

Resettlement Plan

November 2011

TIM: Road Network Upgrading Project

Prepared by the Ministry of Infrastructure for the Asian Development Bank.



REPUBLICA DEMOCRATICA DE TIMOR LESTE

MINISTERIO DAS INFRA-ESTRUTURAS

ROAD NETWORK UPGRADING SECTOR PROJECT



Resettlement Plan

Dili-Tibar-Liquica Road



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SMEC International Pty Limited, Australia
November 2011

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Abbreviations

ADB	:	Asian Development Bank
AF	:	Affected Family
AH	:	Affected Household
AP	:	Affected Person
DLPCS	:	Directorate of Land, Property and Cadastral Services
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
MOF	:	Ministry of Finance
MOI	:	Ministry of Infrastructure
MOJ	:	Ministry of Justice
NGO	:	Non-Government Organization
PISC	:	Project Implementation and Support Consultants
PMU	:	Project Management Unit
RF	:	Resettlement Framework
RNDSP	:	Road Network Development Sector Project
RNUSP	:	Road Network Upgrading Sector Project
ROW	:	Right of Way
RP	:	Resettlement Plan
SoSPW	:	Secretariat of State for Public Works

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 (AP): All the people affected by the Project through land obtaining, relocation, or loss of income; and include any person, household [sometimes referred to as project affected family (AF)], firms, or public or private institutions. APs, therefore, include (i) persons whose land, house/structures, or other 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 impact; (iii) persons who lose work/employment as a result of Project impact; and (iv) people who lose 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 current market value or in kind for an asset or a resource that is obtained or affected by a project to which the affected people are entitled in order to replace the 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 detailed design and marking of project boundaries on the ground.

Encroachers: People who move into the project area after the cut-off date and are therefore not eligible 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, relocation and restoration which are due to APs, depending on the type and degree /nature of their losses, to restore their social and economic base.

Inventory of Losses: Record of affected or lost assets due to project intervention.

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 and includes people using private or state land without permission, permit or grant i.e. those 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 payment of the replacement cost of obtained assets.

Relocation : Displacement or physical moving of the APs from the affected area to a new area/site and rebuilding homes, infrastructure, provision of assets, including productive land/employment and re-establishing income, livelihoods, living and social systems

Replacement Cost: Replacement cost means the amount needed to replace an asset and is the value determined as compensation for:

- i. 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;
- ii. 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 and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes;
- iii. Houses and other related structures based on current market prices of materials, transportation of materials to construction site, cost of labor and contractor's fee, and any cost of registration and transfer taxes. In determining replacement cost, depreciation of assets and value of salvaged building materials are not taken into account and no deductions are made for the value of benefits to be derived from the project ;
- iv. Crops, trees, and other perennials based on current market value; and
- v. Other assets (i.e. income, cultural or aesthetic) based on replacement cost or cost of mitigating measures.

Replacement Land: The land affected by the project that is compensated through provision of alternative land, rather than cash, of the same size and/or productive capacity as the land lost and is acceptable to the AP.

Resettlement: All the impacts associated with 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 people or more persons 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).

Squatters: Same as non-titled and includes households, business and common establishments on land owned by the State.

Structures : All buildings including primary and secondary structures including houses and ancillary buildings, commercial enterprises, living quarters, community facilities and infrastructures, shops, businesses, fences, and walls.

Vulnerable: Who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and includes: (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; (vii) households of indigenous population or ethnic minority.

Executive Summary

1. The Government of Timor-Leste plans to undertake the Road Network Upgrading Sector Project (RNUSP), with financial assistance from the Asian Development Bank (ADB). The major focus of the Project is to accelerate new economic opportunities and poverty reduction. The Ministry of Infrastructure (MOI) as implementing agency (IA) is responsible to manage implementation of the Project through a Project Management Unit (PMU). The Project includes improvement and upgrading of priority national roads. The two priority national roads are (i) Dili-Tibar-Liquica Road with a length of 28.8 km (according to present design), and (ii) Tibar-Gleno-Ermera Road with a length of 44.8 km.
2. The Project's strategy is to minimize land acquisition and resettlement impact by confining the construction works within existing road corridor or on the government-owned land. Implementation of physical works with widening and raising of the embankment will be carried out by adjusting within the existing space available along the road corridor. The project interventions, for improvement of the Dili-Tibar-Liquica Road, for which the present Resettlement Plan (RP) has been prepared, will not involve significant¹ resettlement impact. It does not require acquisition of land and will not involve physical displacement of people from housing.
3. The project road Dili-Tibar-Liquica, with a length of about 28.8 km, starts at km 6.828 of the existing road corridor just from the west side of the present roundabout near the Comoro Airport located at the outskirts of the capital city Dili, and via Tibar junction it connects Liquica District towards west and then continuously runs up to Mota Ain, the main land border crossing with Indonesia.
4. Although the project implementation works will not involve significant involuntary resettlement impact, it will be necessary to push back some structures in order to clear off the right of way land. A combined census and socioeconomic survey carried out during 8 – 14 September 2011 identified 2 semi-permanent small structures to be partly affected and 9 kiosks (local name of small temporary shop) which will have to be pushed back. All these are either squatting or encroached in the government land. Besides, 1 tree will have to be removed to clear off the right of way land. To address these issues, the Project has formulated this RP for the Dili-Tibar-Liquica Road, complied with ADB's safeguard requirements on involuntary resettlement under the *Safeguard Policy Statement*, and in conformity with the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted by the Government of Timor-Leste for the Project.
5. The Project will follow the approach of negotiated settlement and provide compensation at replacement cost for any affected asset, physical and non-physical. Draft laws on land expropriation and compensation are awaiting the approval of Parliament. When these laws are passed by the Parliament, the Government of Timor-Leste will be able to acquire land for public purposes including roads under "eminent domain".

¹ Significant is defined as : 200 or more people will experience major impacts, which are defined as (i) being physically displaced from housing; or (ii) or losing 10 per cent or more of their productive assets (income generation).

6. Improvement of the Dili-Tibar-Liquica Road will be carried out within the available area along the existing embankment, requiring no additional land. As mentioned above, project implementation will not involve significant involuntary resettlement impact. A summary of impacts are shown in Table 1.

Table 1: Summary of Impacts

Impact Category	Magnitude of Impact
Affected Families	12 households
Affected Persons	92 people
Number of affected structures	2
Total area of affected structures	14.5 Sqm
Affected Kiosks	9 Nos
Affected Trees	1

7. The census combined with socioeconomic survey has estimated a total of 92 affected persons (APs), splitting into 48 male and 44 female (Table 2). A list of the affected household heads with magnitude of impact is given in Annex 2.

Table 2: Population of APs

Sl. No	Description	Number of APs	Percent (%)
1	Male	48	52
2	Female	44	48
<i>Total</i>		<i>92</i>	<i>100</i>

8. None of the AP population in the Project area belongs to groups classified as indigenous people (IP) as defined under ADB's Safeguard Policy Statement. All the surveyed APs can be termed as mainstream Timor-Leste citizens. All the surveyed APs were found to be Christians.

9. All the APs will be compensated at negotiated rates that ensure compensation is at least at replacement rate in order to ensure that they will be as well off as without the Project. The compensation and entitlement matrix is presented in Table 3. The following categories of APs will be entitled to receive entitlements as set out in the RP:

- those with no formal title 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.

10. Fair compensation for affected physical and non-physical assets has been estimated in the RP in consultation with APs and their community. This estimated compensation will be finalized in coordination with the Directorate of Land, Property and Cadastral Services (DLPCS). If situation demands, the DLPCS will set up a committee under the Directorate and coordinate with the MOI/PMU, with assistance of a professional valuation specialist, to establish a basis for fair compensation for assets affected for road improvement.

Table 3: Entitlement Matrix

Type of Loss	Unit of Entitlement	Details of Entitlements	Responsibility
1. Assets of squatters or informal settlers.	Informal settlers / squatters / non-tilted APs 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 US\$100 for 4 months per HH. Salvaged materials 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.
2. Tree.	Claimant of the affected tree	- Compensation at replacement cost of affected tree estimated during IOL and finalized with DLPCS. - Salvaged materials free of cost.	DLPCS with assistance from PMU's Valuation Specialist in consultation with relevant authorities will determine the fair compensation at replacement cost. (One large tree will have to be removed at km 28 of the road which has no fruit or wood value, only bears fire wood value).
3. Income from business.	Kiosks	One time lump sum transfer grant of US\$ 100 per kiosk. Transitional allowance of US\$ 100 for 4 months per HH.	PMU in coordination with DLPCS and with assistance of local authorities and community leaders.
4. Impact on vulnerable APs.	Vulnerable and women headed households identified by IOL (owners of 2 kiosks – one is women headed and the other is widow headed).	In addition to the above standard package, vulnerable AP households will receive following: Additional transitional allowance of US\$ 100 for additional 2 months for women headed HH. Additional transitional allowance of US\$ 100 for additional 4 months for widow headed HH	PMU with assistance of local authorities and community leaders.
5. Unforeseen Impact.	Concerned impactees.	Unforeseen impacts will be documented and mitigated based on the principles agreed upon in this policy framework.	PMU identifies and mitigates impacts as required.

11. A grievance redress mechanism, linked with existing traditional formal and informal systems and cognizant of cultural requirements, will be established to solve disputes and complaints from APs. Existing community processes will be used for dealing with issues if there is any land related disputes arises in subsequent time. They include the suco chiefs (village is suco), other elders, church leaders and other recognized civil society leaders. 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 AP always has final recourse through Timor-Leste's legal channels. However, every effort will be made to avoid this. Should the APs want to pursue legal recourse, PMU/MOI with assistance from the PISC consultants will ensure that support is given to the AP to prepare a case.

12. After approval of this RP by MOI and ADB, a summary of this resettlement plan and the entitlement matrix will be translated into local language (Tetum/Portuguese) and disclosed to stakeholders, especially affected persons, by the MOI. This will be presented in the form of a pamphlet/brochure (see Annex 5) to enable the APs and local communities to read it and be aware of the Project's benefit / compensation available for the APs, as per provision in the 'entitlement matrix'. This will also include Entitled Persons List describing all particulars of compensation for each AP. MOI field staff / consultant will distribute the brochures through suco meetings and will explain the mechanisms and procedures of the compensation program.

13. The PMU under the MOI will have overall responsibility for implementing the sub-project. The PMU will strengthen its capacity with a social safeguard specialist to plan and implement 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 consultations tasks.

14. All costs associated with resettlement aspects will be provided by the government. The MOF/MOI will ensure that adequate funds are available for resettlement according to the budgets prepared for the sub-project. The PMU will coordinate/undertake procurement and allocation of funds, approval of payments, and delivery of funds, monitoring of progress and reporting.

15. The entire resettlement for Dili-Tibar-Liquica road improvement project will require a total of **10,740 USD (0.0107 million US Dollar)**, out of which **8,950 USD** is direct resettlement expense. A 20% of the total direct expenses are kept to meet contingency expenses covering administrative and its associated costs. The included cost items are in compliance with the RF prepared for the project.

16. The financial resources for the RP implementation are expected to be available in late January 2012 following which the actual implementation will begin during around February 2012.

1. INTRODUCTION

1.1 Background

1. The present state of dilapidated road network is one of the major impediments to overall socioeconomic growth in Timor-Leste. Considering the need of a comprehensive and sustainable development of road network the Government of Timor-Leste plans to undertake the Road Network Upgrading Sector Project (RNUSP), with financial assistance from the Asian Development Bank (ADB). The major focus of the Project is to accelerate new economic opportunities and poverty reduction.

2. The Ministry of Finance (MOF) will be project executing agency (EA) and the Ministry of Infrastructure (MOI) will be implementing agency (IA). MOI will manage implementation of the Project through existing Project Management Unit (PMU), supported by the Project Implementation and Support Consultants (PISC).

3. The Project includes improvement and upgrading of priority national roads. The priority roads include (i) Dili-Tibar-Liquica with a length of 28.8 km (according to present design), and (ii) Tibar-Gleno-Ermera with a length of 44.8 km. Both the roads are extended over the western half of Timor-Leste, within the geographic coverage of three districts comprising Dili, Liquica and Ermera.

4. The strategy for the Project is to minimize land requirements by confining the construction works within existing road corridor or on the government-owned land. Implementation of physical works with widening and raising of the embankment will be carried out by adjusting within the existing space available along the road corridor. The project interventions, for improvement of the road Dili-Tibar-Liquica, for which the present Resettlement Plan (RP) has been prepared, will not involve significant¹ resettlement impact. It does not require acquisition of land, and will not involve physical displacement of people from housing.

5. Although the project implementation works will not involve significant involuntary resettlement impact, improvement with widening of the existing road will involve some resettlement impacts. A combined census and socioeconomic survey carried out during 8 – 14 September 2011 identified 2 semi-permanent small structures to be partly affected for improvement of the road with widening and raising of the embankment. Besides, it will be necessary to push back 9 kiosks (local name of small temporary shop) and remove 1 tree in order to clear off the right of way land. All these structures are either squatters or encroachers in the government land. To address this, the Project has formulated this RP for the Dili-Tibar-Liquica Road, complied with ADB's safeguard requirements on involuntary resettlement under the *Safeguard Policy Statement*, and in conformity with the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted by the Government of Timor-Leste for the Project.

6. The Ministry of Finance as the project executing agency and the Ministry of Infrastructure 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 the ADB. The objectives are to (i) avoid resettlement impacts wherever possible; (ii) minimize

¹ Significant is defined as : 200 or more people will experience major impacts, which are defined as (i) being physically displaced from housing; or (ii) or losing 10 per cent or more of their productive assets (income generation).

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.

7. The Project will follow the approach of negotiated settlement and provide compensation at replacement cost for any affected asset, physical and non-physical. Draft laws on land expropriation and compensation are awaiting the approval of Parliament. When these laws are passed by the Parliament, the Government of Timor-Leste will be able to acquire land for public purposes including roads under “eminent domain”.

