tina Hydro using a compulsory acquisition process?
- How will the acquisition process work?
- How can people claim compensation?
- How can people appeal this process?

The signing ceremony for the Process Agreement with the Prime Minister was also reported in a press release published by all major national news outlets including the Solomon Star (17 July 2014), Solomon Islands Broadcasting Corporation (11 July 2014) and The Solomon Times (18 July 2014). An excerpt from the release stated:

Three of the signatories in the ceremony were women from Roha and Buhu Garo tribes. In their brief address to the gathering, they thanked the government for the unique opportunity to participate in the signing.

“This is the first time for us women to be involved in these important undertakings. We have had previous developments but women were not involved in those. ”

The four tribes, Roha, Buhu Garo, Kochiabolo and Vuralingi have been identified through a traditional land identification process as the primary owners of the 448 hectares earmarked for the core area of the hydro.

The next step after this consent is for the government to proceed with the statutory process provided for in the Land and Titles Act. Through this process all tribes who may have interests in the concerned lands have three months in which to lodge their claims with the Commissioner of Lands.

As soon as all issues relating to the core land have been settled the government will acquire it, register it and then revert the Perpetual Title to a joint venture of 50-50% between the core land tribes and government.

The land acquisition is expected to happen at the end of this year.

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Through the press release and FAQs, the nature and general terms of the Process Agreement were made public, together with information on the claim and appeal rights of non-Core land tribes (see also section 6.2.8.2). To protect the privacy of members of the Core Tribes, minimise jealousies between the Core Tribes and others, and lessen the cultural pressure on individuals to respond to requests for money, the full text of the contractual agreement between the parties was not provided to the public.

The Process Agreement, which affects only the tribes who are parties to it, was however disclosed in full to the members of the affected tribes as described in section 6.2.4. In contrast, the LALRP, which provides entitlements for any *users* of the Core Land, including users who are not owners of the land, was fully disclosed to communities and the public as set out in section 5.2.1.

### **6.2.6 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 6-6-4 Female representative at signing of Process Agreement in July 2014



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 of \$12,000 SBD for the acquired land. In the event that the amount offered by the COL is less than \$12,000/Ha, under this provision the PO agreed to “top-up” the offered amount to \$12,000/Ha. (The land owning tribes are 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

The co-operative societies established with and for each tribe, provided mechanisms to share project benefits within tribes, as well as between sister tribes, in a manner consistent with cultural practice. These mechanisms are discussed in section **Error! Reference source not found..**

### 6.2.7 Advantages of Compulsory Acquisition

Through the Process Agreement the Core Land tribes provided their free prior and informed consent 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. As a public purpose project, the SIG had the option of choosing either process.

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 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.

The Division 1 process results in a "winner-loser" outcome, where a limited number of people (maximum of 5) are determined to hold rights as representatives over an acquired area, regardless of the size of the area and the number of tribes that may hold land within it. 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

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consultations, communities 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.

## **6.2.8 Acquisition Process**

### **6.2.8.1 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.

### **6.2.8.2 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:

- (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.

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- 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.

In addition to the awareness activities regarding the *Land and Titles Act* claims process, the public were previously informed of the negotiation and signing of the Process Agreement (section 6.2.5).

#### **6.2.8.3 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.

A total of 5 compensation claims (submitted by 4 separate tribal groupings) were prepared and submitted by the private lawyer on behalf of non-signatory tribes (Koenihao, Kaokao, Sudungana, Uluna-Sutahuri and Sutahuri) while 4 claims were prepared by and on behalf of the 4 signatories to the Process Agreement (Kochiabolo, Buhu-Garo, Roha and Vuralingi). All of these eight tribal groupings were members of the original LOC.

#### **6.2.8.4 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.

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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 Guarde 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 do not form part of the offers from the Commissioner of Lands.

#### **6.2.8.5 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 the five tribes found by the Commissioner to be rightful

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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. Notices of rejection were provided with respect to the remaining 4 claimants, noting that one tribe (Sutahuri) submitted two claims, one of which was accepted and one rejected. The COL's determination of claims was based on his evaluation of the tribes' submitted customary evidence.

Customary evidence of landownership is bound up in stories of ancestral settlement and the movements and settlement of the spirits and devils associated with the different landowning groups. Sometimes these stories can be proven with marker sites (known as 'tambu sites'), or where relevant, with evidence of a land transfer or agreement, such as a shell money necklace. The stories can also be supported by genealogies used to link present day tribal members to distant ancestors and their stories of ownership. These custom stories are held highly confidential by the tribes, for fear they will be appropriated by others to claim their land. Understanding and evaluating the nuances of accurate customary evidence is culturally specific, and the recommendations of groups of elders and chiefs such as the Bahomea Land Identification Committee are generally considered to provide the best evidence of ownership.

The COL's evaluation of claims was based on the submitted customary evidence. The PO's understanding from discussions with the COL is that the reasons for the rejected claims included that tribal land boundaries described in claims fell outside of the acquired Core Land surveyed boundaries, claimed boundaries were not consistent with previous determinations by the House of Chiefs, custom stories did not substantiate a claim of ownership, and that customary evidence was not provided in support of a claim.

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.

One of the four tribal groups to receive a notice of rejection has appealed to the High Court for a review of the COL's decision. The appeal was filed within the three month statutory time limit and the case is being managed in accordance with the High Court's civil procedure rules. A hearing date will be set following the filing of evidence. An interlocutory hearing has confirmed that if the tribal group is successful, the SIG will be required to pay the tribe



additional compensation for the value of the land. Any such payment will not affect the payment of compensation already awarded to the five offer recipients.

Figure 6-5 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   |
| <b>Total</b>   | <b>442.1</b> |                          | <b>777</b>                |                            |  |

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

<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

## 6.2.9 Land based resettlement option

In accordance with WB 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.

## 6.2.10 Intra-Tribal Sharing of Payments

Concerns were raised by tribal members throughout consultations that payments made to chiefs and other representatives are not commonly 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

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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 tribal specific by-laws for the societies to reflect their nature as a tribal group, and the agreed mechanisms for equal benefit sharing. Many of the mechanisms to support these safeguards were also adopted in amendments to the *Co-operative Societies Act* enacted through a Ministerial Order.

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 6-6-6 Tribal member registration for Co-operative Societies and photographs for bank account identification with Project Office – March 2016 (names removed for privacy)

The co-operative 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 established societies for Roha, Uluna Sutahuri have agreed to allocate funds across four separate uses:

1. equal dividend payments to all members (women, men and children) paid directly to each member's bank account,
2. a cultural obligations fund to sister tribes and reciprocal customary rights holders,
3. an investment and business fund, and

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4. an ongoing administration fund to support co-operative activities until the commencement of lease payments (payable from the date of lease signing, prior to construction) and royalty payments (payable from operations).

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 members of the Vuralingi Co-operative Society agreed to a similar distribution, with some amendments to reflect the members' status as trustees of a landowning group with no living members. These amendments included the that each trustee would individually manage cultural obligations for their own tribe, as well as sister tribes or other community obligations, individually. The trustees collectively agreed to increase the number of members from 4 to 7 to formally share benefits more widely among families and avoid disputes.

The remaining two tribes have not yet established their societies. Although each of the tribes have legally accepted the compensation offer, select individual male members of Kochiabolo 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. The Project Office is continuing discussions with members of the remaining two tribes (Kochiabolo 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 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 for the Core Land.

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

#### **Measures for Core Land Tribes**

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. 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 safeguards. These measures have been predominately enacted through the mechanisms of the Co-operative Societies.

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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 woman 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 6-6-7 - Member of Roha Co-operative Society voting in secret ballot on the distribution of the land compensation payment

The co-operative societies of Roha and Uluna Sutahuri have enacted these provisions and women have been prominently engaged in their operation. Vuralingi has no living members, and all seven trustees are on the executive committee.

Targeted measures for addressing vulnerabilities of youth and children have also been adopted. 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.

These safeguard provisions apply differently to the Vuralingi Co-operative Society. As there are no living members of the original landowning group, a small collection of four trustees selected by the group's last living member constitute the co-operative, together with three additional individuals selected by these original trustees. All seven members hold executive committee positions.

### **Measures for non-core land tribe impacted persons**

In addition to the above, specific provisions for vulnerable persons are also set out in the Entitlements Matrix. Impacts on vulnerable groups are distinguished between (a) impacts on vulnerable persons with 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.

### **6.2.12 Improved income generation and employment opportunities for Core Land Tribes**

WB safeguards require that livelihoods and income levels are improved or restored, for instance through the provision of opportunities for employment, or self-employment.

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.

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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
- (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>27</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 Sutareh 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.

