

Supplementary Resettlement Plan

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Timor-Leste: Road Network Upgrading Project

Prepared by Ministry of Public Works for the Asian Development Bank (ADB).

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ABBREVIATIONS

ADB	Asian Development Bank
AH	Affected Household(s)
AP	Affected Person(s)
BNCTL	Banco Nacional de Commercial Timor-Leste
BOQ	Bill of Quantities
CAIF/CAFI	Commission for Administration of the Infrastructure Fund
DMS	Detailed Measurement Survey
EA	Executing Agency
ESSU	Environment and Social Unit
FBT	Fruit Bearing Tree
FHH	Female Headed Household
FS	Feasibility Study
GoTL	Government of Timor-Leste
GRM	Grievance Redress Mechanism
HH	Household Head
HHM	Household Member
IOL	Inventory of Losses
JICA	Japan International Cooperation Agency
km	Kilometer
l.m.	Linear Meter
m ²	Square Meter
MAF	Ministry of Agriculture and Fisheries
MOF	Ministry of Finance
MOI	Ministry of Infrastructure
MOJ	Ministry of Justice
MPW	Ministry of Public Works
NDLPCS	National Directorate of Land Property and Cadastral Services
NGO	Non-Government Organizations
PIB	Public Information Booklet
PISC	Project Implementation Supervision Consultant
PMU	Project Management Unit
RDTL	Democratic Republic of Timor-Leste (RDTL)
RNUSP	Road Network Upgrading Sector Project
RP	Resettlement Plan
ROW	Right-of-Way
SPS	ADB Safeguard Policy Statement, 2009
SSM	Social Safeguards Monitoring
sqm	Square Meter
Sta.	Station
TLCLS	Timor-Leste Survey of Living Standards
USRP	Updated Resettlement Plan
VAH	Vulnerable Affected Households
VH	Vulnerable Households
\$	US dollars

Glossary

Affected Households (AHs) – consists of the household as a single economic unit, who will be affected by the project and would represent the unit of payment as applicable

Affected Persons (APs) – Persons within the affected households who are occupying, living/residing, doing business and/or utilizing the land, resources and improvements that will be acquired for the project, irrespective of ownership thereof.

Compensation- means payment in cash or in kind at full replacement cost for an asset to be acquired or affected by an infrastructure project.

Cut-off-date - is the date of commencement of the census of affected families within the project boundaries. APs and local communities will be informed of the cut-off date and persons not covered at the time of census will not be eligible for claims of compensation and entitlements.

Displaced Persons - consistent with ADB Social Safeguards Policy 2009, people who are affected by direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by involuntary taking of land resulting relocation or loss of shelter; loss of assets or access of assets; or loss of income source or means of livelihood, whether or not the affected persons must move to another location; or the involuntary restriction of access to legally designated park and protected areas resulting in adverse impacts on livelihood of the displaced persons.

Eligibility- any person(s) who at the cut-off-date was located within the area affected by the project, its sub-components, or other subproject parts thereof, and are affected by the project. Eligibility is irrespective of formal legal rights to land or of customary claim to the land the PAPs are occupying.

Entitlement- the range of measures comprising cash or kind compensation, relocation cost, rehabilitation assistance, transfer assistance, income substitution and relocation which are due to APs depending on the degree of losses, to restore their social and economic base to pre-project levels.

Ethnic Groups - ADB's policy on indigenous people's safeguards mandates that safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems or culture of ethnic groups or affects the territories or natural or cultural resources that they own, use, occupy, or claim as customary land.

Income Loss- For loss of business/income, the AP will be entitled to income rehabilitation assistance for the period corresponding to the stoppage of business activities.

Informal Settlers - a person using or occupying vacant state land and who does not have title or formal agreement from the owner to use, the land.

Land acquisition - the process whereby a person is compelled by the Government through the Executing Agency of the Project to alienate all or part of the land s/he owns or possesses in favor of the State in the implementation of the Project or any of its components in return for consideration.

Partially affected – the impact is only partial and the remaining portion of the property or asset is still viable for continued use. Compensation will be on the affected portion only.

Project Boundaries - is defined as the project construction limits or maybe referred to the Right-of-Way limits, which may vary depending to prescribe ROW.

Relocation- the physical shifting of AHs from their pre-project place or residence, place for work or business premises.

Replacement cost - the method of valuing assets to replace the loss at the market value, or its nearest equivalent, plus any transaction costs such as administrative charges, taxes, registration, and titling cost. Where national law does not meet this standard the replacement cost will be supplemented as necessary. Replacement cost is based on market value before the project or dispossession, whichever is higher. In the absence of functioning markets, a compensation structured is required that enables affected people to restore their livelihoods to levels at least equivalent to those maintained at the time of dispossession, displacement, or restricted access. For losses that cannot easily or compensated for in monetary term (e.g. access to public service, customers, and supplies; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.

Resettlement Plan - the time-bound action plan prepared to compensate and /or mitigate the impact of resettlement. A FULL resettlement is required for project or subprojects with significant impacts. The SRP will commensurate with the nature of impacts.

Severely affected – The portion of the property to be affected is more than 10% of the total land area or even less than 10% if the remaining portion is no longer economically viable or it will no longer function as intended. In that case full compensation of the complete property will be payable.

Significant impact – If more than 200 people are affected by resettlement through loss of 10% or more of productive assets (income generating) or physical displacement/ dislocation (loss of housing). This is in contrast to **Not-Significant** impacts where less than 200 APs lose less than 10% of assets. Both significant (category A) and not significant (category B) will require Resettlement Plan.

Simple structures - small (in the order of 1-15m²) roadside stalls or shade houses that are constructed of rough-sawn wood, bamboo, thatch, banana or sago palm leaf, and can be moved and re-constructed in less than day.

Social Impact Assessment or Social Assessment is methodology to review the social effects of infrastructure projects and other development interventions. Although SIA is usually applied for undertaking process the social assessment, planning, and the management of social change or consequences (positive and negative, intended and unintended) arising from the plans, developments and projects.

Subsidiary households - a household that is a part of the origin group that have been allocated land by the members of the origin group (i.e. through inheritance or subdivision of a family's land). They have the same right to use the land but must seek permission from the members of the origin group for certain activities.

Vulnerable Households – A household who might suffer disproportionately or face the risk of being marginalized due to resettlement impacts i.e.

- 1) female headed household with dependents;
- 2) a household whose head is a Person With Disability (PWD) ;
- 3) a poor household as defined by the poverty line set by the government;
- 4) a household headed by an elderly person (over 60 years of age) with no means of economic support;
- 5) a household headed by a landless head with no means of economic support;
- 6) a household without security of land tenure; and
- 7) a household consisting of members of an ethnic group.

EXECUTIVE SUMMARY

A. Overview

1. This Supplementary Resettlement Plan (SRP) represents the due diligence undertaken to cover the completion of the planned work on sections of District Road C16-17 Part 1 Aipelu to Bazartete and Part 2 Bazartete to Tokoluli in Ermera District.
2. The planned improvements will take place near Bazartete Town to compliment the C17 Aipelu to Bazartete works completed in June 2020 and 2021 as part of the District development program that were first reported in the Supplementary Initial Environmental Report (SIEE March 2022) that has been amended to take account of more recent developments. As originally conceived those works (reported in the SIEE and endorsed by ADB) proposed to (A) increase the paved travelling surface by adding a 50cm wide strip of asphalt either side on the shoulders between Km4+000 to Km11+500, (B) complete the planned works to Km13+500 to Km16+000 and (C) repair and resurface a 5m wide asphalt strip leading into the centre of Bazartete Town that forms a short 100m spur to the left side at Km14+138. Subsequent to the acceptance of the SIEE and disclosure by ADB March 2022 a landslide (D) occurred at Km18+500 to Km18+750 and this SRP also takes account of that landslide.
3. In sections (A) and (C) there will be no widening of the embankment; only paving of the existing road and shoulders as required and there are no resettlement impacts. In section (D) the original stretch (D) from Km 18+500 to 18+750 was included in the original Resettlement Plan (circa Q1/Q2 2019) for Bazartete-Tokoluli but there are no resettlement impacts due to the realignment in this section either. Resettlement impacts have been identified in section (B) Km13+500 to Km16+000 which will complete the planned works more or less as originally designed and are the subject of this SRP. The repairs and upgrading of road and lined drains either side the road at 13+500 to Km16+000 will require the cutting of some productive trees on either side, mostly on the uphill sides to accommodate the lined drains at the toe of the slope. This SRP covers all the other resettlement impacts and the mitigation measures that will be applied for these improvements. The main objective remains to improve road safety by rehabilitation and maintaining priority road sections of the road network. Photographs of sections A, B, C and D are presented in Appendix 1a, 1b, 1c and 1d respectively.
4. The improvements will follow international best practices and quality standards and are broadly similar to the whole project by: (i) improving travel on traffic lanes with sealed hard shoulders (ii) improving culverts and drainage (iii) repairing collapses and (iv) introducing new road markings and signage and other measures to improve road safety. The RNUP-AF C16-C17 runs from north to south across the central part of the country and links the districts of Liquica and Ermera. The project aims to provide smoother travelling, improve business interaction and facilitate tourism. The section recently handed over to the Contractor is shown in Figure 1.1.
5. The resettlement activities, measurement and inventory of losses, local disclosure of the plans, negotiations and agreements for compensation are already largely completed for the Bazartete section in line with the provisions of the updated resettlement plan (URP 2019). Whereas there is a need to proceed with the recently handed over section this SRP must be accepted by ADB before the construction can take place. This SRP is, therefore, submitted to ADB for endorsement in partial fulfillment of the GoTL obligations under the ADB Safeguards Policy Statement (SPS 2009).
6. The details of social monitoring and the accepted URP (2019) are not repeated here. The observations, assumptions and resettlement activities planned under the URP 2019 also apply to the Bazartete section. The details of the affected households (15) and affected persons (75) in this additional 2.5km stretch are provided. It has been agreed with ADB that all adjustments to the main project and resettlement activities will be captured in a further update of social and resettlement activities in the form of a Final Social and Resettlement Report (FSRP) that will be made when the project reaches completion. The FSRP will include the results of social and resettlement activities for the Aipelu to Bazartete to Tokoluli sections including this 2.5 km near Bazartete. This SRP covers the recently handed over 2.5 km stretch near Bazartete in advance to facilitate ongoing construction.
7. The construction work is expected to start in Q4 2023, and will minimize the civil works to a narrow strip of land either side of the existing road. The methodologies will generally follow those described in the Initial Environmental Examination (IEE) and Environmental Management Plan

(EMP) used so far for RNUP-AF C16-C17 but the EMP will be amended accordingly in a Supplementary IEE presented in tandem with this SRP. Particular attention has been paid to the sensitive receivers near the alignment to protect them early in the construction process. There is no realignment of the road at three of the above locations (A, B and C) and the works will complement the sections already well progressed. There is realignment in Section D to avoid the landslide but there are no resettlement impacts in that area. The works will complement the sections already well progressed. The construction of the long pending 2.5km section at Bazartete where there are some minor resettlement impacts. will support completion of the national development program in line with community aspirations.

B. Scope of Land Acquisition and Resettlement

8. There is no land acquisition in this Bazartete section of the project road. Construction activities for the missing link permanently required 12,500m² and The Leorema realignment section requires 1290m² of land owned by government. Based on the supplementary survey of impacts a total of 15 households with 75 persons will be affected (i) 14 households with 70 persons losing trees and plants (ii) 12 households with 54 persons are losing trees only (iii) 1 household with 5 persons is affected being a 1 vendor who will have to move their small temporary lightweight bottled gasoline vending stall. There are no severely affected households (SAH) that have ≥ 10 % of their assets affected but there are 8 households with 22 persons that are affected households (AH ≤ 10 % Table-1).

Table 1: Summary of Project Impacts for C16/C17 (2.5 km missing link)

Ref. No.	Impacts		Total	
			AHs	APs
1a	Total Area of Private Land acquired (in m ²)		0	
1b	Total area government land occupied in ROW (m ²)		12,500 m ²	
1c	Total land occupied in ROW (m ²)		1290 m ²	
2	Total number of Affected Households		15	75
	A	Losing structures only (roadside stall)	1	5
	B	Losing tree & Plant etc.	14	70
	C	Losing Tree only	12	54
	D	Losing Business / vendors (roadside stall)	1	5
	E	Losing Tree+ Structures+ others	0	0
3	Total number of Affected Persons		75	
4	Total number of vulnerable households (VAH)		12	61
5	Total number of households (AH) ≤ 10 %		8	22
6	Impact on Auxiliary Structures		0	0
7	Impact on Plants and Trees		733	
8	Electrical Power Distribution Poles (public utility)		0	0
9	Water Distribution Pipes (public utility – linear meters)		10m (crossing the road)	
			1km (along the road)	

Source: DMS results, September 2023

C. Community Profile

9. The supplementary surveys show that all the 75 affected persons belong to the “Tokodedi” community and that Christianity is their religion. The average household size is 5 persons. The educational status of the affected persons reveals that all have at least secondary education with seven attending high school and six having pursued tertiary level education. None are illiterate.

D. Information Disclosure, Consultation, and Participation

10. Consultations were carried out with all affected households and community members in the affected Bazartete village area, and the most recent rounds of public consultation sessions (Appendix 3) were attended by over thirty persons from the affected area (representing all affected households and the administrators). The first round public consultation was held on 11 June 2021 and the second round was organized on 5 September 2023 before the completion of DMS and Census of AHs. There were 48 people attending the public consultation meetings, of which females accounted for 35%. The finalized and agreed entitlements for the impacts, the implementation schedule of resettlement, and the agreed project level-grievance redress mechanism will be reflected in the final Project Information Booklet (PIB – Appendix 6) to deliver to all affected persons, local authorities and relevant agencies - and posted in the public places of the project hamlets and villages. The cutoff date of this project is it is 8 September 2023 i.e. the date that the Detailed Measurement Survey (DMS) for all affected individuals/households was completed. The consultations have ensured the communities participation during the design and implementation stage of the project. Various sections of affected persons and other stakeholders were consulted through focus group discussions and individual interviews in order to promote public understanding and productive solutions to any perceived problems such as local needs and detailed prospects of resettlement activities.

11. The overall project information has already been disseminated through previous disclosure of resettlement planning documents and this SRP will likewise be disclosed when approved in order to encourage transparency in planning and for further active involvement of affected persons and other stakeholders. The EA has provided relevant resettlement information, including information to encourage negotiations for compensation in a timely manner. The endorsed SRP shall also be disclosed in due course before compensation payment and before commencement of construction in an accessible place and in a form and language(s) understandable to affected persons and other stakeholders.

E. Legal Framework

12. The legal framework and principles adopted for addressing resettlement issues have been guided by the existing legislation and policies of the GoTL and the Asian Development Bank (ADB) adopted for the project. Prior to the preparation of the URP (2019) a detailed analysis of the existing national policies was undertaken and an Entitlement Matrix was prepared for the entire program. This SRP is prepared based on the review and analysis of all applicable legal and policy requirements of the country and ADB policy requirements. The gaps between the policies have been identified and addressed to ensure that this SRP also adheres to SPS (2009) requirements.

F. Entitlements, Assistance and Benefits

13. All compensation and other assistances are being paid to all AHs as per Entitlement Matrix, finalized for the project, prior to commencement of civil works in the specified location. After payment of compensation AHs are allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for that. In this case there are no properties to remove, only crops and plants and one temporary stall that will be moved a little further away from the road. The value of salvaged materials will not be deducted from the overall compensation amount.

G. Relocation of Housing and Settlements

14. There is no relocation strategy because there is only one affected temporary stall and that owner has agreed to relocate by moving their structure away from the road to an adjacent part of the land they occupy. The EA will provide adequate and appropriate cash compensation at full replacement cost for the affected structure and adequate compensation for partially damaged structures according to the Entitlement Matrix.

H. Income Restoration and Rehabilitation

15. The entitlements would include a one-time payment of \$100 for a period of 2 months and \$50 for stores and roadside “temporary” stalls respectively but there is only one temporary stall. The road construction will require several unskilled laborers for earthworks, road embankment as well

as other related works. PMU will encourage the Contractor to give preferential employment on the Household Members (HHM) of the AH, including the women members where they wish to work. Routine maintenance of the improved road will also provide employment opportunity to local communities and preference will also be given to AH particularly the vulnerable groups such as the poor and women-headed AH. VAHs and SAH (if any) are entitled to receive a special assistance of \$100/month for 3 months, on top of all other entitlements. They will also be given preference in local employment during construction and routine maintenance of the road.

I. Resettlement Budget and Financing Plan

16. The resettlement cost estimate for this project includes eligible compensation, resettlement assistance and support cost for RP implementation. The support cost, which includes staffing requirement and monitoring and reporting in project implementation and other administrative expenses are part of the overall project cost. Contingency provisions have also been made to take into account variations from this estimate. The total resettlement compensation cost has been estimated at \$16,943.

J. Grievance Redressal Mechanism

17. The members of GRCs are identified based on the local administrative units (Municipal/Administrative Post/Sucos/Aldeias) to make it accessible to APs /AHs. The GRC will make sure that there will be a proper presentation of grievances if they occur and will conduct impartial hearings and transparent decisions. However, in practice so far all grievances have been satisfactorily resolved at the local level without resort to convening a formal GRC and in line with the GRM.

K. Institutional Arrangement

18. The Ministry of Finance (MOF)/Commission for Administration of the Infrastructure Fund (CAIF) or CAFI is the project Executing Agency. The Ministry of Public Works (MPW) is the Implementing Agencies (IA) of the SRP with the Project Management Unit (PMU) being responsible for day to day management with technical support from the Project Implementation Supervision Consultants (PISC) during earlier phases of the project. Concerned Suco/Aldeia Chiefs have been fully involved during public consultations and will be included in validation/verification with Heads of AHs and direct negotiation of settlement.

L. Implementation Schedule

19. An implementation schedule is in place for payment of compensation and resettlement activities in the project including various sub tasks and time line matching with civil work schedule. There is no land acquisition. Sequences may sometimes change due to circumstances beyond the control of the implementing partners.

M. Monitoring and Reporting

20. Monitoring of all resettlement activities, consultation tasks and reports to ADB has been carried out by the national and international social safeguard specialists of the Environmental and Social Unit (ESU) established in the PMU with the help of project implementation supervision consultant (PISC) experts. Internal monitoring will include reporting on progress in the activities envisaged in the implementation schedule with particular focus on public consultations, land purchase (not expected), determination of compensation, record of grievances and status of complaints, financial disbursements, and level of satisfaction among APs/AHs. A Final Social Safeguards Monitoring (FSSM) Report will be prepared by the PMU that is also responsible to prepare semi-annual Social Safeguards Monitoring Report (SaRMR) for all projects for submission to MPW and ADB.

I. PROJECT DESCRIPTION

A. Project Background

1. This Supplementary Resettlement Plan (SRP) covers parts of the main RNUP-AF C16-C17 project that has been under construction since 2019 and social monitoring has been reported at six monthly intervals (latest June 2023) by the Ministry of Public Works (MPW) in the Government of Timor-Leste (GoTL).
2. Timor-Leste has progressed rebuilding its national infrastructure after years of suffering from conflict and underdevelopment. Physical infrastructure development including the road network is now recognized by the country as a top priority to accelerate its economic development and reduce poverty. The Government of Timor-Leste (GoTL) started implementing the RNUP-AF in 2016 for the 13.5km Aipelu to Bazartete section (Part 1). Subsequently the Bazartete to Tokoluli (Km16+000 to Km32+045 Part 2) section was commenced in 2019. The missing link covering Km13+500 to Km16+000 was included in 2022. All sections are constructed with financial support from EU that is administered by ADB.
3. To minimize the project impact on the communities along the road alignment, the civil works has been confined within the existing road corridor to the maximum extent possible. However, if it will be inevitably necessary to acquire some land and other assets for the introduction of lined ditches and raising of road embankments, which may cause involuntary resettlement impacts and these matters need to be properly mitigated.

