

# Resettlement Plan

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June 2011

## PNG: Bridge Replacement for Improved Rural Access Sector Project

Prepared by the Department of Works of the Government of Papua New Guinea for the Asian Development Bank.

# Resettlement Plan - Sepik Highway

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Resettlement Plan: Sepik Highway (Pasik, Ogama, Potutu and Malas Bridges)

Project Number: 43200

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## **CURRENCY EQUIVALENTS**

(as of June 2011)

Kina	–	PNG Kina (K)
K1.00	=	\$ 0.436
\$1.00	=	K 2.294

## **NOTE**

In this report, "\$" refers to US dollars.

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## ABREVIATIONS

AIDS`	-	Acquired Immunodeficiency Syndrome
ADB	-	Asian Development Bank
DPs	-	Displaced Persons
DLO	-	District Lands Officer
DOLPP	-	Department of Lands and Physical Planning
DOW	-	Department of Works
DMS	-	Detailed Measurement Survey
EA	-	Executing Agency
EIA	-	Environmental Impact Assessment
EMP	-	Environmental Management Plan
GAD	-	Gender Aware Development
GAP	-	Gender Action Plan
GoPNG	-	Government of Papua New Guinea
Ha	-	hectare
HH	-	households
HIV	-	Human Immunodeficiency Virus
AIDS`	-	Acquired Immunodeficiency Syndrome
IA	-	Implementing Agency
IOL	-	Inventory of Loss
LLG	-	Local Level Government
MOA	-	Memorandum of Agreement
OPA	-	Office of Provincial Administration
PIU	-	Project Implementation Unit
PLO	-	Provincial Lands Officer
PPTA	-	Project preparatory Technical Assistance
RC	-	Replacement Cost
ROW	-	Right of Way
RP	-	Resettlement Plan
SES	-	Socio-Economic Survey
SPS	-	Safeguard Policy Statement (ADB 2009)
STI	-	Sexually Transmitted Infections

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## GLOSSARY OF TERMS

Meaningful Consultation	A process that (i) begins early in the PPTA and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision-making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation measures.
Displaced Persons	In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Indigenous Peoples	Is a generic term used to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by other groups; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region.
Physical Displacement	Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Economic Displacement	Loss of land, assets, access to assets, income sources, or means of livelihoods as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Gender Mainstreaming	The process of ensuring that gender concerns and women's needs and perspectives are explicitly considered in projects and programs, and that women participate in the decision-making processes associated with development-based activities.
Country Safeguard Systems	This is the legal and institutional framework of Papua New Guinea and it consists of its national, sub national, or sectoral implementing institutions and relevant laws, regulations, rules, and procedures that pertain to the policy areas of social safeguards.
Significant Impact	The loss of 10% or more of productive assets (income generation) or physical displacement and/or both.

## **A. Executive Summary**

The Project aims to replace temporary bailey bridges and other badly deteriorated bridges on the national highways in PNG with permanent bridges. These highways are: Hiritano and Magi Highways in Central Province; Ramu Highway in Madang and Morobe Provinces; Sepik Highway in East Sepik Province; and New Britain Highway in West New Britain Province. The old bailey bridges will be used on provincial and district roads within the respective province to provide access to rural areas.

The contract package along the Sepik Highway that involves the replacement of four bridges in East Sepik does not require the physical displacement of people. There is one physical structure at one of the bridge sites, a fresh food market at Potutu Bridge, but its relocation poses some problems because the clan that occupy the land expect compensation for the land acquired and also a new market structure and there are intra-clan conflicts of a long-standing nature that predate independence. There is an estimated 3.2 hectares of land that needs to be acquired on a permanent basis by the Project and on this land high value crops such as cocoa, vanilla, tobacco, and betel nut are cultivated.

There are 4 different clans with an estimated 16 households consisting of 91 displaced persons (DPs) with 2 female headed households. All these households use a portion of the land that is to be acquired at each bridge site and they all demand compensation at replacement cost based on recent land transactions they are familiar with. All DPs belong to the Yangoru Tribe (dominant tribal grouping in the Sepik Plain) and four clans – Hura, Jivijava, Hufa and Wama – make up the recognized DPs. Their loss is less than 10% of their productive assets. As it doesn't involve significant resettlement impacts the subproject is categorized as Category B.

