



**REPUBLICA DEMOCRATICA DE TIMOR LESTE
MINISTERIO DAS INFRA-ESTRUTURAS**

ROAD NETWORK UPGRADING PROJECT



**Revised Resettlement Plan
Tibar-Gleno Road**



February 2012

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Tibar-Gleno Road

SMEC International Pty Limited, Australia
February 2012

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Abbreviations

ADB	:	Asian Development Bank
AF	:	Affected Family
AH	:	Affected Household
AP	:	Affected Person
AF	:	Affected Family
DLPCS	:	Directorate of Land, Property and Cadastral Survey
DMS	:	Detailed Measurement Survey
DRBFC	:	Directorate of Roads, Bridges and Flood Control
EA	:	Executing Agency
ESU	:	Environmental and Social Unit
GRC	:	Grievance Redress Committee
IA	:	Implementing Agency
IOL	:	Inventory of Losses
IPDP	:	Indigenous People Development Plan
MOF	:	Ministry of Finance
MOI	:	Ministry of Infrastructure
MOJ	:	Ministry of Justice
NGO	:	Non-Government Organization
PISC	:	Project Implementation and Support Consultants
PMU	:	Project Management Unit
RF	:	Resettlement Framework
RNUP	:	Road Network Upgrading Project
ROW	:	Right of Way
RP	:	Resettlement Plan
SoSPW	:	Secretariat of State for Public Works
SPS	:	Safeguards Policy Statement
TLCLS	:	Timor-Leste Survey of Living Standards, 2007
USD	:	United States Dollar

Glossary

Affected Household/Family: All members of a household residing under one roof and operating as a single economic unit; who are adversely affected by the Project or any of its components. It may consist of a single nuclear family or an extended family group.

Affected Person (AP) : All the people affected by the Project through land obtaining, relocation, or loss of income; and include any person, household [sometimes referred to as project affected family (AF)], firms, or public or private institutions. APs, therefore, include (i) persons whose agricultural land or other productive assets such as trees or crops are affected; (ii) persons whose businesses are affected and who might experience loss of income due to the Project impact; (iii) persons who lose work/employment as a result of Project impact; and (iv) people who lose access to community resources/property as a result of the Project.

Assistance: Support, rehabilitation and restoration measures extended in cash and/or kind over and above the compensation for lost assets.

Compensation : Payment in cash at current market value or in kind for an asset or a resource that is obtained or affected by a project to which the affected people are entitled in order to replace the lost property or income.

Cut-off date: The date after which people will NOT be considered eligible for compensation, i.e. they are not included in the list of APs as defined by the census. Normally, the cut-off-date is the date of the detailed measurement survey.

Detailed Measurement Survey : The detailed inventory of losses that is completed after detailed design and marking of project boundaries on the ground.

Encroachers : People who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the Project. The term also refers to those extending attached private land into public land.

Entitlement : The range of measures comprising cash or kind compensation, relocation cost, income restoration assistance, transfer assistance, income substitution, and relocation which are due to business restoration which are due to APs, depending on the type and degree /nature of their losses, to restore their social and economic base.

Inventory of Losses : The pre-appraisal inventory of assets as a preliminary record of affected or lost assets.

Land Obtaining : Purchase of land for the Project through negotiated settlement until the expropriation law is passed.

Non-titled : People who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant i.e. those people without legal title to land and/or structures occupied or used by them. ADB's policy explicitly states that such people cannot be denied compensation.

Project : The Road Network Upgrading Sector Project funded by ADB.

Rehabilitation : Compensatory measures provided under the Policy Framework on involuntary resettlement other than payment of the replacement cost of obtained assets.

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

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

- i. Agricultural land at the pre-project or pre-displacement level, whichever is higher and is the market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes;
- ii. Land in urban areas: it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes;
- iii. Houses and other related structures based on current market prices of materials, transportation of materials to construction site, cost of labor and contractor's fee, and any cost of registration and transfer taxes. In determining replacement cost, depreciation of assets and value of salvaged building materials are not taken into account and no deductions are made for the value of benefits to be derived from the project ;
- iv. Crops, trees, and other perennials based on current market value; and
- v. Other assets (i.e. income, cultural or aesthetic) based on replacement cost or cost of mitigating measures.

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

Resettlement : All the impacts associated with loss of physical and non-physical assets, including homes, communities, productive land, income-earning assets and sources, subsistence, resources, cultural sites, social structures, networks and ties, cultural identity, and mutual help mechanisms.

Significant Impact : If 200 people or more persons experience major impacts, which are defined as : (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).

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

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

Vulnerable : Who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and includes : (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households that fall on or below the poverty line (within the meaning given previously); (iv) landless; (v) elderly households with no means of support; (vi) households without security of tenure; (vii) households of indigenous population or ethnic minority.

EXECUTIVE SUMMARY

1. Timor-Leste has begun rebuilding its national infrastructure after years of sufferings from conflict and underdevelopment. Physical infrastructure development including road network is now recognized by the country as a top priority to accelerate its new economic opportunities and poverty reduction. Given the emphasis on nationwide development of road infrastructure, the Government of Timor-Leste has planned to upgrade the 32 km Tibar-Gleno Road section under the Road Network Upgrading Project (RNUP), with financial support from the Asian Development Bank (ADB).
2. The project road Tibar-Gleno, with a length of about 32 km, is a continuous section of the major national route between Dili and Ermera via Tibar and Gleno. The road is extended over the western half of Timor-Leste, within the geographic coverage of two districts comprising Liquica and Ermera.
3. The Ministry of Finance (MOF) is the project executing agency (EA) and the Ministry of Infrastructure (MOI) is the project implementing agency (IA). Project implementation works will be managed by the MOI through its existing Project Management Unit (PMU), supported by the Project Implementation and Support Consultants (PISC).
4. Physical implementation of improvement works includes widening of the existing road to achieve a width up to 9 meters - 6 meters wide carriageway together with shoulder width up to 1.5 meter on each side, including drainage construction. The strategy for the Project is to minimize land requirements by confining the construction works within existing road corridor to the extent possible. The strategy also includes some compromise on reducing the embankment width even to 7.5 meters at certain sections of the tortuous stretch. However, it will inevitably be necessary to acquire some land and other assets for widening and raising of the road embankment which will cause involuntary resettlement impacts. To address these resettlement impacts, the present draft Resettlement Plan (RP) has been formulated in conformity with ADB's safeguard requirements on involuntary resettlement under the *Safeguard Policy Statement*, adhering to the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted by the Government of Timor-Leste for the Road Network Upgrading Project.
5. A combined census and socioeconomic survey carried out in September 2011 and again in December 2011 shows that the Project will have to acquire about 4950 sq. meters of land (0.5 hectares), about 22 sq. meters of structure and about 912 trees of different kind along either side of the embankment. Total number of affected households has been estimated at 52 along with 198 affected persons (APs). A summary of impact is presented in Table 1.

Table 1: Summary of Impact

Impact Category	Magnitude of Impact
Total number of Affected Households	52 households
Total number of Affected Persons	198 people
Total area of Affected land	4,950 sqm
Total number of Affected Structures	3 units
Total area of Affected Structures	22 sqm
Total number of Affected Roadside Businesses	25 units
Total number of Affected Trees	912 trees

6. Land acquisition and resettlement for the project will be carried out in conformity with the Expropriations Act. The Parliament of Timor-Leste has passed the Expropriations Act according to which land for this Project will be obtained. Cadastral surveys will be conducted as part of this process and impacts will be reassessed. Consequently, the estimates in the above summary table may have to be revised and updated.

7. The Project will follow the approach of setting a negotiated price at replacement cost for determining compensation for any affected asset, physical and non-physical. Acquisition of land for the Project will be done under the provisions of the Expropriations Act (2012), which provides for negotiated purchase as the first approach. Only if negotiations fail, the government will initiate “compulsory acquisition”.

8. The RP is based on ADB’s *Safeguards Policy Statement of 2009* (SPS 2009) as well as the Timor-Leste’s applicable/domestic policy instruments and laws. The RP fits with the provisions of the Resettlement Framework (RF) approved for Ministry of Infrastructure, Government of Timor-Leste. The following section deals with these policies with a comparison of two policies and subsequently deals with the entitlements and eligibility for compensation and other resettlement entitlements.

9. This RP will apply to the Road Network Upgrading Project for implementing the Tibar-Gleno subproject. This will ensure that all persons losing of land and other fixed assets, will get appropriate compensation and rehabilitation assistance.

10. Cut-off Date under the Project is the date after which people will not be considered eligible for compensation, i.e. they are not included in the list of APs as defined by the census. The cut-off date under the Project has been set as on 9 December 2011. PMU/MOI was informed about the cut-off day to inform the local communities. People who move into the area after this date will not be entitled to any compensation. The following categories of affected persons will be entitled to receive compensation for their losses (i) those with titles to land recognized on a legal basis; (ii) those with no legal rights but have a claim to the land or assets, and are recognized through a process identified in the RP; and (iii) those who have no legal right or claim to the land they are occupying before the cut-off date.

11. Negotiated prices in conformity with the Expropriations Act, and ADB policy, will ensure that APs receive replacement cost for land and other fixed assets (houses, other structures) crops and trees. While APs with recognizable land rights/claims will receive fair compensation/price at replacement rate for land, those without such rights will be compensated for assets attached to land such as houses, kiosks, and other structures. They will also be entitled to assistance for restoring their incomes. APs without legal title or legitimate claim will be entitled to compensation for non-land assets only and other assistance. Vulnerable persons and women headed households will qualify for special assistance. An entitlement matrix is given in Table 2.

12. After approval of this RP by MOI and ADB, a summary of this resettlement plan along with the entitlement matrix, including the list of APs will be translated into local language (Tetum/Portuguese) and will be disclosed to stakeholders, especially affected persons, by the MOI. This will be presented in the form of a pamphlet/brochure (Annex 5 of this RP) to enable the APs and local communities to read it and be aware of the Project’s benefit / compensation available for the APs, as per provision in the ‘entitlement matrix’. MOI field staff / consultant will distribute the brochures through suco meetings and will explain the mechanisms and procedures and overall process of the compensation program. The RP will be made available in the Ministry of Infrastructure (MOI) including MOI’s field offices, Directorate of Land Property and Cadastral Survey, offices of District and Sib-District Administrators, offices of the Suco

Chiefs and Aldeia leaders, as an official public document. The RP will also be disclosed on the ADB and MOI websites.

Table 2 : Project Entitlement Matrix

Type of Loss	Unit of Entitlement	Details of Entitlements	Responsibility
1. Permanent loss of homestead and commercial land	Titleholders/ Claimants	<ul style="list-style-type: none"> ▪ Compensation for the loss of residential land at negotiated price ensuring replacement cost. 2. Compensation for the residential structure (part or full) at replacement rates without depreciation. ▪ Transitional allowance for maximum of 9 months at monthly USD 100 if the residual land is not viable (land acquired is 75% or more of the total land holding of the titleholder); Or, for 3 months if the residual land is viable. ▪ If the household is vulnerable, transitional allowance will be for 12 months. ▪ All fees, taxes and other charges, as applicable under relevant laws incurred in the relocation and resource establishment are to be borne by the project. ▪ Landless/vulnerable APs will be assisted to find alternative land/plot. 	PMU
2. Permanent loss of residential/commercial structures of owners/claimants	Owners of structure	<ul style="list-style-type: none"> ▪ Compensation for house/structure(s) at negotiated price ensuring replacement value. ▪ Transitional assistance to cover a maximum of 9 months rental accommodation. If the household is vulnerable transitional allowance will be for 12 months. ▪ One-time lump sum shifting allowance of 200 USD for temporary, semi-permanent and permanent structures. ▪ Right to salvage materials from the demolished structure ▪ Vulnerable APs will be provided a one-time rehabilitation grant in the form of productive assets. 	PMU
3. Assets of squatters or informal settlers.	Informal settlers / squatters / non-tilted APs identified by IOL losing commercial semi-permanent structure.	<p>Compensation at replacement cost of affected structure estimated during IOL and finalized with DLPCS.</p> <p>Transitional allowance for loss of income from business of US\$100 for 4 months per HH.</p> <p>Salvaged materials free of cost.</p>	DLPCS with assistance from the PMU's Valuation Specialist and in consultation with relevant authorities will finalize the compensation at replacement cost for the affected structure as identified during IOL.
4. Annual/ Seasonal crops	Household	Compensation at market value of crops for 3 years, plus 1 assistance grant of USD 100 for purchase of seeds for the next season.	PMU with assistance from relevant government ministries and valuation specialist.
5. Tree.	Claimant of the affected tree	<ul style="list-style-type: none"> ▪ Compensation at replacement cost of affected tree estimated during IOL and finalized with DLPCS. ▪ Salvaged materials free of cost. 	DLPCS with assistance from PMU's Valuation Specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.
6. Income from	Kiosks	One time lump sum transfer grant of US\$ 100 per kiosk.	PMU in coordination

business.		Transitional allowance of US\$ 100 for 4 months per HH.	with DLPCS and with assistance of local authorities and community leaders.
7. Impact on vulnerable APs	Vulnerable and women headed households identified by IOL.	In addition to the above standard package, vulnerable AP households will receive following: Additional special assistance of US\$ 100 for additional 2 months for vulnerable HH.	PMU with assistance of local authorities and community leaders
8. Unforeseen Impact.	Concerned impactees.	Unforeseen impacts will be documented and mitigated based on the principles agreed upon in this policy framework.	PMU identifies and mitigates impacts as required.

13. In conformity with the Expropriations Act, it is important to deal effectively with APs concerns pertaining to resettlement impacts such as compensation, rehabilitation, delays in payment. To ensure this, a simple and accessible, transparent and effective grievance redress system will be established.

14. The PMU under the MOI will have overall responsibility for implementing the sub-project. The PMU will strengthen its capacity with a social safeguard specialist to plan and implement land purchase and resettlement, train counterpart staff and monitor resettlement in the sub-project. To this end an Environmental and Social Unit (ESU) will be established in the PMU, staffed by a national social safeguards specialist and an international social safeguards specialist. A valuation specialist will be provided to assist the MOJ/DLPCS in valuation of property and to have appropriate compensation in place. The international safeguard specialist at PMU will assist in managing all resettlement activities including the process of reaching adequate compensation. If situation demands, PMU will engage an experienced NGO, active in the project area, to assist the process of consultations and negotiating compensation and in resolving disputes.

15. All costs associated with land purchase and resettlement will be provided by the government. The entire resettlement for the road improvement project is estimated at **118,438 USD** (0.12 million USD), out of which **98,438 USD** is direct resettlement expense and the rest is kept to meet the training, internal monitoring, administrative and contingency expenses. The cost items are in compliance with the RF prepared for the project.

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

17. The earliest that financial resources for resettlement aspects of the Project are expected to be available during mid June 2012; hence the earliest actual implementation of the RP may begin during late June 2012.

1. INTRODUCTION

1.1 Background

1. Timor-Leste has begun rebuilding its national infrastructure after years of sufferings from conflict and underdevelopment. Physical infrastructure development including road network is now recognized by the country as a top priority to accelerate its new economic opportunities and poverty reduction. Given the emphasis on nationwide development of road infrastructure, the Government of Timor-Leste has undertaken the Road Network Upgrading Project (RNUP), with financial assistance from the Asian Development Bank (ADB).

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

3. The Project includes improvement and upgrading of priority national roads. The priority roads include (i) Dili-Tibar-Liquica with a length of 28.8 km, and (ii) Tibar-Gleno with a length of 32 km. Both the roads are extended over the western half of Timor-Leste, within the geographic coverage of three districts comprising Dili, Liquica and Ermera.

4. The strategy for the Project is to minimize land requirements by confining the construction works within existing road corridor to the extent possible. However, it will inevitably be necessary to acquire some land and other assets for widening and raising of the road embankment which will cause involuntary resettlement impacts. To address these resettlement impacts, the present draft Resettlement Plan (RP) for the Tibar-Gleno Road has been based on impact survey and census and socioeconomic survey of the affected persons (AP), and consultation with AP population and various stakeholders. The RP preparation has been carried out in line with ADB's safeguard requirements on involuntary resettlement under the *Safeguard Policy Statement*, and in conformity with the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted by the Government of Timor-Leste for the Road Network Upgrading Project.

