Land Acquisition and Resettlement Plan

March 2015

RMI: Ebeye Water Supply and Sanitation Project

Prepared by Kwajalein Atoll Joint Utilities Resource (KAJUR) for the Asian Development Bank (ADB)

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### ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
</tr>
<tr>
<td>APs</td>
<td>Affected Persons</td>
</tr>
<tr>
<td>ASPA</td>
<td>American Samoa Power Authority</td>
</tr>
<tr>
<td>EPPSO</td>
<td>Economic Policy, Planning and Statistics Office</td>
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<tr>
<td>FEMA</td>
<td>Federal Emergency Management Agency</td>
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<tr>
<td>GM</td>
<td>General Manager</td>
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<tr>
<td>GRM</td>
<td>Grievance Redress Mechanism</td>
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<tr>
<td>HAEP</td>
<td>Hygiene Awareness and Education Program</td>
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<tr>
<td>KADA</td>
<td>Kwajalein Atoll Development Authority</td>
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<tr>
<td>KAJUR</td>
<td>Kwajalein Atoll Joint Utilities Resources</td>
</tr>
<tr>
<td>KALGOV</td>
<td>Kwajalein Atoll Local Government</td>
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<tr>
<td>LARP</td>
<td>Land Acquisition and Resettlement Plan</td>
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<tr>
<td>LUA</td>
<td>Land Use Agreement</td>
</tr>
<tr>
<td>MEC</td>
<td>Marshalls Electric Corporation</td>
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<tr>
<td>MWSC</td>
<td>Majuro Water and Sewer Corporation</td>
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<tr>
<td>PGR Specialist</td>
<td>Poverty, Gender, and Resettlement Specialist</td>
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<tr>
<td>PMU</td>
<td>Project Management Unit</td>
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<tr>
<td>PPTA</td>
<td>Project Preparatory Technical Assistance</td>
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<tr>
<td>RepMar</td>
<td>Republic of the Marshal Islands (sovereign obligations)</td>
</tr>
<tr>
<td>RMI</td>
<td>Republic of the Marshal Islands (country)</td>
</tr>
<tr>
<td>RMICU</td>
<td>RMI Combined Utilities</td>
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<tr>
<td>SPRSS</td>
<td>Summary Poverty Reduction and Social Strategy</td>
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<tr>
<td>SPS</td>
<td>Safeguard Policy Statement</td>
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<tr>
<td>TOR</td>
<td>Terms of Reference</td>
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<tr>
<td>WSS</td>
<td>Water Supply and Sanitation</td>
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<td>Waste Water Treatment Plant</td>
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EXECUTIVE SUMMARY

Project Scope

1. The Ebeye Water Supply and Sanitation Project (EWSSP) is to be carried out on Ebeye Islet, Kwajalein Atoll. Ebeye is a densely populated urban community that serves as the commercial and governmental center of the Ralik Chain of the Republic of the Marshall Islands (RMI). The 2011 RMI Census recorded 1,103 households on Ebeye with a total population of 9,614 people, for an average household size of 8.7 persons.

2. Gastroenteritis and other water-borne diseases are serious problems on Ebeye. The project impact will be reduced incidence of waterborne disease and improved environmental conditions on Ebeye. The project outcome will be improved access to safe water and improved sanitation. The project will improve access to safe water and sanitation and promote behavioral change to improve hygiene standards throughout Ebeye.

3. The project will have the following four outputs:

   Output 1  Enhanced awareness of hygiene and water issues and sustained improved hygiene behaviour.

   Output 2  Secure and safe freshwater supplies.

   Output 3  Effective, efficient and safe sewerage services.

   Output 4  Kwajalein Atoll Joint Utilities Resources (KAJUR) [the local public utility company] is financially and technically sustainable.

4. The four project outputs will benefit all or virtually all of the population of Ebeye.

Scope of Land Acquisition and Resettlement

5. Project Outputs 2, 3, and 4 involve replacing, refurbishing, and/or upgrading of, and modest extensions to KAJUR’s existing water supply and sanitation systems together with upgrading KAJUR’s electric power generation, transmission and distribution systems. These three components all involve land acquisition and resettlement (LAR) impacts at the level of category B (less than significant). There are approximately twenty affected households with 147 affected persons (APs). Measures adopted to avoid and minimize LAR impacts include: use of existing corridor, avoiding permanent acquisition of new land, avoiding displacement and relocation of residential houses and businesses (except for shifting back), and use of existing corridor and shifting of structures in consultation with and agreement of respective owners/APs.

6. Only a very small part of that will involve acquisition of new land easements. In those few cases, new extensions of existing easements would be acquired for proposed extension of salt and fresh water transmission lines and for proposed extension of sewerage collection lines. This is the scope of this Land Acquisition and Resettlement Plan (LARP).

By far the greater part of the LAR issues would not involve physical acquisition of new lands but instead would involve formalization of the past acquisition of private lands that have long been occupied by the public utility infrastructure, which KAJUR currently operates under de facto control. Those lands were occupied rather obliquely under a lease that has long since lapsed. A separate Due Diligence/Social Compliance Audit Report
(DD/SCAR) has been prepared addressing the issues of the existing infrastructure occupying land acquired in the past. The LARP covers the LAR scope for the proposed infrastructure expansions under the project.

7. The LAR scope for the project include the following:
   a. New easement for the proposed new sewage outfall pipe.
   b. New easements for new fresh water, salt water, and sewer lines.
   c. Mitigation of small-scale resettlement impacts on several beneficiary households at North Camp and Fire Victims to make room for installation of new fresh water, salt water, and sewer distribution lines to serve them and their neighbours.

Entitlements

8. There are approximately twenty households (estimate of 147 affected persons or APs) whose property is affected in order to provide access for installation of new fresh water, salt water, and sewer lines which will be entitled to compensation in kind. For any minor modifications to APs’ assets that are required, these will be returned to APs with the same or improved quality to that which existed prior to project implementation. That modest “resettlement” will be voluntary. The final details of any such impacts will not be known until detailed engineering design is carried out. The total estimated length of extensions to the water, wastewater and outfall pipelines are 135m, 500m and 90m respectively for a total of 725 m. At an average width of easement of 3 m, this involves a maximum land area of 2,175 m² (0.537 acres) which may be required for new easements. However, some of the pipeline extensions may actually be positioned in existing easements so this new land area may be less than the above estimate. More accurate estimates will be determined during the detailed design phase once pipeline routes have been confirmed. A land lease agreement is being negotiated with land owners for access to the land for these easements.

Planned Actions

9. The project will ensure that households whose property is affected in order to provide access for installation of new fresh water, salt water, and sewer lines agree in advance of any works and ensure they are compensated in kind by renewing or replacing any damaged assets at a standard at least as high, and preferably higher, than the assets’ condition before the project.
1. **INTRODUCTION**

10. The Ebeye Water Supply and Sanitation Project (EWSSP) is designed to address factors which result in a high incidence of waterborne disease on Ebeye. The Project Preparation Technical Assistance (PPTA) team commenced work in August 2013 to assist in preparing all the necessary documentation for the project. The PPTA took part in two phases: (1) Phase 1 leading to the development of engineering master plans; (2) Phase 2 comprised identifying priority investments and preparing the due diligence of the proposed investment project. Much of the background work used to prepare this Land Acquisition and Resettlement Plan (LARP) was collected during that time.

11. This document has been prepared by the Kwajalein Atoll Joint Utilities Resource (KAJUR) with the support of the PPTA and is required to address the due diligence requirements of the ADB’s Safeguards Policy Statement (SPS). The SPS requires a LARP for all projects with involuntary resettlement impacts, and that its level of detail and comprehensiveness is required to be commensurate with the significance of such impacts and risks. Whilst it is expected that the project impacts will be voluntary, this LARP has been developed to comprehensively manage any potential LAR impacts and risks.

1.1 **Background Information**

12. The EWSSP is to be carried out on Ebeye Islet, which sits at the southeastern end of Kwajalein Atoll in the Republic of Marshall Islands (RMI), roughly midway between Australia and Hawaii in the western Pacific Ocean (Figure 1).

![Figure 1: Location of the Marshall Islands (GraphicMaps.com, 2014)](image)

*Note: Location of the Marshall Islands in the Pacific (right) and of Kwajalein Atoll within the RMI (left).*

13. Ebeye is a small, low-lying coral islet with a land area of about 40 hectares (100 acres) and a maximum elevation of about 3 meters (10 feet) above mean sea level (Figure 2). A short ferry ride to the southwest of Ebeye lies Kwajalein Island, which houses the main airfield and central base of the United States missile defense testing and space tracking facility known as the Ronald Reagan Ballistic Missile Defense Test Site. The scattered facilities of the base occupy and utilize most of the rest of the land and lagoon area of Kwajalein Atoll, which encloses the largest lagoon of any atoll in the world.
14. Ebeye is a densely populated urban community that serves as the commercial and governmental center of the Ralik Chain of the Marshall Islands. The 2011 Census recorded 1,103 households with 9,614 people on Ebeye with an average household size of 8.7 persons.

15. The main reason for the dense population on Ebeye is its ready access to well-paying jobs at the US base, known locally as “Kwaj,” where roughly 1,000 Marshallese work at any one time. The great majority of those Marshallese workers live on Ebeye and commute daily to the base, but some live semi-permanently on the base and visit their family and friends on Ebeye.

16. The US base on Kwajalein has grown gradually over the seven decades since US forces drove out the occupying Japanese forces during WWI. Ebeye has grown along with the military base as the US administration first resettled Marshallese from Kwajalein and elsewhere to Ebeye in the 1950s and 1960s and then other Marshallese came to Ebeye of their own accord, mainly from the outlying islets of Kwajalein Atoll and from other atolls and islands of the Ralik chain, to create what is now, in effect, a provincial capital. Natural population growth has also contributed, but outmigration from Ebeye to Majuro and overseas (mainly Hawaii and the mainland US) now keeps the Ebeye population fairly stable with an average increase of just 0.4% per annum recorded over the decade preceding the 2011 census.

17. The local public utility company, KAJUR, provides fresh water from a reverse osmosis (RO) system, sanitation via a salt water distribution system for flushing toilets together with a sewerage collection and lagoon outfall system, and electricity generation, transmission and distribution services to most of Ebeye. The leading traditional landowners originally established KAJUR as a private company, but its board of directors is now appointed and thus controlled by the national government centered in Majuro in the Ratak Chain of islands (Figure 1). The services provided by KAJUR are currently constrained and this is having an impact on the health of the population of Ebeye. The PPTA worked with KAJUR and the Office of the Chief Secretary (OCS) to design a program to improve the delivery of water supply and sanitation services on Ebeye and build the financial and technical sustainability of KAJUR.
1.2 Project Outputs

18. Gastroenteritis and other water-borne diseases are serious problems on Ebeye. The project impact will be reduced incidence of waterborne disease and improved environmental conditions on Ebeye. The project outcome will be improved access to safe water and improved sanitation. The project will improve access to safe water and sanitation and promote behavioral change to improve hygiene standards.

19. The project will have the following four outputs:

**Output 1** Enhanced awareness of hygiene and water issues and sustained improved hygiene behaviour.

**Output 2** Secure and safe freshwater supplies.

**Output 3** Effective, efficient and safe sewerage services.

**Output 4** KAJUR is financially and technically sustainable.

20. The four project outputs will benefit all or virtually all of the population of Ebeye.

1.3 Land Acquisition and Resettlement Requirements

21. Project Outputs 2, 3, and 4 involve replacing, refurbishing, and/or upgrading of and modest extensions to KAJUR’s existing water supply and sanitation systems together with upgrading KAJUR’s electric power generation, transmission and distribution systems. These three components all involve land acquisition and resettlement (LAR) impacts at the level of category B (less than significant).

22. Only a minor part of that will involve acquisition of new land leases. In those few cases, new extensions of existing easements would be acquired for proposed extension of salt and fresh water transmission lines and for proposed extension of sewerage collection lines. This is the scope of this Land Acquisition and Resettlement Plan (LARP).

23. By far the greater part of the LAR issues will not involve physical acquisition of new lands but instead will involve formalization of and potential compensation for the past acquisition of private lands that have long been occupied by the public utility infrastructure that KAJUR currently operates under de facto control. A separate Due Diligence/ Social Compliance Audit Report (DD/SCAR) has been prepared addressing the issues of the existing infrastructure occupying land acquired in the past. The LARP covers the LAR scope for the proposed infrastructure expansions under the project.

2. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

2.1 Measures Adopted to Avoid and Minimize LAR Impacts

24. The following are measures adopted to minimize LAR impacts:

- Using existing corridors to rehabilitate and upgrade project infrastructure;
- Avoid permanent acquisition of new land;
- Avoid displacement and relocation of residential houses and businesses, except for shifting back at same locations;
- Use of existing corridor and partial or on-site shifting of structures in consultation...
with and agreement of respective owners/APs.

2.2 Land Acquisition and Resettlement Scope

25. LAR scope for the project include the following:
   1. New easement for the proposed new sewage outfall pipe.
   2. New easements for proposed new fresh water, salt water, and sewerage mains and distribution lines to be constructed by the proposed project.
   3. Mitigation of small-scale resettlement impacts on a few households at North Camp and Fire Victims to make room for new fresh water, salt water, and sewer lines distribution.

26. There are approximately twenty affected households with 147 affected persons (APs) and the project’s resettlement impact is classified as Category B. The APs include 4 landowners affected by land leases and 143 other APs affected by minor changes to their structures to provide access. The further breakdown is as follows:

<table>
<thead>
<tr>
<th>Nature of impact</th>
<th>No of persons</th>
</tr>
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<tbody>
<tr>
<td>Impact on portion of fence and/or courtyard</td>
<td>101</td>
</tr>
<tr>
<td>Moving back wall of house</td>
<td>7</td>
</tr>
<tr>
<td>Moving back water catchment tanks</td>
<td>14</td>
</tr>
<tr>
<td>Moving back small house</td>
<td>7</td>
</tr>
<tr>
<td>Excavation of pathways between houses</td>
<td>14</td>
</tr>
<tr>
<td>Land leases</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>147</td>
</tr>
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</table>

27. Those three LAR issues are described in detail in the following section.

2.2.1 New Easement for the Proposed New Sewage Outfall Pipe

28. The PPTA has assisted to prepare three draft master plans covering electricity, water and waste water. Two proposed new developments would require new land acquisition in the form of easements. Neither is considered likely to cause concern among stakeholders.

29. The first development would require an easement for the proposed new sewage outfall pipe running from the current pump house serving the existing (non-operational) waste water treatment plant (WWTP) to the lagoon. Technically, the new easement would run from the existing sewerage easement to a point “below the ordinary high watermark”
Land Acquisition and Resettlement Plan

(Public Lands and Resources Act §103). The estimated length of the easement required for the new sewage outfall pipe is 90m. With an average easement width of 3 m, this is a total land area of 270m².

30. The *Ebeye Waste Water Master Plan 2014 - 2025* (March 2015) presents three options for treating waste water. All three options would require the proposed new outfall pipe. The three treatment options are:

- Option 1 – Fine Screening (only)
- Option 2 – Chemically Enhanced Primary Treatment
- Option 3 – Rehabilitation and Extension of Existing WWTP

31. Figure 3 shows the existing WWTP and the additional land required for Options 1, 2, and 3. No new land would be required for treatment Option 1. Option 2 would require both the red and green shaded areas whereas Option 3 would require all of the red and green areas plus some or all of the yellow area. As part of the work undertaken during the PPTA it was determined that Option 1 would be implemented so no additional land is required.

![Figure 3: Map of Land Area Requirements for WWTP Options](image)

Note: Map showing land currently occupied by WWTP and associated buildings (red), additional land that would also be required for Option 2 (green) in addition to the red area, and more land of which some or all would be required for Option 3 (yellow) in addition to red and green areas (Draft Ebeye Waste Water Master Plan, p. 30).

32. The green shaded area is not available to the project, however, since Iroij Mike Kabua recently leased it for a commercial purpose (personal communication, 24 July, 2014). The yellow shaded area houses six families and it would be difficult to find alternate housing for them. For these and other reasons laid out in the Ebeye Waste Water Master Plan, Option 1 has been selected which was the only viable option.
33. Option 1 would require either renovation of the disused KAJUR building located at the lower left of the red area (Figure 3) or construction of a new building of similar size, closer to the existing sewage pump house, which would also be renovated.

34. Treated waste water (sewage) would be disposed into the lagoon through a new outfall pipe that would begin at the existing pump house, run west-southwest across the road, down a disused driveway and from there across the residential property to the lagoon shore (Figure 4). From the lagoon shore, the outfall pipe would extend some 1,150 feet (350 m) into the lagoon to a depth of 115 feet (35 m).

![Figure 4: Proposed Route of New Sewage Outfall Pipe](image)

Note: Proposed route of easement for new sewage outfall pipe to lagoon.

35. The Poverty, Gender and Resettlement (PGR) Specialist consulted individually with the three senior landowners (Iroij Mike Kabua, Alap Nelson Bolkeim, and Senior Dri Jerbal Johnny Lemari) and all three expressed their support for the project and for granting an easement for the proposed outfall pipe should such an easement be requested. All three gave as their reason for supporting the proposed easement that the development would be good for the people. The Alap noted that he lives immediately downstream of the present sewage outfall pipe and suffers greatly from the smell.

36. With permission from the Iroij, the PGR Specialist also interviewed the adult son of the family that owns the house on the lot that would be crossed by the proposed easement (the parents live in Hawaii). The son noted that the American Samoa Power Authority (ASPA) installed a new storm drain pipe along approximately the same alignment as that proposed for the sewage outfall pipe (Figure 5), and no one objected to that. The son also advised that he saw no problem with the proposed easement and he acknowledged that the decision would be made by the landowners, who had not discussed the matter with

1 Note, however, that a KAJUR operator who works at the site has taken up residence with his family in this building.
anyone in his family to his knowledge at that point in time. It is noted that the proposed easement would affect only the land, which the resident family does not own, and would not affect the house or its residents.

![Image of Storm Drain Pipe](image)

**Figure 5: Storm Drain Pipe**

*Note: Storm drainage pipe installed by ASPA along route proposed for the new sewage outfall pipe.*

### 2.2.2 New Easements for New Fresh Water, Salt Water and Sewer Lines

37. The pre-existing land lease (KADA lease) dedicated easements for all public utility lines that existed or were formally planned at the time the lease was signed. The project proposes now to extend the fresh and salt water distribution systems and the sewerage collection system into residential areas that currently do not have access to those services.

38. Most or (more likely) all of the new extensions will be in the areas of North Camp and Fire Victims, but potentially also at The Shelter, the residential area east of the old hospital on the windward shore, and perhaps in other scattered areas of the island. Any such extensions will lie outside the previously dedicated utility corridors. An estimate of the land area of these new easements is 1905 m$^2$ or 0.470 acres (Pipe extensions of 135 m for water supply + 200 m of 8’ sewer pipe + 300 m of 6’ sewer pipe) although this is likely an overestimate as the same easements can contain both water and sewer infrastructure.

39. Figure 6 shows the existing fresh water distribution system (vertical blue line and the right half of the middle horizontal blue line) at the north end of the island (some of which lies outside the corridor dedicated by the KADA lease) together with proposed extensions to that system in the areas of North Camp and Fire Victims (top and bottom horizontal blue lines and left half of the middle horizontal blue line). Note that some of the present system may lie outside the corridor dedicated by the KADA lease.

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2 The proposed extensions are to be confirmed during the detailed design phase of the project.
40. Informal interviews in October and November of 2013 and in July of 2014 with many of the potentially affected households indicated strong support for the project and strong support for acquiring the necessary easements. However, it is noted that few, if any, of the residents have land claims in the area, and none are recognized as “landowners” (i.e. hereditary senior officers of the land-owning kinship group), and thus they have no say in legally granting the easements. All households informally interviewed would voluntarily (and happily) provide access for new water and sanitation infrastructure since doing so would be to their great benefit.

Figure 6: Proposed Extension to the Networks

Note: Proposed extension to the sewer and salt water networks including the proposed new community toilets at North Camp and Fire Victims (from Ebeye Waste Water Master Plan).

2.2.3 Mitigation of Small-Scale Resettlement Impacts at North Camp and Fire Victims to Make Room for Installation of New Fresh Water, Salt Water and Sewer Distribution Lines for Households

41. In the Ebeye Waste Water Master Plan 2014-2025 it was proposed to build a new “public toilet”\(^3\) block of about 250 m\(^2\) at the site of the present toilet block in North Camp. The proposed facility was intended to serve about 35% of the people living at North Camp and Fire Victims. The estimated capital cost is $150,000. That proposal was based on the assumption that the high density and lack of access would make individual sewer house connections virtually impossible to a portion of this unserved area (Figure 7). Neither the PPTA team, KAJUR, the local government, the PSC, the Kwajalein senators, WUTMI, nor resident families favored a large community facility if there was any way that private sanitation facilities could prove feasible. The reasons are many:

\(^3\) The building would not be open to the general public, so it might better be labelled a “multi-family” or “community” facility, and it would house showers and wash basins in addition to toilets.
a. Past history of mismanagement (or no management) and neglect of the present facility.
b. Difficulties in arranging and funding proper and sustainable management of a new facility in circumstances where the local community has no governance structure of its own.
c. Difficulty of arranging and enforcing any user-pays system for a multi-family facility.
d. Distance of the proposed facility from most of the families that would be using it.
e. Nearness of the proposed facility to neighbouring households - none of whom would be using the facility.
f. Safety concerns for women and children accessing the proposed facility at night.
g. Logistical difficulties for children accessing what would necessarily be a locked facility.

42. Of all the issues mentioned above, the last one may be the most significant. It did not appear feasible to provide children ready access to centralized facilities and still keep the facilities locked when not in use, as would be required. Children would first have to fetch a key from some secure place at their home, then go to the toilet block and unlock it, clean up after themselves, and finally return the key to the secure place at home.

43. Since most children could not be entrusted with the key themselves, and since most families have many children, the inevitable result would be that the most vulnerable segment of the population – children – would generally be locked out of the facility and relegated again to using the shore (which is neither safe, healthy, nor convenient) as their toilet.

44. Therefore, another attempt needed to be made to fit water and sanitation facilities at individual residences in North Camp and Fire Victims. To that end, the PGR Specialist organized a detailed, lane-by-lane and house-by-house examination of the area in the company of the project Team Leader (Ross Kearton) and the KAJUR General Foreman, Water Operations (Majina Jacklick).

45. The conclusion of the detailed examination was that only a very modest amount of "resettlement" (described below) would be required in order to re-open those parts of former public access ways that have been blocked by recent in-filling between rows of residences. If a few fence lines are adjusted, a few gates inserted into fence lines, and a few minor courtyard structures moved or rebuilt, then water and sewer lines could be extended to all residence lots in the area and all residence lots would have room for installation of a toilet. This option will be discussed in some detail, below, since it has now been selected as the preferred approach for the project.

46. Note the distinction made here between "residential lot" and "household." Overcrowding has commonly forced two or more households to inhabit what was originally the residential lot of a single household (these "lots" often extend only in front and in back of residences that are arranged in parallel rows as attached apartment units). Thus, more than one household now resides on many or most of the original residential lots. The plan here is not necessarily to provide one toilet/shower connection and facility to each "household" but rather to provide at least one to each "residential lot." In cases where more
than one household lives together on a small residential lot, the households together would
use, manage, and be responsible for one private toilet/shower facility that the project would
provide and install.

47. Rather than spending $150,000 to build a large, community, concrete facility away
from where the people who would use it live (and with perpetual problems of management,
payments, safety, and access for children and disabled people) the plan is to spend a
similar amount to move and/or rebuild a few modest outbuildings and fence lines in order to
reopen public access lanes and then run water and sewage lines to and build private
toilet/shower facilities for people at their residences.

48. Three types of access issues arise that will require very modest “resettlement.” The
first type is limited to cases where households have closed off a public access path
between residences by constructing a fence across the path in order to capture and
enclose that public area as part of their private courtyard. In such cases, the fence must be
opened up for construction crews to install the water and sewer lines, and the route must
then remain clear in future to allow immediate access for repair crews and equipment as
necessary.

49. The solution would be for the project to install double gates in these fence lines
wide enough to admit the necessary crews and equipment (up to 10 feet). Residents would
lose nothing. The project has not done a detailed inventory of such cases, but there would
be several total in North Camp and Fire Victims, combined. The details will be worked out
during detailed design phase.

