



REPÚBLICA DEMOCRÁTICA DE TIMOR-LESTE
MINISTÉRIO DAS OBRAS PÚBLICAS,
TRANSPORTES E COMUNICAÇÕES



Draft Resettlement Plan Report

Road Network Upgrading Sector Project

ADB Loan No. 3020-TIM and 3021-TIM

Preparation of Design for 169km of National Roads

(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

ROAD LINK A08-04: LAUTEM - LOSPALOS SECTION

PACKAGE 4: STA. 0+060 – STA. 28+040

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Road Network Upgrading Sector Project (RNUSP)

Preparation of design for 169 km National Roads
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

Road Link A08-04: Lautem - Lospalos

List of Abbreviation

ADB	:	Asian Development Bank
AF	:	Affected Family
AH	:	Affected Household
AP	:	Affected Person
DLPCS	:	Directorate of Land, Property and Cadastral
DMS	:	Detailed Measurement Survey
DRBFC	:	Directorate of Roads, Bridges, and Flood Control
EA	:	Executing Agency
ESU	:	Environmental and Social Unit
GRC	:	Grievance Redress Committee
IA	:	Implementing Agency
IOL	:	Inventory of Losses
IPDP	:	Indigenous People Development Plan
ADB	:	Asian Development Bank
MOF	:	Ministry of Finance
MOI	:	Ministry of Infrastructure
MOJ	:	Ministry of Justice
MPWTC	:	Ministry of Public Works, Transport and Communication
NGO	:	Non-Government Organization
PISC	:	Project Implementation and Support Consultants
PMU	:	Project Management Unit
RF	:	Resettlement Framework
RNUSP	:	Road Network Upgrading Sector Project
ROW	:	Right of Way
RP	:	Resettlement Plan
SPS	:	Safeguards Policy Statement
TLCLS	:	Timor-Leste Survey of Living Standards

Glossary

Affected Household/Family	All members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the project or any of its components; It may consist of a single nuclear family or an extended family group.
Affected Person	Individuals that are affected by the project through land acquisition, relocation, or loss of income; includes any person, household [sometimes referred to as project-affected family (AF)], firms, public or private institutions; The APs, therefore, include (i) persons whose agricultural land or other productive assets such as trees or crops are affected, (ii) persons whose businesses are affected and who might experience loss of income due to the project's impact, (iii) persons who lose work/employment as a result of the project's impact, and (iv) people who lost access to community resources/property as a result of the project.
Assistance	Support, rehabilitation, and restoration measures extended in cash and/or kind over and above the compensation for lost assets
Compensation	Payment in cash at the current market value or in kind for an asset or a resource that is obtained or affected by a project, in which, the affected people are entitled to in order to replace their lost property or income
Cut-off date	The date after which people will not be considered eligible for compensation, i.e., they are not included in the list of APs as defined by the census. Normally, the cut-off date is the date of the detailed measurement survey.
Detailed Measurement Survey	The detailed inventory of losses that is completed after the detailed design and marking of project boundaries on the ground
Encroachers	People who move into the project area after the cut-off date are therefore ineligible for compensation or other rehabilitation measures provided by the project. The term also refers to those extending attached private land into public land.
Entitlement	The range of measures comprising cash or kind compensation, relocation cost, income restoration assistance, transfer assistance, income substitution, and relocation, depending on the type and degree/nature of the losses of the APs in order to restore their social and economic base
Inventory of Losses	The pre-appraisal inventory of assets as a preliminary record of affected or lost assets
Land Obtaining	Purchase of land for the project through negotiated settlement until the expropriation law is passed
Non-titled	People who have no recognizable rights or claims to the land

	that they are occupying. It includes people using private or state land without permission, permit or grant, i.e., people without legal title to land and/or structures occupied or used by them. ADB's policy explicitly states that such people cannot be denied compensation.
Project	The Road Network Upgrading Sector Project funded by ADB
Rehabilitation	Compensatory measures provided under the policy framework on involuntary resettlement other than the payment for the replacement cost of obtained assets
Relocation	Displacement or physical movement of the APs from the affected area to a new area/site and the rebuilding of homes, infrastructure, provision of assets, including productive land/employment, and the re-establishment of income, livelihood, and living, and social systems.
Replacement Cost	Replacement cost is the amount needed to replace an asset and is the value determined as compensation for the following: .Agricultural land at the pre-project or pre-displacement level, whichever is higher and is the market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes; .Land in urban areas: it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services located in the vicinity of the affected land, plus the cost of any registration and transfer taxes; .Houses and other related structures based on the current market price of materials, transportation of materials to construction sites, cost of labor and contractor's fee, and any cost of registration and transfer taxes. In determining the replacement cost, depreciation of assets and value of salvaged building materials are not taken into account. No deductions are made for the value of benefits to be derived from the project; .Crops, trees, and other perennials based on current the market value; and other assets (i.e., income, cultural or aesthetic) based on the replacement cost or cost of mitigating measures.
Replacement Land	The land affected by the project that is compensated through provision of alternative land of the same size rather than cash. Productive capacity as land lost which is acceptable to the AP
Resettlement	All impacts associated with the loss of physical and non-physical assets, including homes, communities, productive land, income-earning assets and sources, subsistence, resources, cultural sites, social structures, networks and ties, cultural identity, and mutual help mechanisms.
Significant Impact	If 200 or more people experience major impacts, which are

	defined as: (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating assets)
Squatters	Same definition as non-titled; include households, businesses and common establishments on land owned by the State.
Structures	All buildings including the primary and secondary structures such as houses and ancillary buildings, commercial enterprises, living quarters, community facilities and infrastructures, shops, businesses, fences, and walls
Vulnerable	Individuals who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement including : (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households that fall on or below the poverty line (within the meaning given previously); (iv) landless; (v) elderly households with no means of support; (vi) households without security of tenure; and (vii) households of indigenous population or ethnic minority.

Notes

- i. The fiscal year (FY) of the Government of Timor-Leste and its agencies ends on 31 December 2015. The FY before a calendar year denotes the year in which the fiscal year ends, e.g., FY 2015 ends on 31 December 2015.
- ii. In this report, "\$" refers to US dollars.

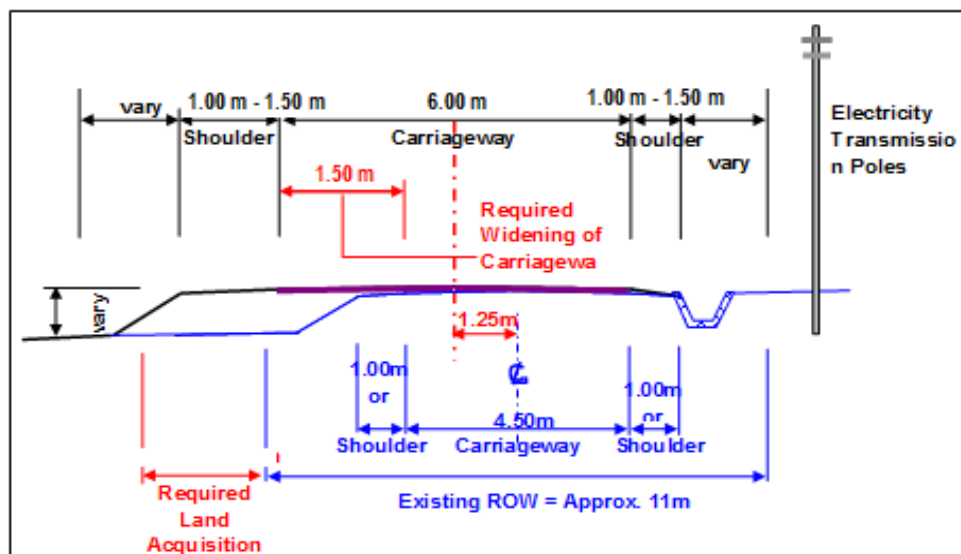
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Executive Summary

1. Timor-Leste has begun rebuilding its national infrastructures after years of suffering from conflict and under development. Physical infrastructure development including road network is now recognized by the country as a top priority to accelerate its new economic opportunities and is also a mean to reduce poverty in the country. Given the emphasis on nationwide development of road infrastructure, the Government of Timor-Leste has planned to upgrade the 169 km National Road under the Road Network Upgrading Sector Project, with financial support (Loan) from the Asian Development Bank (ADB). The 169 Km of road will be divided into 5 sections as follows; Baucau to Laga (A01-03) about 20 km, Laga to Com (A01-04) about 59 km, Lautem to Lospalos (A08-04) about 27.8 km, Baucau to Venilale (A06-01) about 26 km and Venilale to Viqueque (A06-02) about 35 km. This 169 km National Road under the Road Network Upgrading Sector Project will cover 3 Districts in the eastern part of the country (Baucau, Viqueque and Lautem).
2. This Resettlement Plan report will refers to the National Road Upgrading Project of the Lautem - Lospalos Section with a length of about 27.8 km. It is a road strategically placed to link the sub districts of Lautem and Lospalos, which may further help to improve the area's business transactions and tourism activity in the future.
3. The Ministry of Finance (MOF) is the project executing agency (EA) and the Ministry of Public Works, Transport and Communication (MPWTC) is the project implementing agency (IA). Project implementation works will be managed by the MPWTC through its existing Project Management Unit (PMU), supported by the Project Implementation and Support Consultants (PISC).
4. The physical implementation of improvement works include the widening of the existing road to achieve a width of 10-12 m, with a 6 m wide carriageway and 1-2 m wide shoulder on each side.

Figure 1-1 The Typical Road section



The improvement works shall also include drainage construction/rehabilitation. The strategy for the project is to minimize land requirements by confining the construction works within the existing road corridor to the extent possible. The strategy also includes some compromise on reducing the embankment width even to 2 m at certain sections of the tortuous stretch. However, it will inevitably be necessary to acquire land and other assets for the widening and raising of the road embankment which will cause involuntary resettlement impacts. To address these resettlement impacts, the present Final Resettlement Plan (RP) has been formulated in conformity with ADB's safeguard requirements on involuntary resettlement; adhering to the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted by the Government of Timor-Leste for the Road Network Upgrading Sector Project.

5. A combined census and socioeconomic survey carried out within the month of September 2015 shows that the project will affect; 14 Permanent structures, 5 Semi-permanent structures, 9 Temporary structures, 31 temporary fences and 1 stall. The project will have to acquire about 21.90 m² of land, about 1,410.3 m² of structure and about 673 trees of different kinds along either side of the embankment. A summary of impact is presented in Table 1-1.

Table 1-1 Summary of Impact

No	Impact Category	Type of Affected Assets	Number/Area of Impact	
			No.	Area
1	Affected structure	a. Permanent	14	775.24 Sqm
		b. Semi-Permanent	5	447.56 Sqm
		c. Temporary	9	187.53 Sqm
		Total Affected Structure	28	1410.3 Sqm
2	Affected movable structure	a. Business (Stall)	1	-
		b. Temporary fence	31	1,206 Meters
3	Affected Trees	a. Timber trees	352	-
		b. Timber and fruit trees	14	-
		c. Fruit trees	307	-
		Total Affected Trees	673	-
4	Affected Public Utilities	a. Water pipeline (Crossing)	28	420 Meters
		b. Water pipeline (Alongside the road)	-	3,000 Meters
		c. Concrete Electric Pole	112	-
		d. Water reservoir	1	-
5	Affected Sacred Object	a. Sacred Stone	1	

6. The total number of affected households (AHs) has been estimated at 32 along with 257 affected persons (APs). Majority of the AHs will be affected on their Structure. As identified, there are about (14) AHs will be affected on their 14 residential structures along with some fences and trees, (10) AHs will be affected

- on their 10 business structures along with some fences and trees, (1) AHs will be affected on 2 of its structures which are business structure and stall and along with some trees and (1) AHs will be affected on 2 of its structures which are residential and also business structure, while the remaining (6) AHs will be affected on their temporary fences and trees.
7. Land acquisition and resettlement for the project will be carried out in conformity with the Expropriations Act of the country according to procedure, but since The Parliament of Timor-Leste has not passed the Expropriations Act **the land acquisition will be based upon the ADB's safeguards policy 2010.**
 8. In consideration of the land to be obtained for this project. Cadastral surveys will be conducted as part of this process and impacts will be reassessed. Consequently, the estimates in the above summary table may have to be revised and updated.
 9. The project will follow the approach of setting a negotiated price at replacement cost for determining the compensation for any affected asset, which may either be physical or non-physical. Acquisition of land for the project will be done under the provisions of the Expropriations Act (2012). It provides for negotiated purchase as the first approach. Only if negotiations fail, the government will initiate "compulsory acquisition" of land.
 10. The RP is based on ADB's Guideline for Environmental and Social Consideration (April 2010) as well as Timor-Leste's applicable/domestic policy instruments and laws. The RP fits with the provisions of the RF approved by the Ministry of Public Works, Transport and Communication, Government of Timor-Leste. The following section deals with these policies with a comparison of two policies and subsequently deals with the entitlements and eligibility for compensation and other resettlement entitlements.
 11. This RP will be applied for the road network upgrading project for the implementation of the the Baucau-Laga sub-project. This will ensure that all persons that will be losing land and other fixed assets will get appropriate compensation and rehabilitation assistance.
 12. The cut-off date under the project is the date after which people will not be considered eligible for compensation, i.e., they will be included in the list of APs as defined by the census (IOL). The cut-off date under the project has been set as on **25 September 2015**. The PMU/MPWTC was informed about the cut-off date for information distribution to the local communities. People who move into the area after the cut-off date will not be entitled to any compensation. The following categories of affected persons will be entitled to receive compensation for their losses: (i) those with titles of land recognized on a legal basis; (ii) those with no legal rights but have a claim to the land or assets, and are recognized through a process identified in the RP; and (iii) those who have no legal rights or claims to the land they are occupying before the cut-off date.
 13. The negotiated prices in conformity with the ADB policy will ensure that the APs receive the right replacement cost for the loss of their land and other fixed assets, (houses, other structures) including crops, and trees. While APs with recognizable land rights/claims will receive fair compensation/price at

replacement rate for their land, those without such rights will be compensated for assets attached to the land that they occupy, such as houses, kiosks, and other structures. They will also be entitled to assistance for restoring their livelihood and income. APs without legal title or legitimate claim will be entitled to compensation for non-land assets only and other assistances. Vulnerable persons and women-headed households will qualify for special assistance. An entitlement matrix is presented in Table 2.

14. After approval of the RP by MPWTC and ADB, a summary of this resettlement plan along with the entitlement matrix (including the list of APs) will be translated into local language (Tetum/Portuguese) and will be disclosed by the MPWTC to stakeholders, and affected persons. This will be presented in the form of a booklet/brochure (refer to Appendix C) to enable the APs and local communities to be aware of the project's benefits/compensations that are available for the APs, as per provision in the entitlement matrix. MPWTC field staff/consultant will distribute brochures through suco meetings and will explain the mechanisms and procedures and overall process of the compensation program. The RP will be made available as an official public document in the MPWTC field offices, the Directorate of Land Property and Cadastral Survey (DLPCS) office, offices of district and sub-district administrators, and offices of the suco chiefs and aldeia leaders. The RP will also be disclosed on the ADB and MPWTC websites.

Table 1-2 Project Entitlement Matrix

Type of Loss	Unit of Entitlement	Details of Entitlements	Responsibility
1. Permanent loss of homestead and Agriculture land	Title holders/ claimants	• Compensation for the loss of land at negotiated price ensuring replacement cost • Transitional allowance for a maximum of 3 months, at \$100 per month, if the residual land is not viable (land acquired is 75% or more of the total land holding of the title holder); Or, for 3 months if the residual land is viable • If the household is vulnerable, transitional allowance will be for 6 months. • All fees, taxes and other charges, as applicable under relevant laws incurred in the relocation and resource establishment are to be borne by the project. • Landless/vulnerable APs will be assisted to find an alternative land/plot.	PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.
2. Permanent loss of residential/ commercial structures of owners/claimants	Owners of structure	• Compensation for Residential/structure(s) at negotiated price ensuring replacement value • Transitional assistance to cover a maximum of 3 months rental accommodation; if the household is vulnerable, transitional allowance will be for 6 months • One-time lump sum shifting allowance of \$200 for temporary, semi-permanent, and permanent structures • Right to salvage materials from the demolished structure • Vulnerable APs will be provided on a one-time rehabilitation grant in the form of productive assets.	PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.
3. Assets of squatters or informal settlers	Informal settlers/squatters/non-tilted APs identified by IOL losing Temporary, semi-permanent and permanent business	• Compensation at replacement cost of affected structure • Estimated during IOL and finalized with DLPCS; Transitional allowance for loss of income from business of \$100 for 3 months per household • Salvaged materials which are free of cost	DLPCS with Assistance from the PMU's Valuation Specialist and in consultation with relevant authorities will finalize the compensation at replacement cost for the affected structure as identified during IOL.

Road Network Upgrading Sector Project

Preparation of design for 169 km National Roads
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Final Resettlement Plan (RP)
Road Link A01-03: Baucau-Laga

Type of Loss	Unit of Entitlement	Details of Entitlements	Responsibility
	structure		
4. Tree	Claimant of the affected tree	• Compensation at replacement cost of the affected tree estimated during IOL and finalized with DLPCS • Salvaged materials which are free of cost	DLPCS with assistance from PMU's valuation specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.
5. Income from business	Owner	• One time lump sum transfer grant of \$100 per kiosk; Transitional allowance of \$100 for 4 months per household	PMU in coordination with DLPCS and with assistance from local authorities and community leaders.
6. Income from productive land	Title holders/ claimants	• One time income restoration grant per AH for 1 year income	PMU in coordination with DLPCS and with assistance from local authorities and community leaders.
7. Impact on vulnerable APs	Vulnerable and women-headed households identified by IOL	• In addition to the above standard package, vulnerable AP households will receive following: Additional special assistance of \$100 for an extra 2 months for vulnerable households	PMU with assistance of local authorities and community leaders
8. Unforeseen impact	Concerned persons affected	• Unforeseen impacts will be documented and mitigated based on the principles agreed upon in this policy framework.	PMU identifies and mitigates impacts as required.