5. The improvement of the Tibar-Gleno Road will involve the acquisition of land and other assets. A combined census and socioeconomic survey carried out in September 2011 and again in December 2011 shows that the Project will have to acquire about 4950 sq. meters of land (0.5 hectares), about 22 sq. meters of structure and about 912 trees of different kind along either side of the embankment. Combined with the bamboo trees, the estimated number of affected trees will be greater than this. Total number of affected households has been estimated at 52 along with 198 affected persons (APs). Apart from this, implementation of improvement works with clearing off the right of way land will cause resettlement impact involving physical displacement to 1 household.

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

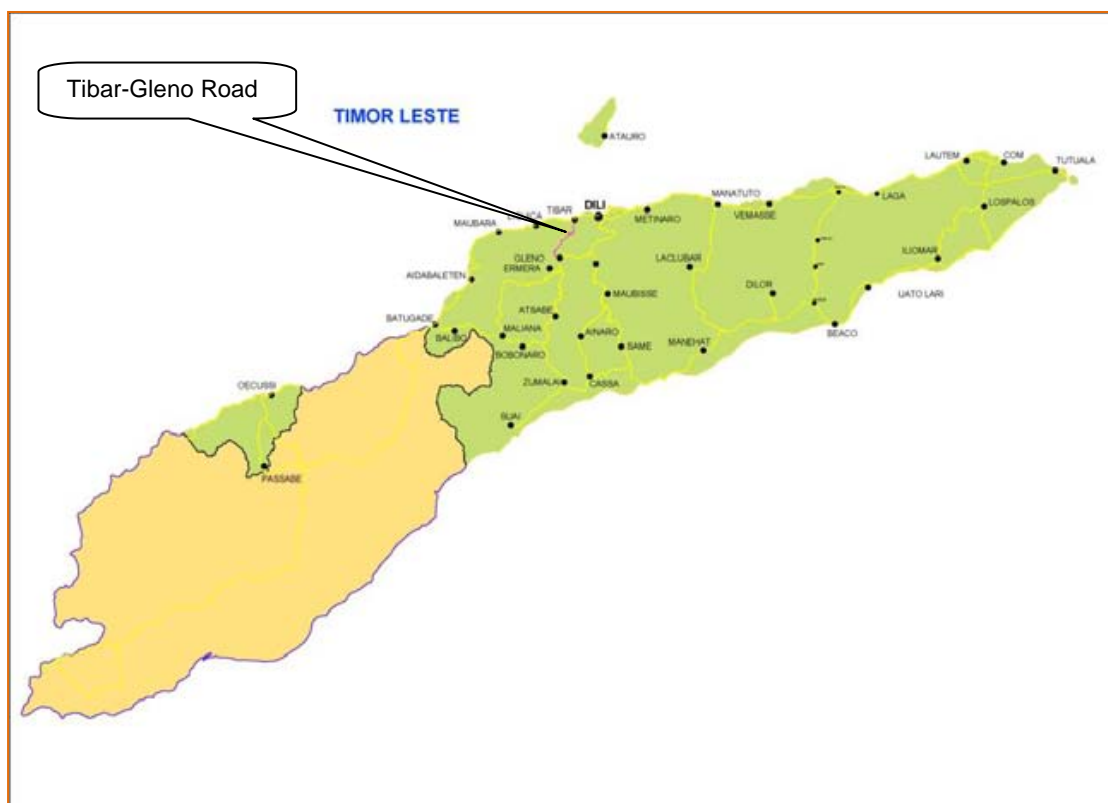
7. Land acquisition and resettlement for the project will be carried out in conformity with the Expropriations Act (2012). For acquiring land and other assets, the Project will follow the

provisions of the Act which provides for negotiated purchase as the first approach. The Parliament of Timor-Leste has passed the Expropriations Act according to which land for this Project will be obtained. Cadastral surveys will be conducted as part of this process and impacts will be reassessed. Consequently, the estimates in the Table 2.2 on summary of impact in subsequent section 2.2 may have to be revised and updated.

1.2 Project Description

8. The project road Tibar-Gleno, with a length of about 32 km, is a continuous section of the major national route between Dili and Ermera via Tibar and Gleno. The road then with continuous stretch feeds into the Ermera-Maliana road which links Mota Ain the main land border crossing with Indonesia. The road lies within the geographic coverage of the two districts – Liquica and Ermera. Project Location Map is presented in Figure 1.

Figure 1 : Project Location Map



9. Physical implementation of improvement works includes widening of the existing road to achieve a width up to 9 meters - 6 meters wide carriageway together with shoulder width up to 1.5 meter on each side, including drainage construction. The width of the existing carriageway of the project road mostly ranges between 3 and 4 meters. The improvements with widening require acquisition of strips of land along either side of the existing embankment. This will be achieved by careful attention to the detailed design of the alignment since it is desirable to stay close to the existing alignments as far as possible, in order to avoid major land acquisition impact, as well as to avoid impact on structure or built-up areas. This involves some compromise on reducing the embankment width even to 7.5 meters at certain sections of the tortuous stretch, but not to the extent of creating potentially uneasy back and forth traffic on the road.

1.3 Objectives of the RP

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

11. The impacts are documented in the RP corresponding to the available engineering design of the road alignment as of December 2011. It includes inventory of all the APs that covering the actual magnitude of impact on their land and other property, together with compensation for their losses.

1.4 RP-related Conditionality

12. Project implementation works will be contingent on the compliance to the following conditions :

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

2. SCOPE OF LAND RESETTLEMENT

2.1 Scope and Rationale for Land Acquisition/Resettlement

13. Improvement of the Tibar-Gleno Road will follow existing alignments to the maximum extent possible to minimize resettlement impacts. The road upgrading works will include earthworks including widening where it is considered absolutely necessary, retaining structures, drainages, bridges and pavements. The road will be upgraded to all weather, asphalt surfaced standard that will enable it to carry loaded container trucks as a minimum. Upgrading of the road will affect structures, small roadside businesses, trees both fruits and timber and cash crop plants like coffee and banana. A total of 52 households will be affected. For understanding the adverse social and resettlement impacts of the project interventions, a 100% census combined with socioeconomic survey was carried out in September 2011 and again in December 2011 to make an inventory of losses (IOL), and to develop a baseline of socioeconomic status of the households likely to suffer from project implementation. A structured questionnaire (Annex 1) was used to collect details of the affected families (AFs).

2.2 Measures to Minimize Land Acquisition Impact

14. Improvement with widening of the road is planned to be carried out limiting the embankment width within 9 meters. Keeping the provision of carriageway width 6 meters all the way, the shoulder provision is proposed up to 1.5 meters. Initially, the proposed widening of the road involved major impacts on land, structure, trees and other assets. In subsequent effort to avoid and minimize resettlement impacts to the maximum extent possible, the Project adopted a compromised strategy keeping the width of the tortuous road from 7.5 meters up to 9 meters:

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

15. Following the above alternatives, a great extent of impact on land, trees and other assets has been minimized. In the preliminary assessment, a total of 161 households were estimated to be affected. After reviewing the impacts and realigning the road stretch, the number of households has been substantially reduced to 52 households. Table 2.2 shows the measures taken to minimize the resettlement impact along the road corridor.

Table 2.1: Measures to Minimize Resettlement

Magnitude of Impact before Alternative 1				Magnitude of Impact after Alternative 2						Mitigation Measure
Total # of Households	Total # of APs	Total Area of Land (m ²)	Total # of Structure (m ²)	Total # of Trees	Total # of Households	Total # of APs	Total Area of Land (m ²)	Total # of Structure (m ²)	Total # of Trees	
161	1116	411485	19 (162m ²)	3553	52	198	4950	3 (22m ²)	912	Realignment and adjustment of width

2.3 Summary of Impacts

16. The Project has carried out an extensive exercise to minimize adverse resettlement impacts. This approach has resulted in, as mentioned earlier, resettlement impact to 52 households in terms of affect on structure, land and business. Total number of APs has been estimated at 198. About 4950m² of land and 22m² of structure will be affected. A large number of trees will be affected, comprising both timber trees and fruit trees. Also there will be coffee, banana and cassava plants affected along with some bamboo and coconut trees. Table 2.1 summarizes the whole resettlement impact of the Project. The subsequent section 2.4 of this chapter details the losses in each category.

Table 2.2: Summary of Impact

Impact Category	Magnitude of Impact
Total number of Affected Households	52 households
Total number of Affected Persons	198 people
Total area of Affected land	4,950 sqm
Total Area of Land under Possession of Landowners	39,620 sqm
Total number of Affected Structures	3 units
Total area of Affected Structures	22 sqm
Total area of Structures under Possession of Structure Owners	55.39 Sqm
Total number of Affected Roadside Businesses	25 units
Total number of Affected Trees	912 trees

2.4 Impact Assessment

2.4.1 Impact on People

17. As mentioned earlier, a total of 52 households will be affected. Of these, 24 will be affected in terms of land, 3 in terms of structure and 25 in terms of businesses (Table 2.3). A total of 198 people will be affected, with no significant difference in sex ratio – 105 APs male and 93 APs female (Table 2.4)

Table 2.3: Number of AH and AP on the basis of category of impact

Category of Impact	Affected Households (AHs)			Affected Persons (APs)		
	Liquica	Ermera	Total	Liquica	Ermera	Total
No of AH losing land 100m ² or less	4	7	11	17	28	45
No of AH losing land more than 100m ² but less than 500 m ²	5	4	9	23	16	39
No of AH losing land more than 500 m ² but less than 1000 m ²	0	3	3	0	13	13
No of AH losing land 1000 m ² and above	0	1	1	0	7	7
Total No of AH in Land Affected	9	15	24	40	64	104
100% affected	1	0	1	2	0	2
10% affected	1	0	1	5	0	5
20% affected	1	0	1	3	0	3
Structure affected	3	0	3	10	0	10
Business Affected	0	25	25	0	84	84
Total	12	40	52	50	148	198

Table 2.4: Distribution of Affected Persons by Gender

Description	Number of APs	Percent (%)
Male	105	53
Female	93	47
Total	198	100%

2.4.2 Impact on Land

18. As mentioned earlier, a total of 4950 m² of privately owned land will be affected by the project. Major part of the affected land falls under Ermera District - over 78%. 24 households will suffer the loss of land, with an average loss of 206.25m² per household (Table 2.5).

Table 2.5: Detailed of Land Affected

District	No of AH	Avg. area of land affected per AH (m ²)	Total area of land affected (m ²)	No of AH losing land 100m ² or less	No of AH losing land more than 100m ² but less than 500 m ²	No of AH losing land more than 500 m ² but less than 1000 m ²	No of AH losing land 1000 m ² and above
Liquica	9	117.78	1060	4	5	0	0
Ermera	15	259.33	3890	7	4	3	1
Total	24	206.25	4950	11	9	3	1

2.4.3 Impact on Trees

19. A total of 132 trees of different types will be affected (Table 2.6). Among these, 40 are timber trees and rest is fruit trees and other. Among affected timber trees, distribution of teak wood and the other different types of big timber trees is equal. 32 different types of fruit trees will be affected. Also 50 coconut and 10 papaya trees will be affected by the project. Apart from this, 10 groups of Bamboo trees will also be affected which are not included in the table. Thus, the total number of trees that will have to be removed will be greater.

Table 2.6: Impact on Trees

Type of Trees	Number
Timber Trees	
Big Timber Tree	20
Teak Wood	20
Fruit Trees	
Mango	10
Jackfruit	7
Guava	15
Others	
Coconut	50
Papaya	10
Total	132

2.4.4 Impact on Crops

20. The road passes through one of the largest and dense coffee growing areas of the country. As a result, the impact on crops, especially on coffee is high. 250 coffee trees will be affected, resulting in annual yield loss of around 1.25 tons¹ of coffee (Table 2.7). Alongside, 500 trees of banana will be affected, resulting in an annual yield loss of around 7.5 tons of banana production and another 50 plants of Cassava will be affected resulting in 0.07 tons of annual yield loss of Cassava production.

Table 2.7: Impact on Crops

Crops	No of Plants/trees Affected	Estimated Loss in Yield (Yearly)	Value in USD
Affected coffee	250	1.25 Tons	6250
Affected banana	500 trees	500 Bunches	2500
Affected Cassava	50 plants	150 kg	

2.4.5 Impact on Structures

21. Of the 3 affected structures, 2 are semi permanent which will be partly affected. The remaining 1 structure is temporary which will have to be removed fully.

22. Apart from the structures mentioned in Table 2.8, 25 structures will also be affected which are currently being used as roadside business kiosks. These are all temporary structures. However, the impact of the project on these structures will not be permanent; rather, these can be retained once the project is completed.

23. Of the 3 affected structures in Bazartete Sub-district under Liquica District, 2 households will have partly impact, while the rest 1 structure will have impact with loss of 100% of its respective area (Table 2.9). These partly affected structures however shall be moved a little back to their own available land.

Table 2.8: Extent of Impact on Structure

Portion of the Structure Affected	No of Structures	Type of Structure	No of AH	Affected Area (m ²)	Total Holding (m ²)
100 % affected	1	Semi Permanent	1	17.64	17.64
Less than 10%	1	Semi Permanent	1	2.60	32.45
Less than 20%	1	Temporary	1	1.00	5.30
Total	3		3	21.24	55.39

2.4.6 Impact on Income

24. Among the 3 affected structures, 2 structures are being used as residential purpose, and the rest 1 structure is used as commercial. The residential structures are not rented out and hence there is no income from these structures. Average monthly income from commercial structure is USD 85.88 (Table 2.9).

¹ Yield of a coffee tree is estimated at 5 kg per year.

Table 2.9: Usage and Income from Affected Structure

Use of Structure	No of Structure	Avg. Monthly Income from Structure
Residential	2	-
Commercial	1	\$ 85.88
Total	3	

25. As mentioned earlier, there are 25 road side businesses establishment which are actually kiosks (temporary shops) operating within the project area and will face loss of business due to the project. These structures will be affected for a limited period during the construction of the particular section of the road only, for a time length of more or less 4 months. It is however assumed that these APs will resume their operation once the construction of the road section is finished. Hence, these businesses will be disrupted only during the construction period. Average income of these businesses is USD 68.80 per month.

26. Implementation of physical works will have some serious impact on cash crops like coffee, cassava and banana. According to Table 2.7, there will be approximately 6250 USD² annual loss of income from coffee and 2500 USD³ annual loss of income from banana being affected by the road project. Apart from these, there will be some impact of income due to loss of Cassava, Coconut and Papaya.

2.4.7 Gender Impact

27. Discussions were undertaken with the women and community people to look into the current status and needs of the women in the subproject area and the potential impact of the Project on them. The assessment has not brought forth any adverse impacts of the Project on women in particular. Rather, the Project is anticipated to benefit them by strengthening connectivity and by accelerating new economic opportunities and poverty reduction that contribute towards the overall quality of life in their area.

² Based on the current market price, cost of coffee has been estimated at USD 5 per kg.

³ Cost of banana fruit has been calculated based on one crop as 1 bunch per tree at 5 USD for each bunch.

3. SOCIOECONOMIC INFORMATION AND PROFILE

3.1 Working Methodology

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

3.2 Demographic Characteristics of APs⁴

3.2.1 Population of APs

29. It has been mentioned earlier that the project will impact a total of 198 APs - 105 male and 93 female (Table 3.1).

Table 3.1 : Population of APs

Sl. No	Description	Number of APs	Percent (%)
1	Male	105	53
2	Female	93	47
Total		198	100

3.2.2 Age of APs

30. As per Table 3.2, majority of the affected population are within age 18 to 50, while a significant are between age 51 and 70.

Table 3.2 : Age Distribution of APs

Age features of the AP	No of AP	% of AP
Below 5 Years	19	9.59
Between 5 and 18 years of age	38	19.19
Between 18 and 50	81	40.90
Between 51 and 70	58	29.29
> 70 years of age	2	1.01
Total	198	100

3.2.3 Marital Status of APs

31. Table 3.3 shows the marital status of the APs. From marital point of view, maximum of the APs (41.41%) are married.

Table 3.3: Marital Status of the APs

Marital Status	Male		Female		Total	
	No.	%	No.	%	No.	%
Minor	32	30.48	25	26.88	57	28.78
Unmarried	29	27.62	24	25.80	53	26.76
Married	41	39.05	41	44.09	82	41.41
Divorced/Separated	3	2.85	2	2.15	5	2.52
Widow	0	0	1	1.08	1	0.50
Total	105	100.00%	93	100.00%	198	100.00%

⁴ All data on demographic characteristics of APs are derived from the result of the socioeconomic survey carried out in September and December 2011.