1.2 Project Description

8. The project road Dili-Tibar-Liquica, with a length of about 28.8 km (according to present design of the alignment), starts at km 6.828 of the existing road corridor just from the west side of the present roundabout near the Comoro Airport located at the outskirts of the capital city Dili, and connects Liquica District towards west via Tibar junction at km 13.92 from Dili, and then continuously runs up to Mota Ain, the main land border crossing with Indonesia. This road section actually is a continuous part of the major national route from Dili to Mota Ain. The Dili-Liquica road therefore lies within the geographic coverage of these two districts of Dili and Liquica. A Project Location Map is presented in Figure 1.

9. Physical implementation of improvement works includes widening of the existing road to achieve a width up to 15 meters - 6 meters wide carriageway together with shoulder width up to 1.5 meter on each side, including drainage construction. These improvements require strips of land along either side of the existing embankment. This will be achieved by careful attention to the detailed design of the alignment since it is desirable to stay close to the existing alignments as far as possible, in order to avoid land acquisition impact, as well as to avoid structure or built-up areas. This involves some compromise on reducing the embankment width even to 7.5 meters at certain sections of the tortuous stretch, but not to the extent of creating potentially uneasy to and fro traffic on the road.

Figure 1 : Project Location Map



1.3 Objectives of the RP

10. This RP defines the practical procedures by which the Implementing Agency (IA) will address the potential resettlement impacts under the Project, in line with the applicable policy and legal framework of the Government, and ensuring that the principles of the ADB’s safeguard requirements on involuntary resettlement under the Safeguard Policy

Statement are complied with. The primary objectives of the RP are to: (i) identify the project impact on the community in terms of loss of assets, and impact on livelihood and income; (ii) outline measures to mitigate the adverse impact; (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.

11. The impacts are documented in the RP drawing on the presently available design of the road alignment as of September 2011. If situation demands, the RP will be appropriately updated following final engineering design of the road track, corresponding to the affected persons (APs) with actual magnitude of impact on their assets and associated compensation.

1.4 RP-related Conditionality

12. Project implementation works will be contingent on the compliance to 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.
- Granting of 'No objection" by ADB to commence civil works.

2. SCOPE OF LAND RESETTLEMENT

2.1 Scope and Rationale for Land Acquisition/Resettlement

13. Improvement of the Dili-Tibar-Liquica Road will be carried out confining within the existing width of the present embankment, requiring no additional land. Widening and raising of the road will partly affect 11 shops (2 semi-permanent structures and 9 kiosks) either squatters or encroachers and 1 tree in the government-owned land along the road alignment. The existing road corridor is deemed to be stretching on government land. For understanding the adverse social and resettlement impacts of the project interventions, a 100% census combined with socioeconomic survey was carried out during 8 – 14 September 2011 to make an inventory of losses (IOL), and to develop a baseline of socioeconomic status of the households likely to suffer from project implementation. A structured questionnaire (Annex 1) was used to collect details of the affected families (AFs). Photographs were taken at the time of carrying out the survey works, showing below as the records of evidence.



Survey along the Dili-Tibar-Liquica Road



Interview with affected household head

2.2 Summary of Impacts

14. The Project carried out an extensive exercise to minimize adverse resettlement impacts. In this process the Project identified a total quantity of 14.5 square meters of structure to be affected due to implementation of physical works. Project intervention will affect 12 households which include a total of 92 people within these families. Table 2.1 summarizes the resettlement impact of the Project, section 2.4 of this chapter details the losses in each category.

Table 2.1: Summary of Impacts

Impact Category	Magnitude of Impact
Affected Families	12 households
Affected Persons	92 people
Number of affected structures	2
Total area of affected structures	14.5 Sqm
Affected Kiosks	9 Nos
Affected Trees	1

2.3 Measures to Minimize Land Acquisition Impact

15. Improvement with widening of the road is planned to be carried out limiting within the existing width of the road. Keeping the provision of carriageway width 6 meters all the way, the shoulder provision is proposed up to 1.5 meters. Initially, the proposed widening of the road involved significant impacts on land, structure trees and other assets. In subsequent effort to avoid and minimize resettlement impacts to the extent possible, the

Project adopted a compromised strategy to reduce the embankment width at certain sections of the tortuous stretch :

- adjusting within the available government-owned lands;
- paying careful attention to the detailed design of the road to stay close to the existing alignment as far as possible to avoid land obtaining impact;
- realigning the embankment to avoid structure or the built-up areas where possible;
- paying careful attention to the detailed alignment in the vicinity of sensitive cultural features such as cemetery and places of worship in order to avoid impacts upon them.

16 Following the above alternatives, a great extent of land impact has been minimized. In the preliminary assessment, a total of 335 households were estimated to be affected. After reviewing the impacts and realigning the road stretch, the number of households has been substantially reduced to only 12 households. Table 2.2 shows the measures taken to minimize the resettlement impact along the road corridor.

Table 2.2: Measures to minimize resettlement

Districts	Total No. of structures to be affected before mitigation measures	No. of structures avoided after mitigation measures	No. of family to be affected before mitigation measures	No. of family to be affected after mitigation measures	Mitigation measures adopted
Dili	15	15	25	Nil	Realignment & Adjustment of Width
Liquica	197	194	310	12	Realignment & Adjustment of Width
<i>Total</i>	<i>212</i>	<i>210</i>	<i>335</i>	<i>12</i>	

2.4 Impact Assessment

2.4.1 Affected Households and Persons

17. A total of 12 households will be affected. Total number of members of these families is 92. Among these, 48 are male and 44 are female. A list of the affected household with magnitude of impact is presented in Annex 2.

2.4.2 Impact on Land

18. No private land will be affected. As noted earlier, the entire road improvement works is proposed to be carried out within the existing road corridor or on the land owned by the government. AH are squatters on these land areas.

2.4.3 Impact on Crops

19. Since no agricultural land will be affected, there will be no impact on crops.

2.4.4 Impact on Trees

20. Only 1 tree alongside the road at km 28 will have to be removed. The tree does not bear any fruit or wood value, only can be used as fire wood.

2.4.5 Impact on Structures

21. There are 2 shops to be partly affected involving a total of 15.5m² of structure area – one shop will lose about 10.5m² and the other will lose about 4.0m². These are semi permanent structures either squatters or encroachers on roadside government lands. Apart from these structures, 9 small business structures, also known as kiosks, will require to be moved back for a short duration during only the construction time of the respective sections of the road. These are actually thatched structures.

2.4.6 Impact on Income

22. After mitigation, there is no impact on loss of income due to acquisition of agricultural land, rent from structure or similar sources. Only loss of income will be occurred due to structure loss of 2 semi-permanent shops and removal of 9 small business kiosks for few months during contraction work in respective sections of the road.

2.4.7 Gender Impact

23. Attempts were made during census survey to assess the gender impacts of the Project. Discussions were undertaken with the women and community people to look into the current status and needs of the women in the subproject area and the potential impact of the Project on 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 and by accelerating new economic opportunities and poverty reduction that contribute towards the overall quality of life in their area.

3. SOCIOECONOMIC INFORMATION AND PROFILE

3.1 Working Methodology

24. A 100% socio-economic survey combined with 100% census of the APs was carried out during 8 - 14 September 2011 to provide requisite details on the affected households (AHs), assessing the magnitude of impacts and to identify measures for mitigation of adverse impacts. Interviews were held with the heads of the AHs and family members at their residences to collect socioeconomic information of the affected population. Structured questionnaire (Annex 1) was used to collect details of the affected households.

3.2 Demographic Characteristics of APs²

3.2.1 Population of APs

25. According to the census and socioeconomic survey, total identified APs are 92 splitting into 48 male and 44 female (Table 3.1).

Table 3.1 : Population of APs

Sl. No	Description	Number of APs	Percent (%)
1	Male	48	52
2	Female	44	48
<i>Total</i>		<i>92</i>	<i>100</i>

3.2.2 Age of APs

26. Majority of the affected population are within age 18 to 50. A significant portion of APs are minor, i.e. under age 18.

Table 3.2 : Age distribution of APs

Age features of the AP	No of AP	% of AP
<18 years of age	36	39.13
Between 18 and 50	49	53.26
Between 51 and 70	7	7.61
> 70 years of age	0	-
<i>Total</i>	<i>92</i>	<i>100</i>

3.2.3 Marital Status of APs

27. Table 3.3 shows the marital status of the APs. From marital point of view, maximum of the APs (39.13%) are minor, 32.6% are unmarried and 25% are married.

Table 3.3: Marital Status of the APs

Marital Status	Male		Female		Total	
	No.	%	No.	%	No.	%
Minor	21	43.75	15	34.09	36	39.13
Unmarried	16	33.33	14	31.81	30	32.60
Married	11	22.91	12	27.27	23	25
Divorced/Separated	-	-	-	-	-	-
Widow	-	-	3	6.81	3	3.26
<i>Total</i>	<i>48</i>	<i>100</i>	<i>44</i>	<i>100</i>	<i>92</i>	<i>100</i>

² All data on demographic characteristics of APs are derived from the result of the socioeconomic survey carried out during 08 – 14 September 2011.

3.2.4 Education of APs

28. Among the total number of APs, 12 are below or equal to age 4, i.e. below school age. Apart from them, it was found that majority of the affected population (42.5%) can read and write. 32.5% have senior high school or equivalent education attainment (Table 3.4).

Table 3.4 : Education of APs

Level of Education	No. of AP	% of AP
Illiterate	19	23.75
Able to read and write	34	42.5
Senior High School Equivalent	26	32.5
University Graduate Equivalent/Upper	1	1.25
<i>Total</i>	<i>80</i>	<i>100</i>

3.2.5 Ethnicity of APs

29. No major ethnic diversity or indigenous characteristics were observed among the surveyed APs. All the surveyed APs can be termed as mainstream Timor-Leste citizens. All of the surveyed APs were found to be followers of Christianity. All the surveyed APs were found to be using Tetum as the primary language.

Table 3.5: Religion of APs

Religion	No of AP	% of AP
Christianity	92	100
Islam	-	
Buddhism	-	
Hinduism	-	
Other	-	
<i>Total</i>	<i>92</i>	<i>100</i>

3.3 Characteristics of Households

3.3.1 Family Structure

30. Majority of the households surveyed are nuclear family households (9 out of 12). Maximum family member was found to be 11 and minimum was 6. In an average, each AH has more than 7 members.

Table 3.6: Family Structure and Composition

Family Structure and Composition	Number of AH
Nuclear family households	9
Extended family households	3
Maximum number of people in AH	11
Minimum number of people in AH	6

3.3.2 Economic Profile of AH

31. Majority of the AH has an annual income between USD 500 to 2000. Only 16.67% have annual income in extend of USD 2000 but below 5000. More than 90% of the AH depend on business as source of income and about 8% are engaged in service.

Table 3.7: Annual Income of Affected Families

Amount (USD)	Number of Families	Percent (%)	Average Income
Up to 500	-		
Above 500 and below 2000	10	83.33	1340
Above 2000 and below 5000	2	16.67	3000
Above 5000 and below 10000	-	-	
Above 10000	-	-	
<i>Total</i>	<i>12</i>	<i>100</i>	<i>1616.67</i>

Source: Survey carried out in September 2011.

Table 3.8: Main Occupation of Affected Families

Type of Occupation	Number of Families	Percent
Agriculture	-	
Commercial/Business	11	91.66
Service Holder	1	8.33
<i>Total</i>	<i>12</i>	<i>100</i>

Source: Survey carried out in September 2011.

3.3.3 Quality of Life Indicators

32. All the AH have electricity supply and piped water supply. However, none has the year round accessibility of road.

Table 3.9: Housing, Electricity and Water

Electricity	Percent
AH having electricity supply	100%
Water supply	-
AH having piped water supply	100%
AH having water supply from protected well	-
AH having water supply from un-protected sources	-
Accessibility	
Year-round accessibility	-

3.4 Economic Details of AHs

3.4.1 Poverty Status

33. Being located in the capital of the country, the poverty situation around the Dili section of the project road is better than the section in Liquica district. According to the Timor-Leste Survey of Living Standard (TLSLS 2007, the poverty incidence in Dili is 43.3% whereas the same in national level is 49.9%³ (Table 3.14). Other measures of poverty are also better than the national figures which includes poverty depth 9.8% (whereas national poverty depth is 13.6%) and poverty severity 3.1% (whereas national poverty severity is 5.1%). Dili accounts for 21.97%⁴ of the total population of the country and 16.2% of the

³ Timor-Leste: Poverty in a Young Nation, November 2008

⁴ Timor-Leste Population and Housing Census, 2010

country's total poor population. However, the poverty analysis of the segment of the road falling in Liquica district is much worse than that of Dili district. Poverty incidence in Liquica is 44.9%. The district accounts for 5.5% of the total population but 6.1% of the total poor. The depth of poverty, i.e. how far below the poverty line the poor fall is 11.9%.

Table 3.10 : Poverty Status in Impact Area

District	Poverty Incidence	Poverty Depth	Poverty Severity	% of Population	% of Total Poor
Dili	43.3	9.8	3.1	18.6	16.2
Liquica	44.9	11.9	4.4	6.1	5.5

34. Average annual income of the project AHs in particular is USD 1616.67, i.e. USD 134.72 per month. Average family members per AH is 7.67. Hence average income per month per person of the AHs is USD 17.57. The TLSLS 2007 defines the upper poverty line to be US\$ 26.68 per month per person and the lower poverty line to be US\$ 21.53 per month per person. The poverty status of the AHs therefore is below the poverty line.

3.4.2 Impact of Project on AHs Livelihood

35. 1 household will lose a big firewood tree resulting in loss of an asset. 9 households will temporarily lose their income from the kiosks during construction of the particular section of the road that lies within the respective areas. After construction, they will reestablish these kiosks and will continue their business as usual.