B. Project Description

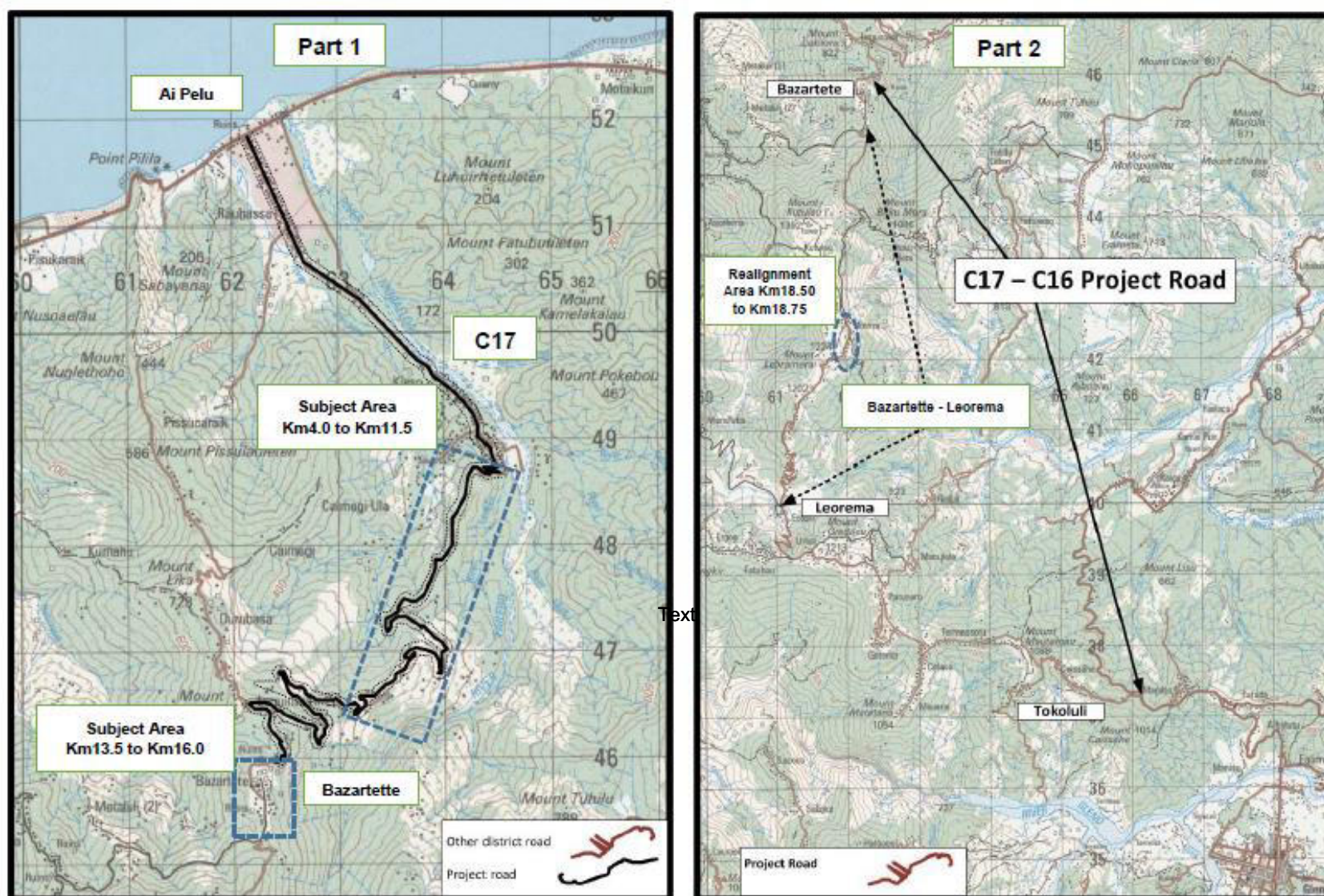
4. The two construction packages for RNUP-AF C16-C17 are Aipelu to Bazartete (Part 1 Km0+000 to Km 13+500) and Bazartete to Tokoluli (Part 2). The Bazartete to Tokoluli section was originally commissioned between Km 16+000 to Km 32+045. A location map of the alignment is presented in Figure 1.1.
5. The subject road (RNUP-AF C16-C17) is located in the central part of the country. It is a road strategically located to help link the municipalities of Liquica and Ermera. The project is aimed at improving travel, business transactions and tourism activity in the area. The Bazartete road section lies within the geographic coverage of the sub-district administrative posts of Bazartete in the district of Liquica.
6. The Bazartete section of existing road will connect several hamlets on the road near the village of Bazartete that are going to be temporarily disturbed in the short term, but better connected by a good road in the long term. Figure 1.1 shows the alignment and Appendix 1 presents photographs taken at a selection of locations. The only villages affected with resettlement impacts are near Bazartete.
7. The resettlement activities, measurement and inventory of losses, local disclosure of the plans, negotiations and agreements for compensation are already largely completed for all but the Bazartete section in line with the provisions of the updated resettlement plan (URP 2019). Whereas there is a need to proceed with this recently handed over section; this SRP must be accepted by ADB before the construction can take place. This SRP is, therefore, submitted to ADB for endorsement in partial fulfillment of the GoTL obligations under the ADB Safeguards Policy Statement (SPS 2009).

Table 2: Affected Village

Sl. No.	SUB-DISTRICTS	Name of Village	Location (Sta.)
1	Bazartete	Fatumasi	13+525 to 16+00
2	Bazartete	Leorema	18+477 to 18+745

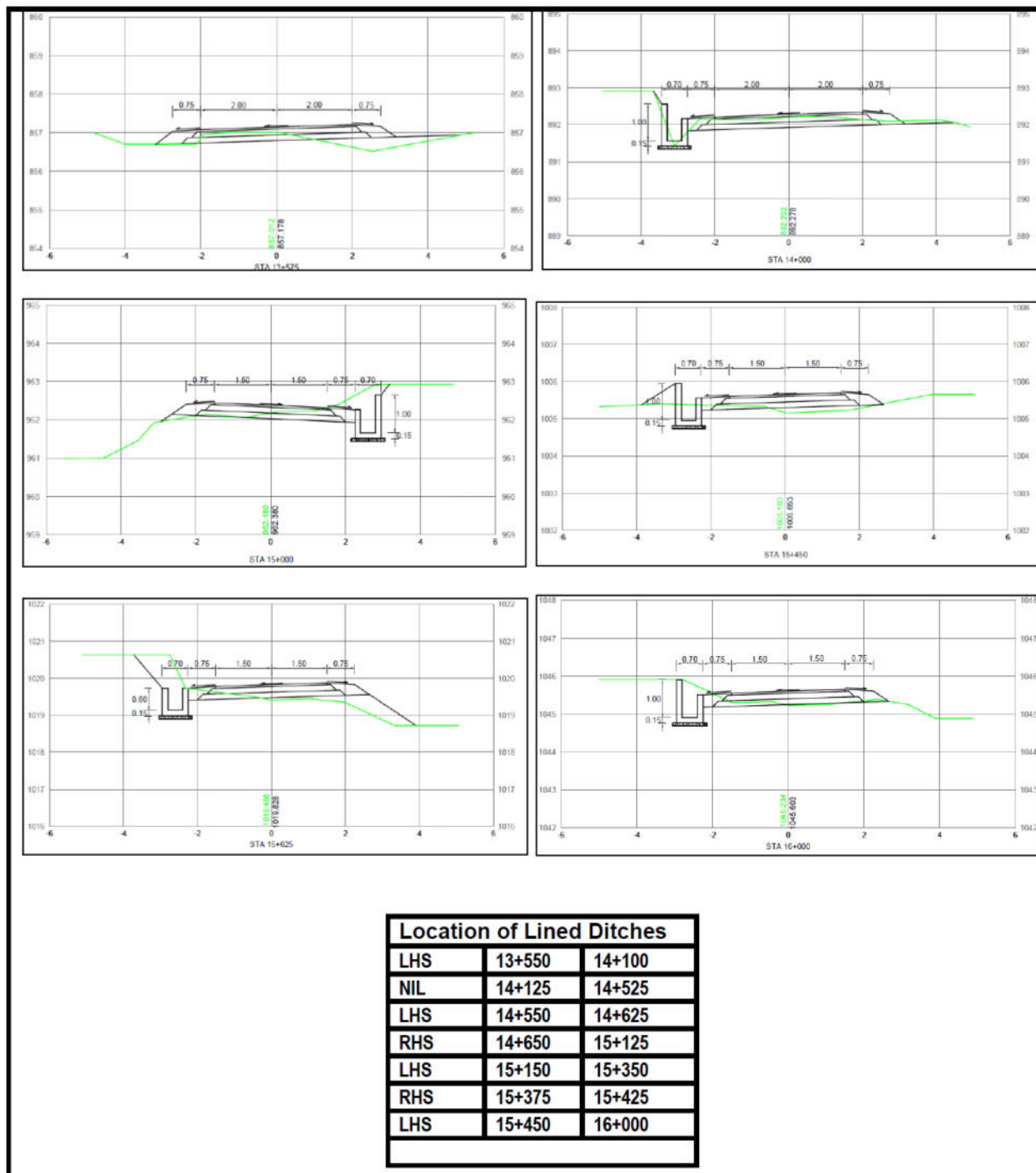
Source: DMS results, September 2023

Figure 1.1 - Location Subject Areas of C17 and C16 Project Road nearby Bazartete



8. Physical implementation of improvement works includes widening of the existing road to achieve the District Road standard with a pavement width of 4m achieved by paving the shoulder on each side of the road. There will be lined ditches in a wider 0.75m on either the left or the right sides from Km13+550 to Km16+000 (Figure 1.2) and a lesser width of about 5m on flat and straight sections. The width will be intermediate on curves, ridge or hillside sections. The improvement works will include construction of drainage (as above) cross pipes (RCPCs at Km13+600, Km13+965, Km14+853, Km15+355 and Km15+880) and stone masonry retaining walls, which may require an additional width in places. Figure 1.2 shows typical cross sections of the Bazartete section of the project.

Figure 1.2 – Cross Sections of C17- C16 Km13+500 to Km16+000 nearby Bazartete



C. Scope and Objective of Supplementary Resettlement Plan (SRP)

9. This Supplementary Resettlement Plan (SRP) has been prepared for the Bazartete village section of the Road Network Upgrading Project C16-C17 Bazartete to Tokoluli (KM13+500 to Km16+000). This recently handed over section of existing road work was previously exempted but is now to be awarded to the established Contractor for Bazartete to Tokoluli. The design has been iterated following principles of avoiding, minimizing and mitigation impacts to avoid resettlement wherever possible as the design has developed.
10. The aim of this SRP is to mitigate all unavoidable negative impacts caused due to the project compensate and resettle the displaced persons and restore their livelihoods. This SRP has been prepared on the basis of assessment of impacts as per identification and verification survey findings and consultation with various stakeholders. The plan complies with the ADB Safeguard Policy Statement- 2009 designed by ADB to protect the rights of the displaced persons and communities. The issues identified and addressed in this document are as follows:
 - Type and extent of loss of land/ non-land assets, loss of livelihood, loss of common property resources and social infrastructure;
 - Impacts on vulnerable groups like poor, women and other disadvantaged sections
 - Public consultation and peoples participation in the project;
 - Existing legal and administrative framework and formulation of resettlement policy for the project;
 - Preparation of entitlement matrix, formulation of relocation strategy and restoration of businesses/income;
 - R&R cost estimate including provision for funds and;
 - Institutional framework for the implementation of the plan, including grievance redress Mechanism and Monitoring & Reporting.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Resettlement Impact

11. The scope of the land acquisition and resettlement impact assessment at implementation stage aims to record and update impact on the settlements and community as per final design in order to document all the impacts on population in the newly handed over length of 2.5km at Bazartete village as well as on the properties and provide a Supplementary Resettlement Plan. The objective of this exercise is to consider all the affected persons and that they receive their entitlements and resettlement benefits.
12. This road section is not usual as the road upgrading works will consist of the usual clearing and grubbing but there are no substantial earthworks or road widening although there may be some minor shape correction at areas where it is considered necessary. There are no retaining walls in this section but there are drainage structures in the form of lined ditches to the left or right and five pipe culverts. The last stage will be sealing with asphaltic concrete pavement. The road will be upgraded to an all-weather-asphalt-surfaced type of road to enable it to carry, at a minimum capacity, fully loaded trucks.
13. Upgrading the road will not involve widening therefore existing structures (house, stores, roadside stalls, fences, and ancillary structures) will not generally be affected but some plants and trees (both fruit bearing and timber) and perennial crops (coffee) are impacted due to lined ditch refurbishment. However there are no rice paddy fields near this location.

B. Scope of Land Acquisition

14. The average requirement will be about 5m width and a maximum of 6m width; including working space either side. The improvement works do not need acquisition of any private land.
15. Regarding the legality of the affected land being under GoTL the TST team are seeking to obtain any relevant valid documents to prove that the affected land is state land which is and the result will be reported in the SRP implementation monitoring report (semi-annual social safeguard monitoring report). If it is found that the land used by the project is private land, compensation at replacement cost on for lost land will be provided to any affected household(s).

C. Summary of Number of Affected Households (AHs) and Affected Persons (APs)

16. Based on the latest identification and verification survey that was carried out up to September 2023, the number of AH is 15 with 75 APs. The list of the AHs and their assets is presented in Appendix-2. The number is based on the actual disturbance that the works will cause during the construction phase. Many of the AHs have multiple impacts while some of them have single impact on trees and plants. Only one stall is affected (Table 3).

Table 3: Number of AHs and APs in the Sub district by Type of Impact

Sub districts	Households with loss of structures only		Households with loss of trees only		Households with loss of structures & trees		Households with Loss of others		Tree+ structures + others		Total	
	1.0	No. of APs	No. of AHs	No. of APs	No. of AHs	No. of APs	No. of AHs	No. of APs	No. of AHs	No. of APs	No. of AHs	No. of APs
Bazartete	0	0	14	70	0	0	0	0	1	5	15	75

Source: DMS results, September 2023.

D. Village wise Details on Impact of Assets and the Number of AHs

17. There are all together 35 AHs and the summary of impacted assets and the number of AHs and APs in terms of single and multiple impacts is presented in Table 4. However the

AHs have no legal right to land and therefore no compensation for land is provided.

Table 4: Summary of Impacts on Assets and the Number of AHs

No.	Name of Sub districts	Name of Village	Single Impact			Multiple Impacts				Total AHs
			Structure only	Tree only	Others only	Structure + Tree	Structure + others	Tree + others	Structure + Tree + Others	
1	Bazartete	Fatumasi	0	14	0	1	0	0	0	15

E. Impacts due to loss of Types of Structures

18. The proposed section will not any main structures but there is one temporary stall (Table 5). There are no other live fences and nothing else with a structural component which require compensation.

Table 5 : Types of Affected Main Structures

Sub districts	Types of Affected Main Structures	No. of affected structures	Affected area (m ²)	No. of AHs (household)	No. of APs (person)
Bazartete	Temporary	0	0	0	0
	Semi-permanent	0	0	0	0
	Permanent	0	0	0	0
	Total	0	0	0	0

F. Impacts on Auxiliary Structures

19. There are no auxiliary structures such as barbed wire fences or cooking stall but there is one roadside stall selling bottles of gasoline, that will be affected (Table 6).

Table 6: Impacts on Auxiliary Structures

	Sub districts	No./Quantity	Types of Affected Structures					Households with loss of secondary Structures	
			Wooden fences	Barbwire fences	Verandas	Cooking Area	Stall	No. of AHs	No. of APs
1	Bazartete	Affected Structures	-	-	-	-	1	1	5
		Area (m ²)					2		

G. Impacts on Categories of Main Structures

20. No main structures will be affected according to the final assessment in Table 7. Only the petrol vendors stall is affected.

Table 7: Impacts on Categories of Main Structures

Sub district	Types of Affected Main Structures	No. of affected structures	Affected area (m ²)	No. of AHs (households)	No. of APs (persons)
Bazartete	House				
	House-cum-shop				
	Stand-alone shop (Store)				
	Stall (road side)	1	2	1	5
	Total	1	2	1	5

H. Magnitude of Impacts on the Structures

21. There is no impact on structures (Table 8).

Table 8: Severity of Impacts

Suco	Types of Affected Main Structures	No. of affected structures	Affected area (m2)	No. of AHs	No. of Aps
Bazartete	House	N/A	N/A	N/A	N/A
	House-cum-shop	N/A	N/A	N/A	N/A
	Stand-alone store/stall	N/A	N/A	N/A	N/A
	Total	N/A	N/A	N/A	N/A

I. Impact on Roadside Stalls

22. The implementation road in the specified section will require the shifting of 1 roadside stall selling bottles of gasoline. The relocation of this small stall further away from the edge of the road will not be difficult and will be quick enough not to cause any economic disruption.

J. Impacts on Other Structures

23. No other properties, such as, live plant fences were are affected.

K. Loss of Businesses

24. No disruption is expected to businesses as explained above that the roadside stall will not be difficult to reposition. The details are as follows:

Table 9: Types of Affected Business

Sub district	General store	Home depot	Stall Vegetable / Fruit	Food Stall	Carpenter shop	Street vendor	Total
Bazartete		-			-	1	1

L. Impact on Vulnerable Households

25. There are 12 vulnerable households that are getting affected. 1 household is a Female Headed Household (FHH). In addition there are another 11 households with low income, classed as poor (income below WB poverty line). All the 12 households are eligible for assistance of \$100/month for 3 months in line with the agreed LIRP arrangements for this and other projects in the PMU portfolio (Table-10). There are no HHs headed by elderly and no HHs headed by disabled persons.

Table 10: Number of Poor and Vulnerable Households

Project Area	Poor households		Female-headed households with dependents		Landless households		Households headed without security of land tenure with no other means of support		Households headed by IP/ethnic group with no other means of support		Total	
	AHs	APs	AHs	Aps	AHs	APs	AHs	APs	No. of AHs	No. of APs	No. of AHs	No. of APs
Bazartete	11	53	1	8	0	0	0	0	0	0	12	61
Total	11	53	1	8	0	0	0	0	0	0	12	61

Source: DMS results, September 2023 N.B. There are NO Households headed by the elderly with no other means of support and NO households headed by disabled with no other means of support

M. Impact on Public Utilities

26. Public utilities will be affected due to construction in this section in the form of 1010 linear meters of water pipelines. The cost of replacement or relocation of these affected public utilities is included in the provisional sum of the main contract (Table 11).

Table 11: Impact on Public Utilities

Type of Public Utility	Quantity	
Water pipeline (crossing the road)	10	l.m.
Water pipeline (along the road)	1	Km

Source: DMS results, September 2023

N. Impact on Plants and Trees

27. A total of 733 privately owned trees, in various species, have to be cut and removed during construction of the lined ditches in the specified section (Table 12).

O. Impact on Crops

28. A total of 15 AHs are losing crops of different categories, such as, Tara/Talas, Cassava/Ai farina, Sweet potatoes, Malus, Areca palm etc. Provision of adequate compensation has been made accordingly.

P. Summary of Impacts

29. Productive species of plants and trees to be compensated for are shown with the summary of impacts in Table 13.

Table 12: Impact on plants and trees

Affected Crop/Trees		Size			Road side		Total
		S	M	L	R	L	
Casava					78	108	186
Tunis					40	13	53
Kontas					5	5	10
Banana					6	7	13
Coffee (Big)				√	89	104	193
Coffee (Medium)			√		41	26	67
Coffee (Small)		√			74	51	125
Papaya					2	3	5
Cacao					12	16	28
Jambero						1	1
Mango				√		1	1
Soursop						1	1
Orange					1		1
Lemon		√		√	1	2	3
Avocado		√		√	2	2	4
Teakwood			√			5	5
Bamboo					3		3
Flowers					13	30	34
							733

Table 13: Summary of all Impacts

No.	Items	Unit	Quantity
A. Affected Stall Temporary		Unit	1
B. Affected Crops/trees			
1	Fruit trees & Vegetables		691
	Cassava	group	186
	Tunis	Tree	53
	Kontas	tree	10
	Banana	tree	13
	Coffee Big	tree	193
	Coffee Medium	tree	67
	Coffee Small	tree	125
	Papaya	tree	5
	Cacao	tree	28
	Jambero	tree	1
	Mango	tree	1
	Soursop	tree	1
	Orange	tree	1
	Big Avocado	tree	2
	Small Avocado	tree	2
	Lemon (L)	tree	2
	Lemon (S)	Tree	1
2	Timber trees		42
	Bamboo	tree	3
	Teakwood < 15 cmd	tree	5
	Flowers	tree	34

Refer Table 1.