All DP households rely on subsistence agriculture, primarily their gardens to provide basic foodstuffs. Commercial agriculture is virtually non-existent although there is small-scale trading in cocoa, vanilla, tobacco and limited trading in betel nut. DP households attempt to maximize food production for their own household rather than focus on commercial agriculture. There are little or no local waged employment opportunities. Some female DPs, especially at the Potutu Bridge site are involved in very small localized trading activities which revolve around the sale of locally produced fruit and vegetables and one DP household is involved with handicraft production, the products of which are sold as far away as Port Moresby.

The acquisition of customary land is not expected to impact significantly on the livelihoods and incomes of DPs, because all households have access to other land suitable for food production. The size of land acquisition is very small and the DPs do not consider that their livelihoods will be severely disrupted. However, they expect compensation for affected land and assets and argue that both women and men DPs must benefit from Project related waged employment and if they do not the contractor will find it very difficult to commence work.

DPs have been consulted during PPTA studies and the preparation of the RP. DOW will further consult with affected communities and undertake detailed land investigation reports with land administration authorities to update the RP.

The following matrix summarizes eligibility and entitlements for DPs:

Type of Impact	Entitled Person(s)	Entitlements
Temporary use of land.	Legal/ customary landowners/land users	It will happen only with agreement with landowners/DPs. Affected landowners/DPs will be paid rent on terms negotiated with them. The land will be returned to respective landowners/DPs after its restoration.
Permanent acquisition of land.	Legal owner(s)/customary landowners  Informal settlers (e.g. on land acquired for ROW) with no legalizable rights	Landowners will be provided equivalent size and quality of land, or cash compensation at replacement cost.  DPs will be provided compensation for their damaged non-land assets (e.g. crops, trees, and structures) on project-affected land.
Loss of crops and trees	All DPs irrespective of their legal status	DPs will be given notice to harvest crops and trees before site clearance or removal from required land. If DPs are not able to harvest, they will be paid cash compensation at replacement cost. In case of perennial crops and trees, the compensation will also include loss of income for a period until new crops or trees produce an equivalent income
Loss of structures (only a roadside market is expected to be affected)	All DPs (whether having legal title to land or not)	DPs will be provided compensation at replacement cost without deductions for depreciation or salvaged materials and assistance in finding an alternative site. It will be ensured that replacement structures are ready to move before relocation of existing structures.  In case business activities are disrupted, the business owners will be provided disruption allowance for the duration of business being disrupted.
Impacts on vulnerable DPs	Vulnerable DP households identified by social assessment.	Vulnerable households will receive (i) priority employment in project construction and maintenance works; and (ii) additional cash allowance (K600 per capita) to purchase foodstuffs during the period of income disruption.
Unforeseen impacts	Concerned displaced persons	These will be determined as per the principles of the RF and ADB's Safeguard Policy Statement.

DOW will allocate adequate resources to update, implement and monitor the RP. It will ensure that (a) any landownership at the four bridge sites are resolved and the RP is updated based on detailed land investigation and valuation of assets in consultation with affected landowners; (b) adequate funds are allocated and disbursed to pay compensation for affected land and assets; and, (c) civil works will not commence before the RP has been approved and land compensation paid in full.

DOW will submit semi-annual reports to ADB on implementation of the RP. It will also submit a Project land acquisition completion report to ADB once land compensation has been completed.

## **B. Project Description**

1. The Project aims to replace temporary bailey bridges and other badly deteriorated bridges on the national highways in Papua New Guinea (PNG) with permanent bridges. These highways are: Hiritano and Magi Highways in Central Province; Ramu Highway in Madang and Morobe Provinces; Sepik Highway in East Sepik Province; and New Britain Highway in West New Britain Province. The old bailey bridges will be used on provincial and district roads within the respective province to provide access to rural areas.

2. The impact of the Project is to enhance social and economic development in rural areas. The outcome will be improved and safer access to markets and social services for rural populations living along the selected road corridors. The outputs will be (i) reduced bottlenecks on the national roads; (ii) safer journeys for both motorized and non-motorized transport users and reduced travel time; (iii) improved capacity of the road agencies (Department of Works hereafter referred to as DOW and National Roads Authority hereafter referred to as NRA) to manage bridge assets but also to provide greater levels of accountability and transparency in the resettlement processes; and (iv) maintenance of rural bridges by beneficiary communities.