50. The second type of issue arises where people have enclosed only part of the public
pathway while leaving a narrow path between houses that is wide enough for foot traffic,
but not wide enough to install water and sewer lines. In such cases, the best solution would
be to move the fence line back two or three feet, as required. Residents would lose several
square feet of the (generally very small) courtyards they have captured by enclosing what
was originally a public access lane. The project would remove and rebuild the fences with
better materials (most fences are now built of scrap materials). This type of issue arises
only in North Camp where a few such cases are found. One case may require moving the
wall of a house back three feet.

51. The third type of issue occurs in one location only (area “B” in Figure 7) where
people have built a fence across the public access path between rows of residences at the
south end of North Camp and then largely filled the enclosed area with minor courtyard
structures (Figure 8).
Figure 7: North Camp and Fire Victims

Note: Google Earth photo of North Camp and Fire Victims indicating public access path (A to B) that would require reopening along its lower half to provide room to install water and sewer lines. The map is from 2012/2013 and does not show all current structures.

52. For background information, the US Federal Emergency Management Agency (FEMA) built the original structures at North Camp as temporary housing for people who lost their homes to Hurricane Roy in January of 1988. Those people were soon resettled into new FEMA housing on Ebeye and Guegeegue, but other people immediately moved into the “temporary” structures that had just been vacated.

53. The original design of the camp had parallel rows of multi-unit apartment blocks with a wide public access path between every other row. At the midpoint in each public access path, a common cookhouse was built on a concrete pad and supplied with electricity and water and with drainage pipes that connected (and presumably still connect) to the storm drains along the side of the main road to the east.

54. People soon converted those cookhouses into private residences with the result that a residence or its extension now occupies the midpoint of the major public access paths between the rows of residences (Figure 9). This is not a problem in itself because water and sewer lines can be run north and south terminating at either side of the house—thus providing service to that house and to the other residences that line the access path on either side of the house.

55. A problem occurs in one area, however, at the south end of the lane in the area marked “B” on Figure 7. A plywood fence blocks the access path where it opens onto the east/west drive that connects to the main road. Reopening this public access path would first require opening up a plywood fence line and then removing or rebuilding modest minor courtyard structures (Figure 8, Figure 9 and Figure 10).
This would open up the foot path that now winds its way for about 50 feet around and between modest courtyard structures (Figure 10) until it runs into the concrete pad that used to support the common cookhouse but now supports a modest extension to the house adjoining that space from the west (see the building under the tip of the arrow marked “A” in Figure 11).

Figure 8: Minor Courtyard Structures

Note: Looking north from the roof of a shed next to Point B. The arrow indicating Point A is just above the house extension that covers the site of the former community cookhouse.

Figure 9: Rows of Residences

Note: Looking south from Point A on Figure 8. The green house extension in the background was once the common cookhouse at the midpoint of two parallel rows of apartments.
Consultation is being undertaken to formally liaise with all of the residents who will be involved in the location of new easements or small scale changes to their household, to hear their views on any resettlement issues, pending resolution of the larger land acquisition issues discussed in the Due Diligence/Social Compliance Audit Report. During the PPTA, the team liaised informally with many of these residents about the project issues while asking permission for and then briefly inspecting their premises. Based on those conversations and on detailed discussions with other stakeholders, all indications are that the affected residents will be happy to cooperate if it means that they, and everyone else, will get their own water and sanitation services. In other words, the minor “resettlement” actions described here will all be voluntary.

The conclusion of the previous paragraph is that the project will adhere to ADB Safeguard Policy Statement by ensuring that the project mitigates any resettlement impacts.
such that any affected persons end up no worse off and preferably better off than they were before the project. Note also that this policy applies to affected persons regardless of their tenure status on the land.

59. During the PPTA, the team has identified potential losses in the North Camp and Fire Victims communities. That information is presented in the preceding paragraphs and in further detail in Appendix A. This information will be updated while finalizing the LARP after the detailed design.

2.3 Potential Impacts of Land Acquisition and Resettlement

60. In summary, the potential impacts are described under the same item headings and in the same order the issues were discussed above.

1. New easement for the proposed new sewage outfall pipe.
   Only land easement; no other resettlement impacts.

2. New easements for proposed new fresh water, salt water, and sewerage mains and distribution lines to be constructed by the proposed project.
   Only land easement; no other resettlement impacts.

3. Mitigation of small-scale resettlement impacts on a few households at North Camp and Fire Victims to make room for new fresh water, salt water and sewer distribution lines for households.
   Small scale resettlement impacts with no permanent loss of land use, or infrastructure.

61. Several residence lots will have a portion of a fence and/or one or more modest courtyard structures moved a few feet and/or a gate installed in a fence. In each such case, the project will renew, rebuild or replace the structure in significantly better condition than it was found.

62. In one case, the wall of a modest house will be moved back about 18 inches and the roof raised to create a steeper slope. In the process of doing so, a portion of the house and roof will be rebuilt to higher standard and the house will be enlarged if possible.

63. In two cases, water catchment tanks and their concrete bases will be moved from the side to the front corner of a house. In the process of doing so, a portion of the roof will be raised and rebuilt to higher standard in order to serve as a water catchment area.

64. In one case, a very small house on stilts may be moved several feet. This can be accomplished with a forklift and a posthole digger in less than an hour. If the house is damaged in moving, any damage will be repaired or rebuilt to higher standard.

65. In a few cases, short sections of concrete pathways between houses will be cut to allow excavation of a trench and installation of pipes. Any such concrete pathways will be replaced. Details are provided in Appendix A.

66. In return for the relatively minor inconveniences listed above, the affected households and their neighbors will get new utility connections, the equipment and services they need to utilize the connections and lifeline rates to make the services affordable.
3. SOCIOECONOMIC INFORMATION AND PROFILE

3.1 Profile of the Ebeye Community

3.1.1 Population Statistics

According to the 2011 Census, there are 1,371 households in Kwajalein Atoll with 1,103 on Ebeye alone. The population of Ebeye in 2011 was 9,614 with an average household size of 8.7 persons, making it the most crowded in the Marshall Islands. The population growth rate in Ebeye between 1999 and 2011 was 0.4% per annum. Ebeye faces significant development constraints due to inadequate water supply and poor sewerage and sanitary conditions, impairing the quality of public health.

3.1.2 Livelihoods

The economy of the Marshall Islands combines a small subsistence sector and a modern urban sector. Fishing and breadfruit, bananas and pandanus cultivation constitutes the subsistence sector. On the outer islands, production of copra and handicrafts provide some cash income. The modern service orientated economy is located in Majuro and Ebeye. It is sustained by government expenditure and the US Army installation in Kwajalein.

3.1.3 Marshallese Culture

Cultural values and customs, or manit, make Marshallese, including Ebeye society unique. As it is with the rest of the RMI, land is a focal point for social organization. All Marshallese have land rights as part of a clan, or jowi, that owes allegiance to an Iroij (chief), is supervised by the Alap (clan head), and supported by the Rijerbal (workers). The Iroij has ultimate control of such things as land tenure, resource use and distribution, and dispute settlement. The Alap supervises the maintenance of lands and daily activities. The Rijerbal are responsible for all daily work on the land including cleaning, farming, and construction activities. The society is matrilineal and, therefore, land is passed down from generation to generation through the mother.

3.1.4 Income

The 2011 census does not separate Ebeye from the rest of Kwajalein Atoll when reporting annual household incomes, but the Kwajalein averages likely do not underestimate household incomes on Ebeye since 80.5% of all Kwajalein households are on Ebeye and since average incomes on nearby islets (South Loi, North Loi, and Guegeegue) are obviously higher than those on Ebeye.

The 2011 census reports that 15.2% of all Kwajalein households reported no income and another 7.8% reported less than $3,000 annual income (Figure 12). In total, 23% of all households thus reported incomes of less than $3,000 per year or less than $8.22 per day. With an Ebeye census average of 8.7 people per household (likely higher for poorer households), that means 23% of the Ebeye population is living on less than $0.94 per day with little or no subsistence income.
3.1.5 **Wetos on Ebeye**

For the purposes of the project, information was collected and analyzed per *weto* in order to make conclusions about the communities to be affected. The map below was the latest version developed for use, which divides Ebeye into 10 *wetos* as follows, in order from the north part of Ebeye: (1) Tobikle, (2) Lojkomlak, (3) Ekoyalja, (4) Loien, (5) Monkubok, (6) Monin, (7) Lole (8) Bouj (9) Batien, (10) Jebalur. It should be noted that although the aforementioned map was used to distinguish *wetos*, discussions with a number of people including some of the land owners indicated the map might not be entirely correct as certain areas do not have a straight line. An example is the old hospital which is shared by both Monkubok and Monin Wetos.

![Figure 12: Distribution of household incomes on Kwajalein Atoll (2011 RMI Census).](image)

![Figure 13: Map of the Wetos on Ebeye assumed for the Project](image)
3.1.6 Access to Services

72. Based on the results of the household survey conducted in late 2014 (refer to the Household Survey Report for further details), the following table shows the existing levels of access to water and sewerage services by weto. It is noted that the survey does not capture the quality, or frequency, of that service.

Table 1: Access to Water and Sewerage Services by Weto

<table>
<thead>
<tr>
<th>Weto</th>
<th>Working Freshwater on Property (%)</th>
<th>Working Saltwater Connection on Property (%)</th>
<th>Working Sewer Connection on Property (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tobikle</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tobikle 1</td>
<td>55%</td>
<td>32%</td>
<td>32%</td>
</tr>
<tr>
<td>Tobikle 2</td>
<td>92%</td>
<td>88%</td>
<td>88%</td>
</tr>
<tr>
<td>Tobikle 3</td>
<td>92%</td>
<td>92%</td>
<td>80%</td>
</tr>
<tr>
<td>Lojkomlak</td>
<td>89%</td>
<td>81%</td>
<td>71%</td>
</tr>
<tr>
<td>Ekojaja</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ekojaja</td>
<td>88%</td>
<td>62%</td>
<td>57%</td>
</tr>
<tr>
<td>Mon Ko En</td>
<td>67%</td>
<td>17%</td>
<td>17%</td>
</tr>
<tr>
<td>Loien</td>
<td>94%</td>
<td>89%</td>
<td>84%</td>
</tr>
<tr>
<td>Monkubok</td>
<td>100%</td>
<td>82%</td>
<td>81%</td>
</tr>
<tr>
<td>Monin</td>
<td>90%</td>
<td>85%</td>
<td>75%</td>
</tr>
<tr>
<td>Lole</td>
<td>98%</td>
<td>95%</td>
<td>77%</td>
</tr>
<tr>
<td>Bouj</td>
<td>88%</td>
<td>80%</td>
<td>90%</td>
</tr>
<tr>
<td>Batien</td>
<td>90%</td>
<td>81%</td>
<td>59%</td>
</tr>
<tr>
<td>Jebalur</td>
<td>83%</td>
<td>83%</td>
<td>83%</td>
</tr>
</tbody>
</table>

73. Generally, the other services on Ebeye, namely electricity, communications and health and education are accessible to all members of the community. It is reiterated that access does not reflect the quality, or frequency, of that service. Regarding electricity, the HV lines from the power station run both within Ebeye Island and also on to Guegeegue Island. The electrical system distribution maps (refer to the Electrical Master Plan) show electrical distribution system poles throughout the island. The predominant observed communication method during the field investigation was mobile phones. Health services are provided to all at the Ebeye Hospital and there are both public and private schools on Ebeye.
3.1.7 Affordability of Services

74. As part of project development an analysis was undertaken to determine the options to achieve and sustain full recovery of [KAJUR] operations and maintenance costs by 2021 while ensuring that water supply, sewerage and electricity services are affordable and accessible to [the] poorest members of Ebeye’s community” (par. 22). The goal, then, is to balance KAJUR’s need for revenue with the community’s need for affordability and access.

75. KAJUR account records, together with a field search for unconnected residences as a part of a Water Sales Experiment that was run on Ebeye, indicate a total of approximately 1,092 residences on Ebeye, which accords well with census records. These account data show an enormous disparity in electricity consumption between the poorest and the wealthiest residences. The bottom 10% of Ebeye residences (identified by having an electric account in their name) consume only 0.75% of the total electricity whereas the top 10% of residences consume 34.4% (Figure 14). Taken together, the bottom 20% of residences consume less than 3% of total electricity whereas the top 20% consume over 53% of total electricity.