The total area of lost private land is zero (0). The total area of government land occupied in the ROW is 1290m²

Source: DMS results, September 2023

III. SOCIO-ECONOMIC INFORMATION AND PROFILE

A. Socio-economic Profile of Displaced Households

30. The socio-economic information of AHs/APs has been extracted from the GoTL census survey or collected during identification and verification activities in the Bazartete section. Key findings are presented in the following section.

B. General Demographic Profile of Project Area

31. The total population in the project influence district and sub-districts are 80,176 while the population of Bazartete town itself is 18,787. The demographic features of the Bazartete area along with district are presented in Table 14 with a comparison to Timor-Leste as a whole.

Table 14: Population Demographics

No.	Parameter/Indicator	Facts and Figures for Districts					
		Ermera	Tokoluli	Liquica	Bazartete	Leorema	Timor-Leste
1.	Total Population	137,750	1773	83,658	33,442	5.821	1,341,737
1A.	Male	70,261	898	42,381	16,959	2.977	681,229
	Female	67,489	875	41,277	16,483	2.844	660,508
1B.	Rural	125,204	1773	79,065	33,442	5.821	958,321
	Urban	67,489	0	4,593	0	0	383,416
2.	Sex-Ratio (Male/100 Female)	104	N/A	103	N/A	N/A	1,446
3.	Average Household Size	5.4	N/A	5.7	N/A	N/A	5.4
4.	10year Growth Rate (%)	N/A	N/A	N/A	N/A	N/A	13.3
5.	Total Geographical Area (Km ²)	759	N/A	561.9	197.8	N/A	14,950.1
6	Density of Population (per Km ²)	181	N/A	149	N/A	N/A	90

Source: Population and Housing Census 2022, Main Report, Timor-Leste N/A not available

C. Ethnicity or Religious Categories of Affected households

32. Social customs and traditions play a major role in determining the socio-economic development as well as occupational pattern in the influence area. In the project road all the 15 AHs are “Tokodedi” and follow Christianity (Catholic) as a religion.

D. Number of Affected Persons (APs) and Household Size

33. A total of 75 persons will be affected by the project implementation in Bazartete area, which includes 32 males and 43 females. The average household size is 5 (Table 15).

Table 15: Number of Project Affected Persons

Sub districts	No. of Affected households (AHs)	No. of Affected Persons (APs)			Persons per household
		Male	Female	Total	
Bazartete	15	32	43	75	5

Source: DMS results, September 2023

E. Monthly Income Level of the Affected households

34. The AHs in the corridor of impact were categorized into three income groups. The 12 or 80% of AH are below the poverty line. As per World Bank data, the poverty rate at national level is about 42%. If we consider the World Bank criteria, earning of \$2.15/person/day is the threshold of poverty. If we consider 2 earning members in the family, a monthly income of less than \$ 130.00 will be the below poverty line (BPL).
35. According to the social survey, the majority of households (12/15) have reported their monthly income below the WB poverty line (80%). The remaining 3 AHs are in the range of \$130 to \$500 per month. Table 16 present the details of income categories of AHs.

Table 16: Average Monthly Income Level of the AHs

Sub districts	Monthly Household Income Ranges						Average monthly Income (USD)
	< \$130		\$130-500		> \$500		
	Number	%	Number	%	Number	%	
Bazartete	12	80	3	20	0	0	200

Source: DMS results, September 2023

F. Age Distribution of Affected Households

36. Of the 15 affected households, 11 heads of the households belong to 19-59 age group. The other household four household heads are over 60 (Table17).

Table 17: Age Distribution of the Heads of Affected Households

Sub districts	Gender	Age Groups			Total No. of Surveyed Household Heads
		Under 19	19 - 59	60 and above	
Bazartete	Male	0	10	2	12
	Female	0	1	2	3
	Total-1	0	11	4	15

Source: DMS results, September 2023

37. Most of the affected head of the households (11 of 15) are of the working age group of 19-59yo (73%), while 27% of affected persons are elderly (age group of 60+). However no households are headed by the under 19 age group.

G. Educational Status of the Affected households

38. Six affected persons attended tertiary education. Of the remaining 9 there were 7 that completed High school and the other 2 passed secondary primary grades. No AHs reported not completing primary education and none are illiterate (Table 18).

Table 18: Educational Status of Affected Households Heads

Sub districts	Gender	Illiterate or not finish primary education		Primary		Secondary		High School		Tertiary Education		Total	
		Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
Bazartete	Total	0	0	0	0	2	13	7	47	6	40	15	100
	Male	0	0	0	0	2	13	4	27	6	40	12	80
	Female	0	0	0	0	-	-	3	20	-	-	3	20

Source: DMS results, September 2023

H. Employment Status among Affected Persons (APs) above 19 Years and Above

39. Most of the affected population (68) is employed. The remaining 7 are of school age (Table 19).

Table 19: People Aged 19 Years and Above with Employment

Sub districts	Gender	Total No. of people (19 years old and above)	Employed people		Seasonal employment or Unemployed		Economically inactive population	
		Number	Number	%	Number	%	Number	%
Bazartete	Total	68	35	51%	33	49%	0	0
	Male	27	14	21%	13	19%	0	0
	Female	41	21	31%	20	29%	0	0

Source: DMS results, September 2023

I. Main Occupation of Employed / Business Household Members

40. About half of the employed population are farmers involved in agricultural activities. Out of total 75 APs, 33 are engaged in agriculture for their livelihood. 35 persons are engaged in business (20) or government service(15). Six persons are employed in private companies and other gainful employment (Table 20).

Table 20: Main Occupation of Employed / Business Household Members

Sub districts	Gender	Persons in Gainful Employment					Total No of Persons in Gainful Employment
		Farmers	Traders/ Business	Govt. Employees	Employees in private companies	Others	
Bazartete	Total (A)	27	20	15	6	-	68*
	Male	10	7	7	3	-	27
	Female	17	13	8	3	-	41

Source: DMS results, September 2023

N.B. * Seven APs are still attending school

J. Assets Ownership of Affected Households

41. Possession of assets and use of modern home appliances indicates that the family has a reasonable standard of living. Possession of television sets, radios and telephone is very common in the affected village. It is observed that all 15 of the affected households possess TV and 2 have radios. Eight households have refrigerators and 14 have electric cookers. There are 28 cell phones available in the affected group. Use of phone/mobile and television has become the major means of communication and considered essential items in the present day especially in remote areas (Table 21).

Table 21: Asset Ownership

Sl. No.	Types of assets	Affected households owning at least one item	
		Number	%
1	Motorbike	5	15.15
2	Bicycle	3	9.09
3	Car	4	5
4	Boat	0	0.00
5	Ship	0	0.00
6	Truck	1	3.03
7	Generator	0	0.00
8	Pumping machine	0	0.00
9	Radio	2	6.06
10	Television	15	39.39

Sl. No.	Types of assets	Affected households owning at least one item	
		Number	%
11	DVD player	0	0.00
12	Telephone (land line)	0	0.00
13	Mobile (smart) phone	28	84.85
14	Electric fan/air conditioner	0	0.00
15	Washing machine	0	0.00
16	Refrigerator	8	10
17	Electric cooker	14	42.42

Source: DMS results, September 2023

K. Main Source of Domestic Water of Affected Households

42. In the Bazartete area, piped water supply is a main source of domestic water but it is available to only eight 8 of the 15 AHs (53%). Other than pipeline, 4 AHs use a protected well and 3 use unprotected well sources of water. Generally the source of the pipeline supply is natural spring from where the water is impounded and diverted into the pipework and is generally flowing at all times (Table 22). At this stage, it is expected that 1010m of water pipes will require to be reprovisioned before the works are constructed.

Table 22: Main Source of Domestic Water

Sub districts	Unprotected sources		Protected well		Piped water		Total	
	Number	%	Number	%	Number	%	Number	%
Bazartete	3	20	4	27	8	53	15	100%

L. Access to utilities and facilities

43. About eight years ago the government extended and upgraded the power grid, since then affected village in the area near Bazartete has 100% access to electricity. At this stage, it is not expected that any steel or 2 concrete poles carrying power cables will need to be moved to accommodate the work.

M. Community Preferences

44. The specified section is part of Bazartete to Tokoluli section and moderate condition. The communities around most of the projects have previously expressed preference to be paid in cash in hand for compensation but the GoTL requirements are that compensation must be paid into a bank account, the method that GoTL has used on all ADB projects in the portfolio so far.

IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

A. Identification of Stakeholders in the Project

45. Consultations with various stakeholders were carried out at specified locations during project preparation and during implementation of Updated Resettlement Plan (2019) and more recently in the Bazartete area (2023). The stakeholders in the newly handed over area of Bazartete village are both primary and secondary. The primary stakeholders are project affected households (AHs), project beneficiaries, executing agency, implementing agency especially the officials of PMU, MPW. The secondary stakeholders include the District officers, the Revenue Officials, suco/village and aldeia/hamlet chiefs, and communities in the area.

B. Methods of Public Consultation

46. During the course of the social impact assessment survey consultation meetings were held to inform the communities and population about the positive as well as negative impacts of the road improvement scheme. Two main Public Consultation sessions were held in June 2021 and August 2023 with the affected households and at the municipal offices with other stakeholders including suco chiefs, head of households, women's groups, farmers and store/stall owner etc. These meetings helped to gather wider public input from both the primary and secondary stakeholders.

C. Scope of Consultation

47. The following objectives were met during the consultation process:
- determine the views of the affected persons, with reference to the project, road alignment and resettlement impacts. Understand views of the community on resettlement rehabilitation options;
 - identify and assess the major socio-economic characteristics of the suco/aldeia to enable effective planning and implementation;
 - obtain opinion of the community on issues related to the impacts on community property and relocation of the same;
 - examine affected persons opinion on problems and prospects of road related issues;
 - understand concerns and expectations specific to women, vulnerable groups, the business community, and farmers
 - identify the overall developmental goals and benefits of the project.
 - disseminate the cut-off date

D. Public Consultation in the Project Influence Area

48. The public consultations activities were held along the project corridor during social assessment of the impacts. This SRP has therefore been prepared in consultation with key local and national stakeholders. Importance was given to consult the leaders of local communities, particularly the suco /village and aldeia/hamlet chiefs, along the project corridor to receive their support in project implementation. The details of consultations, undertaken in supplementing the RP, are summarized in Table 23 and Appendix 3.
49. These public consultations were intended to ensure peoples' participation during planning and implementation. Intermittent public consultations provided communication to integrate the peoples concern during implementation within the project review. Aiming at promotion of public understanding and fruitful solutions of developmental problems such as local needs and problem and prospects of resettlement, various sections of affected persons and other stakeholders were consulted through general public consultation meetings and one-to-one interviews.

Table 23: Matrix of Consultation Activities Conducted during the SRP Validation

Stakeholder Category	Activities Undertaken
District and sub district Level	<i>Consultation with: (i) Municipal Administrator of Bazartete; (ii) Administrators of Administrative Post of Bazartete; (iii) Director of the DLPCS of Liquica; and Ermera(iv) Senior technicians, Liquica water and sanitation service</i>
Suco/Village Chief	<i>Consultation with the Suco chief at the project area</i>
Aldeia/Hamlet Chief	<i>Consultation with concerned Hamlet/Aldeia's chief under the above mention Sucos/villages.</i>
Villagers/Community	<i>Public Consultation Meetings (PCM) with all of the community who are residing along the roadside.</i>
Individual households	<i>Interviews with the heads of AP's and HHM's</i>
Special Interest Groups	<i>Discussions with farmers and store owners</i>

50. The details of public consultation and number of participants in the public consultation meeting (PCM) is summarized in Table 24. Details are presented in **Appendix 2**.

Table 24: Scheduled Formal Public Consultations

Sl. No.	Suco / Aldeia Name	Sub-districts	Date	Number of Participants		
				Male	Female	Total
1	Bazartete	Bazartete	5/9/2023	18	14	32
2	Bazartete	Bazartete	11/6/2021	13	3	16
Total				31	17	48

Source: DMS results, September 2023

E. Public Consultations and Key Issues

51. While conducting the public consultation, the attention was given to the directly affected persons and their community in order to understand their perception towards the project design and benefits, their expectations, and to create awareness among the affected population regarding their entitlement, compensation payment procedures, and grievances redress mechanism. In the process of considering mitigation measures, their suggestions have been taken into account to avoid negative impacts to the possible extent.
52. The main issues concerning the project impacts and AP expectations and their suggestions on mitigation measures appeared more or less similar. The key local and national stakeholders that were consulted on the project include: (i) local individuals and communities; (ii) special interest groups (women, farmers, small traders, landless); (iii) government authorities and public sector agencies etc.
53. 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 (Table 25).

54. The participants of the public consultation are anticipating that the project will lead to substantial improvement of infrastructure and services accessing their area. They requested for improving connectivity, creating jobs, increasing ease of movement of agricultural produce and indirectly reducing poverty.
55. The AHs who will be directly affected were supportive of the project. They were actively participating in the consultation process and responding to various queries about their preferred type of compensation. They expressed their support with the expectation of getting a fair compensation for their affected assets.

Table 25: Key Issues and Responses during Interaction and Consultation

Ref. No.	Issue	Response
1	Land purchase, negotiated compensation and livelihoods.	Responsibility for compensation determination (MPW/PMU, DLPCS, valuation expert, supervision consultants or a compensation committee); whether compensation rates (e.g., for land) will be at the current market prices;
2	Cut-off Date	The cut of date of this project is the date that the Details Measurement Survey (DMS) for all affected individuals/households was completed it is 8 September 2023 The cut-off date has been announced publicly by PMU together with the local authorities during public consultation meetings. Any people who settle in the project area after the cut-off date will not be entitled to compensation and assistance under the Project.
3	Compensation for non-titleholder	As mentioned above
4	Compensation for partial impacts	Compensation will be as per the entitlement matrix devised for the project and valuation done by Valuation expert as mentioned in responses above
5	Services and religious/cultural sites	Impact on religious structures will be dealt with on a case to case basis. Owner of the property will be consulted and compensation / relocation as per the wishes of the owner and the community will be undertaken
6	Employment opportunities	Contractor shall hire workers based on the skill level and requirement. Priority will be given to the local people while providing employment
7	Community attitude	Thanked community for overwhelming support
8	Views of APs and AHs.	Discussion resulted in determining the type of compensation desired. Accordingly, the process was fixed as – compensation at market value
9	Impact on existing public sites, such as Local Market	Coordination with local authorities/community leaders will be conducted to discuss the best approach for resettlement of affected assets.
10	Impact on existing electric supply (including water pipes/tanks, pipe stands)	The PISC and the Contractor will directly coordinate with the owners of public utilities along the width of road alignment so that the operation of these services will not be hampered for a long period of time.

Ref. No.	Issue	Response
10	Other Issues	- The AH will receive their compensation through their BNCTL bank account. AH were encouraged to open a joint account if they still don't have one. The process flow of compensation payment was explained during the consultation. - Compensation will be paid prior to impacting the structure or removal of plants / trees - Project will be able to ensure only relocation but employment to same employees cannot be guaranteed by the project

Source: DMS results, September 2023

F. Information Disclosure

56. A summary of this SRP will be translated into local language and made available to the affected people and community by the Executing Agency (EA). Copies of SRP will be made available at the local level public offices at Bazartete and suco chief offices. Local stakeholders have already given their inputs in consultations and indicated full support for implementation work. Accordingly local inputs have been incorporated prior to the continuation of civil works. The final SRP will be sent to ADB for approval and disclosure on the ADB Website.
57. It is very unlikely that there will be a further any change in design at specified location, however, if changes occurs a re-evaluation and updating of this SRP will be made as necessary during implementation and incorporated into the final URP for the whole project in due course. This SRP will be disclosed to the AHs as well as uploaded on the MoF website (MPW website if available) ADB website after ADB review and approval.

G. Plan for further Consultation in the Project

58. The effectiveness of the SRP program is directly related to the degree of continuing involvement of those affected by the project. Several additional rounds of consultations with AHs will form part of the further stages of project preparation and implementation. The implementing Consultant will be entrusted with the task of conducting these consultations during SRP implementation, which will involve disclosure on compensation, assistance options, and entitlement package and income restoration measures suggested for the project. The consultation will continue throughout the project implementation period. The following set of activities will be undertaken for effective implementation of the SRP:
- In case of any change in engineering alignment planning the AHs and other stakeholders will be consulted in selection of road alignment for minimization of resettlement impacts, development of mitigation measures etc.
 - Together with the Consultant, the PMU will conduct information dissemination sessions in the project area and solicit the help of the local community/ leaders and encourage the participation of the AP's in Plan implementation.
 - During the implementation of SRP, the Consultant will organize public meetings, and will appraise the communities about the progress in the implementation of project works, including awareness regarding road construction.
 - To make reasonable representation of women in the project planning and implementation, women have been involved in consultation and encouraged to participate in the project.

59. Table 26 presents the Communication and Disclosure Plan (prepared by PMU/Consultant) for the project.

Table 26: Communication, Disclosure and Payments Plan

Action	Details	Responsible
Public Notification	Notify eligibility cut-off date for NTH (Sept 2023, Completed)	PMU / Consultant
Consultative meetings during joint measurement survey	Face to face meetings with AHs (completed August-Sept 2023)	PMU / Consultant
Distribution of R&R booklet	Prepare R&R information leaflet and distribute to APs (October 2023)	PMU / Consultant
Internet disclosure of the RP	Post SRP on ADB and/or EA website (target October 2023 – GoTL depending on new government provisions)	ADB/PMU
Disclosure of Supplementary RP	Disclosure after joint measurement survey (October 2023)	PMU / Consultant
Confirm compensation agreements	AHs sign agreements based on agreed SRP rates (October 2023)	PMU / Consultant
Compensation Payment	Payment of Compensation November/December 2023	PMU/MOF
LIRP	Target LIRP payments included with compensation payment	PMU/MOF

LEGAL FRAMEWORK

A. Introduction

60. This SRP is based on ADB's Safeguards Policy Statement as well as the Timor-Leste's applicable/domestic policy instruments and laws, likewise, in consonance with the provisions of the Resettlement Framework (RF) that has been formulated for all ADB funded projects to mitigate adverse impacts.

B. ADB Social Safeguards Policy

61. ADB SPS,2009 provides comprehensive guidance in complying with the requirements of involuntary resettlement and indigenous people of the project. The SPS contains three important elements as follows:
- Compensation to replace lost assets, livelihood and income;
 - Assistance for relocation including provision of relocation sites with appropriate facilities and services;
 - Assistance for rehabilitation to improve or achieve at least the same level of well-being at pre-project level.
62. The objectives of the involuntary resettlement policy are: (i) avoid involuntary resettlement wherever possible; (ii) minimize involuntary resettlement by exploring project and design alternatives, if involuntary resettlement is unavoidable; (iii) enhance, or at least restore, the livelihoods of all affected persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.
63. The policy requires provision of support and assistance for those who lose their land, assets or livelihood due to land acquisition or restriction on access/ land use. Resettlement planning is designed to provide APs/AHs with a standard of living equal to if not better than that which they had before the project. The policy is guided by the following principles:
- Involuntary resettlement is to be avoided or at least minimized;
 - Compensation must ensure the maintenance or improvement of the APs/AHs pre-project living standards;
 - APs/AHs should be fully informed and consulted on compensation options;
 - APs/AHs socio-cultural institutions should be supported/used as much as possible;
 - Compensation will be carried out based on existing market price and 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 given to households headed by women and vulnerable groups such as indigenous people and ethnic minorities. Appropriate assistance should be provided to help them improve their status
 - Land acquisition and resettlement should be conceived and executed as a part of the project. The full costs of compensation should be included in the project costs; and
 - Compensation/rehabilitation assistance should be paid prior to ground leveling and demolition and in any case before an impact occurs.