3. The Project supports the GoPNG Development Strategic Plan (DSP, 2010-2030) that emphasizes the lack of transport infrastructure as a constraint for PNG's economic and social development. The trade and economic development targets in the DSP requires considerable growth in the coverage and quality of the national road network. As 85% of the population, of which over 50% live in poverty, live in the rural areas, improving service delivery and income opportunities for the rural population is a key priority. Improving accessibility of rural road networks will open up markets, improve agricultural profitability, facilitate market chain linkage with downstream processing and export markets and expand health services. These initiatives are expected to result in a significant rise in employment and income and attendant reduction in poverty over the DSP period. It is also influenced by the Medium Term Development Plan (2011-2015) and the significantly longer-term Strategic Vision 2050 for PNG.

4. The first phase of the Project is estimated to cost about US\$100 million. ADB plans to finance up to US\$90 million comprising a US\$50 million ADF loan and US\$40 million OCR loan. The GoPNG will provide counterpart financing of US\$10 million.

5. Specifically in relation to this RP as part of Contract Package 3 four bridges on the Sepik Highway in East Sepik Province will be financed with an estimated cost (excluding land acquisition) of US\$ 8,996,527.80 (excluding any resettlement, road alignment, temporary deviation, river training and reusable bridge costs). The two smallest bridges (each 20 meters in length) are Potohu (located at chainage 43.1) and Malas (located at chainage 120.2) and other two bridges (each 30 meters long) are Pasik (located at chainage 22.9) and Ogama (located at chainage 40.2). However, only Pasik and Malas have Bailey bridges which can be used elsewhere to improve rural access in East Sepik.

## C. Scope of Land Acquisition and Resettlement

### I. Project's Potential Impacts

6. The subproject does not require the physical displacement of people. It will however need to acquire approximately 3.2 hectares of land and it provides a relatively important source of cash income for 16 households (91 APs) that are using the land. However, unless land acquisition is handled with the greatest degree of delicacy utilizing mediation techniques during all processes involved with acquiring the land at least at one of the sites it will be very difficult to implement the sub-projects. This is the real challenge within this Contract Package 3.

### II. Scope of Land Acquisition

7. The following table provides a breakdown of the land requirement and numbers of DPs for each of the four bridge sites:

**Table 1: Scope of Land Acquisition**

Bridge Name	Estimated Land Loss	Current Land Use	Tribal Affiliation	Clan Group	Number of DPs		
					<10% Loss	>=10% Loss	Total
Pasik	0.8 Ha	Tobacco Cocoa Betel Nut	Yangoru	Hura	19	0	19
Ogama	0.8 Ha	Tobacco, Cocoa Betel Nut	Yangoru	Jivijava	32	0	32
Potutu	0.8 Ha	Tobacco Betel Nut Roadside Market	Yangoru	Hufa	17	0	17
Malas	0.8 Ha	Tobacco  Vanilla  Cocoa	Yangoru	Wama	23	0	23
<b>TOTAL</b>	<b>3.2 Ha</b>				<b>91</b>	<b>0</b>	<b>91</b>

### III. Effects of Assets Lost

8. The land at the four bridge sites is customary-owned although the Hogama Bridge site was acquired by the pre-independence government in 1965 for a pittance – tobacco and matches according to clan members – and is now considered an illegal seizure of land by all village members not just DPs. This land is used for a variety of purposes, the cultivation of high value cash crops and at the Potutu Bridge site being the primary purpose a fresh food market exists. Since the land is commonly owned, although ownership is disputed, and the Project is

only at the feasibility stage, the exact extent of loss of land and other productive assets by each individual household is not currently available although preliminary estimates are developed and investigations have established which households are actually using the land at each of the bridge sites.

9. Land will also need to be acquired on a temporary basis by the contractor for the construction office, soil and water testing, worker accommodation, and storage of hand-tools and construction vehicles. At this stage it is unknown how much land contractors will need on a temporary basis but it is expected to be less than one hectare at each of the four bridges. This is less of an issue than the permanent acquisition of land because the land will be returned to the customary owners: what leasing or rental fee the contractor will pay and the modality under which it will be paid to the customary landowners will be agreed between these two parties during implementation.

#### **D. Socioeconomic Information and Profile**

##### ***I. Demographic Features of Affected Peoples***

10. In this package at the four bridge sites there are 16 households consisting of 91 persons with an average household size of 5.7 members: the largest household size being 11 persons and the smallest 2 persons. There is little variation between the four different bridge sites. According to the socio-economic survey there are no migrants from elsewhere residing in villages in close proximity to the bridge sites and certainly none showed up as affected peoples.