4. LEGAL POLICY FRAMEWORK AND ENTITLEMENTS

4.1 Introduction

36. The RP is based on ADB's *Safeguards Policy Statement of 2009* (SPS 2009) as well as the Timor-Leste's applicable/domestic policy instruments and laws. The RP fits with the provisions of the Resettlement Framework (RF) that has been formulated to provide the basis of preparing the RP to mitigate adverse impacts under the subproject. 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.

4.2 Purpose and Objectives of Land Acquisition and Resettlement

37. The government proposes to improve the Dili-Tibar-Liquica road to promote quality and safety and ensure greater economic and social benefits to the people. It will be designed taking into account social safeguard policies of ADB that include avoiding and/or minimizing resettlement impacts. However, this road improvement includes widening and realignment and hence it is likely to have some unavoidable impacts on assets of non-titleholders. However, as a result of an extensive exercise in minimizing adverse resettlement impacts, the Project reduced impacts to a small number of families.

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

38. 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.

39. 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 Services (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.

40. A decree issued by the Government in February 2011 provides for granting 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 passed in June 2011 provides for the granting of title certificates to landowners/persons in areas where cadastral surveys have been completed (following 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 per cent of claims are undisputed.

41. There are four pieces of draft legislation relating to land awaiting parliamentary approval:

- The Civil Code - which will form 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 would allow the state to take land for "public good" for example, to build ports and other infrastructure.
- The Real Estate Finance Fund to provide compensation as determined under the other laws.

42. There are no specific laws on involuntary land acquisition and compensation. The legal basis for declaring the right of way outside the current road footprints has not been established. 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 practice, when land was required for project development, concerned parties under the direction of local authorities (district and sub- district Land and Property Units and village) negotiated and reached agreement on compensation rates, total compensation amount, and the procedures or mechanism for compensation and transfer.

4.4 ADB Safeguard Policies

43. ADB's *Safeguard Policy Statement* (2009) provides comprehensive guidance on complying with the requirements for environmental and social safeguards (involuntary resettlement and Indigenous Peoples) in Projects. It 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 APs 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 APs' pre-project living standards;
- APs should be fully informed and consulted on compensation options;
- APs' 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, and 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, and the full costs of compensation should be included in project costs;
- Compensation/rehabilitation assistance will be paid prior to ground levelling and demolition, and in any case, before an impact occurs.

The policy comprises three important elements:

- (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 wellbeing with the project as without it.

44. A project's involuntary resettlement category is determined by the category of its most sensitive component in terms of involuntary resettlement impacts. The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will 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). The level of detail and comprehensiveness of the resettlement plan are commensurate with the significance of the potential impacts and risks.

4.5 Project Policy Framework and Entitlements

45. 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. While there are some laws on ownership of state land and claims to private land (undisputed parcels), no law is in place that regulates how that expropriation can take place or compensation measures. The draft Expropriation Law is awaiting Parliament's approval. When the expropriation law is enacted, the Government will be able to acquire land for road improvement under "eminent domain" or involuntarily. Until an expropriation mechanism is in place, the project will follow the approach of negotiated settlement/purchase of land.
- (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 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 Project Management Unit (PMU) supported by ADB will be requested to assist the DLPCS for valuation of affected assets to determine fair compensation at replacement cost to APs;
- (iv) Resettlement impacts will be minimized through careful engineering design;

- (v) APs 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;
- (vi) The APs 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 subproject identification stage, to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits;
- (vii) Consistent with donor policies, eligible APs are those that: a) have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); b) do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan; and c.) have no recognizable legal right or claim to the land they are occupying, before the cut-off date.
- (viii) Eligible APs are entitled to compensation and livelihood rehabilitation measures sufficient to assist them to improve or at least maintain their pre-subproject living standards, income earning capacity and production levels;
- (ix) 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 the religious practices of all APs, will be respected and protected;
- (x) The institutions of APs, and, where relevant of their hosts, are to be protected and supported. Physically displaced APs 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;
- (xi) Lack of formal legal rights to assets lost will not deprive any AP from receiving compensation and payments for non-land assets and entitlements;
- (xii) Particular attention will be paid to the needs of vulnerable APs. This group of APs 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;
- (xiii) 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;
- (xiv) 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;
- (xv) Resettlement planning decisions will be preceded by a social preparation phase where consultations will be held with APs, community leaders, local administrators, and NGOs to enhance the participation of these APs in negotiation, planning, and implementation;
- (xvi) 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;
- (xvii) APs 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;
- (xviii) 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 APs, cash payment at replacement costs will be provided based on negotiation with APs. For those experiencing severe impacts (more than 10% of productive land severely affected people (i.e. those APs 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;
- (xix) 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 APs;
- (xx) 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;
- (xxi) All land purchase, compensation, resettlement activities will be satisfactorily completed and the subproject areas cleared of all obstructions before the commencement of civil works; and
- (xxii) No works with resettlement impacts will be implemented before a RP has been prepared and approved in line with the RF. The general process for preparing RPs includes:
- Consultation – with APs 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 APs losing assets (land, physical assets, means of livelihood, or social support systems) will be compensated

and assisted, through adequate and satisfactory to the AP, 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 APs.
- Inclusion of a monitoring system - appropriate reporting and monitoring and evaluation will be established as part of the resettlement management system, this will be set out in the RP.

4.6 Eligibility and Entitlements

46. This RP will apply to the Road Network Upgrading Sector Project for implementing the Dili-Tibar-Liquica subproject. This will ensure that all persons affected by losing of any fixed or mobile assets, will get appropriate compensation and rehabilitation assistance.

4.6.1 Cut-off Date and Eligibility

47. 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 APs as defined by the census. Normally, the cut-off-date is the date of the detailed measurement survey. The cut-off date for this subproject has been set as on 08 September 2011. PMU/MOI were informed about the cut-off day to inform the local communities. People who move into the area after this date will not be entitled to any compensation. In case of the present subproject, the RP recognizes the affected persons (also known as squatters) eligible to receive compensation for their losses although they have no formal title but have a claim to the assets.

48. Compensation at replacement cost for affected assets (houses, other structures) crops and trees will be adequate to replace losses.

49. APs will receive fair compensation in cash at replacement value for the affected assets such as temporary structures, kiosks and other assets. Compensation at replacement costs have been determined based on the information gathered through rapid appraisal and consultation with the project affected people and their community, and relevant local authorities during the census and inventory of loss survey. The APs will also receive a one-time lump sum amount of US\$ 100 for each affected kiosk/structure as transfer grant. Besides, each AH will receive a transitional allowance of US\$ 100 for 2 months. The vulnerable APs or women HH will be entitled to an additional transitional allowance for 1 month at monthly rate of US\$ 100.00. This rate of US\$ 100 as transitional allowance will be entitled for 4 months for the widow headed HH. The compensation and entitlements are presented in Table 4.1

Table 4.1 : Entitlement Matrix

Type of Loss	Unit of Entitlement	Details of Entitlements	Responsibility
1. Assets of squatters or informal settlers.	Informal settlers / squatters / non-tilted APs identified by IOL losing assets/ commercial structure.	▪ Compensation at replacement cost of affected structure estimated during IOL and finalized with DLPCS. ▪ Reconstruction grant estimated during IOL and finalized with DLPCS. ▪ Transitional allowance of US\$100 for 2 months per HH. ▪ Salvaged materials 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.
2. Tree.	Claimant of the affected tree	▪ Compensation at replacement cost of affected tree estimated during IOL and finalized with DLPCS. ▪ Salvaged materials free of cost.	DLPCS, with assistance from PMU's Valuation Specialist, and in consultation with relevant authorities, will determine the fair compensation at replacement cost. (One large tree will have to be removed at km 28 of the road which has no fruit or wood value, only bears fire wood value).
3. Income from business.	Mobile and ambulatory (kiosks).	▪ One time lump sum transfer grant of US\$ 100 per kiosk. ▪ Transitional allowance of US\$ 100 for 2 months per HH.	PMU with assistance of local authorities and community leaders.
4. Impact on vulnerable APs.	Vulnerable and women headed households identified by IOL (owners of 2 kiosks – one is women headed and the other is widow headed).	In addition to the above standard package, vulnerable AP households will receive following: ▪ Additional transitional allowance of US\$ 100 for 1 month for women headed household. ▪ Additional transitional allowance of US\$ 100 for 4 months for widow headed HH.	PMU in coordination with DLPCS and with assistance from the local authorities and community leaders.
5. Unforeseen Impact.	Concerned impactees.	Unforeseen impacts will be documented and mitigated based on the principles agreed upon in this policy framework.	PMU identifies and mitigates impacts as required.

5. PARTICIPATORY CONSULTATION AND DISCLOSURE

5.1 Stakeholders

50. This RP has been prepared in consultation with the key local and national stakeholders. Table 5.1 summarizes the consultations that have been undertaken for preparation of the RP. Importance was given to consult the leaders of local communities, particularly the suco/village and hamlet chiefs, along the project road corridor to receive their support to 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 entitlements and 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 extent possible.

51. Community people of different areas expressed different concerns, but 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;
- government authorities and public sector agencies;
- non-government organizations (NGOs);
- financing agency and other international development agencies; and
- the affected persons.

5.2 Key Issues

52. 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 :

- **Land Acquisition, Compensation and Livelihoods Restoration**
 - the methods that will be used to determine compensation values for land, structures and other assets; responsibility for compensation determination (MOI/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 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 a 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 middlemen/agents in compensation payments.
- **Services and Religious/Cultural Sites**
 - impact on existing religious sites, such as church and cemetery, and how would be treated;
 - impact on existing electric supply.
- **Employment Opportunities**
 - assurance of employment opportunity for the affected and local people during road construction works.



Community consultation at Comoro Suco
on 07 September, 2011



Community consultation at Tibar Suco
on 08 September, 2011

5.3 Community Attitude

53. Many people anticipated that the Project could lead to substantial development and the improvement of infrastructure, services and facilities in the area. The Project was seen as an opportunity to develop the region and its people. In the consultation meetings, almost all the participants responded by stating that the Project is necessary for improving connectivity, creating jobs, increasing agricultural productivity and reducing poverty.

54. In the survey stage, the people likely to be directly affected were supportive of the Project, participating in the consultation process through responding to the various surveys. They also expressed their support to the Project with the expectation of getting fair compensation for their affected assets.

55. Both in the course of consultations and survey period, the participants and likely APs were asked about their preference on the type of compensation for their affected property. In all the meetings almost all the respondents unanimously preferred cash compensation for loss of 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, MOI - Chief Technical Adviser, PMU, RNDSP - Director, National Statistics Directorate, Ministry of Finance, Timor-Leste - Project Consultants
District Level	Consultation with: - Vice District Administrator, Ermera - Sub-district Administrators : Dom Aleixo in Dili; Bazartete in Liquica - Representatives of government departments : DLPCS in Subdistrict Railako and Gleno under Ermera District
Suco/Village Chief	Consultation with the Suco Chiefs of 6 likely affected sucos in the Project area (Comoro, Tibar, Ulmara, Muta Ulun, Lau Hata, Mau-meta)
Aldeia/Hamlet Chief	Consultation with concerned chiefs of Aldeias
Suco/Villages	6 suco-wise consultation meetings held - within Dili 1 and Liquica 5
Individual APs	Consultation and negotiation with individual APs to determine estimated costs of affected assets.
Special Interest Groups	Discussions with specific groups of Project-affected people including women, farmers, the landless.
Financing Agency	- Consultation, on-site visit and correspondence (email communication) with ADB - Senior Infrastructure Specialist, ADB, Timor-Leste - Safeguard Specialist, Pacific Operations Division, Pacific Department, ADB, Manila - Road Design Standard Specialist, ADB TA 4942-TIM
Other International Agencies	- Chief of Party, USAID contractor, ITA NIA RAI, Strengthening Property Rights in Timor-Leste - Social Analyst, JFPR, Timor-Leste

56. In total, 6 consultation meetings have been held at the suco/village level along the existing road corridor, involving a total of 295 participants. Some pictures of consultation meetings are given in Annex 3. The Minutes and Participant Lists are given in Annex 4. Table 5.2 summarizes the consultation program.

Table 5.2 : Consultation Meetings

SI No.	Date	Time	Venue (Suco)	No. of Participants
1	07 Sept. 2011	10.0 AM	Comoro	63
2	08 Sept. 2011	10.0 AM	Tibar	53
3	08 Sept. 2011	03.0 PM	Ulmere	55
4	09 Sept. 2011	10.0 AM	Mota Ulun	44
5	09 Sept. 2011	03.0 PM	Law Hata	46
6	10 Sept. 2011	10.0 AM	Mau-meta	34
Total				295

5.4 Disclosure

57. After approval of this RP by MOI and ADB, a summary of this resettlement plan along with the entitlement matrix will be translated into local language (Tetum/Portuguese) and will be disclosed to stakeholders, especially affected persons, by the MOI. This will be

presented in the form of a pamphlet/brochure (see Annex 5) to enable the APs and local communities to read it by themselves and be aware of the Project's benefit / compensation available for the APs, as per provision in the 'entitlement matrix'. MOI field staff / consultant will distribute the brochures through suco meetings and will explain the mechanisms and procedures and overall process of the compensation program. The RP will be made available in the Ministry of Infrastructure (MOI) including MOI's field offices, Directorate of Land Property and Cadastral Services, offices of District Administrators and Sib-District Administrators, offices of the Suco Chiefs, Aldeia leaders, as an official public document. The RP will be publicly available after approval.

6. GRIEVANCE REDRESS MECHANISM

6.1 Proposed Measures to Address Grievance

58. In the absence of national legislation on land expropriation, it is important to deal effectively with APs concerns pertaining to resettlement impacts such as compensation, rehabilitation, delays in payment. To ensure this, a simple, accessible, transparent and effective grievance redress system will be established.

59. Existing community processes will be used for dealing with disputes. They include the suco chiefs (village is suco), other elders, church leaders and other recognized civil society leaders. 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.