C. Existing Policy and Legal Framework of GoTL

64. The Expropriation Law of Timor-Leste is generally applicable to decide the compensation and assistance due to land acquisition and resettlement impacts in Timor-Leste. The legal basis for declaring the right of way outside the current road footprints has not been neither established nor delineated. When road works required land in the past, the Government negotiated with the owners or users including informal settlers 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.
65. The following describes relevant policies, entitlements and eligibility for compensation and other resettlement entitlements:
66. **National Policies and Legislation.** Section 141 of the Constitution of the Democratic Republic of Timor-Leste (RDTL) states that the ownership, use and development of land as one of the factors for economic production shall be regulated by law and Section 54 of the Constitution covers the right to private property and states that prescribes:
 - 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
67. 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 established by the Directorate of Land, Property and Cadastral Survey (NDLPCS) 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.
68. Decree Law 6 / 2011 is the decree issued by the Government in February 2011 that provides for granting compensation to relocate unlawful occupants of State property based on humanitarian considerations. The Ministry of Justice (MOJ) through Ministerial Decree will establish the basis for calculating compensation.
69. Decree Law 27 / 2011 was promulgated in July 2011 allowing private property rights registration by 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' program¹, which has been limited to urban areas.
70. Decree Law 10 / 2011 Civil Code promulgated in September 2011, which has come force in March 2012 includes a section that governs day-to-day land decisions such as the sale and lease of land. The following three legislations relating to land:
 - The Transitional Land Law would decide who owns what land and in the case of conflicting claims, who has the strongest right to the land;

¹ Project "Ita Nia Rai", seeks to strengthen property rights in Timor-Leste, and the start of the gathering of cadaster information through the Country, the most relevant component of project "Ita Nia Rai". Is a strategic document for the Justice sector because it will contain the Government's strong effort regarding the improvement of the services allocated to the National Directorate of Lands, Properties and Cadaster Services Together with the gathering of cadaster information and the drafting of relevant legislation in terms of property rights

- 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 would provide compensation as determined under the other laws.
71. Decree Law No. 8 – 26th April 2017 is the Expropriation Law and is the most current and relevant law pertaining to involuntary land acquisition and compensation, however, the GoTL still has not established nor delineated and officially declared the Right-of-Way outside the current road footprints. In the absence of these specific declaration, when a land is required for a road project development, concerned parties under the direction of local authorities and NDLPCS at the municipal level meets and negotiates to reach fair compensation rates, total compensation amount and the procedures or mechanism for compensation and transfer.
72. Decree Law No. 13 – 5th June 2017 is the Transitional Land Law was enacted to help decide who owns what land and in the case of conflicting claims, who has the strongest right to the land. The Real Estate Finance Fund would provide compensation as determined under the other laws.
73. The Government Resolution No. 24/2022 dated in August 2022 regulates the compensation unit rates for affected lands and assets for the Project **Appendix 4**

D. Comparison of Government and ADB Policies

74. The applicable National Policies and Legislation of Timor-Leste and ADB's SPS Policy (2009) have been compared. The outstanding differences between the government and ADB policy is the establishment of a cut-off date for compensation or entitlements to non-title holders. The National Policies and Legislation of Timor-Leste didn't specify the right of non-titleholders. This gap has been bridged by incorporating the cut-off date for non-titleholders as the end date of census survey which is provided in the entitlement matrix. The policy gap analysis is presented in **Appendix 5**.

E. Project Resettlement Frameworks for ADB Project

75. Legal and policy framework on resettlement in Timor-Leste has been compared with the requirements of ADB and some gaps have been identified. The differences and the gap-filling measures required are then incorporated into the identification of APs/AHs, their eligibility to compensation and entitlements and other resettlement assistance. The resettlement policy principles for the project are as follows:
- a. The constitution gives the power to the state to expropriate land for public purposes paying due compensation in accordance with the law. The Expropriation Law is one of the three pieces of legislation relating to land that are awaiting parliamentary approval.
 - b. 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 NDLPCS will identify and establish ownership claims for the land parcels required for the project roads.
 - c. 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 NDLPCS for valuation of affected assets to determine fair compensation at replacement cost to APs.
 - d. Resettlement impacts will be minimized through careful engineering
 - e. 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 option and socioeconomic 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.
 - f. The APs will be identified and recorded as early as possible in order to confirm

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.

- g. Eligible APs are entitled to compensation and livelihood rehabilitation measures sufficient to assist them to improve or at least maintain them pre-subproject living standards, income earning capacity and production levels
- h. 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.
- i. 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.
- j. Lack of formal legal rights to assets lost will not deprive any AP from receiving compensation and payments for non-land assets and entitlements.
- k. 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 maybe a minority in specific locations. Appropriate assistance will be provided to help them improve their socio-economic status.
- l. The concerns of women will be identified based on gender disaggregated socio-economic data, separate discussion 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 assistance of national NGOs currently engaged in women's welfare will be sought.
- m. 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 people's plans. To ensure that the different language groups fully participate in planning and implementing resettlement in the relevant languages. RPs will also and disclosed appropriately in relevant languages. RPs will also include provision for any special measures that may be required.
- n. Resettlement planning decisions will be preceded by 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 implantation.
- o. 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, non-physical assets such as lost income from productive assets or jobs will be calculated at replacement cost and included in the RP.
- p. APs losing only part of their physical assets will not be left with a proportion inadequate to sustain their current standard of living. Therefore s minimum size will be identified and agreed upon during the resettlement planning process.
- q. A grievance redress mechanism linked with existing traditional formal and informal systems and cognizant of cultural requirements will be establish to solve resettlement related disputes and complaints from APs.
- r. 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 pre-project levels.
- s. The full cost of land purchase and resettlement will be included by the government in

project cost and adequate budgetary provision shall be made available during implementation.

- t. All land purchase, compensation resettlement activities will be satisfactorily completed and the subproject areas cleared of all obstructions before the commencement of civil works.
- u. 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 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 project level. All compensation will be based on 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 cost of compensation, relocation and rehabilitation, social preparation and livelihood programs. The budget will also include the cost for planning, management, supervision, monitoring and evaluation, land taxes and 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.

F. Gender Awareness Strategy and Plan

76. GBV/SH awareness training has been made by the gender Specialist in PMU at six monthly intervals. It is included for the main RNUP-AF C17-C17 project and will be extended to the Bazartete section. To date four training sessions have included workers, Contractor, PISC and PMU management, local students and teachers. Sessions have taken place at six monthly intervals and will continue in 2023/2024. Active participation of men and women in resettlement activities will include participation in assessment, consultations, monitoring, and LRP. The project includes the following specific actions to address gender issues:
 - (i) Both men and women participated in and will continue participating in public meetings during consultation for the preparation and implementation of the SRP.
 - (ii) Women will be given equal opportunity in getting hired for skilled/unskilled work and receive equal remuneration for the same work by the men.
 - (iii) Female-headed households with dependents are considered as VAHs and eligible to additional assistance as other VAHs. For married AHs, both wife and husband need to sign the compensation receipts.
 - (iv) The SRP will be consolidated through meaningful consultations with AHs, including separate FGDs with eligible women in the AHs so appropriate activities can be developed and implemented for eligible affected women.
 - (v) Special assistance for female heads of households or elderly women during relocation or temporary displacement including (i) assistance in sourcing a contractor to support repair/construction of affected structures; (ii) physical assistance to secure salvageable

materials from the affected structures; and (iii) physical assistance with the relocation process for female-headed households and elderly/disabled-headed households that are required to be physically displaced.

- (vi) Disaggregated monitoring indicators by gender will be developed for monitoring social benefits, economic opportunities, livelihood, and resettlement activities as well as in the restoration of livelihoods and living standards during post-project implementation.

V. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. Introduction

77. The legal and policy framework on resettlement in Timor-Leste has been compared with the requirements of ADB and some gaps have been identified as summarized in Appendix 5. The gap-filling measures required to resolve its differences and those measures then are incorporated into the identification of APs/AHs, their eligibility to compensation and entitlements and other resettlement assistance .

B. Project Resettlement Framework and Entitlements

78. The entitlements established for the project are as follows:

- i. **Loss of land:** The Constitution gives the power to the state to expropriate land for public purposes paying due compensation in accordance with the law, however, the cost of the land will be paid at replacement cost for the project considering ADB safeguards Policy. Due to absence of land market in rural areas that poses a challenge to determine the market or replacement value of the affected land, NDLPSCS will determine the value of affected assets and fair compensation at replacement cost to APs. PMU will assist the NDLPSCS for valuation of affected assets to determine fair compensation at replacement cost to APs.
- ii. **Loss of Structures:** Loss of structures will be compensated at replacement value with other assistance to both titleholders and non-titleholders. Compensation for structure at the replacement cost to be calculated as per estimation based the Model Computation of latest prevailing basic schedules of rates without depreciation. Compensation for loss of structures is presented in **Appendix 5**.
- iii. **Loss of Trees:** Cash compensation for perennial crops and fruit bearing trees based on the average production years recommended by the Ministry of Agriculture and Fisheries (MAF). Cash compensation equivalent to prevailing market price of timber for non-fruit trees.
- iv. **Loss of Crops:** Provision of 60 days' notice to harvest standing seasonal crops. Cash compensation for crops (or share of crops) equivalent to prevailing market price.
- v. **Loss of Paddies:** Compensation for rice paddies equals to the current market price of its annual yield for 3 years.
- vi. **Loss of Livelihood:** Loss of primary source of income will be compensated through rehabilitation assistances. Assistance for lost income will be one-time payment of \$100 for a period of 2 months and \$50 for stores and roadside "temporary" stalls respectively for semi-permanent and permanent stores.
- vii. **Additional Compensation for VAHs:** 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. An additional subsistence allowance equivalent at \$100 for 3 months for loss of productive land or structure will be given. Vulnerable households will be given priority in any employment required for the project
- viii. **Special Assistance for SAHs:** SAHs are entitled to receive a special assistance of \$100/month for 3 months, on top of all other entitlements. They will also be given preference in local employment during construction and routine maintenance of the road

C. Entitlement Matrix

79. All compensation and other assistances² will be paid to all AHs prior to commencement of civil works. After payment of compensation, AHs would be allowed to take away the materials salvaged from their dismantled houses and shops and no charges will be levied upon them for that. Costs of salvaged materials will not be deducted from the overall compensation amount. A notice has been issued that AHs can take away the materials.

² While compensation is required prior to dispossession or displacement of affected people from their assets, the full resettlement plan implementation, which may require income rehabilitation measures, might be completed only over a longer period of time after civil works have begun. Displaced people will be provided with certain resettlement entitlements, such as land and asset compensation and transfer allowances, prior to their displacement, dispossession, or restricted access.

Table 27: Entitlement Matrix for Bazartete Section (1.5km) (AHs and APs in parentheses)

Type of Loss	Entitled Persons	Details of Entitlements
Permanent Agriculture land Productive Land:	Title holders/ recognized or recognizable claims under national laws	- Subsistence allowance at \$100 per month³, for 3 months if the residual land is not viable (land acquired is 75% or more of the total land holding of the title holder) - Subsistence allowance at \$100 per one month if residual land is viable - All fees, taxes and other charges, as applicable under relevant laws incurred in the relocation and resource establishment are to be borne by the project - Additional compensation for vulnerable households (item 5) 60 days of notice for agricultural lands to harvest standing crops. If notice cannot be given, compensation for share of crops will be provided. Refer to item 4 for other applicable compensation
Permanent loss of residential/ commercial structures.	Owners of structure	- Cash compensation equivalent to replacement value of permanent structure (\$110-\$200/sqm), Semi-permanent (\$80-\$150/sqm) and Temporary (\$50 - 80/sqm) of structure (or part of structure) without depreciation - Subsistence allowance of \$100/month of up to 2 months for affected residential/commercial structure - Transportation⁴ allowance equivalent to \$ 100⁵ - Right to salvage materials from the demolished structure without deduction from their compensation - Additional compensation for vulnerable households
Permanent loss of residential / commercial structures	Informal settlers/squatters/no n-tilted APs	- Cash compensation equivalent to replacement value of permanent structure (\$110-\$200/sqm), Semi-permanent (\$80-\$150/sqm) and Temporary (\$50-80/sqm) of structure (or part of structure) without depreciation - Subsistence allowance of \$100/month of up to 2 months for affected residential structure (Item 3 for income loss from affected business)⁶ \$100 transportation allowance⁷ - Salvaged materials which are free of cost without deduction from their compensation - Additional compensation for vulnerable households (item 5)
Permanent loss of Ancillary ⁸ structures	Owners / Squatter of structure	- Cash compensation equivalent to replacement value of permanent structure (\$100/sqm), Semi-permanent (\$65/sqm) and Temporary (\$15/sqm) of structure (or part of structure) without depreciation - Cash compensation equivalent to replacement value of permanent fence (\$50/L.m) and Temporary fence (\$10/L.m) - Right to salvage materials from the demolished structure without deduction from their compensation
Income from business	Business owners, vendors (1 AHs 5 APs)	- Assistance for lost income based on minimum two months average income or - One-time payment of \$50 for temporary stalls and minimum of 2 months income lost, based on average monthly income, for semi-permanent and permanent kiosks - Additional compensation for vulnerable households (item 5)

³The cost per square meter of land came from NDLPSCS⁴ The allowance is only applicable if there is a physical relocation of structures.⁵ The allowance is only applicable if there is a physical location of structures.⁶ The allowance is only applicable if there is a physical relocation of structures.⁷ The allowance is only applicable if there is a physical relocation of structures.⁸ Ancillary (Toilet, Kitchen, Fence or Garage) based on GoTL New Resolution Rates No.24/2022

Type of Loss	Entitled Persons	Details of Entitlements
Loss of crops	Claimant of the affected crops (6 AHs/ 34 APs)	- Provision of 60 days' notice to harvest standing seasonal crops. If harvest is not possible, cash compensation for crops (or share of crops) equivalent to prevailing market price - One-time compensation will be given as seed capital for the next cropping season
Loss of trees	Claimant of the affected trees (12 AHs/ 54 Aps)	- Cash compensation for perennial crops and fruit bearing trees based on annual net product market value multiplied by 3 years⁹ - Cash compensation equivalent to prevailing market price of timber for non-fruit trees
Loss of paddies	Claimant of the affected paddies	Compensation for rice paddies equals to the market value of its annual yield for three (3) years¹⁰
Impact on vulnerable APs	Vulnerable (VAH) identified by IOL (12 AHs / 61 APs)	- Additional subsistence allowance equivalent at \$100 for 3 more months for loss of land or structure - Landless/vulnerable APs will be assisted to find an alternative land/plot - One-time rehabilitation grant in the form of productive assets(e.g. seeds and planting materials) for loss of residential and commercial structures¹¹ - Vulnerable households will have priority in any employment required for the project
Unforeseen impact	Concerned persons affected	Unforeseen impacts will be documented and mitigated based on the government, ADB SPS (2009) safeguards policy

D. Cut-off Date for Entitlement

80. The Cut-off date is the date set to determine eligibility for compensation and assistance under the Project. The cut-off date for this Project is the date that the DMS for all affected land and assets of individuals/households within the project' area and the census on the AHs were completed – **it is 08 September 2023**. The cut-off date has been announced publicly by PMU together with the local authorities during public consultation meetings. Any people who settle in the project area after the cut-off date will not be entitled to compensation and assistance under the Project.

⁹ Based on the average production years recommended by GoTL New Resolution Rates No.24/2022

¹⁰ Based on the GoTL New Resolution Rates No.24/2022

¹¹ Productive assets will be determined during the IOL and if found that affected assets is the main source of income of APs.

RELOCATION OF HOUSING AND SETTLEMENTS

A. Basic Provision for Relocation

81. The EA will normally provide adequate and appropriate cash compensation at full replacement cost for the lost structures, adequate compensation for partially damaged structures, and relocation assistance, according to the Entitlement Matrix. However there are no such structures to be compensated. The EA will compensate to the non-titleholders for the loss of assets other than land, such as dwellings, and also for other improvements to the land, at full replacement cost. The entitlements to the non-titleholders will be given only if they occupied the land or structures in the project area prior to the cut-off date. In the case of physically displaced persons, the EA will provide:
- Cash compensation equivalent to replacement value of structure (or part of structure) without depreciation.
 - Subsistence allowance of \$100/month of up to 2 months for affected residential structure (Item 3 for income loss from affected business)
 - Salvaged materials which are free of cost without deduction from their compensation

B. Relocation and Compensation Option by DPs

82. Relocation is not an issue for this sub project as no households will be displaced.

C. Relocation Strategy

83. There is no relocation.

VI. INCOME RESTORATION AND REHABILITATION

A. Loss of Livelihood in the Project

84. The details of eligibility for LIRP are shown in Table 10 with 12AH for LIRP based on being poor households, There are no FHHs and EHH. The potential impact on livelihoods is limited to only one household where the gasoline stand must be relocated (Table 28)

Table 28: Loss of Livelihood in the Project

Sl. No.	Sub-districts	Category of AHs		Impact on livelihood	%age
		Permanent loss of Income losing commercial structures	Temporarily loss of Income/ Disruption of Economic activities		
1	Bazartete	-	1	1	7

Source: DMS results, September 2023

B. Income Restoration Measures

85. All compensation will be based on replacement value.
86. AH of business structures will be provided with a one-time additional compensation for the income they lost as a result of not being able to operate their business operation during the project implementation. One-time payment of \$100 for a period of 2 months and \$50 for stores and roadside “temporary” stalls respectively. One temporary stall will receive \$50.
87. Income and livelihood restoration program will be provided should there be any significant impacts to the affected persons, which will disrupt their income source and livelihoods. It will be ensured that affected persons will be able to maintain their income at pre-project level and for vulnerable groups should require improvement or enhancement of their income level above the poverty line.
88. AH of plants and trees that will need to be cut and removed will be compensated based on the value at market price set by the MAF. Compensation for fruit and other trees will be made depending on the species, current yield, and expected life.
89. The road construction will require several unskilled laborers for earthworks, road embankment as well as other related works. PMU will encourage contractors to give preferential employment on the HHM of the AH, preferably the women members.
90. Routine maintenance of the improved road will also provide employment opportunity to local communities and preference will also be given to AH particularly the vulnerable groups such as the poor and women-headed AH.
91. SAH and VAHs are entitled to receive a special assistance of \$100/month for 3 months, on top of all other entitlements. According to the DMS results, a total of 12 AHs (with 61 APs) are eligible to participate in income and livelihood restoration program.

VII. GRIEVANCE REDRESS MECHANISM

A. Government Policy for Grievance Redress

92. The GRM from the URP will be extended to the Bazartete section. The Constitution of Timor-Leste gives the right to its citizens to be compensated if their property is used for public purposes. According to Section 54 of the Constitution “requisitioning and expropriation of property for public purposes shall only take place following fair compensation in accordance with the law”. The first land law of Timor-Leste was promulgated in March 2003 and was designed to serve as an umbrella law for the rest of the land and property regime. However, there are uncertainties over the boundaries of state land overlapping claims of customary law on land ownership.
93. Another problem with the land law is that a substantive number of parcels of land have yet to be registered. The absence of active land market in rural areas also poses a challenge to determine the fair market value or replacement value of affected land. As a result, the government policy for grievance redress will not probably be adequate as required by the Safeguards Policy Statement, thus, a substantial GRM must be in place. The GRM is needed to address the grievances of the APs/AHs based on traditional conflict resolution method, an approach found to be applicable and effective in other projects.