![Figure 14: Ebeye Electricity Consumption per Decile](image)

*Note: Each decile contains 110 residences.*

76. Similarly, average monthly electricity consumption among the poorest 10% of Ebeye residences is only $11.82 (one or two bare light bulbs and a fan) whereas average monthly electricity consumption among the top 10% of residences is 46 times higher at $542.33 (air conditioners, indoor and outdoor lighting, and every type of electric appliance) (Figure 15).
The preceding paragraphs presenting data from KAJUR electric accounts use the term “residences” rather than the more common term “households.” The reason for this distinction is that some households do not have an electric meter or account in their own name but instead get their electricity service indirectly by running an extension cord or other wiring to a neighbor’s house that is connected directly to the grid. The obvious reason is that the first household cannot afford the connection costs that would be required to secure its own meter. The result is that the electricity consumption of both households appears on the account of only one household—that is, the household living in the residence that has the meter and the account in its name.

The KAJUR data presented above generally includes only account data (although adjustments have been made in two cases where households were known to get their electricity by extension cord from another residence), but the PPTA Water Sales Experiment has uncovered several cases in North Camp and Fire Victims where two or more adjacent households use a single meter.

The implication of two or more households sharing a single electric meter is that KAJUR accounts data presented above significantly overestimates average “household” spending on electricity for poor households. Thus, the number of poor households on Ebeye is higher and their average electricity spending is lower than reported from KAJUR accounts data. Information from the PPTA KAJUR Household Utilities Survey and the PPTA Water Sales Experiment will make it possible to update the KAJUR accounts data by determining which meters are feeding two or more households.

It is useful to note here that KAJUR is highly subsidized by the government in the amount of the US$2 million per year required to cover KAJUR’s operating loss. The bulk of that loss comes from electricity operations, but losses in water supply and sanitation are also significant because residential customers do not pay for those services. Thus, KAJUR’s losses and the corresponding subsidies from supplying water and sanitation are proportionally greater than losses from supplying electricity.

People gain both the intrinsic benefit of the service and the extrinsic benefit of the government subsidy in proportion to the amount of electricity, water, and sanitation services they consume, and the amounts they consume are generally proportional to their income. Thus, the wealthiest households gain the greater share of benefits from consuming the service itself and also the greater share of the annual government subsidy.
82. The top 10% of households consume 46 times more electricity than the bottom 10% of households, and the top 10% of households thus captures 46 times more of the residential electricity subsidy than the poorest 10% of households capture.

83. The distribution of benefits is even more lopsided when we consider differences in access to water supply and sanitation services. Data from the 2011 KAJUR survey of those residences that have KAJUR accounts (Table 2) show that about one quarter of all Ebeye households have no fresh water connection and about one third of all households have no sanitation connection. Taken together, only just more than half of all residences have all three types of service. Those households that do not have one or more services obviously do not receive any of the intrinsic benefit of the missing services and none of the extrinsic benefit of the government subsidy to that service.\(^4\)

84. Many poor households (generally the poorest) have neither a fresh water connection nor any significant rainwater catchment and storage equipment, so they are forced either to buy or (more often) beg fresh water while other (generally more prosperous and better connected) households receive free piped water from KAJUR and/or free rainwater catchment and storage equipment from various aid projects (e.g. the recent DFAT Australian Aid Rainwater Tank project).

85. Financing for this project will be in the form of a grant that will enable KAJUR (and hence to its customers) to invest in capital equipment, works, and associated services. If the project did not help extend KAJUR's electricity, water, and sanitation services to households that currently lack those services and did not also help make those services affordable to the poorest segments of Ebeye society, then the project benefits would be captured by the same people that now capture the government subsidy. Hence, the focus on the proposed project that water supply, sewerage, and electricity services are affordable and accessible to the poorest members of Ebeye.

\(^4\) It is noted that the analysis was undertaken on the 2011 KAJUR survey. Retrospectively, comparing the 2011 data with the 2014 data in Section 3.1.5 it appears that access to services has slightly improved since 2011 levels (86%, 74% and 68% respectively). However, the data in Section 3.1.5 is not weighted by population numbers, which influences the results.
Table 2: Ebeye Residences with Service Connections (2011)

<table>
<thead>
<tr>
<th>KAJUR Residential Survey 2011 (Ebeye Only)</th>
<th>Households with any KAJUR Account</th>
<th>KAJUR Accounts with Electric Meter</th>
<th>KAJUR Accounts with Fresh Water Connection</th>
<th>KAJUR Accounts with Salt Water Connection</th>
<th>KAJUR Accounts with Salt Water &amp; Toilet (Indicates Sewer Connection)</th>
<th>KAJUR Accounts with Both Fresh Water &amp; Salt Water Connection</th>
<th>KAJUR Accounts with any type of Toilet</th>
<th>KAJUR Accounts with no Salt Water but with Toilet (Indicates Bucket-Flush ‘Septic Tank’)</th>
<th>KAJUR Accounts with no Toilet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>1109</td>
<td>1103</td>
<td>842</td>
<td>733</td>
<td>718</td>
<td>602</td>
<td>604</td>
<td>930</td>
<td>209</td>
</tr>
<tr>
<td>Percent</td>
<td>99.5%</td>
<td>75.9%</td>
<td>66.1%</td>
<td>64.7%</td>
<td>54.3%</td>
<td>54.5%</td>
<td>83.9%</td>
<td>18.8%</td>
<td>16.1%</td>
</tr>
</tbody>
</table>

Note: Ebeye residences with KAJUR electricity, fresh water and sanitation connections (2011). The KAJUR survey did not distinguish working from non-working connections and there are many of the latter.
3.2 Profile of Affected Households/Persons

There are approximately twenty households (estimate of 147 affected persons or APs) whose property is affected in order to provide access for installation of new fresh water, salt water, and sewer lines. The APs include 4 landowners affected by land leases and 143 other APs affected by minor changes to their structures to provide access. The further breakdown is as follows:

<table>
<thead>
<tr>
<th>Nature of impact</th>
<th>No of persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact on portion of fence and/or courtyard</td>
<td>101</td>
</tr>
<tr>
<td>Moving back wall of house</td>
<td>7</td>
</tr>
<tr>
<td>Moving back water catchment tanks</td>
<td>14</td>
</tr>
<tr>
<td>Moving back small house</td>
<td>7</td>
</tr>
<tr>
<td>Excavation of pathways between houses</td>
<td>14</td>
</tr>
<tr>
<td>Land leases</td>
<td>4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>147</strong></td>
</tr>
</tbody>
</table>

The key areas which may be impacted by the land acquisition and resettlement requirements of the project have been identified to be North Camp (NC), FEMA Housing (FEMA), Fire Victims (FV) and The Shelter. NC, FEMA and FV are located in Tobikle 1, whilst The Shelter is located in Ekojaja. These households generally live on land for which they have no traditional claim, and in no case is a traditional landowner among the affected households. Most, but not all of the households, generally fall among the middle and lower income households on the island.

While the detailed measurement survey (DMS) will be undertaken after detailed design once the project’s footprint is finalized, the Household Survey and the Water Sales Experiment conducted during project preparation gives some indication of the profile of the affected households/persons. The Household Survey compiled information about the household occupancy rates, as well as the level of services in each community across Ebeye, whilst the Water Sales Experiment used electricity consumption as a proxy for different household incomes and made observations regarding the willingness to pay for water compared with a household’s average monthly expenditure on electricity in Tobikle.

The most northern Weto on Ebeye is Tobikle. Tobikle as a whole is the largest Weto on the island in terms of size and population. Tobikle was divided into three sections (Tobikle 1, 2 and 3) for the purposes of the household survey. Tobikle 1 is the most populated part of Tobikle due largely to NC. NC has a building of restrooms assigned to families, but how this is organized per family is unclear. However, many of the residents indicate there is no choice but to use the lagoon side as a toilet. It can only be assumed that this is unsanitary practice affecting increased coliform (bacterial) effects causing water
borne diseases. While individual restrooms were nil for NC and FV, FEMA housing possessed restrooms. Historically, Tobikle is home to many who did not really have a home or were victims of the Fire which occurred a decade ago at Ekojaja, and it is also home to those who were displaced due to the Typhoon which occurred about 25 years ago; these are the FEMA houses (or built by FEMA).

90. Mon Ko En (Ebeye Shelter) is located in Ekojaja. It was reported that although the number of households surveyed was only about 6, Mon Ko En had no toilets, thus people use other places with toilets. Regarding services, Tobikle 1 and Mon Ko En have the lowest percentage of properties with working freshwater connections, working saltwater and working sewer connections of all of the communities surveyed in the household utilities survey (see Table 1). Regarding household occupancy rates the average household size in NC was 7.3 persons, in FEMA was 7.7 persons, in FV was 9.2 persons and in The Shelter was 6.2 persons per household.

91. Regarding household income data, household electricity expenditure was taken as a proxy for household income. The sales area was restricted to three adjacent neighborhoods, NC, FV, and FEMA, all located at the north end of Ebeye. All three areas have households of diverse income levels, but the first two neighborhoods appear to have a relatively high proportion of relatively poor households and a relatively high proportion of households that are not connected to the KAJUR fresh water system and/or do not have significant rainwater collection and storage systems. In contrast, the FEMA Housing area is generally of higher income and all households but one are connected to KAJUR fresh water and have significant rainwater collection and storage systems.

92. Of the households within the designated sales area that purchased water (namely, within NC, FV, and FEMA), 16.5% were found to be sharing an electricity meter with at least one other household (one case had four households sharing a single meter). 2.5% households had no electricity at all. Thus, 19% in the experiment area that purchased water do not appear in KAJUR electricity accounts. The simple correlation of total water sales to a household over the experiment period with that household’s average monthly expenditure on electricity in the 2012/2013 fiscal year was 0.405 and was significant with a high probability (95%) in every analysis. Figure 16 (below) shows a graph of the relationship.

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By observation, rainwater catchment systems and rainwater storage systems are not always found together on Ebeye, so they have to be considered separately.
3.3 Project Impacts taking Social, Cultural and Economic Parameters into Account

The land acquisition and resettlement impacts of the project are described in Section Error! Reference source not found. and 2.3. The project impacts (as distinct from land acquisition and resettlement impacts) are described below.

3.3.1 Project Impacts on the Poor, Indigenous and/or Ethnic Minorities, and other Vulnerable Groups

The project impact will be reduced incidence of waterborne disease and improved environmental conditions on Ebeye. All sectors of the community will benefit. The project includes the six pro-poor design features. The project will:

a. Extend potable water and sewerage infrastructure to all areas of the community that currently lack that infrastructure, which generally means to the poorest areas.

b. Make the connections to residences that currently lack water and sewerage connections and will provide and install the necessary equipment so residents can use the services. Without such project support, the poorest people could not afford to connect to the services and thus would not receive the direct benefits of the project.

c. Help design and institute a tiered system of residential pricing for potable water and for electricity that will provide lifeline rates for basic levels of usage together

Figure 16. Correlation of total household water purchases (gallons) over the course of the experiment and average monthly expenditure (US$) on electricity in 2012/2013.
with higher rates for additional usage. Sewerage will be charged at an affordable flat rate.

d. Provide and install pre-pay meters for potable water (almost all residential electricity meters are already pre-pay) that will help households manage their water expenditure so as to prevent overspending and cut-offs of service that would otherwise result from unpaid water bills.

e. Improve efficiency to make all three utility services more affordable overall and more sustainable.

f. Help make KAJUR self-funding and thus reduce or eliminate external subsidies that are now passed on to wealthier consumers in the form of highly subsidized electricity, water, and sewerage services that the poor generally do not receive.

95. The result will be a reapportionment of benefits in favor of the poor.

96. By ADB’s technical definition of the term, there are no distinct and vulnerable Indigenous Peoples on Ebeye as all people on Ebeye are Marshallese. Neither are there vulnerable ethnic minorities.

3.3.2 Gender and Resettlement Impacts

97. The project is designed to directly improve women’s access to social services and urban infrastructure within the household, with a resulting improvement in health due to enhanced water supply, sanitation and hygiene practices. It is also designed to improve men’s access to services and health. The Hygiene Awareness and Education Program Report and the Gender Action Plan prepared under the PPTA contain further details on project gender impacts.
4. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

4.1 Primary Project Stakeholders

98. The project has three groups of primary project stakeholders in regard to land acquisition and resettlement matters. The first group is the traditional landowners, which under Marshall Island’s law means principally the Iroij, Alap, and Senior Dri Jerbal (if any) of each weto (plot of clan land). By their signatures, the three individuals of the Iroij, Alap, and Senior Dri Jerbal, holding the titles over a particular piece of land, are taken legally to represent and commit all other persons having a traditional claim to that land. None of the traditional titles mentioned above are in dispute on Ebeye at present.