11. Over 61.6% of household members are children aged up to 18 years of age, 34.1% are adults under 60 years of age, and the remaining 4.3% are adults over 60 years of age. There is little difference between the four bridge sites and it can be assumed that this demographic data is quite reliable because while educational levels are quite high most household members reside in the locality.

12. All household members are related to one another, albeit in some instances by extended kinship links and there is inter-marriage between different clans but as this kinship structure is patrilineal females marrying into another clan have no right to inherit property and her natal clan has no claim over common property her husband's clan may lay claim to. Some 42.8% of households have inter-married with different clans in the area. There is no variation in ethnicity and all clans belong to the Yangoru tribe which is one of the politically and economically dominant tribes in the East Sepik region.

13. Seventy-one per cent of DPs over the age of five have completed primary education (up to Grade 8); 24.5% have completed secondary education, 1.8% post-secondary education (either at university, technical institute or teachers training college) and 2.7% have not attended school at all (three women over 60 years of age). Primary school completion rates between female and male differ very little but males are more likely to complete their secondary schooling (63.5% completion rates for males attending secondary school compared to 42.5% for females attending secondary schooling) although there is little difference between male and

female completion rates at the post-secondary level. A very quick functional literacy and numeracy test administered by the TA Survey Team suggests that some 86.5% of adult DP males are both functionally literate and numerate compared to 69.8% of adult DP females.

## ***II. Impacts of Land and Asset Acquisition on Affected Peoples***

14. To better understand the impacts of land and asset acquisition on affected peoples the following socio-economic indicators were developed from the socio-economic survey:

15. **Income:** Average annual individual household income for DP households is PGK 5,148 that comes from a variety of livelihood activities including the imputed value of food production from household gardens for household consumption, income from the sale of cash crops and waged labor. The highest average household income at PGK 9,267 is among DPs at the Potutu Bridge site and the lowest average household income of PGK 4,250 at the Malas Bridge site. Using the internationally recognized PPP equivalent of US\$1.25 per day, per capita, only the female-headed households is living in poverty (calculation based not simply on cash income but imputed cash value of other activities) although WB poverty estimates for this region of East Sepik as a whole is 38%. DPs in general are substantially better off than other people living in even the same villages.

16. **Land Ownership:** All land is collectively owned by individual clans, there being no individual household ownership of land among the DPs at any of the four bridge sites. However, individual households have user rights to use collectively owned land to undertake livelihood based activities. If the households belong to the same clan they are not expected to pay a users fee but if to a different clan they are required to pay a users fee. This is a quite serious problem at the Potutu Bridge site where there are overlapping claims from sub-clans within the same clan.

17. **Livestock:** All DP households own between 5 and 9 pigs, these being of course important symbols of both social status and material wealth. Households consider that owning pigs is like having money in the bank and are not necessarily averse to being paid compensation in pigs. Pig ownership on a household basis is highest at the Potutu Bridge site and lowest at the Pasik Bridge site. No other types of livestock are owned by DP households.

18. **Common Property Resources:** Individual clans view all forest and non-forest products on land owned in common by the clan as a common property resource. People from other clans have no right to access such common property resources and if they do so this leads to inter-clan disputes which can turn violent. River-based resources such as fish and eels are not strictly considered a common property resource belonging to a particular clan but the tribal affiliation determines access to such resources. Often there are disputes between upstream and downstream users: not much of an impact on this Project but one that cannot be ignored because disputes over property resources are often multi-faceted as was pointed out (in common with other RPs prepared for this Project) during community discussions, DP household surveys, and FGD with women.

19. **Estimated Total Expenditure:** While this is a more accurate indicator of household income than having individual households state their estimated household income the socio-economic survey reveals that average household expenditure is PGK 4653 of which 55.8% is spent on foodstuffs, 17.1 % on education and healthcare, 5.2% on clothing and footwear, 13.9 % on cultural and ritual obligations, and 8.0% on donations to the different Christian churches that the DPs belong to. Average household expenditure of PGK 9,562 is highest at the Potutu Bridge site, especially on healthcare and education and transport but this should not be surprising because the bridge and the surrounding community are located further away from either Maprik or Wewak in East Sepik.