B. Proposed Grievance Redress Mechanism

94. It is anticipated that three categories of grievances on projects with involuntary resettlement impacts are related to:
 - a) land and associated assets;
 - b) compensation rates, measurements, delays in payments, and
 - c) impacts during project implementation.
95. It is important to deal effectively with the APs or heads of AHs concern pertaining to these categories of grievances, thus, in order to address disputes and resolve complaints from APs/AHs, a simple and accessible, transparent and effective GRM has been put in place. Courts should be the last recourse.
96. The PMU's Project Manager will be the focal person for receiving and resolving grievances from APs/AHs.
97. GRCs will be set up at the sub-project level if grievances cannot be resolved informally at the project level. The GRC will be based on the local administrative units (Municipal/Administrative Post/Sucos/Aldeias) to make it accessible to APs /AHs. The GRC will make sure that there will be a proper presentation of grievances, conduct of impartial hearings and transparent decisions. The decisions of the GRC will be published on official gazette after giving due notice to MPW. A female member of the GRC is required to participate in hearings, if the aggrieved APs are also female.
98. The local authorities, Suco and Aldeia Chiefs, and recognized civil society leaders play a major role in the grievance redress process.
99. On land matter the Ministry of Justice (MOJ) assisted by NDLPSC will resolve any conflicts in accordance with the provisions of the Expropriations Act. Ita Nia Rai's¹² 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.
100. AHs/APs will be informed that they have the right to file complaints to the Grievance and Redress Committee (GRC) on any aspects as mentioned in the above categories that are related to resettlement benefits, relocation of structures and other assistance other than disputes relating to land ownership rights through public consultations and during distribution of public information booklets. It must be pointed out that this committee does

¹² 'Ita Nia Rai' has been explained in chapter "legal Framework"

not possess any legal mandate or authority to resolve land issues but rather acts as an advisory body or facilitator to resolve issues between the APs/AHs and the MOJ/MPW/PMU. At any rate, the

101. GRC will review all their grievances. The GRC will not handle complaints on ownership or other suits already elevated to the judiciary courts.
102. APs/AHs will not be liable for any costs associated with resorting to the grievance redress process. Any such costs will be reimbursed by the project. The APs/AHs has the right to seek for final recourse through Timor-Leste's legal channels if they are unsatisfied with the resolution of their grievance at the GRC level. However, effort will be exerted to avoid this. Should the APs/AHs want to pursue legal recourse, MPW in association with PMU-Environment and Social Unit (ESU) thru the assistance of the PISC shall ensure that support is given to the APs/AHs. **Table 29** summarizes the grievance redress mechanism case resolution stages:

Table 29: Grievance and Redress Mechanism (GRM) Case Resolution Stages

Steps	1. Process	2. Duration
1	3. APs/AHs submits grievance to the local administration or through the Suco Chief in person and Suco Chief notifies the PMU focal point/Project Manager.	4. Any time during project implementation
2	5. Suco Chief in coordination with PMU facilitates to redress grievance and reports back to AP	6. 7 days
7. If unresolved or if AH wanted to go directly to GRC or PM		
3	8. APs/AHs PMU's Project manager will take grievance to GRC/or PMU/community liaison officer	9. Within 2 weeks of receipt of decision in step 2
4	10. Issue discussed at project liaison meeting	11. 1 week
5	PMU's Project Manager/community liaison officer reports back to Suco/ APs/AHs	12. 5 Days
13. If unresolved		
6	14. AH/AP take grievance to MPW of the Secretary of State	15. Within 2 weeks of receipt of decision in Step 5
7	Secretary of State will form a special committee and will refer the matter to them to review the case and recommend possible actions or decisions.	16. 2 weeks
8	Based on the report of special committee the Secretary of State will the APs/AHs of his decision	17. 5 days
If unresolved or at any stage if APs/AHs is not satisfied		
9	18. APs/AHs can take the matter to the appropriate court	19. As per judicial system

- 21.
103. The proposed composition of the GRC is presented in Table 30. The GRC will be convened if there are grievances that cannot be resolved at the working level as per the GRM.

Table 30: Composition of Grievance Redress Committee

Sl. No.	Persons /Officials	Position
1.	District Collector/Sub-district officer or their Representative	President
2.	MPW-PMU-ESU	Focal point
3	Suco / Aldeia's Chiefs	Member
4	Recognized civil society leaders	Member
5	Government representatives/MOJ/NDLPCS	Member
6	Representative of AHs/APs	Member
7	Representative of PISC	Member

Note: At least one member of the GEC should be female

VIII. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Introduction

104. A overview of the budget is provided and the cost estimates given below. In the Resettlement Budget, the provision for compensation to the affected households is made as per the entitlement framework based on applicable policy for the project. Cash compensation is paid into bank accounts by GoTL as with all other compensatory entitlements.
105. The R&R budget in this case does not include cost of land, built-up properties such as residential and commercial units, religious, community buildings, government properties and fences etc. as they are absent from this project. In other cases, where present, the budget would also include the cost of R&R assistance, administrative expenses and Monitoring and Evaluation (M&E). The following details show the provisions made for item wise cost estimates of resettlement, should they be required.
106. **Loss of land:** There is no loss of land for this section of project road and there is no case of land acquisition
107. **Loss of Structures:** Loss of structures is limited to one temporary roadside stall that can be move away from the road a little way in much the same position as previously without affecting livelihood.
108. **Loss of Trees/ Crops:** Cash compensation will be paid for lost perennial crops and fruit bearing trees based on the average production years recommended by the Ministry of Agriculture and Fisheries (MAF). Cash compensation equivalent to prevailing market price of timber for non-fruit trees will be paid according to the rates promulgated in Government Resolution 24/2022. List of rates for different species of tree, plant and crops along with rate of structures are annexed as **Appendix-3**
109. **Loss of Income from Business:** Loss of primary source of income will be compensated through rehabilitation assistances. Assistance for lost income will be paid one-time payment of \$100 for a period of 2 months and \$50 for stores and roadside “temporary” stalls respectively for semi-permanent and permanent stores.
110. **Additional Compensation for VAHs:** An additional subsistence allowance equivalent at \$100 for 3 months for loss of productive land or structure will be given. Of the 15AHs there are 12 VAHs.
111. **Special Assistance for SAHs:** SAHs are entitled to receive a special assistance of \$100/month for 3 months, on top of all other entitlements. They will also be given preference in local employment during construction and routine maintenance of the road. There are no SAHs.

B. Institutional Arrangement for Financing Resettlement

112. The GoTL is responsible for all costs associated with resettlement. The MOF/MPW will ensure that adequate funds are available in implementing the RP. The PMU is the primary entity in facilitating the timely allocation of funds, approval and delivery of payments, monitoring of progress and reporting. In order to fully complement the RP, the PMU will likewise ensure that sufficient funds are available in anticipation of the additional assets that could be affected until the completion of the project.

C. Estimated Resettlement Cost and Budget

113. An estimated total of **\$ 16,943** is the direct resettlement cost including other entitlements. (18,637 if 10% contingency is added – Table 31).

Table 31: Resettlement Cost and Budget

No.	Items	Unit	Quantity	Rate (\$ per unit)	Amount (\$)
A. Compensation for Affected Stall Temporary		Unit	1	\$ 50.00	\$ 50.00
B. Compensation for affected trees					
1	Fruit trees & Vegetables		691		\$ 9,213.00
	Cassava	group	186	\$ 2.00	\$ 372.00
	Tunis	Tree	53	\$ 2.00	\$ 106.00
	Kontas	tree	10	\$ 1.00	\$ 10.00
	Banana	tree	13	\$ 20.00	\$ 260.00
	Coffee Big	tree	193	\$ 30.00	\$ 5,790.00
	Coffee Medium	tree	67	\$ 15.00	\$ 1,005.00
	Coffee Small	tree	125	\$ 5.00	\$ 625.00
	Papaya	tree	5	\$ 20.00	\$ 100.00
	Cacao	tree	28	\$ 15.00	\$ 420.00
	Jamboero	tree	1	\$ 35.00	\$ 35.00
	Mango	tree	1	\$ 150.00	\$ 150.00
	Soursop	tree	1	\$ 15.00	\$ 15.00
	Orange	tree	1	\$ 30.00	\$ 30.00
	Big Avocado	tree	2	\$ 125.00	\$ 250.00
	Small Avocado	tree	2	\$ 5.00	\$ 10.00
	Lemon (L)	tree	2	\$ 15.00	\$ 30.00
	Lemon (S)	Tree	1	\$ 5.00	\$ 5.00
2	Timber trees		42		\$ 380.00
	Bamboo	tree	3	\$ 20.00	\$ 60.00
	Teakwood < 15 cmd	tree	5	\$ 30.00	\$ 150.00
	Flowers	tree	34	\$ 5.00	\$ 170.00
C. Assurances					
1	Transitional allowance of \$50 for temporary roadside business (stall)	2 months	1	\$ 100.00	\$ 100.00
2	Additional special assistance of \$100 for additional 3 months for vulnerable HH	3 months	12	\$ 300.00	\$ 3,600.00
D. Livelihood rehabilitation program (LRP)					
1	LIRP	household	12	\$ 300.00	\$ 3,600.00
Direct compensation and assistance amount					\$ 16,943.00
Contingency cost (10% of total direct amount)					\$ 1,694.30
Grant Total					\$ 18,637.30

IX. INSTITUTIONAL ARRANGEMENTS

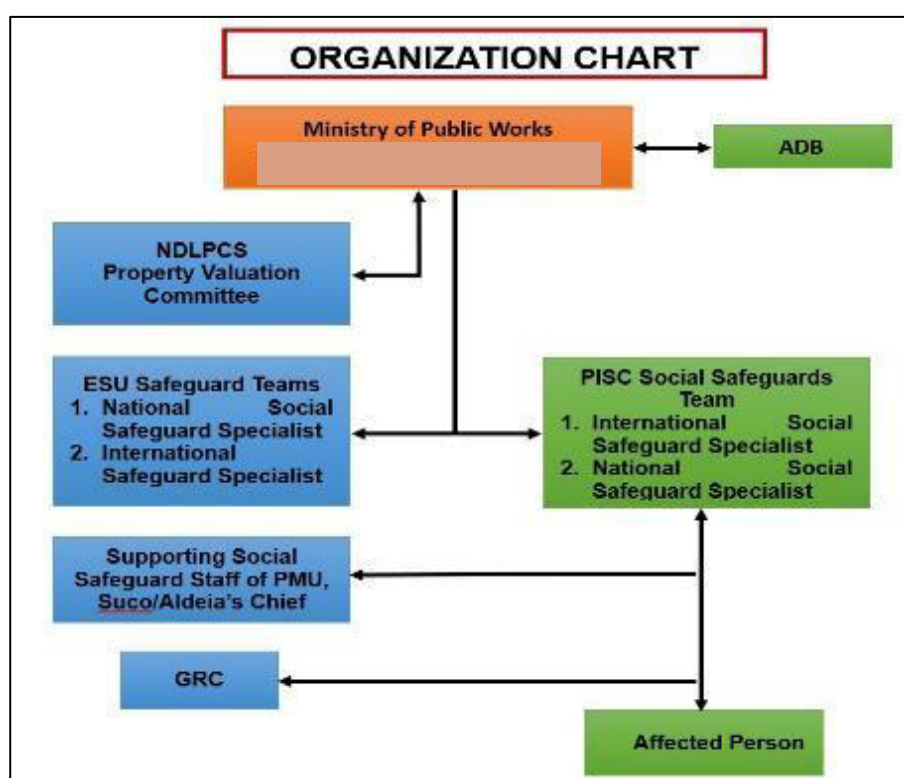
A. Institutional Arrangement

114. The Ministry of Finance (MOF)/Commission for Administration of the Infrastructure Fund (CAIF)/CAFI is the project Executing Agency. The Ministry of Public Works (MPW) - Project Management Unit (PMU) with technical support from and the Project Implementation Supervision Consultants (PISC) are the Implementing Agencies (IA) of the SRP. Concerned Suco/Aldeia Chiefs will be fully involved during public consultations, validation/verification of Heads of AHs and direct negotiation of settlement.

B. Organization of SRP Implementation

115. The PISC's international and national social safeguards specialists will work with the PMU's ESU, comprising international and national resettlement specialists on all social safeguards related activities.
116. At the project completion, a final social safeguards compliance report will be submitted to the ADB by the MPW/PMU.
117. The PMU/ESU will be responsible for all environmental and social aspects of the road development work. On social safeguards, the PMU/ESU will manage all resettlement activities. The tasks enumerated below are the key functions of the PMU/ESU:
- Strengthen its capacity with a social safeguards specialist in planning, coordination, implementation and monitoring of land acquisition and resettlement, including involuntary resettlement safeguard briefing to the contractor.
 - Train counterpart staff and monitor resettlement in the sub-projects;
 - Conducting of consultations and ensuring that the APs are well-informed on the resettlement and compensation;
 - Coordination with the MPW, MOJ and NDLPSC and ensuring a prompt, adequate and timely implementation of the RP according to the RF
 - Monitoring and reporting resettlement activities.
118. Organizational Chart of RP implementers are shown in Figure 11.1.

Figure 11-1: Organizational Chart of RP Implementation



C. Roles and Responsibilities

119. To ensure the successful completion of the RP implementation, concerned agencies have been assigned with specific role and responsibilities. Table 33 shows Roles and Responsibilities of concerned agencies in the implementation of the RP.

Table 32: Roles and Responsibilities of Concerned Agencies

AGENCY	ROLES AND RESPONSIBILITIES
Executing Agency- MOF/CAIF	• Overall execution of the project • Directs the PMU • Provide fund for RP implementation • Liaises with ADB •
Implementing Agency - MPW MPW-PMU	• Manages the social and resettlement aspects of the project including requesting for financing the implementation of the RP • Works with the design and supervision consultants relative to all resettlement activity matters • Organizes effective public consultations and disclosure of resettlement planning documents in appropriate language • Carries out land acquisition according to the provisions of the /RP and GoTL laws in coordination with MOJ and NDLPSCS • Ensures that APs are paid the compensation promptly, adequately and effectively in compliance with the RP, SPS and Timor-Leste's laws prior to affecting their assets • Establishes a grievance redress system designed to deal effectively with complaints from APs in coordination with MOJ/NDLPSCS • Ensures effective monitoring of resettlement is conducted and reported to funding agencies • Works closely and appropriately with NGOs during social and public consultation activities • Liaises with ADB on all matters relating to resettlement and submits regular reports
PISC	• Assist the PMU to manage the social and resettlement aspects of the project including preparing documentation to support the RP activities • Works with the PMU to resolve all resettlement activity matters • Assist the PMU organize effective public consultations and disclosure of resettlement planning documents in appropriate language • Assist the PMU to carry out land acquisition according to the provisions of the /RP and GoTL laws in coordination with MOJ and NDLPSCS • Support the PMU to ensure APs are paid compensation promptly, adequately and effectively in compliance with the RP, SPS and Timor-Leste's laws prior to affecting their assets • Assist the PMU to establish a grievance redress system designed to deal effectively with complaints from APs in coordination with MOJ/NDLPSCS • Support the PMU to ensures that effective monitoring of resettlement is conducted and reported to funding agencies • Work closely and appropriately with NGOs during social and public consultation activities • Liaise with PMU on all matters relating to resettlement and submits regular reports
Ministry of Planning and Strategic Investment MPSI	• Major Projects Section (MPS) is a subsidiary secretariat department (of MPSI) responsible to check and facilitate projects under MOF jurisdiction. In the context of this SRP, MPS collates, checks and processes compensation payments to local banks covering all AHs bank accounts.
MOJ/NDLPSCS	• Oversees and reviews the implementation effectiveness of land acquisition and resettlement • Guides the PMU in addressing issues that require policy direction • Assists with resolving any land-related issues in accordance with the current legislation • A Valuation Specialist will work with MOJ/NDLPSCS to prepare compensation values for land in compliance with the Expropriations Act
ADB	• Review and approve all resettlement documentations as required under the respective policies of the government and ADB safeguards requirements • Disclose RP and monitoring reports on its website • Provide guidance as required based on progress reports and supervision missions

X. IMPLEMENTATION SCHEDULE

A. Implementation Arrangements

120. The implementation schedule of the resettlement plan broadly consists of compensation resettlement activities. In this case there is no need for land acquisition together with concerned authorities. The land is more or less free from all encumbrances and can be made available to civil contractors by the MPW. The timeframe for the implementation of RP has been synchronized with the project implementation in a way that the commencement and progress of civil works is not adversely affected.
121. PMU has been responsible for the assessment of the land acquisition needs (nil) and preparation of proposal and submission to the authority, and placing of requisite funds to the authority for compensation for lost assets.
122. The PMU's safeguard officers and the Contractor have received training on land acquisition and resettlement aspects and policies at an earlier stage of the project and thus before the actual start of the implementation of this SRP. The PISC in coordination with the PMU organized that training.
123. MPW/PMU will begin the implementation process of SRP immediately after its approval by ADB. Grievances or objections (if any) will be redressed as per grievance redress mechanism in this SRP.
124. MPS in Ministry of Planning and Strategic Investment is responsible to allocate budget and deliver the compensation payment through Banks to the AHs.

B. Implementation Schedule

125. An implementation schedule for land acquisition, payment of compensation and resettlement activities in the project including various sub tasks and time line matching with civil work schedule is provided in Table 34. Sequences may sometimes change due to circumstances beyond the control of the implementing partners.

Table 33: Tentative Implementation Schedule 2023/2024

Activities 2023	Oct	Nov	Dec	Jan	Feb	Mar	April
Submission of SRP to ADB thru MPW/PMU for review & approval							
Revise Updated SRP addressing comments							
Submit revised SRP; Reconfirmation of GRC based on SRP 2023							
Disclosure of approved SRP							
Verification by PMU & Negotiation Settlement							
Translation & Distribution of Public Information Booklet							
PMU prepare Master List of AHs/APs; Prepare Vouchers							
Master List approved by MPW and submitted to MOF							
MOF endorses to Treasury, processed and remitted to BNCTL							
MOF endorses to Treasury, processed and remitted to BNCTL							
Compensation to AHs/APs; BNCTL advises PMU money transferred; PMU advises AHs/APs							
Dispute/objections (Complaints and grievances)							
Internal monitoring and reporting to ADB thru PMU							
Resettlement Completion Report							
Delays in Project							
PLANNED SCHEDULE							
POSSIBLE OVERRUN BASED ON PMU EXPERIENCE							

XI. MONITORING AND REPORTING

A. Roles and Responsibilities

126. **Implementation Monitoring:** The objectives of monitoring the implementation of the SRP are (a) to determine whether or not the SRP is carried out in accordance with project's applicable entitlements (b) to provide feedback to PMU/MPW; and (c) to assess the effectiveness of implementation. The monitoring parameters include the timeliness and adequacy of compensation payment for lost assets and land acquisition, if necessary.
127. **Evaluation.** Evaluation of the SRP is important to assess whether the resettlement objectives were appropriate and whether they were met, specifically, whether livelihoods and living standards have been restored or enhanced if there is any. The evaluation will also assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as a guide to future resettlement planning.
128. **Internal Monitoring.** Internal monitoring of all resettlement activities, consultation tasks and reports to ADB will be conducted by the national and international social safeguard specialists of the Environmental and Social Unit (ESU) established in the PMU. 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/AHs. Potential indicators for monitoring are presented in Table 34 (broadly based on ADB's Source Book on IR safeguards).

Table 34: SRP Implementation Monitoring Indicators

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 AP's 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 AP's 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 AP's income kept pace with these changes?

B. Reporting

129. The preparation of Social Safeguards Monitoring (SMR) Reports will be the responsibility of the PMU resettlement team for submission to MPW and ADB and to include semi-annual social safeguard monitoring report on ADB and MOF/MPW websites and make it available to public in the district administrator's office.
130. The PMU will be responsible in preparing semi-annual Social Safeguards Monitoring (SaRMR) for submission to MPW and ADB.
131. A draft Resettlement Completion Report will be prepared by the PMU assisted by the PISC for the whole project as agreed at the time of special social safeguards review mission in March 2023 after the completion of the Performance Based Maintenance.
132. The report will be prepared by PMU with the support of sub-project supervision consultant (PISC).