3.2.4 Education of APs

32. 9.59% of the total number of APs is below school going age. Majority of the APs (35.85%) are able to read and write. Almost equal percent (34.34%) of APs have a high school or equivalent degree (Table 3.4).

Table 3.4 : Education of APs

Level of Education	No. of AP	% of AP
Below School Going Age	19	9.59
Illiterate	40	20.20
Able to read and write	71	35.85
High School Equivalent	68	34.34
University Graduate Equivalent/Upper	0	0
Total	198	100

3.2.5 Ethnicity of APs

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

3.3 Characteristics of Households

3.3.1 Family Structure

34. Majority of the AH are nuclear family households (Table 3.5). Maximum numbers of people in AH were found to be 7, while the same for minimum is 1. On an average, 4 members were found per AH.

Table 3.5: Family Structure and Composition

Family Structure and Composition	Number of AH
Nuclear family households	39
Extended family households	13
Maximum number of people in AH	7
Minimum number of people in AH	1
Average Family Member	4

3.3.2 Economic Profile of AH

35. Majority of the AH (96.15%)has an annual income between USD 500 to 2000. Only 3.84% have annual income in extend of USD 2000 but below 5000 (Table 3.6). Over 48% of the AH depend business and others for income, and almost close to same percent of the AH depend on agriculture for income (Table 3.7).

Table 3.6: Annual Income of Affected Families

Amount (USD)	Number of Families	Percent (%)
Up to 500	-	-
Above 500 and below 2000	50	96.15
Above 2000 and below 5000	2	3.84
Above 5000	-	-
Total	52	100

Table 3.7: Main Occupation of Affected Families

Type of Occupation	Number of Families	Percent (%)
Agriculture	22	42.30
Commercial/Business	0	0
Business & other	25	48.07
Service Holder	5	9.61
Total	52	100

3.3.3 Quality of Life Indicators

36. 80% of the AH have electricity supply, while 20% of the AH have no electricity. 90% of the AH have supply water facility. All the AH have access to all year round accessible road.

Table 3.8: Electricity, Water and Accessibility

Electricity	Percent (%)
AF having electricity supply	80
AF having solar panel	0
AF With no electricity	20
Total	100
Water supply	
AF having piped water supply	90
AF having water supply from protected well	5
AF having water supply from un-protected sources	5
Total	100
Accessibility	
Year-round accessibility	100

3.4 Economic Details of AHs

3.4.1 Poverty Status

37. Liquica and Ermera are relatively poor districts in Timor-Leste, accounting for 5.5% and 11.4% of the total poor population of the country respectively. Table 3.9 reflects the overall poverty scenario of these two districts.

Table 3.9: Poverty Analysis around Project Area

District	Incidence	Depth	Severity	% of Population	% of Poor
Liquica	44.9	11.9	4.4	6.1	5.5
Ermera	54.6	14.3	5.2	10.4	11.4

Source: Timor-Leste: Poverty in a Young Nation (November 2008)

38. Average annual income of the project AHs found to be USD 840, i.e. USD 70 per month. Average family members per AH is 8. Hence average income per month per person of the AHs is USD 8.75. The TLSLS 2007 defines the upper poverty line to be US\$ 26.68 per month per person and the lower poverty line to be US\$ 21.53 per month per person. The poverty status of the AHs therefore is below the poverty line.

3.4.2 Impact of Project on AH's Livelihood

39. The project will cause some impact on AH's livelihood, in terms of loss of income. As mentioned in Table 2.10, only 1 AH will lose USD 85.88. There are 25 road side business kiosks (small temporary shops) each of which will have an average monthly loss of USD 68.00, although there will be no permanently damage to these. Apart from this monthly income loss, there will be permanent loss of crops like coffee, banana and cassava, along with loss of fruit and timber trees, as mentioned in Chapter 2.

40. As mentioned earlier, the project will result in loss of 22m² area of structure in the 3 affected households. This is about 40% of the overall area of structure possessed by the affected households. 1 temporary household structure in Liquica district, owned by an old man, will be affected with 100% permanent loss. There are other 2 households, one is old man and the other is old woman, who will lose roadside business income of kiosks during the construction period. These 3 households are considered as vulnerable, and provision of additional special assistance has been made in the compensation entitlement.

41. The project will have permanent impact on 4950m² of private land, which is 12.49% of the overall land possessed by the affected households. 1 household will lose more than 50% of its land holding. 8 households will lose between 10% and 30% of land possessed by the households, and 15 households will lose up to 10% of overall land possessed (Table 3.10).

Table 3.10: Loss of land in terms of overall land possessed by Affected Households

Impact on Land	No of Affected Households
Loss up to 10% of land possessed by household	15
Loss of more than 10% but less than 30% land possessed by household	8
Loss of above 50% of land possessed by household	1
Total	24

42. In spite of these impacts on livelihood, the project will have some significant positive impact on AH's livelihood. In the community consultation session, the following positive impacts of the project on AH's livelihood were identified by the local community representatives:

1. Reduced travel time and cost for the APs.
2. Increased pedestrian safety.
3. Improved and reliable bus services, ensuring safe and comfortable travel.
4. Improved communication among sucos.
5. Employment opportunities during construction phase of the road.
6. Opportunities to sell goods to construction workers.
7. Improved access to markets, schools, hospitals and other important social institutes.
8. Increased land values due to increase of accessibility.

43. Local community, at the same time, finds a few negative impacts on their livelihood due to this project, apart from loss of land, structure and income:

1. Dust and noise during construction period affecting daily life of local households.
2. Increased chances for accidents due to increased traffic.
3. During construction period, workers from outside will work in close proximity of local people; hence there are chances of conflicts, unrests, abuse of minors/women and spread of sexually transmitted infection (STI) among local community.

4. LEGAL POLICY FRAMEWORK AND ENTITLEMENTS

4.1 Introduction

44. The RP is based on ADB's *Safeguards Policy Statement of 2009* (SPS 2009) as well as the Timor-Leste's applicable/domestic policy instruments and laws. The RP fits with the provisions of the Resettlement Framework (RF) approved for Ministry of Infrastructure, Government of Timor-Leste. The following section deals with these policies with a comparison of two policies and subsequently deals with the entitlements and eligibility for compensation and other resettlement entitlements.

4.2 Purpose and Objectives of Land Resettlement

45. The government proposes to widen the Tibar-Gleno Road to improve quality and safety and ensure greater economic and social benefits to the people. It will be designed taking into account social safeguard policies of the funding agencies that include avoiding and/or minimizing resettlement impacts. However, this road improvement includes widening and realignment and hence it is likely to have some unavoidable impacts on land and other assets. Such impacts include loss of land, structures, crops, trees and other assets. The census survey carried out along the 32 km road shows the Project will have to obtain about 0.49 hectares (4950 sqm) of land. A considerable number of families will be affected involving 52 households along with 198 affected persons.

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

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

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

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

48. A decree issued by the Government in February 2011 provides for granting compensation to relocate unlawful occupants of State property based on humanitarian

considerations. The Ministry of Justice (MOJ) through Ministerial Statute establishes the basis for calculating compensation. Another decree promulgated in July 2011 passed in June 2011 provides for the granting of title certificates to landowners/persons in areas where cadastral surveys have been completed (following registration and verification of claims by the government) and confirmed that the claims to land are undisputed. Among the claims registered so far under the Ita Nia Rai program, some 92 per cent of claims are undisputed.

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

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

50. There were no specific laws on involuntary land acquisition and compensation till the end of 2011. When road works required land in the past, the Government negotiated with the owners or users (including squatters) on a case by case basis. According to past 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. Land acquisition for public purposes is now governed by the provisions of the Expropriations Act. Hence, project will acquire land under the provisions of the Expropriations Act (2012), which provides for negotiated purchase as the first approach. Only if negotiations fail, will the government initiate "compulsory acquisition".

4.4 ADB Safeguard Policies

51. ADB's *Safeguard Policy Statement* (2009) provides comprehensive guidance on complying with the requirements for environmental and social safeguards (involuntary resettlement and Indigenous Peoples) in Projects. It aims to avoid or minimize the impacts on people affected by a project, and to provide support and assistance for those who lose their land and property, as well as for others whose livelihoods are affected by the acquisition of land or restriction on land use. Resettlement planning is designed to provide APs with a standard of living equal to, if not better than, that which they had before the project. The policy is guided by the following principles:

- Involuntary resettlement is to be avoided or at least minimized;
- Compensation must ensure the maintenance or improvement of the APs' pre-project living standards;
- APs should be fully informed and consulted on compensation options;
- APs' socio-cultural institutions should be supported/used as much as possible;

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

The policy comprises three important elements:

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

52. A project's involuntary resettlement category is determined by the category of its most sensitive component in terms of involuntary resettlement impacts. The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating). The level of detail and comprehensiveness of the resettlement plan are commensurate with the significance of the potential impacts and risks.

4.5 Project Policy Framework and Entitlements

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

- (i) The Constitution gives the power to the state to expropriate land for public purposes paying due compensation in accordance with the law. The Expropriation Law has received Parliament's approval. The Government will now be able to acquire land for road improvement under "eminent domain" or involuntarily.
- (ii) A substantive amount of land in Timor is not registered. The Government has started issuing land title certificates in urban areas, which will help in identifying land owners. In rural areas where most of the road sections will be improved, the MOJ and DLPCS will identify and establish ownership claims for the land parcels required for the project roads.
- (iii) The absence of an active land market in rural areas poses a challenge to determine the market or replacement value of the affected land. Professional valuation expertise under the Project Management Unit (PMU) supported by ADB will assist the DLPCS for valuation of affected assets to determine fair compensation at replacement cost to APs;

-
- (iv) Resettlement impacts will be minimized through careful engineering design;
- (v) APs will be systematically informed and consulted during the entire process of resettlement planning and implementation, including assessment of possible impacts on their livelihoods, purchase of land/assets, determining compensation/resettlement options, and socio-economic rehabilitation measures. They will be informed of their rights and options and be invited to participate actively in the identification of mitigation and rehabilitation measures;
- (vi) The APs will be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cut-off date, usually around the time of initial consultations, at the subproject identification stage, to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits;
- (vii) Consistent with donor policies, eligible APs are :
- Those with titles to land recognized on a legal basis;
 - Those with no legal rights but have a claim to the land or assets, and are recognized through a process identified in the RP;
 - Those who have no legal right or claim to the land they are occupying before the cut-off date.
- (viii) Eligible APs are entitled to compensation and livelihood rehabilitation measures sufficient to assist them to improve or at least maintain their pre-subproject living standards, income earning capacity and production levels;
- (ix) In the consultation process, representatives of local governments, village chiefs, other community leaders and civil society organizations such as non-government organizations (NGOs) from the operational areas will be included. The customs and traditions, as well as the religious practices of all APs, will be respected and protected;
- (x) The institutions of APs, and, where relevant of their hosts, are to be protected and supported. Physically displaced APs will be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted;
- (xi) Lack of formal legal rights to assets lost will not deprive any AP from receiving compensation and payments for non-land assets and entitlements;
- (xii) Particular attention will be paid to the needs of vulnerable APs. This group of APs may include those without legal or recognizable title to the land or other assets, households headed by females, the elderly or disabled, and other vulnerable groups, such as people living in extreme hardship, and indigenous people that may be a minority in specific locations. Appropriate assistance will be provided to help them improve their socio-economic status;
- (xiii) The concerns of women will be identified based on gender disaggregated socio-economic data, separate discussions on women's concerns, and ensuring adequate measures and budgetary allocations in the resettlement plan to compensate and resettle them in a manner that does not disadvantage them. In this effort the assistance of national NGOs currently engaged in women's welfare will be sought;

- (xiv) Since there are no significant differences in cultural and socio-economic identity among the different language groups, no specific adverse impacts are anticipated to warrant separate indigenous peoples' plans. To ensure that the different language groups fully participate in planning and implementing resettlement, discussions and reports will be prepared and disclosed appropriately in the relevant languages. RPs will also include provision for any special measures that may be required;
- (xv) Resettlement planning decisions will be preceded by a social preparation phase where consultations will be held with APs, community leaders, local administrators, and NGOs to enhance the participation of these APs in negotiation, planning, and implementation;
- (xvi) A Valuation Specialist will be provided under the PMU to assist the DLPCS to have appropriate rates in place. Payment for physical assets, i.e. houses, buildings and other structures, and non-physical assets such as lost income from productive assets or jobs, will be calculated at replacement cost and included in the RP;
- (xvii) APs losing only part of their physical assets will not be left with a proportion inadequate to sustain their current standard of living. Such a minimum size will be identified and agreed upon during the resettlement planning process;
- (xviii) Land for land or asset for asset compensation is always the preferred method. However, if insufficient land or assets are available, or if the affected people have a preference and the resettlement impacts are considered to be minor and do not undermine the livelihoods of APs, cash payment at replacement costs will be provided based on negotiation with APs. For those experiencing severe impacts (more than 10% of productive land severely affected people (i.e. those APs experiencing significant impacts) assistance will be given to identify and purchase alternative land. Efforts will also be made to provide sustainable livelihood restoration measures so that affected people can improve or at least restore their standard of living to pre-project levels;
- (xix) A grievance redress mechanism, linked with existing traditional formal and informal systems and cognizant of cultural requirements, will be established to solve resettlement related disputes and complaints from APs;
- (xx) The full cost of land purchase and resettlement will be included by the government in the project cost and adequate budgetary provision shall be made available during implementation;
- (xxi) All land purchase, compensation, resettlement activities will be satisfactorily completed and the subproject areas cleared of all obstructions before the commencement of civil works; and
- (xxii) No works with resettlement impacts will be implemented before a RP has been prepared and approved in line with this RF. The general process for preparing RPs includes:
 - Consultation – with APs relevant stakeholders, and whenever necessary, assistance of relevant institutions to ensure effective consultations;
 - Undertaking of a participatory inventory of losses (IOL), which will be updated during a detailed measurement survey (DMS) following the detailed design;
 - Determination of replacement cost – for APs losing assets (land, physical assets,

means of livelihood, or social support systems) will be compensated and assisted, through adequate and satisfactory to the AP, replacement land, housing, infrastructure, resources, income sources, and services, in cash or in kind, so that their economic and social circumstances will be improved or at least restored to the pre-project level. All compensation will be based on the principle of replacement cost at current market value. When necessary, livelihood restoration programs acceptable to the local community will be put in place to help people improve, or at least restore, incomes to pre-project levels;

- Preparing a cost estimate and budget – including the costs of compensation, relocation and rehabilitation, social preparation and livelihood programs. The budget will also include the costs for planning, management, supervision, monitoring and evaluation, land taxes, land fees, physical and price contingencies, and implementation of the RP;
- Inclusion of a grievance mechanism based on cultural practices and agreeable to APs.
- Inclusion of a monitoring system - appropriate reporting and monitoring and evaluation will be established as part of the resettlement management system, this will be set out in the RP.

4.6 Eligibility and Entitlements

54. This RP will apply to the Road Network Upgrading Project for implementing the Tibar-Gleno subproject. This will ensure that all persons affected by losing of land and other fixed assets, will get appropriate compensation and rehabilitation assistance.

4.6.1 Cut-off Date and Eligibility

55. Cut-off Date (9 December 2011) under the Project is the date after which people will not be considered eligible for compensation, i.e. they are not included in the list of APs as defined by the census. Normally, the cut-off-date is the date of the detailed measurement survey. The cut-off date under the Project has been set as on 9 December 2011. PMU/MOI was informed about the cut-off day to inform the local communities. People who move into the area after this date will not be entitled to any compensation. The following categories of affected persons will be entitled to receive compensation for their losses :

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

56. Negotiated prices at replacement cost for land and other fixed assets (houses, other structures) crops and trees will be adequate to replace losses.