99. The second primary stakeholder in regard to land acquisition matters is the national government, which is represented by KAJUR and its parent company, RMICU, and by the Chief Secretary of the national government, who chairs the Project Steering Committee.

100. The third group is the households that would experience minor resettlement impacts during installation of new water and sewer lines. Although those people other than landowners may not be involved legally in the process of legal acquisition of any utility easements over the land they occupy, all AP households will be involved in discussions regarding overall project and relevant LAR impacts concerning them, such as loss of assets, etc.

4.2 Consultation and Participation Mechanisms

101. The national government is resolving the land acquisition issues with the landowners. The PPTA team has consulted APs and local stakeholders during the project preparation. The project executing/implementing agencies will continue the consultation process as well as support the government’s formal land acquisition to ensure ADB Policy requirements are met.

102. During the project’s detailed design and implementation there will be continued consultation formally and in detail with households regarding the specific routes to be followed for installation of new water and sewer lines. The landowners and APs will be consulted for the detailed measurement survey and for updating LARP based on assessment of specific impacts.

103. Prior informed consent will also be obtained before affecting any household assets and will ensure that appropriate mitigation measures are followed so that any affected assets are renewed or replaced in at least as good condition, and preferably better condition, as they were found.

104. Ebeye landowners require formal application to and approval by them before any works are carried out on their land. A copy of one such application appears below as Appendix B. The project contractor will ensure that all project works are approved in that manner before any notices are placed on the land, before any equipment or materials are moved onto the land and before any works are commenced.
4.3 Stakeholders Consultations Held

105. During project preparation, KAJUR has kept the Iroij (landowners) informed about each step of project design and implementation and has confirmed that the Iroij is aware of the land acquisition issues. The CEO of KAJUR has been involved in each step of the project and is also aware of the land acquisition issues discussed above. The CEO has, in turn, discussed issues and options with the General Manager of RMICU and with the Chief Secretary. Negotiations with the landowners are underway based on a detailed survey of KAJUR facilities.

106. Informal consultations were undertaken during preliminary field surveys with affected households/APs with potential resettlement impacts. This indicated strong support for the project and strong support for acquiring the necessary easements; no household would likely to object to the minor resettlement impacts and their mitigation mechanisms. No person will be physically resettled, and any household assets that are affected will be replaced or rebuilt in as good, or better, condition than they were before the project. All of the resettlement related to new utility infrastructure and service extension will be voluntary.

107. Consultations are being undertaken to formally liaise with all of the residents who will be involved in the location of new easements or small scale changes to their household. The PPTA team liaised informally with many of APs about the project issues. Based on those conversations and on detailed discussions with other stakeholders, all indications are that the affected residents will be happy to cooperate, as they will get their own water and sanitation services.

108. The Government of the RMI or project executing and implementing agencies will further consult formally and in detail with the landowners and APs while finalizing the project’s footprint, determining impacts and resolving all relevant LAR issues.

4.4 Disclosure of LARP

109. The LARP was prepared based on PPTA. The draft LARP will be it will be posted on ADB website and disclosed to APs locally.

4.5 Consultations and Disclosure during Project Implementation

110. Consultations and information disclosure will continue at next stages i.e. during the detailed design and updating of the RP before start of the civil works construction as well as at the implementation stage. The EA/IA will continue consultations with village leaders including traditional chiefs, affected landowners/APs and all other interested members of the community. Separate meetings will also be organized, as needed, with women and vulnerable groups to understand and discuss their preferences and concerns at that stage.

111. In the presence of the landowners/APs, EA/IA will finalize the boundaries of affected parcels that will be marked and recorded. EA/IA will also inform affected landowners/APs about the policies and procedures regarding land acquisition and compensation. Specific modes or terms of land acquisition and compensation will be negotiated with landowners/APs. Procedures for grievance redress will also be discussed.
5. GRIEVANCE REDRESS MECHANISM

5.1 Grievance Redress Process

112. A grievance redress mechanism (GRM) will be established to uphold the project’s social and environmental safeguards performance. The purpose of the GRM is to record and address any complaints that may arise during the implementation phase of the project and/or any future operational issues that have the potential to be designed out during implementation phase. The GRM is designed to address concerns and complaints promptly and transparently with no impacts (cost, discrimination) for any reports made by Affected Peoples (APs). The GRM works within existing legal and cultural frameworks, providing an additional opportunity to resolve grievances at the local, project level.

113. The key objectives of the GRM are:
   - Record, categorize and prioritize the grievances;
   - Settle the grievances via consultation with all stakeholders (and inform those stakeholders of the solutions);
   - Forward any unresolved cases to the relevant authority.

114. As the GRM works within existing legal and cultural frameworks, it is recognized that the GRM will comprise community level, project level and RMI judiciary level redress mechanisms. The details of each of those components are described as follows.

5.1.1 Community Level Grievance Redress Mechanism

115. The community on Ebeye is an established community with existing traditional and cultural grievance redress mechanisms. It is expected that community leaders play a key role in resolving community or social disputes at a local level.

116. These mechanisms will involve the traditional landowners, which under Marshall Island’s law on Ebeye mean principally the Iroij (Mike Kabua), Alap (Nelson Bolkeim), and Senior Dri Jerbal (Johnny Lemari). It is expected that for any land dispute issues pertaining to resettlement, issues would be resolved at this level given the private ownership status of Ebeye. Community Level GRM may also extend to involve local legal systems and/or community level committees, such as WUTMI and church groups. These also represent established community level GRM mechanisms.

117. Where issues caused by the project are raised and resolved through these existing community level grievance redress mechanisms, the project management unit (PMU) will coordinate with the relevant authorities to provide assistance, as required, and to record the complaint/outcomes of any dispute. Whilst it is not currently envisaged that a support committee is required to be established for community GRMs due to the limited perceived impact of the resettlement requirements of the project, should that change, a committee could be established with the purpose of hearing and resolving community complaints.

118. It is however envisaged that any project grievances will be address though the project level grievance redress mechanism.

5.1.2 Project Level Grievance Redress Mechanism

119. A project staff will be nominated as the grievance focal point to receive, review and address project related concerns. Typically, this person will be the Community Liaison
Officer. Grievances lodged will be communicated immediately by the focal person to the PMU manager and to the KAJUR GM in writing. Should affected persons not feel that their requirements are being addressed with due process by the project representative, the complaint may be elevated directly to the KAJUR GM.

120. The PMU manager will be responsible for resolving any grievances relating to works whilst the KAJUR GM will be responsible for facilitating resolution of any land issues. Both will consult with and report directly back to the person who lodged the grievance. Reporting back to the complainant will be undertaken within a period of two weeks from the date that the complaint was received. If the complainant is dissatisfied with the outcome at the project level, or have received no advice in the allotted time period, they can take grievance to Project Steering Committee (PSC). The PSC will be required to address the concern within 1 month.

121. Signage shall be erected at the sites of all works providing the public with updated project information and summarizing the GRM process, including contact details of the PMU. Anyone shall be able to lodge a complaint and the methods (forms, in person, telephone, forms written in Marshallese) should not inhibit the lodgment of any complaint.

122. A complaints register will be maintained which will log the: i) details and nature of the complaint ii) the complainant and their contact details iii) date iv) corrective actions taken in response to the complaint. This information will be included in PMU progress reports to the ADB.

123. The project level process can only act within its appropriate level of authority and where appropriate, complaints will be referred on to the relevant authority.

5.1.3 RMI Judiciary Level Grievance Redress Mechanism

124. The project level process will not impede affected persons access to the RMI legal system. At any time, the complainant may take the matter to the appropriate legal or judicial authority as per the laws of the Republic of the Marshall Islands.

5.2 Grievance Redress Process Summary

125. The following table summarizes the GRM Process for the project.
Table 3: Grievance Redress Process

<table>
<thead>
<tr>
<th>Stage</th>
<th>Process</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Affected person takes grievance to PMU focal person and the grievance is logged.</td>
<td>Any time.</td>
</tr>
<tr>
<td>2</td>
<td>PMU focal person notifies KAJUR GM and PMU manager in writing.</td>
<td>Immediately after logging of grievance.</td>
</tr>
<tr>
<td>3</td>
<td>KAJUR GM and/or PMU manager reviews and finds solutions to the problem in consultation with relevant stakeholders. Complainant is notified of resolution.</td>
<td>2 weeks.</td>
</tr>
<tr>
<td></td>
<td>If unresolved, or not satisfied with the outcome at the project level</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>The PSC will be notified and a resolution will be obtained.</td>
<td>1 month.</td>
</tr>
<tr>
<td>5</td>
<td>The matter may be referred by the complainant to the appropriate legal or judicial authority.</td>
<td>Anytime.</td>
</tr>
<tr>
<td></td>
<td>If the project does not hold the authority to resolve the matter:</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>The matter will be referred to the appropriate authority.</td>
<td>Immediately following Step 3.</td>
</tr>
<tr>
<td></td>
<td>If the complaint is raised and resolved at the community level:</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>The PMU focal person will complete Step 2 and will provide assistance, as required. They will record the details and outcomes of the complaint.</td>
<td>Immediately upon notification of the complaint.</td>
</tr>
</tbody>
</table>
6. **LEGAL AND POLICY FRAMEWORK**


#### 6.1 Republic of the Marshall Islands Legal Framework

##### 6.1.1 Constitution of the Republic of the Marshall Islands


128. The Marshall Islands has a bicameral legislature consisting of the lower house or Nitijela (legislative power) and the upper house or Council of Iroij (customary power). The legal system comprises legislature, municipal, common and customary laws.

##### 6.1.2 Judiciary of the Republic of the Marshall Islands

129. According to the Constitution;

> the judicial power of the Republic of the Marshall Islands shall be independent of the legislative and executive powers and shall be vested in a Supreme Court, a High Court, a Traditional Rights Court, and such District Courts, Community Courts and other subordinate courts as are created by law, each of these courts possessing such jurisdiction and powers and proceeding under such rules as may be prescribed by law consistent with the provisions of this Article.

130. It is noted with regards to resettlement that;

> (3) The jurisdiction of the Traditional Rights Court shall be limited to the determination of questions relating to titles or to land rights or to other legal interests depending wholly or partly on customary law and traditional practice in the Republic of the Marshall Islands.

##### 6.1.3 Traditional Rights

131. The Constitution preserves the traditional rights of land tenure, indicating in ‘Article X Traditional Rights’ that:

1. *Nothing in Article II shall be construed to invalidate the customary law or any traditional practice concerning land tenure or any related matter in any part of the Republic of the Marshall Islands, including, where applicable, the rights and obligations of the Iroijlaplap, Iroijedrik, Alap and Dri Jerbal.*

2. *Without prejudice to the continued application of the customary law pursuant to Section 1 of Article XIII, and subject to the customary law or to any traditional practice in any part of the Republic, it shall not be lawful or competent for any person having any right in any land in the Republic, under the customary law or*
any traditional practice to make any alienation or disposition of that land, whether by way of sale, mortgage, lease, license or otherwise, without the approval of the Iroijlaplap, Iroijedrik where necessary, Alap and the Senior Dri Jerbal of such land, who shall be deemed to represent all persons having an interest in that land.

6.1.4 Land Acquisition Act 1986

132. The RMI Land Acquisition Act 1986 is defined as an Act to make provision for the acquisition of lands and servitudes for public use for payment of just compensation in terms of Article II, Section 5 of the Constitution of the Marshall Islands and to provide for matters connected therewith and incidental thereto.

133. The Act defines “land” to include “things attached to the earth”. It also defines “persons interested”, with reference to land, to not include a monthly tenant. The act covers the general provisions, preliminary investigation and declaration of intended acquisition, proceedings in court, payment of compensation, possession and disposal, divesting of land and general items pertaining to such land acquisition. The following summary is given of the Parts of the Act:

- The Preliminary Investigation and Declaration of Intended Acquisition details the process for investigations for selecting land, compensation for any damage done during investigations and issuing notices of intended acquisition.

