
Resettlement Policy Framework:

Funafuti Airport and Road, Tuvalu Aviation Investment and Tuvalu Electricity Sector Development Projects



Resettlement Policy Framework:

Funafuti Airport and Road
and

Electricity Sector Development Projects

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and

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(Number)

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Abbreviations

APL	-	Adaptable Project Loan
APs	-	Affected Persons
ARP	-	Abbreviated Resettlement Plan
CEF	-	Compensation and Entitlement Forms
DMS	-	Detailed Measuring Surveys
EA	-	Executive Agency
ESDP	-	Electricity Sector Development Project
GoTv	-	Government of Tuvalu
HOH	-	Head of Household
IA	-	Implementing Agency
IAP	-	Indirectly Project Affected Persons
ICAO	-	International Civil Aviation Organization
IDA	-	International Development Association
IR	-	Involuntary Resettlement
MCT	-	Ministry of Communications and Transport
MEL	-	Ministry of Environment and Lands
MFATTEL	-	Ministry of Foreign Affairs, Trade, Tourism, Environment and Labour
MFED	-	Ministry of Finance and Economic Development
MHARD	-	Ministry of Home Affairs and Rural Development
MOH	-	Ministry of Health
MPU	-	Ministry of Public Utilities
OLS	-	Obstacle Limitation Survey
PAIP	-	Pacific Aviation Investment Program
PDO	-	Project Development Objective
PIB	-	Project Information Bulletin
PRIF	-	Pacific Regional Infrastructure Facility
RP	-	Resettlement Plan
RPF	-	Resettlement Policy Framework
TA	-	Technical Assistance
TANGO	-	Tuvalu Association for Non-government Organizations
TEC	-	Tuvalu Electricity Corporation
TvAIP	-	Tuvalu Aviation Investment Project
WB	-	World Bank

Executive Summary

A. The Government of Tuvalu is working with the World Bank to develop two projects; Aviation Investment, and Electricity Sector Development.

To meet a need for air services to international standards that is critical to its development objectives, the Government of Tuvalu has sought assistance from the World Bank to implement the Tuvalu Aviation Investment Project (TvAIP). The Ministry of Communications and Transport (MCT) is the Implementing Agency (IA) for the project.

The TvAIP will focus on three main areas:

- (i) infrastructure investments;
- (ii) aviation sector reform;
- (iii) strengthening the operations and management of the airport.

The TvAIP is a category B project for purposes of World Bank environmental and social impact classification. Its negative social impacts are expected to be few in number, site-specific, mainly temporary, relatively minor in nature, and readily addressed through avoidance, mitigation and resettlement measures. The present document addresses two sub-projects of infrastructure investment that require resettlement planning:

- i) Improvements to Funafuti International Airport, Funafuti, Tuvalu to meet International Civil Aviation Organisation (ICAO) standards
- ii) Improvements to the road linking Funafuti International Airport on Funafuti Island, Tuvalu.

The Electricity Sector Development Project (ESDP) will assist to build resilience against exogenous shocks by reducing Tuvalu's dependence on imported diesel through enhancing energy security, diversifying the electricity generation mix and improving the efficiency of the system. The project has three components.

Component 1: Improving the efficiency of TEC's electricity system. This component will involve two subcomponents:

- a. Pre-payment meters: The project will finance the procurement and installation of pre-payment meters on all accounts, with Smart meters being considered for large accounts. The project will also include a capacity building program for TEC staff and a program to raise awareness of consumers.
- b. Communications system, data and voice communications): The project will finance the installation of a satellite and wireless communication system to facilitate voice and data communications between the outer islands and the head office in Funafuti.

Component 2: Renewable Energy and Energy Efficiency. This component will focus on improving Tuvalu's renewable energy penetration in Funafuti. By carrying out energy and power system modeling for the system, a best solution for increased RE penetration will be proposed. Applying a process of grid integration and enabling technologies, and combining with energy efficiency measures, significant improvements can be made for increasing the overall RE penetration.

Component 3: Technical Assistance to TEC. This component will support: (i) project implementation and building capacity to operate, manage and maintain systems, including collecting electricity data and statistics, and development of an information management system; (ii) strengthening energy planning following a whole-of-sector approach, including the petroleum sector; and (iii) technical studies related to the energy sector. The ESDP is also a Category B project, with limited and mitigable foreseen impacts.

As precise alignment of the areas affected by the projects has not been determined, a Resettlement Policy Framework (RPF) is the appropriate resettlement instrument.

B. The RPF observes the principles and objectives of World Bank Operational Policy 4.12, Involuntary Resettlement (IR).

C. The RPF describes the actions that MCT and MPU will take to develop the Resettlement Plan (RP) or Abbreviated Resettlement Plan (ARP), its implementation and monitoring.

D. Land on Tuvalu belongs to the Government. Both projects are expected to be implemented largely within the footprint of existing infrastructure, and already reserved or restricted land. Physical displacement is not expected. Resettlement impacts and entitlements will relate mainly to temporary disruption during construction,

and loss of informal access to reserves and restricted areas under the TvAIP, and to land requirements and construction impacts of communications facilities under the ESDP.

E. Associated losses due to both projects, temporary or permanent, may include trees, produce and structures; loss of income; changes in air, water and soil quality, loss of amenity, noise and light pollution that might impact livelihoods or property values. Quarrying for the TvAIP will entrain permanent environmental change, but is within an existing GoTv facility, and is expected to have minimal social impact.

F. Relevant Borrower legislation and regulation is in harmony with World Bank policy in relation to resettlement.

G. Identification of the affected assets and values will be completed after consultation and disclosure, during the development of the RP. Valuations are currently under revision. The updated Government valuations will be available for application to the projects.

H. MCT and MPU will discuss with Affected Persons (APs) and disclose mechanisms for transfer of entitlements under their respective projects, and will ensure that full compensation payments are made before the start of project works. MCT and MPU assume responsibility for the implementation of the RP in relation to their projects, and for the supervision and performance of any other agency contracted to assist. Independent scrutiny of the process will be arranged. Records will be kept publicly available.

I. The finalised RP will take account of feedback from public meetings. Socioeconomic surveys of APs identified for each project will provide information for an AP baseline profile and for the Entitlement Matrix. APs will be notified of entitlements, times and places of transfer. Transfer of entitlements will precede the incidence of the loss they compensate. MCT and MPU will ensure that all transfers are made free of encumbrances. The process will be subject to independent scrutiny. The same principles may apply to other project components.

J. A Grievance Redress Mechanism will be developed and disclosed with the RP.

K. Cost estimates will be finalised when the updated Government valuations are to hand. They will include administration, resettlement costs, and allow for grievances and contingencies.

Resettlement funds are a GoTv contribution, and will flow through normal Implementing Agency (IA) channels. If the IAs use another Government agency for delivery of entitlements such as the Ministry of Natural Resources Environment Agriculture and Lands, their normal disbursement process will apply. There will be independent scrutiny.

L. Consultation and participation is planned with all stakeholders. First, a whole-of-government approach will be determined, followed by public disclosure about the projects through the media, and to Falekaupule¹ of affected communities. The Tuvalu Association of Non-Governmental Organisations (TANGO), and if appropriate, individual NGO members, and the Chambers of Commerce will be consulted. APs will be engaged in focus group discussions of both men and women in the planning stage, in socioeconomic surveys, in implementation of the RP and delivery of entitlements, and in further focus group discussions during implementation and monitoring of the RP and the project.

M. The IAs will follow their internal monitoring and reporting process for the RP, but will also at the outset of public engagement seek AP or NGO identification of indicators of interest to them, and will seek to engage them in the monitoring process. If interest and numbers warrant, a limited follow-up survey of attitudes to the RP and the project may be performed for inclusion in post-project impact reporting, to give a before-and-after comparison.

¹Falekaupule – Traditional Meeting Hall

1.0 Project Description

1.1 Background and Rationale for the Projects

1. The projects are the Bank's first ever IDA financed investments in Tuvalu.
2. The aviation components are part of the 'Pacific Aviation Investment Program' (PAIP) Regional Adaptable Program Loan (APL). The PAIP project development objective (PDO) is "to improve operational safety and oversight of international air transport infrastructure." Road infrastructure associated with airports is already included in the APL. The original TvAIP financing was US\$ 11.85 million, approved December 13, 2011.
3. Tuvalu is a unique country. The main island of Fongafale on Funafuti atoll, home to the capital and just under 50% of the country's population of some 10,000 people, is at its widest point only 650m wide, with much of this land taken up by the runway for the international airport. Much of Fongafale is less than 75 m wide. According to the South Pacific Commission, after Nauru, Tuvalu's population density is on the second highest in the Pacific, with 431 persons/km², and the density is higher in Fongafale given the limited land area. Fongafale is home to the country's hospital, high schools, a branch campus of the University of the South Pacific, radio station, main port, as well as most of the businesses.
4. The approximately 15 km road network in Fongafale was paved around 2000 and is reaching the end of its service life. Since the TvAIP project was appraised in August 2011, the deterioration of the road has markedly increased and the heavily trafficked section adjacent to the airport is now starting to pothole. Other sections are also potholing, and unless the less trafficked, better performing sections receive treatment soon, they will also begin to fail.