15. In conformity with the Expropriations Act, it is important to deal effectively with APs' concerns pertaining to resettlement impacts such as compensation, rehabilitation, and delays in payment. To ensure this, a simple, accessible, transparent, and effective grievance redress system will be established.
16. The PMU under the MPWTC will have overall responsibility for implementing the sub-project. The PMU will strengthen its capacity with a social safeguard specialist to plan and implement land purchase and resettlement, train counterpart staff, and monitor resettlement in the sub- project. To this end, an Environmental and Social Unit (ESU) will be established in the PMU. The ESU shall be staffed by a national social safeguards specialist and an international social safeguards specialist. A valuation specialist will be provided to assist the MOJ/DLPCS in the valuation of property in order to keep appropriate compensation in place. The international safeguard specialist at PMU will assist in the management of all resettlement activities including the process of reaching adequate compensation. If the situation demands, PMU will engage an experienced NGO, active in the project area, to assist in dealing with the process of consultation, negotiating compensation, and resolving disputes.
17. All costs associated with land purchase and resettlement will be provided by the government. The entire resettlement for the road improvement project is estimated at **\$345,331.80**, out of which **\$313,938.00** is for direct resettlement expense while the rest is kept for staff training, internal monitoring, administrative expenses and contingency expenses. The cost of items is in compliance with the RF prepared for the project.
18. The Ministry of Justice, i.e., DLPCS, will work with the PMU to conduct cadastral surveys for the lands to be acquired. It shall also prepare valuation tables as provided under the Expropriations Act. PMU will ensure such values in confirm with the ADB's social safeguard policy that requires compensation at replacement value. Since the Expropriations Act provides for negotiated purchase in the first instance, it is expected that APs will get adequate compensation. If, however, the statutory compensation under the Act falls short, then PMU will provide additional funding to "top up" the compensation as required. Hence, this provisional budget may require revision.
19. The earliest date for the availability of financial resources for the resettlement aspect of the project is to be expected by July 2016. Hence, the earliest actual implementation of the RP may begin by August 2016.

CHAPTER 1 INTRODUCTION

1.1 Background

Timor-Leste has begun rebuilding its national infrastructures after years of suffering from conflict and underdevelopment. Physical infrastructure development including road network is now recognized by the country as a top priority to accelerate its new economic opportunities and is also a mean to reduce poverty in the country. Given the emphasis on nationwide development of road infrastructure, the Government of Timor-Leste has planned to upgrade the 169 km National Road under the Road Network Upgrading Sector Project, with financial support (Loan) from the Asian Development Bank (ADB). The 169 Km of road will be divided into 5 sections as follows; Baucau to Laga (A01-03) about 20 km, Laga to Com (A01-04) about 59 km, Lautem to Lospalos (A08-04) about 27.8 km, Baucau to Venilale (A06-01) about 26 km and Venilale to Viqueque (A06-02) about 35 km. This 169 km National Road under the Road Network Upgrading Sector Project will cover 3 Districts in the eastern part of the country (Baucau, Viqueque and Lautem)

This Resettlement Plan report will refer to the National Road Upgrading Project of the Lautem-Lospalos Section with a length of about 27.8 km. It is a road strategically placed to link the districts of Lautem and Lospalos, which may further help to improve the area's business transactions and tourism activity in the future.

The strategy for the project is to minimize land requirements by confining the project's construction works within the existing road corridor to the extent possible. However, it will inevitably be necessary to acquire some land and other assets for the widening and raising of road embankments which will cause involuntary resettlement impacts. To address these resettlement impacts, the present Final Resettlement Plan (RP) for the Baucau-Laga section has been based on the impact survey, census, socio-economic survey of the affected persons (AP), as well as consultations with the AP population and various stakeholders. The physical implementation of improvement works includes the widening of the existing road to achieve a width of 10-12 m, 6 m wide carriageway, and 1-2 m wide shoulder on each side.

The improvement works will also include drainage construction. The strategy for the project is to minimize land requirements by confining the construction works within the existing road corridor to the extent possible. The strategy also includes some compromise on reducing the embankment width even to 2 m at certain sections of the road stretch. To address these resettlement impacts, the present Final Resettlement Plan (RP) has been formulated in conformity with ADB's safeguard requirements on involuntary resettlement under the Safeguard Policy Statement, adhering to the resettlement principles and procedures outlined in the Resettlement Framework (RF), adopted by the Government of Timor-Leste for the Road Network Upgrading Project.

The Ministry of Finance as the project executing agency and the Ministry of Public Works, Transport and Communication (MPWTC) as the implementing agency will follow the RF principles and procedures to comply with the Government's applicable laws and regulations and relevant policies of ADB. The objectives are as follows: (i) avoid resettlement impacts wherever possible; (ii) minimize impacts by exploring alternatives; (iii) enhance or at least restore the living standards of APs; and (iv) improve the living standards of the poor and vulnerable APs.

Land acquisition and resettlement for the project will be carried out in conformity with the ADB's safeguards policy for acquiring land and other assets, the project will follow the provisions of the policy which provides for negotiated purchase as the first approach. Cadastral surveys will be conducted as part of this process and impacts will be reassessed. Consequently, the estimates in the summary of impact may have to be revised and updated.

1.2 Project Description

The Lautem-Lospalos road section, with a length of about 27.8 km, is a continuous section of the major national route between Baucau, Laga, Lautem and Lospalos section. The road lies within the geographic coverage of the two Sub districts, Lautem and Lospalos. Project Location Map is presented in Figure 1-1.

Figure 1-1 Project Location Map



Physical implementation of improvement works includes widening of the existing road to achieve a width of 10 to 12 meters on the flat sections and a width of 12 to 14 meters on the ridget or hillside section, consisting 6 meters wide of carriageway and 1 to 2 meters wide shoulder on each side. The improvement works will also includes construction of drainage, cross pipe/box culvert and stone masonry retaining wall. The strategy for the project is to

minimize land requirements by confining the construction works within the existing road corridor to the extent possible. The strategy also includes some compromise on reducing the embankment width even to 2 m at certain sections of the road stretch. However, it will inevitably be necessary to acquire some land and other assets for the widening and raising of the road embankment which will cause involuntary resettlement impact.

1.3 Objectives of RP

This RP attempts to define the practical procedures by which the Implementing Agency (IA) will be able to obtain the required land and property from the APs and address the potential resettlement impacts to be incurred by the project. The RP shall be in line with the applicable policy and legal framework of the government, ensuring that the principles of the ADB's policies on involuntary resettlement are applied. In this process, the primary objectives of the RP are as follows: (i) identify the project impact on the community in terms of loss of land and other assets, as well as impact on livelihood and income; (ii) outline measures to mitigate its adverse impacts; (iii) provide an estimate for budgetary allocation for compensation of loss of assets and resettlement benefits; and (iv) provide procedure for internal and external monitoring of resettlement implementation.

The impacts are documented in the RP, corresponding to the available engineering design of the road alignment as of September 2015. It includes inventory of all the APs who experienced the actual magnitude of impact on their land and other properties, together with compensation for their losses.

1.4 RP-Related Conditions

Project implementation works will be contingent in the compliance with the following conditions:

- Approval of this RP by the Government of Timor-Leste and ADB;
- Full disclosure of this RP to the public;
- Full implementation of the compensation program described in this RP including the full delivery of compensation to the APs;
- External monitoring agency/consultant is in place; and
- 'No objection signal' offered by ADB for the commencement of physical works.

CHAPTER 2 SCOPE OF LAND RESETTLEMENT

2.1 Scope and Rationale for Land Acquisition/Resettlement

Upgrading Project for Lautem to Lospalos section will follow the road's existing alignment to the maximum extent possible to minimize resettlement impacts. The road upgrading works will consist of earthworks which include road widening at areas where it is considered absolutely necessary, retaining structures, drainages, bridges and pavements. The road will be upgraded to all weather, asphalt-surfaced standard that will enable it to carry loaded container trucks as a minimum. Upgrading of the road will affect structures, small roadside businesses and trees (both fruit and timber).

A total of 32 households will be affected by the project. In order to understand the adverse social and resettlement impacts of the project interventions, a 100% census combined with socio-economic survey was carried out in September 2015 in order to make an inventory of losses (IOL). The reason for carrying out the survey is for the development of a baseline of socio-economic status of the households likely to suffer from project implementation. A structured questionnaire (Appendix B) was used to collect details of the affected Housholds (AHs).

2.2 Summary of Impacts

The project has carried out an extensive exercise to minimize adverse resettlement impacts. This approach shall affect in the resettlement impact of 32 households in terms of their structures, land, businesses and trees. The total number of APs has been identified at 257. An area of only around 21.90 m² of land and 1,410.3 m² of structure will be affected by the project. As much as 673 trees will be affected. Table 2-2 summarizes the whole resettlement impact of the project. The subsequent Section 2-4 of this chapter details the losses in each category. Aside from the affected privately owned community's properties above, there are 3 types of public utilities and 1 sacred object will be also affected by this project, roughly about 3,420 linear meters of water pipelines¹, 112 units of Concrete Electricity Poles, 1 community's water reservoir and 1 sacred stone. The replacement cost or tranfering cost for these affected public utilities and sacred object will be included in the provisional sum of the project cost.

Table 2-1 Summary of Impact

No	Impact Category	Type of Affected Assets	Number/Area of Impact	
			No.	Area
1	Affected structure	a. Permanent	14	775.24 Sqm
		b. Semi-Permanent	5	447.56 Sqm

¹ Pipe sizes: 3 inches around 1,000 Meters long and 1.5 inches around 2,000 meters long (along side the road) and ½ inches around 420 meters long (crossing the road)

		c. Temporary	9	187.53 Sqm
		Total Affected Structure	28	1410.3 Sqm
2	Affected movable structure	a. Business (Stall)	1	-
		b. Temporary fence	31	1,206 Meters
3	Affected Tree	a. Timber trees	352	-
		b. Timber and fruit trees	14	-
		c. Fruit trees	307	-
		Total Affected Trees	673	-
4	Affected Public Utilities	a. Water pipeline (Crossing)	28	420 Meters
		b. Water pipeline (Alongside the road)	-	3,000 Meters
		b. Concrete Electric Poles	112	-
		c. Water reservoir	1	-
5	Affected Sacred Object	a. Sacred Stone	1	

2.3 Impact Assessment

2.3.1 Impact on People

As mentioned in the previous section, a total number of affected households (AHs) have been estimated at 32 along with 257 affected persons (APs). Majority of the AHs will be affected on their Structure. As identified, there are about (15) AHs which are consisted by 117 APs will be affected on their 15 residential structures along with some fences and trees, (10) AHs which are consisted by 75 APs will be affected on their 10 business structures along with some fences and trees, (1) AHs which are consisted by 10 APs will be affected on 2 of its structures which are business structure and stall also along with some trees and (1) AHs which are consisted by 11 APs will be affected on 2 of its structures which are residential and also business structure, while the remaining (6) AHs which are consisted by 44 APs will be affected on their temporary fences and trees. (See table 2-3).

A total of 257 people will be affected, with significant difference in gender ratio of household head i.e., 138 male APs and 119 female APs (refer to Table 2-4).

Table 2-2 Number of AH and AP on the Basis of Category of Impact

Category of Impact	Affected Households (AHs)			Affected Persons (APs)		
	Lautem	Lospalos	Total	Lautem	Lospalos	Total
Total No. of AHs and APs for Residential structure Affected also with fence and trees	5	10	15	41	76	117
Total No. of AHs and APs for Business structure affected also with fence and trees	8	2	10	61	14	75
Total No. of AHs and APs with more than 1 business structure affected, also with fence and trees	1	-	1	10	-	10

Category of Impact	Affected Households (AHs)			Affected Persons (APs)		
	Lautem	Lospalos	Total	Lautem	Lospalos	Total
Total No. of AHs and APs with more than 1 structure affected (Residential and Business)	1	-	1	11	-	11
Total No. of AHs and APs with both fences and trees affected	-	5	5	-	44	44
Total	15	17	32	123	134	257

AHs will be compensated accordingly depending on the impact on their affected assets. The procedures and type of compensation are summarized on entitlement matrix (See table 4-1).

2.3.2 Impact on Land

There is no Impact on private land since the new design road alignment will only encroach to the government land.

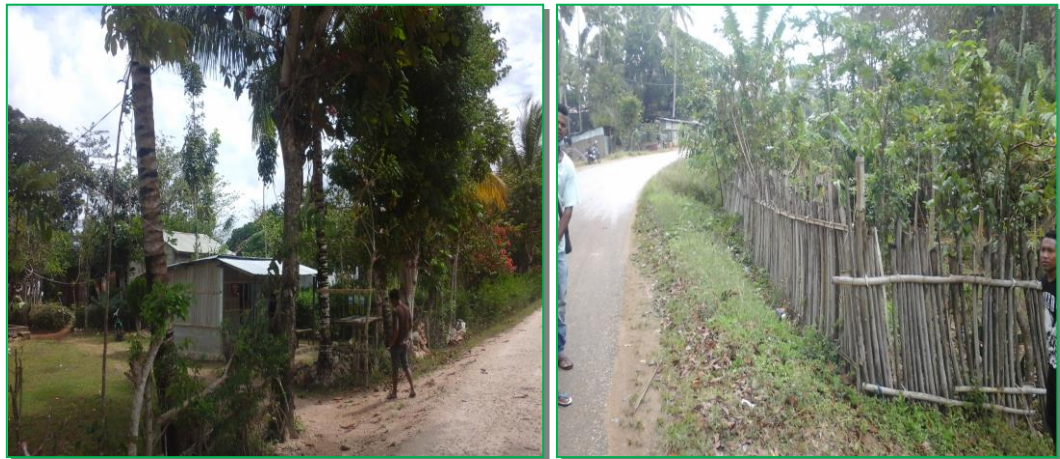
2.3.3 Impact on Trees

A total of 673 trees of different types will be affected (Table 2-6). Among these, 352 are classified as timber trees, 307 as fruit trees and 14 as fruit-timber trees. Depending on the time of implementation of land acquisition, the total number of trees that will have to be removed will be greater.

Table 2-3 Impact on Trees

Fruit Trees		Fruit and Timber Trees		Timber Trees	
Name	Total	Name	Total	Name	Total
Coconut	70	Mango	13	Teakwood	318
Banana	53	Tamarind	1	Kapok	1
Jambu air	2			mahony	33
Sour sop	13				
Lime	15				
Melon	21				
Aidak	14				
Sarmale	1				
Avocado	3				
Palm / bua	10				
Papaya	13				
Jackfruit	3				
Guava	81				
Kami'i	8				
Sub Total	307		14		352
Total	673				

Figure 2-1 Pictures of the identified affected trees



2.3.4 Impact on Structures

Based on the detail measurement survey and IOL conducted in each project location, there are 29 affected structures with the total of only 25 affected Households identified, All of these 25 AHs are categorized as marginally Affected and can just be moved a little back to their own available land-space since the majority of the affected structures itself are only a small time semi-permanent and temporary structures (See table 2-6 and see figure 2-4).

Table 2-4 Extent of Impact on Structure

Category of impact	Residential ²	Business ³	Total ⁴	
			Structures	AHs
Severely	-	-	-	-
Marginal	16	13	29	25
Total	16	13	29	25

About 95% of respondent expecting to be compensated by cash, 5% expecting to be compensated by kind with the same size and quality

The detail procedures and type of compensation are summarized on entitlement matrix (See table 4-1).

2.3.5 Impact on Income

Aside from every other occupation that the majority of the affected households hold, farming has been the main livelihood for most of the affected households identified during the socio-economic survey within the month of September 2015.

² Residential refer to: House, kitchen and toilet

³ Business refer: Kiosk and Stall

⁴ 25 households will be affected with the total structures of 29 which means some AHs have more than 1 affected structures (See table 2-3)

Among the 29 affected structures, 16 structures are being used for residential purposes, 13 structures are being used for business purposes. These residential structures are not rented out; hence, there is no income from these structures. The average monthly income from affected structures is \$113.33 (see table 2-9).

Table 2-5 Usage and Income from Affected Structure

Use of Structure	No. of Structures	Average Monthly Income from Structure (\$)
Residential	16	-
Business	13	\$113.33
Total	29	\$113.33

As mentioned earlier, there are 66 roadside businesses establishments which are actually house-kiosks, kiosks and stalls operating within the project area.

Figure 2-2 Pictures of the Affected Structures



The house-kiosks and kiosks either semi-permanent or permanent which will be affected in terms of both structure and business income will be subjected for full compensation at replacement cost of affected structure and additional for four (4) months as transitional allowance for the monthly business income loss. The four months is calculated for the period of time needed for a new business structure to be fully constructed and the business to be fully operational as the previous condition.

For stall or temporary road businesses the compensation will only a lump sum for the structure and additional transitional allowance for 2 month since the structure itself is a temporary structure which can be pushback or transfered within 2 or 3 days. It is however assumed that these AHs will resume their businesses activity once the construction of the road at a certain section is finished.

2.3.6 Impact on Public Utilities

Along the road side we can visually see that there are some water pipe lines been installed very close to the road side or even crossing the road in some areas, some of these water pipe lines was installed by the National Water and Sanitation program S.A.S. (*Servicos Agua & Saneamento*) in order to supply water to the community. 3,420 linear meters of total water pipe lines, along with 112 Concrete Electric Poles and 1 water reservoir will be affected by the project. See table 2-2.

Figure 2-3 Pictures of the Affected Utilities



2.3.7 Impact on Sacred Objects

Although total AHs are 100% Christian it didn't prevent them to still believe in some sacred objects. It has been identified during the survey that there will be 1 affected sacred stone in this project.

Figure 2-4 Pictures of the Affected Sacred Objects



2.3.8 Gender Impact

Discussions were undertaken with the women and community people to understand the current status and needs of women living in the sub-project area and the potential impact of the project to them. The assessment has not brought forth any adverse impacts of the project on women in particular. Rather, the project is anticipated to benefit them by strengthening connectivity, accelerating new economic opportunities, and reducing poverty which may help contribute to the improvement of the overall quality of life in their area.

CHAPTER 3 SOCIO-ECONOMIC INFORMATION AND PROFILE

3.1 Working Methodology

A 100% census of the AHs combined with a sample of the socio-economic survey was carried out in September 2015. The census helps provide requisite details on the affected households (AHs), assess the magnitude of impacts, and identify the required measures for mitigation of adverse impacts. Interviews were held with the heads of the AHs and family members at their residences to collect socio-economic information of the affected population. Structured questionnaire (Appendix B) was used to collect details of the affected households.

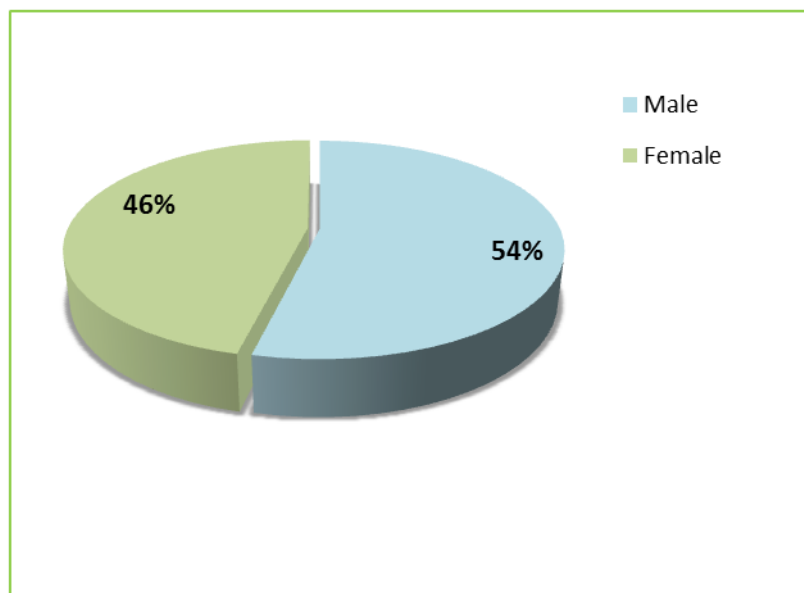
Socio economic information and profile of AHs is analyzed base on the data of 32 AHs. About 3 data were not usable for socio economic due to unavailability of data. Base on in-depth interview taken during survey, these 3 AHs are not living in the same sub district and mostly live outside the sub district.