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<sup>27</sup> Roha Co-operative Society By-Laws





Figure 6-6-8 – Chairperson of Roha Co-operative Society, Daniel Una, business launch – October 2016

## 6.3 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 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.

### 6.3.1 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 required for the Project, as follows:

Table 6-1 – Registered Land Parcels

| No. | Land Parcel                | Perpetual Estate Holder  | Other interests   | Area to be Acquired                           | % of Total Parcel |
|-----|----------------------------|--|---|---|-------------------|
| 1   | 192-015-0018               | Commissioner of Lands  | FTE - Levers Solomons Limited   | 16.2 Ha                                       | Approx. 1.6%      |
| 2   | 192-005-0015<br>100 LR 536 | Nathanial Boboli<br>Timothy Urobo<br>Nesta Besta<br>Daniel Sekani<br>Selwyn Boboli<br>(Joint Owners as trustees) | Lease – Guadalcanal Plains Palm Oil Limited (GPPOL). 50 years from 1 January 2005 | 1.2 Ha  | Less than 2%      |
| 3   | 192-005-0017               | Church of Melanesia Trust Board  | Nil.  | 15.033 Ha                                     | Approx. 8%        |
| 4   | 192-029-024                | Commissioner of Lands  | Nil.  | N/A – Land to be subdivided but not acquired. |                   |

### 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.

Compensation for livelihood assets of non-title holders is provided for in the Livelihood Restoration Plan in Chapter 9.

### 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: Nathanial 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.

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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 GPOL 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>28</sup>

### **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 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 Entitlements Matrix in Chapter 9.

## **6.3.2 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,

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<sup>28</sup> Section 195(3) of the LTA

- 
- 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 12.

## 6.4 INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

### 6.4.1 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 Annex 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 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>2930</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. The community consultations and the negotiation of the Process Agreement go beyond consultations and evidence indigenous landowner and local community broad support for the Project. Ongoing community engagement by the PO at present is focusing on land acquisition, assets compensation, livelihoods protection and restoration, benefits sharing arrangements, and building the capacity of the local tribes and communities to manage their financial and business affairs.

### **6.4.2 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 Chapters 1 and 12 of the ESIA.

**Error! Reference source not found.** 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 6-2 – Consultation Outcomes

| Key Consultation Feedback   | Treatment in LALRP  |
|---|---|
| Uncertainty as to corridor alignment and assets affected  | Corridor now pegged with permanent survey markers<br><br>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 9). |
| 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   |

### 6.4.3 Project Implementation Consultation Mechanisms

Consultation mechanisms for LALRP implementation will follow the Project's Stakeholder Engagement Policy (SEP) dated April 2017. The LALRP and SEP, along with the ESIA and CDP, will be disclosed on the Tina Hydro website and hard copies will be made available at the Project Office.

Consultations for land acquisition activities (including compensation for lost assets such as gardens and crops) 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 LALRP activities, timeframes and grievance mechanism  | Completed (March 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 with those identified in the vulnerable persons survey to determine appropriate further assistance   | September – December 2017   |
| Meeting with NGOs to update on LALRP implementation progress  | By end of 2017              |
| 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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## 7 PROFILE OF THE PROJECT-AFFECTED PEOPLE AND COMMUNITIES

### 7.1 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>31</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 7.1). The assets survey confirmed to concentration of owners in this area. The

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<sup>31</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 7.1, and are used for subsequent description of the PAPs.

## **7.2 THE CORE LAND OWNERS**

### **7.2.1 Population and affiliation**

The customary owners of the Core Land are the members of the Kochiabol, Roha, Buhu Garo, Viurulingi, and Uluna Sutahuri tribes. They have been recognised by the COL through the statutory process 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.

### **7.2.2 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 7-1). 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.

Table 7-1 – District Residences of the Registered Members of the Core Land Owning Tribes

| District  | Roha | Kochiabo<br>lo | Buhu -<br>Garo | Viurulin<br>gi | Uluna-<br>Sutahur<br>i | Total<br>registered<br>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    | 168  | 109            | 65             | 0              | 435                    | 777                            | 100%       |

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 Pamphyliya and three other villages in Malango district.
- The Kochiabolo 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 mostly 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.

### 7.2.3 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 7-2). 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.

Table 7-2 – 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 8.1 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 7.1 also shows the CEAs and location of the settlements in the Bahomea district in relation to the Infrastructure corridor.







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### 7.3 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.

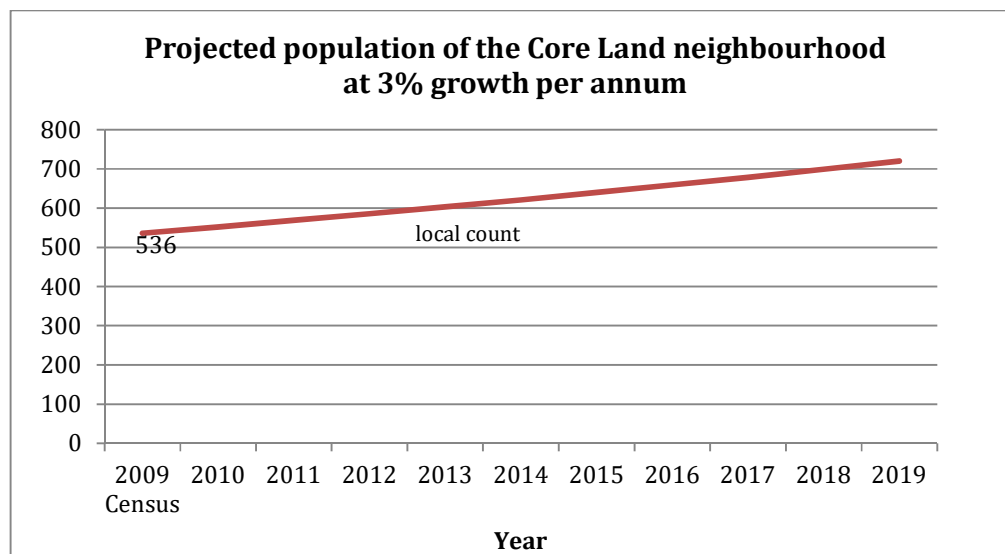
The main centres of population in this neighbourhood /CEA are the Antioch-Valesala village cluster and the Managikiki-Verakuji cluster, respectively 5km and 3.5km from the proposed dam site. Each of these clusters contains several named settlements of varying size. The Managikiki-Verakuji village cluster 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 7-3). 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.

Table 7-3 - Households and populations of the project neighbourhood (River, Core Land, and Infrastructure Corridor)

| Settlement in CL neighbourhood<br>(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 7-7-2



## 7.4 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 7-4 shows 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.

Table 7-4 - 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                                   |
| Black Post Road north   | Antioch/Valesala     | 3                                    |
|                         | 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

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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'.

## 7.5 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 safeguards requirements. A framework for assessing and managing the livelihoods impacts of the Lungga Transmission corridor has been provided in Chapter 12.

## 7.6 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.

## 7.7 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 7-5), 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.

Table 7-5 - 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.

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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 educational trust funds for the members of the Core Land Tribes aged under 18 is one measure targeted to address this (Chapter 6).

## **7.8 DISABILITIES**

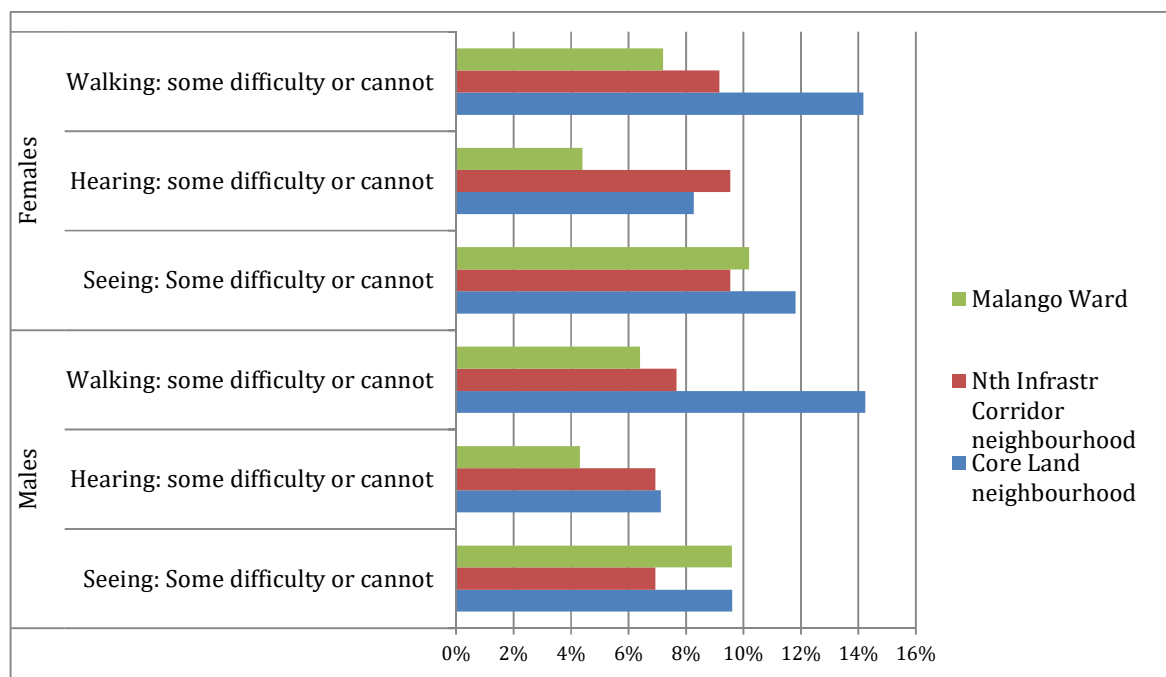
Human health and wellbeing is another form of human capital. The Solomon Islands' census of 2009 collected data on the incidence of various forms of limitation in basic human functioning among local (CEA) populations, including ability to walk, see and hear. Functioning for each person enumerated was 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 7.3), 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 7-7-3 Incidence of impairment or disability or in the Project Affected Communities\*