Source: AECOM Consultants

1.2 The Aviation Investment Project

5. The GoTv has approached the World Bank for support in the aviation sector. A Tuvalu Aviation Investment project (TvAIP) is in progress. The project serves the development objectives of (i) providing safe, secure and reliable infrastructure for Tuvalu's airports and airstrips; (ii) improving the regulatory environment; and (iii) providing sustainable management and operation of the international airports.
6. The Government of Tuvalu (GoTv) requested that the repair and resurfacing of the roads be done at the same time as the proposed runway resurfacing. The same technology would be used, and having a single contractor procured to repair both the roads and runway at the same time will offer significant economies of scale. The GoTv has no option but to undertake the works within the next few years. Including the road at the same time as the runway works offers a number of major advantages for the GoTv:
 - i. the roads will be repaired before they deteriorate further, resulting in less expensive and more durable works and ensuring the integrity of the network remains to minimize future maintenance expenditure;
 - ii. the aggregate for the road and runway works need to be imported from Fiji and it will be easier for the GoTv to manage the environmental impact of this with only a single contractor;
 - iii. it will be much less expensive since delaying would necessitate a second contractor from overseas doing the works which would be more expensive due not only to the smaller scale of works, but also the very high mobilization costs (which would be on the order of US\$ 1 million or more based on recent experiences with bidding the Kiribati Road Rehabilitation Project), material logistics, and will be largely subsumed within the runway works;
 - iv. it will be necessary to procure a new supervision consultant rather than have the supervision done by the same consultant as supervising the runway works.

1.2.1 Project Management and Components

6. The TvAIP has the following components that are relevant to this RP:
 - (A) International airport infrastructure
 - (B) Strengthening of the aviation sector
 - (C) Airport management and operations.
 A fourth component, project support, will have no impacts.

Additional finance has been secured for associated road improvements, which will be covered by the RPF.

5. As the Implementing Agency (IA) for the TvAIP, the Ministry of Communications and Transport presents this Resettlement Policy Framework (RPF), addressing the steps to be taken to meet Tuvalu legal, and World Bank policy requirements for the Resettlement Plan (RP).

6. The RPF addresses the two sub-projects of Component A of the TvAIP for which funding is secured and that require resettlement planning; the improvements to Funafuti airport and Fogafale road on Funafuti Island.

7. This RPF is based on credible secondary sources. Stakeholder consultation will be undertaken by MCT in preparation of the RP, with arms-length support from international consultants AECOM as part of the firm's contract for rehabilitation work for Funafuti Airport and Safeguards Documents.

8. MCT will set up a Project Management Unit within the Ministry, and appoint Safeguard Officers who will develop and implement the RP.

1.2.2 Investments

9. The World Bank is providing an IDA Grant and PRIF Grant for the TvAIP. Outcomes will be an ICAO-compliant Funafuti International Airport with improved security for air operations, an improved road between the airport and the port on Tuvalu, enhanced safety provisions for all road users and reduced wear and tear on vehicles. This RPF will apply for the World Bank and PRIF.

1.2.3 Funafuti International Airport

10. To meet ICAO standards, the Funafuti International Airport runway requires resurfacing or rehabilitating and upgrading the runway, taxiway and apron for a projected life of 20 years before any further resurfacing or major maintenance work is required with, where possible, a minimum PCN of 18 to allow for emergency flights.

11. It also needs upgrading of specific navigational aids and other safety and security facilities to meet ICAO requirements.

12. The terminal needs improvements to ensure safe and efficient movement of passengers, baggage, and freight. At the same time the upgraded terminal will provide environmentally sustainable alternatives for running the airport facilities, such as rainwater harvesting, power generation from renewable energy sources, and use of energy efficient equipment and lighting to reduce energy consumption and carbon emissions to strive toward reduction of greenhouse gas emissions and carbon neutral operations for all three facilities.

13. TvAIP needs to ensure that all improvements are compliant with ICAO Standards and Recommended Practices (SARP) in view of carrying-out an airport certification program.

14. An Obstacle Limitation Surface Assessment is required under the project to ensure that all obstacles on the runway will be removed, which will have no settlement implications.



Figure 1: Funafuti Airport with the existing 80m runway strip and transitional OLS protection limit for structures of 4m shown as blue line.

1.2.4 Tuvalu Road

15. Tuvalu Road with approximately 14km of sealed length of coronous based aged pavement. The surfacing bitumen is heavily oxidised and requires rejuvenation and/or resurfacing.

The road area is in the order of 100,000m², (14km by 7m wide plus intersections and turning bays at road ends and similar). This is approximately twice the size of the airport pavement extents. There are several intersections in the central section of the island which may benefit from safety improvements; similarly road furniture such as foot paths and pedestrian crossing in built up areas, especially around schools could be beneficial.



Figure 1 Road routes in colour yellow on Funafuti Island

1.3 Electricity Sector Development

16. Tuvalu has a policy to provide adequate, efficient and cost effective economic infrastructure to its population, including electricity. It aims to improve the provision and quality of services to the outer islands, and ensure more efficient and less subsidized services overall. The Tuvalu National Energy Policy (TNEP) was formulated in 2009 and clearly defines and directs current and future energy developments. The TNEP highlighted an ambitious target of 100% renewable energy for power generation by 2020.

17. The major issues presently facing the power sector include: (i) the high dependency on imported fuels, (ii) TEC's insufficient revenues from tariffs to meet operating and maintenance costs (requiring additional subsidies

from the Government), (iii) the high cost of generator maintenance in a marine environment, and (iv) the need for capital to finance the outer island power infrastructure requirements.

18. The Electricity Sector Development Project (ESDP) addresses an identified priority of “building resilience against exogenous shocks” as a major theme of the World Bank’s engagement with the Government of Tuvalu (GoTv). Reducing Tuvalu’s dependence on imported diesel fuel will reduce exposure to oil price shocks, such as the one that severely affected the region in 2008. The project development objective is to support Tuvalu enhance its energy security by improving the efficiency and sustainability of the electricity system.

1.3.1 Components and Management

19. The electricity sector is managed by the Department of Energy within the Ministry of Public Utilities. The Government established the TEC in 1991 and in 2010 TEC became a fully State Owned Enterprise (SOE), with the responsibility for managing and operating grid connected systems on eight islands.

20. The project will consist of three components to be implemented by TEC.

21. **Component 1: Improving the efficiency of TEC’s electricity system.** This component will involve two subcomponents:

- a. Pre-payment meters: TEC has a high level of outstanding debtors, with accounts receivable standing at over 100 debtor days, i.e. over 3 months. The project will finance the procurement and installation of pre-payment meters on all accounts, with Smart meters being considered for large accounts. The project will also include a capacity building program for TEC staff and a program to raise awareness of consumers.
- b. Communications system, data and voice communications): The project will finance the installation of a satellite and wireless communication system to facilitate voice and data communications between the outer islands and the head office in Funafuti.

22. **Component 2: Renewable Energy and Energy Efficiency.**

23. Key elements of the process involve: In line with the Energy Master Plan and TEC’s vision for 100% renewable energy generation by 2020, this component will focus on improving Tuvalu’s renewable energy penetration in Funafuti. By carrying out energy and power system modeling for the system, a best solution for increasing RE penetration will be proposed. Applying a process of grid integration and enabling technologies, and combining with energy efficiency measures, significant improvements can be made for increasing the overall RE penetration.

24. **Component 3: Technical Assistance to TEC.** This component will support: (i) project implementation and building capacity to operate, manage and maintain systems, including collecting electricity data and statistics, and development of an information management system; (ii) strengthening energy planning following a whole-of-sector approach, including the petroleum sector; and (iii) technical studies related to the energy sector.

1.4 Resettlement Plan

25. The exact nature of the investments, detailed design of the engineering works and precise siting of infrastructure works for the projects has not been determined, and will be decided taking in to account feedback from initial consultations with stakeholders and APs. A Resettlement Policy Framework has therefore been selected as the appropriate social safeguard instrument. As a Category B project, it is not anticipated that there will be substantial resettlement requirements, and no physical displacement is envisaged in either project. The RPF describes the policies and procedures leading to development of the RP, which is to be completed in the detailed planning stages of the projects or sub-projects, prior to implementation of the civil works. The RP will be developed in conformance with World Bank Operational Policy 4.12, Involuntary Resettlement, Annex A paragraphs 1-21. If resettlement affects fewer than 200 people, and impacts are minor, an Abbreviated Resettlement Plan (ARAP) will be developed as per Operational Policy 4.12, Annex A para 22. The RP or ARAP will form part of the agreement between the GoTv and the World Bank. For brevity, the term ‘RP’ will be used in this document to refer to whichever resettlement instrument is selected.

2.0 Principles and Objectives

26. World Bank Operational Policy 4.12, Involuntary Resettlement, and similar best international practice planning instruments require projects to meet both national and international social safeguard criteria in the planning, delivery, use and impacts of the project.