3.2 Demographic Characteristics of AHs⁵

3.2.1 Population of AHs

It has been mentioned earlier that the project will have an impact on a total of 32 AHs and the APs are on a total of 257, of which 138 are male and 119 are female

Chart 3-1 Population of Affected People



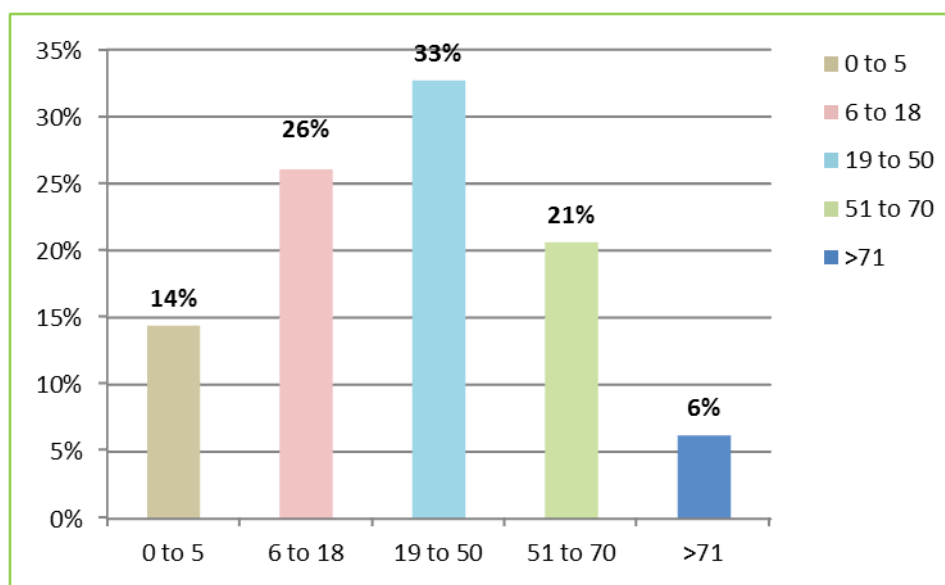
3.2.2 Age of APs

As shown in chart 3-2, the majority of the affected population is within the age 19

⁵ Demographic characteristic of AHs analyzed base on the data of 32 AHs

to 50 which consist 33% of the total APs.

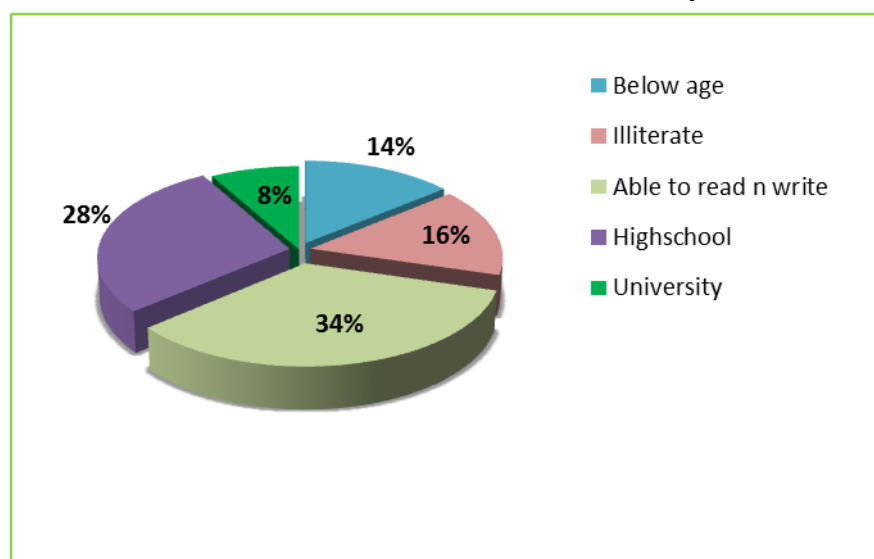
Chart 3-2 Age Distribution of Affected People



3.2.3 Education of APs

Majority of the APs (70%) are able to read and write, while 30% is under school going age or illiterate. Out of these 70% of APs able to read and write, 34% of APs attended elementary school, 28% reached junior and senior high school, and 8% is university graduates. See Table 3-3.

Chart 3-3 Education of Affected People



3.2.4 Ethnicity & Religion of AHs

From the total of 32 AHs, 100% are makasae and all of the surveyed AHs 100%

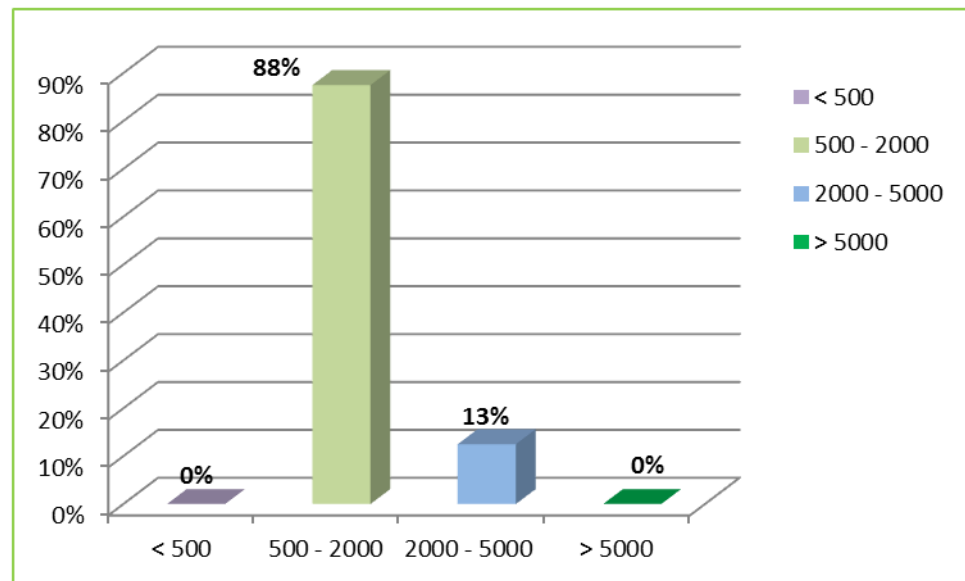
were found to be followers of Christianity.

3.3 Characteristics of Households

3.3.1 Economic Profile of AH

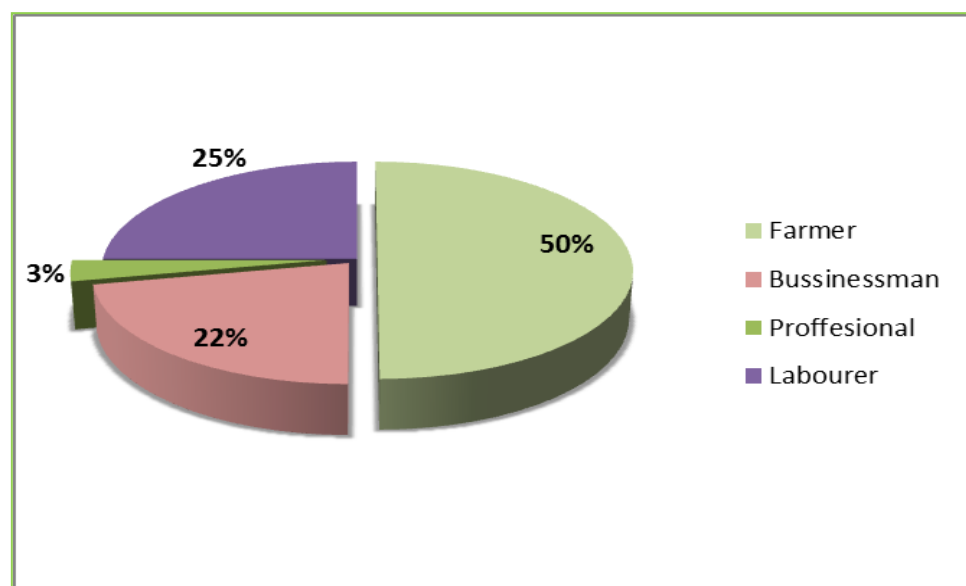
Majority of the AHs 88% have annual incomes of about (\$500 - \$2,000) and 13% have incomes of about (\$2,000 - \$5,000). See chart 3-4.

Chart 3-4 Annual Income of Affected Households



Of the 32 AHs, 50% is farmers, 25% is Labourer, 22% is Bussinesman or Treders and 3% is Proffesional (office worker).

Chart 3-5 Main Occupation of Affected Household Heads



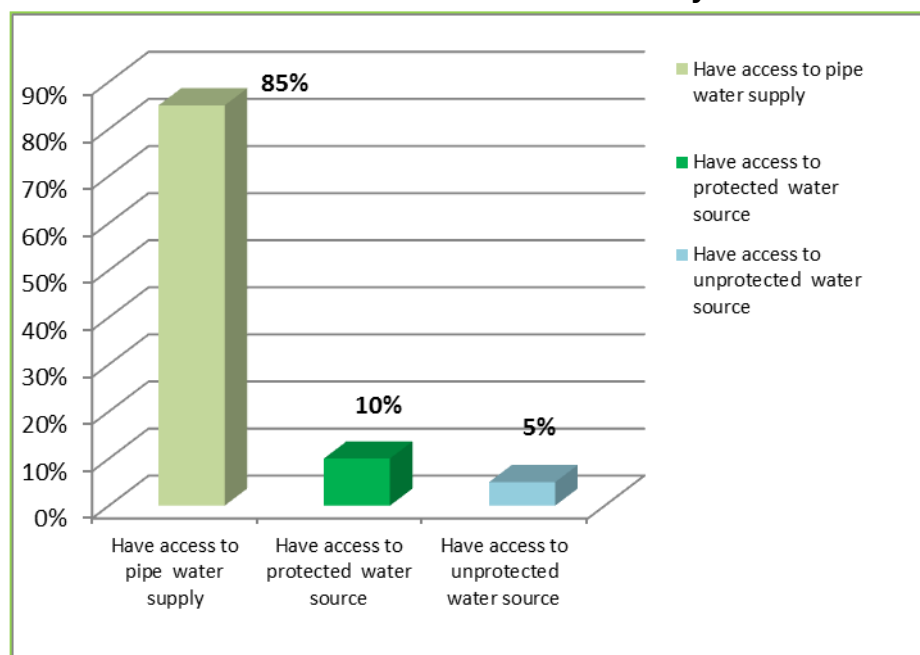
3.3.2 Quality of Life Indicators

Around 5 years back the community in this region always has problem with electricity connectivity it occur because the power supply which the region used was the old Indonesian materials, but now the government has upgraded the power lines in the region by replacing the old indonesian steel electric poles and cables with the new concrete electric poles from Baucau until Laga, which is now has been giving the community 100% access to electricity.

There are 85% of the AHs have access to piped water supply, 10% have access to water from protected well and the remaining 5% have access to water from un-protected sources. The water pipe lines which have been benefited around 86.1% of AHs was provided by the government.

These 2 (type) of public utilities are found to be affected by the project during the IOL and the public utilities survey. Additional transferring cost has been estimated and included in the RP budget in order to address this issue in future extent.

Chart 3-6 Water and Accessibility



3.4 Economic Details of AHs

3.4.1 Poverty Status

The TLSLS 2007 defines the upper poverty line to be \$26.68 per month per person and the lower poverty line to be \$21.53 per month per person. The calculation on poverty status of AHs in Lautem and Lospalos are also based on the TLSLS 2007.

Overall the total of 32 AHs within Lautem and Lospalos are 59% relatively below

the poverty line. Of the total AHs in each district; 53% of the AHs are poor in Lautem and 65% are poor in Lospalos. Table 3-8 below reflects the overall poverty condition of these 2 Sub districts.

Table 3-1 Poverty Analysis around the Project Area

Sub district	No. AHs	No. APs	Average monthly income (\$)		Poor AHs	
			AHs	APs	No.	%
Lautem	15	123	\$160.00	\$20.00	8	53%
Lospalos	17	134	\$140.76	\$17.50	11	65%
Total	32	257	\$160.00	\$20.00	19	59%

The average monthly income of the AHs is found to be \$160.00 and the average number of family members per AH is 8 Hence, the average income per month per person of the AHs is \$20.00

3.4.2 Impact of Project on AH's Livelihood

The project will cause some impacts on AHs' livelihood in terms of loss of income. There are 13 roadside businesses (Kiosks and small temporary stall), each of which will have considerable losses. However, not all of the damages will be permanent as mentioned in Chapter 2.

Based on the Socio-economic survey carry out on September 2015 total of 28 AHs are considered as part of the vulnerable due to their income level being below the living standard in Timor-Leste. Among the 28 vulnerable AHs, 12 will lose their businesses structures and incomes (kiosk or stall), 15 will lose residential structures, and trees, 1 will lose its residential and business structures. All of the Households which will be losing assets (structures) more than 10% are counted as vulnerable since their assets will have to be relocated based upon their requests.

The households who are considered as vulnerable will be provided with additional special assistance as an additional compensation entitlement.

In spite of no impacts on land, the project will have some significant positive impacts on the AHs' livelihoods. In the community consultation session, the following positive impacts of the project on AHs' livelihoods were identified by the local community representatives:

- i. Reduced travel time and cost for the AHs;
- ii. Increased pedestrian safety;
- iii. Improved and much reliable bus services, ensuring safe and comfortable travel;
- iv. Improved communication among sucos;
- v. Employment opportunities during the construction phase of the road;

- vi. Opportunities to sell goods to construction workers;
- vii. Improved access to markets, schools, hospitals and other important social institutes; and
- viii. Increased land values due to enhanced accessibility

The local community, at the same time, finds the following few negative impacts on their livelihood due to this project, apart from the loss of trees, structure, and income:

- i. Dust and noise during construction period affecting the daily life of local households;
- ii. Increased chances for accidents due to increased traffic; and
- iii. During the construction period, workers from outside will work in close proximity to the local people. Hence, there may be chances of conflicts, unrests, abuse of minors/women, and spread of sexually transmitted infection (STI) among the local community.

CHAPTER 4 LEGAL POLICY FRAMEWORK AND ENTITLEMENTS

4.1 Introduction

The RP is based on ADB's Guideline for Environmental and Social Consideration, published April 2010, as well as the Timor-Leste's applicable/domestic policy instruments and laws. The RP fits with the provisions of the Resettlement Framework (RF) approved by the Ministry of Public Works, Transport and Communication, Government of Timor-Leste. The following section deals with these policies with a comparison of the two policies and subsequently deals with the entitlements and eligibility for compensation and other resettlement entitlements.

4.2 Existing Policy and Legal Framework for Resettlement in Timor-Leste

Section 141 of the Constitution states that, "the ownership, use, and development of land as one of the factors for economic production shall be regulated by law". Section 54 of the Constitution covers the right to private property and provides for:

- i. Every individual has the right to private property and can transfer it during his or her lifetime or on death, in accordance with the law.
- ii. Private property should not be used to the detriment of its social purpose.
- iii. Requisitioning and expropriation of property for public purposes shall only take place following fair compensation in accordance with the law.
- iv. Only national citizens have the right to ownership of land.

The first land law of Timor-Leste was promulgated in March 2003 and was designed to serve as an umbrella law for the rest of the land and property regime. The law defined State property of private domain, established the Directorate of Land, Property and Cadastral Survey (DLPCS) as a legal entity and defined its jurisdiction, and articulated general rules concerning land tenure and property rights to be further developed by ensuing legislation. Moreover, this law established a one-year period for both nationals and non-nationals to register their land claims. Effectively Law No.1/2003 vests all land that belonged to the Portuguese state, and all state property acquired or built by the Indonesian regime, in the new state of Timor-Leste. However, there are uncertainties over the boundaries of state land and overlapping claims of state and customary land ownership. Furthermore, the law currently does not include any implementing regulations.

A decree issued by the government in February 2011 which provides for the granting of compensation to relocate unlawful occupants of state property based on humanitarian considerations. The Ministry of Justice (MOJ) through ministerial statute establishes the basis for calculating compensation. Another decree promulgated in July 2011 provides for the granting of title certificates to landowners/persons in areas where cadastral surveys have been completed

(following the registration and verification of claims by the government) and confirmed that the claims to land are undisputed. Among the claims registered so far under the Ita Nia Rai program, some 92 percent of claims are undisputed.

Four pieces of legislation relating to land have just received parliamentary approval:

- The Civil Code which forms the pillar of civil law in East Timor includes a section that governs day-to-day land decisions such as the sale and lease of land;
- The Transitional Land Law sets the scene for all land issues in the future, deciding who owns what land and in the case of conflicting claims, who has the strongest right to the land;
- The Expropriation Law that allows the state to take land for "public good" for example, to build ports and other infrastructure; and
- The Real Estate Finance Fund to provide compensation as determined under the other laws.

There were no specific laws on involuntary land acquisition and compensation until the end of 2011. When road works required land in the past, the government negotiated with the owners or users (including squatters) on a case by case basis. According to past practices, when land was required for project development, concerned parties under the direction of local authorities (district and sub-district land property units and villages) negotiated and reached an agreement on compensation rates, total compensation amount, and the procedures or mechanism for compensation and transfer. Land acquisition for public purposes is now governed by the provisions of the Expropriations Act. Hence, the project will acquire land under the provisions of the Expropriations Act (2012), which provides for negotiated purchase as the first approach. Only if negotiations fail, will the government initiate "compulsory acquisition".