\* Source: 2009 Census

## 7.9 HOUSEHOLD COMPOSITION

While not reported directly, it appears that many households in Bahomea consist of extended families, e.g., 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>32</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>32</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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## 7.10 ECONOMY AND LIVELIHOODS OF THE PAPs AND COMMUNITIES

### 7.10.1 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>33</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.

### 7.10.2 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>33</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.

### **7.10.3 Subsistence activities of PAPs**

#### **7.10.3.1 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 7-6).

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.

#### **7.10.3.2 Fishing**

The 2009 census data on fishing shows 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 Ngalimbiu 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

Table 7-6 - Common agricultural activities in the project-affected communities\*

| <b>Household livelihoods – agriculture</b> | <b>Core land neighbourhood<br/>(CEA 62010)<br/>% of households<br/>(n=86)</b> | <b>Nth corridor neighbourhood<br/>(CEA 62006)<br/>% of households<br/>(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

Table 7-7 - Household fishing in the project-affected communities\*

| <b>Household livelihoods – fishing</b>                        | <b>Core land neighbourhood<br/>(CEA 62010)<br/>% of households<br/>(n=86)</b> | <b>Nth corridor neighbourhood<br/>(CEA 62006)<br/>% of households<br/>(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  |

|   |      |      |
|---|------|------|
| 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*

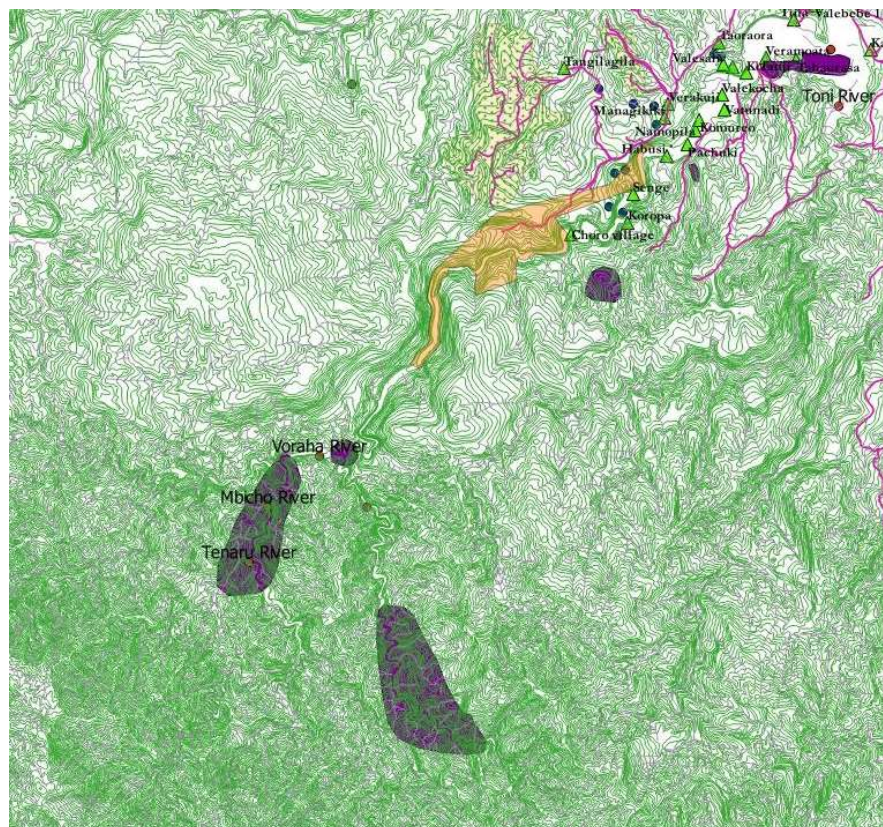
River fishing by people in the Bahomea area, and especially the residents of the Core Land neighbourhood, is focused on the river holes and pools in the upper catchment, especially upstream of Choro (some of which may be lost to the hydro reservoir) and around the confluence of the Mbicho and Mbeambea Rivers (see figure 7.4). The main mode of fishing is by spearfishing with mask, snorkel and spear gun, and is sometimes carried out at night.

### **7.10.3.3 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 7-4 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.

#### 7.10.4 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 7.5).

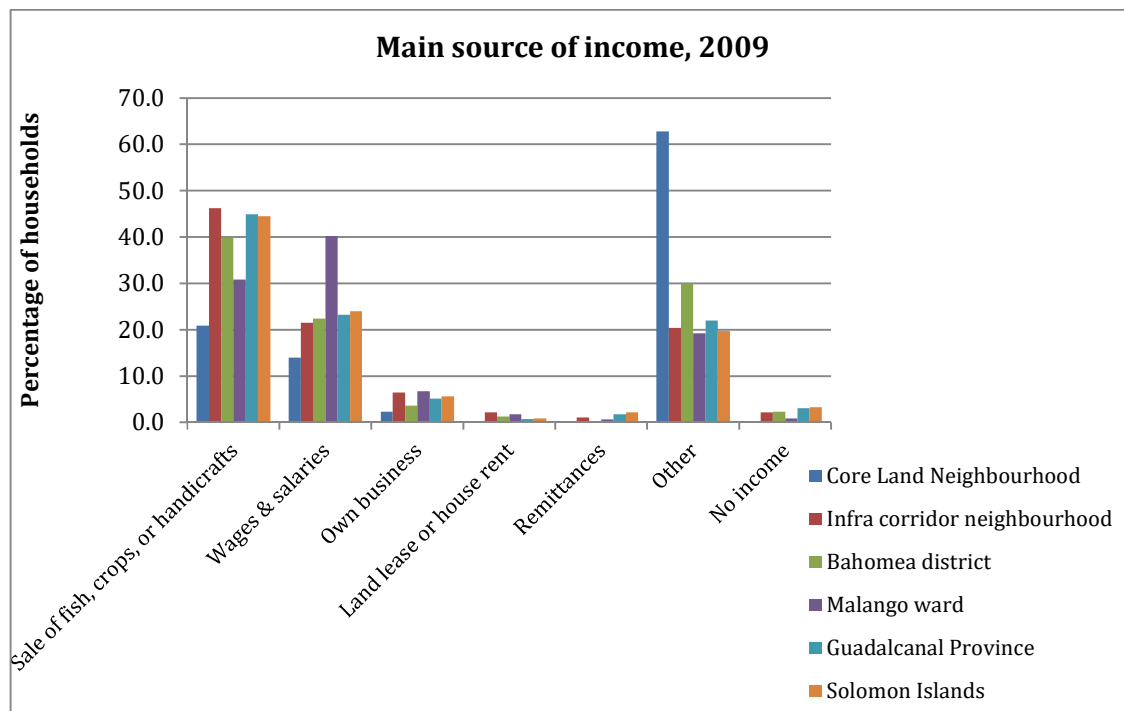
However, the most important source of income among those in the Core Land neighbourhood was “other source”, which includes royalties from commercial logging and gold mining (Gold Ridge), and income from small-scale sawmilling. The closure of Gold



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 7-6). 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 7-5 – Main sources of income 2009



Up until 2014, a resident of Senge village<sup>34</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.