2.1 Principles and Objectives

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

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

29. In the present projects, the policy objective to avoid, and where avoidance is not possible, to minimise impacts will inform the final technical design and implementation planning of the works. To ensure that the projects contribute to the objective of sustainable development, the IAs plan comprehensive disclosure and consultation process that includes all stakeholders (see Annex A). The consultation process with APs will reveal all foreseeable impacts, and will elicit AP concepts of how mitigation options and resettlement planning can contribute to their aspirations for sustainable restoration or improvement of their livelihoods.

30. If there is loss of land, and land-based assets, the aim will be to replace like for like, and if this is not possible, to compensate for lost land, assets and income, and meet the costs of relocation and restoration of livelihoods. Restoration includes not only physical assets, but also social and cultural assets. If there is a risk of disruption of these values, which are often disproportionately encountered by women, the APs will contribute to selection of mitigation and resettlement options to ensure policy objectives are met.

3.0 Resettlement Plan Process

3.1 Preparation and Approval

31. In the preparatory stage, the projects will appoint Safeguards Officers reporting to the Project Manager in the Project Management Unit of the relevant IA. The Safeguards Officers will prepare and implement the RP as follows:

- Immediate consultations with relevant senior officials in government stakeholder Ministries to ensure a whole-of-government approach to the project, and with any critical commercial stakeholders such as TEC and the airline operators respectively, if required.
- For each project, review of all the land leases: Funafuti International Airport and Tuvalu Road, and of conditions through to hypothetical termination of the leases and disposal of land-based assets; land that may be required for communications installations under Component 1 b of the ESDP.
- Preparation of Project Information Bulletins (PIB) in Tuvaluan and English (see Annex B) describing the project parameters, anticipated impacts, resettlement assistance criteria, and cut-off date for entitlements
- Public disclosure about the project through release of the PIB to the media and the Falekaupule in known impact areas.
- Commencement of the public consultation process for each project after disclosure (see Annexes A and C for modes of engagement and content of consultations).
- Socioeconomic survey and census of APs and affected assets (Annex D), preparation of an AP profile, asset inventory, draft entitlement matrix and budget.
- Draft RP including criteria for eligibility, categories recognised, grievance mechanism resettlement process and timeline based on feedback from consultations.
- Disclosure of the Draft RP information through the media in updated PIB.

- Finalisation; GoTv and World Bank Approval of the RP.
- Posting of the RP on the GoTv and World Bank websites.
- Simultaneous public disclosure of the RP through an updated PIB announcing the approved Resettlement Plan and institutional arrangements, ongoing consultation and grievance mechanisms, and implementation schedule for transfer of entitlements to Aps.
- Preparation of individual compensation and entitlement (CEF) forms for each AP, specifying amounts, times and places of payment (see pro forma, Annex G).
- Restoration of any borrowed land; transfer of entitlements and acquittal by Aps.
- Recording and periodic reporting through the Project Manager to donors and financiers.
- Monitoring, with AP and community participation.
- Publication of outcomes.

3.2 Further Actions

32. If any unforeseen impact is identified after approval, updates to the RP will be prepared and disclosed.
33. If the detailed design and alignment of works prove to involve any protected area, a Resettlement Process Framework will be prepared.
34. Additional project subcomponents of the TvAIP and ESDP may be covered if appropriate by an Abbreviated Resettlement Plan informed by the same principles and process as this RPF.

4.0 Estimated Population Displacement

4.1 Population displacement

35. It is not anticipated that there will be physical displacement or severe negative impacts resulting from any of the projects or sub-projects under review. Lands on Tuvalu Islands belong to the GoTv. The improvements to roads are likely to take place within the existing road footprint and road reserve. There may be temporary incursion into land beyond this line if required, for example for stockpiling during construction. In this event, all efforts will be made to avoid public danger or inconvenience. There will be temporary impacts from noise, dust and traffic disruption.
36. The Funafuti airport land is leased from private owners and there has not been any dispute or anticipated dispute on this arrangement. Improvements are planned within the current airport boundaries. Clarification of the term and conditions of leases, and the ownership, management and eventual disposal of any investments or improvements on the land is not expected to result in any land acquisition or displacement.
37. Some land or roof space is likely to be required for the ESDP communications components. Initially Government owned or leased land and buildings will be sought. If unavailable, sites will be selected to minimise impacts on livelihoods or social amenity.

4.2 Categories of Displaced Person

38. As land acquisition is unlikely, APs will probably not be titled land-holders. All APs will be taken into account, regardless of age, sex or social status. Individuals suffering project related loss of assets or income will be recognised. The foreseeable categories of displaced person are:

Tuvalu Road

- Vehicle users of about 15.5 kms of road on Funafuti, affecting most of the population of around 5,000, and an estimated 1,300 motor units (75% motorbikes, 20% motor vehicles and 5% light medium and heavy commercial vehicles).
- Pedestrians - men, women and children using the road to access their homes, schools and other public infrastructure, places of work or recreation.

- People who may informally cultivate sections of road reserve, or gather firewood, timber or produce from the road verges.
- Residential houses currently situated near to the road.
- Graziers of animals using the road reserve.

Funafuti Airport

- Providers of services in and around the airport – vendors, stall holders, taxi and other transport operators.
- Informal trespassers who use the Funafuti runway for access to working offices, animal pens and sport ground.
- Youth and others who informally use the runway as a recreational facility.

ESDP Communications Facilities

- Owners or users of any land and any land-based assets required that is not under Government ownership or lease.

5.0 Eligibility Criteria

5.1 Criteria Defining Displaced Persons

39. Eligibility of an individual for resettlement assistance will relate to their:

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

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

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

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

5.2 Nature of impacts

42. The nature of foreseeable impacts is briefly discussed below. These expectations will be verified or modified in the final Resettlement Plan.

- Land along the planned road route, approximately 15.5 kms with average width of 5m, may be affected by informal incursion.

- There may be other informal encroachments, such as use of the road reserve for trees, grazing, roadside stalls, or gathering of produce. In this event, there may be associated relocation and re-establishment costs. This is to be determined in consultations and detailed road planning.
- There will be impacts associated with quarrying coral for road construction. This will involve temporary impacts of operation of crushers, loaders, excavators, a mobile asphalt plant and trucks. Traffic may be inconvenienced by truck movements to and from the main road, but the disruption is not expected to result in a requirement for resettlement action.
- Construction works may increase soil, air, water, noise and light pollution, either temporarily or permanently. Mitigation measures are included in traffic and quarry management plans.
- During construction, the Funafuti Airport terminal improvements may affect the business of vendors operating in or around the airport, taxi drivers and other providers of airport services. A thorough screening of claims is required to avoid duplication of claims.
- Tight security on all aspects of the project is necessary to avoid vandalism and delays in the implementation of the project, which may affect travellers and air operators.

6.0 Legal Framework

6.1 Borrower Legislation and Regulation

43. A number of Tuvalu legal instruments are relevant for concepts or mechanisms that bear on resettlement planning.

44. The Native Lands Act is an act relating to Native land and registration of title thereto. It establishes the principle of indefeasibility of native title to land once it had been registered by the Commission. (s 4). Native lands shall not be alienated whether by sale, gift, and lease or otherwise, to a person who is not a native. (s 5) However, native lands may be alienated to the Crown by lease. (s 5(2)). This is the current arrangement for the Funafuti Airport and the runway. The Lands Court approves a native lease while the Minister approves a lease or sub-lease of a native land. A native lease is a lease of native land by native to a native. Before a lease is finalized, the Court has to be satisfied that the land is the property of the lessor and that the lessor is not prohibited by law to alienate the land leaving him or her insufficient land to support him or her and the family. Before the Minister approves the lease or sub-lease of a native land, the Minister must have assurance by the Lands Court that the land leased or sub-leased is the property of the lessor. The Minister has to satisfy that the terms of the lease or sub-lease are fair to both parties. Rental payment is part of the implied covenant by the lessee. Compensation is also provided under the Act where the Lands Officer determines the damage and the amount payable. It further allows a process of appeal in case a person is dissatisfied with the Lands Officer's determination. Sub-letting of a lease is allowed. The consent of the owner is required. A formal lease agreement has to be made once the lease had been finalized and that copies of the agreement to be registered in the Register of leased native lands kept in the Office of the Kaupule, a town council office.

45. The Tuvalu Lands Code is a subordinate law to the Tuvalu Lands Act. It is largely a codification of customs and practices governing land rights and inheritance of customary land for each island of Tuvalu. The customary practices vary in each island and therefore establish a legal framework to deal with in cases of land disputes. The Code provides for the transmission of land rights to kin, giving bigger share to eldest sons. Usually share of male child is bigger than female child, and elder female child is bigger than younger ones. Provision is also made for gift of land in recognition of nursing and kindness services to the landowner. Generally sale of land is prohibited in most of the islands. Customary lands are hold in Kaitasi/joint-owners in most of the island. The Matai is to be the head of the Kaitasi/joint-owners appointed by the Kaitasi. The Matai is only a title given to a person appointed by the Kaitasi/joint-owner for purpose of land administration otherwise any issues related to the Kaitasi land, the consent of all the Kaitasi members must be obtained. A person who resides on a different island may be a member of the Kaitasi on another different island. This is how the Kaitasi/joint-owner landowning scheme works.