57. While APs with recognizable land rights/claims will receive fair compensation/price at replacement rate for land, those without such rights will be compensated for assets attached to land such as houses, kiosks, and other structures. They will also be entitled to assistance for restoring their incomes. APs without legal title or legitimate claim will be entitled to compensation for non-land assets only and other assistance. Vulnerable persons and women headed households will qualify for special assistance.

58. An entitlement matrix for the Project is given in Table 4.1. Each RP will include a detailed Entitlement Matrix identifying the following main components:

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

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

Table 4.1 : Project Entitlement Matrix

Type of Loss	Unit of Entitlement	Details of Entitlements	Responsibility
1. Permanent loss of homestead and commercial land	Titleholders/ Claimants	<ul style="list-style-type: none"> ▪ Compensation for the loss of residential land at negotiated price ensuring replacement cost. 2.Compensation for the residential structure (part or full) at replacement rates without depreciation. <ul style="list-style-type: none"> ▪ Transitional allowance for maximum of 9 months at monthly USD 100 if the residual land is not viable (land acquired is 75% or more of the total land holding of the titleholder); Or, for 3 months if the residual land is viable. ▪ If the household is vulnerable, transitional allowance will be for 12 months. ▪ All fees, taxes and other charges, as applicable under relevant laws incurred in the relocation and resource establishment are to be borne by the project. ▪ Landless/vulnerable APs will be assisted to find alternative land/plot. 	PMU
2. Permanent loss of residential/commercial structures of owners/claimants	Owners of structure	<ul style="list-style-type: none"> ▪ Compensation for house/structure(s) at negotiated price ensuring replacement value. ▪ Transitional assistance to cover a maximum of 9 months rental accommodation. If the household is vulnerable transitional allowance will be for 12 months. ▪ One-time lump sum shifting allowance of 200 USD for temporary, semi-permanent and permanent structures. ▪ Right to salvage materials from the demolished structure ▪ Vulnerable APs will be provided a one-time rehabilitation grant in the form of productive assets. 	PMU
3. Assets of squatters or informal settlers.	Informal settlers / squatters / non-tilted APs	<ul style="list-style-type: none"> Compensation at replacement cost of affected structure estimated during IOL and finalized with DLPCS. Transitional allowance for loss of income from business of US\$100 for 4 months per HH. 	DLPCS with assistance from the PMU's Valuation Specialist and in consultation with

	identified by IOL losing commercial semi-permanent structure.	Salvaged materials free of cost.	relevant authorities will finalize the compensation at replacement cost for the affected structure as identified during IOL.
4. Annual/ Seasonal crops	Household	Compensation at market value of crops for 3 years, plus 1 assistance grant of USD 100 for purchase of seeds for the next season.	PMU with assistance from relevant government ministries and valuation specialist.
5. Tree.	Claimant of the affected tree	<ul style="list-style-type: none"> ▪ Compensation at replacement cost of affected tree estimated during IOL and finalized with DLPCS. ▪ Salvaged materials free of cost. 	DLPCS with assistance from PMU's Valuation Specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.
6. Income from business.	Kiosks	One time lump sum transfer grant of US\$ 100 per kiosk. Transitional allowance of US\$ 100 for 4 months per HH.	PMU in coordination with DLPCS and with assistance of local authorities and community leaders.
7. Impact on vulnerable APs	Vulnerable and women headed households identified by IOL.	In addition to the above standard package, vulnerable AP households will receive following: Additional special assistance of US\$ 100 for additional 2 months for vulnerable HH.	PMU with assistance of local authorities and community leaders.
8. Unforeseen Impact.	Concerned impactees.	Unforeseen impacts will be documented and mitigated based on the principles agreed upon in this policy framework.	PMU identifies and mitigates impacts as required.

5. PARTICIPATORY CONSULTATION AND DISCLOSURE

5.1 Stakeholders

60. This RP has been prepared in consultation with the key local and national stakeholders. Table 5.1 summarizes the consultations that have been undertaken for preparation of the RP. Importance was given to consult the leaders of local communities, particularly the suco/village and hamlet chiefs, along the project road corridor to receive their support to the Project. Most importantly, attention was given to the directly affected persons and their community to understand their attitude towards the project design and benefits, their expectations, and to create awareness among the affected population regarding their entitlements and compensation payment procedures and grievances redress mechanism. In the process of considering mitigation measures, their suggestions have been taken into account to avoid negative impacts to the extent possible.

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

- local individuals and communities;
- special interest groups (women, farmers, small traders, landless);
- government authorities and public sector agencies;
- non-government organizations (NGOs); and
- financing agency and other international development agencies.

5.2 Key Issues

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

- **Land Purchase, Negotiated Compensation and Livelihoods**
 - the methods that will be used to determine compensation values for land, structures and other assets; responsibility for compensation determination (MOI/PMU, DLPCS, Valuation Expert, Supervision Consultants or a compensation committee); whether compensation rates (e.g. for land) will be at the current market prices;
 - fate of people who have no legal right to the land on which they have settled, whether will be entitled to compensation for land, and for other losses, e.g., houses, crops, trees;
 - compensation for the houses that will be affected only in a part;
 - the method of compensation disbursements; timing of when compensation payments will be made;
 - loss of employment to shop and business employees; no possible guarantee that the same employees will be able to get the same job in a relocated business;

- use of middlemen/agents in compensation payments.
- **Services and Religious/Cultural Sites**
- impact on existing religious sites, such as church and cemetery, and how would be treated;
- impact on existing electric supply.
- **Employment Opportunities**
- assurance of employment opportunity for the affected and local people during road construction works.



Community consultation at Tocoluli Suco
on 09 December, 2011



Community consultation at Gleno
on 15 September, 2011

5.3 Community Attitude

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

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

65. Both in the course of consultations and survey period, the participants and likely APs were asked about their preference on the type of compensation for their affected property. In all the meetings almost all the respondents unanimously preferred cash compensation for loss of land, structures, trees and other assets.

Table 5.1 : Summary of Stakeholder Consultations

Stakeholder Category	Activities Undertaken
National Level	Consultation with: Project and Financial Manager, PMU, MOI Chief Technical Adviser, PMU, RNUSP Director, National Statistics Directorate, Ministry of Finance, Timor-Leste Project Consultants
District Level	Consultation with: Vice District Administrator, Ermera Sub-district Administrators : Dom Aleixo in Dili; Bazartete in Liquica Representatives of government departments : DLPCS in Sub district Railako and Gleno under Ermera District
Suco/Village Chief	Consultation with the Suco Chiefs in the Project area (Tibar, Talimoro, Humboe, Riheo, Ulmera, Lihu and Tocoluli)
Aldeia/Hamlet Chief	Consultation with concerned chiefs of Aldeias
Suco/Villages	7 consultation meetings held in the sucos – 3 within Liquica and 4 within Ermera
Individual Households	Interviews with the APs
Special Interest Groups	Discussions with specific groups of Project-affected people including women, small business traders and coffee growing farmers
Other International Agencies	Social Analyst, JFPR, Timor-Leste

66. In total, 7 consultation meetings were held at the suco/village/sub-district level along the existing road corridor, involving a total of 261 participants. Some pictures of consultation meetings are given in Annex 3. The Minutes and Participant Lists are given in Annex 4. Table 5.2 summarizes the consultation program.

Table 5.2 : Consultation Meetings

SI No.	Date	Time	Venue (Suco/Sub-District))	No. of Participants
1	12 Sept. 2011	10.00 AM	Tibar	48
2	13 Sept. 2011	10.00 AM	Lihu	52
3	15 Sept 2011	10.00 AM	Gleno	43
4.	26 Jan 2012	09.30 AM	Office of Tibar Suco Chief	49
5.	28 Jan 2012	03 PM	Libaulelo Mini Market	18
6.	29 Jan 2012	10 AM	Office of Lihu Suco Chief	20
7.	29 Jan 2012	04 PM	Office of the Tocoluli Suco Chief	31
Total				261

5.4 Disclosure

67. After approval of this RP by MOI and ADB, a summary of this resettlement plan along with the entitlement matrix, including the list of APs will be translated into local language (Tetum/Portuguese) and will be disclosed to stakeholders, especially affected persons, by the MOI. This will be presented in the form of a pamphlet/brochure (Annex 5) to enable the APs and local communities to read it by themselves and be aware of the Project's benefit /

compensation available for the APs, as per provision in the 'entitlement matrix'. MOI field staff / consultant will distribute the brochures through suco meetings and will explain the mechanisms and procedures and overall process of the compensation program. The RP will be made available in the Ministry of Infrastructure (MOI) including MOI's field offices, Directorate of Land Property and Cadastral Survey, offices of District and Sib-District Administrators, offices of the Suco Chiefs and Aldeia leaders, as an official public document. The RP will also be disclosed on the ADB and MOI websites.

6. GRIEVANCE REDRESS

6.1 Government Policy for Grievance Redress

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

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

6.2 Proposed Measures to Address Grievance

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

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

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

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

74. The AP always has final recourse through Timor-Leste's legal channels. However, every effort will be made to avoid this. Should the APs want to pursue legal recourse, PMU/MOI with assistance from the PISC consultants will ensure that support is given to the AP to prepare a case. The grievance address procedure is shown in Table 6.1

75. Through public consultations and distribution of the public information booklet, APs will be informed that they have a right to file complaints to Grievance Redress Committee (GRC) on any aspects of land obtaining compensation⁵, or on any other related grievance. It should be pointed out that this committee does not possess any legal mandate or authority to resolve land issues but rather acts as an advisory body or facilitator to try to resolve issues between the

⁵ Negotiated value for purchasing and dealing physical and non-physical assets until the expropriation law is in place.

affected household and the MOJ/MOI/PMU. GRCs will review grievances involving in all resettlement benefits, relocation and other assistance. Any complaints of ownership or other suits, to be resolved by judicial system, will not be resolved in GRCs.

76. One or more GRSs will be set up for the subproject based on the local administrative units (Districts, Sub-Districts, Sucos and Hamlets) as well as to facilitate easy accessibility of the APs. The GRC would be the tool to ensure proper presentation of grievances, and impartial hearings and transparent decisions. Established through a gazette notification of the Ministry of Infrastructure (MOI), GRCs will work for any grievances involving resettlement benefits and issues. GRC will include at least one female member to participate in the hearings if the aggrieved person is a female. The GRC is proposed to be composed of :

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

Table 6.1 : Grievance Redress Procedure.

Step	Process	Duration
1	AP submits grievance to sub project manager in person	
2	Sub project Manager will try to address the issue.	7 days
If unresolved or if AP wanted to go directly to PMU		
3	Sub-project Manager f take grievance to PMU/community liaison officer	Within 2 weeks of receipt of decision in step 2
4	Issue discussed at project liaison meeting	1 week
5	PMU/community liaison officer reports back to village/AP	5 days
If unresolved		
6	AP take grievance to MOI Secretary of State	Within 2 weeks of receipt of decision in step 5
7	Secretary of State refers matter to an internal committee	2 weeks
8	Secretary of State reports back to AP	5 days
If unresolved or at any stage if AP is not satisfied		
AP can take the matter to appropriate court		As per judicial system

6.3 Compensation Determination Procedure

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

described in following paragraphs. Compulsory acquisition procedures will be initiated by MOJ, only if negotiated purchase fails.

78. APs will be well informed of their rights and entitlements regarding compensation, so that they can make an informed decision. Once the subproject and potential impacts have been identified, and consultations are taking place, APs will be informed of their options. The consultation with APs will provide details of land required to construct or facilitate the works as well as some basic socio-economic information about the APs.

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

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

81. Negotiated land settlements will be carefully documented. MOI will seek to obtain an agreed Legal Documents between MOI, DLPCS, and the land owners negotiating selling land. The legal documents will establish the obligations of each party to the agreement. If the obligations are agreed, the legal documents will be signed by the parties being the land owners, representative(s) of MOI, and representative(s) of DLPCS.

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

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

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

7. INCOME RESTORATION STRATEGY

7.1 Restoration of Income from Structure

85. According to the December 2011 Census and subsequent exercise of impact mitigation measure, 52 households will be affected. Of these, 2 households will be partly affected by losing a part of their structures, 1 household will have to be removed because of 100% loss of structure. This household is considered as vulnerable, and additional special assistance has been included in the resettlement budget. There are other 2 old APs, owners of roadside kiosks (small temporary shops), who are also considered as vulnerable, and will be provided with additional special assistance. These ambulatory vendors will also receive a lump sum transfer grant.

7.2 Restoration of Income from Business

86. 25 roadside business kiosks will be affected during the road construction period as discussed in Chapter 2 and 3. A lump sum transitional allowance will be provided to these households to compensate their loss during the time their business will not be in operation. Alongside, these households will receive a lump sum shifting allowance. Apart from receiving these, vulnerable AHs will receive a onetime rehabilitation grant. As these businesses will continue after the completion of the construction of road, alternative income generation training or livelihood support is not suggested for these small business holders.

7.3 Income from Crops and trees

87. The project will have impact on crops like coffee, banana and cassava. Loss of these crops will be compensated with amount equal to market value for three years for these crops. In addition, a onetime compensation will be given for seed of these crops for the next season.

88. The income lost from impact on timber trees will be compensated on timber value at market price. Compensation for fruit and other trees will be made depending on the species, current yield and expected life.

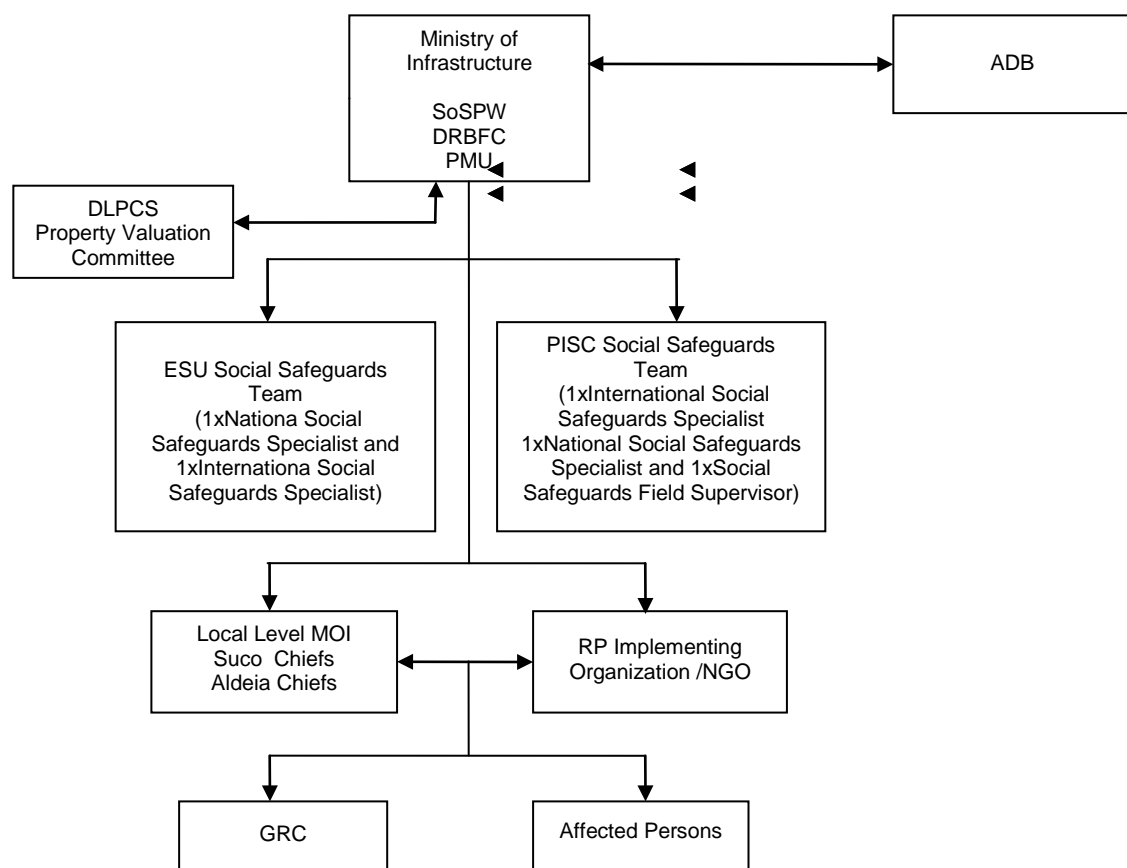
89. The road construction will require many unskilled labourers for earthworks, road embankment and other related works. PMU will encourage contractors for preferential employment from affected persons, including affected women in the recruitment of local labourers. Employment in the project construction will be an added source of income in the income restoration processes.