4.3 ADB'S Guideline for Environmental and Social Consideration

ADB's Guideline for Environmental and Social Consideration (April 2010) aims to avoid or minimize the impacts on people affected by a project, and to provide support and assistance for those who lose their land and property, as well as for others whose livelihoods are affected by the acquisition of land or restriction on land use. Resettlement planning is designed to provide AHs with a standard of living equal to, if not, better than that which they had before the project. The policy is guided by the following principles:

- Involuntary resettlement is to be avoided or at least minimized;
- Compensation must ensure the maintenance or improvement of the AHs' pre-project living standards;
- AHs should be fully informed and consulted on compensation options;

- AHDs' socio-cultural institutions should be supported/used as much as possible;
- Compensation will be carried out with equal consideration of women and men;
- Lack of formal legal land title should not be a hindrance to assistance/rehabilitation;
- Particular attention should be paid to households headed by women and vulnerable groups, such as indigenous people and ethnic minorities. Appropriate assistance should be provided to help them improve their status;
- Land acquisition and resettlement should be conceived and executed as a part of the project. The full costs of compensation should be included in the project costs; and
- Compensation/rehabilitation assistance should be paid prior to ground leveling and demolition, and in any case, before an impact occurs.

The policy comprises three important elements as follows:

- i. Compensation to replace lost assets, livelihood, and income;
- ii. Assistance for relocation, including provision of relocation sites with appropriate facilities and services; and
- iii. Assistance for rehabilitation to improve or achieve at least the same level of well-being with the project as without it.

A project's involuntary resettlement category is determined by the category of its most sensitive component in terms of involuntary resettlement impacts. The level of detail and comprehensiveness of the resettlement plan are commensurate with the significance of the potential impacts and risks.

4.4 Project Policy Framework and Entitlements

The legal and policy framework on resettlement in Timor-Leste has been compared with the requirements of ADB and some gaps have been identified. The gap-filling measures and resettlement policy principles for the project are as follows:

- i. The Constitution gives the power to the state to expropriate land for public purposes paying due compensation in accordance with the law. The Expropriation Law has received Parliament's approval. The government will now be able to acquire land for road improvement under "eminent domain" or involuntarily.
- ii. A substantive amount of land in Timor is not registered. The government has started issuing land title certificates in urban areas, which will help in identifying land owners. In rural areas where most of the road sections will be improved, the MOJ and DLPCS will identify and establish ownership

claims for the land parcels required for the project roads.

- iii. The absence of an active land market in rural areas poses a challenge to determine the market or replacement value of the affected land. Professional valuation expertise under the PMU supported by ADB will assist the DLPCS for the valuation of affected assets to determine fair compensation at replacement cost to AHs. Resettlement impacts will be minimized through careful engineering design;
- iv. AHs will be systematically informed and consulted during the entire process of resettlement planning and implementation, including assessment of possible impacts on their livelihoods, purchase of land/assets, determining compensation/resettlement options, and socio-economic rehabilitation measures. They will be informed of their rights and options and be invited to participate actively in the identification of mitigation and rehabilitation measures;
- v. The AHs will be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cut-off date, usually around the time of initial consultations, at the sub-project identification stage, to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits;
- vi. Consistent with donor policies, eligible AHs are:
 - Those with titles to land recognized on a legal basis;
 - Those with no legal rights but have a claim to the land or assets, and are recognized through a process identified in the RP;
 - Those who have no legal right or claim to the land they are occupying before the cut-off date.
- vii. Eligible AHs are entitled to compensation and livelihood rehabilitation measures sufficient to assist them to improve or at least maintain their pre-sub-project living standards, income earning capacity and production levels;
- viii. In the consultation process, representatives of local governments, village chiefs, other community leaders and civil society organizations such as non-government organizations (NGOs) from the operational areas will be included. The customs and traditions, as well as religious practices of all AHs, will be respected and protected;
- ix. The institutions of AHs, and, where relevant of their hosts, are to be protected and supported. Physically displaced AHs will be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted;
- x. Lack of formal legal rights to assets lost will not deprive any AP from receiving compensation and payments for non-land assets and entitlements;

- xi. Particular attention will be paid to the needs of vulnerable AHs. This group of AHs may include those without legal or recognizable title to the land or other assets, households headed by females, the elderly or disabled, and other vulnerable groups, such as people living in extreme hardship, and indigenous people that may be a minority in specific locations. Appropriate assistance will be provided to help them improve their socio-economic status;
- xii. The concerns of women will be identified based on gender disaggregated socio-economic data, separate discussions on women's concerns, and ensuring adequate measures and budgetary allocations in the resettlement plan to compensate and resettle them in a manner that does not disadvantage them. In this effort, the assistance of national NGOs currently engaged in women's welfare will be sought;
- xiii. Since there are no significant differences in cultural and socio-economic identity among the different language groups, no specific adverse impacts are anticipated to warrant separate indigenous peoples' plans. To ensure that the different language groups fully participate in planning and implementing resettlement, discussions and reports will be prepared and disclosed appropriately in the relevant languages. RPs will also include provision for any special measures that may be required;
- xiv. Resettlement planning decisions will be preceded by a social preparation phase where consultations will be held with AHs community leaders, local administrators, and NGOs to enhance the participation of these AHs during negotiation, planning, and implementation;
- xv. A valuation specialist will be provided under the PMU to assist the DLPCS to have appropriate rates in place. Payment for physical assets, i.e., houses, buildings and other structures, and non-physical assets such as lost income from productive assets or jobs, will be calculated at replacement cost and included in the RP;
- xvi. AHs losing only part of their physical assets will not be left with a proportion inadequate to sustain their current standard of living. Such a minimum size will be identified and agreed upon during the resettlement planning process;
- xvii. Land for land or asset for asset compensation is always the preferred method. However, if insufficient land or assets are available, or if the affected people have a preference and the resettlement impacts are considered to be minor and do not undermine the livelihoods of AHs, cash payment at replacement costs will be provided based on negotiation with AHs. For those experiencing severe impacts (more than 10% of productive land severely affected people (i.e., AHs experiencing significant impacts)), assistance will be given to identify and purchase alternative land. Efforts will also be made to provide sustainable livelihood restoration measures so that affected people can improve or at least restore their standard of living to pre-project levels;

- xviii. A grievance redress mechanism, linked with existing traditional formal and informal systems and cognizant of cultural requirements, will be established to solve resettlement related disputes and complaints from AHs;
- xix. The full cost of land purchase and resettlement will be included by the government in the project cost and adequate budgetary provision shall be made available during implementation;
- xx. All land purchase, compensation, resettlement activities will be satisfactorily completed and the sub-project areas cleared of all obstructions before the commencement of civil works; and
- xxi. No works with resettlement impacts will be implemented before a RP has been prepared and approved in line with this RF. The general process for preparing RPs include:
 - Consultation with AHs relevant stakeholders, and whenever necessary, assistance of relevant institutions to ensure effective consultations;
 - Undertaking of a participatory inventory of losses (IOL), which will be updated during a detailed measurement survey (DMS) following the detailed design;
 - Determination of replacement cost – for AHs losing assets (land, physical assets, means of livelihood, or social support systems) will be compensated and assisted to the APs, through adequate and satisfactory replacement land, housing, infrastructure, resources, income sources, and services, in cash or in kind, so that their economic and social circumstances will be improved or at least restored to the pre-project level. All compensation will be based on the principle of replacement cost at current market value. When necessary, livelihood restoration programs acceptable to the local community will be put in place to help people improve, or at least restore, incomes to pre-project levels;
 - Preparing a cost estimate and budget including the costs of compensation, relocation and rehabilitation, social preparation and livelihood programs. The budget will also include the costs for planning, management, supervision, monitoring and evaluation, land taxes, land fees, physical and price contingencies, and implementation of the RP;
 - Inclusion of a grievance mechanism based on cultural practices and agreeable to AHs; and
 - Inclusion of a monitoring system - appropriate reporting and monitoring and evaluation will be established as part of the resettlement management system, which will be set out in the RP.

4.5 Eligibility and Entitlements

This RP will apply to the Road Network Upgrading Project for implementing the Baucau- Laga sub-project. This will ensure that all persons affected by losing of land and other fixed assets, will get the appropriate compensation, and

rehabilitation assistance.

4.5.1 Cut-off Date and Eligibility

The cut-off date under the project is the date after which people will not be considered eligible for compensation, i.e., they are not included in the list of AHs as defined by the census. Normally, the cut-off-date is the date of the detailed measurement survey. The cut-off date under the project has been set as on **25 September 2015**. PMU/MPWTC will be informed about the cut-off date to the local communities. People who will move into the project boundaries after the cut-off date will not be entitled to any compensation. The following categories of affected persons will be entitled to receive compensation for their losses:

- Those with titles to land recognized on a legal basis;
- Those with no legal rights but have a claim to the land or assets, and are recognized through a process identified in the RP; and
- Those who have no legal right or claim to the land they are occupying before the cut-off date.

Negotiated prices at replacement cost for land and other fixed assets, (houses, other structures) crops, and trees will be adequate to replace losses, while AHs with recognizable land rights/claims will receive fair compensation/price at replacement rate for land, those without such rights will be compensated for assets attached to land such as houses, kiosks, and other structures. They will also be entitled to assistance for restoring their incomes. The AHs without legal title or legitimate claim will be entitled to compensation for non-land assets only and other assistances. Vulnerable persons and women-headed households will qualify for special assistance.

An entitlement matrix for the project is presented in Table 4-1. Each RP will include a detailed entitlement matrix identifying the following main components:

- Description of impact (permanent, temporary, land, structure, crops, access, employment, business, communal facilities, public buildings and utilities, etc.;
- Nature of impact (right of way, access for construction, partial or total loss, ownership, impact on income, etc.);
- Definition of affected person for each category of impact;
- Specific entitlement for each type of loss; and
- Agency responsible for each entitlement.

Where public buildings such as schools, clinics, electricity lines, water supplies, markets, and government offices are affected, PMU will work with relevant authorities to plan for replacing them well in advance and ensure that the required funds are included in the resettlement budget. Churches and religious structures will be compensated at replacement value. See Table 4-1 Project Entitlement matrix.

Table 4-1 Project Entitlement Matrix

Type of Loss	Unit of Entitlement	Details of Entitlements	Responsibility
Permanent loss of homestead and commercial land	Title holders/ Claimants	• Compensation for the loss of residential land at negotiated price ensuring replacement cost • Transitional allowance for a maximum of 3 months at \$100 per month, if the residual land is not viable (land acquired is 75% or more of the total land holding of the title holder); or, for 3 months if the residual land is viable • If the household is vulnerable, transitional allowance will be for 6 months. • All fees, taxes, and other charges, as applicable under relevant laws incurred in the relocation and resource establishment are to be borne by the project. • Landless/vulnerable APs will be assisted to find alternative land/plot.	PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.
Permanent loss of residential/commercial structures of owners/claimants	Owners of structure	• Compensation for house/structure(s) at negotiated price ensuring replacement value • Compensation for the residential structure (part or full) at replacement rates without depreciation • Transitional assistance to cover a maximum of 3 months rental accommodation; if the household is vulnerable, transitional allowance will be for 6 months • One-time lump sum shifting allowance of \$200 for Temporary, semi-permanent, and permanent structures • Right to salvage materials from the demolished structure • Vulnerable APs will be provided a one-time rehabilitation grant of \$100 in the form of productive assets.	PMU in coordination with MOJ/DLPCS, Ministry of Finance, with assistance from valuation specialist, local authorities and community leaders.

Road Network Upgrading Sector Project (RNUSP)

Preparation of design for 169 km National Roads

(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

Road Link A08-04: Lautem-Lospalos

Assets of squatters or informal settlers	Informal settlers/squatters/ non-tilted AHs identified by IOL losing Commercial semi-permanent structure	• Compensation at replacement cost of affected structure • Estimated during IOL and finalized with DLPCS; Transitional allowance for loss of income from business of \$100 for 4 months per household • Salvaged materials which are free of cost.	DLPCS with assistance from the PMU's Valuation Specialist and in consultation with relevant authorities will finalize compensation at replacement cost for the affected structure as identified during IOL.
Annual/Seasonal crops	Household	• Compensation at market value of crops for 1 year (1 time harvest) , plus a \$100 assistance grant for the purchase of seeds for the next season	PMU with assistance from relevant government ministries and valuation specialist
Tree	Claimant of the affected tree	• Compensation at replacement cost of affected tree estimated during IOL and finalized with DLPCS • Salvaged materials which are free of cost	DLPCS with assistance from PMU's Valuation Specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.
Income from business	Stall and Kiosks	• One-time lump sum transfer grant of \$100 per kiosk • Transitional allowance of \$100 for 4 months per household	PMU in coordination with DLPCS and with assistance from the local authorities and community leaders

Road Network Upgrading Sector Project (RNUSP)

Preparation of design for 169 km National Roads

(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

Road Link A08-04: Lautem-Lospalos

Impact on Vulnerable AHs	Vulnerable and women-headed households identified by IOL	In addition to the above standard package, vulnerable AP households will receive the following: • Additional special assistance of \$100 for two more months for vulnerable household	PMU with assistance from the local authorities and community leaders
Unforeseen Impact	Concerned persons affected	• Unforeseen impacts will be documented and mitigated based on the principles agreed upon in this policy framework.	PMU identifies and mitigates impacts as required.

CHAPTER 5 PARTICIPATORY CONSULTATION AND DISCLOSURE

5.1 Stakeholders

This RP has been prepared in consultation with key local and national stakeholders. Table 5-1 summarizes the consultations that have been undertaken in preparation for the RP. Importance was given to consult the leaders of local communities, particularly the suco/village and aldeia/hamlet chiefs, along the project road corridor to receive their support for the project. Most importantly, attention was given to the directly affected persons and their community to understand their attitude towards the project design and benefits, their expectations, and to create awareness among the affected population regarding their entitlement, compensation payment procedures, and grievances redress mechanism. In the process of considering mitigation measures, their suggestions have been taken into account to avoid negative impacts to the possible extent.

The main issues concerning the project impacts and AP's expectation and their suggestions on mitigation measures appeared more or less similar. The key local and national stakeholders that were consulted on the project include:

- Local individuals and communities;
- Special interest groups (women, farmers, small traders, landless);
- Government authorities and public sector agencies;
- Non-government organizations (NGOs); and
- Financing agency and other international development agencies.

5.2 Key Issues

Consultations, especially at suco and aldeia levels, were dominated by questions and concerns relating to the land ownership issue, negotiated compensation for land and other assets lost, and impacts on livelihoods, impact on religious and cultural sites, and on services. The key issues that were frequently raised in the consultation are summarized as follows:

5.2.1 Land purchase, negotiated compensation and livelihood

- The methods that will be used to determine compensation values for land, structures and other assets; responsibility for compensation determination (MPWTC/PMU, DLPCS, valuation expert, supervision consultants or a compensation committee); whether compensation rates (e.g., for land) will be at the current market prices;
- Fate of people who have no legal right to the land on which they have settled, whether they will be entitled to compensation for land, and for other losses, e.g., houses, crops, trees;

- Compensation for the houses that will be affected only in part;
- The method of compensation disbursements; timing of when compensation payments will be made;
- Loss of employment to shop and business employees; no possible guarantee that the same employees will be able to get the same job in a relocated business;
- Use of middle men/agents in compensation payments.

5.2.2 Services and religious/cultural sites

- Impact on existing religious sites, such as church and cemetery, and how they would be treated;
- Impact on existing electric supply.

5.2.3 Employment opportunities

- Assurance of employment opportunity for the affected and local people during road construction works.

5.3 Community Attitude

Many people anticipated that the project could lead to substantial development and the improvement of infrastructure, services and facilities in the area. The project has been seen as an opportunity to develop the region and its people. In the consultation meetings, almost all participants responded by stating that the project is necessary for improving connectivity, creating jobs, increasing agricultural productivity and reducing poverty. In the survey stage, the people likely to be directly affected were supportive of the project, participating in the consultation process through responding to various surveys. They also expressed their support to the project with the expectation of getting fair compensation for their affected assets. Both in the course of consultations and survey period, the participants and likely AHs were asked about their preference on the type of compensation for their affected property. In all the meetings, almost all the respondents **preferred cash compensation** for the loss of their land, structures, trees, and other assets.

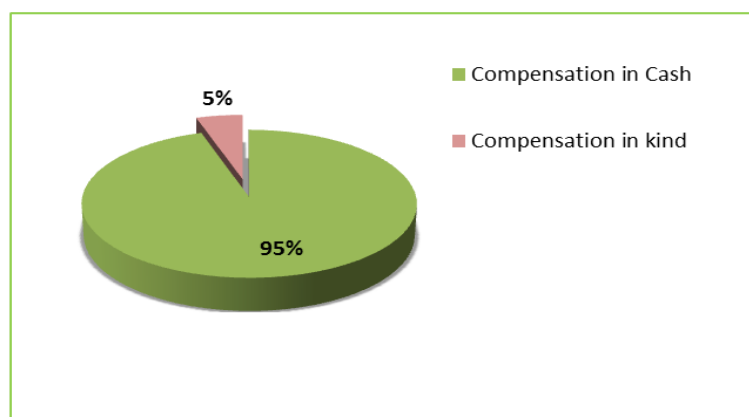


Table 5-1 Summary of Stakeholder Consultations

Stakeholder Category	Activities Undertaken
National Level	Consultation with: Project and Financial Manager, PMU, MPWTC Chief Technical Adviser, PMU, RNUSP Director, National Statistics Directorate, Ministry of Finance, Timor-Leste Project Consultants
District and sub district Level	Consultation with: (i) District Administrator of Lospalos (ii) Sub district Administrators of Lautem and Lospalos (iii) Director of the DLPCS of Lautem (iv) Senior technician, Lospalos's water and sanitation service
Suco/Village Chief	Consultation with the suco chiefs along the project area (Maina 1, Raca, Pairara and Fuiloro)
Aldeia/Hamlet Chief	Consultation with concerned Hamlet/Aldeia's chiefs under the above mention sucos/villages.
Villagers/Community	Public Consultation Meetings (PCM) with all of the community who are residing along the roadside.
Individual	Interviews with the APs
Special Interest Groups	Farmers

Figure 5-1 Pictures of the Cordination meeting with the Local Leaders



Figure 5-2 Pictures of the Public Consultation Meetings



Consultation meetings were held at the Sub-district and sucos/village level along the existing road corridor, which involved almost all AHs as participants (157 participants)⁶. Photos of consultation meetings, the minutes and participant lists of public consultation meetings are given in Appendix D.

Table 5-2 Consultation Meetings

No	Date	Time	Venue (Suco/Sub-District)	Participants
1	16 July 2015	09:00	Maina 1 (Suco Administrative Office)	20
2	16 July 2015	15:00	Raça (Suco Administrative Office)	52
3	05 August 2015	15:00	Pairara (Community's House)	38
4	06 August 2015	09:00	Fuiloro (Suco Administrative Office)	47
Total				157

5.4 Disclosure

After the approval of the RP by the MPWTC and ADB, a summary of the Resettlement Plan along with the entitlement matrix, including the list of AHs will be translated into local language (Tetum/Portuguese) and will be disclosed to stakeholders, and especially affected persons, by the MPWTC. This will be presented in the form of a booklet/brochure (Appendix C) to enable the AHs and local communities to read it by themselves and be aware of the project's

⁶ Number of the participants is small because during the time of (PCM), the community (mostly farmers) was busy preparing their agriculture activity.

benefit/compensation available for the AHS, as per provision in the entitlement matrix. MPWTC field staffs/consultants will distribute the brochures through suco meetings and will explain the mechanisms and procedures and the overall process of the compensation program. The RP will be made available in the MPWTC, as well as in the MPWTC's field offices, Directorate of Land Property and Cadastral Survey, offices of the district and sub-district administrators, offices of the suco chiefs and aldeia leaders, as an official public document. The RP will also be disclosed on the ADB and MPWTC websites.