60. The Project Manager of the sub-project will be the focal point for receiving and resolving any grievances of APs.

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

62. The AP always has final recourse through Timor-Leste's legal channels. However, every effort will be made to avoid this. Should the APs want to pursue legal recourse, PMU/MOI 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

63. Through public consultations and distribution of the public information booklet, APs will be informed that they have a right to file complaints and/or queries to Grievance Redress Committee (GRC) on any aspects of land acquisition compensation⁵, or on any other related grievance. 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 MOI/PMU. GRCs will review grievances involving in all resettlement benefits, relocation and other assistance, other than disputes relating to ownership right under the court of law. The GRC is proposed to be composed of :

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

⁵ Negotiated compensation at replacement cost for affected physical and non-physical assets until the expropriation law is in place.

Table 6.1 : Grievance Redress Procedure.

Stage	Process	Duration
1	AP submits grievance to village chief in person and village chief sends to PMU	
2	Village chief in coordination with PMU facilitates to redress grievance and reports back to AP	7 days
If unresolved or if AP wanted to go directly to PMU		
3	AP/village chief takes grievance to PMU/community liaison officer	Within 1 week 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/village chief take grievance to MOI Secretary of State	Within 1 week of receipt of decision in step 5
7	Secretary of State refers matter to an internal committee	1 week
8	Secretary of State reports back to AP/village chief	5 days
If unresolved or at any stage if AP is not satisfied		
AP/village chief can take the matter to appropriate court		As per judicial system

7. INCOME RESTORATION

7.1 Restoration of Income from Business

64. According to the September 2011 Census and subsequent exercise of impact mitigation measure, 12 households will be affected. Of these, 2 households will be partly affected by losing a part of their structures and 9 household will face of loss of income from business during construction period. In these cases a lump sum transitional allowance will be paid to the AHs. Vulnerable APs will be eligible for a one time rehabilitation grant. Ambulatory vendors will be considered as kiosks (small temporary shops are kiosks in local language) and will receive a lump sum transfer grant.

7.2 Compensation for Crops and Trees

65. As per the Census and Socioeconomic Survey, 2011, there shall be no loss of annual or seasonal crops. Only one tree will have to be removed.

7.3 Compensation for Assets of Squatters

66. In these cases, payment will be made for structure and other assets at replacement cost. A lump sum amount will be provided for shifting household assets. Vulnerable APs losing commercial activities will be provided a 1 time rehabilitation grant per family. APs will have right to salvage materials from the demolished structure.

7.4 Other Impacts not Identified

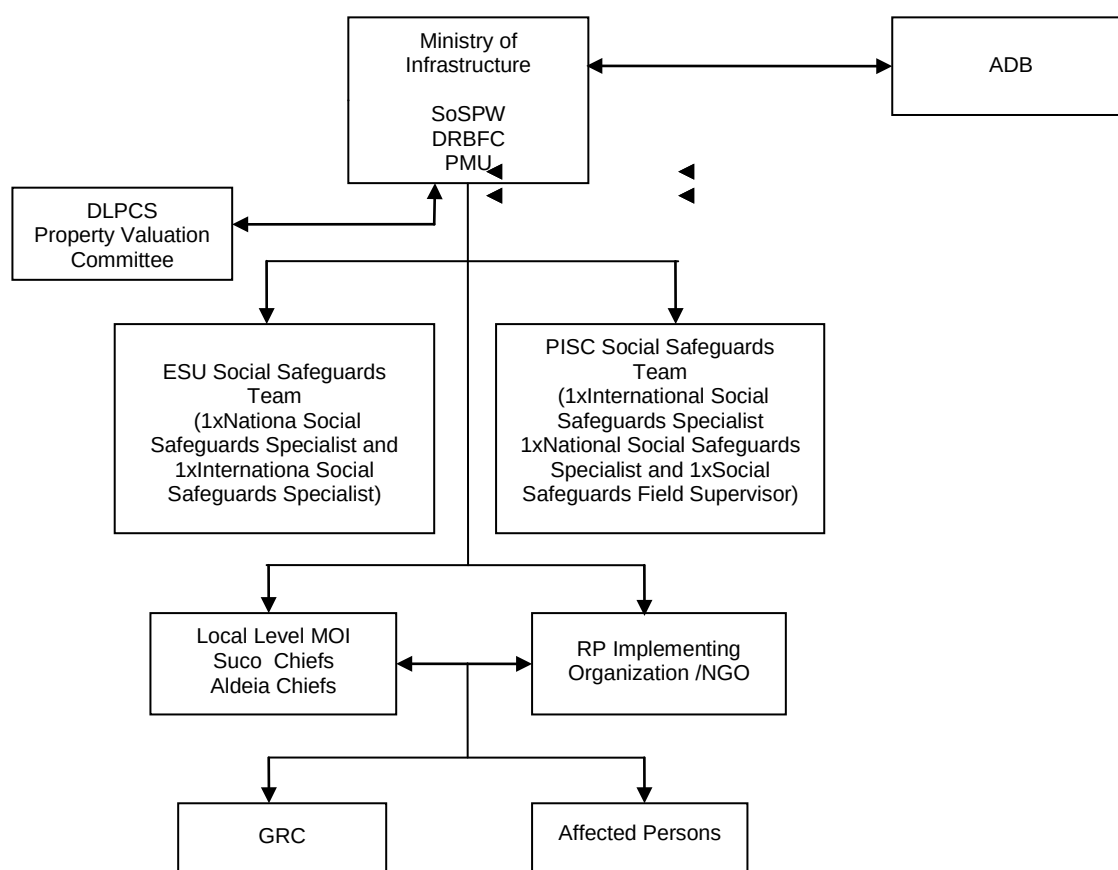
67. Unforeseen impacts will be documented and mitigated based on the principles agreed upon the RF.

8. INSTITUTIONAL FRAMEWORK

8.1 Institutional Setup

68. The PMU under the MOI 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, 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 consultations tasks. An organizational chart for RP implementation is suggested in Figure 2.

Figure 2 : Organizational Chart for RP Implementation



Abbreviations

ADB : Asian Development Bank
DLPCS : Directorate of Land, Property and Cadastral Services
DRBFC : Directorate of Roads, Bridges and Flood Control
ESU : Environmental and Social Unit
GRC : Grievance Redress Committee
NGO : Non-Government Organization
PISC : Project Implementation and Support Consultants
PMU : Project Management Unit
SoSPW : Secretariat of State for Public Works

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

- Planning, coordination, implementation and monitoring of resettlement;
- Conducting consultations and ensuring affected people are informed on the resettlement and compensation;
- Coordinating with MOI and DLPCS and ensuring prompt, adequate and timely compensation payment according to entitlements;
- Monitoring of resettlement activities and reporting.

70. A valuation specialist will be provided under the PMU to assist the DLPCS in 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 situation demands, PMU will engage an experienced NGO, active in the project area, to assist the process of consultations and negotiating compensation and in resolving disputes.

8.2 Resettlement Implementation Structure

71. The institutional responsibilities of different agencies for implementation of resettlement activities are shown in Table 8.1

Table 8.1 : Responsibilities of Agencies

Agency	Roles and Responsibilities
Executing Agency (EA) MOF/ Implementing Agency (IA) MOI	Overall execution of the Project Directs the PMU Provides funds for land purchase and resettlement Liaises with ADB
Project Management Unit (PMU)/MOI	Manages the social and resettlement aspects of the road sub-project Works with design and supervision consultant on all matters dealing with resettlement and consultations Organizes effective public consultation and disclosure of resettlement planning documents in appropriate languages Ensures that effective monitoring of resettlement is conducted and reported to funding agencies Ensures that the grievance redress system is effective in addressing APs concerns Works closely with NGOs in appropriate social and public consultation activities Liaises with ADB on all matters relating to resettlement and submits regular reports.
MOJ/DLPCS	Oversees and reviews implementation effectiveness of land purchase and resettlement Guides the PMU in addressing issues that require

Agency	Roles and Responsibilities
	policy direction
ADB	Review and approve all resettlement documentation as required under their respective policies Assist in capacity building in the PMU to manage social safeguards in road projects through provision of international expertise and training budgets Disclose RP on respective websites Provide guidance as required based on progress reports and supervision missions

9. RESETTLEMENT BUDGET AND FINANCING

9.1 Institutional Arrangements for Financing Resettlement

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

9.2 Budget Description

73. The entire resettlement for Dili-Tibar-Liquica road improvement project will require a total of **7,980 USD (0.008 million US Dollar)**, out of which **6,650 USD** is direct resettlement expense and the rest is kept to meet contingency expenses. Table 9.1 details the segregation of this amount. The included cost items are in compliance with the RF prepared for the project.

Table 9.1: Resettlement Budget

Description	Quantity	Unit	Rate (US\$)	Total Cost (US\$)
Cost of Structure Compensation				
Semi-Permanent structure	14.5	Sq. meters	100	1450
Reconstruction cost	14.5	Sq. meters	100	1450
Total Cost of Structure Compensation				2900.00
Compensation for Tree	1	No	150	150.00
Grant & Allowance				
Transfer Grant for Kiosks	9	Lump sum	100	900.00
Transitional allowance for the AHs for loss of income from business for 2 months (shops + kiosks)	11	Lump sum	100	2200.00
Additional transitional allowance of US\$ 100 for additional 1 month for women HH	1	Lump sum	100	100.00
Additional transitional allowance of US\$ 100 for additional 4 months for widow HH	1	Lump sum	100	400.00
Total Allowance				3600.00
Total Direct Expenses				6,650.00
Contingency @ 20% of total direct cost		-		1,330.00
Total Resettlement Expenses				7,980.00

10. IMPLEMENTATION SCHEDULE AND PREPARATORY ACTIONS

10.1 RP Implementation

74. MOI/PMU will begin the implementation process of RP immediately after its approval by the ADB. Grievances or objections (if any) will be redressed as per grievance redress procedure 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 the money to local bank :**

The money from MOI/MOF will be remitted to a bank in Dili City. A bank account will be opened by the PMU, and receive the amount of compensation on behalf of the AHs/APs.

iii. **Payment :**

Each AH/AP will receive a cash/cheque for the whole amount of compensation from the PMU. 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 claim 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 cash/cheques, the 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

75. Figure 3 presents the Implementation Schedule of the RP. The earliest that financial resources for resettlement aspects of the Project are expected to be available in January 2012; hence the earliest actual implementation of the RP may begin in late January 2012.

Figure 3 : RP Implementation Schedule

	Sept 2011			Oct 2011			Nov 2011			Dec 2011			Jan 2012			Feb 2012			Mar 2012		
Activities																					
Preparation of draft RP																					
Submission of RP to MOI/ADB for review/approval																					
Update of the RP and submission of revised RP to MOI/ADB for review/approval, addressing the comments																					
Allocation of resettlement fund																					
Translation of RP into Tetum/Portuguese language																					
Disclosure of approved RP																					
Distribution of Information Booklet																					
Preparation of Vouchers																					
Delivery of Compensation to APs																					
Dispute/objections (complaints & grievances)																					
Internal Monitoring and reporting to ADB																					

11. MONITORING AND EVALUATION

78. Implementation of the RP will be monitored both internally and externally to provide feedback to PMU/MOI and to assess the effectiveness. Evaluation of the resettlement activities will be resorted after 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.

11.1. Internal Monitoring

79. Internal monitoring of all resettlement and consultation tasks and reporting to ADB will be conducted by the Environmental and Social Unit (ESU) established in the PMU, assisted by the 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 the following Table 11.1.

Table 11.1 : Internal Monitoring

Monitoring Issues	Monitoring Indicators
Budget and Timeframe	Have all safeguard staff under ESU been appointed and mobilized for field and office work Have capacity building and training activities been completed Are resettlement implementation activities being achieved against agreed implementation plan? Are funds for resettlement being allocated on time? Have PMU received the scheduled funds? Have funds been disbursed according to RP?
Delivery of AP Entitlements	Have all APs received entitlements according to numbers and categories of loss set out in the entitlement matrix? How many affected households relocated and built their new structure at new location? Are income and livelihood restoration activities being implemented as planned? Have affected businesses received entitlements?
Consultation, Grievances and Special Issues	Have resettlement information brochures/leaflets been prepared and distributed? Have consultations taken place as scheduled including meetings, groups, community activities? Have any APs used the grievance redress procedures? What were the outcomes? Have conflicts been resolved?
Benefit Monitoring	What changes have occurred in patterns of occupation compared to the pre-project situation? What changes have occurred in income and expenditure patterns compared to pre-project situation? Have APs income kept pace with these changes? What changes have occurred for vulnerable groups?

11.2 External Monitoring

80. Since this is not a category A project, external monitoring is not essential under this subproject. Provision of external independent monitoring therefore is not included in the institutional setup of RP implementation.

11.3 Reporting

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

ANNEXES

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Annex 1

Ministry of Infrastructure, Timor-Leste
Road Network Development Sector Project
(ADB Grant 0180-TIM)

CENSUS AND SOCIOECONOMIC SURVEY QUESTIONNAIRE

Questionnaire No: Date:

Name of the Road:

Name of Investigator:

Name of Supervisor:

1. GENERAL IDENTIFICATION

Property Details

Code

1.1 Road Side: 1. Left 2. Right

☐

1.2 Chainage Km.....

1.3 i. District:..... ii. Sub-District:

iii. Suco: iv. Hamlet:

1.4 Location:

1. Rural 2. Semi-Urban 3. Rural

☐

2. HOUSEHOLD IDENTIFICATION

2.1 Name of the Household Head :

2.2 National ID card Number

2.3 Address of the Household identified:

.....

.....

3. AFFECTED PROPERTY

Land under Impact (to be obtained/purchases)

3.1 Ownership of the Affected Land:

1. Private 2. Government 3. Religious 4. Community

5. Other (.....)

☐

3.2 Category of Land:

1. Cultivated 2. Non-Cultivated

☐

3.3 Type of Land:

☐

1. Irrigated 2. Non-Irrigated 3. Barren Fallow 5. Forest
- 3.4 Use of Land :

1. Cultivation 2. Orchard 3. Residential 4. Commercial
5. Forestation 6. Others 7. No Use

☐

2.5 Total Area of Land (in Hectare):

2.6 Area of Affected Land (in Hectare):

2.7 Rate of Land (Per Hectare in USD):

1. AP's Estimation 2. Investigator's Estimation.....

4. AFFECTED LANDOWNER(S)

Name(s) of Landowner(s)	Sex	Father/Husband/ Wife's Name	Age	Schooling	1 st Occupation	2 nd Occupation

Note : The land under acquisition might be legally owned by more than one person in the same household (e.g., husband & wife, brothers, sisters etc.)