46. The Crown Acquisition of Lands Act is a law to regulate the acquisition of land by the Crown for public purposes. The Act provides power of the Minister to acquire any lands require for any public purpose absolutely or for a term of years or the Minister may think proper. It prescribes the process in the event the Minister is to exercise such power. Foremost, is the notice of intention to take lands and followed by a preliminary investigation, including surveying the boundaries and other investigation to ascertain whether or not the land to acquire is fit for the purpose of acquiring. The Minister is required to give a prescribed notice of intention to take

the land to the owner. The notice notifies the owner of the intention of the Minister and requires the owner to yield up possession of the land in a period of time specified in the notice. The period is restricted to not less than 6 months. A notice issued under this provision is to be served personally to the owner or put in a place noticeable to the owner and thereafter a copy of the notice to be published in the Tuvalu Gazette as soon as practicable. The Lands Officer determines the value of compensation and the Minister approves the amount of compensation payable to the owner or interested parties. Compensation is determined by market value of the good at the time intention to acquire was announced, and takes into account damage, loss of earnings and incidental expenses. An owner or an interested person dissatisfied with the decision of the Minister regarding compensation may appeal that decision to the High Court. The High Court determines the appeal on prescribed matters to be considered in determining compensation. The decision of the High Court on compensation is final.

47. The Civil Aviation Act is an act to provide for the regulation and promotion of civil aviation in Tuvalu, to foster its safe development and for other connected purposes. The Act provides for the administration of the civil administration in Tuvalu. It includes the establishment of the Director and Deputy Director of Civil Administration. Their duties and function are also included which make them directly responsible to the Minister. The Act further recognizes the making of regulation of civil aviation and air navigation. The Minister is empowered to make orders giving effect where necessary to the Chicago Convention relating to the international Standards and Recommended Practices. Further, the Minister is empowered to make regulations to provide generally for securing the efficiency, regularity and safety of air navigation in Tuvalu. The Act provides also the establishment of aerodrome. This is where the Funafuti Airport and runway was established. The Minister may make declaration to area of land for the purpose of safety and the efficient operation of aviation, in that he may prohibit or restrict the construction of building in that area, restricting the height of building or structures within that area. There were few regulations made under the Act.

The **Aerodrome regulations** cover certain prohibited acts to be done within the aerodrome. Trespassing animals or livestock found within the aerodrome should be destroyed. It also provide for offences and penalties for breach of the regulations.

The **Aerodromes (Water Aerodromes) regulations** prohibit the cause of moving of any vessel on certain prohibited period of time within the aerodrome area. This regulation provides for offences and penalties for contravening the regulations.

The **Government Aerodromes (Landing and Take-Off Fees) Regulations** cover landing and taking off fees. The fees payable vary and calculated on the weight of the flight. A schedule attach to the regulation specifies the weight of flight and the amount payable.

The **Funafuti Airport (Departure Tax) regulations** provide for payment of fees passenger departing the Tuvalu through the Funafuti Airport. The regulations provide for the payment of departure tax and also the exemption applicable to certain passenger. It further provide for offence and penalties for the breach of the regulations.

The **Air Navigation (General) Regulations** is the Air Navigation (Overseas Territories) Order 1977(S.I. 1977/422) as amended applies to Tuvalu and deals with, inter alia registration, control of air traffic and aerodromes.

6.2 World Bank Policy

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

6.3 Reconciliation of Borrower and Bank Practices

49. Both World Bank principles and Tuvalu law recognise the right of the State to acquire land subject to certain conditions, or to restrict private access to land and other assets for the greater public good.

50. World Bank safeguards policy calls for wide public disclosure of intent to acquire land or assets with resettlement impacts, The Crown Acquisition of Lands Act prescribed the process where customary land is to be

acquired for public purposes. Public purpose may include resettlement under the definition of this term. At end of the process, once and for all matters relating to the acquisition of land has been finalized. The notice of acquisition is to be publicized in the Tuvalu gazette and later passes to the Tuvalu Archives for safe keeping and public access. Access to these documents is free and making copies of them requires a minimal fee payable. Doctrine of public disclosure is recognized in our legal system where a person requiring these documents has to ask a court of law for order of disclosure.

51. The Acquisition of lands in Tuvalu reflect that the Minister in pursuing land acquisition he or she must consult the landowner or interest parties. This is implied that all those interested has to be notified in the process. The requirement of the preliminary investigation under the Act is essential to note here. It is a requirement that the Minister after a notice has been served; a preliminary investigation is to be established to the land and also to other interested parties. Interested parties in here could be interpreted as affected individuals from the acquisition. The interested parties are given also a right to appeal a decision of the Lands Officer relating to determination of compensation.

52. There is no conflict on the principle that displacement or damage must be compensated and that there should be a transparent appeal process. Under the Acquisition of Crown Lands Act there is an appeal process. A person or interested parties dissatisfied with the determination of the amount of compensation by the Lands Officer, that person or interest parties has to appeal to the High Court. The decision of the High Court is final. The Act recognizes matters to be considered by the High Court in determining compensation. These include the market value of the land and the types of damages the person sustained from the time of the acquisition. The Act further provides for the payment of loss of rents and profits.

53. While the World Bank principles explicitly require the Affected Persons have a voice in resettlement options, and access to a grievance mechanism, this is implicit in local laws, policies and good practices, Tuvaluan values stemmed an important role to prefect this situation in cases of disputes between the settlement options and affected persons. However, it is appreciative to note the physical apprehension of the project. As noted, so far as practicable, there is no resettlement needed. The only compensation required here is the damage done to private structure of vegetation within the project vicinity.

54. The World Bank recognizes the informal use of land and assets as a basis for compensation The World Bank resettlement policy accords equal treatment to all irrespective of age, gender or social status. S.10 of the Acquisition of Crown Lands Act recognises the 'occupier' and 'any party having an interest' in affected land or assets. Thus the same principle applies to Tuvalu in terms of compensation. As alluded earlier, compensation applies to affected landowner or interested parties, There is no mention of any discrimination of any status of a person in terms of compensation to those persons who are to be affected.

55. World Bank policy enjoins the project proponent to involve affected persons or groups in impact monitoring. This phase of the project cycle is not addressed in Tuvalu, though there is no impediment.

56. Differences are thus in emphasis rather than in kind, however there is no direct contradiction or conflict between the World Bank principles in relation to the provisos of the RPF and Tuvalu laws.

7.0 Valuation methodology

7.1 Assets and Values Affected

57. Assets and values affected will be fully identified during the public consultations, for incorporation in the RPs. The principles of replacing like for like, replacement cost for lost assets and income, and full restoration of livelihoods will be used in the RPs.

7.2 Valuation Principles

58. Existing legal land valuation mechanisms will be outlined in the first public consultations to address the event that land needs to be acquired. The Land Acquisition Ordinance provides for the Minister to serve notice of intention to acquire the land. The Chief Lands Officer or other recognised valuer establishes the sum to be paid in compensation, taking into account market value, damages and loss of income. If this is disputed, a determination is made by the High Court. The project's Safeguard Officers will ensure that APs have a right to

independent advocacy and representation if Court action arises. If a Court award does not include relocation and reestablishment assistance, the IAs will ensure that policy on these elements is complied with separately.

59. Implementation of the TvAIP sub-projects will commence together due to the similar nature of the activities and the technology. Tuvalu compensation values for assets will be reviewed by MCT and MPU on a case by case with the endorsement of cabinet. The principle of replacement cost will be used as the basis for valuation of land-based assets such as structures, trees, or produce from common or encroached land that has in practice been tolerated. Opportunities will be sought to award additional trees to especially vulnerable APs to plant on common or other available land.

60. Loss of business or other revenue due to construction disturbances will be valued on historical revenue records, taking account of the season and duration of the loss.

61. Loss of access or amenity will be negotiated with APs, with particular reference to any project-related loss of property value.

62. MCT and MPU will seek opportunities to involve APs in direct benefits from the project, such as training, employment suitable to their skills on construction or support services for the construction teams, as airport security guards, or on road or airport reserve beautification schemes. Additional community benefits, such as improved water and sanitation facilities, will also be explored with communities during the consultations process.

8.0 Organisational Procedures

8.1 Delivery of Entitlements

63. MCT and MPU will outline proposed mechanisms for transfer of the various categories of entitlement at the time of public consultation on the project. The process will be confirmed in the RP, after consultation with APs. The RP will be publicly disclosed to APs and the media in a place accessible to APs and in the World Bank Infoshop.

64. MCT and MPU will issue Compensation and Entitlement Forms (CEF) to individual APs after the socioeconomic survey, and finalisation of the entitlements matrix.

65. Where an entitlement to monetary assistance is established, MCT and MPU will ensure that the entitlements are honoured as appropriate before the negative impact they recognise occurs, without any fee, gratuity or deduction from the entitlement. Times and places of settlement convenient to APs will be publicised, and the process will be subject to independent scrutiny.