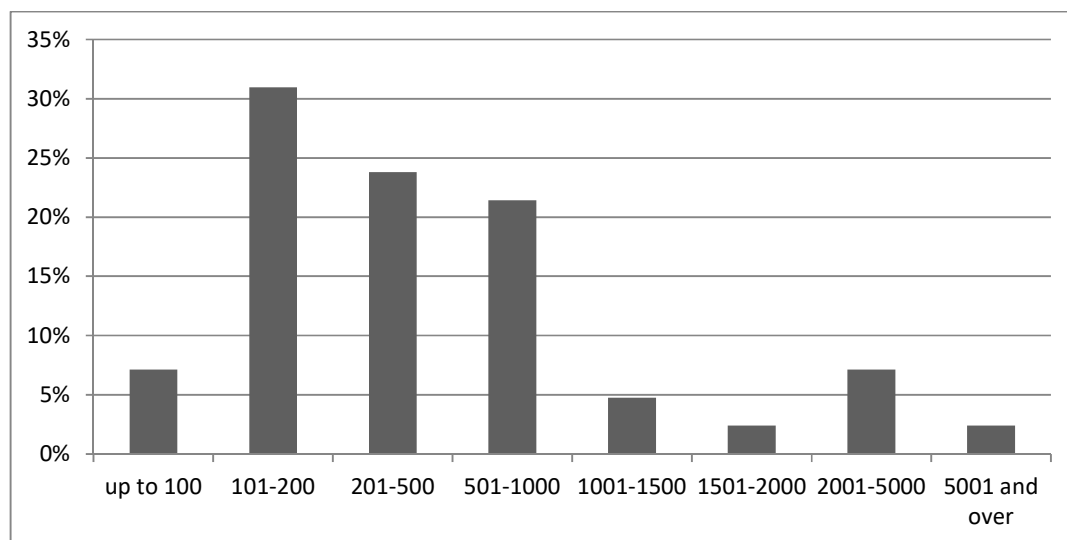
### 7.10.5 Cash incomes

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>35</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 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 7-6 - Weekly cash incomes in Solomon Islands Dollars (SBD) for the sampled households in the study area



<sup>34</sup> Since deceased.

<sup>35</sup> Approximately \$121 US.

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

#### **7.10.6 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.

#### **7.10.7 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

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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.

#### **7.10.8 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 7-7 Local use of traditional materials & wood for dwellings and fuel

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

### 7.10.9 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.

## 7.11 VULNERABLE HOUSEHOLDS

WB policies require that particular attention is paid to vulnerable people, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or persons who may not be protected through national land compensation legislation. Vulnerable or at-risk groups may 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;

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- 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, additional 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.

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 9.

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 7.10.4, 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>36</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 (See Appendix D).

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<sup>36</sup> Labour Act s31, see Minimum Wage Order, Legal Notice No.31, Gazetted 23 April 2008

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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 6.

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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## 8 IMPACTS OF THE PROJECT ON LIVELIHOODS

### 8.1 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 relocated for the Project.

### 8.2 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 six.



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## 8.3 LOSS OF NON-TIMBER FOREST RESOURCES

### 8.3.1 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 8.1 summarises the productive assets identified in the survey of the Core Land. 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 belong to members of other Malango tribes.

Figure 8-1 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

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The alignment of the site access roads within the Core Land including those to the power house and dam are not yet known (as opposed to the road alignment in the northern infrastructure corridor which is 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.

**8.3.2 Infrastructure Corridor assets**

Table 8-1 lists the types of productive assets identified as lying in or immediately adjacent to the Infrastructure Corridor – which could be lost to their owners.

Table 8-1 - 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

Table 8-2 - 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> |

The asset survey also recorded the presence of 1 grave site, and 2 huts used as roadside stands for selling betelnut. 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 9.

## 8.4 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 7.

The incidences of disabilities in 2009 among people in the communities where the Core Land users reside has been described in section7. 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.

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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 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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## **9 LIVELIHOODS RESTORATION**

### **9.1 APPROACH TO LIVELIHOODS RESTORATION**

The World Bank required livelihood restoration. 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 and Solomon Islands legal requirements, are embedded in the proposed livelihood restoration measures and entitlements described below.

### **9.2 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 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.

### 9.3 IMPACTS AND COMPENSATION AND RESTORATION RESPONSES

The following matrix Table 9.1 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 9.2 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 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.

## 9.4 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. 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.

The PO will assess the adequacy of the valuations established by MALD to ensure compensation at market rates. In circumstances where MALD do not revise the existing schedule in accordance with the implementation timelines for the LALRP, PO are to ensure the application of current market values.



## 9.5 ENTITLEMENTS MATRIX

Figure 9-1 Compensation and restoration plan: responses, entitlements, and implementation

| <i>Affected persons</i>   | <i>People/ places</i>   | <i>Impacts</i>   | <i>Livelihoods consequences</i>  | <i>Livelihoods Responses</i>   | <i>Actions</i>  | <i>Responsibilities for actions</i>   | <i>Proposed Timeframe</i>  |
|---|---|--|--|--|---|---|--|
| <b>Customary Land owners</b>  |   |  |  |  |   |   |  |
| Members of the customary land owing tribes of the Core Land.<br>i.e., Roha tribe (168 members), Buhu Garo tribe (65 members), Kochiabolo tribe (109 members), Uluna-Sutahuri tribe (435 members), Viurulingi tribe (4 named successors).<br><br>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:<br>Roha-171ha ;<br>Bahu-garo 161.5ha;<br>Kochiabolo 65.7ha;<br>Uluna-Sutahuri 29.9ha;<br>Viurulingi 14.0 ha | Permanent loss of customary title to land.<br><br>Permanent loss of rights to 172ha of harvestable natural timber trees (total volume of 24,768m <sup>3</sup> ). | Reduced control over use of customary land.<br><br>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.<br>[Compensation for loss of improvements/livelihoods assets to be compensated separately based on assets survey.]                  | Inventory and valuation of commercial forest in Core Land<br><br>Core Land (CL) valuation<br><br>Compensation Offers issued<br><br>Compensation offers accepted or deemed to have been accepted by tribes<br>Tribal registration/enrolment drive, and creation of tribal member registers for all Malango tribes (PO)<br><br>Bank accounts for each member of the CL tribes to be opened. | PO, Commissioner of Lands (COL)<br><br>PO, Valuer General, COL<br>COL, PO<br><br>Core Land Tribes<br><br>PO, Tribal chiefs<br><br>PO, ANZ Bank Pan Oceanic Bank | Completed. 2015<br><br>Completed. April 2015<br>Completed. August 2015<br>Completed, 2015<br>Completed 2016.<br>Ongoing updating (tribal entities)<br>Ongoing 2016-17.<br>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.<br>Vuralingi formally established January 2017.<br>Other groups by June 2017 (or asap before project construction commences)                     |

|  |  |  |  |   |  |  |   |
|--|--|--|--|---|--|--|---|
|  |  |  |  | [Compensation for other livelihoods assets to be paid/provided to individual/household owner ]                          | <p>Appointment of private Administrator to oversee financial transactions of Co-operative Societies</p> <p>Bank accounts for each member of the CL tribes to be opened and trust accounts opened for under members of CL tribes under 18</p> <p>Bank Account for each Co-operative Society opened with at least one female signatory and Administrator signatory</p> <p>Payment from SIG escrow account to Co-operative Society Account</p> <p>Payments from Co-operative Society Accounts to individual tribal members overseen by PO</p> | <p>PO</p> <p>PO, Pan Oceanic Bank, ANZ</p> <p>PO, Pan Oceanic Bank</p> <p>PO, COL, MMERE, ANZ, POB</p> <p>PO, POB, ANZ</p> | <p>Completed early 2016</p> <p>Roha completed early 2016. Uluna Sutahuri completed December 2016. Vuralingi completed January 2017. Other tribes proposed August 2017</p> <p>Roha and Uluna Sutahuri completed 2016. Vuralingi completed January 2017. Other tribes proposed 2017</p> <p>Roha and Uluna Sutahuri completed 2016. Vuralingi January 2017. Other tribes, October 2017</p> <p>Roha completed 2016. Uluna Sutahuri and Vuralingi completed by February 2017. Other tribes by November 2017.</p> |
|  |  |  |  | Financial management and business training for female and male executive committee members of each Co-operative Society | Training provided to all members   | PO, Solomon Islands Small Business Enterprise  | <p>Roha and Uluna Sutahuri complete 2016</p> <p>Remaining tribes following establishment of executive committees in 2017</p>  |
|  |  |  |  | Ongoing assistance to Co-operative Societies with Business Plan Proposals and management of business finances           | Administrator engaged to advise on and oversee transactions relating to business plan proposals as part of each Co-operative Societies' investment fund  | PO, Administrator  | Ongoing   |