CHAPTER 6 GRIEVANCE REDRESS

6.1 Government Policy for Grievance Redress

The constitution of Timor-Leste and the Expropriations Act gives the right for its citizens to be compensated if their property is used for public purpose. According to Section 54 of the constitution, “requisitioning and expropriation of property for public purposes shall only take place following fair compensation in accordance with the law”. As stated earlier, the first land law of Timor-Leste was promulgated in March 2003 and was designed to serve as an umbrella law for the rest of the land and property regime. However, there are uncertainties over the boundaries of state land and overlapping claims of state and customary land ownership. Further, the law currently does not include any implementing regulation.

The Expropriation Law has received the parliament’s approval. The Government is now able to acquire land for road improvement under an “eminent domain” or involuntarily. Another problem with expropriation is that a substantive amount of land in Timor is not registered. Also, the absence of an active land market in rural areas poses a challenge to determine the market or replacement value of the affected land. As a result, the government policy for grievance redress will not probably be adequate. Hence, the project is proposing a grievance redress mechanism to address the grievances of the AHs.

6.2 Proposed Measures to Address Grievance

It is important to deal effectively with AHs’ concerns pertaining to resettlement impacts such as compensation, rehabilitation, delays in payment, etc. To ensure this, a simple and accessible, transparent, and effective grievance redress system shall be established.

The suco chiefs (village is suco), other elders, church leaders, and other recognized civil society leaders will play a major role in the grievance redress process. On land matters, the MOJ, assisted by DLPCS, will resolve any conflicts according to the provisions of the Expropriations Act. Ita Nia Rai’s experience with conflict resolution and dispute mediation in property rights will be drawn upon as necessary to strengthen PMU’s capacity in addressing land-related issues.

The project manager of the sub-project will be the focal point for receiving and resolving any grievances of AHs.

AHs will not be liable for any costs associated with resorting to the grievance redress process; any such costs will be reimbursed by the project.

The AP always has final recourse through Timor-Leste’s legal channels. However, every effort will be made to avoid this. Should the AHs want to pursue legal recourse, PMU/MPWTC with assistance from the PISC consultants will ensure that support is given to the AP to prepare a case. The grievance address procedure is shown in Table 6-1.

Through public consultations and distribution of public information booklets, AHs

will be informed that they have a right to file complaints to the Grievance Redress Committee (GRC) on any aspect of land acquisition compensation, or on any other related grievances. It should be pointed out that this committee does not possess any legal mandate or authority to resolve land issues, but rather acts as an advisory body or facilitator to try to resolve issues between the affected household and the MOJ/MPWTC/PMU. The GRC will review grievances involving all resettlement benefits, relocation and other assistance. Any complaints of ownership or other suits, to be resolved by judicial system, will not be resolved in the GRC.

One or more GRCs will be set up for the sub-project based on the local administrative units (districts, sub-districts, sucos and aldeia) as well as to facilitate easy accessibility of the AHs. The GRC would be the tool to ensure proper presentation of grievances, impartial hearings, and transparent decisions. Established through a gazette notification of the MPWTC, GRCs will work for any grievances involving resettlement benefits and issues. The GRC will include at least one female member to participate in the hearings if the aggrieved person is a female. The GRC is proposed to be composed of:

- Representatives of affected persons
- Representatives of the local administration (District/sub-district administration and chiefs of suco and aldeia)
- Representative from MPWTC-PMU/ESU
- Representative from DLPCS
- Representative of the PISC

Table 6-1 Grievance Redress Procedure.

Step	Process	Duration
1	AP submits grievance to the sub-project manager in person	
2	Sub-project manager will try to address the issue.	7 days
If unresolved or if AP wanted to go directly to PMU		
3	Sub-project manager shall take the grievance to the PMU/community liaison officer	Within 2 weeks of receipt of decision in step 2
4	Issue discussed at project liaison meeting	1 week
5	PMU/community liaison officer reports back to village/AP	5 days
If unresolved		
6	AP take grievance to MPWTC Secretary of State	Within 2 weeks of receipt of decision in step 5
7	Secretary of state refers the matter to an internal	2 weeks
8	Secretary of state reports back to AP	5 days

If unresolved or at any stage if AP is not satisfied	
AP can take the matter to the appropriate court	As per judicial system

6.3 Compensation Determination Procedure

Land for the project will be acquired by direct negotiation and shall be purchased from the landowners, as provided under the Expropriations Act. Payment for physical assets, i.e., houses, buildings and other structures, and non-physical assets such as lost income from productive assets or jobs, will be negotiated with AHs with the assistance of the Directorate of Land, Property and Cadastral Survey (DLPCS). The negotiated purchase will offer adequate and fair price at replacement cost for land and/or other assets. To ensure that any negotiations with AHs address the risks of asymmetry of information and bargaining power of the parties involved, an independent external party such as NGOs will be engaged to document the negotiation and settlement processes. The processes applicable to such transactions are described in the following paragraphs. Compulsory acquisition procedures will be initiated by MOJ, only if the negotiated purchase fails.

AHs will be well informed of their rights and entitlements regarding their compensation, so that they can make an informed decision. Once the sub-project and its potential impacts have been identified, and consultations take place, AHs will be informed of their options. These consultations with AHs will provide details on the land required to construct or facilitate the works, as well as some basic socio-economic information about the AHs.

The PMU will obtain the views of the AHs as to whether they support the sub-project in general and the proposed works specifically, as well as whether they are willing to discuss the sale of land to the project through negotiation. In the event that the owner is not willing to discuss the provision of land for use by the project, MPWTC has two options: (i) invoke involuntary/compulsory land acquisition procedures, following an expropriation mechanism and in compliance with the donors' policy and RF; or (ii) not proceeding with the particular works in respect to that piece of land.

Where the AHs are willing to discuss voluntarily providing/selling their land for the project, the PMU will discuss and document the basis on which the land transfer will proceed, including the agreed upon consideration or compensation. The PMU will ensure that voluntary land settlement is in fact voluntary and that the people were not coerced or pressured in any way. The criteria for eligibility for consideration of voluntary land settlement will ensure that land is not under dispute or the subject of an unresolved land claim.

Negotiated land settlements will be carefully documented. MPWTC will seek to obtain any agreed legal documents between MPWTC, DLPCS, and the land owners that are negotiating in selling their land. The legal documents will establish the obligations of each party to the agreement. If the obligations have been agreed upon, the legal documents will be signed by the different parties being the

landowner(s), representative(s) of MPWTC, and representative(s) of DLPCS.

As per provision of the RF for the project, PMU shall include an international safeguards specialist who will verify the process, and documents the consultations and agreements reached on behalf of the PMU. It is of utmost importance to verify that the AHs are fully informed of the compensation payments that they are entitled to. A third party, such as a non-government organization (NGO) or civil society organization (such as a church), will provide independent validation that: (i) the consultations have been undertaken meaningfully, freely, and in good faith; and (ii) the landowners have willingly given/sold the land for the project works.

The established grievance redress mechanism, linked with the existing traditional formal and informal systems and cognizant of cultural requirements, will support to solve any disputes and complaints from AHs.

The MOJ and DLPCS will set up a committee under the Directorate and coordinate with the PMU, with assistance of a professional valuation expert provided under the project, to establish a basis for valuation of affected land and properties and other assets according to the Expropriations Act.

CHAPTER 7 INCOME RESTORATION STRATEGY

7.1 Restoration of Income from Structure

According to the February 2015 Census and the subsequent impact mitigation measure exercise, 32 AHs with 29 structures will be affected by the project. Of these, base on the measurement survey and PCM conducted in each project location, all AHs are categorized as marginally AHs and some are considered to be slightly affected which can be avoided during the implementation phase.

7.2 Restoration of Income from Business

There are 13 roadside businesses such as (residential-kiosks, kiosks and stalls) which will be affected during the road construction period as discussed in Chapters 2 and 3. A lump sum transitional allowance will be provided to these households to compensate with the losses that the project will cause to them during the time that their businesses were not in operation. Alongside these assistances, affected households will also receive a lump sum shifting allowance. Also, AHs will receive a one-time rehabilitation grant. Holders of small businesses who will continue after the completion of the road construction are not suggested to be given alternative income generation training or livelihood support.

7.3 Income from Crops and Trees

The project will have an impact on potencial rice paddy productivity (1 time harvest/year *“based on socio-econimic survey September 2015”*). Loss of this income will be compensated with a corresponding amount equal to its market value for one year.

The income lost from the impact on cutting timber trees will be compensated using Price list provided by the Ministry of Agriculture (2014).

The road construction will require several unskilled laborers for earthworks, road embankment as well as other related works. PMU will encourage contractors to give preferential employment on the affected persons, including affected women when recruiting local laborers. Employment in the project construction will be an added source of income in the income restoration process.

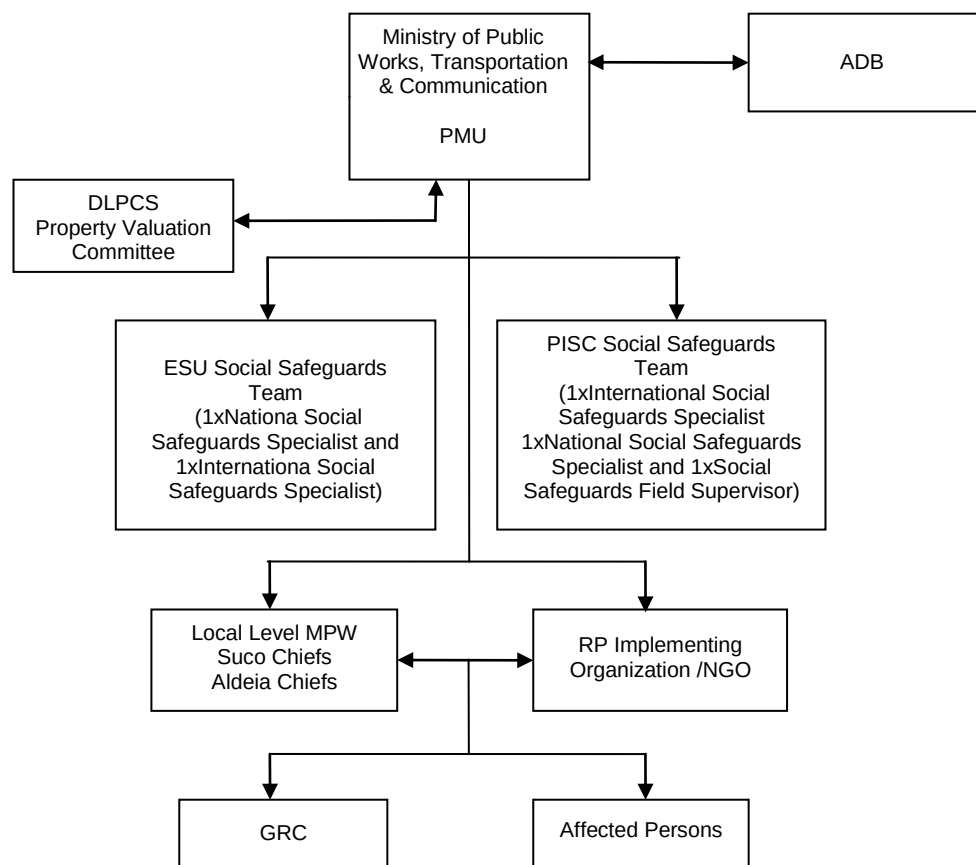
CHAPTER 8 INSTITUTIONAL FRAMEWORK

8.1 Institutional Setup

The PMU under the MPWTC will have the overall responsibility for implementing the sub-project. The PMU will strengthen its capacity with a social safeguard specialist to plan and implement land purchase and resettlement, train counterpart staff and monitor resettlement in the sub-project. To this end, an environmental and social unit (ESU) will be established in the PMU, staffed by a national social safeguards specialist and an international social safeguards specialist. The PISC consultant on the project will also provide an international social safeguards specialist to work with the PMU on all resettlement and consultation tasks.

The PMU/ESU will be responsible for all environmental and social aspects of the road development work. On the social safeguards side, they shall manage all resettlement activities. The following tasks enumerated below are its key functions:

Figure 8-1 Organizational Chart for RP Implementation



- Planning, coordination, implementation and monitoring of land acquisition and resettlement;

- Conducting of consultations and ensuring that the affected people are well-informed on the resettlement and compensation;
- Coordinating with the MPWTC, MOJ and DLPCS and ensuring a prompt, adequate and timely compensation payment according to entitlements; and
- Monitoring and reporting resettlement activities.

A valuation specialist will be provided to assist the DLPCS in the valuation of property and to have appropriate compensation in place. The international safeguard specialist at PMU will assist in managing all resettlement activities including the process of reaching adequate compensation. If the situation demands, PMU will engage an experienced NGO that is active in the project area to assist in the process of consultation, negotiating compensation, and resolving disputes.

8.2 Resettlement Implementation Structure

The institutional responsibilities of different agencies for implementation of resettlement activities are shown in Table 8-1 below.

Table 8-1 Responsibilities of Agencies

Agency	Roles and Responsibilities
Executing Agency (EA) MOF/Implementing Agency (IA) MPWTC	Overall execution of the project Directs the PMU Provides funds for land purchase and resettlement Liaises with ADB
Project Management Unit (PMU)/MPWTC	Manages the social and resettlement aspects of the road sub-project Works with the design and supervision consultants regarding all matters dealing with resettlement and consultation Organizes effective public consultation and disclosure of resettlement planning documents in appropriate language Carries out land acquisition according to the provisions of the Expropriations Act in coordination with MOJ and DLPCS Insures that AHs are paid with compensation promptly, adequately and effectively, in conformity with the Expropriations Act and the ADB's Guideline for Environmental and Social Consideration Establishes a grievance redress system designed to deal effectively with complaints from AHs, in coordination with MOJ/DLPCS Insures that effective monitoring of resettlement is conducted and reported to funding agencies

Agency	Roles and Responsibilities
	insures that the grievance redress system is effective when addressing AHs concerns Works closely with NGOs during appropriate social and public consultation activities Liases with ADB on all matters relating to resettlement and submits regular reports
MOJ/DLPCS	Oversees and reviews the implementation effectiveness of land purchase and resettlement Guides the PMU in addressing issues that require policy direction Assists with resolving any land-related issues in accordance with the current legislation A valuation specialist will work with MOJ/DLPCS to prepare compensation values for land in compliance with the Expropriations Act
ADB	Review and approve all resettlement documentations as required under the respective policies of the government Assist in capacity building in the PMU to manage social safeguards in road projects through the provision of international expertise and training budgets Provide international expertise in valuation to assist MOJ in preparing valuation tables for land acquisition Disclose RP on respective websites Provide guidance as required based on progress reports and supervision missions

CHAPTER 9 RESETTLEMENT BUDGET AND FINANCING

9.1 Institutional Arrangements for Financing Resettlement

All funds required for land purchase and resettlement will be provided by the government. The MOF/MPWTC will ensure that adequate funds are available for carrying out resettlement according to the budgets prepared for the sub-project. The PMU will coordinate on the allocation of funds, approval of payments and delivery of funds, monitoring of progress, and reporting.

9.2 Budget Description

The entire resettlement for the road improvement project will require a total of **\$345,331.80**, out of which **\$313,938.00** is for direct resettlement expense. The rest of the budget is kept to meet the expenses for resettlement staff training, internal monitoring, administrative expenses and contingency expenses. Table 9-1 below gives a summary of the breakdown of resettlement expenses. The included cost items are in compliance with the RF prepared for the project.

MOJ will work with PMU to conduct cadastral surveys for the lands to be acquired and prepare valuation tables as provided under the Expropriations Act. PMU will ensure such values conform to ADB on the requirements for compensation at replacement value. Since the Expropriations Act provides for negotiated purchase in the first instance, it is expected that AHs will get adequate compensation. If, however, statutory compensation under the act falls short, then PMU will provide additional funding to “top up” compensation as required. Hence, this provisional budget may require revision.

Table 9-1 Resettlement Budget

Item	Quantity	Unit	Rate	Amount (\$)
Compensation for Land and Structure				
Compensation for land Agricultural land	22	m2	\$ 5.00	\$ 109.50
Compensation for permanent structures	775.24	m2	\$ 200.00	\$ 155,048.00
Compensation for semi-permanent structures	447.56	m2	\$ 100.00	\$ 44,756.00
Compensation for temporary structures	187.53	m2	\$ 50.00	\$ 9,376.50
Compensation for (Stall)	1	Pc	\$ 100.00	\$ 100.00
Temporary fence	1206	m	\$ 3.00	\$ 3,618.00
Compensation for Trees and Fruit Trees				
Teakwood	318	Pc	\$ 50.00	\$ 15,900.00
Mahoney	33	Pc	\$ 30.00	\$ 990.00
Palm	10	Pc	\$ 15.00	\$ 150.00
Coconut	70	Pc	\$ 60.00	\$ 4,200.00
Banana	53	Pc	\$ 5.00	\$ 265.00
Jambu air	2	Pc	\$ 15.00	\$ 30.00
Sour sop	13	Pc	\$ 10.00	\$ 130.00

kapok	1	pc	\$ 15.00	\$ 15.00
Lime	15	Pc	\$ 10.00	\$ 150.00
Melon	21	Pc	\$ 20.00	\$ 420.00
Aidak	14	Pc	\$ 15.00	\$ 210.00
Sarmale	1	Pc	\$ 10.00	\$ 10.00
Avocado	3	Pc	\$ 25.00	\$ 75.00
Papaya	13	Pc	\$ 20.00	\$ 260.00
Jackfruit	3	Pc	\$ 35.00	\$ 105.00
Kami'i	8	Pc	\$ 30.00	\$ 240.00
Mango	13	Pc	\$ 35.00	\$ 455.00
Tamarind	1	Pc	\$ 15.00	\$ 15.00
Guava	81	Pc	\$ 10.00	\$ 810.00
Transitional Allowance and Grants				
Transitional allowances \$100 for 3 months for AHs losing their structures	28	No.	\$ 300.00	\$ 8,400.00
Shifting allowance for AH losing their structure (Residential, kiosk and Residential-kiosk)	28	No.	\$ 200.00	\$ 5,600.00
One-time transfer grant for temporary roadside business (stall)	1	No.	\$ 100.00	\$ 100.00
Additional special assistance of \$100 for additional 2 months for vulnerable HH	24	No.	\$ 100.00	\$ 2,400.00
Monitoring Expenses	12	Months	\$ 5,000.00	\$ 60,000.00
Total Direct Cost				\$ 313,938.00
Administrative expenses, capacity building and training of ESU staff, internal monitoring and contingency			10%	\$ 31,393.80
Total Budget				\$ 345,331.80

Note;

- Some of the rates for structure and trees are set based on the standard price of “*Akte resultadu kustu estimativu kona ba kompensasaun ba Estrada Dili-Manatuto-Baucau*” on August 2013 but some are set based on the price list released by the Ministry of Agriculture (2014). See appendix A.
- Rate for land are estimated on the basis of the present market value in the project area.
- Further negotiation with the affected Households regarding the estimated cost per affected property is deemed to be important due to a lot of irrelevant/exaggerating cost estimation by the AHs during the IOL and the Socio-economic survey September 2015.