66. If any change of land use or transfer of land is required, MCT and MPU will satisfy themselves that the change has completed all due legal process through the Ministry of Environment and Lands (MEL), Attorney General's Office and the Courts, and that the AP receives clear unencumbered title in compensation. If land is to be acquired, MCT and MPU will ensure that due process has been served, and the State receives clear entitlement to any required land.

67. At transfers of entitlements, the recipient will be required to prove that they are the person with the entitlement, and they or their legally appointed representative will sign to affirm receipt before an independent scrutineer. If the household comprises a couple, the project will require both male and female heads of household to be present to receive entitlements; this will be outlined to APs during consultations. This will ensure women, in particular, are not disadvantaged from the compensation process and are able to access project benefits.

8.2 Roles and Responsibilities

68. MCT and MPU assume ultimate responsibility for their respective components in the management of the RP. In its legal capacity as the agency responsible for land administration, and its responsibilities under the Environmental Management Plan (EMP), MEL will participate in public consultations, and will present an environmental impact statement.

69. The Ministry of Finance and Economic Development (MFED) will release resettlement funds to the appropriate IA. The project's Safeguard Officers will perform the task of transfer of entitlements. APs will be

asked to present themselves at the appointed times and places of payment or transfer with their CEF. A copy of the CEF will be signed by the AP, witnessed by an independent scrutineer, and signed by the Safeguards Officer.

70. To ensure probity and transparency, the records of resettlement will be available at MCT's and MPU's offices for public inspection during normal business hours at least until completion reports for all works and legal obligations associated with the sub-projects have been signed off.

71. If any other public or private agency is contracted for any part of the resettlement process, they will be contractually bound by the same commitments as MCT and MPU to the provisos of the RP. MCT and MPU will be responsible for the supervision and performance of their respective contractors.

9.0 Resettlement Implementation

9.1 Timing in relation to Implementation of Civil Works

72. The Resettlement Plan will be finalised and implemented prior to commencement of civil works so as to allow unencumbered and undisputed access to the required land and facilities, and to ensure that APs are compensated in the agreed manner before negative impacts occur.

73. After project disclosure, meetings will be held to discuss impacts and options with the public and APs. Feedback from public consultations will be passed promptly to the designers of the projects or sub-projects, to be taken into account prior to development of the final design which will form the basis for the final detailed measurement surveys (DMS) and implementation planning. Consultations should be an ongoing component of the project and APs should be informed how their suggestions have been incorporated into project design (or why they have not). APs should also be consulted on compensation rates, rehabilitation measures, etc.

74. Following public consultations, and any measures adopted to avoid or minimise negative impacts, the census of Affected Persons and assets inventories will be finalised from socioeconomic surveys. The length of this process depends on the complexity of any technical changes, and the number of community consultations and surveys required.

75. In the unlikely event that land acquisition is required, Tuvalu process allows a statutory minimum of six months from service of notice, though earlier settlement by negotiated agreement is not precluded. Commencement of civil works will however be dependent upon completion of legal process to change the status of the land or its title, if required.

9.2 Relationship to Other Project Components

76. This RPF applies to: the Funafuti Airport, and Tuvalu road sub-components of the TvAIP; and the communications infrastructure sub-component of the Electricity Sector Development Project. Its principles and processes could apply if required for other sub-components with which the GoTv has requested assistance.

10.0 Grievance Redress Mechanisms

77. The availability of redress, and information about how to access it, will be publicly disclosed in the Project Information Bulletins for the media, and during consultations with the public. The Grievance Mechanism will offer remedies appropriate to the scale of the grievance.

78. Minor project-related grievances will in the first instance be notified to the project Safeguard Officers for mediation within a specified short time, preferably not more than ten working days. The project's Safeguards Officers will endeavour to arrange mediation hearings in open forum close to the place of residence of APs. APs will be entitled at no personal cost to independent representation by a mediator of their choice, and will be encouraged to be accompanied by supporters during the process. The IAs will ensure that such negotiations are transparent, and that the policies, principles and methods of value assessment in the RP are applied equitably to all APs.

79. If mediation is unsuccessful, or if the matter is substantive, APs can file written or verbal grievances at the High Court.

11.0 Arrangements for Funding Resettlement

11.1 Cost Estimates and Review

80. Cost estimates will be prepared after initial public consultations and confirmation of affected assets and livelihoods. They will be finalised when the detailed measurement survey has been performed, all APs and impacts have been identified, and official land and asset values have been reviewed. For land leased by the government, an annual payment is paid to landowners. This figure may be used as a basis for calculation of temporary or permanent loss of land or access.

81. MCT and MPU will each prepare an entitlement matrix for their respective projects summarising affected persons, land, assets and values. To meet the objective of restoring and if possible improving livelihoods, a ten per cent contingency will be included, to compensate for unforeseen claims and for vulnerability (see suggested mechanism in the footnote to Annex F).

82. The cost estimates will form part of the Resettlement Plan to be reviewed and approved by the GoTv and the World Bank, as part of the project finance package. Budget items will include:

Administration costs:

- Safeguards Officers' salary costs/consultancy fees if an external NGO/consultant is appointed.
- Technical assistance (TA) if required.
- Office administration, use of equipment and supplies.
- Travel.
- Advertising and publications.

Resettlement costs:

- Cost of AP consultation meetings:
 - i. Travel.
 - ii. Mediation.

Compensation costs:

- Affected items including:
 - i. Land.
 - ii. Affected assets and livelihoods.
 - iii. Relocation and reestablishment assistance.
- Contingency for vulnerability and unforeseen costs at an additional ten per cent of the sum of i-iii above.
- Costs of scrutineer for entitlements disbursements.

Grievances:

- Mediation and legal costs.

11.2 Flow of Funds

83. The GoTv is funding resettlement as a Client Contribution. The Ministry of Finance and Economic Development will release resettlement funds to MCT and MPU as Implementing Agencies according to the timings indicated in the RP.

84. The IA Project Manager will be responsible for oversight of the payment process. If land acquisition proves necessary, officers of the Lands Department in MEL will be involved in the resettlement process in their statutory

role of informing title holders, surveying, agreeing and paying compensation, and registering and gazetting changes in land use or ownership.

85. The Resettlement Officers will pay other entitlements to APs at times and places to be notified to each AP in their individual CEF (Annex G). As noted above, verification will be required that the recipient is in fact the entitled person or their legal representative, and signed acquittal will be obtained. As also noted, the project will require both male and female heads of household to be present. The Resettlement budget includes the costs of an independent AP advocate as scrutineer of the process.

11.3 Contingency Arrangements

86. A ten per cent contingency, considered sufficient in light of the minimal foreseeable impacts of the sub-projects under consideration, will be added to the whole resettlement budget to cover unforeseen circumstances. This assumption will be reviewed in the RP planning stage.

87. If required resettlement activities place unreasonable strain on MCT's staff establishment, some RP implementation activities on Funafuti could be undertaken in collaboration with MEL. These include taking a census and inventory of APs and affected assets, consultations on the draft Resettlement Plan, compensation payments, and legal acquisition of affected lands. Policies and procedures under the RP would be binding on any other involved agency.

12.0 Consultation and Participation of Affected Persons

88. The consultation and participation process will include all stakeholder institutions and individuals in different forums and formats (see Stakeholder Matrix and Engagement Plan, Annex B). For completeness, all known stakeholders are included in the matrix, since the perspectives of key stakeholders who are not APs in the resettlement framework may influence project planning that impacts those who may be entitled to resettlement consideration. These include in particular other institutional stakeholders, and commercial airline operators.

89. An upside of a small and relatively homogeneous society is the relative ease of adopting a whole-of-government approach to planning. The project's Safeguards Officers will consult institutional stakeholders prior to finalising the first PIB and releasing it before public consultation. This will ensure that the project plans presented to the public take into account and optimise other government plans and priorities, for example, planned voluntary resettlement, development of growth centres, other industrial and agricultural economic development initiatives, medical evacuation requirements, access to schools and other social infrastructure.

12.1 Planning Phase

90. The planning phase is the most important and intensive period of engagement with APs, and sets the agenda for ongoing meaningful consultation and participation through to and including post-project monitoring. The aim of this stage is to communicate the rationale for the project, secure broad public acceptance of project goals, identify any issues or impacts that need mitigation and management, and obtain consensus on policy and process for redress where required.

91. Actions in the planning stage are: meetings with key institutional and commercial informants, development of the PIB and public disclosure, key informant and focus group meetings, identification and socio-economic survey of APs, development of the entitlement matrix, setting up a grievance mechanism, and disclosure of the draft RP with information about how to participate and seek redress. The RP will be finalised following disclosure, GoTv and World Bank agreement and website posting.

92. The main output is the agreed RP. Other outputs include signed registers of attendance at public consultations, and summaries of discussions and decisions at all consultations.