20. **Occupational Structure:** All DP households rely on a combination of both subsistence and market-based agriculture, primarily their gardens to provide basic foodstuffs, and it was claimed by all DP households that a household without a garden/s would soon cease to exist. Market-based agriculture is a source of income for all DP households even as households attempt to maximize food production for their own household rather than focus on commercial agriculture but they are also quick to point out that market demand for locally produced agricultural products apart from betel nut – which is essentially a tree crop – is subject to the vagaries of the market. There are little or no local waged employment opportunities and should people wish to be engaged in waged employment they have to compete with other job-seekers in Wewak where few employment opportunities exist anyway: that is why all DPs were very excited about a Project such as this that promises to generate local waged employment opportunities. Female DPs, especially at the Potutu Bridge site are involved in very small localized trading activities which revolve around the sale of locally produced fruit and vegetables and one DP household derives some of its income from the sale of handicrafts. Two of the DP households contain public sector workers who are considered to be the most secure waged employees because employment is guaranteed until the age of 60 years and a pension is paid along with a range of ancillary benefits.

21. **Access to Public Services:** Health care amenities are very basic and apart from the national immunization program for infants and children, an HIV/AIDS antenatal program, and a small food nutritional program, any other form of healthcare requires a costly trip and perhaps prolonged stay in Wewak (manageable if *wantok* or close relatives are residing there but only 5% of DPs are in this position). Water is extracted from the rivers at the four bridge locations and generally not boiled which leads to a range of water-borne diseases especially during the wet season: over 90% of DP households reported that during the last wet season (just about to finish at the time this RP was being prepared) had at least one member with diarrhea or worse. Educational facilities up to and including lower secondary level but the quality of education is less than satisfactory, at least compared to the National High Schools, although given the very high literacy and numeracy levels among DPs this group has clearly benefited from access to reasonable standards of education. Nevertheless it is quite difficult to attract teachers to schools here although the two bridge sites closer to Wewak have less of a problem in this respect. Access to micro-finance exists but is quite limited although agricultural extension specialists sometimes visit these villages. However, it is the general consensus of DPs surveyed that building new bridges will improve their access to public services.

### **III. Project's Impacts on Poor, Different Ethnic Groups, and other Vulnerable groups**

22. The Project has the potential to offer paid employment opportunities to DPs for at least 18 months some are likely to be somewhat better off as a result of the Project. The evaluation and monitoring of the Project's impacts will compare other households not directly affected by resettlement to assess whether levels of inequality are exacerbated as a result of this Project.

23. As for different ethnic groups this is not an issue *per se* on this Project although there is intra-clan rivalry at the Potutu Bridge site that has existed on an inter-generational basis. While every attempt will be made to mediate in this dispute it is naïve to think that enmities developed over a long period of time can quickly dissipate but nevertheless it is worth attempting to leverage the Project resolve the most important aspects of this intra-clan rivalry. To unravel the claims and counter-claims will be part of the resettlement planning process and will be resolved preferably through a process of mediation with these competing clans prior to the finalization of this RP. In the event that mediation proves to be impossible a party or parties acceptable to all clan members and the DOW will be appointed to arbitrate and that party's decision will be final although an appeal can be made by one or more parties to the courts to issue a legal injunction.

24. There are concerns about the increased threat of HIV/AIDS for younger, unmarried women from bridge construction workers and road safety for children and elderly people from motorized traffic traveling more quickly but mitigation measures are suggested elsewhere in the RP. A principle that the RP will adopt is that if vulnerable groups have been or will be identified by in the social assessment and the SES then the Project will provide necessary assistance these groups (e.g. first priority for waged employment on the Project).

### **IV. Gender and Resettlement Impacts**

25. Women in the Project area generally have control of the household finances but are held responsible for ensuring that all household requirements contingent on cash expenditure can be met. However, all women DPs told the TA Survey team that men can sometimes be fiscally irresponsible and verbally and physically abuse their wives and other household members when confronted for being irresponsible. To ensure payment of compensation monies does not exacerbate such problems, payments will be provided to both men and women. The GAP suggests these processes can be managed but it is essential to avoid an increase in domestic violence in a cultural context where the GoPNG discourages such forms of violence but they still persist.