[**Sex** : Male = 1, Female=2, **Age**: in years, **Schooling** : Total number of years spent in school/Degree/Diploma

4.1 Total Land you posses (in Hectare):

1. Irrigated: Non-Irrigated:

4.2 Any of the following persons associated with the affected land:

- i. Agricultural Labour 1. Yes 2. No
ii. Sub-Tenant 1. Yes 2. No
iii. Share-Cropper 1. Yes 2. No

☐
☐
☐

4.3 If yes, name of the Agricultural Labour/Sub-Tenant/Share-Croppers

1.
2.
3.
4.

5. AFFECTED HOUSES/STRUCTURES/PROPERTY

5.1 Name of the Household Head:

5.2 Multi-Household Structure 1. Yes 2. No

☐

5.3 Number of Households in the Structure:

5.4 Ownership of the Affected Houses/Structures:

1. Legal 2. Non-Legal (Squatter/Encroacher)

☐

If legal owner, do you have Legal Document of Property

1. Yes 2.No.

☐

2. Govt. Agency (Name)

3. Community Organization (Name)

4. Others (e.g., personal tube-well, sanitary latrine, electric poles, etc.)
specify.....)

☐

5.5 Type of Affected Structure:

A. Residential Structure: 1. House 2. Boundary wall 3. Fencing
4. Toilet 5. Tube/Dug well
6. Others (.....)

☐

B. Commercial Structure:

1. Shop 2. Hotel 3. Vendor 4. Farm House 5. Petrol Pump
6. Private Clinic 7. Industry 8. Others (.....)

☐

C. Residential-cum Commercial Structure: Yes No

☐

D. Community Structure: 1. Community Centre Club 2. Trust

3. Memorials 4.Others (.....)

☐

E. Religious Structure: 1. Church 2. Temple 3. Mosque

4. Shrine 5.Mandir 6. Cemetery 7. Graveyard 8. Crematorium

9. Others (.....)

☐

6. MEASUREMENT OF THE AFFECTED STRUCTURE / PROPERTY

6.1 Distance from the centre of the carriageway (in Meters) :

6.2 Type of Structure:

1. Temporary 2. Permanent 3. Semi-Permanent

☐

4. Thatched 5. Wooden 6. Others

6.4 Type of Effect: 1. Partly 2. Fully

☐

6.5 Apprxi age of the Structure (Years / Months):

6.3 Area of the Structure / Properties : (measurement in meters)

Description of Structure	Length (m)	Width (m)	Height (m)	Total Area (m ²)	Affected Area (m ²)
--------------------------	------------	-----------	------------	------------------------------	---------------------------------

6.6 Estimated Market Value of the Affected Structure (in USD)

1. AP's Estimation: 2. Investigator's Estimation:

7 HOUSEHOLD DETAILS OF TENANTS

7.1 Name of the Tenant:.....

7.2 Category of Possession

Sl No.	Category	Period of Stay (months/years)	Advance paid (USD)
1			
2			

7.3 Family Type

1. Joint 2. Nuclear 3. Extended Other ☐

7.4 Religious Group: 1. Christian 2. Buddhist 3. Muslim 4. Hindu 5. Other ☐

7.5 Number of Family members 1. Male..... 2. Female.....

7.6 Annual Income of the FamilyUSD

7.7 Number of Employees.....

Name 1.....(Salary USD) 2.(Salary.....S\$)

3.....(salaryS\$) 4.....(SalaryS\$)

7.8 Details of Family Members

Sl. No.	Name of the Family Member	Sex 1.Male 2.Female	Age (year)	Marital Status 1.Married 2.Unmarried 3.Widow 4.Widower 5. Other	Education 1. Illiterate 2.Up to Senior Secondary/Equival ent 3. Up to Graduate 4. Above Graduate	Occupation 1. Service 2. Business 3. Agriculture 4. Study 5. Housewife 6. Labour 7. Professional 8. Unemployed
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
# of physically handicapped members, if any						
1.						
2.						
3.						

SOCIOECONOMIC PROFILE OF THE AFFECTED HOUSEHOLDS

Questionnaire No:

Date :

Name of the Road :

Name of Investigator :

Name of Supervisor :

1. GENERAL IDENTIFICATION

Code

1.1 Road Side : 1. Left 2. Right

1.2 Chainage Km.....

1.3 i. District :..... ii. Sub-District :

iii. Suco: iv. Hamlet:

1.4 Location :

1. Rural 2. Semi-Urban 3. Rural

2. HOUSEHOLD IDENTIFICATION

2.1 Name of the Household Head :

2.2 National ID Card Number

2.3 Address of the Household identifies :

2.3 Family Type :

1. Joint 2. Nuclear 3. Extended 4. Other

2.4 Religious Group :

1. Hindu 2. Islam Christian 4. Buddhist 5. Other

2.5 Number of Family Members : 1. Male 2. Female.....

2.6 Details of Family Members (Demography and Education)

Sl. No.	Name of the Family Member	Sex 1.Male 2.Female	Age (year)	Marital Status 1.Married 2.Unmarried 3.Widow 4.Widower 5. Other	Education 1. Illiterate 2.Elementary School 3.Junior High School 4.Senior High School 3. Graduate/Equivalent 4. Above Graduate	Occupation 1. Service 2. Business 3. Agriculture 4. Study 5. Housewife 6. Labour 7. Professional 8. Unemployed
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
# of physically handicapped						

members, if any 1. 2. 3.					
--	--	--	--	--	--

Note : Insert additional column if family members exceed more than 10

3. HOUSEHOLD ASSETS

3.1 Landownership & Uses [All lands situated anywhere and under the ownership of the household]

Land Type	Total Area (Hectare)	Presently Used by Owner (Yes=1, No=2)	Current Market Price (USD)	How owned (Inherited=1 Purchased=2)	Lands Bought & Soled in last Two Years (in Hectare)		
					Bought	Soled	Price /Hectare (USD)
Homestead							
Agricultural							
Ponds							
Commercial							
Fallow							
Others							

3.2 Houses / Structures

Sl. No.	Present Use	# of Story	# of Rooms (all floors)	Total Floor Area (sqm)	Building Materials (Code)			Approximate present construction cost (USD)
					Floor	Wall	Roof	

Floor Materials: Earthen = 1; Cemented = 2; Brick (uncemented) = 3; Wooden = 4; Bamboo thatch = 5; Others = 9 (Mention:)

Wall Materials: Earthen = 1; Bamboo thatch = 2; GI Sheet = 3; 5"-Plastered Brick = 4; 5"-Unplastered Brick = 5; 10"-Plastered Brick = 6; 10"-Unplastered Brick = 7; Straw/Leaf Mats/Plastic Sheet = 8; Others = 9 (Mention:)

Roofing Materials: GI Sheet with Wood/Bamboo Frame = 1; GI Sheet with Steel Frame = 2; Reinforced Cement Concrete (RCC) = 3; Straw = 4; Plastic sheet = 5; Others = 9 (Mention:)

3.3 Livestock (Use Worksheet)

- Cattle: Approximate Total Current Value (USD):
- Poultry: Approximate Total Current Value (USD):

3.4 Trees (Use Worksheet): Approximate Total Current Value (USD):

3.4 Durable Consumer Items/Other Assets/Amenities (Use Worksheet):

Approximate Current Total Value (USD) :

3.5 Electricity: Use Electricity?: Yes = 1 No = 2 ☐

Authorized Connection?: Yes = 1, No = 2 ☐

Worksheet for Valuation of Cattle & Poultry

CATTLE	# of Heads	Approx Total Value (USD)	POULTRY	# of Birds	Approx Total Value (USD)
Bullock			Chicken		
Cow			Duck		
Goat			Pigeon		
Sheep					
Buffalo					
Horse					
Camel					
Ass					
Others (Mention)			9 = Others (Mention)		

Worksheet for Valuation of Trees (*Local names of the trees to be included*)

Major <u>Timber</u> Trees			Major <u>Fruit</u> Trees			Other Trees		
Name	#	Approx Value (USD)	Name	#	Approx Value (USD)	Name	#	Approx Value (USD)
Teak						Fuel Wood		
Etc.			Etc.			Etc.		

Worksheet for Valuation Durable Consumer Items and Other Assets & Amenities

Items	#	Approx Total Value (USD)
Television		
Radio		
Music System		
Refrigeration		
Washing Machine		
Air Conditioner		
Oven		
L.P.G. connection		
Motor Bike		
Bicycle		
Car		
Bus/Microlet		
Furniture		
Tube-well		
Sanitary Latrine		
Others (name)		

4. AGRICULTURE: OPERATION & PRODUCTION

4.1 Landuse

Cultivable	Non-Cultivable	Total Land Area (Hectare)

4.2 Cropping Pattern

Sl. No.	Type of Crops	Total Cultivated Land (Hectare)	Total Yield
i			
ii			
iii	Summer Crop		
Total			

5. ANNUAL INCOME

Sl. No.	Source	Income (USD)
1.	Agriculture	
2.	Service	
3.	Business	
4.	Labour	
5.	Professional	
6.	Others	
Grand Total		

6. INDEBTEDNESS

(Please indicate, your borrowings during last one year)

Sl. No.	Source	Amount taken (in USD)	Amount returned (in USD)	Balance
1.	Bank (specify which bank)			
2.	Cooperatives			
	NGO			
3.	Private money lender			
	Relatives			
4.	Others (mention)			
Total				

7. HOUSEHOLD SAVINGS

7.1 Does the household as a whole have any savings? 1. Yes 2. No ☐

If yes, total amount of savings: USD

7.2 The money is kept in (Use applicable codes below): ☐

At home=1; With relatives=2; With friends=3; Bank/Cooperatives=4; NGOs=5; Others=6 (Mention:)

8. OVERALL ECONOMIC STATUS

8.1 According to the respondent, which of the following best describes the household's overall economic status with the present income and expenditure needs?

1 = Surplus 2 = Breaks even 3 = Occasionally deficit 4 = Always deficit ☐

9. CONSUMPTION PATTERN

(Please indicate the consumption/expenditure on different items on last one year)

Sl. No.	Particulars / Source	Expenditure (USD)	
		Monthly	Annual
A	Food		
	1. Cereal		
	2. Pulses		
	3. Milk		
	4. Oil		
	5. Vegetable		
	6. Fruits		
	7. Meat/Fish		
	8. Eggs		
	9. Sugar		
	Sub Total (A)		
B	Cooking fuel/gas/wood		
C	Clothing		
D	Health		
E	Education		
F	Communication		
G	Social Function		
H	Agriculture (such as seeds, hiring of farm implements etc.)		
I	Others (specify)		
	Grand Total (A+I)		

10. COVERAGE UNDER GOVERNMENT/DONORS DEVELOPMENT SCHEMES

10.1 Have you availed any benefit under any govt. Scheme? 1. Yes 2. No ☐

If Yes, please give us the following details:

Name of the Scheme	<u>Kind of Help</u> 1. Loan, 2. Training, 3. Employment
CEC (Community Empowerment Component)	
JFPR (Japan Fund for Poverty Reduction)	

If "1", please indicate the amount USD.....

If "2", please indicate the type of training

10.2 After availing this scheme did your annual income increase? 1. Yes 2. No ☐

If "Yes", how much? USD.....

If "NO", why?
.....

11. HEALTH STATUS

11.1 Was any member of your family affected by any illness in last one year?

1. Yes

2. No

☐

11.2 If "Yes", please indicate the details

No. of Cases	Type of Diseases/Illness	Treatment taken 1. Allopathic 2. Homeopathic 3. Traditional 4. No treatment

12. MIGRATION

12.1 Do you migrate for work?

1. Yes

2. No

☐

12.2 If "Yes" for how many days/months in a year :

12.3 Where do you migrate?

1. Within the District 2. Outside the District 3. Outside the State

☐

12.4 What kind of job do you undertake? 1. Agricultural Labour

2. Non Agricultural Labour 3. Trade & Business

4. Others (specify):

☐

12.5 How much do you earn: USD.....

12.6 Trend of Migration: 1. Once in a year 2. Twice in a year

3. Every alternative year 4. Once in every three years

5. No regular intervals/as and when required

☐

12.7 At what time of the year do you migrate (season)? :

13. WOMEN STATUS

13.1 Please give the following details

Sl. No	Economic / Non-economic Activities	Engagement in Activities 1. Yes 2. No
1.	Cultivation	
2.	Allied Activities*	
3.	Sale of forest products	
4.	Trade & Business	
5.	Agricultural Labour	
6.	Non Agricultural Labour	
7.	Household Industries	
8.	Service	
9.	Household Work	
10.	Entertainment	
11.	Others (specify).....	

*Dairy, Poultry, Piggery, Sheep rearing etc

If engaged in economic activities, total income of the year: USD.....

13.2 Do your women member have any say in decision making of household matters?

1. Yes

2. No

☐

13.3 If "Yes", give the following details:

Sl. No	Issues	1 Yes	2 No
1.	Financial matters		
2.	Education of child		
3.	Health care of child		
4.	Purchase of assets		
5.	Day to day activities		
6.	On social functions and marriage		
7.	Others (mention)		

Physical Relocation of Affected Households

[Applicable to the households whose homesteads would be affected partially and fully, and will have to relocate their homes.]