  *Where the Minister decides that particular land or a servitude in any area should be acquired under this Chapter [Proceedings in Court], he shall direct the Attorney-General to file an application in the High Court praying for a declaration by the High Court, that such taking of land for public use is lawful. The Proceedings in Court details the process for determination by the High Court, the procedure before the High Court, the assessment of compensation.*

- The Payment of Compensation details tender and payment, compensation which cannot be paid, renunciation of right to compensation, interest on compensation, exchange, finality as to payment of compensation and exchange with other landowners.

- Possession and Disposal details the vesting order for taking possession of land and acquiring servitudes, effect of vesting order, possession, immediate possession on urgency and immediate possession after proceedings commenced.

- Divesting of Lands details the divesting orders.

- General details the compulsory acquisitions authorized by any other written law, abandonment of acquisition proceedings, serving of notices, application of constitutional provisions and payment. Of particular note in this Part is that:

  *Where any other written law authorizes the acquisition of land under this Chapter and the Minister decides that any land is reasonably required under such other written law by any authority, person or body of persons, the purpose for which that land is required shall be deemed to be a public use and the*
provisions of this Chapter shall apply accordingly to the acquisition of that land for that authority, person or body of persons.

6.2 ADB’s Safeguard Policy Statement on Involuntary Resettlement

134. The sections below provide a summary of the content of the document.

6.2.1 Overarching Goals of the SPS

135. The goal of the ADB SPS is to promote the sustainability of project outcomes by protecting the environment and people from the projects’ potential adverse impacts. The stated objectives of ADB’s safeguards are to:

   i) avoid adverse impacts of projects on the environment and affected people, where possible;

   ii) minimize, mitigate, and/or compensate for adverse project impacts on the environment and affected people when avoidance is not possible; and

   iii) help borrowers/clients to strengthen their safeguard systems and develop the capacity to manage environmental and social risks.

6.2.2 Objectives of the Involuntary Resettlement Safeguards

136. The stated objectives of the Involuntary Resettlement Safeguards are:

   i) to avoid involuntary resettlement wherever possible;

   ii) to minimize involuntary resettlement by exploring project and design alternatives;

   iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and

   iv) to improve the standards of living of the displaced poor and other vulnerable groups.

137. These objectives are applicable to all phases of the project. They cover both the physical and economic displacement of affected persons. According to the Involuntary Resettlement Safeguards, physical displacement includes relocation, loss of residential land, or loss of shelter whilst economic displacement includes loss of land, assets, access to assets, income sources, or means of livelihoods as a result of the project.

6.2.3 Key Principles of the Involuntary Resettlement Safeguards

138. The key principles of the ADB safeguards policy on resettlement are listed below. The key summary messages have been underlined for easy reference:

   i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.

   ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of
their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons’ concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

iii) **Improve, or at least restore, the livelihoods of all displaced persons** through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.

iv) **Provide physically and economically displaced persons with needed assistance**, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.

v) **Improve the standards of living of the displaced poor and other vulnerable groups**, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.

vi) **Develop procedures** in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.

vii) **Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of nonland assets.**

viii) **Prepare a resettlement plan** elaborating on displaced persons’ entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
ix) **Disclose a draft resettlement plan**, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. **Disclose the final resettlement plan** and its updates to affected persons and other stakeholders.

x) **Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project’s costs and benefits.** For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.

xi) **Pay compensation and provide other resettlement entitlements before physical or economic displacement.** Implement the resettlement plan under close supervision throughout project implementation.

xii) **Monitor and assess resettlement outcomes**, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. **Disclose monitoring reports.**

### 6.3 Policy Differences and Gap Filling Measures

139. A comparison between ADB policies and the laws and practices of land acquisition and resettlement used by the Republic of the Marshall Islands Government has been conducted and a summary follows in Table 4. Any differences between the laws and practices of the Government and ADB SPS will be resolved by adopting the gap filling measures.
<table>
<thead>
<tr>
<th>Number</th>
<th>IRS Objective</th>
<th>ADB SPS on Involuntary Resettlement</th>
<th>RMI Legal Framework</th>
<th>Identified Gaps</th>
<th>Gap Filling Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>IRS Objective 1</td>
<td>To avoid involuntary resettlement wherever possible.</td>
<td>The Constitution indicates that it is the right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.</td>
<td>The RMI Legal Framework is not explicit on avoiding resettlement impacts.</td>
<td>The project will avoid involuntary resettlement, wherever possible, in accordance with RMI Legal Framework and the ADB SPS.</td>
<td></td>
</tr>
<tr>
<td>IRS Objective 2</td>
<td>To minimize involuntary resettlement by exploring project and design alternatives.</td>
<td>There are no specific requirements.</td>
<td>Gap.</td>
<td>The project will explore project and design alternatives to minimize any involuntary resettlement in accordance with the ADB SPS.</td>
<td></td>
</tr>
<tr>
<td>IRS Objective 3</td>
<td>To enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels.</td>
<td>The Constitution indicates that whenever the taking of land rights forces those who are dispossessed to live in circumstances reasonably requiring a higher level of support, that fact shall be considered in assessing whether the compensation provided is just. The Land Acquisition Act covers the payment of just compensation for any possession and disposal, divesting of land and general items pertaining to such land acquisition.</td>
<td>The RMI Legal Framework is not explicit on restoring or enhancing living standards of APs.</td>
<td>The project will enhance, or at least restore providing just compensation, the livelihoods of all displaced persons in real terms relative to pre-project levels in accordance with the RMI Legal Framework and the ADB SPS. Through this project, APs will also have access to improved water supply and sanitation which will improve their health and therefore, the ability to work and minimise time off due to illness.</td>
<td></td>
</tr>
<tr>
<td>IRS Objective 4</td>
<td>To improve the standards of living of the displaced poor and other vulnerable groups.</td>
<td>The Constitution stipulates that • the Cabinet shall be responsible for establishing and maintaining such hospitals and other institutions and for providing such other services as may be reasonable and necessary for the public health; • the Cabinet shall be responsible for establishing and maintaining such other institutions and services and for making such other provision as may be reasonable and necessary to achieve an adequate standard of living for the people of the Republic, to enable them to enjoy their legal rights, and to serve their</td>
<td>The RMI Legal Framework is not explicit on improving living standards of vulnerable APs.</td>
<td>The project will improve the standards of living, particularly of the vulnerable groups who currently do not have access to piped water and sanitation services. This is in accordance with both the ADB SPS and the RMI Legal Framework. The project will also enhance the environment and living conditions of affected people by having access to improved water supply and sanitation which will improve health and minimise any contamination from surrounding land and waterways.</td>
<td></td>
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<tr>
<td>Number</td>
<td>ADB SPS on Involuntary Resettlement</td>
<td>RMI Legal Framework</td>
<td>Identified Gaps</td>
<td>Gap Filling Measures</td>
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<tr>
<td>IRS Principle 1</td>
<td>Screen the project early to identify risks.</td>
<td>There are no specific requirements.</td>
<td>Gap.</td>
<td>Screening and assessments of impacts have been undertaken in accordance with ADB SPS requirements. The project will update the assessments after the detailed design.</td>
<td></td>
</tr>
<tr>
<td>IRS Principle 2</td>
<td>Carry out meaningful consultations.</td>
<td>There are no specific requirements.</td>
<td>Gap.</td>
<td>The project will work under ADB SPS to ensure meaningful consultation is undertaken. It will engage stakeholders with meaningful consultation in order to develop the best project outcomes.</td>
<td></td>
</tr>
<tr>
<td>IRS Principle 3</td>
<td>Improve, or at least restore, the livelihoods of all displaced persons.</td>
<td>The Constitution indicates that whenever the taking of land rights forces those who are dispossessed to live in circumstances reasonably requiring a higher level of support, that fact shall be considered in assessing whether the compensation provided is just. The Land Acquisition Act covers the payment of just compensation for any possession and disposal, divesting of land and general items pertaining to such land acquisition.</td>
<td>No major gap.</td>
<td>The project will enhance, or at least restore, providing just compensation for the livelihoods of all displaced persons in real terms relative to pre-project levels in accordance with the RMI Legal Framework and the ADB SPS.</td>
<td></td>
</tr>
<tr>
<td>IRS Principle 4</td>
<td>Provide physically and economically displaced persons with needed assistance.</td>
<td>There are no specific requirements.</td>
<td>Gap, but the project is not expected to involve physical displacement.</td>
<td>The project will provide assistance to any displaced persons following the guidelines of the ADB SPS.</td>
<td></td>
</tr>
<tr>
<td>IRS Principle 5</td>
<td>Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards.</td>
<td>The Constitution states that no law and no executive or judicial action shall, either expressly, or in its practical application, discriminate against any person on the basis of gender, race, color, language, religion, political or other opinion, national or social origin, place of birth, family status or descent.</td>
<td>The RMI Legal Framework indicates that discrimination shall not occur, but it does not explicitly require improving living standards of the poor and other vulnerable groups affected.</td>
<td>Following the ADB SPS, the project shall improve the standards of living of the poor and vulnerable APs.</td>
<td></td>
</tr>
<tr>
<td>IRS Principle 6</td>
<td>Develop procedures to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.</td>
<td>The Constitution preserves the traditional rights of land tenure. The Land Acquisition Act covers the payment of just compensation for any possession and disposal, divesting of land and general items pertaining to such land acquisition. The Land Acquisition Act pertains to “persons</td>
<td>To not leave any persons who enter into negotiated settlements worse off in real terms relative to pre-project levels, the project shall follow the procedures described in this LARP for land acquisition resettlement meeting RMI Legal requirements as well as ADB SPS.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number</td>
<td>ADB SPS on Involuntary Resettlement</td>
<td>RMI Legal Framework</td>
<td>Identified Gaps</td>
<td>Gap Filling Measures</td>
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<tr>
<td>IRS Principle 7</td>
<td>Compensation for loss of non-land assets.</td>
<td>The Land Acquisition Act pertains to “persons interested” and may not include residents of some areas of Ebeye.</td>
<td>Gap.</td>
<td>The LARP includes measures on providing in-kind compensation and assistance for APs without land titles.</td>
<td></td>
</tr>
<tr>
<td>IRS Principle 8</td>
<td>Prepare a resettlement plan.</td>
<td>The Land Acquisition Act details the process for the application to the High Court by the Attorney-General. That document requires the following information. &lt;br&gt; (a) describe the land or servitude which is intended to be acquired; &lt;br&gt; (b) give the names and the addresses of claimants or persons who have any interest in the land or the servitude; &lt;br&gt; (c) make all persons interested in the land or who have objected to the proposed acquisition, parties to the application; &lt;br&gt; (d) give a brief description of the purpose for which the land is to be acquired; and &lt;br&gt; (e) state that alternative means do not exist, by landfill or otherwise, for achieving at non-prohibitive expense the purpose to be served by such acquisition.</td>
<td>The High Court process requires a document with information on land acquisition, but does not specifically require LARP.</td>
<td>A LARP has been prepared following ADB SPS and RMI laws.</td>
<td></td>
</tr>
<tr>
<td>IRS Principle 9</td>
<td>Disclose a draft resettlement plan.</td>
<td>The Constitution, in Article X Traditional Rights indicates that it is not lawful or competent for any person having any right in any land in the Republic… to make any alienation or disposition of that land…without the approval of the Irojilaplap, Irojedrik where necessary, Alap and the Senior Dni Jerbal of such land.</td>
<td>No specific requirement on disclosure of LARP.</td>
<td>LARP will be disclosed meeting SPS requirements</td>
<td></td>
</tr>
<tr>
<td>IRS Principle 10</td>
<td>Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project’s costs and</td>
<td>As per IRS Objective 1. The Constitution indicates that it is the right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath</td>
<td>Gap.</td>
<td>LARP will be implemented as part of the project. The project will include the full costs of the LARP in the costing of the project.</td>
<td></td>
</tr>
<tr>
<td>Number</td>
<td>ADB SPS on Involuntary Resettlement</td>
<td>RMI Legal Framework</td>
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</tr>
<tr>
<td>IRS Principle 11</td>
<td>Pay compensation and provide other resettlement entitlements before physical or economic displacement.</td>
<td>The Constitution preserves the traditional rights of land tenure. The Land Acquisition Act covers the payment of just compensation for any possession and disposal, divesting of land and general items pertaining to such land acquisition. The Act highlights the legal proceedings in the High Court for the assessment of compensation.</td>
<td>Both the ADB SPS and the RMI Legal Framework cover the payment of economic compensation for land covered by the Land Acquisition Act. With regards to compensation for assets of people with no land rights, RMI Legal Framework is silent.</td>
<td>The LARP include measures on compensation before displacement.</td>
<td></td>
</tr>
<tr>
<td>IRS Principle 12</td>
<td>Monitor and assess resettlement outcomes.</td>
<td>There are no specific requirements.</td>
<td>The RMI Legal Framework is silent with regards to monitoring.</td>
<td>The LARP includes measures on monitoring to ensure that the resettlement objectives of the project have been satisfied.</td>
<td></td>
</tr>
</tbody>
</table>
6.4 Land Acquisition and Resettlement Principles for the Project