26. Males in the Project area tend to dominate membership of village-level organizations although most of the church groups support women's groups and they also have the capacity to transcend village-level organizations and function at the supra-village level. Nevertheless, most women DPs told the TA Survey Team that men are considered to be household heads, clan leaders, and representatives at the supra-village level. Women DPs do not want to overturn existing structures of participation and decision making but would welcome the opportunity to be provided with the enabling environment to have their voices not only more openly heard but also to influence how the Project will be implemented.

27. However, it is quite clear from discussions held with women DPs, especially via the FGD that women want this Project to proceed as planned by the GoPNG because they see it as quite a developmental activity. This was reinforced during FGD when women DPs learned that the Project's investment should benefit local DPs through compensation payments, livelihood enhancement measures, and waged employment opportunities. This does not mean that women DPs are not mindful of the possible social risks but with discussions held during the consultations at the village level as to how social risk could or should be managed women DPs – indeed all women – appeared to be reassured that these social risks could be managed.

## **E. Information Disclosure, Consultation and Participation**

### ***I. Project Stakeholders***

28. The primary stakeholders of this Project are the customary landowners and users of land at the four bridge sites whose land will be acquired as part of the ROW to construct these four new bridges. The DPs interest in the Project lies mainly in the bridges enhancing greater levels of connectivity to stimulate a growth in goods and services including local income generation activities that they can benefit from but also to improve road safety for Non-Motorized Transport Users (NMTs), especially school-aged children, women and the elderly.

29. Other stakeholders are the local, district, provincial and national governments and civil society groups. The interests of the GoPNG and elected representatives are to the timely implementation of this Project without land acquisition issues standing in the way of the Project actually being implemented. Whereas the interests of the civil society groups while broadly developmental in nature are also to ensure that safeguard policy and procedures are carried out as transparently as possible and DPs are not disadvantaged as result of the resettlement processes.

### ***II. Consultation and Participation Mechanisms***

30. A variety of consultation and participation mechanisms have been utilized to prepare this RP. Village based consultation meetings involving both women and men from all clans living in the village, whether customary landowners or migrants from other regions of PNG, were facilitated by the TA Consultants acting on behalf of the DOW. The Project was introduced to meeting participants, the probable positive and possible negative impacts explained, and land acquisition and other resettlement-based issues introduced. Participants at the meeting were afforded the opportunity to discuss among themselves and with the TA Consultants issues that concerned them and to ensure women could make their voices heard the TA Gender and Social Development Specialist facilitated Focus Group Discussions (FGDs) with women in attendance at the village meeting.

31. In relation to women DPs additional meetings were held with this group, although not all were in attendance, but the TA Consultant ensured that an adequate number of women DPs were in attendance and separate FGD were facilitated with these women to ensure they understood the nature of the resettlement investigations and their likely outcomes.

32. An important participation mechanism was to ensure consultations were undertaken at venues and times that would not disadvantage women. Where it was inconvenient for women to attend the community meetings or DP meetings because of childcare responsibilities or caring for the sick and elderly the TA Consultant visited these women in their homes.

### **III. Activities Undertaken to Disseminate Project and Resettlement Information**

33. The DOW has consulted and informed DPs and other stakeholders during project preparation utilizing the following activities:

- Community-based consultations
- Facilitation of meetings with DPs
- Facilitation of FGD with women DPs
- Socio-economic Survey of women and men DPs
- Initial Inventory of Loss

Details of these key activities are included in the following table:

**Table 2: Key Dissemination and Resettlement Information Activities**

Activities	Dates	Venue/Location	Time	No of Participants	Major Outcomes
Community Meetings	09/05/11	Pasik	10.00 to 12.00	M-13; F-18	• Dissemination of Project details
	11/05/11	Ogama		M-23; F-27	
	13/05/11	Potohu	09.00 to 11.30	M-22; F-28	• Discussion of Impacts
	15/05/11	Malas	10.30 to 13.00	M-18; F-22	• Identification of DPs
			10.30 to 13.00		
DPs Meetings	09/05/11	Pasik	14.00 to 17.00	M-08; F-11	• Discussion of GoPNG and ADB policies on resettlement
	11/05/11	Ogama		M-14; F-18	
	13/05/11	Potohu	13.30 to 16.45	M-08; F-09	
	15/05/11	Malas	15.00 to 17.00	M-12; F-11	• Understanding of DPs concerns
			14.00 to 17.30		
Women's FGD	10/05/11	Pasik	09.30 to 11.00	18	• Project's specific impact on women
	12/05/11	Ogama		15	
	14/05/11	Potohu	09.30 to 12.00	16	• Women's entitlements to compensation and