8. INSTITUTIONAL FRAMEWORK

8.1 Institutional Setup

90. The PMU under the MOI will have overall responsibility for implementing the sub-project. The PMU will strengthen its capacity with a social safeguard specialist to plan and implement land purchase and resettlement, train counterpart staff and monitor resettlement in the sub-project. To this end an Environmental and Social Unit (ESU) will be established in the PMU, staffed by a national social safeguards specialist and an international social safeguards specialist. The PISC consultant on the project will also provide an international social safeguards specialist to work with the PMU on all resettlement and consultations tasks. An organizational chart for RP implementation is suggested in Figure 2.

Figure 2 : Organizational Chart for RP Implementation



Abbreviations

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

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

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

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

8.2 Resettlement Implementation Structure

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

Table 8.1 : Responsibilities of Agencies

Agency	Roles and Responsibilities
Executing Agency (EA) MOF/ Implementing Agency (IA) MOI	Overall execution of the Project Directs the PMU Provides funds for land purchase and resettlement Liaises with ADB.
Project Management Unit (PMU)/MOI	Manages the social and resettlement aspects of the road sub-project Works with design and supervision consultant on all matters dealing with resettlement and consultations. Organizes effective public consultation and disclosure of resettlement planning documents in appropriate language Carries out land acquisition according to the provisions of the Expropriations Act in coordination with MOJ and DLPCS. Ensures that APs are paid compensation promptly, adequately and effectively, in conformity with the Expropriations Act and the ADB's social safeguards

Agency	Roles and Responsibilities
	<p>policy.</p> <p>Establishes a grievance redress system designed to deal effectively with complaints from APs, in coordination with MOJ/DLPCS.</p> <p>Ensures that effective monitoring of resettlement is conducted and reported to funding agencies</p> <p>Ensures that the grievance redress system is effective in addressing APs concerns Works closely with NGOs in appropriate social and public consultation activities</p> <p>Liaises with ADB on all matters relating to resettlement and submits regular reports.</p>
MOJ/DLPCS	<p>Oversees and reviews implementation effectiveness of land purchase and resettlement</p> <p>Guides the PMU in addressing issues that require policy direction.</p> <p>Assists with resolving any land related issues in accordance with current legislation.</p> <p>A Valuation Specialist will work with MOJ/DLPCS to prepare compensation values for land in compliance with the Expropriations Act</p>
ADB	<p>Review and approve all resettlement documentation as required under their respective policies</p> <p>Assist in capacity building in the PMU to manage social safeguards in road projects through provision of international expertise and training budgets</p> <p>Provide international expertise in valuation to assist MOJ to prepare valuation tables for land to be acquired.</p> <p>Disclose RP on respective websites Provide guidance as required based on progress reports and supervision missions</p>

9. RESETTLEMENT BUDGET AND FINANCING

9.1 Institutional Arrangements for Financing Resettlement

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

9.2 Budget Description

95. The entire resettlement for the road improvement project will require a total of **118,438 USD** (0.12 million USD), out of which **98,438 USD** is direct resettlement expense and the rest is kept to meet the resettlement staff training, internal monitoring, administrative and contingency expenses. Table 9.1 gives a breakdown of the items. The included cost items are in compliance with the RF prepared for the project.

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

Table 9.1: Resettlement Budget

Item	Quantity	Unit	Rate (USD)	Amount (USD)
Compensation for Land and Structure				
Compensation for Land Other than that used for Structures	4,950	Sq.m	5	24,750
Compensation for Semi Permanent Structures	3.60	Sq.m	350	1,260
Compensation for Temporary Structures	17.64	Sq.m	200	3,528
Compensation for Crops				
Coffee	250	Pc	50	12,500
Banana	500	Pc	5	2,500
Cassava	20	Pc	10	200
Cost for seed for next season		Lump Sum		3,000
Compensation for Trees				
Big Timber Tree	20	Pc	350	7,000
Teak Wood Tree	20	Pc	250	5,000
Coconut Tree	50	Pc	100	5,000
Mango Tree	10	Pc	100	1,000
Jackfruit Tree	7	Pc	100	700

Papaya	10	Pc	15	150
Guava Tree	15	Pc	10	150
Bamboo	10	Groups	200	2,000
Transitional Allowance and Grants				
Transitional Allowances for 9 months for vulnerable AH losing 100% Structure	1	No	100	900
Transitional Allowances for 3 months for AH for losing Structure (partly)	1	No	100	300
Shifting Allowance for AH losing Structure	3	No	200	600
One time Transfer Grant for Roadside Business	25	No	100	2,500
Transitional Allowance for 4 months for each roadside business	25	No	100	10,000
Additional special assistance of US\$ 100 for additional 2 months for vulnerable HH.	2	No	100	400
Monitoring Expenses	3	Months	5,000	15,000
Total Direct Cost				98,438
Administrative Expenses, Capacity building and training of ESU staff, internal monitoring and contingency		Lump Sum		20,000
Total Resettlement Budget				118,438

- Rates for structure, crops and trees are set based on negotiation exercised in meeting with suco representatives and affected households.
- Rates for land is estimated on the basis of present market value in the project area.
- 3 AH has been considered as vulnerable - 2 old men and 1 old woman. Of the 2 male APs, 1 will lose 100 percent of his housing structure, and the other will lose business income from kiosk during construction. The old woman AP will also lose income from kiosk for the period during construction of the particular section of the road.

10. IMPLEMENTATION SCHEDULE AND PREPARATORY ACTIONS

10.1 RP Implementation

97. Implementation schedule of resettlement plan broadly consists of land acquisition and resettlement activities. Land required for the project will be acquired under the regulation of the Expropriation Act (2012) and handed over to the Implementing Agency. The Implementing Agency will initiate the process of land acquisition with concerned authority. Thereafter land, free from all encumbrances, shall be made available to civil contractors by the Implementing Agency. Time frame for implementation of RP will be synchronized with the project implementation in a way that commencement and progress of civil works is not adversely affected.

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

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

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

i. **Preparation of invoices :**

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

ii. **Delivery of the money to local bank :**

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

iii. **Payment :**

Each AH/AP will receive a cash/cheque for the whole amount of compensation from the PMU. The AH/AP shall sign a document acknowledging the receipt of the whole compensation and a waiver attesting that he/she has no longer any pending claim over the affected property. A photograph shall be taken with the AH/AP receiving the compensation as record of proof and as part of project documentation.

iv. **Identity of Person :**

At the time of receiving the compensation cash/cheques, the AHs/APs will present their *National Identity Card (NIC)*. The NIC is the basic document of the Timor-Leste's national for establishing the identity of a person. Persons without NICs will have to explain to the pertinent authorities the reasons why they are not in possession of the NIC.

10.2 Implementation Schedule

101. A time frame of 4 months has been considered for the implementation of resettlement plan. Figure 3 presents the Implementation Schedule of the RP. The earliest that financial resources for resettlement aspects of the Project are expected to be available during mid April 2012; hence the earliest actual implementation of the RP, particularly delivery of compensation may begin during mid May 2012. However, sometimes sequence may change due to circumstances beyond the control of the project.

Figure 3 : RP Implementation Schedule

	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	July 2012	Aug 2012
Activities							
Preparation of draft RP	■						
Submission of RP to MOI/ADB for review/approval		■					
Update of the RP and submission of revised RP to MOI/ADB for review/approval, addressing the comments		■					
Formation of GRC			■				
Allocation of resettlement fund			■				
Acquisition of Land and other Assets			■	■	■	■	■
Translation of RP into Tetum/Portuguese language			■	■			
Disclosure of approved RP				■			
Distribution of Information Booklet				■	■		
Preparation of Vouchers				■	■		
Delivery of Compensation to APs for land, structures, trees, crops and other assets.				■	■	■	■
Dispute/objections (complaints & grievances)				■	■	■	■
Internal Monitoring and reporting to ADB				■	■	■	■

11. MONITORING AND EVALUATION

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

11.1. Internal Monitoring

99. Internal monitoring of all resettlement and consultation tasks and reporting to ADB will be conducted by the Environmental and Social Unit (ESU) established in the PMU, assisted by the ESU national and international social safeguard specialists. Internal monitoring will include reporting on progress in the activities envisaged in the implementation schedule with particular focus on public consultations, land purchase (if required), determination of compensation, record of grievances and status of complaints, financial disbursements, and level of satisfaction among APs. Potential indicators for internal monitoring are briefed in the following Table 11.1.

Table 11.1 : Internal Monitoring

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

11.2 External Monitoring

100. The PISC consultant through its national and international social safeguard specialists will supervise and monitor the resettlement activities for the Project. PMU will employ an independent external monitoring and evaluation (M&E) agency/consultant to ensure complete and objective information on monitoring and evaluation of the resettlement interventions.

11.3 Reporting

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

CENSUS AND SOCIOECONOMIC SURVEY QUESTIONNAIRE

Questionnaire No: Date :

Name of the Road :

Name of Investigator :

Name of Supervisor :

1. GENERAL IDENTIFICATION

Property Details

Code

1.1 Road Side : 1. Left 2. Right

1.2 Chainage Km.....

1.3 i. District : ii. Sub-District :

iii. Suco: iv. Hamlet:

1.4 Location :

1. Rural 2. Semi-Urban 3. Rural

2. HOUSEHOLD IDENTIFICATION

2.1 Name of the Household Head :

2.2 National ID Card Number

2.3 Address of the Household identified :

.....

.....

3. AFFECTED PROPERTY

Land under Impact (to be obtained/purchases)

3.1 Ownership of the Affected Land :

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

5. Other (.....)

3.2 Category of Land :

1. Cultivated 2. Non-Cultivated

3.3 Type of Land :

1. Irrigated 2. Non-Irrigated 3. Barren Fallow 5. Forest

3.4 Use of Land :

1. Cultivation 2. Orchard 3. Residential 4. Commercial

5. Forestation 6. Others 7. No Use

2.5 Total Area of Land (in Hectare) :

2.6 Area of Affected Land (in Hectare) :

2.7 Rate of Land (Per Hectare in USD):

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

4. AFFECTED LANDOWNER(S)

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

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

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

4.1 Total Land you posses (in Hectare) :

1. Irrigated : Non-Irrigated :

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

- | | | | | |
|------|---------------------|--------|-------|--------------------------|
| i. | Agricultural Labour | 1. Yes | 2. No | <input type="checkbox"/> |
| ii. | Sub-Tenant | 1. Yes | 2. No | <input type="checkbox"/> |
| iii. | Share-Cropper | 1. Yes | 2. No | <input type="checkbox"/> |

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

1. 2.....
- 3..... 4.....
- 5..... 6.....

2. AFFECTED HOUSES/STRUCTURES/PROPERTY

5.1 Name of the Household Head :

5.2 Multi-Household Structure 1. Yes 2. No

5.3 Number of Households in the Structure :

5.4 Ownership of the Affected Houses/Structures :

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

If legal owner, do you have Legal Document of Property

1. Yes 2. No

2. Govt. Agency (Name)
3. Community Organization (Name)
4. Others (e.g., personal tube-well, sanitary latrine, electric poles, etc.) specify.....

5.5 Type of Affected Structure :

- A. Residential Structure: 1. House 2. Boundary wall 3. Fencing
 4. Toilet 5. Tube/Dug well
 6. Others (.....)
- B. Commercial Structure:
 1. Shop 2. Hotel 3. Vendor 4. Farm House 5. Petrol Pump
 6. Private Clinic 7. Industry 8. Others (.....)
- C. Residential-cum Commercial Structure : Yes No
- D. Community Structure : 1. Community Centre Club 2. Trust
 3. Memorials 4. Others (.....)
- E. Religious Structure : 1. Church 2. Temple 3. Mosque
 4. Shrine 5. Mandir 6. Cemetery 7. Graveyard 8. Crematorium
 9. Others (.....)

3. MEASUREMENT OF THE AFFECTED STRUCTURE / PROPERTY

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

- 6.2 Type of Structure :
1. Temporary 2. Permanent 3. Semi-Permanent
 4. Thatched 5. Wooden 6. Others

6.4 Type of Effect : 1. Partly 2. Fully

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

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

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

- 6.6 Estimated Market Value of the Affected Structure (in USD)
 1. AP's Estimation : 2. Investigator's Estimation :

7 HOUSEHOLD DETAILS OF TENANTS

7.1 Name of the Tenant :.....

7.2 Category of Possession

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

7.3 Family Type
 1. Joint 2. Nuclear 3. Extended Other

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

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

7.6 Annual Income of the FamilyUSD

7.7 Number of Employees.....

Name 1.....(Salary USD) 2.(Salary.....S\$)
 3.....(salaryS\$) 4.....(SalaryS\$)

7.8 Details of Family Members

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

SOCIOECONOMIC PROFILE OF THE AFFECTED HOUSEHOLDS

Questionnaire No: Date :
 Name of the Road :
 Name of Investigator :
 Name of Supervisor :

1. GENERAL IDENTIFICATION

Code

- 1.1 Road Side : 1. Left 2. Right
 1.2 Chainage Km.....
 1.3 i. District : ii. Sub-District :
 iii. Suco: iv. Hamlet:
 1.4 Location :
 1. Rural 2. Semi-Urban 3. Rural

2. HOUSEHOLD IDENTIFICATION

- 2.1 Name of the Household Head :
 2.2 National ID Card Number
 2.3 Address of the Household identifies :

 2.3 Family Type :
 1. Joint 2. Nuclear 3. Extended 4. Other
 2.4 Religious Group :
 1. Hindu 2. Islam Christian 4. Buddhist 5. Other
 2.5 Number of Family Members : 1. Male 2. Female.....
 2.6 Details of Family Members (Demography and Education)

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

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

3. HOUSEHOLD ASSETS

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

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

3.2 Houses / Structures

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

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

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

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

3.3 Livestock (Use Worksheet)

1. Cattle: Approximate Total Current Value (USD):
2. Poultry: Approximate Total Current Value (USD):

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

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

Approximate Current Total Value (USD) :

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

Authorized Connection?: Yes = 1, No = 2

Worksheet for Valuation of Cattle & Poultry

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

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

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

Worksheet for Valuation Durable Consumer Items and Other Assets & Amenities

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

4. AGRICULTURE: OPERATION & PRODUCTION

4.1 Landuse

Cultivable	Non-Cultivable	Total Land Area (Hectare)

4.2 Cropping Pattern

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

5. ANNUAL INCOME

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

6. INDEBTEDNESS

(Please indicate, your borrowings during last one year)

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

7. HOUSEHOLD SAVINGS

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

If yes, total amount of savings: USD

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

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

8. OVERALL ECONOMIC STATUS

8.1 According to the respondent, which of the following best describes the household's overall economic status with the present income and expenditure needs?
 1 = Surplus 2 = Breaks even 3 = Occasionally deficit 4 = Always deficit

9. CONSUMPTION PATTERN

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

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

10. COVERAGE UNDER GOVERNMENT/DONORS DEVELOPMENT SCHEMES

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

If Yes, please give us the following details :

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

If "1", please indicate the amount USD

If "2", please indicate the type of training

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

If "Yes", how much? USD

If "NO", why?