|  |  |                                      |   |  |   |  |  |
|--|--|--------------------------------------|---|--|---|--|--|
|  |  |                                      |   | <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> | Establish TCLC and governance arrangements (PO)   | PO, Attorney Generals Chambers   | By July 2017   |
|  |  |                                      |   | Each CL owner group represented on the board of the TCLC. SIG representative as chairperson.   | Appoint/elect board members   | PO, TCLC, Landowner entities   | By July 2017   |
|  |  |                                      |   | 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>Term of the Process Agreement between SIG and Core Land Tribes</p> <p>Term of Implementation Agreement between SIG and Developer (SPV) and term of Power Purchase Agreement</p>  | PO, CL owner entities  | <p>Agreement completed 2014.</p> <p>Agreements proposed to be completed October 2017. Payments within 3 months of first PPA capacity payments to SIEA.</p> |
|  |  |                                      |   | Members of the Malango and Bahomea host communities to be given priority access to locally-recruited employment on the Project's construction and operation.   | <p>Legal condition of Project Documents (Implementation Agreement)</p> <p>Training needs survey &amp; analysis</p> <p>Provision of training to males and females to enable local communities to gain employment of the project construction</p>                             | <p>Developer, PO</p> <p>JSDF Project, Developer, PO</p> <p>JSDF Project, Developer, PO</p> | <p>Estimated October 2017</p> <p>Within 4 months of commencement of JSDF Project</p> <p>Within 6 months of commencement of JSDF Project</p>                |
|  |  |                                      |   | 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  | <p>Term of Process Agreement made in 2014.</p> <p>MOI regarding closure</p>   | 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>  |  |                                      |   |  |   |  |  |
| 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-Verkuji | 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.  | <p>Asset survey of Core Land and Infrastructure Corridor. Assets mapped, described, quantified, valued, and owners identified.</p> <p>Follow up survey to document individual asset owners' circumstances, and consult on proposed compensation/livelihoods restoration</p> | <p>PO</p> <p>PO</p>  | <p>Completed 2016</p> <p>November 2017</p>   |

|  |  |  |  |  |   |  |   |
|--|--|--|--|--|---|--|---|
|  |  |  |  |  | <p>Prepare and issue notice for asset owners to vacate with advanced warning</p> <p>Owner of garden will have free use of the identified area of garden land for food production until date specified in notice to vacate</p> <p>Additional compensation/livelihood measures established for vulnerable owners of affected assets. These measures will be based on specific circumstances identified in follow up survey and will be implemented on a case by case basis (see below)</p> <p>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.</p> <p>PO to confirm that appropriate customary permission has been received for the host land of all resettlement. Resettlement will occur on customary land under customary arrangements. As assets were previously on customary land, asset owners will continue to hold the same land tenure as before relocation. Provision of 3 days labour (contracted locally) to clear the new garden area and prepare for planting under the guidance of the Garden owner.</p> <p>Engage, train, &amp; equip workers from the local youth population to undertake asset re-establishment work</p> <p>Geo-referenced register of new gardens created.</p> | <p>PO</p> <p>Asset owner, PO</p> <p>PO, asset owner</p> <p>PO, asset holder</p> <p>PO, customary landowners</p> <p>PO</p> <p>PO, village chiefs,</p> <p>PO</p> | <p>At least three months in advance of date to vacate.</p> <p>Until date to vacate.</p> <p>Ongoing, completed by date of vacation notice.</p> <p>by date of notice to vacate.</p> <p>Before work commences on new site</p> <p>1-3 months after notice to vacate</p> <p>By date of notice to vacate</p> <p>By 3 months after notices to vacate</p> |
|--|--|--|--|--|---|--|---|

|   |   |   |  |   |  |  |   |
|---|---|---|--|---|--|--|---|
|   |   |   |  |   | 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   |
|   |   | Potential loss of trees and tree cops: 255 bananas, 35 breadfruits, 7 ngalinut , 2 betelnut, 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   | Free use of the identified trees until date to vacate. The owners may retain the produce from those trees up to that time.<br><br>Free practical assistance with replacement of trees, including<br>- free replacement tree seedlings of same species for planting on land outside of the boundaries of the acquired land<br>- 3 days labour assistance with replanting (contracted locally, and paid for by PO)<br>-Cash compensation for loss of production from fruit-bearing trees for the period needed to resume / restore production to the original level (Based on agronomic factors and market value of lost production. | PO<br><br>PO and asset owner                                   | Until date to vacate.<br><br>To be completed before 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  | -Cash compensation for loss of production from fruit-bearing trees for the period needed to resume / restore production to the original level (Based on agronomic factors and market value of lost production | 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<br><br>PO   | Monitoring visits<br><br>by August 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, Managikiki/ Verakuji, 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 \$20,000to be made to a Bahomea 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  | Establish home garden improvement programme for Core Land Neighbourhood Communities where appropriate   | PO, Ministry of Agriculture, women's groups | by date of notice to vacate  |
|  |  | Temporary loss of direct access through the Core Land to the Upper Catchment for hunting and fishing expeditions | 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<br>Permit and monitor non-extractive use of remaining CL forest areas. | Developer, TCLC<br><br>Developer, TCLC      | by Year 1 of scheme operation<br><br>by Year 1 of scheme operation |

| 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;<br>Reduced food supply & security;<br>Reduced household incomes;<br>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                            | Until date to vacate  |
|   |   |  |   |   | Prepare and issue notice for asset owners to vacate with advanced warning  | PO, SIEA,                           | Deliver at least 3 months in advance of date to vacate  |
|   |   |  |   | 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.<br><br>Provision of 3 days labour (contracted locally) to clear the new garden area and prepare for planting under the guidance of the Garden owner.<br><br>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, asset owner<br><br>PO<br><br>PO | by date of notice to vacate<br><br>1-3 months after notice to vacate<br><br>By 6 months after notice to vacate. Monitoring inspection |
|   |   | Loss of fruit trees, including:<br>197 bananas, 12 mango (1 in common), 8 breadfruit, 2 malay apple, 1 guava,<br>Loss of nut trees including: 44 coconut, 25 betelnut, 20 ngali nut, 1 cocoa |   | Compensate for lost tree at market rates<br><br>Cash compensation for loss of production from fruit-bearing trees for the period needed to resume / restore production to the original level. (Based on agronomic factors and market value of lost production | 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.<br><br>Pay compensation for all productive trees as per December 2016 market value   | PO, SIEA                            | Until date to vacate.   |
|   |   | Loss of approximately 31 planted sago palms (estimate value \$1,550)   | Need to source building materials from further afield or market, including cash purchasing..  | Cash compensation for loss of production from fruit-bearing trees for the period needed to resume / restore production to the original level. (Based on agronomic factors and market value of lost production   | Free replacement tree seedlings of same species for planting on land outside of the boundaries of the acquired land<br><br>Free labour assistance with replanting (contracted locally, and paid for by PO).  | PO<br><br>PO and asset owner        | 1-3 months after notice to vacate<br><br>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)<br><br>Free use of the identified trees until notice to vacate. Owners may retain the produce and timber. | Inventory and valuation by qualified forester, consultation, and payment of compensation<br><br>Issue notice to vacate | PO<br><br>PO  | by August 2017<br><br>expires on date to vacate |
|  |  | Loss of 2 market stalls/huts   | Cost of huts. Temporary loss of trade.   | Compensation for cost of materials and labour plus 50%   | payment to owner of cost at market rates   | PO            | by date to vacate                               |
| <b>Registered land owners (voluntary acquisition)</b>              |  |  |  |  |  |               |   |
| Owners of registered land acquired for the infrastructure corridor | Perpetual estate and fixed term estate title holders:<br>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;<br><br>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            |   |



Figure 9-9-2 Vulnerable persons and women's development

| <i>Affected persons</i>  | <i>People/ places</i>  | <i>Impacts</i>  | <i>Livelihoods consequences</i>   | <i>Livelihoods Responses</i>   | <i>Actions</i>  | <i>Responsibilities for actions</i>                    | <i>Proposed Timeframe</i>   |
|--|--|---|---|--|---|--|-----------------------------|
| <b>Vulnerable affected persons and their households (number unknown)</b> | 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 hhds, 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<br>Enhance opportunities to improve standard of living through grants and employment<br><br>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  | PO   | By December 2017            |
|  |  |   |   |  | Establish database of vulnerable persons & households   | PO with assistance from NGOs and development agencies. |                             |
|  |  |   |   |  | Provide assistance to vulnerable households informed by results of survey and in consultation with VPs. Could include ensuring payments ae 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) |  |                             |
|  |  |   |   |  | 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 December 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<br>Impacts more likely to fall on women and children<br><br>Compensation for lost assets could be captured by elites and male household heads. | Decreased wellbeing of women & children   | Where possible, pay compensation for lost assets into senior female's bank account<br>Consult with women on implementation of other assistance (replacement gardens and assets) |   |  | Begin by August 2017  |
|                                     |  |   | Decreased wellbeing of women & children,<br>Loss of livelihoods development opportunities<br>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:</li> <li>• Sewing</li> <li>• Flower Arranging</li> <li>• handicrafts</li> <li>• Home-based bakery</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 August 2017  |

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## 9.6 COMMUNITY BENEFIT SHARE SCHEME

In addition to the livelihood restoration and improvement provisions set out in this LALRP, TRHDO PO proposes to prepare a benefit sharing fund for the communities of Malango and Bahomea. All members of the cultural community of Malango and Bahomea are within the benefit share community. The proposal is detailed in the Community Development Plan.