93. Stakeholders to be engaged in consultation for resettlement at planning stage include:

- i. Directly Project Affected Persons and communities – any person who may lose land or land-based assets, road and airport users, including encroachers with stalls or structures on road reserve, those experiencing possible loss of trees or common roadside grazing or food resources, temporary construction impacts, business disruption, loss of customary access to land or common resources and lease holders.

- ii. Indirectly Affected Persons – those who, at planning stage, may seemingly encounter change during or after the project in the indirect impact area - changes in lands adjacent to the project components, such as soil composition or water recharge rates; increased vehicular or aviation emissions; increased light or noise pollution; longer hours of operation of air traffic; introduction of hazardous materials in the vicinity.
- iii. NGOs concerned with environmental issues, social and economic development.
- iv. National economic development agencies such as the Chamber of Commerce.

94. On acceptance of the RP and EMP, MCT and MPU will notify the public about the respective projects and the process for public consultation through announcement in Tuvaluan and English in the government and public press, by radio and any other mean of media releases of the Project Information Bulletin.

95. The times of these announcements will also be the cut-off date for recognition of entitlements, to discourage any opportunistic incursion in to project impact areas. The announcement will invite people who feel they may be affected to identify themselves to the project's Safeguard Officers, or at meetings to be scheduled, announced and coordinated by the Safeguard Officers for communities adjacent to the areas of direct impact.

96. Community consultations will comprise focus group meetings with Falekaupule and community leaders to inform and consult about the project. The Safeguards Officers will also convene focus groups of women of each affected community, as they customarily do not speak on the Falekaupule, to ensure their voices are heard. If appropriate, representatives of several Falekaupule groups may meet at the same time and place. The Safeguards Officers will note any comments about location or alignment of project elements, and take a preliminary census of Affected Persons (APs) and affected assets.

97. At the first focus group meetings with known affected persons and communities, the project's Safeguard Officers will compile a schedule of APS, and start socio-economic survey and census of APs identified. The Safeguard Officers will begin to populate an entitlement matrix (Annex F) to capture costs of any resettlement measures required. Following full identification of APs during consultations, they will complete AP socioeconomic surveys to finalise the AP census and entitlements matrix for the RP. Further AP focus group meetings will be held to present the RP, and following project completion for participation in monitoring if there is sufficient interest.

98. Tuvalu has 26 active NGOs, some of which have a socio-economic development or environmental focus to which the TVAIP may be of interest. At the time of public announcement of the project, MCT and MPU will notify the umbrella Tuvalu Association of Non-Governmental Organisations (TANGO) and invite participation of member groups in consultation either in coordinated interest-focus groups, or if deemed desirable, through Key Informant interviews with leaders. This will ascertain which groups are interested, and at what stages. Similarly, MCT and MPU will notify the Chambers of Commerce and invite their participation.

99. Numerous stakeholders are also relevant to the EMP at planning stage. The project's Safeguards Officers will coordinate the consultation and disclosure process with MEL so that social and environmental issues are considered together as appropriate. MCT and MPU will endeavour to engage civil society groups in identification of relevant indicators, in establishment of baselines and in project monitoring.

100. Plans will be drawn up for consultation with additional APs not earlier identified, for inclusion in the RP.

101. Records of meetings and RP planning documents will be available at MCT and MPU offices for public perusal. Individual survey and CEFs, and personal details in the Entitlement Matrix will not be in the public domain without their specific consent, or unless required for legal reasons.

12.2 Implementation of the RP

102. The aim of the implementation stage is the smooth transfer of entitlements to APs and resolution of any grievances. The RP will be implemented before construction activities commence, so as to ensure that timely assistance is received, and delays to works are avoided.

103. Actions are to issue individual AP CEFs, confirm times and places for transfers to be made, arrange as required for independent scrutiny, mediate and manage any grievances that arise, make the transfers and obtain signatures from APs, log all activities and interactions, and report periodically to the Project Manager on progress against time and budget objectives. MCT and MPU will actively pursue APs who do not present at the appointed times and places so as to avoid delays and uncertainties with implementation.

12.3 Monitoring Phase

104. The aim of the monitoring stage is to review the delivery of the RP and the impacts of both the RP and the project. This contributes to orderly completion of the project, and feedback of experience into other TvAIP or ESDP sub-projects and future projects.

105. Throughout the delivery of the Resettlement Plan, the Safeguards Officers will maintain a log of all interaction with stakeholders and APs, signed attendance registers, a summary of discussions and recording of decisions and action points arising from meetings. Safeguards Officers will follow up with stakeholders who agreed to participate in follow-up monitoring and reporting against their baseline indicators of interest. APs registering any grievance will be identified through registration in the grievance process, and monitored through settlement to project completion. If numbers and interest levels justify, the IAs will in addition perform a limited survey (see Annex E Section E) of a random sample of APs who have not been involved in grievances, to survey RP and project impacts on them. The results of the grievance process and any random survey will be included in post-project impact monitoring reports.

13.0 Monitoring

13.1 Implementing Agency (IA)

106. The IA for monitoring the TvAIP project is MCT, and for the ESDP, MPU. The IAs will prepare periodic progress reports (not less than quarterly) on the RP against any indicators specified in the GoTv agreement with the WB, including for the period under review:

- Any issues that have arisen necessitating change to the RP to meet policy objectives
- Publicity about the resettlement process, including PIBs and any media coverage
- Schedule of consultations with APs
- Signed roster of attendance at RP consultative meetings, photographs and any other evidence of participation
- Summary minutes of RP discussions and decisions
- Record of grievances notified under the RP, process and outcomes
- Copies of official records of any project-related changes to land use or transfer of land titles
- Update of the Entitlements Matrix showing progress of transfers and payments against entitlements under the RP
- Financial summary of disbursements against entitlements, numbers and percentage of AP settlements concluded against total budget and time schedule.

13.2 Independent Monitoring

107. The IAs recognise the importance of transparency and independence in the resettlement process. Independent monitoring will be provided for at all stages of the RP, in the provision for AP advocates in mediation and scrutiny of entitlements payment. The RP, consultation documentation and reports will be available for public perusal at its offices.

108. The monitoring reports will be released by the same means as the project was first announced, in a Project Information Bulletin released to the media, and made available to the public on application to MCT.

Appendix A

Stakeholder Matrix and Engagement Plan

A Appendix AA

Stakeholder Matrix and Engagement Plan

STAKEHOLDER	NATURE OF INTEREST	DEGREE OF INFLUENCE OVER/INTEREST IN THE PROJECT	MODE OF ENGAGEMENT	TIMING OF ENGAGEMENT
STAKEHOLDERS TO BE TAKEN INTO CONSIDERATION IN RESETTLEMENT PLANNING:				(This column may be used to record dates of engagements)
Directly Project Affected Persons	Temporary or permanent loss of income, land, assets or access to common resources; disturbance during construction to roadways, paths, places of residence or work; restrictions to informal access to residences, workplaces or resources	Important influence and interest	A series of two or three <i>Falekaupule</i> focus group meetings (i) for initial disclosure, (ii) for presentation of the draft RP and process, and if warranted by numbers and interest, (iii) for post-project monitoring. To be arranged by MCT at two or more locations on Funafuti to be agreed. Engagement with individuals through socioeconomic surveys of APs, engagement in the resettlement, and as appropriate grievance processes.	Planning, implementation of the RP, monitoring
Business owners affected by project works	Avoidance of disruption to business; improvement in public access	Moderate influence, important interest	Individual interviews or group discussions, as appropriate	Planning, implementation of the RP, monitoring
Indirectly Project Affected Persons (IAP)	Project induced changes in buffer zones around works (e.g. in noise or light pollution, water quality or recharge rates etc)	Moderate influence and interest	<i>Falekaupule</i> focus group meetings	Planning, implementation if a valid claim emerges, monitoring at IAP request
Civil society groups	NGOs with an economic development or environmental focus. Probably no entitlement except as individuals	Moderate influence and interest	Notify TANGO and call for expressions of interest in participation in focus group discussions or meetings	Planning, implementation, monitoring
STAKEHOLDERS NOT ENTITLED TO RESETTLEMENT CONSIDERATION				
Owners of Government leased	Assumed economic return;	Critical influence, high	Individual or group meetings to	Priority in planning stage

STAKEHOLDER	NATURE OF INTEREST	DEGREE OF INFLUENCE OVER/INTEREST IN THE PROJECT	MODE OF ENGAGEMENT	TIMING OF ENGAGEMENT
land	other interests to be confirmed or determined in consultation	interest	confirm or establish all conditions pertaining to lease of the land and ownership of any land-based assets or improvements, including provisions in the (unlikely) event of relinquishment of the lease and reversion to the owners	
DONORS/INVESTORS:				
World Bank	IDA Grant	Critical importance	Consultations and progress reports to the WB Programme Manager	Quarterly throughout the project, or otherwise as agreed in the Project Documents
PRIF – Country Members	PRIF Grant (manage by WB)	Critical importance	Manage by WB	As agreed in Project Documents
INSTITUTIONAL STAKEHOLDERS:				
Ministry of Communications and Transport (MCT)	Implementing Agency; improvements to transport, communications and tourism facilitation	Critical importance	Project management of all stages of the RP; AP interface; lead coordinator of all stakeholder agencies	Continuous
Ministry of Finance and Economic Development (MFED)	Is the EA for the Project; impacts on economic development, Improved transport and communications links to local and export markets	Moderate importance and interest	Senior officials meetings	Planning, implementation, monitoring
Ministry of Health (MOH)	Safe and efficient access to local medical facilities and emergency international medical evacuation	Moderate importance, critical interest	Senior officials meetings	Planning, monitoring
Ministry of Home Affairs and Rural Development (MHARD)	Facilitation of social development and security	Moderate importance and interest	Senior officials meetings	Planning, monitoring
Ministry of Foreign Affairs, Trade, Tourism, Environment and Labour (MFATTEL) – Department	Generation of temporary and permanent safe employment opportunities	Moderate influence and important interest	Senior officials meetings	Planning, implementation, monitoring