CHAPTER 10 IMPLEMENTATION SCHEDULE

10.1 Institutional Arrangements

The implementation schedule of the resettlement plan broadly consists of land acquisition and resettlement activities. Land required for the project will be acquired under the regulation of the Expropriation Act and handed over to the Implementing Agency. The Implementing Agency will initiate the process of land acquisition together with concerned authorities. Thereafter, land free from all encumbrances shall be made available to civil contractors by the Implementing Agency. The timeframe for the implementation of RP will be synchronized with the project implementation in a way that the commencement and progress of civil works is not adversely affected.

PMU, with assistance from the PISC consultant, will be responsible for the preparation of land acquisition (LA) proposal and submission to the AL authority, and placing of requisite funds to the LA authority for land acquisition.

The ESU social safeguard team of PMU will receive training on land acquisition and resettlement aspects and policies before the actual start of the implementation of the resettlement plan. The PISC consultants in coordination with the PMU and with assistance from experienced NGOs/consultants will organize this training program.

MPWTC/PMU will begin the implementation process of RP immediately after its approval by ADB. Grievances or objections (if any) will be redressed as per grievance redress procedures adopted in this RP. The steps for the delivery of compensation for all eligible AHs/APs will be the following:

i. **Preparation of invoices:**

Invoices for each of the eligible AHs/APs will be prepared by PMU. This document entitles each of the AHs/APs to receive the amount indicated in the invoice.

ii. **Delivery of money to local banks:**

Money from MPWTC/MOF will be remitted to a BNCTL bank in Baucau City. A bank account will be opened by the PMU to deposit the amount of compensation on behalf of the AHs/APs.

iii. **Payment:**

Each AH/AP will receive their compensation amount directly from PMU via BNCTL account service, the AH/AP shall sign a document acknowledging the receipt of the whole compensation and a waiver attesting that he/she has no longer any pending claims over the affected property. A photograph shall be taken with the AH/AP receiving the compensation as record of proof and as part of project documentation.

iv. **Identity of person:**

At the time of receiving the compensation, AHs/APs will present their *National Identity Card (NIC)*. The NIC is the basic document of the Timor-

Leste's national for establishing the identity of a person. Persons without NICs will have to explain to the pertinent authorities the reasons why they are not in possession of the NIC.

10.2 Implementation Schedule

A tentative Resettlement Plan's implementation timeline schedule is proposed by the consultant subject to readjustment by the client to its own schedule.

A timeframe of seven months has been considered for the implementation of resettlement plan. Table 10-1 presents the implementation schedule of the RP. The earliest date for those financial resources for the resettlement aspects of the project are expected to be available is during April 2016; hence, the earliest actual implementation of the RP particularly delivery of compensation may begin during May 2016. However, sequences may sometimes change due to circumstances beyond the control of the project.

Table 10-1 Implementation Schedule of the RP

Activity	Oct-15				Nov-15				Dec-15				Jan-16				Feb-16				Mar-16				Apr-16				May-16			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Preparation of Final RP																																
Submission of Final RP to MPWTC/ADB for review/ approval																																
Revised and submission of final RP, addressing the comments																																
Formation of the GRC (Validation Committee)																																
Validation survey by the GRC team																																
Allocation of resettlement fund after verification survey																																
Translation of RP’s information booklet into Tetum																																
Disclosure of approved RP																																
Distribution of Information Booklet																																
Preparation of Vouchers																																
Delivery of Compensation to APs																																
Dispute/objections (complaints and grievances)																																
Internal monitoring and reporting to ADB																																

CHAPTER 11 MONITORING AND EVALUATION

11.1 Institutional Arrangements for Financing Resettlement

Implementation of the RP will be monitored both internally and externally to provide feedback to PMU/MPWTC and to assess its effectiveness. Evaluation of the resettlement activities will be resorted after the implementation of the RP to assess whether the resettlement objectives were appropriate and whether they were met specifically, whether livelihoods and living standards have been restored or enhanced. The evaluation will also assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as a guide to future resettlement planning.

11.2 Internal Monitoring

Internal monitoring of all resettlement tasks, consultation tasks and reports to ADB will be conducted by the Environmental and Social Unit (ESU). The ESU is established in the PMU, and is assisted by ESU national and international social safeguard specialists. Internal monitoring will include reporting on progress in the activities envisaged in the implementation schedule with particular focus on public consultations, land purchase (if required), determination of compensation, record of grievances and status of complaints, financial disbursements, and level of satisfaction among APs. Potential indicators for internal monitoring are briefed in Table 11-1 below.

Table 11-1 Internal Monitoring

Monitoring Issues	Monitoring Indicators
Budget and Time Frame	- Have all safeguard staff under ESU been appointed and mobilized for field and office work? - Have the capacity building and training activities been completed? - Are the resettlement implementation activities being achieved in accordance to the agreed upon implementation plan? - Are funds for resettlement being allocated on time? - Have the PMU received the scheduled funds? - Have funds been disbursed according to RP?
Delivery of AP Entitlements	- Have all APs received entitlements according to the numbers and categories of loss set out in the entitlement matrix? - How many affected households relocated and built their new structure at the new locations? - Are income and livelihood restoration activities being implemented as planned? - Have the affected businesses received the appropriate entitlements?

Monitoring Issues	Monitoring Indicators
Consultation, Grievances and Special Issues	• Have resettlement information brochures/leaflets been prepared and distributed? • Have consultations taken place as scheduled including meetings, group gatherings, and community activities? • Have any APs used the grievance redress procedures? • What were the outcomes? • Have the conflicts been resolved?
Benefit Monitoring	• What changes have occurred in the patterns of occupation as compared to the pre-project situation? • What changes have occurred in the income and expenditure patterns as compared to the pre-project situation? • Have APs income kept pace with these changes? • What changes have occurred for vulnerable groups?

11.3 Reporting

Resettlement monitoring reports will be sent to ADB along with regular progress reports semi-annually. The monitoring reports will be posted on the ADB website. Relevant information from these reports will be disclosed in the project areas and shall be available in local languages.

APPENDICES

Appendix A: The Price List Preference for Tree & Plant

Ministerio Aqrikultura e Peskas				
TABELA PRESU AGRICULTURA E PESKAS				
No	No	Tipo Dadus	Unidade	Presu/Unidade
I		Floresta		
	1	Ai-Teka	hun	
	1.A	Ai-Teka ki'ik	hun	\$ 5.00
	1.B	Ai-Teka <15 cmD	hun	\$ 20.00
	1.C	Ai-Teka >15 cmD	hun	\$ 30.00
	2	Mahoni		
	2.A	Mahoni ki'ik	hun	\$ 3.00
	2.B	Mahoni <15 cmD	hun	\$ 15.00
	2.C	Mahoni >15 cmD	hun	\$ 25.00
	3	Gamelina	hun	
	3.A	Gamelina ki'ik	hun	\$ 3.00
	3.B	Gamelina <15 cmD	hun	\$ 15.00
	3.C	Gamelina >15 cmD	hun	\$ 25.00
	4	Ai-Kameli	hun	
	4.A	Ai-Kameli ki'ik	hun	\$ 10.00
	4.B	Ai-Kameli <15 cmD	hun	\$ 40.00
	4.C	Ai-Kameli >15 cmD	hun	\$ 60.00
II		Plantas		
	1	Nu'u	hun	
	1.A	Nu'u seidauk fuan	hun	\$ 25.00
	1.B	Nu'u fuan ona	hun	\$ 60.00
	2	Kaiju	hun	\$ 15.00
	3	Kakao	hun	\$ 15.00
	4	Bua	hun	\$ 25.00
	5	Malus	hun	\$ 5.00
	6	Kami'i	hun	\$ 35.00
	7	Tohu	Klobor	\$ 5.00
III		Agricultura e Holticultura		
	1	Frutikultura		

Road Network Upgrading Sector Project (RNUSP)Preparation of design for 169 km National Roads
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)Draft Resettlement Plan (RP)
Road Link A08-04: Lautem-Lospalos

2	Hudi	Klobor	\$	15.00
3	Sabraka	hun	\$	10.00
4	Derok	hun	\$	7.00
5	Ainanas	hun	\$	1.00
6	Guiava	hun	\$	4.00
7	Kulu Jaka	hun	\$	15.00
8	Kulu Modo	hun	\$	15.00
9	Has	hun	\$	25.00
10	Bilimbi	hun	\$	5.00
11	Durian	hun		
12	Jambu be'e	hun	\$	7.00
13	Aiata	hun	\$	5.00
14	Avocate	hun	\$	10.00
15	Kulu tunu	hun	\$	15.00
16	Rumao	hun	\$	4.00
17	Jambu Biji	hun	\$	7.00
18	Jambu Buah	hun	\$	7.00
2	Vegetable Crops			
1	Marungi	hun	\$	20.00
2	Brinjela	hun	\$	5.00
3	Tomate	hun	\$	5.00
4	Kobi	hun	\$	1.00
5	Repolho	hun	\$	2.00
6	Mostarda	hun	\$	0.10
7	Alfase	hun	\$	0.20
8	Bayam	hun	\$	0.10
9	Kankung	hun	\$	0.05
10	Koto nurak	hun	\$	0.20
11	Fore chikote	hun	\$	0.20
12	Al-manas	hun	\$	0.50
3	Cerelia, Bens and tuber crops			
1	Batar	hun	\$	0.25
2	Hare	hun	\$	0.10
3	Fore mungu	hun	\$	0.20
4	Fore keli	hun	\$	0.20
5	Fore rai	hun	\$	0.20

Road Network Upgrading Sector Project (RNUSP)

Preparation of design for 169 km National Roads
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

Road Link A08-04: Lautem-Lospalos

	7	Alfarina	hun	\$	0.20
	8	Fehuk midar	hun	\$	1.00
	9	Uhi/Kumbili	hun	\$	1.00
	10	Talas	hun	\$	2.00
	11	Fehu eropa	hun	\$	1.00
4		Ornamentals	hun	\$	2.00
	1	Aifunan Bunga	hun	\$	5.00
	2	Aifunan Suratahan	hun	\$	5.00
	3	Aifunan Vasu	hun	\$	5.00
	4	Aifunan seluk	hun	\$	5.00
V Pekuarla					
1		Karau			
	1.A	Karau: <8	Luhan	\$	75.00
			Subsidi Transporte ho kareta	\$	75.00
	1.B	Karau: 8-30	Luhan	\$	100.00
			Subsidi Transporte ho kareta	\$	100.00
	1.C	Karau: 31-60	Luhan	\$	125.00
			Subsidi Transporte ho kareta	\$	125.00
	1.D	Karau: >61	Luhan	\$	150.00
			Subsidi Transporte ho kareta	\$	150.00
2		Manu	Luhan	\$	100.00
3		Fahi			
	3.A	Fahi <6	Luhan	\$	50.00
	3.B	Fahi 6-10	Luhan	\$	75.00
	3.C	Fahi >10	Luhan	\$	100.00
4		Bibi			
	4.A	Bibi: <6	Luhan	\$	50.00
	4.B	Bibi: 6-10	Luhan	\$	75.00
	4.C	Bibi: >10	Luhan	\$	100.00
VI Peflors					
1		Ro'o	Ro'o	\$	200.00
2		Kolam	Kolam	\$	700.00

Preparation of design for 169 km National Roads
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Road Link A08-04: Lautem-Lospalos

VIII	Masih				
1	Fatin tein masin	Fatin	\$	700.00	

Dili, ... ¹⁸ ... / July / 2014

Confirma saun husi Diretores Nasionais

1 Manuel Mendes
Diretur Nasional Floresta

2 Fernando Egidio Amaral
DNPI

3 Oscar Monteiro Gonsalves
DNAH-Interinu

4 Calisto da Costa Varela
DNPV

5 Agusto Fernandes
DNPA

Verifika husi Diretor Jeral Ministerio Agricultura e Pesca (MAP)

Lourenço Fontes
Diretor Jeral MAP

Aprovado pelo Ministério Agricultura e Pesca (MAP)

Mariano Assanami Sabino
Ministro Agrikultura e Peskas (MAP)

Appendix B: Questionnaire

B.1 Census Questionnaire

IOL QUESTIONNAIRE (Assets Identification)

Date : _____

Questionnaire No. : _____

Segment : ☐ AO1-01 ☐ AO1-02

Station/sta : _____

Type of Location (Dili - Manatuto) : 1. Sisi Utara (kiri) jalan
2. Sisi Selatan (Kanan) Jalan

District : _____

Sub-district : _____

Village : _____

Aldeia / Sub aldeia : _____

Respondent Photograph

(must be adult)

Write the code no if respondent in camera

A. Identification of Affected Assets

Asset No.	Affected Assets Type	Sta.	Asset utilization		Ownership status	Proof of ownership	Asset Specification		Total Asset (p x l) m2	Affected Assets (p x l) m2
			(A.1)	(A.2)	(A.3)	(A.4)	(A.5)	(A.6)	(A.7)	(A.8)
1	Land									
2	Land									
3	Structure 1 (.....)									
4	Structure 2 (.....)									
5	Structure 3 (.....)									

Keterangan:

- A. 1 1=Vacant land 2=Agriculture land , 3=land for structure (mention the structure:.....)
- A. 2 1=housing structure, 2=business place (kiosk, shop), 3=house and business place; 4=livestock cage; 5=fence; 6=toilet
- A. 3 1=private owner/family; 2=official structure; 3=monthly rent; 4=annual rent; 5= living without paying, 6=other:.....(mention)
- A. 4 1=certificate of ownership; 2=no certificate; 3=government property, 4=tribal/custom land 5= other(mention)
- A. 5 1=single, 2=coupling, 3=terraced
- A. 6 1=Permanent; 2=Semi-permanent; 3=Non- permanent; 4:Emergency/Temporary

B. Profile of the Asset Owner:

B.3. Name of the Asset Owner : _____

B.4. No. Identity Card : _____

B.5. District : _____

B.6. sub district : _____

B.7. Village/Suco : _____

B.8. Aldea / Sub-aldea : _____

Telephone/Mobile : _____

B.9. If renting, how much the price per month : US\$ _____

B.10. Proof of assets ownership (certificate, others.....mention) : _____
(write no and take picture if available)

B.11. Land price estimation (per m2) : US\$ _____

B.12. Structure price estimation (per m2) : US\$ _____

C. Affected Trees in Project Corridors

No.	Name of tree	Type of tree	Age (years)	No. Trees		Harvest estimation (m3/kg/or other unit name)	Price	
				Quantity	Unit (cognate/ tree)		Value (US\$)	Per.....(m3/kg/trees)
	(0)	(C.1)	(C.2)	(C.3)	(C.4)	(C.5)	(C.6)	(C.7)
1								
2								
3								
4								
5								

Remarks (1) 1= wood tree; 2=fruit tree; 3= wood and fruit tree

D. Affected Crops in Project Corridors

No	Name of crop	Type of crop	Age (month)	Total Area (m2)	Affected Area (m2)	Harvest estimation (kg)	Price per Kg (US\$)
	(0)	(D.1)	(D.2)	(D.3)	(D.4)	(D.5)	(D.6)
1							
2							
3							
4							
5							

Remarks: (1) 1=Vegetable; 2= Paddy; 3=banana tree

E. Ownership of other assets (land/structure) that is not affected by project

- E. 1** Do you have other land that is not affected by project? : 1. Yes, wide:m2
2. No
- E. 2** If you have land that is not affected by project, where is the location? : 1. The same aldeia
2. The same suco
3. In other suco
- E. 3** Do you have other house that is not affected by project? : 1. Yes, wide:m2
2. No
- E. 4** If you have house that is not affected by project, where is the location? : 1. The same aldeia
2. The same suco
3. In other suco

B.2 Socio Economic Questionnaire

IOL QUESTIONNAIRE (SOCIAL)

Name of Enumerator 1 :	_____	Name of Respondent :	_____
Code Enumerator 1 :	_____	Telephone/Mobile :	_____
Telephone/Mobile 1 :	_____		
Name of Enumerator 2 :	_____	Signature :	_____
Code Enumerator 2 :	_____		
Telephone/Mobile 2 :	_____		

Instruction:

Please answer the question and **round** one of the answers if there is multiple choice question.

Date : _____

Questionnaire No. : _____

House code : _____

Segment : ☐ AO1-01 ☐ A01-02

Station/sta : _____

Type of Location (Dili - Manatuto) : 1. Sisi Utara (kiri) jalan
2. Sisi Selatan (Kanan) Jalan

District : _____

Sub-district : _____

Suco/ Village : _____

Aldeia / Sub aldeia : _____

Respondent Photograph
(must be adult)

Write the code no if
respondent in camera

A. Profile of Respondent (In accordance with Identity Card)

A.1 Name of Respondent : _____

A.2 No. Identity Card : _____

A.3 Address : _____

A.4 Phone No. : _____

A.5 Sex : _____

A.6 Age : _____

A.7 Status in Family : _____

B. Information of Affected Household (HH) including Respondent

B.1 No. of Household (HH) live in the house: HH

B.2 Total No. of overall family member live in the house: persons

No.	Name	Relationship to Household Head	Sex	Age	Religio n	Ethnic	Educat ion	Occupation		Monthly Income Estimatio n (US\$)	Physical Condition
								Main	Seco ndary		
		B.3	B.4	B.5	B.6	B.7	B.8	B.9	B.10	B.11	B.12
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											

Answer option:

(B.3) 1=Household Head; 2=Spouse; 3=Child; 4=maid; 5=relative; 6=other, mention.....

(B.4) 1=Male; 2=Female

(B.5) In years

(B.6) 1=Moslem; 2=Christian; 3=Catholic; 4=Hindu; 5=Budha; 6=other, mention.....