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, livelihood losses of project affected persons, or impacts of the construction and operation of the hydro power station. Measures to address safeguard requirements are elsewhere addressed in this LALRP and the ESIA.

The Community Benefit Share is proposed as two components:

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

To prepare the community for the benefit share arrangement, the TRHDP and the World Bank plan to pilot a project using the Japanese Social Development Fund (JSDF). 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. Importantly, the JSDF funded activities will support the development of the management and institutional arrangements for the ongoing management of revenue provided by the project.

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.

### 9.6.2 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.

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;
  - 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.

## 9.7 INSTITUTIONAL ARRANGEMENTS

This section provides details of the institutional arrangements of the implementation of the LALRP. Institutional arrangements for the implementation of the ESMP are set out in section 13.8 of the ESIA and institutional arrangements for the implementation of the Community Development Plan, including the community benefit share fund, are provided in the CDP.

### 9.7.1 Project Office

The main agent for the implementation of the LALRP will be the Tina Hydro Project Office. The Project Office has sufficient in-house capacity to undertake these tasks with the assistance of a locally engaged assets livelihood mapping and survey consultant. In addition to its in-house staff, the PO will have a panel of experts across the key environmental and social themes (terrestrial ecology, aquatic ecology, land acquisition, livelihood restoration etc.) which it will be able to recruit at short notice should any specific, detailed, information be required to ensure effective implementation, updating and monitoring of safeguard instruments. Funding for these engagements is incorporated into Component 1 of the WB proposal.

Proposed actions of the PO 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

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- 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.

As per the requirements of the World Bank, 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.

### **9.7.2 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.

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### 9.7.3 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.

## 9.8 IMPLEMENTATION SCHEDULE, RESPONSIBILITIES, AND BUDGET

Table 9-1proposes 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 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 in Table 9-1and 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, with a high level of involvement by the affected communities and with their approval. Proposed timetabling for livelihood restoration activities will need to be aligned with the TRHDP project implementation once finalised.

Activities must be initiated by, or completed by, the date for the vacation of the acquired land.

Table 9-1 – Tina Hydro Livelihoods Restoration Plan Implementation Schedule

| Action  | Lead Organisation         | Assisted by  | Completion deadline  | Budget estimate in SBD   | Financing Arrangements                                      |
|---|---------------------------|--|--|--|---|
| Appoint livelihoods restoration manager   | Project office            | Community leaders of men and women                     | Within 3 months of World Bank funding availability                       | \$150,000  | SIG   |
| Appoint livelihoods restoration women's officer   | Project office            | Community leaders of men and women                     | Within 3 months of World Bank funding availability                       | \$150,000  | SIG   |
| Updating and confirmation of tribal registers for co-operative society membership, photographing and opening bank accounts for each member  | Project office            | Matrilineal 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 | Within 3 months of World Bank funding availability                       | \$12,000   | SIG   |
| Draft LALRP including register of assets and owners affected by the land acquisition has been consulted and publicly disclosed.. Consultations to occurred in pijin in affected communities. Copies of the draft plan were made available to communities. | Project office            | Assets surveyor  | Prior to appraisal by the World Bank                                     | 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  | To be completed at least 1 month prior to new routes etc being required. | \$30,000 – Studies<br>\$500,000 - \$1 million – Construction<br>Estimate | Part of Developer costs under PPA – Set out in ESMP of ESIA |

| Action   | Lead Organisation | Assisted by  | Completion deadline   | Budget estimate in SBD                        | Financing Arrangements  |
|--|-------------------|--|---|---|---|
| Up-date asset surveys, establish cut-off date for entitlements. Close off the register of livelihoods and community assets   | Project office    | Assets surveyor                                    | Date of notice to vacate  | Nil.  | N/A   |
| Survey of household and individual asset owners, cut-off date for inclusion of 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   |
| Consultation and disclosure of final LALRP and entitlement matrix  | Project Office    |  | Upon completion of final LALRP and prior to any implementation activities identified in the LALRP |   |   |
| 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<br>for 2017. After 2017 lease payments from Developer to TCLC for Core Land will be |



| Action  | Lead Organisation   | Assisted by                                      | Completion deadline                     | Budget estimate in SBD  | Financing Arrangements  |
|---|---------------------|--|---|---|-------------------------|
|   |                     |  |   |   | 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 ongoing PO staff costs  | 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)<br>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  | SIG                     |

| Action   | Lead Organisation                          | Assisted by                                       | Completion deadline   | Budget estimate in SBD  | Financing Arrangements                                |
|--|--|---|---|---|---|
|  |  |   |   | garden x 17 gardens = \$17,000  |   |
| Update schedule of compensation rates for fruit and nut  | Ministry of Agriculture and Project Office | Project office, market researcher                 | May 2017 (and then as required to ensure market rates are paid) | \$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 plantations (estimated at \$300,000, subject to professional forester valuation) | SIG   |
| 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<br>Assets re-establishment crew | Prior to the commencement of project construction               | Part of Developer's cost of implementing ESMP in ESIA   | Part of Developer's cost of implementing ESMP 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<br>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  | SIG   |

| Action   | Lead Organisation    | Assisted by  | Completion deadline                         | Budget estimate in SBD   | Financing Arrangements |
|--|----------------------|--|---|--|------------------------|
|  |                      |  |   | identified as losing more than 10% of livelihood. Assume 5 x 25,000 for budget purposes        |                        |
| 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                    |
| Prepare training plan and establish skills training for women of Bahomea                                       | Project office       | Woman's agencies, community members<br>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.     | \$20,000 US per year for two years = \$315,000 SBD   | SIG                    |



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## 9.9 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 9-3 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   | Bettlenut  | 1              | Mature Plants  |
| 11 | Banana Patch | Banana     | 9              | 50% are Mature Plants  |
| 12 | Fruit Tree   | Bettlenut  | 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   | Bettlenut  | 1              | Mature Plant   |
| 18 | Fruit Tree   | Coconut    | 1              | Mature Plant   |
| 19 | Banana Patch | Banana     | 29             | Young Plants & Mature Plants   |
| 20 | Fruit Tree   | Bettlenut  | 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              | Pinepple | 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 Chaku's 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              | Pinepple      | 61        | Non-bearing plants.  |
| 78 | Planted Commercial Tree | Teak          | 29        | Trees range from 5-15 years old.                                   |
| 79 | Fruit Tree              | Pinepple      | 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  |  |

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|    |              |            |   |                         |
|----|--------------|------------|---|-------------------------|
| 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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## 10 GRIEVANCE RESOLUTION

### 10.1 TYPES OF GRIEVANCES

The WB 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.

In line with World Bank policies on land acquisition (resettlement) and with guidance from WB policies on engagement with Indigenous People, (and other development banks) 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 6. Administrative and judicial remedies, and the legal assistance provided to tribes with respect to these, are also set out in Chapter 6.

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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.

## 10.2 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 10.3 . 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 Environment and Social 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.

### **10.3 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 6, however, any future grievances may still be raised in accordance with this mechanism.

The mechanism employs a four person appeals committee, constituted by the Project Manager, the Community Relations Manager, a community representative and a legal representative from the Attorney General's Chambers. Where an appeal is brought by a woman, the appellant may request that the community representative position is held by a woman.

The availability of legal appeal avenues will depend upon the grievance raised. Examples of legal avenues available will include claims of trespass and negligence to the Magistrates Court and High Court where grievances relate to asset damage.

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.