STAKEHOLDER	NATURE OF INTEREST	DEGREE OF INFLUENCE OVER/INTEREST IN THE PROJECT	MODE OF ENGAGEMENT	TIMING OF ENGAGEMENT
of Labour				
Ministry of Public Utilities (MPU)	Provision of international standard infrastructure. Participation in public consultations about road alignment and location of improvements for both projects	Critical influence and interest	Senior officials meetings, Technical Advisor for the GoTv	Planning, implementation, monitoring
MFATTEL – Department of Environment and Department of Lands and Survey	Participation in public consultations about location of communications facilities and road alignment, and DMS. Cadastral survey where required, legal process for registration of any changes in land use or ownership. Potential IA for the RP; EA for the Land and Population Development Programme	Important interest and influence	Senior officials meetings	Planning, implementation
COMMERCIAL STAKEHOLDERS:				
Tuvalu Electricity Company	Implementer of the ESDP components	Critical importance and interest	Project Management meeting at all stages and levels	Planning, implementation, monitoring and evaluation
Fiji Airways (formerly Air Pacific)	Use of international airports and facilities	Critical importance and interest	Individual Key Informant meetings	Priority in planning stage
Courier Companies (DHL)	Use of international airports and facilities	Moderate importance, critical interest	Individual Key informant meeting	Planning
Women Handicraft	Use (partia)l of international airport	Moderate importance critical interest	Individual Key informant meeting	Planning
Duty Free (Tefota Pty Ltd)	Use (partial) of international airport	Critical importance and interest	Individual Key Informant meetings	Priority in planning stage
CIVIL SOCIETY STAKEHOLDERS:				
Outbound airline passengers	Airport and internal transport experiences	Low influence, important interest	Suggested voluntary 'before and after' surveys, ideally not fewer than 50 respondents each, to be distributed	Planning, monitoring

STAKEHOLDER	NATURE OF INTEREST	DEGREE OF INFLUENCE OVER/INTEREST IN THE PROJECT	MODE OF ENGAGEMENT	TIMING OF ENGAGEMENT
			<p>and collected by ground staff at Funafuti airport and analysed by MCT for feedback to consulting engineers to assist design optimisation. Follow-up survey to assess impacts on passenger and tourist experiences.</p>	

Appendix B

Project Information Bulletin Contents

Appendix BB Project Information Bulletin Contents

A Project Information Bulletin (PIB) will be issued for each project to give initial project information in English and Tuvaluan. It will be updated at least (i) to disclose the draft RP, (ii) to publicise the finalised RP, and (iii) to convey the results of end-of-project monitoring. News bulletins will be released at other intervals as required to inform the public about progress of works, any restrictions to normal access and operation of roads and airport facilities during implementation.

Content of the PIB in the resettlement planning phase will include:

- A whole-of-project description, and of the sub-components to be covered in the RP
- The project rationale and expected benefits
- A description of anticipated environmental, social and economic impacts, positive and negative
- Reassurance that negative impacts will be compensated for
- Eligibility criteria – persons and impacts that will be recognised in resettlement
- Cut-off date for entitlements (the day of release of the PIB)
- A description of the type of impacts that would be recognised
- A description of the proposed consultation process
- Information about how to register as a potentially Affected Person
- Information about the planned *Falekaupule*-based focus group meetings
- An indication of the proposed process thereafter.
- Description of the proposed grievance system.
- Maps and other visuals when appropriate.

Content of subsequent bulletins will be influenced by initial consultations and the final form of the RP, grievance and monitoring processes.

Appendix C

Sample Plan for Focus Group Discussions

Appendix CC Sample Plan for Focus Group Discussions

Equipment:

The IA facilitator will take:

- 1) Copies of the Project Information Bulletin in English and Tuvaluan, agenda, socioeconomic survey forms; an attendance sheet; Post-it notes for participants to stick comments on a 'thorn tree'
- 2) Easel, whiteboard and markers, or PowerPoint projector, screen and presentation
- 3) Visualisation aids - maps, photographs of similar facilities, or sketches – roads, kerbs and channels, bus stops, road construction vehicles and equipment, perimeter fences

Agenda:

- 1) Purpose of the Meeting – to give information about the project, invite discussion, identify impacts, reach consensus on design options, mitigation, impact management
- 2) Expected outputs – an agreed approach, and action points as appropriate, minutes to be circulated to group organiser or nominee, and available for inspection
- 3) Conduct of the Meeting – facilitation by the project's Safeguards Officer, MEL and host community leader, contributions from and each in turn, free discussion, facilitated wrap-up, decisions and action points, roles and responsibilities in implementation and monitoring. Facilitator to record attendance, discussion and decisions. Separate meeting for women to identify gender issues, with female Safeguard Officer if available.
- 4) The project:
 - a) Components, and those under review for resettlement impacts
 - b) Draft Resettlement Framework - process for consultation – planning, implementation and monitoring phases
 - c) Anticipated social and environmental impacts – positive and negative; identification of any overlooked impacts
 - d) Planned mitigation measures for negative impacts; employment opportunities
 - e) Identification of Affected Persons – survey of persons and assets affected
 - f) Entitlements of Affected Persons – policy and principles, basis for entitlement and cut-off date, mechanism for valuation of assets
 - g) Grievance mechanism – registration, independent and transparent assessment, rights to representation in mediation, Court process in the last instance
 - h) Timing of Resettlement process – payments and receipts, transparency and accountability provisions; timing of project implementation
 - i) Participation in monitoring, including gender impacts, reporting mechanisms
 - j) Availability of Project Information Bulletins, records of meetings, resettlement documents
 - k) Group discussion, selection of indicators of interest to the group, if any.

Appendix D

Socio-economic Survey Form for Affected Persons

Appendix DD Socio-economic Survey Form for Affected Persons²

(Project)- Census of APs and Inventory of Losses			
Introduction: The purpose of this census and inventory is to identify persons and list assets that will be affected as a result of the (Project). The (IA) is undertaking the survey. Personal details in A3 are for statistical purposes and will not be divulged to any other party.			
Note: <i>Light Blue shaded cells are to be discussed with the AP, but may be completed after the survey.</i>			
Survey Identification Number: (transfer to Entitlement Matrix)		AP N^o:	
Village:		Street Name and number:	
Name of Head of Household:			
Type of Tenure (tick one)	Landowner	Leaseholder	Non-title holder

A . DEMOGRAPHIC AND SOCIO-ECONOMIC CHARACTERISTICS									
1.	Name of Respondent:						2.	Date:	
3.	Household Roster:								
Name (all normally resident household members, including Head of Household (HOH) and respondent). List HOH first	Age	Relationship to Head of Household ³ (HOH)	Sex		Civil status (M, W, D, S)	Education ⁴ (0, 1, 2 or 3)	Occupation /Type of Work (1 - 10) ⁵	Monthly Income (AUD)	
			M	F					
		HOH							
Total									

B. LAND ACQUISITION					
B.1 Temporary Land Acquisition					
1. Cadastral Lot No:			(obtained from the Land Registry)		
2. Duration of temporary acquisition: (i) months (ii) weeks (iii) days - circle which				Number:	
Use of Land	Total Size of land in sq. meters			Land to be acquired	
				Area in m ²	% of total size of land
	(i) Private Customary Land	(ii) Government leased land	Total of (i) + (ii)		
a. Residential					
b. Commercial					
c. Water Reserve					

³ E.g. HOH, Spouse, Parent, Parent of Spouse, Son, Daughter, Sister, Brother, Niece, Nephew, Other

⁴ None= 0, Primary =1, Secondary = 2, Tertiary = 3

⁵ 1=Professional/technical; 2=Administrators; 3= Clerical workers; 4= Trade workers; 5 =Service workers;

6= Agriculture and fishing; 7 =Production workers; 8 =Plant/vehicle operators 9== Village Worker; 10 =Other (child, student, retired etc)

3. The temporarily affected land is under lease (circle one):	a. YES	b. NO
4. If YES, how long is the period of the lease?	years,	ending 20.....
5. Amount of the lease per annum: \$	6. Periodic payment of lease?	a. YES b. NO
7. Is the lease of land mortgaged to a financial institution?	a. YES	b. NO

B. 2 Permanent Land Acquisition – (Freehold customary lands not currently leased to Government)

1. Cadastral Lot No.	(obtained from the Land Registry)		
2. Use of Land	Total size of land in sq. meters	Land to be acquired	
		Area in m ²	% of total size of land
a. Residential			
b. Commercial			
c. Water Reserve			

3. The land to be acquired is under lease (circle one):	a. YES	b. NO
4. If YES, how long is the period of the lease?	years,	ending 20.....
5. Amount of the lease per annum: \$	6. Periodic payment of lease?	a. YES b. NO
7. Is the lease of land mortgaged to a financial institution?	a. YES	b. NO

C. IMPACTS OF LAND ACQUISITION

Impacts mean the adverse effects to the objects presently established on the affected lands, temporary and permanent.