Appendices

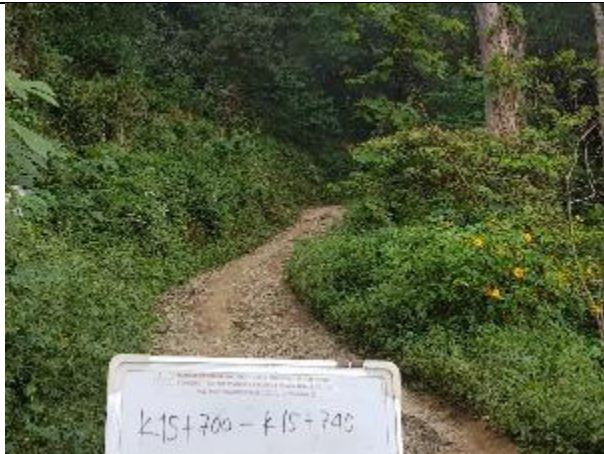
Appendix 1a – Photographs of Section 1 A Km4+000 to Km11+500

(Proposed to pave the shoulders – no resettlement impacts identified)

C17 Aipelu to Bazartete Km4+000 to Km11+500	
	
Km4+000	Km5+000
	
Km6+000	Km7+500
	
Km9+000	Km11+500

Appendix 1b – Photographs of Section 1 B Km13+500 to m15+750

(Proposed to complete the construction in this section – resettlement impacts identified)

C17 Km13+500 to Km16+000 near Bazartete	
	
Km13+550 Looking South	Km14+750 Looking South
	
Km15+200 Looking South	Km15+450 Looking South
	
Km15+700 Looking South	Km16+000 Looking South

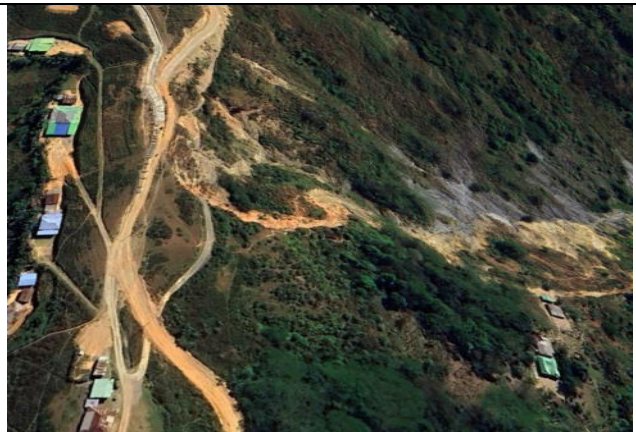
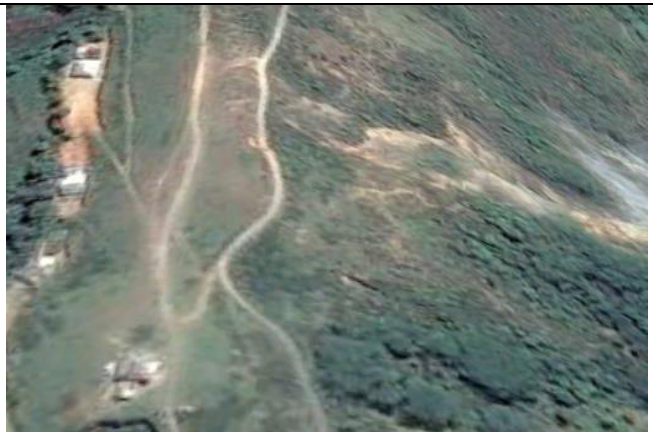
Appendix 1c – Photographs of Section 1 C 100m spur left side at Km14+138

(Proposed to pave the 100m spur road section into Bazartete Town at Km14+138)

C17 Bazartete near Km14+138 Left Side	
	
Km14+000 Looking East	Km14+138 Looking East
	
Km14+138 Bazartete Town looking North	Km14+138 Bazartete Town looking North
	
Km14+132 LHS 100m cul de sac Bazartete aerial view	Km14+375 South of Bazartete

Appendix 1d – Photographs of Realignment Section 250m Km18+500 to Km18+750

(Reconstruct the 250m road section near Urema)

C16-17 Bazartete near Km18+500 to Km18+750 Right Side	
	
Km18+500 Looking North to Bazartete (rural concrete road left)	Km18+600 Look South toward Leora (old road downhill on left)
	
Km18+450 Looking North to Bazartete (rural concrete road left)	Km18+600. Landslide on left. Looking South to Leproma
	
Oblique view realignment (2023) looking North (Landslide right)	Oblique view (2013) section looking North (vulnerable area right)

Appendix 2: List of Affected Households and Entitlements

PROPERTY INFORMATION			PHYSICAL REPLACEMENT COST			NON-PHYSICAL REPLACEMENT COST				TOTAL
No	AHHS	Detail affected assets	Final Cost (Main Structure)	Tree, Plant & Crops Cost	Total Physical RC	Add. Substance allowance \$100x3 (VAH)	LIRP	Transitional allowance	Non-physical RC	RC
1	Alda dos Santos	Crops / Trees	\$ -	\$ 80.00	\$ 80.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 680.00
2	Teresa Dos Santos	Stall Temporary	\$ -	\$ 50.00	\$ 50.00	\$ 300.00	\$ 300.00	\$ 100.00	\$ 700.00	\$ 750.00
3	Manuel R. Goncalves	Crops / Trees	\$ -	\$ 70.00	\$ 70.00				\$ -	\$ 70.00
4	Alberto do R. dos Santos	Crops / Trees	\$ -	\$ 760.00	\$ 760.00				\$ -	\$ 760.00
5	Luis Ribeiro Goncalves	Crops / Trees	\$ -	\$ 270.00	\$ 270.00				\$ -	\$ 270.00
6	Maria Lurdes da Silva	Crops / Trees	\$ -	\$ 210.00	\$ 210.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 810.00
7	Antoninho S. da cruz Ribeiro	Crops / Trees	\$ -	\$ 1,665.00	\$ 1,665.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 2,265.00
8	Antoninho Ribeiro	Crops / Trees	\$ -	\$ 2,030.00	\$ 2,030.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 2,630.00
9	Julio dos Santos de Jesus	Crops / Trees	\$ -	\$ 276.00	\$ 276.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 876.00
10	Antonia dos santos Mendes	Crops / Trees	\$ -	\$ 52.00	\$ 52.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 652.00
11	Francisco dos S. da costa Mau Asu	Crops / Trees	\$ -	\$ 140.00	\$ 140.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 740.00
12	Aderito Soares	Crops / Trees	\$ -	\$ 260.00	\$ 260.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 860.00
13	Eusebio filipe Babo	Crops / Trees	\$ -	\$ 1,880.00	\$ 1,880.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 2,480.00
14	Angelo dos Santos	Crops / Trees	\$ -	\$ 775.00	\$ 775.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 1,375.00
15	Americo Espirito Santo	Crops / Trees	\$ -	\$ 1,125.00	\$ 1,125.00	\$ 300.00	\$ 300.00		\$ 600.00	\$ 1,725.00
Grand Total			\$ -	\$ 9,643.00	\$ 9,643.00	\$ 3,600.00	\$ 3,600.00	\$ 100.00	\$ 7,300.00	\$ 16,943.00

Appendix 3A: Minutes of Meeting of PCM (5th September 2023) and List of Participants with Photographs

 REPUBLICA DEMOCRÁTICA DE TIMOR-LESTE  MINISTÉRIO DAS OBRAS PÚBLICAS	
MINUTES OF MEETING PUBLIC CONSULTATION MEETING (PCM) – C16/C17 Bazartete Tokoluli additional 2.5 KM (Sta. 13+500-16+020)	
PARTICIPANT	DATE
Aideia Chief Bazartete, TL-TST, Contractor Shanghai Construction Group, Environmental Team PMU, National Gender Specialist PMU, Resettlement Team PMU, Affected Community.	05/09/2023
	TIME
	10:00-12:00
	LOCATION
	Adm. Post Bazartete
SUBJECT	Public Consultation Meeting on additional 2.5 km (Sta. 13+500 to Sta. 16+20) and Realignment (Sta. 18+...)
OBJECTIVE	Coordination on Initial Social Assessment, Staking and DMS.
✦ Introduction from TL-TST Team leader (Mr. Afonso Mendonça) 1. Welcomed the participants and convey thanks to all the local community. 2. 2.5 km at sta. 13+500 to sta. 16+20 is additional improvement road project from the previous one that had been done since last year. Therefore, due to landslide in sta. 18+... realignment will be provided. ✦ National Specialist Resettlement Intervention (Mr. Marcos Valentim) ✓ Presented the team that participated in PCM; PMU-MPW, Social safeguards: Resettlement, Environmental, Gender and Quantity, TST Contractor Shanghai ✓ PCM; share the General information to Local Authority and Affected Community of the Road Project Missing Link (2.5 KM), the Fund is Grant (European Union) that managed from ADB for the Project C16/C17 Bazartete-Tokoluli. ✓ PMU Resettlement specialist stated to Local authority and community: 1. The PMU Environment and Social team will conduct the initial assessment 2. The PMU Social Specialist is presented the EM during consultation. 3. The requirement document for compensation process; ID eleitoral, Active Bank Account for those APs. 4. The compensate rate will be based on GoTL New Resolution Rates 2022. 5. The "cut of day" will be on the last day of the DMS/survey on 7 September 2023. 6. The agreement letter each of APs will be signed and verified by the Chief of suco. 7. Lastly go to Payment process. ✓ PMU Suggested to local authorities and community to support maximum on the field/site for the project 2.5km-missing link. ✦ National Gender Specialist Intervention (Ms. Angelina de Araújo) - The national gender Specialist is presented about ADB requirement in implementation of project specially related how to do risk mitigation on gender-based violence/ Sexual harassment/ sexual exploitation and abuse. - In regards to that the national gender specialist explains more details how to involve all women in the project construction, - as requirement women participation in public consultation meeting is more important to involve them to get their ideas as affected person in project implementation - discuss with women what is the necessary knowledge that can support this project, local knowledge, and others. ✦ National Environmental Officer Intervention (Mr. João Veniata G. Barreto) - National environmental officer relates to the 2.5 km missing link in addition to provide information regards to environmental license which now under process for renewal. Six monthly reports to be updated and submit to environmental department ANLA before the license expired on the 6 December 2023. - The environmental license itself will expire on the 6 of December 2023, however during the implementation project activity for 2.5 km the environmental compliance which stated in EMP (environmental management plan) need to be comply in line with donor and GoTL requirement. - The point of view from environmental team, during the stake out process the team should identify sacred place which are considered as Luik to be avoid or to engage with local leader to protect if needed.	
- NEO also raised the issue of dust nuisance which always become a major issue in the community area and recommend to the contractor to spray water at least three times a day focus in sensitive receiver area. In addition to this NEO also engage the community to work together with TST and PMU safeguard team to instruct contractor to control the dust issue. - PMU-NEO suggest to TST to follow checklist number 3 and 4 (set up and close out) spoil disposal area. Communicate with local authority and land owner to create agreement approved by TST before dumping the spoil material in the approved disposal area. Dumping of disposal material in Fatumasi protected area is prohibited. Avoid any activity that can affect the protected area. PMU safeguard team will continue monitor construction activity in the protected area. QUESTIONS AND ANSWER: ▪ Community (Mr. Eugénio dos Santos) 1. Those people house building on the high ground and others building on the slope. They needed to protect and put the retaining wall? Answer: Mr. Afonso Mendonça - When a company does construction and affect the community's home, needed to coordinate with local authorities to solve it with peaceful action. - Base on BOQ and original design does not have item for retaining wall. ▪ Community (Mr. Luis Ribeiro Gonçalves) 1. When a company does construction, heavy equipment will be compacting and strong vibration? They need MPW/PMU and contractor pay attention? Answer: Mr. Afonso Mendonça - Will be informed to contractor to prevent when compacting and does not apply strong vibration nearby community house. ▪ Community (Ms. Agostinha de Jesus Pereira) How is the limit of road? (Stake Out) so we as affected person could know that we are really affected Person Category Answer: Sr. Afonso Mendonça - Base on the Original design and BoQ, the road of project wide is 5m including line ditch/drainage and shoulder ▪ Community (Mr. Alberto dos Santos) Pay attention for the outlet of line ditch so will not damages the plants! Answer: Sr. Afonso Mendonça - Need to be in site inspection for the line ditch outlet base on the existing drainage. ▪ Community (Aida Ribeiro Dias Ximenes) Sugestion: Ready to cooperate and support the team for stake out. ▪ Community (Celestino João Sequeira) Sugestion: He was asking to the team (stake out) for identifying the canalization/ pipe line along the corridor of roads. CONCLUSION: ✓ The Affected Household will be affected when the finish the stake out, then will be collected the data and do the interview ✓ If there is any concerns or problems from the community, they can coordinate with the TST to looking for the solution ✓ For the Environmental, Cultural Ceremony and any water wells, hope that the community could give the information so we could the ritual ceremony before the implementation project ✓ Hope that the community could support, coordinate and cooperate well so we can accelerate the process of this implementation project.	
Prepared by:	verify by:
Roli de Jesus Guterres Freitas Bel National Assistand Resettlement	Marcos Valentim National Specialist of Resettlement

PHOTOGRAPHS of Attendees at PCM 5th Sep 2023, Bazartette



Attendance List PCM 5th Sep 2023, Bazartette – Community

Lista de Asistencia (Reunión Bazartete - Tokoluli)				
No.	NOMBRE COMPLETO	POSICIÓN	NO. TEL	ASISTENTE
1	PAULO D. RIBEIRO	REPRESENTANTE	77336816	Presente
2	João de Carvalho	Comunidade	770708018	Presente
3	Luís R. Gonçalves	Professor	---	Presente
4	Alberto R. dos S.	Professor	---	Presente
5	Luís Genio dos Santos	BT	77103392	Presente
6	Maria Lúcia dos Santos	---	---	Presente
7	António dos Santos	---	---	Presente
8	Albino dos Santos	---	---	Presente
9	Agustinho dos S. P.	---	---	Presente
10	Teresa dos Santos	---	---	Presente
11	Bernardo Gomes	---	9684376	Presente
12	Roberto José M.	---	74322221	Presente
13	Julio dos Santos	Comunidade	---	Presente
14	Martinho Gonçalves	Comunidade	---	Presente
15	Luís R. Gonçalves	Comunidade	---	Presente
16	Paulo Ribeiro	Comunidade	75635993	Presente
17	Benedito de Almeida	---	---	Presente
18	Albino Ribeiro Dias	Comunidade	---	Presente
19	Albino Gonçalves	---	---	Presente
20	Edna Ribeiro	---	---	Presente
21	Silvestre Correia	---	---	Presente
22	Leonor da Silva Almeida	---	---	Presente

Attendance List PCM 5th Sep 2023, Bazartette – PMU and Admin Post

Lista de Asistencia (Reunión Bazartete - Tokoluli)				
No.	NOMBRE COMPLETO	POSICIÓN	NO. TEL	ASISTENTE
1	Flávia Bato da Costa	CEFAAL de Bazartete	77340037	Presente
2	Angelina de Araújo	Nutricionista - Género	77340037	Presente
3	João António G. Barreto	Nat. Env. Officer	77340037	Presente
4	Albino Gonçalves	TL - BT	77010198	Presente
5	Rafael Baptista	Responsible	---	Presente
6	Mário Valentim	Supervisor (PMU)	77477476	Presente
7	Roberto José M.	Assist. Técnico	---	Presente
8	Liliana M. F. N. dos S.	Assist. Administrativo	---	Presente
9	Nelson S.M. dos Reis	D. Encarregado	77360787	Presente
10	Albino Ribeiro	St. CC	77261175	Presente

Appendix 3B – Attendance List and Photos Public Consultation June 2021

The community in Bazartete generally indicated they would support completion of the works. Some suggestions were received which are generally already addressed in the EMP for the Project. The main environmental concerns included the re-provisioning of water supplies, preventing damage to local electricity poles, preventing traffic accidents, and site safety. Prompt completion of the works and minimization of the land acquisition was also requested by some local stakeholders. No significant operational phase impacts were identified by the community. Table A2a summarizes the result of the discussion

Attendance List and Photograph of Consultation Meeting





REPÚBLICA DEMOCRÁTICA DE TIMOR LESTE
MINISTÉRIO DAS OBRAS PÚBLICAS

ATTENDANCE SHEET LIST
SUCO FATUMASI

June, 11, 2021

No	Name	Position	Phone	Signature
1	Francelino de Jesus	NES/NRS	70006686	<i>[Signature]</i>
2	Rosario da Costa Fernandes	SI	76858372	<i>[Signature]</i>
3	Eduardo A. da Gama	X. SUCO	78065983	<i>[Signature]</i>
4	Celina Clara d.s. Almeida	comunidade	76632699	<i>[Signature]</i>
5	Alida dos Santos	—	76856293	<i>[Signature]</i>
6	Antonio Ribeiro	—	76323039	<i>[Signature]</i>
7	Paulino de J.C.	—	75508007	<i>[Signature]</i>
8	Julian dos Santos	—		<i>[Signature]</i>
9	Luis R. Gonçalves	Professor		<i>[Signature]</i>
10	Alexito dos Santos	comunidade		<i>[Signature]</i>
11	Clara dos Santos	—		<i>[Signature]</i>
12	Adonias de Sousa	Comandante		<i>[Signature]</i>
13	Romualdo Mateus	PAAC SUCO	77445330	<i>[Signature]</i>
14	Antonio Silvestre	Comunidade	75687675	<i>[Signature]</i>
15	Gustavo Maria Gonçalves	CAB operador CIB	76828180	<i>[Signature]</i>
16	Gaspar dos Santos	Carantele		<i>[Signature]</i>



Appendix 4: Compensation Price List



REPÚBLICA DEMOCRÁTICA DE TIMOR-LESTE
RDTL

Quarta-Feira, 17 de Agosto de 2022

Série I, N.º 33

JORNAL da REPÚBLICA

PUBLICAÇÃO OFICIAL DA REPÚBLICA DEMOCRÁTICA DE TIMOR - LESTE

§ 2.00

Forestry and Agriculture crops

Commercial crops

Class A tree (= 15cm in diameter)	m3	550
Class A tree (= 15cm in diameter)	m3	300
Sandalwood without resin	kg	3
Sandalwood with resin	kg	8
Resin agar	kg	30
Small class tree A (<15cm in diameter)	Tree	10
Small class tree B (<15cm in diameter)	Tree	7.5

Small class special tree (<15cm in diameter)	Tree	25
Bamboo	stalk	1
Rattan	stalk	0.5
Palm wine trees	Liter	0.5
Honey	Liter	10
Gum	kg	2.5
Turmeric	kg	1.5
Galanga	kg	1
Firewood	Stapel meter (SM)	25

Industrial Plans		
Fruitless coconut trees	Tree	25
Fruitful coconut trees	Tree	80
Fruitless coffee tree	Tree	10
Fruitful coffee tree	Tree	30
Fruitless cashew tree	Tree	5
Fruitful cashew tree	Tree	20
Fruitless cacao tree	Tree	15
Fruitful cacao tree	Tree	25
Fruitless areca palm	Tree	15
Fruitful areca palm	Tree	25
Betel (fruit & Leaf)	Tree	5
India walnut	kg	3
Iguape walnut	Apply calculation for class B trees or firewood according to the physical condition of the tree	
Sugar cane	stalk	0.25
Vanilla fruity	Tree	45
Vanilla fruitless	Tree	20
Cloves	Tree	30
Elephant foot yam (raw tuber)	kg	1.5
Fruitless pepper plant	Tree	4
Pepper	kg	8
Non – commercial crops		
Small teak	Tree	5
Teak < 15 cm in diameter	Tree	30
Teak = 15 cm in diameter	Tree	100
Mahogany /white teak small	Tree	3
Mahogany /white teak < 15 cm in diameter	Tree	25
Mahogany /white teak = 15 cm in diameter	Tree	75
Small gamelina	Tree	3

Gamelina < 15 cm in diameter	Tree	30
Gamelina = 15 cm in diameter	Tree	100
Small sandalwood	Tree	25
Sandalwood < 15 cm in diameter	Tree	40
Sandalwood = 15 cm in diameter	Tree	100
Fruitless coconut trees	Tree	25
Fruitful coconut trees	Tree	65
Cashew	Tree	15
Cacao	Tree	15
Areca palm	Tree	25
Betel	Tree	5
Iguape walnut	Tree	25
Sugar cane	Cluster	10
Fruit Trees		
Papaya	Tree	20
Banana	Cluster	20
Orange	Tree	30
Lemon	Tree	15
Pineapple	Tree	5
Guava	Tree	15
Jackfruit	Tree	20
Bread tree (kulu modo)	Tree	20
Mango	Tree	150
Star fruit	Tree	25
Durian	Tree	125
Jamero	Tree	35
Soursop	Tree	15
Avocado	Tree	125
Bread tree (kulu tunu)	Tree	25
Pomegranate	Tree	20
Guava (jambu biji)	Tree	25
Grapefruit	Tree	25
Vegetables		
Moringa	Tree	20
Eggplant	bunch	5
Tomato	Plant/tree	5
Green cabbage	bunch	2
Cabbage	bunch	2
Mustard	bunch	1
Lettuce	bunch	1
Spinach	bunch	1

Water spinach	bunch	1
String beans	bunch	1
Long beans	bunch	1
Chili	bunch	1
Tubers		
Corn	Plant	0.25
Rice	Plant	0.10
Potato	m2	10
Green beans	Plant	0.20
Soybean	Plant	0.20
Peanut	Plant	0.20
Red bean	Plant	0.20
Cassava	Plant	1
Sweet yam (kumbili)	Plant	1
Taro	Plant	1
Ornamental plants		
Flowers	Plant	5
Bougainvillea	Plant	5
Flowers with vase	Plant	5
Other flowers	Plant	5
Livestock, fishing and salt collection activities		
Cows < 8 units	Stable	75
Transportation	-	75
Cows < 8-30 units	Stable	100
Transportation	-	100
Cows > 30 units	Stable	125
Transportation	-	125
Chickens	Pen	100
Pigs <6 units	Pen	50
Pigs 6-10 units	Pen	75
Pigs > 10 units	Pen	100
Goats < 6 units	Stable	50
Goats 6-10 units	Stable	75
Goats > 10units	Stable	100
Wooden boat	Boat	200
Fish pond	pond	700
Salt pond	pond	700

Appendix 5: Gaps between ADB & Government's Laws & Regulations on Land Acquisition & Resettlement

Issues	ADB's SPS (2009)	Timor-Leste Laws and Regulations	Gaps between ADB's SPS (2009) and Timor-Leste Laws	Gap Filling Measures
A. Land Acquisition and Resettlement				
Objective	Avoid involuntary land acquisition resettlement wherever possible. Minimize involuntary resettlement by exploring protect and design alternatives.	There is no explicit reference to the need for avoidance or minimizing of resettlement impacts.	Timor-Leste Laws do not have the provision of avoiding or minimizing the involuntary resettlement impacts	The URP includes measures to avoid or minimize the LAR impacts of the subproject.
Project screening	Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of APs, including a gender analysis, specifically related to resettlement impacts and risks.	- Articles 19 and 21 of Expropriation Law call for conducting a cadastral survey, social impact assessment and resettlement plan where land being expropriated involves residential households¹³. - The Expropriation Law includes provisions for public consultation, which provides for early screening of the project, as well as public hearings which include publicizing the	There are no specific requirements for a census or cut-off date for entitlements under the Timor-Leste Laws.	The subproject impacts are identified based on early screening, survey/census, cut-off date, and assessment of impacts.