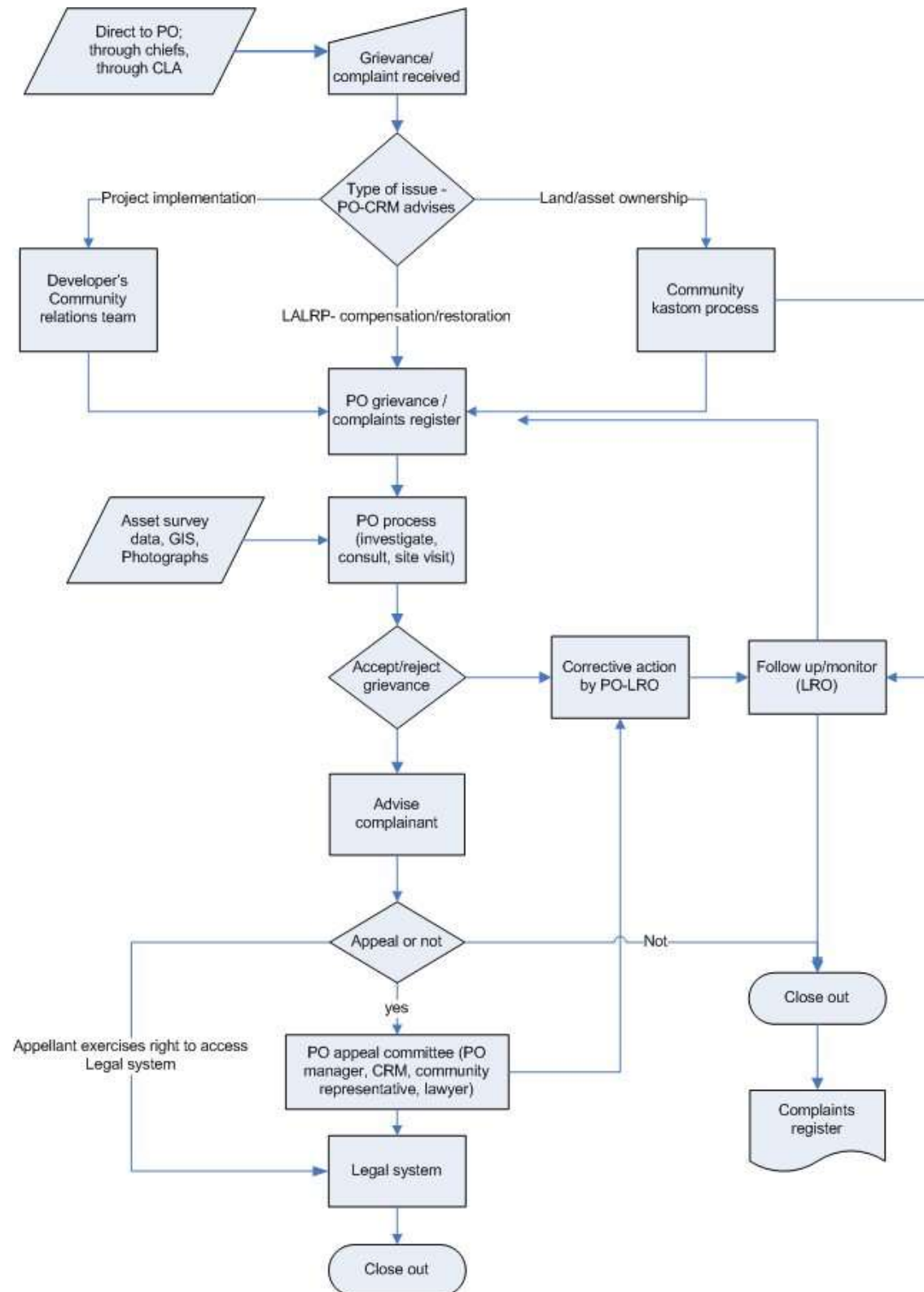
A schematic process for dealing with grievances and complaints etc. is presented on Figure 10-1 Grievance resolution process and options. The PO's CRM / LRO will establish and maintain systems for

- 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 10-1 Grievance resolution process and options



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## 11 MONITORING

### 11.1 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 requires 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.

### 11.2 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;

- 
- 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.

### **11.3 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 and to the public through the PO's website.

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## 12 RESETTLEMENT AND LIVELIHOODS RESTORATION FRAMEWORK FOR THE LUNGGA TRANSMISSION CORRIDOR

### 12.1 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 Ngalimbiu/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 safeguard requirements.

Land acquisition for the LTC will be subject to the provisions of the World Bank's OP4.12 – Involuntary Resettlement, OP4.10 – Indigenous Peoples as detailed in Chapters 4 and 5 of the project LALRP.

### 12.2 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.

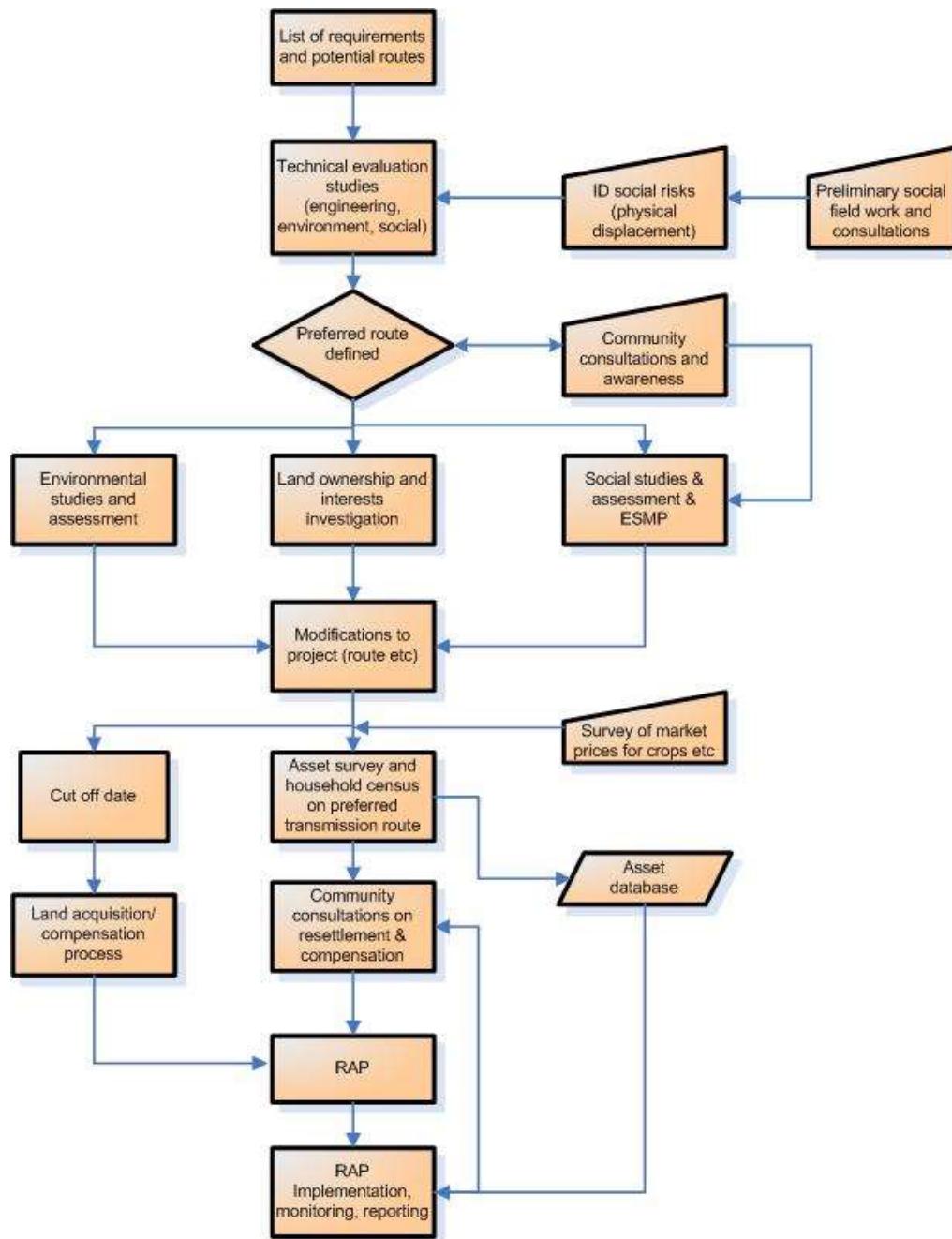
## **12.3 PREPARATION OF A RESETTLEMENT ACTION PLAN**

A Resettlement Action Plan (RAP) will need to be prepared, consulted/disclosed and implemented for the LTC in accordance with this framework. The RAP will require clearance by the World Bank.

Since impacts are expected to be minor, with no relocation and less than 200 people affected, an Abbreviated Resettlement Action Plan would be required. While the specific information will vary depending upon the particular circumstances, details on the following elements are essential and will need to be included in an abbreviated RAP:

- (a) A census survey of displaced persons and valuation of assets;
- (b) Description of compensation and other resettlement assistance to be provided;
- (c) Consultations with displaced people about acceptable alternatives;
- (d) Institutional responsibility for implementation and procedures for grievance redress;
- (e) Arrangements for monitoring and implementation; and
- (f) A timetable and budget

Figure 12-1 Impacts identification and management process



## 12.4 PRINCIPLES UNDERPINNING THE RAP FOR THE LUNGGA 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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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 and Solomon Islands legal requirements, will be embedded in the RAP to be prepared once Solomon Power transmission route needs are finalised.

## **12.5 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, 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



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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.