Names of Affected Trees & Plants and other assets	Number		Unit cost		Total Replacement Cost
	Temporary	Permanent	Temporary	Permanent	
1. Coconut Tree (well spaced and managed)					
Bearing Trees					
Non-bearing with trunk					
Seedling without trunk					
2. Coconut Trees					
Bearing trees					
Non-bearing trees with trunk					
Seedling without trunk (new)					
3. Bananas					
Per shoot					
Maximym of 5 shoot per mat					
Per stem					
4. Breadfruit					
Per bearing tree					
Non-bearing and over 3m height					
Seedling <3m height					
5. Pandanus					
Useful for timber and fruits					
Useful for leaves and fruits but not big enough to provide a valuable pole					
6. Puka, Kanava, Fetau					
Per tree large enough for a canoe					
7. Puka, Kanava, Fetau, Fao, Pua, Milo, Gasu and Valoalo					
Per tree with a stem 15 cm or > in diameter at a height of 1 meter but not suitable for a canoe construction					

8. Tausunu					
Above 3 ft					
Between 1 and 3 ft					
9. Felo and Tiale					
Per fruit or flowering bearing tree					
Non-bearing tree (new)					
10. Pateta, Kumala and Taamuu					
Per plant or mount					
11. Pulaka					
Per shoot up to 3ft					
Per shoot over 4.3ft					
12. Dalo					
13. Pawpaw					
Bearing tree					
Non-bearing tree					
14. Laukatafa					
Per plant over 3ft high					
Between 1ft and 3ft					
15. Gie					
Per plant >3ft high					
Between 1ft and 3ft (new)					
16. Pumpkin					
Bearing plant					
Non-bearing plant					
17. Nonu					
Bearing tree					
Non-bearing tree					
18. Togo					
Per tree					
19. Structures					
Permanent (per m ²)					
Semi permanent (per m ²)					
Local materials (per m ²)					

D. OTHER PROJECT IMPACTS					
Other Project Impacts mean the adverse effects on livelihood, temporary and permanent.					
	Nature of impact	Temporary		Permanent	Total loss of livelihood
		Duration (months)	Value/ month pre-project	Value /month pre-project	
1. Business disruption					
2. Loss of access to public land, resources					
3. Other (specify)					

E. ATTITUDES TO THE PROJECT AND THE RESETTLEMENT PROCESS (Could be re-surveyed for monitoring purposes)	
On a scale of 1 – 5, (1=very poor, 2=poor, 3= neutral, 4=good, 5= very good)	Ranking, 1-5
1. How would you rank the information you received about the project?	
2. How did you find the consultation process?	
3. What do you /did you think about the Resettlement Plan?	
4. How do you think /did you find the project will work/worked out for you in the long run?	
5. How do you think the project will work out for the country in the long run?	

F. VULNERABILITY PROFILE OF THE AP - (COMPLETE FROM HOUSEHOLD ROSTER EXCEPT NOS 4 AND 5)	Score
1. Income quintile of the household (1-5)	
2. Female headed household (one point)	
3. Number of aged in household (one point per aged person)	
4. Number of physically disabled in household (one point per person with disability)	
5. Any other vulnerability factor, e.g. large household (over 10 members), (one point /factor)	
Total vulnerability score	

Signed:

Interviewer _____ Respondent _____ Date _____

Appendix E

Draft Entitlement Matrix

Appendix EE Draft Entitlement Matrix

To be completed from the Socioeconomic Survey Form for Affected Persons. Personal details are not to be publicly divulged.

a	b	c	D	E	F	g	h	i	j	k
Name of AP	Sex	Socio economic Survey ID N° AP N°:	Contact Details	Cadastral Lot Number of affected land	Value of land to be acquired (AUD)	Other affected assets (e.g. trees, structures, revenue from land or business lost)	Current value of other affected assets (AUD)	Vulnerability score ⁶	Total value (AUD)	Settlement date(s) Planned Complete
Example	F	123	Xyz	Nnn	85	Trees Palm leaf shelter	10 30	5	130 plus 1 tree	9.10.11

⁶ Scored by: income quintile 1 – 5; female headed household +1; elderly (over 65 years of age) +1 for each in the household; suffering or supporting a household member with a disability +1 for each; other vulnerability factors, e.g. large household (10 or more members – around 30% of households) to adjust for quintile score, +1. Highest score = most vulnerable. The minimum score is thus 1 for the least vulnerable, and the highest, a suggested maximum of 10. If land can be made available, vulnerability could be recognised by an additional donation of productive trees to plant; e.g. one tree for a score of 5-6, two for a score of 7-8, three for a score of 9 or above. This would also assist environmental aims.

Appendix F

Compensation and Entitlement Form for Affected Person

Appendix FF Compensation and Entitlement Form for Affected Person

(Project)⁷

Name of Affected Person:		Survey ID No: (from socioeconomic survey form)	Address:	
Entitlements:				
Land:	Cadastral Lot Number	Area sq m.	Value sq.m. AUD	Total assessed value AUD
Permanent loss:				
Residential	<i>Xxx</i>	<i>10</i>	<i>25</i>	<i>250</i>
Commercial				
Water reserve				
Temporary loss:			Value sq.m./mth at time of impact	
Residential				
Commercial		<i>50</i>	<i>2</i>	<i>100</i>
Water reserve				
Permanent loss of Trees/crops:	Number	Status (bearing, non-bearing, newly planted etc)	Unit value	
Pandanus	<i>2</i>	<i>Fruit-bearing</i>	<i>10</i>	<i>20</i>
Structures:	Purpose (dwelling, workshop etc)	Sq.m.	Value sq.m. AUD	Total assessed value AUD

⁷Italicised text is an example

Permanent				
Semi permanent				
Local	<i>Fruit stall</i>	<i>10</i>	<i>8</i>	<i>80</i>
Income/revenue from:	Type	Permanent or Duration/mth	Value/mth AUD or unit value	
Business	<i>Airport transport</i>	<i>2 months' total disruption</i>	<i>150</i>	<i>300</i>
Crops				
Produce	<i>Taro pit</i>	<i>Loss of 6 months' production from one pit</i>	<i>4</i>	<i>24</i>
Other (specify)	<i>Transport costs of relocating stock and fittings from fruit stall</i>		<i>12</i>	<i>12</i>
Total AP entitlement AUD				786

The Affected Person will bring this form on settlement date.

I hereby declare that this is a complete, true and accurate record of my losses due to the Tuvalu Aviation Investment Project, and that I have received payment in full.

AP signature

Date

Witness signature

Date

In the presence of:

Signed for (IA)

Date

Appendix G:

Passenger Attitude Survey – Aviation Project

Appendix G:G Passenger Attitude Survey

The Government of Tuvalu is implementing a programme of improvements in the aviation sector to enhance passenger safety and convenience. The Ministry of Communications and Transport would welcome comments on your experience to assist with planning and monitoring this programme.

Please fill out this form, and hand it to a member of the ground staff as you are boarding, or at any other time convenient to yourself. Thank you, and bon voyage! We hope to see you again soon.

1	(Please tick one) Are you:	Tuvaluan			Non- national			
2	Thinking back to your arrival, how would you rank :		Very poor	Poor	Average	Good	Very Good	Not applicable
	I. Disembarkation from your aircraft							
	II. The Immigration process							
	III. The Customs clearance process							
	IV. Retrieving your luggage							
	V. Finding transport outside the terminal							
	VI. Your journey to your accommodation							
3	Overall, how did you find your stay in Tuvalu?							
	I. Accommodation							
	II. People							
	III. Things to do							
	IV. Shopping							
	V. Communications facilities							
	VI. Banks and other commercial facilities							
4	On your return to the airport, how would you rate the road trip for:							
	I. Comfort							
	II. Time taken							
	III. Interest							
	IV. Disembarking facilities at the terminal							
5	Inside the airport terminal how would you rank:							
	I. Check-in facilities							
	• For you							
	• For your luggage							
	II. The personal security check							
	III. The passport checking process							
6	Once through formalities, what did you think of:							
	I. Lounge facilities							
	II. Rest rooms							
	III. Facilities for babies and children							
	IV. Facilities for elderly or disabled passengers							
	V. Refreshments facilities							
7	Please tell us about anything that could have improved your experience of travel in Tuvalu (continue overleaf if you wish)							