¹³Article 21 of the Law stipulates: Social Impact Study aims to identify the positive and negative consequences in the lives of the stakeholders, caused by expropriation. The Resettlement Plan consists of an action plan in which procedures are established to mitigate adverse effects and compensate for the losses suffered by those interlaced with expropriation. The Resettlement Plan based on: a) the results of the social impact study; b) consultation with interested persons regarding viable alternatives to their compensation; and c) the principles established in Article 8. The Resettlement Plan must contain: a) the different alternatives to accommodation for the choice of the interested; b) the mechanisms for restoring the income and means of subsistence lost by the interested parties; c) the timetable for its implementation; d) Estimating the costs of implementing different alternatives; e) the monitoring mechanisms for the implementation of the resettlement plan. Whenever possible, the social impact study and the resettlement plan should be combined with environmental impact studies.

Issues	ADB's SPS (2009)	Timor-Leste Laws and Regulations	Gaps between ADB's SPS (2009) and Timor-Leste Laws	Gap Filling Measures
		proposed public hearings in the media ¹⁴ .		
Consultation	Carry out meaningful consultations with APs, host communities, and concerned NGOs. Inform all APs of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations.	The Expropriation Law includes provisions of the public hearing, including requirements for publicity about the proposed public hearings in the Official Journal and in the media. A report of the consultation is to be made, including a description of the public hearings. The Expropriation Law provides for information to be provided to APs before expropriation occurs ¹⁵ . Once the report on the public consultation results is published, a social impact study and property survey of APs is carried out.	Consultations are only required at the planning stage. There are no specific provisions on preparing and implementing resettlement plans based on meaningful consultations with APs, including the poor, landless, and elderly, women and other vulnerable groups and no requirements of public consultation and public engagement during implementation under the Timor-Leste Laws.	Consultations are conducted on an ongoing basis with stakeholders including APs. Development of mitigation measures will take into consideration the needs and views of stakeholders and those affected.
APs without titles to land or any recognizable legal rights to land	Ensure that APs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.	Decree No. 06/2011 on compensation for resettlement authorizes the payments of compensation to unlawful occupants of state property to resettle elsewhere.	According to the Timor-Leste Laws, payment of compensation to unlawful occupants of state property is not mandatory.	APs without legal or recognizable legal claims to land acquired, are equally entitled to participate in consultations and benefit schemes and be compensated for their affected non-land assets such as dwellings and structures. However, the eligibility of the APs without titles to land is defined by a cut-off date. Any informal settlers who encroach on the subproject area after the declaration of the cut-off

¹⁴Article 22 of the Law stipulates: (1). After the project planning phase is completed, the respective public consultation is initiated, aimed at publicizing the options taken and discussing the various alternatives to their implementation. (2). Within the scope of the public consultation, the following activities are carried out: a) availability of the project for consultation; b) public hearings; c) public consultation report; 3. public consultation and open consultation to all who are interested and participate in it.

¹⁵ According to Article 23 of the Law, information to disclose to AHs include information on the project, the identification of the entity would benefit from the expropriation, the identification of the property to be expropriated and its location of public hearing sessions. The information must also be published in two newspapers of national circulation and, through an announcement, in the headquarters of *suco* of the real estate property. The project, together with the documents related to the project planning phase, must be made available for consultation, at the *suco* headquarters of the real estate property, for a maximum period of sixty days. During this period, any person can present the entity that would benefit from the expropriation, in writing, comments that it considers relevant to the project.

Issues	ADB's SPS (2009)	Timor-Leste Laws and Regulations	Gaps between ADB's SPS (2009) and Timor-Leste Laws	Gap Filling Measures
				date are not eligible for any compensation.
Compensation at full replacement cost	The calculation of full replacement cost will be based on the following: elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. Depreciation of structures and assets should not be taken into account	The Expropriation Law stipulates requisitioning and expropriation of property for public purposes shall only take place following fair compensation in accordance with the law. The Expropriation Law (Article 8 and 58) requires that land expropriation should follow principles of justice and equality on account of ensuring that expropriation must ensure that the standard of living of APs is equal to or higher than the one prior to compensation. The Expropriation Law is also required to guarantee fair compensation based on market value. The NDLPSC has the mandate and responsibility to assess the value of land and related assets.	There is no explicit guidance provided on how to determine fair compensation and/or replacement costs and no requirement for third party validation to appraise the replacement cost of affected land and other assets.	An independent and qualified replacement cost appraiser has been engaged to assist the NDLPSC and PMU in appraising the replacement cost of affected assets.
Compensation for loss of income	The loss of income or livelihood sources will be compensated promptly at full replacement cost.	Legal provisions are deficient to recognize entitlements for loss of incomes and means of livelihood due to land acquisition	There is no specific provision on entitlements for loss of income and livelihoods under the Timor-Leste Laws.	Households whose income or livelihood sources affected by the subproject are entitled to compensation for income loss. Affected business regardless of status of business registration is compensated for the lost net income from the affected business.
Assistance for physically displaced households	In the case of physically APs, the borrower/client will provide (i) relocation assistance, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, and civic infrastructure and community services as required; (ii) transitional support and development assistance, such as land development, credit facilities, training,	The Expropriation Law (Article 57) allows compensation for lost assets.	Timor-Leste Laws do not provide for any specific assistance including transitional support and development assistance to APs other than offering compensation for lost assets.	All APs are entitled to relocation assistance such as transportation assistance, transitional assistance, and other resettlement measures as necessary and eligible to participate in the LRP of the subproject.

Issues	ADB's SPS (2009)	Timor-Leste Laws and Regulations	Gaps between ADB's SPS (2009) and Timor-Leste Laws	Gap Filling Measures
	or employment opportunities; and (iii) opportunities to derive appropriate development benefits from the project.			
Assistance for Vulnerable People	Improve the standard of living of APs and other vulnerable groups, including women, to at least national minimum standards, and assist them with legal affordable land, adequate housing, and appropriate income sources.	Article 10 of the Expropriation Law obliges the government to take the necessary measures to ensure the adequate information, consultation and participation of vulnerable groups, and promote the right to equality and non-discrimination, but without elaboration on what measures required to reach these outcomes.	Timor-Leste laws do not prescribe specific measures for improvement of living standards to national minimum standards, nor for restoration of livelihoods, or access to income generating sources, and there are no specific measures to be taken for vulnerable people.	VAHs are eligible to participate in the Livelihood Rehabilitation Program of the subproject.
Livelihood Rehabilitation Program	Improve, or at least restore, the livelihoods of all APs through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.		The Timor-Leste Laws do not elaborate the option and implementation of assistance and livelihood restoration for the AHs.	SAHs who lose 10% or more of total productive land (if the land is the main income generating asset of the household) or total income-generating assets, and/or have to relocate, and also VAHs are eligible to participate in the LRP of the subproject.
Compensation payment	All compensation and resettlement entitlements must be provided before any displacement or commencement of works.	Article 41 of the Expropriation Law requires that (i) takeover of expropriated land cannot occur until: a) public notice of expropriation has occurred; b) list of assets has been drawn up; c) resettlement plan has been implemented; d) replacement land as agreed by APs has been provided free of charge; e) Fair compensation to APs has been deposited with a banking institution; (ii) APs are granted a reasonable period of time to vacate	There is no specific mention of works in the Expropriation Law but possession of expropriated land by the Government not permitted until Resettlement Plan and other fair compensation have been implemented.	Civil works will not proceed for a specific component or geographic area until (i) compensation and assistance have been paid in full to the AHs and communities; (ii) relocation has been completed and the LRP for the SAHs and VAHs is in-place; and (iii) the area is free from any encumbrances.

Issues	ADB's SPS (2009)	Timor-Leste Laws and Regulations	Gaps between ADB's SPS (2009) and Timor-Leste Laws	Gap Filling Measures
		expropriated property, not to exceed ninety days.		
Grievance redress mechanism (GRM)	Establish a GRM to receive and facilitate resolution of the APs' concerns and grievances regarding the project's environmental performance.	The Expropriation Law suggests disputes over expropriation process to be handled through normal administrative and court processes.	Under the Timor-Leste Laws, there is no specific requirement of a project-level GRM to be established, including roles and responsibilities and documentation of grievances.	A project level GRM was established in consultation with the AHs and communities to resolve complaints regarding land acquisition, compensation, assistance and resettlement of the subproject.
Monitoring	Monitor and assess resettlement outcomes, their impacts on the standards of living of APs, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.	As regulated by the Laws (Articles 2 of Land Expropriation for Public Facility), NDLPSC and project proponents have the responsibility to monitor land expropriation processes.	There is no provision on external monitoring of resettlement implementation and post-implementation evaluation to assess whether the objectives of the Resettlement Plan have been achieved under Timor-Leste Laws.	• The PMU will undertake internal monitoring on land acquisition, compensation and supports for the AHs. • An external monitor will be engaged by the PMU to conduct regular external monitoring of the URP implementation. • Monitoring reports will be shared with relevant stakeholders and uploaded on the ADB and MPW websites for disclosure.
Resettlement Plan Preparation	Prepare a Resettlement Plan elaborating on APs entitlements, income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time-bound implementation plan.	Article 21 of the Expropriation Law calls for a social impact study and resettlement plan to be developed to mitigate adverse effects and to compensate for the losses due to expropriation, based on social impact assessment and consultations with APs. Resettlement plan is to include: (i) different alternatives to housing for stakeholders to choose from; (ii) mechanisms for restoration of income and lost livelihoods; (iii) timetable for plan's implementation; (iv) estimation of costs of implementing different alternatives; (v) supervision mechanisms for implementation of the relocation plan.	There are no specific details of how requirements of the plan are to be developed and carried out, including institutional arrangements or time-bound implementation plans under Timor-Leste Laws.	The URP has been prepared covering APs entitlements, income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget and time-bound implementation plan.

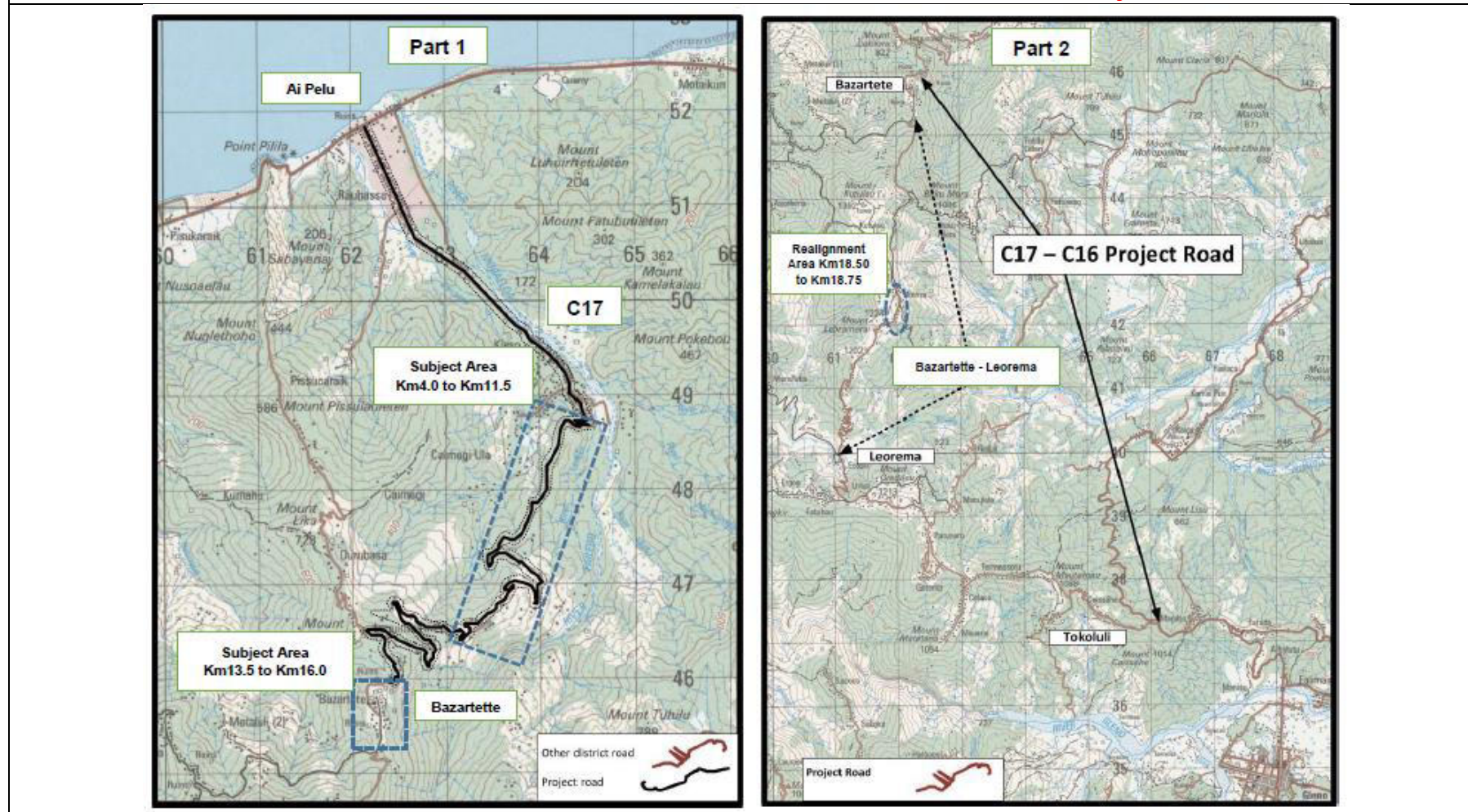
Issues	ADB's SPS (2009)	Timor-Leste Laws and Regulations	Gaps between ADB's SPS (2009) and Timor-Leste Laws	Gap Filling Measures
Disclosure of Resettlement Plan	The draft Resettlement Plan, including documentation of the consultation process, must be disclosed in a timely manner before project appraisal (in an accessible place, and a form and language understandable to APs and other stakeholders.) The final Resettlement Plan must also be disclosed.	The Expropriation Law requires prior public notice of consultation phase including availability of project documents. Consultations are held in "simple and adequate" language, and minutes taken of stakeholder questions and comments, and publication of public consultation report following consultation.	There are no specific government requirements on how and where disclosures of public consultation reports and/or resettlement reports are to be made.	Requirements on information disclosure are specified in the URP. Before submitting to the ADB and after ADB's acceptance of the URP, the document in the Timor-Leste language (<i>Tetum</i>) will be posted in accessible public areas and sent to the relevant agencies and community leaders. A summary of the URP will be provided to the community leaders. The URP and any addendums, if any, will also be uploaded to the ADB and MPW websites.

ADB = Asian Development Bank; APs = Affected Person; DMS = Detailed Measurement Survey; GRM = Grievance Redress Mechanism; PMU= Project Management Unit; MPW = Ministry of Public Works; NDLPSCS = National Directorate of Land and Property and Cadastral Services; NGO = Non-Governmental Organization; RCS = Replacement Cost Study; SAH = Severely Affected Household; URP = Updated Resettlement Plan

Appendix 6: Project Information Booklet

Bazartete – Tokoluli C16/C17 under RNUSP – AF Project Information Booklet

Bazartete – Tokoluli C16/C17 ambito ba RNUSP – AF Livru Informasaun Projetu



1.	Bazartete Tokoluli C16/C17 2.5 KM	Bazartete Tokoluli C16/C17 2.5 KM
2.	- Project Information Booklet –	Brosura Informasaun Projeitu
3.	1. What are the components of the Project?	1. Saida maka komponente ba proposta Projeto?
4.	The improvement works under to project include:	Servisu obras ne'bee rehabilita iha projeto, mak'a tuir mai :
5.	Widening of the realignment carriageway from the existing single lane gravel track to a two-lane road (Five-meter carriageway) with 1m shoulders on each side;	Alargamento pista ba realinhamento komesa husi pista tuan ho linha ida ba linha rua (Ho luan 5 metros) ho metro 1 iha parte bermas sorin sorin.
6.	Upgrading the road to bring it up National Highway standard with bitumen road surface;	Melhorado Estrada hodi hasae padrao Estrada nasional ho superfixe Estrada betuminosa
7.	Constructing drainage facilities Installing road side drains and culverts.	Konstrui no rehabilita facilidade drainazem.
8.	Improving the road gradient and protection to stabilize the road embankment;	Melhora Estrada nian gradinte no proteasaun hodi estabelese ateru istrada nian
9.	Installation of roads signs and markings and traffic calming measures and	Instalasaun sinais Estrada no markasaun no medidas sasukat akalmia ba trafego
10.	Clearing and upgrading the culverts	Limpeza e modernizasaun dalan kurva.
11.	2. Will there be impacts on land, structures, trees and other assets of the households by the project?	2. Sei iha posibilidade ka lae impaktu ba rai, estrutura, ai horis no sasan seluk husi umakain ba subprojeto?
12.	According to the results of the Detailed Measurement Survey completed in September 2023 using the detailed engineering design, a total of 15 households with 75 persons will be affected by the project. All the 15 AHs are with loss of loss of trees and one street vendor /Stall. All the investments to be made for the road will be within the Government-owned land (12.500 m ²).	Bazeia ba rezultadu husi detalho levantamento dados ou survey nebe identifika iha Setembro 2023 tuir detalho dezenhu enzeineiro nian husi projeto, total husi 15 umakain ho membro familia 75 sei afeitado husi projeto ida ne'e. umakain 15 sira ne'e sei lakon ai horis ne'bee sai hanesan investimentu ba projeto Estrada sei tama ba dominu estado nia laran (12.500 m ²).
13.	Among the 15 AHs a total of 1 structures, (1 vendor stall) is affected. A total of 733 trees will need to be removed by the road upgrading. Additionally, 10 metres of Water pipeline (crossing the road) and 1 km of Water pipeline (along the road), will also be affected.	Husi 15 umakain identifika uma estrutura 1(Baraka 1) nebe afeitado. Nomos total 733 ba ai horis sei afeitado husi rehabilitasaun Estrada ne. adisional, 10 l.m canalizasaun bee (partensia korta Estrada), 1 km l.m canalizasaun bee (partensia tuir Estrada ninin) sei afeitado mos.
14.	As a result of land acquisition by the project, there are 15 households (75 persons) including 1 street vendor with loss of crops and trees. In addition, 12 AHs (61 persons) are categorized as vulnerable affected households (VAHs). 1 households with 5 persons will temporarily lose their income due to business disruption and being reestablished in a new place nearby.	Nudar rezultadu husi aqzisaun ba rai husi realignment, hetan 15 uma kain (75 membru familia) inklui umakain umakain 1 lakon Baraka . Adisional, umakain 12 (60 membru familia) sai kategoria hanesan familia afeitado vulneravel (VAHs). Umakain 1 ho membru familia 5 sei temporario lakon sira nia rendimento durante prosesu muda e hadia ba fatin foun.
15.	3. What will be the compensation and assistance for the affected assets?	3. Kompensasaun e assistensia saida maka sei hetan husi sasan afeitados hirak ne?