11. HEALTH STATUS

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

1. Yes 2.No

11.2 If "Yes", please indicate the details

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

12. MIGRATION

12.1 Do you migrate for work? 1. Yes 2. No

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

12.3 Where do you migrate?

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

12.4 What kind of job do you undertake? 1. Agricultural Labour
 2. Non Agricultural Labour 3. Trade & Business
 4. Others(specify):

12.5 How much do you earn : USD

12.6 Trend of Migration : 1. Once in a year 2. Twice in a year
 3. Every alternative year 4. Once in every three years
 5. No regular intervals/as and when required

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

13. WOMEN STATUS

13.1 Please give the following details

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

* Dairy, Poultry, Piggery, Sheep rearing etc

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

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

1. Yes 2. No

13.3 If "Yes", give the following details:

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

Physical Relocation of Affected Households

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

- If the household is aware of displacement from the present homestead, its plan/thinking about relocation:

 - Can the affected household relocate on the same home-lot/dwelling plot by moving the houses? 1=Yes; 2=No
 - Does the household have lands in the locality which are suitable for relocation?
 1=Yes; 2=No
 - Does the household have lands in the locality that can be developed into home-lot for relocation?
 1=Yes 2=No
 - Can the household find land for purchase at a location it would like to relocate?
 1=Yes; 2=No
 - Are there public lands (govt. & other lands owned by any department of the Govt. of Timor-Leste) in the vicinity of the project? Yes / No
 - If 'Yes', approx. distance from the project:km
 - Approximate amount:
 - Physical description, ownership and current use of the lands:

 - How many of the households, that would need physical relocation elsewhere, are in any way related/known to this responding household?
- | | | |
|------------------------------|--|--|
| <i>Number of households:</i> | 1=From the same clan
2=Related (outside the clan) | 3=Considered close friends:
4=Known socially: |
|------------------------------|--|--|

Name of Investigator :

Signature :
 Date :

Photographs of Consultation Meetings in the Tibar – Gleno Subproject Area



Consultation in Suco Tibar under Liquica District on 26 January 2012.



Consultation along the road at Suco Tocoluli in Ermera District on 18 January 2012



Consultation in Sub-District Railako under Ermera District on 13 September 2011



Consultation in Railako Sub-District under Ermera District on 13 September 2011



Consultation in Gleno Sub-District under Ermera District on 13 September 2011



Consultation along the road at Suco Ulmera in Liquica District on 19 January, 2012

Minutes of the Consultation Meeting
Venue: Suco Tibar, District: Liquica
Date: 26 January 2012

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

Minutes of Consultation Meeting

Date: 26/01/2012 Time: 10:00 - 12:00
Road Name: Tibar - Gleno
Venue: Hamlet: Terlar Suco: Tibar
Sub-district: Bazartete District: Liquica.
Name of Chairman of the Meeting: Suco Chief of Tibar
Ministry/Departmental Personnel: -
PISC Consultant (SMEC/KWK): Leoncio tan.
Participants Nos: (attach list)

Agenda / Issues Discussed

About the land that will be affected when the new road will be construct.

Opinion and Suggestions

-
-
-

**Road Network Upgrading Sector Project
 (ABD Grant No. 0180 TIM)
 Project Implementation And Support Consultants**

Date: 26/01/2012

Time: 10:00 – 12:00

Venue: Tibar's suco office

Participants List

No	Name, & Address	Age	Sex	I.D Number	Occupation
1	Domingos F. da Silva <i>Turleu, Tibar, Bazartete, Iliquica</i>	60	M	0363007	School teacher
2	Jose gutteres <i>Turleu, Tibar, Bazartete, Iliquica</i>	52	M	0362721	Farmer
3	Duarte Pereira <i>Turleu, Tibar, Bazartete, Iliquica</i>	55	M	0154331	Farmer
4	Filipe Exposto <i>Mausoi, Tibar, Bazartete, Iliquica</i>	23	M	0363342	Student
5	Jorge da Costa Pereira <i>Mausoi, Tibar, Bazartete, Iliquica</i>	66	M	0363396	Farmer
6	Carlos de Fatima <i>Mausoi, Tibar, Bazartete, Iliquica</i>	45	M	0363411	Farmer
7	Jacinta de Jesus <i>Turleu, Tibar, Bazartete, Iliquica</i>	68	F	0363451	Farmer
8	Januario Pereira da Silva <i>Mausoi, Tibar, Bazartete, Iliquica</i>	58	M	0363442	Farmer
9	Dinis Goncalvez <i>Rosario, Tibar, Bazartete, Iliquica</i>	36	M	0560483	Police Officer
10	Paulina Madeira Babo <i>Mausoi, Tibar, Bazartete, Iliquica</i>	43	F	00363402	Farmer
11	Paul de Jesus <i>Mausoi, Tibar, Bazartete, Iliquica</i>	53	M	0363385	Farmer
12	Manulor <i>Mausoi, Tibar, Bazartete, Iliquica</i>	63	M	0417509	Farmer
13	Marcello Lobato <i>Mausoi, Tibar, Bazartete, Iliquica</i>	48	M	00363366	Farmer
14	Laura Rica <i>Mausoi, Tibar, Bazartete, Iliquica</i>	62	F	0363390	Farmer
15	Marta Tillman <i>Mausoi, Tibar, Bazartete, Iliquica</i>	67	F	0363486	Housewife
16	Vascolinho soares <i>Mausoi, Tibar, Bazartete, Iliquica</i>	55	M	0363434	Farmer
17	Mau kiak <i>Mausoi, Tibar, Bazartete, Iliquica</i>	84	M	0417855	Farmer
18	Manuel soares <i>Mausoi, Tibar, Bazartete, Iliquica</i>	43	M	0363491	Farmer
19	Jorge de Fatima	47	M	0363445	Farmer

**Road Network Upgrading Sector Project
 (ABD Grant No. 0180 TIM)
 Project Implementation And Support Consultants**

	<i>Mausoi, Tibar, Bazartete, liquica</i>				
20	Rosa Fernandez <i>Mausoi, Tibar, Bazartete, liquica</i>	67	F	0363359	Farmer
21	Mateus dos Santos <i>Mausoi, Tibar, Bazartete, liquica</i>	47	M	0363468	Farmer
22	Jacinta de Jesus <i>Mausoi, Tibar, Bazartete, liquica</i>	45	F	-	Farmer
23	Calistro da Silva <i>Mausoi, Tibar, Bazartete, liquica</i>	41	M	0363003	Farmer
24	Antonio Nunez <i>Mausoi, Tibar, Bazartete, liquica</i>	58	M	0363420	Farmer
25	Adolfo dos Santos <i>Mausoi, Tibar, Bazartete, liquica</i>	54	M	0363328	Farmer
26	Filipe Pereira de Jesus <i>Mausoi, Tibar, Bazartete, liquica</i>	47	M	0363362	Farmer
27	Alexandre Pereira <i>Mausoi, Tibar, Bazartete, liquica</i>	50	M	0363507	Farmer
28	Sebastiao da C. Nascimento <i>Mausoi, Tibar, Bazartete, liquica</i>	50	M	0363326	Farmer
29	Eladio da Conceicao <i>Mausoi, Tibar, Bazartete, liquica</i>	41	M	00363597	Farmer
30	Henrique da Rosa <i>Mausoi, Tibar, Bazartete, liquica</i>	54	M	00363294	Farmer
31	Luisinho da Conceicao <i>Mausoi, Tibar, Bazartete, liquica</i>	42	M	0363332	Farmer
32	Idelfonso Mousinho <i>Mausoi, Tibar, Bazartete, liquica</i>	63	M	0363298	Farmer
33	Vicente da Conceicao <i>Mausoi, Tibar, Bazartete, liquica</i>	42	M	-	Farmer
34	Lauriano Gomez <i>Mausoi, Tibar, Bazartete, liquica</i>	44	M	0363289	Farmer
35	Cristiano F. da Conceicao <i>Mausoi, Tibar, Bazartete, liquica</i>	32	M	0363348	Farmer
36	Abilio da Conceicao <i>Hura, tibar, Bazartete, liquica</i>	48	M	0519232	Farmer
37	Venancio da Conceicao <i>Mausoi, Tibar, Bazartete, liquica</i>	38	M	0784367	Farmer
38	Antonio da Silva <i>Mausoi, Tibar, Bazartete, liquica</i>	64	M	0363764	Farmer
39	Antonio Gomez da Costa <i>Mausoi, Tibar, Bazartete, liquica</i>	58	M	0784737	Farmer
40	Afonso Henrique <i>Bairo 30 de setembro, tibar, Bazartete, liquica</i>	67	M	0573808	Office worker

**Road Network Upgrading Sector Project
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41	Manuel soares <i>30 de setembro,tibar,Bazartete,Iliquica</i>	55	M	0363286	Farmer
42	Manuel Malal soares <i>Bairo 30 de setembro,tibar,Bazartete,Iliquica</i>	47	M	0363306	Farmer
43	Luiz da Silva <i>Mausoi,Tibar,Bazartete,Iliquica</i>	60	M	0363590	Farmer
44	Bi-Lequi <i>Mausoi,Tibar,Bazartete,Iliquica</i>	76	F	0363336	Farmer
45	Albino da C. Ribeiro <i>Mausoi,Tibar,Bazartete,Iliquica</i>	38	M	0363386	Farmer
46	Bernardo da Concelcao <i>Bairo 30 de setembro,tibar,Bazartete,Iliquica</i>	44	M	0363301	Farmer
47	Batista da Costa <i>Bairo 30 de setembro,tibar,Bazartete,Iliquica</i>	42	M	0363261	Office worker
48	Julio da Concelcao <i>Bairo 30 de setembro,tibar,Bazartete,Iliquica</i>	50	M	0363562	Farmer
49	Jose Pereira <i>Bairo 30 de setembro,tibar,Bazartete,Iliquica</i>	65	M	0363363	Farmer

Minutes of the Consultation Meeting
Venue: Suco Ulmera, District: Liquica
Date: 28 January 2012

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

Minutes of Consultation Meeting

Date: Friday, 28/01/12 Time: 15:00 - 17:00
Road Name: Tibar to Gleno road
Venue: Hamlet: Libloa Suco: Ulmera
Sub-district: Bnzarteto District: Liquica.
Name of Chairman of the Meeting: Suco chief of Ulmera.
Ministry/Departmental Personnel: -
PISC Consultant (SMC/KWK): Mr. Onie/Leoncio tan
Participants Nos: (attach list)

Agenda / Issues Discussed

About the land that will be affected by the widening of the road (Earth cutting and filling).

Opinion and Suggestions

**Road Network Upgrading Sector Project
 (ABD Grant No. 0180 TIM)
 Project Implementation And Support Consultants**

Date: 28/01/2012

Time: 10:00 – 12:00

Venue: Lebloa mini market

Participants List

No	Name & Address	Age	Sex	I.D No.	Occupation
1	Adelino Pereira <i>Ermeta, Ulmera, Bazartete, liquica</i>	62	M	0372503	Farmer
2	Luiz soares Atalde <i>Terlau, Ulmera, Bazartete, liquica</i>	50	M	0372500	Farmer
3	Juvinal martins <i>Terlau, Ulmera, Bazartete, liquica</i>	43	M	-	Farmer
4	Antonio Maria <i>Terlau, Ulmera, Bazartete, liquica</i>	53	M	-	Farmer
5	Baltazar Goncalvez <i>Terlau, Ulmera, Bazartete, liquica</i>	64	M	-	Farmer
6	Domingos soares <i>Terlau, Ulmera, Bazartete, liquica</i>	58	M	-	Aldela chief
7	Albertino martins Ribeiro <i>Terlau, Ulmera, Bazartete, liquica</i>	49	M	0339963	Farmer
8	Rogério martins <i>Terlau, Ulmera, Bazartete, liquica</i>	47	M	-	Farmer
9	Sergio martins P. de sousa <i>Terlau, Ulmera, Bazartete, liquica</i>	25	M	0752703	Farmer
10	Antonio Goncalvez <i>Terlau, Ulmera, Bazartete, liquica</i>	48	M	0372492	Farmer
11	Luiz Barros <i>Terlau, Ulmera, Bazartete, liquica</i>	47	M	-	Farmer
12	Feliz Badak <i>Ermeta, Ulmera, Bazartete, liquica</i>	65	M	0339871	Farmer
13	Felizberto Babo <i>Ermeta, Ulmera, Bazartete, liquica</i>	56	M	0033982	Farmer
14	Joao da Concelcao <i>Ermeta, Ulmera, Bazartete, liquica</i>	49	M	0339865	Farmer
15	Mario soares <i>Ermeta, Ulmera, Bazartete, liquica</i>	48	M	-	Farmer
16	David soares <i>Ermeta, Ulmera, Bazartete, liquica</i>	59	M	0721675	Farmer
17	Marcos Ribeiro <i>Terlau, Ulmera, Bazartete, liquica</i>	44	M	0339962	Farmer
18	Silvano dos Santos <i>Terlau, Ulmera, Bazartete, liquica</i>	26	M	-	Farmer

Minutes of the Consultation Meeting
Venue: Suco Tocoluli, District: Ermera
Date: 29 January 2012

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

Minutes of Consultation Meeting

Date: 29/01/2012 Time: 10:00 / 12:00.
Road Name: Tibar - Gleno
Venue: Hamlet: Kaisake Suco: Tocoluli
Sub-district: Pazlaco District: Ermera
Name of Chairman of the Meeting: Soes Chief of Tocoluli
Ministry/Departmental Personnel: -
PISC Consultant (SMEC/KWK): Leoneia tan
Participants Nos: (attach list)

Agenda / Issues Discussed

Sharing information about the land that will be affected
by the land construction of the New Road.

Opinion and Suggestions

-
-

**Road Network Upgrading Sector Project
 (ABD Grant No. 0180 TIM)
 Project Implementation And Support Consultants**

Date: 29/01/2012

Time: 10:00 – 12:00

Venue: Tocoluli's suco office

Participants List

No	Name & Address	Age	Sex	I.D No.	Occupation
1	Evaristo de deus <i>Kaisahe, tocoluli, railaco, ermera</i>	82	M	0096397	Farmer
2	Paulino dos Santos <i>Kaisahe, tocoluli, railaco, ermera</i>	65	M	0096259	Farmer
3	Albino Maia Oliveira <i>Kaisahe, tocoluli, railaco, ermera</i>	52	M	0096457	School teacher
4	Jacinto dos Santos <i>Kaisahe, tocoluli, railaco, ermera</i>	53	M	0096337	Catechists
5	Florindo de souza <i>Kaisahe, tocoluli, railaco, ermera</i>	39	M	-	Farmer
6	Marcos soares <i>Marobo, tocoluli, railaco, Ermera</i>	64	M	0098575	Farmer
7	Manuel de deus <i>Kaisahe, tocoluli, railaco, ermera</i>	44	M	0096306	Farmer
8	Jose marcal <i>Kaisahe, tocoluli, railaco, ermera</i>	27	M	0096368	Farmer
9	Manuel soares Babo <i>Kaisahe, tocoluli, railaco, ermera</i>	51	M	0096379	Farmer
10	Alarico de Jesus <i>Kaisahe, tocoluli, railaco, ermera</i>	50	M	-	Farmer
11	Alda soares <i>Kaisahe, tocoluli, railaco, ermera</i>	52	F	-	Farmer
12	Damiao lemos <i>Kaisahe, tocoluli, railaco, ermera</i>	41	M	0096305	Farmer
13	Jacob soares <i>Tahobate, Tocoluli, Railaco, Ermera</i>	27	M	0701092	Farmer
14	Guilherme soares <i>Marobo, tocoluli, railaco, Ermera</i>	72	M	0096422	Farmer
15	Orlando soares <i>Tahobate, Tocoluli, Railaco, Ermera</i>	54	M	-	Farmer
16	Eugenio soares <i>Kaisahe, tocoluli, railaco, ermera</i>	77	M	0096389	Farmer
17	Armanda G. soares <i>Marobo, tocoluli, railaco, Ermera</i>	44	F	0098544	Housewife
18	Deolinda dos Santos Goncalvez <i>Kaisahe, tocoluli, railaco, ermera</i>	64	F	0098557	Farmer
19	Filomino C. Salsinha <i>Marobo, tocoluli, railaco, Ermera</i>	57	M	0692401	Farmer
20	Amilcar Rosa carvalho	46	M	0098530	Farmer

**Road Network Upgrading Sector Project
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	<i>Marobo, tocoluli, railaco, Ermera</i>				
21	Joao de deus <i>Marobo, tocoluli, railaco, Ermera</i>	48	M	0096453	Farmer
22	Carlos martins soares <i>Tahobate, Tocoluli, Railaco, Ermera</i>	42	M	-	Forestry staff
23	Armindo soares <i>Tahobate, Tocoluli, Railaco, Ermera</i>	45	M	-	School teacher
24	Rogalia Maia <i>Tahobate, Tocoluli, Railaco, Ermera</i>	58	F	-	Housewife
25	Afonso lemos <i>Tahobate, Tocoluli, Railaco, Ermera</i>	48	M	0098633	Farmer
26	Rui Manuel soares <i>Tahobate, Tocoluli, Railaco, Ermera</i>	52	M	0098651	Farmer
27	Arlindo dos Santos martins <i>Tahobate, tocoluli, railaco, ermera</i>	27	M	0098675	Farmer
28	Bartolommeo casimiro <i>Tahobate, Tocoluli, Railaco, Ermera</i>	42	M	-	Aldeia chief
29	Isaias da Silva <i>Palimano, fatukeru, railaco, ermera</i>	27	M	0098566	Farmer
30	Avellino dos Santos <i>Palimano, fatukeru, railaco, ermera</i>	44	M	0113220	Farmer
31	Vitorinho trindade <i>Katarahei, fatukero, Railaco, ermera</i>	30	M	0113225	Farmer

Minutes of the Consultation Meeting
Venue: Suco Liho, District: Ermera
Date: 29 January 2012

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

Minutes of Consultation Meeting

Date: Saturday, 29/01/2012 Time: 15:00 - 16:30
Road Name: Tibar - Gleno
Venue: Hamlet: Hi Suco: liho
Sub-district: Raibaco District: Ermera
Name of Chairman of the Meeting: Suco chief of liho
Ministry/Departmental Personnel: -
PISC Consultant (SMEC/KWK): Leoncio tan
Participants Nos: (attach list)

Agenda / Issues Discussed

Giving information about the land that will be cut and fill during the construction.