## 12.6 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
- 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 12-1 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 12-1 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 12-1 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.<br>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,<br>Loss of workplaces,<br>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.<br>Provide practical support.  | No compensation for land<br>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).<br>The AP will have the right to recover, free of charge any materials for sale or reuse before vacating the site.<br>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.<br>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.<br>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;<br>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.<br>The area for the new garden must be identified by the owner of the garden and their household and approved by the landowner.<br>Provision of 3 days labour (contracted locally) to clear the new garden area and prepare for planting under the guidance of the garden owner<br>Geo-referenced register of new gardens created.<br>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;<br>reduced household incomes;<br>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.<br><br>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.<br>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).<br><br>Cash compensation for loss of production from fruit-bearing trees for the period needed to resume / restore production to the original level. (Based on agronomic factors and market value of lost production),<br><br>Geo-referenced register of new plantings.  |

| <i>Affected persons</i>  | <i>Impacts</i>                                       | <i>Livelihoods consequences</i>   | <i>Livelihoods Responses</i>  | <i>Actions/entitlements to be provided for</i>   |
|--|--|---|---|--|
|  |  |   |   | 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.   |
|  | d) loss of water sources                             | Loss of water supply for home and productive use,<br>Increased expenditure<br>Lost production from gardens, animals etc<br>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<br>Cost of repair/reinstatement  | Rehabilitation/reinstatement of land to previous productive capacity,<br>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<br>Reduced wellbeing   | Sustain livelihoods and incomes during the construction<br>Reinstate livelihoods activities and assets                            | If damage to assets (structures, crops etc) is unavoidable, the developer will<br>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<br>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)<br>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<br>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<br>Restore assets to same or better standard as soon as possible<br>Provide temporary alternative                  | Direct consultation and negotiation with the asset owners/affected communities.<br>Possible responses include<br>Pay meetings costs /ceremonials<br>Pay institution/organisation compensation for damages to the asset<br>Where appropriate, provide temporary alternative<br>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<br>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</b>                                     | Potential for decreased access to land for food      | Danger of impoverishment or further impoverishment,   | Prevent exposure to losses<br>Replace/re-establish lost or damaged assets   | Assess vulnerability to poverty of each identified asset owner through the survey of APs<br>Establish database of vulnerable persons & households  |

| <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>determined by household survey</b><br>Potentially Includes<br>Asset owners and users on corridor land who have significant handicaps, are unemployed, are elderly living alone, live in low income households, and /or have no legitimate land use, occupancy , or resource rights. | production, access to other resources.  | threat to personal and household wellbeing  | Provide alternative sources and means that can enhance livelihoods and improve their sustainability<br>Compensate for losses  | Provide free assistance to VPs and their households informed by results of survey and in direct consultation with VPs over their needs and capabilities.<br><br>Possible actions include:<br>- ensuring compensation and assistance payments are made directly to women,<br>- assisting VPs and households with bank account access,<br>- providing practical assistance with re-establishing and maintaining household food production,<br>- providing training and practical assistance with income generating activities (such as niche crops, handicrafts development, home-based small enterprise. Etc)<br>- providing employment on the transmission line construction and livelihoods restoration activities<br>- providing enabling equipment and access to health care to invalided sick and the handicapped<br>- investigating with the SIG and corporate and institutional land owners the provision of legal access to land for the non-titled/ informal occupant APS |
| <b>6. Women in affected households</b>   | Range of livelihoods<br>Impacts more likely to fall on women and children<br><br>Compensation for lost assets could be captured by elites and male household heads.<br><br>Loss of control over essential household resources | Decreased physical and psychological wellbeing of women & children<br><br>Loss of livelihoods development opportunities<br><br>Poverty/hardship | Where possible, pay compensation for lost assets into senior female's bank account<br>Consult with women on implementation of other assistance (replacement gardens and assets)<br>Provide training to affected women in alternative and enhanced livelihoods, and skills.<br>Plan livelihoods interventions in close consultation with women in affected communities | Consult with women APs separately about design of interventions and using data from household survey<br>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.<br>Provide training opportunities for women APs, especially for home and community-based business and employment   |

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## **12.7 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 will meet World Bank requirements.

The grievance redress mechanism will be integrated with the grievance mechanism and associated organisational arrangements being established for the Tina Hydro Development described in Chapter 10 of the LALRP.

## **12.8 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 follow similar procedures and methods, as those being established for the Tina Hydro Development.

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. See Chapter 11 of the LALRP for details.

## **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  |
|--|----------------------|--|--|
| <b>SENGE COMMUNITY</b>                 | SENGE                | Fishing & Diving (spears and lines - 19+ types of fish named); Gathering food (5 types, incl watercress & betelnut, cocoa, fern/ <i>kaisume</i> , 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;<br>Marketing (ferns, tomato, eggplant, timber);<br>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               |  |  |
| <b>VERAKUJI - MANAGIKIKI COMMUNITY</b> | VERAKUJI             | Subsistence gardening (list of 15+ crops); Fishing; Hunting (wild pig, possum, hunu, 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);<br>Handicrafts (baskets, weaving);<br>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             |  |  |
| <b>ANTIOCH COMMUNITY</b>               | ANTIOCH              | Gardening<br>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, hunu, 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             |  |  |
|  | KOLANJI              |  |  |
|  | KOMEIO               |  |  |
| <b>MARAVA COMMUNITY</b>                | MARAVA               | 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;<br>4 employed in GRML; logging; milling timber (employees share proceeds), timber retail; selling firewood;<br>Cocoa to local buyers; Women's jobs (weaving, flowers; baking); operating small canteens;<br>Royalty payments from GRML, (Have been recent Improvements to housing, roads, communication, health) |
|  | NGONGATI             |  |  |
|  | VATUPAUA             |  |  |
| <b>PACHUKI COMMUNITY</b>               | PACHUKI              | 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);  |

| TINA CATCHMENT COMMUNITIES | VILLAGES REPRESENTED | REPORTED LIVELIHOODS ACTIVITIES   | EMPLOYMENT & CASH ECONOMY  |
|----------------------------|----------------------|---|--|
|                            | HABUSI               | Gathering (kasume, rova, boto, kaimomosu, kaichiui, bania, kaikai, wild yam (bokoa, uvi kambe, tege), matua.  | 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             | Gardening (left to regrow as forest after 1 year, left for 5 years before cultivated again).<br>Hunting (wild pigs, lizards); Fishing & eeling (5 locations);<br>Gathering river Plants (list of 23 types);; Emergency Wild Food (used during cyclone in 1986) including uvi kanbe, ngali nut, poicho, matua. | No salary earners in the village but Day Labourer's earn \$50 - 200 for clearing / brushing, \$2000 - 5000 for house building; Marketing (bettlenut, flowers, loyacane, banubu, sago palms); Crops (cabbage, potato, kasava, coconuts); Timber milling; Hunting and fishing (selling);Piggery; Gravel (Pacific Timber);                                    |
|                            | KOMUREO              |   |  |
|                            | VATUNADI             |   |  |
|                            | VALELCOCHA           |   |  |
| TINA COMMUNITY             | TINA                 | Gardening (veges, root crops, fruit) - womens activites involve gardening;<br>Fishing -using line, net and diving (10+ types of fish);<br>Hunting (only between Toni and Tina);<br>Gathering wild yams etc;   | Employed: 12 GoldRidge, 1 GPPOL, 3 teachers, 1 THP office, 1 public servant, 2 police; local timber milling<br>Marketing at Honiara market (vegetables; crops like potato, cassava, taro; clothes; flowers; wild pig meat)   |
|                            | VALEBARIK            |   |  |
|                            | VALEBEBE             |   |  |
|                            | TAHURASA             |   |  |
|                            | VALEMAOTA            |   |  |
|                            | Kaithana             |   |  |
| VURAMALI COMMUNITY         | VURAMALI             | Gardening (cabbage, eggplant, tomato, capcicum),<br>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;<br>Royalties from mining, logging;<br>15 people at Haimane employed (GRML, GOV, CBSI, ports, Fisheries, teaching); timber milling; canteen; weaving and handcrafts (mats, baskets); sewing; royalties from Gold Ridge; many unemployed youths in the village |
|                            | HAIMANE              |   |  |
|                            | HOROHOTU 2           |   |  |
|                            | VUVAMALI             |   |  |
| HOROHOTU I                 | HOROHOTU 1           | Gardening (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;<br>Paid Employment - 12 including with World Vision - 1; Warden - 1; GRML - 1; GPPOL - 6; Aviation -1; Logging Company - 2;   |
| VERA-ANDE COMMUNITY        | VERA-ANDE            | Gardening is families' main source of food.<br>Fishing and Diving along Tina by young people (no hunting);  | Marketing of cocoa, kasune, cake, bettlenut, rolled cigarettes, 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; Piggery (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)                        |
|                    | PAMPHILIA |   |   |
|                    | NAMORAONI |   |   |
|                    | SUNGINA   |   |   |
|                    | CHICHINGE |   |   |
| BELAHA COMMUNITY   | ADO       | Gardening<br>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),<br>Day Labour; Timber; Piggery and Poultry; Services (transport, store);<br>Running small business, 50% of garden production is for cash crops); Market (cocoa, bettlenut, copra, fish, gardening, coconut); timber milling;<br>Running small shop (rice, taiyo, noodle, drinks)<br>Gold prospecting, |



## **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.