16.	Affected structures will be compensated at Government approved rates that will give full replacement cost, calculating by the cost to buy the new same materials of affected structures (including transportation cost to the area). The cost of labour to reconstruct the affected area of the structure, and the fee for construction permit and other administration fees for reconstruction of the structure are included.	Struktura sira nebe afeitadu sei kompensa bazeia ba Resolusaun Governo nebe ho kusto aprovado sei foo kustu reposisaun/biaya ganti, kalkulasaun tuir kustu hola material foun nebe hanesan tuir struktur nebe afeita (inklui kustu transporte to fatin), kustu ba obra do mao hodi rekunstrui struktura afeitado no kustu ba licensa konstruksaun uma foun.
17.	Partially affected structures (no relocation of the structure is required, only repairs of fronts of structures): The owners of the structures will get (i) cash compensation for the affected area of the structure at replacement cost; and (ii) allowance for income lost, if any, for the time of repairing the structure.	Strutura afeita sorin balun (la presiza relokasaun, persiza hadia husi parte strutura oin nian); Nain afeitado sei hetan (i) osan kompensasaun ba area strutura nebe afeita tuir kustu reposisaun/biaya ganti, no (ii) provizaun ba rendementu lakon, karik iha ba tempu durante hadia struktura.
18.	Fully/partially affected structures (the structures will have to be moved away or to the side, and it is possible to move away from the realignment or to the side as suitable space behind/to the side is available): The owners of the structures will get (i) compensation for the affected area of structure at replacement cost; (ii) allowance for income lost for the time of moving the structure backwards/aside; (iii) subsistence assistance; iv) additional allowance for re-establishment of water source; & (v) income restoration support.	Struktura nebe afeita tomak/ ou sorin (struktura sei mud aba kotuk ou sorin nebe nia spasu sei luan hodi bele mud aba): Nain afeitado sei hetan (i) osan kompensasaun ba area struktura nebe afeita tuir kustu reposisaun/biaya ganti (ii) provizaun ba lakon rendementu ba tempu muda struktura afeitado ba kotuk/ sorin; (iii) Subsistansia assistensia.(iv) adisional subsidi ba reestabelesemento ba fonte bee no (v) apoio restorasaun de rendementos.
19.	Important Note: With partially affected structures, although owners of affected structures get compensation at replacement cost for the affected area of the structures; (i) the owners of the affected structures allowed to reuse the materials; and (ii) if demolishing of affected area of the structures damages the entire structure, compensation for entire structure to be provided.	Nota importante: Struktura nebe afeita sorin balun, afeitado nain sei hetan kompensasaun ba area strutura nebe afeita tuir kustu reposisaun/biaya ganti; (i) afeitado nain bele uza fali material husi struktura tuan (ii) karik struktura tomak hetan estragus, kompensasaun kustu reposisaun sei fornese e kobre tomak ba sasan afeitado.
20.	Fully affected structures (houses/shops, etc.) - If the structures cannot be moved away or to the side as the space behind/side is unavailable): The owners of the structures will be entitled to (i) compensation for the entire affected structure at replacement cost; (ii) assistance to find replacement location to move the structures to; (iii) subsistence assistance; (iv) transportation cost to the new place; (v) additional allowance for the re-establishment of water supply; (vi) allowance for income lost for the time of relocating to the new place; and (vii) income restoration measures to the affected households.	Estrutura sira ne'ebé afetadu tomak (uma/loja sira, nst) – maibé estrutura sira ne'e la bele muda ba kotuk ka ba sorin tanba espasu iha kotuk/sorin laiha): Nain husi estrutura ne'e sei iha direitu ba (i) kompensasaun ba estrutura afetadu tomak iha kustu repozisaun; (ii) kustu transportasaun ba fatin foun; (iii) osan rekoperasaun ba rendimentu ne'ebé lakon ba tempu relokasaun ba fatin foun; no (iv) medida ba restorasaun rendimentu ba uma-kain sira ne'ebé afetadu.
21.	Secondary structures affected by the realignment (within the corridor of impacts fences, verandas, etc.) will be compensated at replacement cost for the affected areas.	Estrutura sekundária afetadu sira ne'ebé sei iha koridór impaktu sira nia laran (parede, lutu, kintál sira, nst.) husi projetu ne'e sei hetan kompensasaun iha kustu repozisaun ba área afetadu sira.
22.	The trees planted by individuals/households within the corridor of impacts will be compensated at market rate using Government's Resolution 24/2022 for determination of the amount.	Ai-hun sira ne'ebé individuál/uma-kain kuda iha koridór afetadu laran sei simu kompensasaun tuir presu merkadu.bazeia ba Resolusaun Governu 24/2022 ba determinasaun montante presu unidade.
23.	Affected public assets (Water pipelines, electric poles,etc.) will be rebuilt by the Contractor with the separate budgets allocated by the Government following the Government's technical standards.	Sasan publiku nebe afeita (32 l.m canalizasaun bee (partensia korta Estrada), 960 l.m canalizasaun bee (partensia tuir Estrada ninin), linha transforme elektrisidade, etc) sei harii fali husi kontraktor ho orsamentu nebe ketak nebe aloka husi governu tuir governu nia teknikal padraun.
24.	Any impacts occurring to land during construction of the realignment (for example, garden land of the households out of the COI is affected by levelling the ground by construction contractors) shall be compensated by construction contractors to the households based on the compensation policy of the realignment.	Karik iha estragus ruma durante prosesu konstruksaun(Por exemplu; umakain nia jardim sai husi COI maibe afeita husi prosesu ateru rai husi kontraktor). Ida nee persiza kompensa husi kontraktor ba umakain bazeia ba politika kompensasaun husi subprojetu.

25.	Severely affected households (relocation households and those who have more than 10% of total productive/income-generating assets of the household acquired) and vulnerable affected households (poor households based on the Government's regulations; households headed by female with dependents; households headed by elderly person with no means of support; households headed by children with no means of support; households headed by disabled person with no means of support; ethnic households; and landless households) will be provided assistance and income restoration support to assist them to restore/improve of their living conditions.	<i>Uma-kain sira ne'ebé afetadu todan liu (relokasaun ba uma-kain sira no uma-kain sira ne'ebé hetan liu-husi 10% husi totál propriedade sira ne'ebé produtivu) no uma-kain afetadu sira ne'ebé vulneravel (uma-kain kiak sira bazeia ba Governu nia regulamentu sira; uma-kain sira ne'ebé lidera husi feto sira ho dependentes; uma-kain sira ne'ebé lidera husi katuas/ferik ne'ebé la hetan suporta; uma-kain ne'ebé lidera husi ema ho defisiénsia ne'ebé la hetan suporta; uma-kain sira ne'ebé husi étniku minoria; no uma-kain sira ne'ebé laiha rai) sei hetan fomesimentu asisténsia no suporta retaurasaun rendimentu atu asisti sira hodi harii fali/hadiak sira nia kondisaun moris.</i>
26.	4. What is the "Cut-off-Date"?	4. Saida mak "Data-Ikus-liu"?
27.	"Cut-off Date" is the date set-out to determine eligibility for compensation and assistance under the proposed realignment. The cut-off date for this realignment is the date that the demarcation of the construction boundary was conducted (5 September 2023). The cut-off date has been announced publicly by PMU, TST together with the local authorities during public consultation meetings. Any people who settle in the realignment area after the cut-off date will not be entitled to compensation and assistance under the realignment.	<i>"Data-Ikus-liu" mak data ne'ebé tau ona hodi determina elijibilidade ba kompensasaun no asisténsia iha projetu propostu ne'e nia laran. Data ikus nian ba projeitu ida ne maka'a demarkasaun husi konstruksaun nian batas nebe realiza iha (19 July 2022). Data ikus nian publika ona husi PMU nia parte, TST hamutuk ho autoridade local durante engkontro konsultasaun publiku. Karik iha ema ruma mak koko harii ou okupa depois de data ikus nian, ida ne sei la konsedera hodi hetan kompensasaun no asisténsia husi subprojetu.</i>
28.	5. What is the tentative implementation schedule of the proposed project?	5. Saida mak oráriu implementasaun tentativa husi Proposta Projeito ne'e?
29.	Tentatively, the implementation schedule of the project is as below (key activities):	<i>Tentativamente, oráriu implementasaun husi projetu ne'e mak hanesan iha kraik ne'e (atividade importante sira):</i>
30.	Official submission of the SRP to ADB for review and concurrence: September 2023;	<i>Envio oficial SRP ba ADB ho reeve no aprovasaun : Setembru 2023.</i>
31.	Preparation of the detailed compensation and support plans for each affected household: After ADB clearance of final URP (target June-July 2023);	<i>Perparasaun detalho planu kompensasaun no suporta ba kada umakain afeitado; depois ADB aprova no finaliza URP (Targetu iha fulan Junho – Julho 2023).</i>
32.	Disbursement of compensation and assistance payment: August – November 2023;	<i>Desembolsu husi pagamentu kompensasain no asisténsia: Agosto - Setembro 2023.</i>
33.	Land acquisition, displacement of AHs (after full compensation payment, Livelihood Rehabilitation Program in place), can be section by section: October 2023; and	<i>Aquzisaun rai, dislokamentu umakain afetadu (depois selu kompensasaun remata, programa rehabilitasaun subsisténsia organiza ona), bele tuir iha seksaun kada seksaun : Setembru 2023.</i>
34.	Implementation of the Livelihood Rehabilitation Program: July 2024	<i>Implementasaun programa rehabilitasaun subsisténsia hahu iha Julho 2024.</i>
35.	6. What activities will local people be able to participate in?	6. Atividade saida deit mak comunidade lokál sira sei partisipa?
36.	Local people will be invited to participate in all the activities of the proposed realignment, including:	<i>Sei konvida ema lokál sira atu partisipa iha atividade sira hotu husi Projeitu realinhamento propostu ne'e, inklui:</i>
37.	Advise the engineers on the issues for realignment design, review and comment on the design of the realignment that will be constructed in the local area;	<i>Fó konsellu ba enjeñeiru sira kona-ba kestaun sira ba dezeñu Projeitu, ezamina no fó komentáriu kona-ba dezeñu husi Subprojeitu ne'e ne'ebé sei konstrui iha área lokál.</i>
38.	Participate in the consultation meetings;	<i>Partisipa iha enkontru konsultasaun sira.</i>
39.	Participate in the discussion of replacement costs, etc.	<i>Partisipa iha IOL, SES, DMS, Diskusaun estudu ba kustu repozisaun, nst.</i>

40.	Comment on the Supplementary Resettlement Plan;	Partisipa iha diskusaun ba URP
41.	Participate in compensation and assistance activities and monitor of the implementation of the activities.	<i>Partisipa iha kompensasaun no atividade assisténsia sira no monitór implementasaun husi atividade sira.</i>
42.	Other activities of the realignment as necessary.	<i>Atividade sira seluk husi Subprojeto ne'e.</i>
43.	7. How can people submit complaints or grievances on issues they are not satisfied with?	7. Oinsá ema bele hatama reklamasan sira ka keixa sira kona-ba kestaun sira ne'ebé sira la satisfeitu?
44.	To ensure that any questions and complaints from the residents (relating to compensation and resettlement and also other issues of the proposed realignment) are addressed in a timely and satisfactory manner, and that all possible avenues are available to residents to air their grievances, a project level grievance redress mechanism (GRM) has been established. GRM is presented at the end of this booklet.	<i>Atu asegura katak pergunta no reklamasan ruma husi rezidentes sira (laos deit relasiona ho kompensasaun no reasentamentu, maibe mos kestaun seluk husi projeto realinhamento ne'e) haree no responde tuir tempu no ho maneira satisfatóriu, no dalan sira hotu ne'ebé posivel disponivel ba rezidentes sira atu hato'o sira nia keixa sira, sei estabesele mekanizmu rezolusaun ida ba reklamasan sira iha nivel projeto nian (GRM).</i>
45.	APs may lodge their grievances following the stages as presented in the table below:	<i>APs sei hatama sira nia reklamasan tuir etapa nebe sei prezensa iha tabelo okos:</i>
46.	At any stage in the GRM, the complainant has the option to elevate the complaint to authorized local courts for resolution following the rules of court. During the litigation of the case, the Government will request from the court that the realignment proceed without disruption while the case is being heard. If any party is dissatisfied with the ruling of the civil court, that party can elevate the case to a higher court. The Government shall implement the decision of the court. The project-level GRM should not impede access to the country's jurisdiction or administrative remedies. There are no charges or fees levied to the APs for the lodgment and processing of complaints.	<i>Iha kualker faze iha mekanizmu ba reparasaun keixa, reklamante ne'e bele hetan opsan atu hato'o reklamasan ba tribunál lokál autorizadu hodi hatama prosesu ba tribunál tuir tribunál nia regulamentu sira. Durante prosesu hatama keixa ne'e ba tribunál, Governu sei hato'o pedidu husi tribunál katak Projeto sei kontinua la'o sein interruptsan enkuantu kazu ne'e iha hela tribunál. Governu sei implementa desizaun husi tribunál. Mekanizmu rezolusaun ida ba reklamasan sira iha nivel projeto nian labele impede asesu ba juridiksian ka remédios administrativos nasaun ida nian. Ema ne'ebé afetadu sei la selu buat ida ka sei la selu taxa ba apresentasaun no prosesamentu reklamasan sira.</i>
47.	If complaints and grievances using the above mentioned procedure remain unresolved or unsatisfactory, complainants - as a last resort - have the right to directly discuss their concerns or problems with the ADB's Transport and Communications Division (SETC), Southeast Asia Department (SERD) through ADB Timor-Leste Resident Mission (Address: Rua Cabo Verde No 16, Posto Administrativo, Vera Cruz, Suco Motael, Aldeia Halibur, Dili, Timor-Leste, Tel: +670 3306200). If the complainants are still not satisfied with the responses of the SERD, they can directly contact the ADB Office of the Special Project Facilitator. The Office of the Special Project Facilitator procedure can proceed based on the Accountability Mechanism in parallel with the realignment implementation.	<i>Se esforsu sira atu rezolve reklamasan no keixa sira uza prosedura sira ne'ebé temi ona iha leten labele rezolve nafatin ka nafatin la satisfeitu, reklamante sira ne'e – hanesan dalan ikus liu – iha direitu atu deskuti sira nia preokupasaun ka problema sira ho ADB nia Devizaun Transporte no Komunikasaun (SETC), Departamentu Sudeste Aziátiku (SERD) liu-husi ADB Timor-Leste Resident Mission (Direasaun: Rua Cabo Verde No 16, Posto Administrativo, Vera Cruz, Suco Motael, Aldeia Halibur, Dili, Timor-Leste, Tel: +670 3306200). Se reklamante sira nafatin la satisfeitu ho resposta sira husi SERD, sira bele kontaktu edifisiu ADB Fasilitadór Projeto Espesiál. Prosedura Edifisiu Fasilitadór Projeto Espesiál bele kontinua bazeia ba Mekanizmu Responsabilidade ne'ebé paralelu ho implementasaun projeto ne'e.</i>

GRIEVANCE REDRESS MECHANISM (AP =Affected Person **AP =Affected Person** **Mekanismu ba Reparasaun Keixas ba Afetados Nain**

Stage – Etapa	Process - Prosesu	Duration - Durasau
1	AP submits his/her grievance to realignment manager in person AP submete nia reklamasaun ba Jestor nain realignment	
2	Realignment manager will try to resolve the issue Jestor nain Realignment sei rezolve kestaun refere	7 days Loron 7
	If unresolved or if AP wants to go directly to PMU Karik la rezolve ou AP bele direita ba PMU	
3	Realignment manager will take grievance to GRC or PMU/community liaison officer Jestor nain realignment sei levanta reklamasaun ne ba GRC ou PMU/ potu vocal comunidade	Within 2 weeks of receipt of decision in Step 2 Iha semana 2 nia laran depois simu reklamasaun hodi buka solusaun iha Etapa 2
4	Issue discussed at project liaison meeting Kestaun nebe sei diskuti iha jestaun projeto ekipa	1 week Semana 1
5	PMU/community liaison officer reports back to the village/AP PMU/ponto vocal b comunidade sei hatoo ba autoridade local/AP	5 days Loron 5
	If unresolved - Karik la resolve	
6	AP takes grievance to MPW Secretary of State with assistance from the realignment AP levanta reklamasaun ba Ministerio obras publika ho assistensia husi realignment.	Within 2 weeks of receipt of decision in Step 5 Iha semana 2 nia laran simu ona resizaun iha etapa 5 nia laran.
7	Secretary of State refers matter to an internal committee Sekretario estado refere kestaun ne'e ba komisaun internal.	2 weeks Semana2
8	Secretary of State reports back to AP/village chief Sekretario estado informa fila ba AP/xefi suko	5 days Loron 5
	If unresolved or at any stage if AP is not satisfied Karik la rezolvido ou iha etapa prosesu ida AP la satisfeito	
9	AP can take the matter to appropriate court AP bele lori kestaun ne ba Tribunal	As per judicial system Tuir Sistema Juridisial

For more information, you may contact PMU.	Ba Informasaun klean liu-tan, ita bele kontaktu PMU – Gestor Unidade do Projeto
Mr. Diogo Agustino Pereira, Project Manager	Phone Number: +670 774 03524
Mr. Aleixo Dos Santos, Resettlement Specialist - PMU	Phone Number: +670 704 8813
Mr. Markus Valentim, Resettlement Specialist - PMU	Phone Number. + 670 7320 9614
Mr. Afonso Mendoca, Team Leader of Temporary Supervision Team	Phone Number. +670 7408 2115

Appendix 7: GoTL vs RCS Payments

Comparison Payments made using and GoTL 2022/3 Resolution vs possible payment using RCS				
No	AHs	Total Available Payment GoTL New Resolution Rates 24/2022 (US\$)	Total amount under RCS (US\$)	Excess over RCS paid to AHs
1	Alda dos Santos	680	665	15
2	Teresa Dos Santos	750	750	0
3	Manuel R. Goncalves	70	55	15
4	Alberto do R. dos Santos	760	405	355
5	Luis Ribeiro Goncalves	270	270	0
6	Maria Lurdes da Silva	810	810	0
7	Antoninho S. da cruz Ribeiro	2265	2250	15
8	Antoninho Ribeiro	2630	2425	205
9	Julio dos Santos de Jesus	876	856	20
10	Antonia dos santos Mendes	652	652	0
11	Francisco dos S. da costa Mau Asu	740	720	20
12	Aderito Soares	860	835	25
13	Eusebio filipe Babo	2480	2445	35
14	Angelo dos Santos	1375	1375	0
15	Americo Espirito Santo	1725	1560	165
Total (US\$)		16943	16073	870