Opinion and Suggestions

-

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**Road Network Upgrading Sector Project
 (ABD Grant No. 0180 TIM)
 Project Implementation And Support Consultants**

Date: 29/01/2012

Time: 15:00 – 16:30

Venue: Liho's suco office

Participants List

No	Name & Address	Age	sex	I.D No.	Occupation
1	Francisco de oliveira <i>Hi,liho,Railaco,Ermera</i>	47	M	-	Farmer
2	Napoleao de Jesus soares <i>Laqueco,liho,railaco,Ermera</i>	80	M	0098236	Handicap
3	Lay sung fing <i>Audian, nain feto,Dili</i>	74	M	-	Businessman
4	Elias da Costa <i>Camalpun,liho,railaco,Ermera</i>	55	M	00096212	Farmer
5	Carlos Costa da Cruz <i>Camalpun,liho,railaco,Ermera</i>	38	M	0113845	Farmer
6	Lucinda de Jesus soares <i>Camalraehi,liho,railaco,Ermera</i>	54	F	00096112	Businesswomen
7	Martinho mau-mali <i>Camalpun,liho,railaco,Ermera</i>	64	M	0096211	Farmer
8	Ana mesquita <i>Raeudo,liho,railaco,Ermera</i>	46	F	0096107	Farmer
9	Fernando Luiz soares <i>Raeudo,liho,railaco,Ermera</i>	54	M	0096138	Farmer
10	Rogério da Conceicao <i>Camalpun,liho,railaco,Ermera</i>	57	M	0096236	Farmer
11	Domingos Maia <i>Camalpun,liho,railaco,Ermera</i>	52	M	0096083	Community leader
12	Joaquin marcal <i>Camalraehi,liho,railaco,Ermera</i>	50	M	00096232	Farmer
13	Manuel da Costa soares <i>Camalpun,liho,railaco,Ermera</i>	53	M	0096217	Farmer
14	Francisco Soares <i>Camalpun,liho,railaco,Ermera</i>	62	M	-	Farmer
15	Domingos do Nascimento <i>Camalpun,liho,railaco,Ermera</i>	55	M	0299138	Farmer
16	Rafael Fatima soares <i>Camalpun, liho,Railaco,Ermera</i>	52	M	0096213	Farmer
17	Alexandre da Costa <i>Camalpun,liho,railaco,Ermera</i>	51	M	0096220	Farmer
18	Amelia marcal <i>Camalpun,liho,railaco,Ermera</i>	54	F	0113836	Businesswomen
19	Alarico Maia <i>Camalpun,liho,railaco,Ermera</i>	44	M	0019542	Farmer
20	Madalena Bi-mesak <i>Camalpun,liho,railaco,Ermera</i>	65	F	0096089	Farmer

Democratic Republic of Timor-Leste
Ministry of Infrastructure

DRAFT PUBLIC INFORMATION BOOKLET

**Land Acquisition, Resettlement and Compensation
Tibar - Gleno Road
Road Network Upgrading Project**

February 2012

1. Introduction

1. The Asian Development Bank (ADB) is providing financial assistance to the Democratic Republic of Timor-Leste for improvement of road infrastructure under the Road Network Upgrading Project (RNUP). The Project includes upgrading and improving the Tibar-Gleno Road covering a length of about 44.8 km. As per requirements of the applicable laws of Timor-Leste including the Expropriation Act, complying with ADB's safeguard requirements on involuntary resettlement under the *Safeguard Policy Statement*, and in conformity with the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted for the Project, the Ministry of Infrastructure (MOI) has prepared a Resettlement Plan (RP) to deal with the resettlement impact due to project interventions. The RP describes the provisions established to address these impacts and the modalities for compensating the Affected Families (including compensation rates, special allowances and schedules.) The RP for the Project will be disclosed and made available to the public at the local MOI and district administration offices in the areas affected by the Project. The PMU will also make this RP available to the public at the MOI headquarters in Dili.

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

2. RP Preparation Status

3. The RP has been prepared based on the preliminary design as of December 2011, drawing on the result of 100% survey of impact of the affected families (AFs), associated with socio-economic information of affected households. The RP also details compensation entitlements and rates/modalities for each affected item. Finally the RP explains how compensation will be distributed to the AFs, and how eventual complains will be handled. It also provides a schedule for the compensation program. Contents of the RP are summarized in the following sections.

3. Project Location

4. The project road Tibar-Gleno, with a length of about 32 km, is a continuous section of the major national route between Dili and Ermera via Tibar and Gleno. The road feeds into the Ermera-Maliana road which links Mota Ain the main land border crossing with Indonesia. The road lies within the geographic coverage of the two districts – Liquica and Ermera.

4. Resettlement Impact

5. The strategy for the Project is to minimize land requirements by confining the construction works within existing road corridor to the extent possible. However, it will inevitably be necessary to acquire some land and other assets for widening and raising of the road embankment which will cause involuntary resettlement impacts. To address these resettlement impacts, the present draft Resettlement Plan (RP) for the Tibar-Gleno Road has been based on impact survey and census and socioeconomic survey of the affected persons (AP), and consultation with AP population and various stakeholders. The RP preparation has been carried out in line with ADB's safeguard requirements on involuntary resettlement under the *Safeguard Policy Statement*, and in conformity with the resettlement principles and procedures outlined in the Resettlement Framework (RF) adopted by the Government of Timor-Leste for the Road Network Upgrading Project.

6. The improvement of the Tibar-Gleno Road will involve the acquisition of land and other assets. A combined census and socioeconomic survey carried out in September 2011 and again in December 2011 shows that the Project will have to acquire about 4950 sq. meters of land (0.5 hectares), about 22 sq. meters of structure and about 912 trees of different kind along either side of the embankment. Combined with the bamboo trees, the estimated number of affected trees will be greater than this. Total number of affected households has been estimated at 52 along with 198 affected persons (APs). Apart from this, implementation of improvement works with clearing off the right of way land will cause resettlement impact involving physical displacement to 1 household. A summary of impacts are shown in Table 1.

Table 1: Summary of Impacts

Impact Category	Magnitude of Impact
Total number of Affected Households	52 households
Total number of Affected Persons	198 people
Total area of Affected land	4,950 sqm
Total number of Affected Structures	3 units
Total area of Affected Structures	22 sqm
Total number of Affected Roadside Businesses	25 units
Total number of Affected Trees	912 trees

5. Compensation and Entitlements

7. The following categories of affected persons will be entitled to receive entitlements as set out in the RF, including any additional entitlements in line with the RP :

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

8. APs will be compensated for lost assets at replacement price based on valuations prepared according to the Expropriations Act, to ensure compensation is paid at replacement value. The costs in this RP are preliminary estimates, based on consultation with community leaders, affected persons, local authorities and NGOs. Under the provisions of the Expropriations Act, cadastral surveys will be carried out for all lands

marked for acquisition, and MOJ and the PMU will prepare detailed compensation amounts for all impacts identified

9. Compensation and entitlements have been identified based on impacts and losses caused before the eligible cut-off date. The established cut-off date for the Project was set as on 9 December 2012 - the date of commencing the census and socioeconomic survey. The APs will be compensated for their losses as per Entitlement Matrix given in Table 2.

Table 2 : Project Entitlement Matrix

Type of Loss	Unit of Entitlement	Details of Entitlements	Responsibility
1. Permanent loss of homestead and commercial land	Titleholders/ Claimants	<ul style="list-style-type: none"> ▪ Compensation for the loss of residential land at negotiated price ensuring replacement cost. 2. Compensation for the residential structure (part or full) at replacement rates without depreciation. ▪ Transitional allowance for maximum of 9 months at monthly USD 100 if the residual land is not viable (land acquired is 75% or more of the total land holding of the titleholder); Or, for 3 months if the residual land is viable. ▪ If the household is vulnerable, transitional allowance will be for 12 months. ▪ All fees, taxes and other charges, as applicable under relevant laws incurred in the relocation and resource establishment are to be borne by the project. ▪ Landless/vulnerable APs will be assisted to find alternative land/plot. 	PMU
2. Permanent loss of residential/commercial structures of owners/claimants	Owners of structure	<ul style="list-style-type: none"> ▪ Compensation for house/structure(s) at negotiated price ensuring replacement value. ▪ Transitional assistance to cover a maximum of 9 months rental accommodation. If the household is vulnerable transitional allowance will be for 12 months. ▪ One-time lump sum shifting allowance of 200 USD for temporary, semi-permanent and permanent structures. ▪ Right to salvage materials from the demolished structure ▪ Vulnerable APs will be provided a one-time rehabilitation grant in the form of productive assets. 	PMU
3. Assets of squatters or informal settlers.	Informal settlers / squatters / non-tilted APs identified by IOL losing commercial semi-permanent structure.	<p>Compensation at replacement cost of affected structure estimated during IOL and finalized with DLPCS.</p> <p>Transitional allowance for loss of income from business of US\$100 for 4 months per HH.</p> <p>Salvaged materials free of cost.</p>	DLPCS with assistance from the PMU's Valuation Specialist and in consultation with relevant authorities will finalize the compensation at replacement cost for the affected structure as identified during IOL.
4. Annual/ Seasonal crops	Household	Compensation at market value of crops for 3 years, plus 1 assistance grant of USD 100 for purchase of seeds for the next season.	PMU with assistance from relevant government ministries and valuation specialist.
5. Tree.	Claimant of the affected	<ul style="list-style-type: none"> ▪ Compensation at replacement cost of affected tree estimated during IOL and finalized with DLPCS. 	DLPCS with assistance from PMU's

	tree	▪ Salvaged materials free of cost.	Valuation Specialist in consultation with relevant authorities will determine the fair compensation at replacement cost.
6. Income from business.	Kiosks	One time lump sum transfer grant of US\$ 100 per kiosk. Transitional allowance of US\$ 100 for 4 months per HH.	PMU in coordination with DLPCS and with assistance of local authorities and community leaders.
7. Impact on vulnerable APs	Vulnerable and women headed households identified by IOL.	In addition to the above standard package, vulnerable AP households will receive following: Additional special assistance of US\$ 100 for additional 2 months for vulnerable HH.	PMU with assistance of local authorities and community leaders
8. Unforeseen Impact.	Concerned impactees.	Unforeseen impacts will be documented and mitigated based on the principles agreed upon in this policy framework.	PMU identifies and mitigates impacts as required.

6. Resettlement Budget

10. A preliminary estimate for compensation for the Tibar-Gleno Road improvement subproject will require a total of **118,438 USD** (0.12 million USD), out of which **98,438 USD** is direct resettlement expense and the rest is kept to meet the resettlement staff training, internal monitoring, administrative and contingency expenses (Table 3). The included cost items are in compliance with the RF prepared for the project. A more detailed budget will be available after the cadastral surveys are completed and valuations worked out by MOJ and PMU.

Table 3 : Resettlement Budget

Item	Quantity	Unit	Rate (USD)	Amount (USD)
Compensation for Land and Structure				
Compensation for Land Other than that used for Structures	4,950	Sq.m	5	24,750
Compensation for Semi Permanent Structures	3.60	Sq.m	350	1,260
Compensation for Temporary Structures	17.64	Sq.m	200	3,528
Compensation for Crops				
Coffee	250	Pc	50	12,500
Banana	500	Pc	5	2,500
Cassava	20	Pc	10	200
Cost for seed for next season		Lump Sum		3,000
Compensation for Trees				
Big Timber Tree	20	Pc	350	7,000
Teak Wood Tree	20	Pc	250	5,000
Coconut Tree	50	Pc	100	5,000
Mango Tree	10	Pc	100	1,000

Jackfruit Tree	7	Pc	100	700
Papaya	10	Pc	15	150
Guava Tree	15	Pc	10	150
Bamboo	10	Groups	200	2,000
Transitional Allowance and Grants				
Transitional Allowances for 9 months for vulnerable AH losing 100% Structure	1	No	100	900
Transitional Allowances for 3 months for AH for losing Structure (partly)	1	No	100	300
Shifting Allowance for AH losing Structure	3	No	200	600
One time Transfer Grant for Roadside Business	25	No	100	2,500
Transitional Allowance for 4 months for each roadside business	25	No	100	10,000
Additional special assistance of US\$ 100 for additional 2 months for vulnerable HH.	2	No	100	400
Monitoring Expenses	3	Months	5,000	15,000
Total Direct Cost				98,438
Administrative Expenses, Capacity building and training of ESU staff, internal monitoring and contingency		Lump Sum		20,000
Total Resettlement Budget				118,438

7. GRIEVANCE REDRESS

7.1 Government Policy for Grievance Redress

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

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

7.2 Proposed Measures to Address Grievance

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

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

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

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

17. The AP always has final recourse through Timor-Leste's legal channels. However, every effort will be made to avoid this. Should the APs want to pursue legal recourse, PMU/MOI with assistance from the PISC consultants will ensure that support is given to the AP to prepare a case. The grievance address procedure is shown in Table 4.

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

19. One or more GRSs will be set up for the subproject based on the local administrative units (Districts, Sub-Districts, Sucos and Hamlets) as well as to facilitate easy accessibility of the APs. The GRC would be the tool to ensure proper presentation of grievances, and impartial hearings and transparent decisions. Established through a gazette notification of the Ministry of Infrastructure (MOI), GRCs will work for any grievances involving resettlement benefits and issues. GRC will include at least one female member to participate in the hearings if the aggrieved person is a female. The GRC is proposed to be composed of :

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

Table 4 : Grievance Redress Procedure.

Step	Process	Duration
1	AP submits grievance to sub project manager in person	
2	Sub project Manager will try to address the issue.	7 days
If unresolved or if AP wanted to go directly to PMU		
3	Sub-project Manager f take grievance to PMU/community liaison officer	Within 2 weeks of receipt of decision in step 2
4	Issue discussed at project liaison meeting	1 week
5	PMU/community liaison officer reports back to village/AP	5 days
If unresolved		
6	AP take grievance to MOI Secretary of State	Within 2 weeks of receipt of decision in step 5
7	Secretary of State refers matter to an internal committee	2 weeks
8	Secretary of State reports back to AP	5 days
If unresolved or at any stage if AP is not satisfied		
AP can take the matter to appropriate court		As per judicial system

6.3 Compensation Determination Procedure

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

21. APs will be well informed of their rights and entitlements regarding compensation, so that they can make an informed decision. Once the subproject and potential impacts have been identified, and consultations are taking place, APs will be informed of their options. The consultation with APs will provide details of land required to construct or facilitate the works as well as some basic socio-economic information about the APs.

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

23. Where the APs are willing to discuss voluntarily providing/selling land for the project, the PMU will discuss and document the basis on which the land transfer will proceed including the agreed consideration or compensation. The PMU will ensure that voluntary

land settlement is in fact voluntary, and that people do not feel coerced or pressured in any way. The criteria for eligibility for consideration of voluntary land settlement will ensure that land is not under dispute or the subject of an unresolved land claim.