140. The project’s principles on land acquisition and resettlement are guided by RMI Laws and ADB SPS principles on land acquisition, resettlement and compensation. They are:

- To ‘design out’ involuntary resettlement, wherever possible.
- To minimize, mitigate and/or compensate for any resettlement impacts that cannot be ‘designed out’ of the project.
- To not leave any displaced persons worse off in real terms relative to pre-project levels.
- To restore or enhance the living conditions of affected people, irrespective of legal ownership status.
- To undertake risk assessments early in the project to optimize the opportunities for designing out or mitigating those risks.
- To engage stakeholders with meaningful consultation in order to develop the best project outcomes.
- To assist persons affected by any land acquisition and resettlement requirements of the project.
- To share project benefits with APs, such as water, sanitation and improved electricity services.
- To not leave any persons who enter into negotiated settlements worse off in real terms relative to pre-project levels.
- To prepare and implement a resettlement plan to enhance the social outcomes of the project.
- To engage stakeholders throughout the project and to disclose pertinent documents.
- To provide compensation prior to project infrastructure installation.
- To monitor and assess resettlement outcomes to validate that the resettlement objectives of the project have been satisfied.
7. **ENTITLEMENTS, ASSISTANCE AND BENEFITS**

7.1 Eligibility for Compensation

141. The initial identification of affected persons and affected land has commenced during the PPTA phase of the project. The following is an indicative procedure for claiming eligibility for compensation and other assistance to affected persons for the areas impacted by the project:

1. Landowners with legal rights will be negotiated with and compensated by the Government of RMI in accordance with agreements reached.

2. Non-titled affected persons are not eligible for compensation for the land, but will receive compensation for assets attached to land and other assistance as required as per the LARP. Impacted properties will be identified in advance of works by the project.

3. A “cut-off date” for eligibility for compensation will be the date of detailed measurement survey and the affected community will informed about it during consultation for the LARP update.

7.2 Entitlements

142. While the land acquisition and compensation will be undertaken by the central government, the reconstruction/in-kind compensation of affected assets will be provided directly by the project given that such impacts are expected to be modest.

143. The entitlements for the project are shown below in Table 5.

**Table 5: Entitlement Matrix**

<table>
<thead>
<tr>
<th>Type of Impact</th>
<th>Entitled Persons</th>
<th>Entitlements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of land (easement).</td>
<td>Customary landowners.</td>
<td>Land lease agreements will be made with landowners. Entitlements/compensation will be in accordance with agreements reached between the landowners and the Government of RMI.6</td>
</tr>
<tr>
<td>Loss or relocation of infrastructure.</td>
<td>Affected households (including non-titleholders).</td>
<td>In-kind compensation at replacement cost by the project. Replacement assets will be of equal or better quality than</td>
</tr>
</tbody>
</table>

---

6 The entitlement is currently being negotiated between the Government of the RMI and the landowners. The landowners have been kept informed of the issues throughout the PPTA.
### Type of Impact | Entitled Persons | Entitlements
--- | --- | ---
| Impacts on vulnerable groups | Vulnerable groups. | Vulnerable APs will get priority employment in project works and additional necessary special assistance that will be identified and specified in the updated Resettlement Plan after the detailed measurement survey when vulnerable APs are confirmed.

| Impacts on vulnerable groups | Affected persons | As part of the population of Ebeye, APs will also receive access to improved water supply and sanitation services. This is not a LAR specific entitlement, but the benefit as a result of the project.

| Unforeseen or unintended impacts. | Affected persons. | These will be determined as per the LARP principle and SPS.

### 7.3 Sharing Project Benefits

144. APs as local residents will also have opportunity to share project benefits. These include:

- a. Improved, affordable and sustainable potable water and sewerage services.
- b. New connections to residences that currently lack water and sewerage connections.
- c. A tiered system of residential pricing for potable water and for electricity that will provide lifeline rates for basic levels of usage.
- d. Pre-pay meters for potable water that will help households manage their water expenditure.
- e. Employment during construction.
8. RELOCATION OF HOUSING AND SETTLEMENTS

145. The aim of this project is to provide services to existing residences and therefore the issues concerning the relocation of housing and settlements are modest. Where the project proposes to extend the fresh and salt water distribution systems and the sewerage collection system into residential areas that currently do not have access to those services, i.e. in the areas of North Camp and Fire Victims but potentially also at The Shelter, the residential area east of the old hospital on the wind ward shore, any such extensions will lie outside the previously dedicated utility corridors. As described in Section 2.2.3 and Section 2.3, the direct project impacts are not expected to be significant, but they will require the relocation of some portions of some residences.

8.1 Relocation of Portions of Residences

146. Mitigation of small-scale resettlement impacts on a few households at North Camp and Fire Victims to make room for new fresh water, salt water and sewer lines. Approximately 20 households (or approximately 143 affected persons) will be impacted by these minor changes that need to occur during construction, but there will be no long term economic impact or physical change to their homes, and based on discussions the affected people are more than willing to enable access to the construction teams as they will end up with improved water and sanitation systems. The other affected people that require consideration are the landowners themselves who have authority over what occurs on their land and this includes the Iroij, two Alaps and the Dri Jerbal in the relevant areas. Therefore, the maximum number of affected persons is approximately 147.

147. Several residence lots will have a portion of a fence and/or one or more modest courtyard structures moved a few feet and/or a gate installed in a fence. In each such case, the project will renew, rebuild or replace the structure in significantly better condition than it was found (14 households, approximately 101 affected persons).

148. In one case, the wall of a modest house may be moved back about 18 inches and the roof raised to create a steeper slope. In the process of doing so, a portion of the house and roof will be rebuilt to higher standard and the house will be enlarged if possible (1 household, approximately 7 affected persons).

149. In two cases, water catchment tanks and their concrete bases will be moved from the side to the front corner of a house. In the process of doing so, a portion of the roof will be raised and rebuilt to higher standard in order to serve as a water catchment area (2 households, approximately 14 affected persons).

150. In one case, a very small house on stilts may be moved several feet. This can be accomplished with a forklift and a posthole digger in less than an hour. If the house is damaged in moving, any damage will be repaired or rebuilt to higher standard (1 household, approximately 7 affected persons).

151. In a few cases, short sections of concrete pathways between houses will be cut to allow excavation of a trench and installation of pipes. Any such concrete pathways will be replaced (2 households, approximately 14 persons). Detailed are provided in Appendix A.

152. In return for the relatively minor inconveniences listed above, the affected households and their neighbors will get new utility connections, the equipment and services they need to utilize the connections and lifeline rates to make the services affordable.

153. Informal interviews in October and November of 2013 and in July of 2014 with many of the affected households indicated strong support for the project and strong support for
acquiring the necessary easements.

### 8.2 Potential Relocation to Guegeegue

154. Previous documents have endorsed the relocation of some of the population to Guegeegue. It is noted that this is not required, nor proposed, under the project.
9. INCOME RESTORATION AND REHABILITATION

155. The direct project impacts are not expected to impact on affected persons’ livelihoods and are actually predicted to improve the ability to generate and retain income for the community of Ebeye by:

1) Improving the health and hygiene of the entire community and thereby increasing the available working days.

2) Generating employment potential and skills training during the construction phase works of the project for residents of Ebeye.

3) Any vulnerable affected persons will be given priority employment and special support by the project. The implementation project design will reflect this and the updated RP will describe in detail special assistance to vulnerable groups.
10. **LAND ACQUISITION AND RESETTLEMENT BUDGET AND FINANCING PLAN**

156. All the necessary costs for the land compensation requirements will be managed by the Government of the RMI. While the RMI High Court sets the level of compensation for land acquired in the interest of the State, the LARP includes an estimated budget.

157. The costs of a resettlement consultant is expected to be in the order of USD$36,000 for the detailed design and implementation phase of the project. The budget allocated to project implementation costs will be financed from multiple grant sources. Contributions are being sourced from ADB, DFAT Australian Aid and the Government of the Marshall Islands.

158. The compensation for affected assets will be the replacement of those assets to comparable, or better condition. Affected persons will be informed about the policies and procedures regarding payment of compensation. A preliminary budget has been established for the envisaged resettlement activities.

159. The following table (Table 6) presents a summary of the LAR budget estimate for the project. The costs will be updated during the LARP update.

**Table 6: Estimated Resettlement Budget for the Project**

<table>
<thead>
<tr>
<th>No.</th>
<th>Item Description</th>
<th>Unit</th>
<th>Cost (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Compensation for Land Acquisition for new easement areas</td>
<td>USD</td>
<td>0.537 acres x $30,000/acre/annum over 6 years = $100,000 USD</td>
</tr>
<tr>
<td>2</td>
<td>Poverty, Gender and Resettlement Specialist</td>
<td>USD</td>
<td>$36,000 USD, Included within the project implementation budget.</td>
</tr>
<tr>
<td>3</td>
<td>Meaningful Community Consultation in Detailed Design Phase - Disbursements</td>
<td>USD</td>
<td>$2000 (workshop materials and disbursements)</td>
</tr>
<tr>
<td>4</td>
<td>Physical Works - Demolition, Relocation and/or Reconstruction of Assets as described in Section 2.2.3.</td>
<td>USD</td>
<td>$3,000 (estimate of $1000/property for 3 fences/gates)</td>
</tr>
<tr>
<td></td>
<td>• Several residence lots will have a portion of a fence and/or one or more modest courtyard structures moved a few feet and/or a gate installed in a fence.</td>
<td>USD</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• In one case, the wall of a modest house will be moved back about 18 inches and the roof raised to create a steeper slope. In the process of doing so, a portion of</td>
<td>USD</td>
<td>$10,000 (1 week labour + materials)</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>No.</th>
<th>Item Description</th>
<th>Unit</th>
<th>Cost (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>the house and roof will be rebuilt to higher standard and the house will be enlarged if possible.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• In two cases, water catchment tanks and their concrete bases will be moved from the side to the front corner of a house. In the process of doing so, a portion of the roof will be raised and rebuilt to higher standard in order to serve as a water catchment area.</td>
<td>USD</td>
<td>$10,000 (1 week labour per property to modify and relocate existing assets/roofing)</td>
</tr>
<tr>
<td></td>
<td>• In one case, a very small house on stilts may be moved several feet. This can be accomplished with a forklift and a posthole digger in less than an hour. If the house is damaged in moving, any damage will be repaired or rebuilt to higher standard.</td>
<td>USD</td>
<td>$2,000 (allowance for equipment hire to undertake the work assuming it is already available on site and a small contingency for damage)</td>
</tr>
<tr>
<td></td>
<td>• In a few cases, short sections of concrete pathways between houses will be cut to allow excavation of a trench and installation of pipes. Any such concrete pathways will be replaced.</td>
<td>USD</td>
<td>$1,000 (allowance)</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$164,000</strong></td>
</tr>
</tbody>
</table>

160. The financing of costs associated with the land compensation and resettlement is the responsibility of the Government of the RMI through their counterpart funding. The costs of resettlement consultants, etc. will be included in the implementation costs to be financed under the grant or loan.
11. INSTITUTIONAL ARRANGEMENTS

11.1 Institutional Framework

161. The Office of the Chief Secretary will be the project executing agency (EA) and KAJUR will be the project implementing agency (IA). A project steering committee (PSC) will be established to provide strategic direction and guidance for the project. The PSC will meet at least once every quarter. A project management unit (PMU) will be established within KAJUR and will be responsible for the overall implementation of the project, including ensuring that all land acquisition and resettlement issues are resolved by the Government of RMI. Consultants will be recruited by the Government of RMI to assist the PMU to implement the project and to build capacity within KAJUR.