(B.7) 1=Wai-Mua; 2=Tetun; 3=Makasae; 4= Mambae; 5= Galolen; 6= Kairui; 7= other, mention

(B.8) 1=no formal education; 2=Elementary school; 3=Middle School; 5=High School; 6=diploma; 7=bachelor or above

(B.9) 1=Farmer; 2= fisherman; 3= seller of forest product; 4=business/trader//entrepreneur; 5=labor; 6=officer (Govt official/private/other); 7=retire; 8=unemployment; 9=other, mention.....

(B.10) 1=Farmer; 2= fisherman; 3= seller of forest product; 4=business/trader//entrepreneur; 5=labor; 6=officer (Govt official/private/other); 7=retire; 8=unemployment; 9=other, mention.....

(B.11) Put number

(B.12) 1=normal; 2=disability; 3=Chronic illness

C. AMENITIES

c.1. Drinking source:

1. Pipe; 2. hand pump; 3. Well; 4. River; 5. other, mention:

c.2. Distance from water source to house

1. Distancem 2. Time needed..... Minutes

c.3. type of toilet / WC

1. Swan neck; 2. Plengsengan; 3. Cemplung/cubluk ; 4. No Toilet

c.4. Energy for cooking:

1. Electricity; 2. Gas; 3. Kerosene; 4. Other, mention:

c.5. Electricity use:

1. Light; 2. Cooking; 3. Business; 4. other, mention: **(Possible to choose more than one answer)**

c.6. How many hour you get electricity in a day?..... hour/day

c.7. what do you do/use when the electricity are off (no electricity) ?

1. Kerosene 2. Battery / ACU 3. wood 4. none

5. Other, mention:

Appendix C: Booklet

1. INTRODUCTION

The Asian Development Bank (ADB) is providing financial assistance to the Republic Democratic of Timor-Leste (RDTL) for improvement of road infrastructure under the Road Network Upgrading Project (RNUSP).

The project includes upgrading and improving the Lautem-Lospalos section with a length of about 27.8 km. As per requirement of the applicable laws of Timor-Leste including the Expropriation Act, complying with ADB's Guideline for Environmental Social Consideration on involuntary resettlement, and in conformity with the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted for the project, the Ministry of Public Works, Transport and Communication (MPWTC) has prepared a Resettlement Plan (RP) to deal with the resettlement impact due to project intervention. The RP describes the provisions established to address these impacts and the modalities for compensating the affected families (including compensation rates, special allowances and schedules).

The RP for the project will be disclosed and made available to the public at the local MPWTC and district administration offices in the areas affected by the project. The PMU will also make this RP available to the public at the MPWTC headquarters in Lautem.

PMU has prepared this information booklet summarizing the main provisions of the RP which will be distributed to all families affected under the project.

2. RP Preparation Status

The RP has been prepared based on the preliminary design as of March 2015, drawing on the result of 100% survey of impact of the affected Households (AHs), associated with socio-economic information of affected households. The RP also details compensation entitlements and rates/modalities for each affected item. Finally, the RP explains how compensation will be distributed to the AFs and how eventual complains will be handled. It also provides a schedule for the compensation program. Contents of the RP are summarized in the following sections.

3. Project Location

The National Road No. 1 Upgrading Project Lautem-Lospalos section is a part of Laga-Lautem section, with a length of about 27.8 km. The road will cover 2 sub districts; (Lautem and Lospalos) under the district of Lautem. It is a road strategically placed to link the 2 Sub districts of Lautem and Loapalos, which may further help to improve the area's business transactions and tourism activities in the future.

4. Resettlement Impact

The strategy for the project is to minimize land requirements by confining the construction works within the existing road corridors to the possible extent. However, it will inevitably be necessary to acquire some land and other assets for widening and raising of the road embankment which will cause involuntary resettlement impacts. To address these resettlement impacts, the present Final Resettlement Plan (RP) for the Lautem-Lospalos section has been based on the impact survey, census, and socio-economic survey of the affected persons (AP), as well as from consultations with the AP population and various stakeholders. The RP preparation has been carried out in line with ADB's Guideline for Environmental and Social Consideration (April 2010) requirements on involuntary resettlement and in conformity with the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted by the Government of Timor-Leste for the Road Network Upgrading Project.

The improvement of the Lautem-Lospalos section will involve the acquisition of community's assets. A combined census and socio economic survey carried out in September 2015 shows that the project will have to acquire about 29 units of structure and about 673 trees of different kinds along either side of the embankment, the estimated number of affected trees is expected to be greater. The total number of affected households has been estimated at 32 along with 257 affected persons (APs). A summary of impacts are shown in Table 1.

Table 1: Summary of Impacts

No	Impact Category	Type of Affected Assets	Number/Area of Impact	
			No.	Area
1	Affected structure	a. Permanent	14	775.24 Sqm
		b. Semi-Permanent	5	447.56 Sqm
		c. Temporary	9	187.53 Sqm
		Total Affected Structure	28	1410.3 Sqm
2	Affected movable structure	a. Business (Stall)	1	-
		b. Temporary fence	31	1,206 Meters
3	Affected Trees	a. Timber trees	352	-
		b. Timber and fruit trees	14	-
		c. Fruit trees	307	-
		Total Affected Trees	673	-
4	Affected Public Utilities	a. Water pipeline (Crossing)	28	420 Meters
		b. Water pipeline (Alongside the road)	-	3,000 Meters
		c. Concrete Electric Pole	112	-
		d. Water reservoir	1	-
5	Affected Sacred Object	a. Sacred Stone	1	

5. Resettlement Budget

A preliminary estimate for compensation for the Lautem-Lospalos Road improvement sub-project will require a total of **\$345,331.80**, out of which, **\$313,938.00** will be spent on direct resettlement expenses while the rest is kept to meet the resettlement staff training, internal monitoring, administrative and contingency expenses. The included cost items are in compliance with the RF prepared for the project. A more detailed budget will be available after the cadastral surveys are completed and valuations worked out by MOJ and PMU.

5.1. Compensation Determination Procedure

As per provision of the RF for the project, PMU shall include an international safeguards specialist who will verify the process, and documents the consultations and agreements reached on behalf of the PMU. It is of utmost importance to verify that APs are fully informed of the compensation payments that they are entitled to. A third party, such as a non-government organization (NGO) or civil society organization (such as a church), will provide independent validation and that: (i) the consultations have been undertaken, meaningfully, freely, and in good faith; and (ii) land owners have willingly given/sold the land for the project works.

The established grievance redress mechanism, linked with existing traditional formal and informal systems and cognizant of cultural requirements, will support to solve any disputes and complaints from APs.

The MOJ and DLPCS will set up a committee under the Directorate and coordinate with the PMU, with assistance of a professional valuation expert provided under the project. This will establish a basis for valuation of the affected land and properties and other assets according to the ADB's Safeguards Policy since the country's Expropriations Act has not been approved by the parliament.

6. Contact Details for Inquiry

For further information about the project as a whole, and/or the RP for the Lautem-Lospalos Road under the Road Network Upgrading Project, please contact the PMU/MPWTC at the address given below.

Project and Financial Manager
Project Management Unit
Road Network Upgrading Sector Project
Ministry of Public Works, Transport and Communication
Dili, Timor-Leste
Phone: (+670) - 3311024/3311025

Appendix D: Public Consultation Meeting

Road Network Upgrading Sector Project (RNUSP) Lautem – Lospalos Suco Maina I Public Consultation Meeting Records (16 July 2015)

Name of Meeting	:	Public Consultation Meeting for Environmental and Social Survey in Suco Maina 1, Sub-district Lautem	Note by	:	Ms. Maria P. Ribeiro (National Social Safeguard Specialist)
Date	:	16 July 2015	Presenters	:	1. Ms. Dirce Pereira (National Environment Specialist) 2. Ms. Maria P. Ribeiro (National Social Safeguard Specialist)
Place	:	Suco administrative office	Number of Participants	:	20 F = 15 M = 5
Participants	:	1. Chefi of Suco Maina 1 2. Chefi Aldeias 3. Community members			
Talking Points	:	1. Mrs. Albertina da Conceição ➤ What will happen to affected assets such as plants, houses, lands, sacred places and public utilities? Worried that my house could be affected. Response : - We have mentioned that the road project is funded by government with loan from ADB. Therefore the government must obey policy from ADB, which is called ADB's Guideline for Environmental and Social Consideration (June 2009). The guideline aims to avoid or minimize impacts on people affected by project, and provide support and assistance for those who lose their assets (land and property), as well as for others whose livelihoods might be affected. - There are 6 types of affected things – structures, lands, productive trees, crops, public utilities and sacred objects. Affected assets (land and property) will be compensated based on valuation prepared according to regulations in effect. The principle is to give a fair compensation based on property that are actually affected. - In several coming weeks, the survey team will identify affected assets directly with affected person/household. And with help from chefi de suco, data we gather would be more accurate. 2. Mr. Cornelius Illa ➤ If the house (including land) is affected, and this house is the only one asset I have. What would you do?			

	➤ How about power lines that are close to the road in this village. How about fatin lulik (sacred places?) ➤ What is the procedure for payment of compensation? Response: - Thank you for the notification. If a household is affected its land and house, another location will be identified for the household to move to. The other location could be the owner's land at other places. The compensation should be enough to cover costs needed for the household to rebuilt in this new location. - We have noticed the power line, and some of the power pole has been identified as affected on the road design. We will make sure that we inform the engineers about these issues and we also have taken some notes as well on clean water pipe located near the road. Prior to construction, these utilities need to be reconstructed away from the affected area so service to community will not be disrupted during work. - The project will not remove any physical cultural resources like this without consent from local community. Any removal should be conducted in accordance with ritual or ceremonial requirement by community members. We do always try to make sure to protect the physical cultural resources, of course with any advice from chefi de suco/community. - Prior to the start of construction, local authority will be informed and compensation will be paid, public utilities will be reconstructed away. If there's any unsolved issues, the contractor will establish a procedure to receive and resolve complaints with help from local authority. - Payment for physical assets, i.e., houses, buildings and other structures, and non-physical assets such as lost income from productive assets or jobs, will be negotiated with affected household based on existing regulation and with assistance from the Directorate of Land, Property and Cadastral Survey (DLPCS). 3. Mr. Reinaldo Constancio ➤ During the implementation of the road project, will the contractor provide any safety sign for the public space (primary school) that are near the project side? Response: - Surely, yes. The Consultant and Contractor have to obey the policies from ADB and Country safeguarding system. Most importantly are the social and environmental safeguard policy including the safety sign system during construction. .
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	4. Mr. Miguel Orasio ➤ The affected land, will they get the compensation? Response: - Previously, we have informed that the legal base for land and property is not clear by now, still being formalized. So ADB and the government decided to follow international best practice related to the Right of Way (RoW) that says that lands 5m on the sides of the road is the RoW. This is needed to accommodate future rehabilitation and expansion of the road. - There will be separate compensation for lands, structures and productive trees. For all affected properties there will be a questionnaire that will ask in detail who owns what. The team will also clarify with the help of local authority, so eventually compensation can go to those with rightful claim. - Yes it will get compensation, and it will be based on survey data that we are scheduled to conduct next month. 5. Mr. Afonso Soares ➤ How is my paddy field, will it be affected? If yes, does it also get compensation? Response: - If the paddy field is near existing road, they are most likely affected but how much affected will depends on the engineering drawing and will know for sure when we conduct detail measurement next month. - In principle, paddy fields will be treated the same as lands, kiosks and other property. It will be compensated based on existing policy or regulations. For productive vegetation (paddy) affected will get compensation based on table produced by Ministry of Agriculture, Forestry and Fishery.
Pictures	: 

Attendance Sheet to
Socialization Meeting, Suco Maina 1

Sub-project: Road Network Upgrading Sector Project

Venue: Maina 1 Suco Administrative Office, Lautem, Lautem District **Date:** July 16th, 2015

NO	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Maria Rodrigues	F	Community	Soloresi	-
2	Iria Soares	F	Community	Soloresi	-
3	Alcina De Jesus	F	Community	Soloresi	-
4	Ana Maria	F	Community	Soloresi	-
5	Alcina Amaral Cristovão	F	Community	Soloresi	-
6	Felisdade Da Costa	F	Community	Narunteino	-
7	Albertina D. C. Salazar	F	Community	Soloresi	-
8	Benedita da Silva	F	Community	Soloresi	-
9	Lucinda de Jesus Pereira	F	Community	Soloresi	-
10	Concedina M. da Silva	F	Community	Soloresi	-
11	Abilio da Costa	M	Community	Narunteino	-
12	Manuel da Costa	M	Community	Narunteino	-
13	Justina Ximenes	F	Community	Pajahara	-
14	Ermelinda Freitas	F	Community	Soloresi	-
15	Aljudo	F	Community	Soloresi	-
16	Amelia de Jesus	F	Community	Soloresi	+670 77378824
17	Mateus Pinto	M	Adm. Posto Lautem	Serelau	+670 77304199
18	Angelo D. C. Salazar	M	Chefe aldeia	Soloresi	-
19	Maria Poppy Ribeiro	F	National Safeguard Sp.	Dili	+670 77050000
20	Dirce Madalena P.	F	National Env. Sp.	Dili	+670 78487307

Road Network Upgrading Sector Project (RNUSP) Lautem – Lospalos
Suco Raça Public Consultation Meeting Records (16 July 2015)

Name of Meeting	:	Public Cosultation Meeting for Environmental and Social Survey in Raça , Sub-district Lospalos	Note by	:	Ms. Maria P. Ribeiro (National Social Safeguard Specialist)
Date	:	16 July 2015	Presente r	:	1. Ms. Dirce Pereira (National Environment Specialist) 2. Ms. Maria P. Ribeiro (National Social Safeguard Specialist)
Place	:	Suco administrative office	Number of Partisipa nt	:	52 F = 18 M = 34
Partisipa nt	:	1. Chefi of Suco Raça 2. Chefi Aldeias 3. Community members			
Talking Points	:	1. Mr. João De Jesus ➤ Community water pipeline is very near to existing road, how are we going to treat it?			

	Response : - As previously mentioned, the contractor will be instructed to make sure that this type of service will not be affected. So prior to the start of construction, public utilities should be reconstructed away from the road side. However, sometimes during implementation, the contractor did not do a good job and this impact irrigation or clean water supply. If this happened, community member can complain to local authority who can then contact NDE staff in Lospalos that will contact the Management Unit under Public Work. NDE staff and local authority can also complain directly to the contractor. 2. Mr. Pedro Lopez (Chief of Aldeia) and Maria Dos Santos ➤ Suggested: hand out font is too small (hard to read), please make it large next time you conduct public consultation. ➤ Affected assets such as lands, houses, trees and crops (rice paddy) how it will be compensated? ➤ If a house is affected, what time period will be provided for moving out? Response: - Thanks for suggestion related to handout, it is noted. - Those affected assets will be compensated for lost of assets at replacement price based on valuation prepared according to regulations in effect. During the compensation process, there will be a continuous consultation with affected household as well and Public Work will prepare detailed compensation amounts for all impacted assets. - Trees (plants) will be compensated as well based on prices prepared by Ministry of Agriculture. Next month, the team will conduct a detailed survey that will determine for sure who gets affected. - As previously mentioned, all the compensation must be resolved first before the construction begin. This will give time for the affected person for moving out if needed. 3. Mr. Sebastião ➤ The affected sacred place (house/uma lulik), will it be removed? The church might be affected, how is it going to be attended to? Response: - Church is one of structures that are potentially affected and is given special consideration. It is considered physical cultural resources, if part of the structure is affected, it will be compensated similar to other
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	structures based on price prepared by public work. For churches, impacts are also considered not only for the physical structure but impacts of construction work to the activities conducted at the church. Because it is a public place and public activities could be several times in a week, special consideration will be given so the activities will not be disrupted during construction period. - Checked the current road rehabilitation design near the church in Raça and the church will not be affected although concrete steps in front of the church might be affected. 4. Mr. Joaquim De Jesus ➤ How is the wide of highway? Response: - Physical implementation of improvement works includes widening of existing road to achieve a width of 10 to 12 meters on the flat sections and a width of 12 to 14 meters on the ridge or hillside section, consisting 6 meters wide of carriageway and 1 to 2 meters wide shoulder on each side. The improvement works will also include construction of drainage, cross pipe/box culvert and stone masonry retaining wall. 5. Mr. Hilario ➤ Suggested: please make sure, during survey activity, consultant with the stakeholders (PMU, local authority, etc.) are coming together, so community will believe it. When will the contractor implement the project? Response: - The contractor will do the implementation project after all compensation delivered to the APs/AHs. Perhaps in 2017. 6. Mr. Joaquim Rodrigues (Chief of Suco) ➤ Fences affected, will it be compensated? Response: - Fences are also affected structure, so they will be compensated according to material used. 7. Mr. Julio ➤ Suggested: Please provide masker to the community, during the implementation. Response:
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		- Note this. Thank you.
Pictures	:	

Attendance Sheet to
Socialization Meeting, Suco Raça

Sub-project: Road Network Upgrading Sector Project

Venue: Raça Suco Administrative Office, Lospalos, Lautem District **Date:** July 16th, 2015

NO	NAME	GENDER	POSITION	ALDEIA	CONTACT NUMBER
1	Roos Sopaheluwakan	M	Community	Tchailoro	-
2	Wirjina da Silva	F	Community	Maulo'o	-
3	Rojinda Monteiro da Silva	F	Community	Maulo'o	-
4	Joanina S. S. Lopes	F	Community	Tchailoro	-
5	Marcana de Jesus	F	Community	Raça	-
6	Ines Lopes	F	Community	Raça	-
7	Emilio dos Santos	M	Lia Nain	Raça	+670 75344871
8	Senica Serra Silveira	F	Community	Raça	-
9	Eurico De Jesus	M	Community	Maulo'o	-
10	Ijildo oliveira	M	Community	Maulo'o	-
11	Kaadi	M	Community	Maulo'o	-
12	Manuel Dos Santos	M	Community	Maulo'o	-
13	Joaquina Benejato	F	Community	Maulo'o	-
14	Anina Nunes	F	Community	Maulo'o	-
15	Juleita da Costa	F	Community	Raça	-
16	Anjelo oliveira	M	Community	Maulo'o	-
17	Pedro Lopes	M	Chefe Aldeia	Tchailoro	-
18	Raul Tores Nova	M	Community	Tchailoro	-
19	Angelo da Costa	M	Community	Tchailoro	-
20	Justino da Silva	M	Community	Tchailoro	-
21	Sergio Serra Silveira	M	Community	Raça	+670 77630057
22	Estanislau P. De Castro	M	Community	Raça	-
23	Jose Pereira	M	Community	Maulo'o	-
24	Tome Vorela Relulo	M	Community	Maulo'o	-
25	Julião de Jesus	M	Community	Maulo'o	-
26	Pedro Ribeiro	M	Community	Raça	-
27	Helena Lopes	F	Community	Raça	-
28	João De Deus	M	Community	Raça	-
29	Pedro Da Gama	M	Community	Maulo'o	-
30	Junita Da Costa	F	Community	Raça	-
31	Paulina da C. Soares	F	Community	Raça	-