24. Negotiated land settlements will be carefully documented. MOI will seek to obtain an agreed Legal Documents between MOI, DLPCS, and the land owners negotiating selling land. The legal documents will establish the obligations of each party to the agreement. If the obligations are agreed, the legal documents will be signed by the parties being the land owners, representative(s) of MOI, and representative(s) of DLPCS.

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

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

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

8. Contact Details for Inquiry

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

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

List of Affected Persons
Tibar - Gleno Road
Road Network Upgrading Project

Affected Persons with Impact on Land								
No	Name, & Address	Age	Sex	I.D Number	Occupation	Quantum of Affected Land (m ²)	Total land under possession (m ²)	Chainage
1	JOSE GUTTERES <i>Turleu, Tibar, Bazartete, liquica</i>	52	M	0362721	Farmer	120 m ²	± 1200 m ²	19.500 km
2	PAULINA MADEIRA BABO <i>Mausoi, Tibar, Bazartete, liquica</i>	43	F	00363402	Farmer	100 m ²	± 700 m ²	20.400 km
3	MARCELLO LOBATO <i>Mausoi, Tibar, Bazartete, liquica</i>	48	M	00363366	Farmer	130 m ²	± 1350 m ²	22.200 km
4	CALISTRO DA SILVA <i>Mausoi, Tibar, Bazartete, liquica</i>	41	M	0363003	Farmer	100 m ²	± 3300 m ²	23.120 km
5	IDELFONSO MOUSINHO <i>Mausoi, Tibar, Bazartete, liquica</i>	63	M	0363298	Farmer	140 m ²	± 3080 m ²	24.800 km
6	LAURIANO GOMEZ <i>Mausoi, Tibar, Bazartete, liquica</i>	44	M	0363289	Farmer	100 m ²	± 3000 m ²	25.120 Km
7	CRISTIANO F. DA CONCEICAO <i>Mausoi, Tibar, Bazartete, liquica</i>	32	M	0363348	Farmer	120 m ²	± 1200 m ²	25.400 km
8	VENANCIO DA CONCEICAO <i>Mausoi, Tibar, Bazartete, liquica</i>	38	M	0784367	Farmer	150 m ²	± 3250 m ²	25.680 Km
9	ANTONIO DA SILVA <i>Mausoi, Tibar, Bazartete, liquica</i>	64	M	0363764	Farmer	100 m ²	± 1320 m ²	26.000 Km
10	FERNANDO LUIZ SOARES <i>Raeudo, liho, railaco, ermera</i>	54	M	0096138	Farmer	180 m ²	± 1130 m ²	38.180 Km
11	DOMINGOS MAIA <i>Camalpun, liho, railaco, Ermera</i>	52	M	0096083	Community leader	90 m ²	± 920 m ²	39.000 km
12	JOAQUIN MARCAL <i>Camalraehei, liho, railaco, Ermera</i>	50	M	00096232	Farmer	120 m ²	± 1200 m ²	39.030 km
13	DOMINGOS DO NASCIMENTO <i>Camalpun, liho, railaco, Ermera</i>	55	M	0299138	Farmer	150 m ²	± 1300 m ²	39.600 Km
14	ELIAS DA COSTA <i>Camalpun, liho, railaco, Ermera</i>	55	M	00096212	Farmer	100 m ²	± 900 m ²	40.100 Km
15	CARLOS COSTA DA CRUZ <i>Camalpun, liho, railaco, Ermera</i>	38	M	0113845	Farmer	60 m ²	± 1200 m ²	40.100 km
16	ALARICO MAIA <i>Camalpun, liho, railaco, Ermera</i>	44	M	0019542	Farmer	600 m ²	± 2100 m ²	40.350 Km
17	PAULINO DOS SANTOS <i>Kaisahe, tocoluli, railaco, ermera</i>	65	M	0096259	Farmer	60 m ²	± 1170 m ²	40.730 Km
18	ALBINO MAIA OLIVEIRA <i>Kaisahe, tocoluli, railaco, ermera</i>	52	M	0096457	School teacher	750 m ²	± 1300 m ²	40.760 Km
19	JOSE MARCAL <i>Kaisahe, tocoluli, railaco, ermera</i>	27	M	0096368	Farmer	150 m ²	± 1100 m ²	41.100 Km
20	ALARICO DE JESUS <i>Kaisahe, tocoluli, railaco, ermera</i>	50	M	-	Farmer	30 m ²	± 1500 m ²	41.210 km
21	GUILHERME SOARES <i>Marobo, tocoluli, railaco, Ermera</i>	72	M	0096422	Farmer	60 m ²	± 950 m ²	41.450 Km
22	EUGENIO SOARES <i>Kaisahe, tocoluli, railaco, ermera</i>	77	M	0096389	Farmer	40 m ²	± 900 m ²	41.550 Km
23	PEDRO MANUEL SOARES	67	M	-	Farmer	1000 m ²	± 3850 m ²	42.180 km

Revised Resettlement Plan
Tibar-Gleno Road

	<i>Tahobate, Tocoluli, Railaco, Ermera</i>							& 42.450 - 42.750 Km
24	AFONSO LEMOS <i>Tahobate, Tocoluli, Railaco, Ermera</i>	48	M	0098633	Farmer	500 m ²	± 1700 m ²	44.600 Km & 45.000 Km

**Cont. : List of Affected Persons
Tibar - Gleno Road**

Affected Persons with Impact on Structure								
No	Name of Household & Address	Sex	Age	Occupation	ID Number	Type of Structure	Chainage R / L	Quantum of affected area (Sqm)
1	MARCELINO N. SOARES Libaulelo, Tibar, Bazartete, Iquica	M	42	Security	0729115	Semi permanent	14.500 Km L	1.00 m ²
2	ALBERTINO TILLMAN Mausoi, tibar, Bazartete, Iquica	M	22	Student	0721807	Semi permanent	18.350 km R	2.60 m ²
3	ALEXANDRE PERREIRA Mausoi, tibar, Bazartete, Iquica	M	49	Farmer / businessman	0363507	Temporary	23.555 km R	17.64 m ²

Affected Persons with Roadside Business										
No	Name & Address	Sex	Age	I.D number	Occupation	Number of family member	Type of affected business	L/R	Monthly income of business	Will retain the business after the road project is completed? (Yes/No)
1	JOSE DE CARVALHO Tahobate, Tocoluli, Railaco, Ermera	M	42	0098649	Farmer/business	4	Temporary	L	70.00	Yes
2	ADELINO DE DEUS Marobo, Tocoluli, Railaco, Ermera	M	63	0098301	Farmer/business	4	Temporary	L	90.00	Yes
3	CALISTRO DE JESUS SOARES Kaisahe, Tocoluli, Railaco, Ermera	M	24	0101856	Farmer/business	5	Temporary	L	70.00	Yes
4	NORBERTO DA CRUZ Marobo, Tocoluli, Railaco, Ermera	M	56	0096477	Farmer/business	3	Temporary	L	70.00	Yes
5	PAULINO DE DEUS Kaisahe,	M	39	0096308	Farmer/business	2	Temporary	L	70.00	Yes

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Tibar-Gleno Road

	Tocoluli, Railaco, Ermera									
6	MONIZ TRINDADE SALSINHA Kaisahe, Tocoluli, Railaco, Ermera	M	29	0096438	Farmer/driver	3	Temporary	L	60.00	Yes
7	HONORIO DA COSTA Camalpun, Liho, Railaco, Ermera	M	27	0652750	Farmer/business	2	Temporary	L	70.00	Yes
8	ELOI DOS SANTOS Tidibessi, Poetete, Ermera, Ermera	M	42	00077495	Farmer/business	4	Temporary	L	70.00	Yes
9	LUISA LAFO Raeudo, Liho, Railaco, Ermera	F	25	0701352	Farmer/business	4	Temporary	L	70.00	Yes
10	MARIANO DE CARVALHO Camalraehi, Liho, Railaco, Ermera	M	50	0096085	Farmer/business	3	Temporary	L	70.00	Yes
11	HERMEGILDO BABO Raeudo, Liho, Railaco, Ermera	M	43	0113808	Farmer/business	4	Temporary	L	50.00	Yes
12	MARTINHA CORREIA MARTINS Raeudo, Liho, Railaco, Ermera	F	62	0113789	Farmer/business	2	Temporary	L	50.00	Yes
13	LUCIA DE CARVALHO Raeudo, Liho, Railaco, Ermera	F	47	0096157	Farmer/business	5	Temporary	L	70.00	Yes
14	FATIMA DE JESUS OLIVEIRA Hi, Liho, Railaco, Ermera	F	26	0797854	Farmer/business	2	Temporary	L	70.00	Yes
15	NATALIA DOS SANTOS Hi, Liho, Railaco, Ermera	F	30	0797894	Farmer/business	4	Temporary	R	60.00	Yes
16	ADAO SOARES DA CRUZ Lebudo, Deleso, Railaco, Ermera	M	45	0097827	Farmer/business	4	Temporary	R	70.00	Yes
17	ABRAO FATIMA SOARES Colhuimano, Railaco leten, Railaco, Ermera	M	53	0097288	Farmer/business	3	Temporary	R	50.00	Yes
18	JOSEFA DE	F	57	0701321	Farmer/business	3	Temporary	R	70.00	Yes

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	PIEDADE ATAIDE Lebudo, Deleso, Railaco, Ermera									
19	JOAO PIEDADE Hi, Liho, Railaco, Ermera	M	43	-	Farmer/business	2	Temporary	R	70.00	Yes
20	ARLINDO DOS SANTOS Hi, Liho, Railaco, Ermera	M	36	-	Farmer/business	4	Temporary	R	60.00	Yes
21	IMACULADA F. DE ARAUJO Hi, Liho, Railaco, Ermera	F	31	0764386	Farmer/business	2	Temporary	L	90.00	Yes
22	LAURIANA DOS S. SOARES Sobrequeque, Railaco kraik, Railaco, Ermera	F	27	0113603	Farmer/business	4	Temporary	L	70.00	Yes
23	MOISES DOS SANTOS MARTINS Raeudo, Liho, Railaco, Ermera	M	62	0113776	Farmer/business	2	Temporary	L	70.00	Yes
24	ANTONIO LOBATO SEQUEIRA ALVES Manuponihei, Railaco kraik, Railaco, Ermera	M	56	0113461	Farmer/business	7	Temporary	L	70.00	Yes
25	DOMINGOS SOARES Kaisahe, Tocoluli, Railaco, Ermera	M	57	0096292	Farmer/business	2	Temporary	L	70.00	Yes

Annex 5

External Monitoring Agency Consultant Draft Terms of Reference

I. General

1. To review and verify the progress in resettlement implementation as outlined in the Resettlement Plan (RP) for the Tibar-Gleno subproject under Road Network Upgrading Project.
2. To assess whether resettlement objectives, particularly livelihoods and living standards of the Affected Persons (APs) have been restored or enhanced.
3. To assess resettlement efficiency, effectiveness, impact and sustainability, drawing both on policies and practices and to suggest any corrective measures, if necessary.

II. Specific Tasks and Methodology

4. Review baseline data on income and expenditure, occupational and livelihood patterns, arrangements for use of common property, social organization, leadership patterns, community organizations and cultural parameters.
5. Identify an appropriate set of indicators for gathering and analyzing information on resettlement impacts.
6. Review results of internal monitoring and verify claims through random checking at the field level to assess whether resettlement objectives have been generally met. Involve the APs, host population, and community groups in assessing the impact of resettlement for monitoring and evaluation purposes.
7. Conduct both individual and community level impact analysis through the use of formal and informal surveys, key informant interviews, focus group discussions, community public meetings, and in-depth case studies of APs and host population from various social classes to assess the impact of resettlement.
8. Identify the strengths and weaknesses of basic resettlement objectives and approaches, implementation strategies, including institutional issues, and provides suggestions for improvements in future resettlement policy making and planning.

III. Qualifications

9. The local expert / consultant must have at least 3 years experience in project monitoring work. In case of individual consultant Master in Social Science will be preferred. Expert/consultant with experience in resettlement management and monitoring work in ADB and World Bank-financed will be given preference.

IV. Implementation Schedule

10. The implementation of RP is expected to start in June 2011.

V. Reporting Requirements

11. The expert/consultant will review the status of the RP implementation in light of the targets, budget and duration as outlined in the Plan for the Project. The expert will submit reports to the ADB and MOI/PMU after monitoring mission and determine the implementation status and quality of resettlement operations and also assess whether resettlement goals have been achieved, more importantly whether livelihoods and living standards have been restored/enhanced and suggest suitable recommendations for improvement.

12. The experts will prepare a Final Report on the project monitoring work at the end of the contract period indicating the project performance and lessons learned for future projects.

**Reply of ADB Comments on RP for Tibar-Gleno Road
Road Network Upgrading Project
Timor-Leste**

Comments	Addressed
Executive Summary	
Widening is required but the next sentence says works will be confined to the “existing corridor”; this should be clearly explained.	Meaning of the complete sentence should be taken. It does not show “existing corridor” only, but also says “to the extent possible”. The other comments in the Executive Summary are taken care
Main Report	
This should be made clearer: how was this done? Page 1	This is explained in Introduction, para 9, p 2.
Can you say what the width of the existing carriageway is? Page 2	Information on the width of the existing carriageway is included.
Important to say that widening will be done only where it is unavoidable? Page 4	Rephrased
Are these recognized by the local people as government owned land? Page 4	Immediate next strips of land along national roads are normally government-owned. Community people also recognize this as understood during consultation.
Note that the average family size here is 3.8 compared to the national average of 5.8 (2010 national census). Needs checking. Note that 13 HHs in the Dili-Liquica RP had 102 persons – an average of 7.8 per HH. Page 5	This is checked and is correct according to collected data.
Is this realistic? Only four months? Page 8	Consultant feels that 4 months is enough for a particular section where construction will take place.
Were they consulted separately? If so did they express any concerns? Are any women operating kiosks? Page 8	They were consulted jointly in consultation meetings. Some separate consultations were carried out at the particular location of roadside

	business in the kiosks. A kiosk is owned by 1 old woman which is considered as vulnerable. Text has been revised along with the resettlement budget
This chapter can be combined with Chapter 2; there is too much repetition of the same data. Page 9	Chapter 2 focus on the impact on people. Chapter 3 focus on profile of people affected. Two chapters focus on two relevant issues, but not same issue. Also, chapter 3 includes socio economic information of APs, which are not repeated in Chapter 2.
This number is very close to 200, which is the cut off for a category "B" sub-project. Needs double checking. Page 9	No mistake is seen in counting.
Given this analysis, what steps are proposed to address the high level of poverty among APs? Page 11	Employment opportunity will be explored for the affected and local people during road construction works. It is discussed in para 89 under Income Restoration Strategy.
Is this true? Survey showed at least two divorced women. Page 12	There is no divorced woman in the AP population.
special interest groups. Page 20	Included in the text.
Please say how the project responded to these concerns? It is not enough to just list them? This is a key requirement to demonstrate participation by affected people. Annex 4 does not include any explanations. Page 20	Participatory consultations were carried out as an act of information dissemination on the Project, issues identification and solution seeking. views and information as described by the stakeholders themselves are documented as closely as translation allows.
how much? Page 27	Given in Chapter 2
What is this structure? What is it used for? How will it affect the owner? Page 7	Given in Chapter 2
Have any vulnerable APs been identified in Chapter 2? Page 27	There are 3 vulnerable

	APs. Additional special assistance for them has been included in the Budget.
Any idea of what they earn? Page 27	Income is shown in the AP list of roadside business.
When? Page 28	PMU will take care.
Explain the flow of funds procedure and the timing. Presumably, MOF will have to provide for this in their annual budgets. This can affect the progress of land acquisition. Page 31	Consultant will coordinate with PMU in this respect.
Please explain how these figures were arrived at. And note that under the Expropriations Act valuations may change, and this should be stated here. See additional para below. Page 31	Figures came as per entitlement matrix, RF and discussion with APs
Explain further Page 32	Explained
Please review this schedule. Why is there a big gap between approval of RP and translation/ disclosure? Also there is no time assigned to the steps involved in land acquisition itself. A detailed description of how land acquisition will take place under the new laws should be included here, as it will affect this schedule. Page 34	Schedule is reviewed.