162. It will be the role of the PMU to also ensure compliance with assurances, including safeguards and preparing and submitting the LARP update, reports, and monitoring reports. To ensure effective implementation of the land acquisition and resettlement aspects, an international and a national Resettlement Specialist will be recruited to assist the PMU in this regard. The consultants will work together with the EA, IA and ADB to manage the approval and disbursement of the budget for LARP implementation to ensure adherence to the ADB safeguard policies.

11.2 Implementation Responsibilities

163. The Resettlement Specialists will assist the PMU to:

1) Update the LARP, based on the detailed design of the project;
2) Coordinate with PSC and OCS regarding land acquisition and compensations;
3) Implement, monitor and prepare reports to be submitted to ADB confirming compliance with the LARP;
4) Prepare documentation to be used for affected persons to signify their satisfaction on the compensation.

164. The PMU will be responsible for:

1) Communicating with the affected persons regarding required legal documentation, identification and the schedule of works/compensation.
2) Ensuring that all the compensations and entitlements have been paid to and settled with affected persons prior to construction of project infrastructure. Affected persons will sign a document indicating the receipt of their compensation and entitlements.

11.3 Capacity Building

165. During project initiation, a capacity building program will be undertaken for KAJUR staff, as well as for interested stakeholders on: i) procedures for land acquisition and relocation works; ii) ADB policies on social safeguards, iii) applying these in the project,
and iv) requirements on updating and implementing the LARP, including consultations and information disclosure.

11.4 Resettlement Database

166. All information concerning land acquisition, resettlement and compensation will be recorded by the PMU. These records will form the basis of information for implementation, monitoring and reporting purposes and facilitate efficient management and monitoring of compensation distribution. Information captured by the database will include socioeconomic information, inventory of losses, compensation and entitlements, payments and relocations.
12. IMPLEMENTATION PLAN AND SCHEDULE

167. An implementation plan, schedule and indicative budget have been prepared for updating the LARP and for the implementation of land acquisition, relocation works and compensation.

12.1 Implementation Plan

168. An implementation plan has been developed for the project. The plan steps through the process required to successfully complete the land acquisition and resettlement requirements of the project, in accordance with ADB Safeguard Requirements. The plan is shown in sequential order in Table 7 below and is the responsibility of the Government of RMI to ensure they are implemented effectively.

Table 7: Implementation Plan for Land Acquisition and Resettlement

<table>
<thead>
<tr>
<th>No.</th>
<th>Project Phase</th>
<th>Action</th>
<th>Description</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PPTA (Completed)</td>
<td>Identify Project Land Requirements and Landowners</td>
<td>Identify project land requirements and landowners. Commence engaging landowners through the project workshops.</td>
<td>KAJUR, Government of RMI, Consultant</td>
</tr>
<tr>
<td>2</td>
<td>Draft LARP</td>
<td></td>
<td>Prepare draft LARP based on identification of LAR requirements Consultation and disclosure</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Before Detailed design</td>
<td>Land Negotiations</td>
<td>Conduct negotiations between the Government of RMI and Landowners and obtain landowners agreement on land requirements.</td>
<td>Government of RMI</td>
</tr>
<tr>
<td>4</td>
<td>Detailed Design</td>
<td>Engage Consultant and Commence Detailed Design</td>
<td>Engage consultant to undertake detailed design and implementation phase works</td>
<td>PMU</td>
</tr>
<tr>
<td>5</td>
<td>Finalise Exact Project Land Requirements</td>
<td></td>
<td>Confirm exact project land requirements following detailed engineering design.</td>
<td>PMU and Consultant</td>
</tr>
<tr>
<td>6</td>
<td>Conduct Stakeholder Consultation</td>
<td></td>
<td>Consult with landowners and home owners, negotiate and obtain agreement on details.</td>
<td>PMU, Consultant, KAJUR</td>
</tr>
<tr>
<td>7</td>
<td>Update LARP</td>
<td></td>
<td>Update LARP to reflect the detailed design of the project</td>
<td>Consultant, KAJUR and PMU</td>
</tr>
</tbody>
</table>
### Land Acquisition and Resettlement Plan

<table>
<thead>
<tr>
<th>No.</th>
<th>Project Phase</th>
<th>Action</th>
<th>Description</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>and consultation outcomes. Submit the updated LARP to ADB for approval and posting on ADB website.</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Implementation</td>
<td>Execution of Resettlement Construction Activities</td>
<td>Relocation of any existing assets so that the project infrastructure can be installed.</td>
<td>PMU, Consultant/Contractor</td>
</tr>
<tr>
<td>9</td>
<td></td>
<td>Preparation of Land Acquisition and Compensation Completion Report</td>
<td>KAJUR submits to ADB a land acquisition and compensation completion report.</td>
<td>Consultant and KAJUR</td>
</tr>
<tr>
<td>10</td>
<td></td>
<td>Construction Works of Project Infrastructure Commences</td>
<td>Commence the installation of the project infrastructure.</td>
<td>PMU/Consultant/Contractor</td>
</tr>
<tr>
<td>11</td>
<td></td>
<td>Preparation of Safeguards Monitoring Report</td>
<td>KAJUR submits safeguard monitoring report.</td>
<td>PMU, Consultant and KAJUR</td>
</tr>
</tbody>
</table>

### 12.2 Implementation Schedule

169. The implementation schedule for the LARP is shown in Table 8.
### Table 8: Implementation Schedule

<table>
<thead>
<tr>
<th>No.</th>
<th>Activity</th>
<th>Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Identify Project Land Requirements and Landowners</td>
<td>Month 1 (up to January 2015)</td>
</tr>
<tr>
<td>2</td>
<td>Draft Land Acquisition/Resettlement Plan</td>
<td>Month 1 (up to March 2015)</td>
</tr>
<tr>
<td>3</td>
<td>Land Negotiations</td>
<td>Month 2 – Month 4 (February 2015 – April 2015)</td>
</tr>
<tr>
<td>4</td>
<td>Engage Consultant and Commence Detailed Design</td>
<td>Month 6 (June 2015)</td>
</tr>
<tr>
<td>5</td>
<td>Finalise Exact Project Land Requirements</td>
<td>Month 8 (August 2015)</td>
</tr>
<tr>
<td>6</td>
<td>Conduct Stakeholder Consultation</td>
<td>Month 8 (August 2015)</td>
</tr>
<tr>
<td>7</td>
<td>Update LARP</td>
<td>Month 9 (September 2015)</td>
</tr>
<tr>
<td>8</td>
<td>Execution of Resettlement Construction Activities</td>
<td>Month 13 (January 2016)</td>
</tr>
<tr>
<td>9</td>
<td>Preparation of Land Acquisition and Compensation Completion Report</td>
<td>Month 14 (Feb 2016)</td>
</tr>
<tr>
<td>10</td>
<td>Construction Works of Project Infrastructure Commences</td>
<td>Month 18 (June 2016)</td>
</tr>
<tr>
<td>11</td>
<td>Preparation of Safeguards Monitoring Report</td>
<td>Six monthly (first report in Feb 2016)</td>
</tr>
</tbody>
</table>
13. MONITORING, EVALUATION AND REPORTING

170. Monitoring, evaluation and reporting of all activities associated with land acquisition and resettlement will be undertaken.

171. The scope of monitoring includes: (i) compliance with the agreed policies and procedures for land acquisition, resettlement and compensation; (ii) approval, allocation and disbursements of payment, or property relocation works in compensation to affected persons, including supplemental compensation for additional and/or unforeseen losses; and, (iii) remedial actions, as required. The monitoring will also cover whether affected persons are able to and restore, and preferably improve, their pre-project living standards and productive capacity, following the relocation works and the installation of the improved water and sanitation services by the project.

172. KAJUR will maintain proper documentation of the consultation process and keep relevant records of land acquisition, resettlements and transactions. The PMU will document the consultation, negotiation and transaction process with the assistance of the consultants.

173. KAJUR will prepare and submit progress reports to ADB as part of project performance monitoring and six monthly safeguard monitoring reports. KAJUR will also submit a project land acquisition, resettlement and compensation completion report to ADB following the completion of compensation and before start of the project civil works.
14. REFERENCES


Appendix A – Details of Minor Resettlement Issues at North Camp and Fire Victims
Details of Minor Resettlement Issues at North Camp and Fire Victims (continued next page)

30 Looking N. Pipes would terminate at S side of green wall in background. Light-blue gate at right to be improved to allow better access. Note telephone connection terminal.

29 Looking S. Route is through site of two water tanks behind chainlink fence at right. Tanks to be moved to right front of house and right side of roof improved to provide water catchment area.

28 Looking W at plywood house extension (right) and water tank that would be moved to make room. Roofs of houses on right and left would be raised and improved.

27 Looking N. Route is along present outside wall of plywood extension (red cloth), so that wall to be moved flush with adjacent blue house. Compensate family by raising roof and other improvements.

26 Looking S. Route runs to right of water tanks.

31 Looking N. No access issues.

32 Looking N. Gate to be widened and improved to facilitate access for crews and equipment.

33 Looking N. Route runs along line where girls are playing volleyball.

34 Looking N. Note telephone connection terminal.

21 Looking S. Right side of concrete to be cut back and pipes run straight through along present fenceline on left side of green door.

20 Looking S.

19 Looking N. Metal fence requires gate.

18 Looking N to Point 19 Plywood fence at 19 requires gate.
Looking S. Pipes would terminate at blue house in background.

Looking S at inside of fence of photo 22. Route runs along fenceline, and new fence to be built either to L or R. Gate required at metal fence in background (Point 19).

Route runs along fenceline at right.

Same as 21 but with gate at right open to show route along fence.

Looking N. Pipes would terminate at S side of lime-green concrete house in background.

Looking N. Concrete in left foreground would be cut back to allow passage of pipes.

Looking N. Trench in narrow gap between walls would be dug by hand to extend pipes in straight line to Point 25.

Looking N. Access is clear all the way through to Point 11.

Looking N. Pipes would run to light-blue colored house wall in background. The two green plastic water tanks sit on concrete pads.

Same spot as Point 2 but now looking east. Pipes would run through courtyard with gate inserted in fence.

Looking N with back to water tanks (photo 5) at N wall of former central cookhouse where pipes would terminate. Route goes through right side of cook shed in foreground.

Looking S at north wall of former central cookhouse with back to cooking shed (photo 4).

Looking N through shed to fence along road (Point B at papaya tree in photos in text p. 27).

Looking N. Pipes would terminate at south side of green house.

Looking S. Pipes would terminate at N side of green house (S side of house appears in photo 7).

Looking S. Pipes would terminate at N side of green house (site of the former central cookhouse).

Looking south. Pipes would terminate at N side of house that appears in background (site of former cookhouse).

Looking S. Fence would be removed or provided with a gate. Otherwise clear access through to Point 1.

Looking NW. Low fence to be provided with gate. Pipes to house in rear would cross only that family’s lot.

Looking N. Access through to Point 19 once blue water tank in background and another tank behind it are moved.

Clear access through S side of house on site of former central cookhouse where pipes would terminate.
Appendix B – Sample Ebeye “Committee of Five” Building Permit Application
Committee of Five

Building Permit Application

PO Box 3127, Eibey, Marshall Islands 96970

This application is required and must be completed for all kinds of constructions to residential, commercial and public buildings within the Eibey Islands. A drawing of the proposed construction and the site plan which shows distance from street, roadways and other structures must be attached to the complete application and here is to the Committee of Five.

Date: 6/22/2013

Name and Address of applicant:

Kuluev, Inc.

PO Box 2097

Eibey, Marshall Islands 96970

Construction site: Eibey, Eibey Islands, Republic of the Marshall Islands

Under the customary and traditional practices of the Republic of the Marshall Islands, the context and signatures from the following who holds the rights and titles for the said and above mention reto are required and as follows:

Alab

St. Dei jorba

Signature: Michael Kaulua

(Need Print Name)

Signature: Nelson Sollaim

(Please print)

Signature: Johnny D. Leon

(Please print name)

Signature: Date: Signature: Date:

Project consist of:

- Foundation (X)
- Roof (X)
- Wall (X)
- Framing framing (X)
- Electrical (X)
- Plumbing (X)
- Mechanical (X)
- Painting (X)
- Finishing (X)

The structure will be used for:

- Single family Residential (X)
- Multi family Residential (X)
- Public Building (X)

Number of Occupants 20

Type of Building FAMILY UNIT

Chairman

Committee of Five

Inspector

Chief Executive Administrative

Number of Occupants

Type of Building:

SO UNIT

Committee of Five

Kwajalein Anidai Local Government

Building Inspector