- If the household is aware of displacement from the present homestead, its plan/thinking about relocation:
.....
.....
- Can the affected household relocate on the same home-lot/dwelling plot by moving the houses? 1=Yes; 2=No
- Does the household have lands in the locality which are suitable for relocation?
1=Yes; 2=No ☐
- Does the household have lands in the locality that can be developed into home-lot for relocation?
1=Yes 2=No ☐
- Can the household find land for purchase at a location it would like to relocate?
1=Yes; 2=No ☐
- Are there public lands (govt. & other lands owned by any department of the Govt. of Timor-Leste) in the vicinity of the project? Yes / No
 - If 'Yes', approx. distance from the project:km
 - Approximate amount:
 - Physical description, ownership and current use of the lands:
.....
.....
.....
- How many of the households, that would need physical relocation elsewhere, are in any way related/known to this responding household?

<i>Number of households:</i>	1=From the same clan 2=Related (outside the clan)	3=Considered close friends: 4=Known socially:
------------------------------	--	--

Name of Investigator:

Signature:

Date:

Annex 2

LIST OF AFFECTED HOUSEHOLDS AND MAGNITUDE OF IMPACT DILI-TIBAR-LIQUICA ROAD

SI No	Name of Household & Address	Sex & Age	National ID No.	Father's Name	Type of Structure	Chainage (Km)	Quantity
1	MANUEL FATIMA DO REGO <i>Libolelo, Tibar, Bazartete, liquica</i>	M (52)	0362829	Luis Fatima Lopez Da Cruz	Semi permanent	7.2	10.50m ²
2	ADELINO CORREIA <i>Essirat, Ulmera, Bazartete, liquica</i>	M (45)	0339230	Francisco Xavier	Semi permanent	12.4	3.36m ²
3	ANTONIO B. DE JESUS <i>Nauner, Ulmera, Bazartete, liquica</i>	M (39)	0339012	Berecoli	Semi permanent	14	
4	MARIA DOS SANTOS <i>Bisu leten, Lauhata, Bazartete, liquica</i>	F (25)	03612424	Afonso Dos Santos	Temporary	24.7	
5	FLORIANO BARRETO <i>Bisu kraik, Lauhata, Bazartete, liquica</i>	M (47)	0366768	Dominggos Barreto	Temporary	24.71	
6	PAULINO BARRETO <i>Bisu leten, Tibar, Bazartete, liquica</i>	M (66)	0366692	Meta Bessi	Temporary	24.8	
7	PAULINA DOS SANTOS <i>Bisu kraik, Lauhata, Bazartete, liquica</i>	F (44)	0367358	Valentino Dos Santos	Temporary	24.81	
8	FRANCISCO <i>Bisu leten, Lauhata, Bazartete, liquica</i>	M (46)	0154173	Lakusai	Temporary	24.82	
9	IMACULADA DA CONCEICAO <i>Bisu kraik, Lauhata, Bazartete, liquica</i>	F (41)	0366793	Francisco P. Da Conceicao	Temporary	24.85	
10	JACINTA DOS SANTOS <i>Nartutu, Maumeta, Bazartete, liquica</i>	F (64)	0361147	Agustinho Pereira	Temporary	26.5	
11	ADELINO PINTO <i>Kalosa, Dato, Bazartete, liquica</i>	M (37)	0354359	Saturlino Quintao	Temporary	27.9	
12	DAVID DOS SANTOS AMARAL <i>Leupa, Dato, Bazartete, liquica</i>	M (27)	0752355	Roque Gonzaga	Big tree	28.1	1

Photographs of Consultation Meetings in the Dili-Liquica Subproject Area



Consultation at Suco Comoro in Dili District
on 7 September 2011



Consultation at Suco Tibar in Liquica District
on 8 September 2011



Consultation at Suco Ulmera in Liquica District
on 8 September 2011



Consultation at Suco Mota Ulun in Liquica District
on 9 September 2011



Consultation at Suco Lauhata in Liquica District
on 9 September 2011



Consultation at Suco Maumeta in Liquica District on
10 September 2011

Annex 4

Minutes of the Consultation Meeting
Venue: Suco Comoro, District: Dili
Date: 07 September 2011

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Minutes of Consultation Meeting

Date: 07/09/2011 Time: 10.00 - 12.00
Road Name: Dili to Tiloar road.
Venue: Hamlet: Terra Santa Suco: Comoro
Sub-district: Domaleixo District: Dili
Name of Chairman of the Meeting: Luis M. S. Mota
Ministry/Departmental Personnel: Mr. Luis
PISC Consultant (SMEC/KWK): Mr. Monzorol Haq.
Participants Nos: (attach list)

Agenda / Issues Discussed
Notifying the communities about the Resettlement plan/
land acquisition plan.

Opinion and Suggestions

1. from the sub district administrator.
 - Encouraging the people to cooperate with this project implementation so that the project can run smoothly and achieving the goal "to make the Better Road for the people".
2. The Comoro suco chief.
protest about the letter/invitation that smec/ADB send
"There is no letter to the suco chief directly".
- 3.

Signature of Chairman
Date: 07/09/2011

1

Annex 4 cont.

**List of Participants
Meeting in Suco Comoro
07 September 2011**

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

07/09/2011
Participants (Meeting Date: 07.09.2011 Time: 10.00 - 12.00 Venue: Suco Comoro.)

Sl No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
1	GILBERTO DA SILVA	TERRA-SANTA	
2	CELESTINO ANA	TERRA-SANTA	
3	AGUIAR M.	TERRA-SANTA	
4	Ketut Sukerti	TERRA-SANTA	
5	NATALIA	TERRA-SANTA	
6	Joana de Araújo T	TERRA-SANTA	
7	Anita Maia	TERRA-SANTA	
8	Catarina Barros	TERRA-SANTA	
9	Vicente da Silva	TERRA-SANTA	
10	Rosa Gomes	— / —	
11	JERNIRA MENDONÇA	— / —	
12	Francisco Baptista	— / —	
13	Jonuário Mantas	— / —	
14	Domingos Nascimento	— / —	

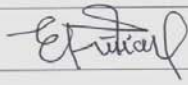
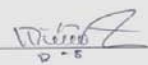
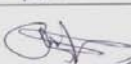
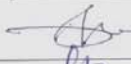
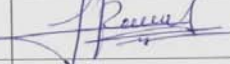
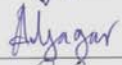
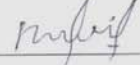
2

Annex 4 cont.

Participants List cont.

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants (Meeting Date: 07/09/11 Time: 10.00 - 12.00 Venue: Suro Comoro)

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
1	Emilia M. Soares	TERA SANTA	
2	Marcilina da Costa Soares	TASI TOLU	
3	Anita Soares	TASI TOLU	
4	Celestino de Araujo	Tasi Tolu	
5	Helario R.	— / —	
6	Pedro dos Santos Soares	— / —	
7	Gabriel Soares	12 de outubro	
8	FRANCISCO DA COSTA	— / —	
9	Leis Tua Moreira	— / —	
10	Ribeiro m. dos Santos	12 de outubro	
11	Jose Antonio Carvalho Martins	12 de outubro	
12	FRANCISCO DA COSTA	12 de outubro	
13	MARTINS CASA	TERA SANTA	
14	MARTINHA OLIVEIRA	TERA SANTA	

2

Annex 4 cont.

Participants List cont.

Road Network Development Sector Project (ADB Grant No. 0180-TIM) Project Implementation and Support Consultants			
Participants List cont.			
SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
15	Alda da Silva	Lava - Santa	<i>[Signature]</i>
16	Eugenio De souza G	12 De outubro	<i>[Signature]</i>
17	Afonso Gonsalves	12 de outubro	<i>[Signature]</i>
18	Benzamin Maia	12 de outubro	<i>[Signature]</i>
19	Jose da Costa	12 de outubro	<i>[Signature]</i>
20	Amada da Costa	Lava Santa	<i>[Signature]</i>
21	Domingos Gonsalves	- " -	<i>[Signature]</i>
22	Filomeno T. Araújo	- " -	<i>[Signature]</i>
22	António da Costa	- " -	<i>[Signature]</i>
24	Luisa dos Reis P.	12 de outubro	<i>[Signature]</i>
25	Lúcia M. S. Mota	Av. 8 de Maio	<i>[Signature]</i>
26	Domingos Pereira	Chefe Aldea	<i>[Signature]</i>
27	Silvino Fantes	Lava Santa	<i>[Signature]</i>
28	juicun	8 de Maio	<i>[Signature]</i>

Participants List cont.

Annex 4 cont.

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

Sl No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
29	JUN SACRAMENTO	COMDINO	P.A. S.
30	Carlos A. S.	Arquiteto	[Signature]
31	Matheus	[Signature]	[Signature]

3

Annex 4 cont.

Minutes of the Consultation Meeting
Venue: Suco Tibar, District: Liquica
Date: 08 September 2011

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Minutes of Consultation Meeting

Date: 08/09/2011 Time: 10.00 - 12.00
Road Name: Tibar - Liquica Road
Venue: Hamlet: Suco: Tibar
Sub-district: Bazartete District: Liquica

Name of Chairman of the Meeting: Bento Correia da Conceicao (soco chief)
Ministry/Departmental Personnel: Luis Bar Boudi (ADB Representative)
PISC Consultant (SMEC/KWK): Monzurol Hoq (International Specialist).
Participants Nos: (attach list)

Agenda / Issues Discussed
Public consultations of the Resettlement plan on
The Tibar - Liquica road.

Opinion and Suggestions

- * Sub-District Administrator;
 - Encouraging the participants about the Benefits of the Road that will be developed by the ADB/Government and to encourage the people to cooperate with the survey team so that the data that will be collected are the correct one.
- * Suco Chief of Tibar;
 - also encouraging.....


Signature of Chairman
Date: 08/09/2011

1

Annex 4 cont.

**List of Participants
Meeting in Suco Tibar
08 September 2011**

Bar 1

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants (Meeting Date: 08/09/2011 Time: 10.00-12.00 Venue: Tibar Intersection)

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
1	Balbiria Fatima do Rego	Tibar	
2	Maria Maria Soares	Tibar	
3	Dominges Soares	Tibar.	
4	Esmeralda Ribeiro	Tibar	
5	Alda Soares	Tibar	
6	JACINTA BARRETO	Dili	
7	Cecilia da Costa Marques	Tibar	
8	Julio Gomes	Tibar	
9	Jacob Soares	Tibar	
10	APOLINARIO S-AMARAL	-K	
11	Marellino F. Lamas	Tibar	
12	Placido Pereira	Tibar	
13	Alda Tibar	Dili (Tibaro)	
14	Nicolau F. L. da Cruz	Tibar	

2

Annex 4 cont.

Participants List cont.

2

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
15	Izabel lai	TIBAR	Jlune
16	Serafim Hornai D.C	TIBAR	Serif
17	ETELVINO MAUSAKU	TIBAR	Efunt
18	RUI CONSALVES	TIBAR	Rui
19	MARCOS DA SILVA	TIBAR	Marcos
20	Daniel	TIBAR	Daniel
21	Florentino de Sousa	11	11
22	Miguel de Santos	11	11
23	Correia	11	11
24	Francisco	11	11
25	Mateus da Silva	-11-	Mateus
26	Victor de Jesus	-11-	Victor
27	Vitoriano Xameas	-11-	Vitoriano
28	TOBIAS LOBO	-11-	Tobias

3

Annex 4 cont.

Participants List cont.

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
29	Motias Faireses	TIBAR	[Signature]
30	Alfredo de Jesus	-	[Signature]
31	ALBERTO APANICIO	TIBAR	[Signature]
32	DOMINGOS	-	[Signature]
33	DOMINGOS	-	[Signature]
34	Joanico Tilman	TIBAR	[Signature]
35	Graciano Jose	-TIBAR-	[Signature]
36	Raimundo da Silva	TIBAR	[Signature]
37	Fernando Lemos	-	[Signature]
38	CASMEIRO DE JBR	-	[Signature]
39	Fernando Soares	-	[Signature]
30	INMACULADA DUARTE	-11-	[Signature]
31	MARIA DA CURUS	-11-	[Signature]
32	Ana Rosa Pereira	-11-	[Signature]

3

Annex 4 cont.

Participants List cont.

17/05/14

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

Sl No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
33	MARCELINO NAPOLEÃO S	TIBUR	[Signature]
34	Marcelino Leonal	-72-	[Signature]
35	Leonardo tapima p	-u-	[Signature]
36	Laurinda Pereira	-u-	[Signature]
37	Roberto da S. Asaigo	-u-	[Signature]
38	Mariano for Calapes	-u-	[Signature]
39	Martino da Silva	-u-	[Signature]
40	João Vítor M. Soares	-u-	[Signature]

3

Annex 4 cont.

Minutes of the Consultation Meeting
Venue: Suco Ulmera, District: Liquica
Date: 08 September 2011

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Minutes of Consultation Meeting

Date: 08/09/2011 Time: 03.00 - 05.00
Road Name: Tilar - Liquica.
Venue: Hamlet: Suco: Ulmera
Sub-district: Bazafite District: Liquica.

Name of Chairman of the Meeting:
Ministry/Departmental Personnel:
PISC Consultant (SMEC/KWK): Mr. Monzurul Haq.
Participants Nos: (attach list)

Agenda / Issues Discussed
Public Consultation about the Resettlement plan along the
Tilar - Liquica Road.

Opinion and Suggestions

* **Questions :**

1. (Sra. Manuel (Iguntut).
- asking about the law of land acquisition that has not
been approved by the ~~Community~~ Government".
with this unapproved law will the ADB and the government
give compensation to the affected people.
2. (Sra. Domingas Ribeiro).
About the House or structure that will be close/near Appex.
1 meter to the New Develop Road. will these Houses get compensation.

Signature of Chairman
Date: 08/09/2011

1

Annex 4 cont.

**List of Participants
Meeting in Suco Ulmera
08 September 2011**

Ulmera 1

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants (Meeting Date: 08/09/2011 Time: 03.00-05.30 Venue: Ulmera.)