32	Julio de Castro	M	Community	Maulo'o	-
33	Augusto Castelo Branco	M	Community	Tchailoro	-
34	Matilde Ximenes	F	Community	Raça	-
35	Albina Soares	F	Community	Raça	-
36	Maria Soares	F	Community	Raça	-
37	Frederico da C. Noronha	M	Lia Nain	Tchailoro	+670 75759452
38	Tomas Soares	M	Community	Raça	-
39	Roberto Monteiro	M	Community	Maulo'o	+670 77514327
40	Alfredo Ornai	M	Community	Raça	-
41	João Pinto	M	Community	Maulo'o	-
42	Luis Da Costa	M	Community	Maulo'o	-
43	Alsin da Costa	M	Community	Maulo'o	-
44	Ilario Soares Silveira	M	Community	Raça	+670 77369342
45	Carlos da Silva	M	Community	Maulo'o	-
46	Hermenegildo da Cruz	M	Community	Maulo'o	+670 76245818
47	Fransisco Silveira	M	Community	Maulo'o	-
48	Carlota Rodrigues	F	Community	Raça	-
49	Zanardi Jose Lopes	M	PAAS	Tchailoro	-
50	Gonsal D.S. Lopes	M	Community	Tchailoro	+670 75757637
51	Maria Poppy Ribeiro	F	National Safeguard Sp.	Dili	+670 77050000
52	Dirce Madalena P.	F	National Env. Sp.	Dili	+670 78487307

**Road Network Upgrading Sector Project (RNUSP) Lautem – Lospalos
Suco Pairara Public Consultation Meeting Records (05 August 2015)**

Name of Meeting	:	Public Cosultation for Environmental and Social Survey in Suco Pairara, Sub-district Lautem	Note by	:	Ms. Dirce M. Pereira (National Environmental Specialist)
Date	:	05 August 2015	Presenter	:	1. Ms. Dirce Pereira (International Environment Specialist) 2. Ms. Maria P. Ribeiro (National Safeguards Specialist) 3. Ms. Rosalyn Fernandes (International Environmental Safeguard Specialist) 4. Mr. Carlos Alberto Neves (PMU Safeguard Specialist)
Place	:	Community House in Pairara	Number of Partisipant	:	38 F = 17 M = 21
Partisipant	:	1. Chief of Suco Pairara 2. Chefi Aldeias of Pairara 3. Community member			
Talking Points	:	1. Mr. Jose			

	➤ Our community gets water supply from a system constructed in 2002. Water is sourced from springs on top of the hill. One spring is located very close to the road at the “Letter S” road. We need to make sure that our water supply will not be affected from this rehabilitation work. ➤ There is a sacred rock within this Suco. During the previous road construction, this rock is supposed to be removed/demolished but it did not happen because during the effort to remove the rock, one of the construction men was struck down dead by a nearby tree. So we all believe that this rock should not be removed during this rehabilitation as well. Response : - Thank you for the input. We will assess in more detail regarding the spring and water supply pipes that are close to the road. - Assessment was conducted on August 6th, 2015 with Chefi de Suco of Pairara, and the Spring is indeed located within the design ROW at STA 8+800Right. Have notified the engineers about this and the spring is noted for relocation away from the RoW prior to the start of construction activities. - Thank you for the input we will assess the location of the rock and whether or not it is within the design corridor. If so, we will notify the engineers doing the road design to shift the design away from the road. - Assessment was conducted the next day on August 6th, 2015 and the rock was at STA 7+870 Right. The rock looks like two rocks stacked neatly and leans for about 300 down toward the cliff but does not fall. It was a unique rock and locally called “Ilitefuana” meaning “broken rock.” The rock is within the ROW and the environmental team has notified the engineer to realign the ROW away from the rock. 2. Mr. Acasio Da Cruz (Chief of Suco) ➤ Please pay attention to the electricity lines as well so community in this Suco will have their service intact during construction. Response: - Thank for the input. 3. Mr. Antonio (Chief of Aldeia) ➤ For private houses, kiosks in this community, some were constructed without clear enough instruction on the need to set them back a few meters from the side of the road. So, what should be done to these houses? ➤ How about retaining walls or foundations built privately by local community that are affected. Will they get compensation as well?
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	Response: - These are called affected properties. These structures will be compensated because the community has spent money to construct them. The compensation will be given according to the size of the structure as well as the materials used to construct them. So, there are three types of structures – permanent, semi-permanent and temporary. Permanent structures will be given larger compensation and so on. There will be a team that will measure affected structures and they will take information on the owner of the structure. The compensation will be determined based on this information. - For structures that are affected that were constructed by local community, they will be compensated provided that they are indeed constructed by local community and were not constructed as part of previous government-funded construction. We will always consult local authority for this. 4. Mr. Tito ➤ Wondering for affected houses, how is the contractor going to ensure that what is reconstructed is the same as what is affected? I am worried that the compensation money will not be enough to construct the same type of house. Response: - During detail survey, we will also collect data on the preference of structure owner. For example, the owner of affected house will be asked whether they would like to receive compensation in the form of money or in the form of a new structure being constructed for them. They can choose which one they prefer. - If they choose to receive money as compensation, funds provided will cover cost of material, labor and other things such as lunch money needed during construction. So, owner can rest assure that compensation being paid will be fair for them. - So, there will be a negotiation process take place based on regulations in effect. When a deal is reached, the house owner and the government will sign an agreement document so it will be fair for all parties involved. 5. Mr. Tome and Mr. Gilberto ➤ There is public graveyard close to the road. War veterans were buried in there. Hope the graveyard will not be affected. Response: - Yes, we noticed the graveyard (STA 11+460 Right). Will note this in our report (graveyard will not be affected). 6. Mr. Bruno Do Rosario
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	➤ Would like to comment related to previous infrastructure projects in this community. This is important especially because we discussed about water supply system. In 2013, our water supply system was rehabilitated by an NGO where the NGO provided material but labor has to come from the community. I wonder if for this construction project, affected water supply system will be reconstructed using the same modality. Because as suco leader, I have to say, it was a headache to mobilize the community to work for free even though what is being built will benefit them in the end. Response: - The community should learn to contribute to development that will benefit them. In the case of water supply rehabilitation, they contributed labor and when the construction is over and everybody enjoyed the results from the labor, everybody is happy. In the road rehabilitation case, some contribution will be needed from the community so work can happen as planned and can be completed as soon as possible. 7. Mr. Carlito ➤ About compensation, would it be possible to pay the compensation first before the project starts? Also, need to notify affected communities in advance so they can prepare to move out of their houses. Response: - Thank you for the input. The principle of social safeguarding is to compensate before construction activities begin. That is why we have detailed survey first then we will know what are affected things and how much compensation will be needed.
Pictures :	

Attendance Sheet to
 Socialization Meeting, Suco Pairara

Sub-project: Road Network Upgrading Sector Project
Venue: Pairara Suco Administrative Office, Lautem, Lautem District **Date:** August 05th, 2015

No	NAME	GENDER	POSITION	Aldeia	CONTACT NUMBER
1	Antonio Da Silva	M	Chefe aldeia	Puno	-
2	Carlito Da Costa	M	Community	Puno	+670 75345578
3	Titu Azis	M	Teacher	Puno	+670 78016391
4	Lamberto Nunes	M	Community	Puno	-
5	Valente Moraes	M	Veteranus	Puno/Leter 5	-
6	Maria Koreia	F	Community	Puno	+670 77775817
7	Berta Viana	F	Community	Puno/ Leter 5	+670 78350871
8	Josefina Martins	F	Community	Puno/ Leter 5	-
9	Aniseto Ximenes	M	Community	Puno	+670 75557696
10	Marselio Da Costa	M	Community	Puno/ Leter 5	+670 75527826
11	Bruno Do Rosario X.	M	Community	Puno/ Leter 5	-
12	Gilberto Gonsalves	M	Community	Puno/ Leter 5	+670 76715003
13	Abel Jeronimo	M	Community	Puno	+670 76036110
14	Armando Pereira	M	Community	Puno	+670 77433993
15	Jacinto Ximenes	M	Community	Puno	+670 75757570
16	Jose Da Costa	M	Community	Puno/ Leter 5	+670 75236967
17	Alice Da Costa	F	Community	Puno/ Puileti	-
18	Joana Oliveiunora	F	Community	Puno	-
19	AgnesDias Fernandes	F	Community	Puno	-
20	Maria Martins	F	Community	Puno/Puileti	-
21	Olaviana Nari	F	Community	Puno	-
22	Joana Da Silva	F	Community	Puno	-
23	Ersilia Da Silva	F	Community	Puno	+670 76103714
24	Raimundo Nunes	M	Community	Puno	+670 75554514
25	Elvira Viana	F	Community	Puno	+670 76789182
26	Sisto Sampai	M	Community	Puno	+670 77513111
27	Deolinda	F	Community	Puno	-
28	Natalicia Dos S. F.	F	Community	Puno	-
29	Alberto De Jesus	M	Community	Puno	+670 75558135
30	Tiago B. Das Dores	M	Community	Puno/Puilety	+670 77534331
31	Simão Mendes D.C	M	Community	Puno/puileti	+670 75756571
32	Emilia Suares	F	Community	Puno	-
33	Paulino Mendes	M	Community	Puno	+670 77514307
34	Acasio Da Cruz	M	Chefe Suco	Pairara	+670 78426178
35	Maria Poppy Ribeiro	F	Nat. Safeguard Sp.	Dili	+670 77050000
36	Dirce Madalena P.	F	National Env. Sp.	Dili	+670 78487307
37	Rosalyn Fernandes	F	Inter. Env. Sp	Dili	+670 77344251
38	Carlos A. De Deus	M	PMU	Dili	+670 77549584

**Road Network Upgrading Sector Project (RNUSP) Lautem – Lospalos
Suco Fuiloro Public Consultation Meeting Records (06 August 2015)**

Name of Meeting	:	Public Cosultation Meeting for Environmental and Social Survey in Suco Fuiloro, Sub-district Lospalos	Note by	:	Ms. Dirce M. Pereira (National Environmental Specialist)
Date	:	06 August 2015	Presente	:	1. Ms. Dirce Pereira

			r		(International Environment Specialist) 2. Ms. Maria P Ribeiro (National Safeguards Specialist) 3. Mrs. Rosalyn Fernandes (International Environmental Safeguard Specialist) 4. Mr. Carlos Alberto Neves (PMU Safeguard Specialist)
Place	:	Suco Fuloro Administrative Office	Number of Participant	:	F = 19 M = 28 T = 47
Participant	:	1. Chefi of Suco Fuloro 2. Chefi Aldeias of Fuloro 3. Community members			
Talking Points	:	1. Mr. Faustino Dias Sacramento ➤ We heard that in Dili, compensation was paid in flat rate of US\$ 2,500 per affected house. Will it be the same for this project? ➤ Suggestion, during detail survey also during payment of compensation, should work closely with local leaders because they will be able to give information on the rightful owner of trees or structures. ➤ For sacred places, we need to be careful. Sometimes community members just say this is sacred land or sacred rock, in reality, it is not. So, also always coordinate with local authority including during implementation of the ritual. Response : - For this project, the calculation will not follow a flat rate like that. For affected houses, compensation will be paid for the house that will determine based on the size and material used. So, larger house will get higher amount of compensation. The houses will also be differentiated into temporary, semi-permanent and permanent houses. Permanent houses will get higher compensation than other types of houses. - Thanks for the input. We will always coordinate with local leaders on our activities. 2. Mr. Justino Amaral Belo ➤ For the Lautem-Lospalos section, where will the rehabilitation start and where will it end? ➤ Just want to comment, the national road and other roads within urban areas are being rehabilitated but other roads that are also important for			

	community are neglected (referring especially to the road section between Lospalos and Iliomar/Lorehe). Just want to comment. Response: - The rehabilitation will start at the round about in Lautem and end at the monument after the last bridge in Lospalos. So all national road in between will be rehabilitated. - Thank you for the comment. For the time being road that is being rehabilitated is the Lautem Lospalos section. So this time we would like to focus our discussion on this road section only. 3. Mr. Victor Dias Quintas (Chief of Suco) ➤ How about to the sides, how will it be widened? To both sides or to one side only? Response: - To the sides, it depends on the engineering drawing. Some sections will be widened to one side some sections will be widened to both sides. On some of the curves, it will be made smoother and will require relatively significant lands for readjustment. The engineering drawing will be the base of our detail survey so we will know for sure whether the houses affected on this section of the road will be the houses on the left or on the right.
Pictures	

Attendance Sheet to
Socialization Meeting, Suco Fuiloro

Sub-project: Road Network Upgrading Sector Project

Venue: Fuiloro Suco Administrative Office, Lospalos, Lautem District **Date:** August 06th, 2015

No	NAME	GENDER	POSITION	RESIDENTIAL ALDEIA	CONTACT NUMBER
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Road Network Upgrading Sector Project (RNUSP)

Preparation of design for 169 km National Roads
(Baucau to Lospalos, Lautem to Com and Baucau to Viqueque)

Draft Resettlement Plan (RP)

Road Link A08-04: Lautem-Lospalos

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17	Teresa Maya	F	Partisipant	Culu-hun	-
18	Juvita Bernardino	F	Partisipant	Culu-hun	-
19	Elijina Dos Santos	F	Partisipant	Lospala	-
20	Otilia Mariano	F	Partisipant	Lospala	-
21	Igino Fernandes	M	Partisipant	Lospala	-
22	Ermita Marques D.S	F	Partisipant	Lospala	-
23	Duarte Fernandes	M	Partisipant	Lospala	-
24	Nicolau Vaz Filipe	M	Partisipant	Lospala	-
25	Pedrito Marques	M	Partisipant	Lospala	-
26	Aleixo Pereira	M	Partisipant	Lospala	-
27	Antonio De Jesus	M	Partisipant	Lospala	-
28	Julio Fernandes	M	Partisipant	Lospala	-
29	Angelo De Jesus Fereira	M	Partisipant	Culu-hun	-
30	Ernesia Dos Anjos C.	F	Partisipant	Lospala	-
31	Justina De Jesus	F	Partisipant	Lospala	-
32	Cecília Dos Santos	F	Partisipant	Lospala	-
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34	Zenita Dos Santos	F	Partisipant	Lospala	-
35	Rui Vieira Santos	M	Partisipant	Lospala	-
36	Maria Lurdes lopes	F	Partisipant	Lospala	-
37	Marito Marques	M	Partisipant	Lospala	-
38	Ajoni Marvão	M	Partisipant	Lospala	-
39	Almerito Dos Santos	M	Partisipant	Lospala	-
40	Punlori Pereira	M	Partisipant	Lospala	-
41	Jaime Moniz	M	Partisipant	Lospala	-
42	Faustinha Pereira	F	Partisipant	Lospala	-
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Road Network Upgrading Sector Project

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Appendix E: List of Affected Households

NO	Station	Suco	Name of AHH	Permanen t structure	#	size	Semi- permanen t structure	#	size	Temporar y structure	#	size	Stall	T.fence	P.fence	Banana	Lime / Lemon	Jambu air	Jack fruit	Al Kamil	Guava	Papaya	Sarmalee	Cocoa	Melon	Coconut	Avocado	Aidak	Jambua	Bua	Soursop	passion	Mango	Tamarind	T.eakwood	Mahoney	Ka		
1	0+500, L	Maina 1	Jaime Martins Freitas							kiosk	1	28.38	1	1	40			3	1	2	5			7						5									
2	3+200, L	Pairara	Raimundo da Silva	kiosk	1	14.1								1	37																								
3	3+700, R	Maina 1	Antonio Lopes							kiosk	1	16.5											2	5											2				
4	4+480, R	Maina 1	Matilde Lopes	House	1	16.34				kiosk	1	5.46		1	36			3	1																				
5	4+640, R	Maina 1	Filomena da Silva							kiosk	1	19.35				5				1	5	1				2		8											
6	9+680,	Pairara	Tito Assis	house	1	165.9								1	25																								
7	9+720, R	Pairara	Jerzinha Goncalves	kiosk	1	18.33								1	25										10	3													
8	9+800	Maina 2	Azita da Costa	kiosk	1	13.12																										2	1	4					
9	9+860, L	Pairara	Alciano do Carmo Viera	house	1	56.11																																	
10	10+220, L	Pairara	Auxilia Ximenes	kiosk	1	12.18														4															3				
11	10+320, R	Pairara	Deolinda Bandeira	kiosk	1	9.24														15																			
12	10+340, R	Pairara	Maria da Costa Carvalho							Carpentary	1	28					2			12				11		4													
13	10+620	Pairara	Joana dos Santos				House	1	41.2											20																			
14	11+460, L	Pairara	Paulino Mendes							house	1	13.44						2								5	7		5		3								
15	11+500	Pairara	Tiago Bandeira dos Santos				House	1	88.9																											12			
16	14+200	Raca	Cesaltina da C. Xavier	House	1	27.72								1	48					7					6									19	10				
17	14+900, L	Raca	Osvaldo Fernando J. Lop	House	1	35.28								1	22			1		8			11					1			4								
18	15+160, R	Raca	Alberto Soares				house	1	63.2					1	40			7			7					1													
19	15+200	Raca	Augusto Castelo Branco	House	1	40.95								1	27			9			8				6				2					21	11				
20	15+900	Raca	Mariano da Costa				house	1	51					1	74																								
21	16+100, R	Raca	Lucia Lopes											1	131			2	2	1															246				
22	17+800, L	Fuiloro	Jose da Costa Almeida							house	1	42.16		1	24			25	4						23					1									
23	18+180, L	Fuiloro	Angelina Lopes dos Santos							house	1	10.24																				2					1		
24	18+181, L	Fuiloro	Gil dos Santos Cruz											1	71																				23				
25	18+300, L	Fuiloro	Alda dos Santos											1	70					2																			
26	18+400, R	Bauro	Julieta dos Santos	house	1	280																		2		2													
27	18+500, L	Mehara	Rufina Marques											1	43	1	35																						
28	18+520, R	Bauro	Carlos da Fonseca	house	1	77.38								1	70			5			3	3		1					1			2							
29	21+220, R	Fuiloro	Ludjerry Macario da Costa							Repairshop	1	24		1	48																								
30	21+420, R	Fuiloro	Tito da Costa	kiosk	1	8.64																																	
31	22+800	Fuiloro	Vicente Fernandes											1	375																								
32	28+000	Fuiloro	Patricio dos Santos				house	1	203																														
					14	775.2		5	448		9	187.5	1	18	1206	1	35	53	15	2	3	8	81	13	1	0	14	70	3	14	7	10	13	0	13	1	318	33	1