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
1	Augusto P. da Araujo	ASD. Bazar Lt	[Signature]
2	Laurençino Martins	chefe freguesia	[Signature]
3	Bernardino dos Santos	comunidade	[Signature]
4	Artur S. Boavista	---	[Signature]
5	Abateus de Jesus	---	
6	Eugenio Marques		
7	Abilio Alves		
8	Zito Soriano de Jesus	chefe Aldeia	[Signature]
9	João Alves	comunidade	[Signature]
10	Salvador Espírito Martins	---	[Signature]
11	Antonio Barros		[Signature]
12	Antoninho Martins	comunidade	[Signature]
13	Felices A Correia	---	[Signature]
14	Miguel Barreto	Lianaini	[Signature]

2

Annex 4 cont.

Participants List cont.

Figure 2

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
15	Selestino ALVES	Comunidade	SA
16	Agusta A Fátima	- - -	AA
17	Jasinta Pereira	- - -	JP
18	Domingos Ribeiro	- - -	DR
19	Emelinda Xiquinca	- - -	EX
20	Manuel Soares/Guntur	Youth Representative	MS
21	Napoleão Barreto	- - -	NB
22	Armando Ribeiro	- - -	AR
23	Mateus de Jesus	- - -	MDJ
24	Josefina DA SILVA	- - -	JS
25	Joaquim Alves Martins	- - -	JAM
26	Mateus Alves	- - -	MA
27	Tubias Soares	- - -	TS
28	Luciano Alves Ribeiro	- - -	LAR

3

Annex 4 cont.

Participants List cont.

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants (Meeting Date: _____ Time: _____ Venue: _____)

Sl No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
1	Domingos DC. Jesus	Comidade	[Signature]
2	Tomas Corea.	---	[Signature]
3	Jacinta preira	---	[Signature]
4	Agusta	---	[Signature]
5	Mateus Soares.	PNIC	[Signature]
6	Pedro Ribeiro	---	[Signature]
7	Vicente Martins	chefe Aldeia	[Signature]
8	Euclides e.	comonidade	[Signature]
9	Domingos -A	---	[Signature]
10	Bento ALVES	---	[Signature]
11	Marcos Ribeiro	PAAS	[Signature]
12	Zito Ximenes	Comunidade	[Signature]
13	Vicente Varela	Comunidade	[Signature]
14	ISaura Martins Soares	Comunidade	[Signature]

2

Participants List cont.

Annex 4 cont.

Forma 3

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

Sl No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
15	Rozilda das S.	Comunidade	[Signature]
16	Lurdes Martins	—	[Signature]
17	Tereza	—	[Signature]
18	Jacaias P. Fátima	—	[Signature]
19	Correio Soares	—	[Signature]
20	Romão Alves	—	[Signature]
21	Honório Alves	—	[Signature]
22	elementino de J.	—	[Signature]
23	Nicolau Lobo	—	[Signature]
24	Ignês Marques	—	[Signature]
25.			
26.			
27.			

3

Annex 4 cont.

Minutes of the Consultation Meeting
Venue: Suco Mota Ulun, District: Liquica
Date: 08 September 2011

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Minutes of Consultation Meeting

Date: 09/09/2011 Time: 10.00 - 12.00

Road Name: Tibar - Liquica

Venue: Hamlet: ~~seba~~ sede suco M. ikon Suco: Mota Ulun

Sub-district: Bazartete District: Liquica

Name of Chairman of the Meeting: Chefe neo Mota Ulun.

Ministry/Departmental Personnel: -

PISC Consultant (SMEC/KWK): Mr. Monzurol Hoq.

Participants Nos: (attach list)

Agenda / Issues Discussed

-

* (Celestino da Costa). I'm really happy about this project so I just wait for the survey team.

Suggestion * it is best we wait for the survey team to conduct their works. so that we know which land/structures are affected

Opinion and Suggestions

* I think we are going to have problem with cost estimating things and it is better ~~for~~ for the Gov. to determine the costs. "lands/structures".
we can only know the estimation on structures.

Signature of Chairman
Date: 09/09/2011

1

Annex 4 cont.

**List of Participants
Meeting in Suco Tibar
08 September 2011**

Nota Ulun 1

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants (Meeting Date: 09/09/2011 Time: 10.00-12.00 Venue: Suco moti Ulun)

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
1	Afonso da Conceição Freitas	Lis Canelho	Mota - Ulun
2	Francisco - Correia	Ribeiro Almeida	Mota Ulun
3	SIMAUDACOSTA	SUWASTA	Cyber
4	Paul Ribeiro	SUWASTA	
5	Miranda da Cruz	Juventude	Mota
6	Maria de Jesus	Suasta	
7	Adelino Correia	Suasta	
8	MANUEL - PAIRA	Suasta	
9	Paulino Correia	Professor	
10	Alberto Babo	Suasta	
11	Marcelino Ribeiro	Suasta	
12	PASKUPHA DAS DORIS	SUASTA	
13	Maria da Conceição	SUASTA	
14	Miguel Correia	SUASTA	

2

Annex 4 cont.

Participants List cont.

07/11/2012

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
15	FOLIRINDO DE CARVALHO	SUA3TA	FC
16	EJIONVO	SUA3TA	
17	RODOFO - SOARES	SUA3TA	
18	MARTA DE CARVALHO	SUA3TA	
19	MARCUADA - DASILVA	SUA3TA	
20	ERMINA RIBEIRO	SUA3TA	
21	ELITA SOARES	SUA3TA	
22	ERFELINDA - SOARES	SUA3TA	
23	ERMIDA - DASILVA	SUA3TA	
24	ELMIRINDA AREJO	SUA3TA	
25	ANITA ALVES	SUA3TA	
26	BERTA SOARES MADRÊA	SUA3TA	
27	UMBRILINA - DA CRUZ	SUA3TA	
28	JOANA DA CRUZ	SUA3TA	

3

Annex 4 cont.

Participants List cont

Ulm 3

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants (Meeting Date: _____ Time: _____ Venue: _____)

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
1	MATEUS SANTOS	Suasta	[Signature]
2	SPLESTINO DA COSTA	Suasta	[Signature]
3	BRADARINO PEREIRA	Suasta	[Signature]
4	FILUMINA MARIA SOARES	Suasta	[Signature]
5	FARON SICO DE AZEVEDO	Suasta	[Signature]
6	FILUMINO SOARES	Suasta	[Signature]
7	Joanico Correia	Suasta	[Signature]
8	JOACIN DA CONCEIÇÃO	Suasta	
9	LAURINDO GOMES	Suasta	
10	JOÃO CARLA	Suasta	
11	Adriano Augusto	Desemprego	[Signature]
12	Albino Soares	Suasta	[Signature]
13	Felix Cristiano Fernandes	Suasta	[Signature]
14			

2

Annex 4 cont.

Minutes of the Consultation Meeting
Venue: Suco Lau Hata, District: Liquica
Date: 09 September 2011

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Minutes of Consultation Meeting

Date: 09/09/2011 Time: 03.00 - 05.00 (pm)

Road Name:

Venue: Hamlet: Suco: Lau - hata
Sub-district: Bazartele District: Liquica.

Name of Chairman of the Meeting: Enilio Barreto.

Ministry/Departmental Personnel:

PISC Consultant (SMEC/KWK): Mr. Monzurol Hog.

Participants Nos: (attach list)

Agenda / Issues Discussed

Opinion and Suggestions

Quest. 1. It is Best for the Government to compensate first and then the construction.

Answer: "it is A policy of a Donor, to compensate first & then the ~~work~~ work. (Construction).

Suggest. 1. it will be clear if the survey team has already arrived to measure.

2. we are happy for this Project.

Signature of Chairman
Date: 09/09/2011

1

Annex 4 cont.

**List of Participants
Meeting in Suco Lau Hata
09 September 2011**

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants (Meeting Date: 09/09/2011 Time: 03.00 - 05.00 pm Venue: Lauhata Suco's office.)

Sl No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
1	Carlos A. das N. de deus	Swasta.	
2	SANTIAGO da	SWASTA	
3	Basilio dos Santos Conceição	Professor	
4	DOMINGOS SARES	SWASTA	
5	Manuel Margulino		
6	Thomas dos Santos		
7	Afonso Soriaco		
8	Jose Correia		
9	Nicolau dos Santos		
10	Paulino Barreto		
11	Baltazar Barco		
12	Jose dos Santos		
13	Guellino de Jesus		
14	Bernadino dos Santos		

2

Annex 4 cont.

Participants List cont.

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

Sl No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
15	Filomeno Barreto		
16	Floriano Barreto		
17	Bernadino Barreto		
18	Hermenigildo dos Santos		
19	Ana Flora dos Santos		
20	Nicolau R. dos Santos		
21	Silvina de Jesus		
22	Aida Goncalves		
23	Julietta dos Santos		
23	Felixiano da Silva		
24	Zacarias da Silva		
25	Eusebio dos Santos		
26	Faustino dos Santos		
27	Luis Souza		

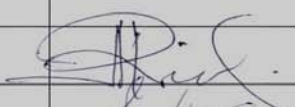
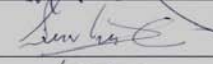
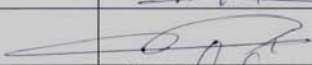
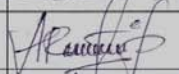
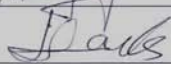
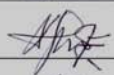
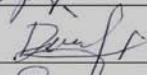
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Annex 4 cont.

Participants List cont.

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
28	Laurentinho V. da Costa		
29	Mau-Buti		
30	Henrique Correia		
31	João Sakie		
32	Armando R. dos Santos		
33	Laurentinho da Costa		
34	Albino Correia		
35	João Braz		
36	Agustinho Rodrigues		
37	Marcos e dos Santos		
38	Afolinário Xavier.		
39	Domingos e da Costa		
40	Aguilino Oliveira		
41	Emilia dos Santos		

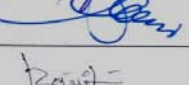
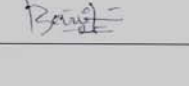
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Annex 4 cont.

Participants List cont.

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants (Meeting Date: _____ Time: _____ Venue: _____)

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
1	Emilio Barreto	Capitão do Suco	
2	António Barreto	Membro Ager	
3	Miguel Montalvão	Conselheiro Suco	
4	Bendito das S. M.	Professor	
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			

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Annex 4 cont.

Minutes of the Consultation Meeting
Venue: Suco Mau Meta, District: Liquica
Date: 10 September 2011

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Minutes of Consultation Meeting

Date: 10/09/2011 Time: 10.00 - 12.00

Road Name: Fibar - Liquica

Venue: Hamlet: Suco: Mau meta

Sub-district: Bazarfete District: Liquica

Name of Chairman of the Meeting: Suco Chief of Mau meta "Vitor da Silva"

Ministry/Departmental Personnel:

PISC Consultant (SMEC/KWK): Mr. Monzorol Hoz

Participants Nos: (attach list)

Agenda / Issues Discussed

1. What will ADA & the project management do to avoid the people who will be trespassing this 15 meters width in the future.
2. What will the Government do with this people.
3. What if the Suco office property is affected.

Opinion and Suggestions

1. The road will be marked with Traffic sign, etc to ~~keep~~ keep out the people who will be trespassing this 15 meters width.
2. Well for that the Government will be doing the supervision.
3. ADA will compensate all the thing that will be affected.

Signature of Chairman 

Date: 10/09/2011

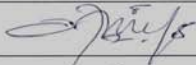
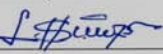
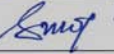
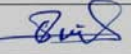
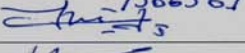
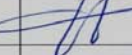
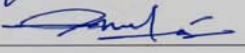
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Annex 4 cont.

**List of Participants
Meeting in Suco Mau Meta
10 September 2011**

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants (Meeting Date: 10/09/2011 Time: 10.00 - 12.00 Venue: Sede suco mau meta)

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
1	Carlos alberto das Neves	SWasta	
2	Juriano Aparicio	SWasta	
3	Laurentino dos S. Comunidade		
4	Julio LILMON	- - -	
5	Eugénio de Jesus	- - -	EJ
6	Albertina dos Santos Silva	- - -	
7	Isabel Soares	- - -	
8	Filomena Mendes	- - -	
9	Samuel Luis Ara	- - -	
10	Joana Soares	- - -	
11	Norbento d.j. mendes	- - -	
12	Joachimico das	- - -	 7566567
13	Pino Alves	- - -	
14	Eldino de J dos Santos	- - -	

2

Annex 4 cont.

Participants List cont.

2

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

Sl No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
15	Marculino dos Santos	Supista	[Signature]
16	Laurindo dos Santos	Chefe Aldeia	[Signature]
17	Jerônimo dos Santos	Empresário	[Signature] (7470856)
18	João Vilegal	Agricultor	[Signature]
19	Beuldo G. Fátima	Agricultor	[Signature]
20	JOANICO ALVES FREIAS	COMUNIDADE	[Signature] 7254885
21	Junior A. dos Santos	Comunidade	[Signature] 7270467/7521678
22	Americo Alves.	Comunidade	[Signature] 7821066
23	VIGENTE P. DE Fátima	Comunidade	[Signature] 7578822
24	Hélio de V. Barato	comunidade	[Signature] (7275741)
25	João de fátima	comunidade	[Signature]
26	José de bosco d.s.	comunidade	[Signature]
27	Yosé Maria da Costa	Comunidade	[Signature] 7256546
28	Antoniinho Ribeiro dos S.	Agricultor	[Signature]

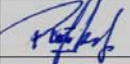
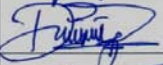
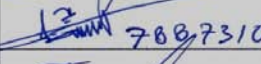
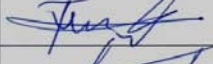
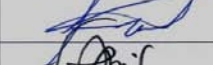
3

Annex 4 cont.

Participants List cont.

Road Network Development Sector Project
(ADB Grant No. 0180-TIM)
Project Implementation and Support Consultants

Participants List cont.

SI No.	Name	Profession/Occupation & Address, Cell No (if any)	Signature
15 29	Roberto Rabina da Costa	Comunidade	
16 30	Desyanti M. dos Santos	Comunidade	
31 17	Carlos Correia dos S.	Comunidade	 788,7310
32 18	Pasqual Fernandes Santos	Comunidade	
33 19	Edmundo Santos	Comunidade	
34	Victor da Silva	Chefe do Saco	

3

Annex 5

Democratic Republic of Timor-Leste Ministry of Infrastructure

Public Information Booklet

Resettlement and Compensation Road Network Upgrading Sector Project

November 2011

1. Introduction

1. The Asian Development Bank (ADB) is providing financial assistance to the Democratic Republic of Timor-Leste for improvement of road infrastructure under the Road Network Upgrading Sector Project (RNUSP). The Project includes upgrading and improving the Dili-Tibar-Liquica Road covering a length of about 28.8 km. As per requirements of the applicable laws of Timor-Leste, complying with ADB's safeguard requirements on involuntary resettlement under the *Safeguard Policy Statement*, and in conformity with the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted for the Project, the Ministry of Infrastructure (MOI) has prepared a Resettlement Plan (RP) to deal with the resettlement impact due to project interventions. The RP describes the provisions established to address these impacts and the modalities for compensating the Affected Families (including compensation rates, grants and allowances and schedules.) The RP for the Project will be disclosed and made available to the public at the local MOI and district administration offices in the areas affected by the Project. The PMU will also make this RP available to the public at the MOI headquarters in Dili.

2. Besides, PMU has also 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

3. The RP has been prepared based on the present design as of September 2011, drawing on the result of 100% survey of impact of the affected families (AFs), associated with socio-economic information of affected households, complemented by the process of undertaking public consultation program. 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

4. The project road Dili-Tibar-Liquica, with a length of about 28.8 km (according to present design of the alignment), starts at km 6.828 of the existing road corridor just from the west side of the existing roundabout near the Comoro Airport located at the outskirts of the capital city Dili, and connects Liquica District towards west and then continuously runs up to Mota Ain, the main land border crossing with Indonesia. This road section actually is a continuous part of the major national route from Dili to Mota Ain. The Dili-Tibar-Liquica Road lies within the geographic coverage of these two districts Dili and Liquica.

4. Resettlement Impact

5. Improvement of the Dili-Tibar-Liquica Road will be carried out within the available road corridor of the existing embankment, requiring no additional land. Widening and raising of the road will partly affect only few shops either squatting or encroached in the government-owned land along the road alignment. For understanding the adverse social and resettlement impacts of the project interventions, a 100% census combined with socioeconomic survey was carried out during 8 – 14 September 2011 to make an inventory of losses (IOL), and to develop a baseline of socioeconomic status of the households likely to suffer from project implementation. A summary of impacts are shown in Table 1.

Table 1: Summary of Impacts

Impact Category	Magnitude of Impact
Affected Families	12 households
Affected Persons	92 people
Number of affected structures	2
Total area of affected structures	14.5 Sqm
Affected Kiosks	9 Nos
Affected Trees	1

5. Compensation and Entitlements

6. The affected persons will be entitled to receive entitlements as set out in the RF, including any additional entitlements in line with the RP. In context of the present Project the following affected persons will be compensated:

- those with no formal title but have a claim to the 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.

7. APs will be compensated for lost assets at replacement price based on negotiated settlement. Mention should be made that a draft law on land expropriation and compensation is awaiting the approval of Parliament. When the Expropriation Law is passed by the Parliament, the Government will be able to acquire land for public purposes. Until such Law is passed, the Project will follow the approach of negotiated settlement/purchase of land. Given this situation, compensation values have been calculated depending on the information gathered through rapid appraisal and consultation with the project affected people and their community, and relevant local authorities during the community consultations, and during the course of census and inventory of loss survey. Through this process of negotiated settlement, compensation to APs for their affected assets has been figured out, and has been incorporated in the present RP.

8. The project improvement works will not have any impact on private land. There are few semi-permanent structures and some temporary small shops (kiosks) alongside the road which will be affected. These are actually squatters or encroacher on the road side land. These structures and kiosks will be compensated. APs will also be entitled to assistance for restoring their incomes. Vulnerable persons and women headed households will qualify for special assistance.

9. Compensation and entitlements have been identified based on impacts and losses caused before the eligible cut-off date. The established cut-off date for the Project was set as on 08 September 2011 - the date of commencing the census and socioeconomic survey. The APs will be compensated for their losses as per Entitlement Matrix given in Table 2.

Table 2: Entitlement Matrix

Type of Loss	Unit of Entitlement	Details of Entitlements	Responsibility
1. Assets of squatters or informal settlers.	Informal settlers / squatters / non-tilted APs 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 US\$100 for 4 months per HH. Salvaged materials 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.
2. Tree.	Claimant of the affected tree	- Compensation at replacement cost of affected tree estimated during IOL and finalized with DLPCS. - Salvaged materials free of cost.	DLPCS with assistance from PMU's Valuation Specialist in consultation with relevant authorities will determine the fair compensation at replacement cost. (One large tree will have to be removed at km 28 of the road which has no fruit or wood value, only bears fire wood value).
3. Income from business.	Kiosks	One time lump sum transfer grant of US\$ 100 per kiosk. Transitional allowance of US\$ 100 for 4 months per HH.	PMU in coordination with DLPCS and with assistance of local authorities and community leaders.
4. Impact on vulnerable APs.	Vulnerable and women headed households identified by IOL (owners of 2 kiosks – one is women headed and the other is widow headed).	In addition to the above standard package, vulnerable AP households will receive following: Additional transitional allowance of US\$ 100 for additional 2 months for women headed HH. Additional transitional allowance of US\$ 100 for additional 4 months for widow headed HH	PMU with assistance of local authorities and community leaders.
5. Unforeseen Impact.	Concerned impactees.	Unforeseen impacts will be documented and mitigated based on the principles agreed upon in this policy framework.	PMU identifies and mitigates impacts as required.

6. Resettlement Budget

10. The entire resettlement for Dili-Tibar-Liquica road improvement project will require a total of **10,740 USD (0.0107 million US Dollar)**, out of which **8,950 USD** is direct resettlement expense. A 20% of the total direct expenses are kept to meet contingency expenses covering administrative costs. The included cost items are in compliance with the RF prepared for the project.

Table 3: Resettlement Budget

Description	Quantity	Unit	Rate (US\$)	Total Cost (US\$)
Cost of Structure Compensation				
Semi-Permanent structure	14.5	Sq. meters	100	1450
Reconstruction cost	14.5	Sq. meters	100	1450
Total Cost of Structure Compensation				2900.00
Compensation for Tree	1	No	150	150.00
Grant & Allowance				
Transfer Grant for Kiosks	9	Lump sum	100	900.00
Transitional allowance for the AHs for loss of income from business for 4 months (shops + kiosks)	11	Lump sum	100	4400.00
Additional transitional allowance of US\$ 100 for additional 2 month for women HH	1	Lump sum	100	200.00
Additional transitional allowance of US\$ 100 for additional 4 months for widow HH	1	Lump sum	100	400.00
Total Allowance				5900.00
Total Direct Expenses				8,950.00
Contingency @ 20% of total direct cost		-		1,790.00
Total Resettlement Expenses				10,740.00

7. Grievance Redress

11. Through public consultations and distribution of this information booklet, APs will be informed that they have a right to file complaints and/or quarries on any aspect of compensation, or on any other related grievance. In the absence of national legislation, APs concerns pertaining to resettlement impacts such as compensation, rehabilitation and delays in payment will be effectively dealt. The Environmental and Social Unit (ESU) within PMU, in coordination with APs and suco and aldeia chiefs, will support the APs in presenting their grievances to the Grievance Redress Committee (GRC). GRCs will review grievances involving all resettlement benefits, relocation and other assistance, other than disputes relating to ownership right under the court of law. Table 4 sets out the grievance redress process adopted by the Project.

Table 4: Grievance Redress Procedure

Stage	Process	Duration
1	AP submits grievance to village chief in person and village chief sends to PMU	
2	Village chief in coordination with PMU facilitates to redress grievance and reports back to AP	7 days
If unresolved or if AP wanted to go directly to PMU		
3	AP/village chief takes grievance to PMU/community liaison officer	Within 1 week 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/village chief take grievance to MOI Secretary of State	Within 1 week of receipt of decision in step 5
7	Secretary of State refers matter to an internal committee	1 week
8	Secretary of State reports back to AP/village chief	5 days
If unresolved or at any stage if AP is not satisfied		
AP/village chief can take the matter to appropriate court		As per judicial system

8. Contact Details for Inquiry

12. For further information about the project as a whole, and/or the RP for the Dili-Tibar-Liquica Road under the Road Network Upgrading Sector Project, please contact the PMU/MOI at the address given below.

Project and Financial Manager
Project Management Unit
Ministry of Infrastructure
Dili, Timor-Leste
Phone: 670 3311024 / 3311025

Annex 6

Letter of DLPCS stating that the implementation of improvement works that are proposed to be carried out on the land of the existing corridor of Dili-Tibar-Liquica Road is owned by the Government.



REPÚBLICA DEMOCRÁTICA DE TIMOR LESTE
MINISTÉRIO DA JUSTIÇA
DIRECÇÃO DE TERRAS, PROPRIEDADES E SERVIÇOS CADASTRAIS
DISTRITO LIQUICA
Rua Dr. Kofy Annan Telf.3630004

Declaração

Nebe assina iha karaik ne,e :

N a r a n : Victor da Silva Lobo

P o s i ç ã o : Director Terras, Propriedades e Serviços Cadastrais
Distrito Liquica

H e l a F a t i n : L i q u i c a

Tuir mai hau declara katak Estrada nebe atu alarga tan husi Dili mai to,o Liquica, barak liu kona rai Estado nian, maibe Estrada ne,e se kona karik povo nia rai Estado tenque fó compensação, tuir Lei haruka.

Mak ne,e deit hau nia Declaração, hau halo hodi uza iha fatin nebe deit bainhira presica.

Liquica, 5 de Dezembro de 2011
Director DTPSC Distrito Liquica
Victor da Silva Lobo

Annex 7

Additional Comments on Resettlement Plan Road Network Upgrading Sector Project

Additional Comments	Reply of Consultant
It is stated that the land in question is government-owned and APs are squatters or encroachers. Please consult with the Department of Land, Property and Cadastral Services (DLPCS) to confirm this and attach their confirmation letter in the RP.	Letter of DLPCS is given in Annex 6 in the RP
The RP has copied the entire legal framework from the RF without adapting to the subproject context. It is not clear which law will be used to provide compensation for these non-titled APs. It was suggested earlier that the Decree Law #6 of 2011 may perhaps apply in this case also. Again, please consult with MoJ/DLPCS and specify how the issue of squatter APs will be legally addressed.	Chapter revised
The RP doesn't provide adequate description on the basis of compensation rates, and the compensation package appears to be inadequate. I understand that the Government has provided \$2,000 per family to evict squatters from government buildings. The proposed package in the RP is less than this, viz. average \$1450/family for structure-owners and \$100/family for kiosk-owners. It provides a transitional allowance of \$100/family for two months, but the monthly rate is below the poverty line and the two months may not be sufficient given that construction period normally requires more than this. Please consult with the valuation specialist (e.g. one under PMU if mobilized) as well as DLPCS, and confirm that the compensation package is at least what the government has been providing to evict squatters from the government properties. Also, confirm that the final package is acceptable to the APs.	A very important aspect of this subproject is that none of the APs will be permanently displaced. There are 2 APs who's structures will be partly affected, but will not be required to be evicted. This will not hamper their current standard of living. Rather they will continue their business in the same place with reconstruction of the partly affected front side veranda only. For these partly affected structures, the APs will be compensated at replacement cost, they will be provided with reconstruction grant, and will salvage the materials free of cost. Besides, they will be provided with transitional allowance during the reconstruction period. In respect of drawing reasonable rates, all the estimated rates were negotiated with APs, local suco/village and hamlet chiefs and other local persons. The 9 kiosks which are most temporary thatch structures will be moved back for a short period only during the time of constructing the respective section of the road. It is likely that they will continue their business getting a little away from the road, and more likely that they will come back to the road side again after the construction work is completed in that particular section of the road. They will

	only require shifting their structure from the current place to the new place for which they will be provided with shifting allowance and transitional allowance. For the vulnerable APs, such allowance is considered at a higher rate, which again was discussed with stakeholders. Hence, the consultant feels that the final package is sufficient to assist the APs to at least maintain their standard of living to pre-subproject level, and the APs will be pleased accept this.
Some entitlements in the RF such as rehabilitation grant, skills training, rehabilitation support etc. are missing. It is noted that all the APs are below the poverty line. While ADB's SPS requires to improve the poor APs' living standards to at least national minimum standard, please include adequate measures in the RP to achieve this.	As it has been mentioned, there is no major permanent impact on business or livelihood for the APs. Especially for the kiosks, there will be very minor impact on their business. Hence there is no requirement for skills training. Also no rehabilitation is required as there is no change in their present livelihood pattern, and therefore rehabilitation grant and support is not necessary.
I note that the budget estimate has been reduced from \$20,785 to \$7,980. It was commented earlier that the administrative costs were high. This doesn't however mean that the RP can be implemented without administrative and other necessary costs. Please include all the costs that may be needed for further consultation and implementation of the RP. Also update the costs for compensation, entitlements and livelihood support as discussed above.	Administrative work required to compensate 12 APs is a very negligible task which can easily be handled by the ESU social safeguard team within PMU. Engaging a large administrative force therefore will not be required; rather a contingency fund provided in the budget can meet the administrative cost for compensating this small number of APs.
The RP (together with the RF) needs to be endorsed by MOI and disclosed to APs following ADB's requirements on disclosures before it is submitted for ADB's approval and posting on its website before the appraisal (i.e. MRM/SRM).	PMU will take step to get the RP and RF approved by MOI and disclosed to APs. Consultants will stay in touch with PMU.