Activities	Dates	Venue/Location	Time	No of Participants	Major Outcomes
	16/05/11	Malas	09.00 to 10.30 10.00 to 11.30	15	other benefits <ul style="list-style-type: none"> <li>Discussion of women's concerns regarding HIV/AIDS</li> </ul>
Socio Economic Survey	10/05/11	Pasik	13.00 to 15.00	03	<ul style="list-style-type: none"> <li>Household surveys of DPs</li> </ul>
	12/05/11	Ogama	13.30 to 17.30	05	
	14/05/11	Potohu	13.00 to 17.00	05	
	16/05/11	Malas	12.30 to 13.45	04	
Inventory of Loss	10/05/11	Pasik	15.30 to 17.00	03	<ul style="list-style-type: none"> <li>Preliminary IOL with DPs using land to be acquired</li> </ul>
	12/05/11	Ogama	18.00 to 19.30	05	
	14/05/11	Potohu	17.00 to 18.30	05	
	16/06/11	Malas	14.00 to 16.00	04	

#### **IV. Results of Consultations with Affected Peoples**

34. Most people consulted and surveyed at the bridge sites are strongly supportive of the Project because they are very interested in seeing improved transport connectivity. However, there are a number of concerns as follows that were raised by DPs that are addressed in this RP:

- DPs expressed concerns that non-rightful occupiers of land at the bridge sites will claim they are the customary landowners or that customary landowners sold them the land and the land now belongs to new owners. To allay such concerns the Department of Land (DOL) will undertake a detailed investigation to assess claims and counter-claims and only decide on what clan should be paid compensation after a consensus has been reached. DPs have also been informed they have the right of grievance redress including recourse to a court of law if unsatisfied at no cost.
- DPs are worried that only partial compensation will be paid based on past practices, especially at the Potutu Bridge site, and they will be required to vacate the land and

once this happens they will not be paid full compensation. It was explained as per the RP that land could only be cleared for civil works once all DPs had been paid all the compensation that will be agreed upon.

- Women expressed concern that only men would be offered waged employment and training to work on the Project because government agencies were mostly run by men and government officials think only men are capable of undertaking such work. DOW has made it quite clear that women DPs along with men DPs will be accorded priority in employment where possible and the contractor will also be encouraged to provide relevant training.
- Concern was expressed by women and men DPs during consultations that the contractors would not observe correct occupational and health safety standards during bridge construction or pay, local people the correct wages. It was explained to both women and men that the DOW is bound by the Core Labor Standards and that the ADB would not sanction such breeches. Both women and men hope that a civil society group will confirm that contractors do not breach core labor standards.
- Women especially expressed concern about the possible increase in HIV/AIDS. Women also sought to have outside workers tested for HIV/AIDS and if tested positive to be rejected for Project-based employment. It was explained that the Project would monitor the incidence of sexual abuse and work with local councilors, law enforcement agencies, and groups of concerned women to avoid this problem. In relation to HIV/AIDS it was explained that there will be greater reliance on local labor but that also the contractor will be required to implement an HIV/AIDS awareness and prevention plan based on best practices targeted at all bridge construction workers. It was further explained to women that the Project could not discriminate against workers living with HIV/AIDS.
- All people wanted to have some input into where the dismantled bailey bridges should be re-erected, arguing they know more about where bridges should be constructed or replaced on local roads than DOW officials at either the national or provincial level. In the criteria to be established for re-erection of bailey bridges they would like to see local community demand incorporated as one of the criteria. It was explained that provincial and district authorities would identify priority bridges and as part of the participation strategy for this Project the local communities will be consulted. At the Ogama and Potutu Bridge sites DPs (in fact all local villagers who participated in consultations demanded to know why reusable Bailey bridges should not be erected in areas they travel).

## **V. Disclosure of the Draft Resettlement Plan**

35. DPs and local stakeholders were provided with relevant information about the project, its land acquisition requirements, and policies on compensation and entitlements during preparation of the RP. The full RP, a summary RP and/or information booklet will be made available in English, the official administrative language in PNG, in accessible public locations. In the context of these four bridge sites DP leaders will be provided with a summary RP or brochure summarizing entitlements and other relevant information in *Tok Pisin*. The draft and final RP will be uploaded to the ADB website upon submission by the DOW.

## **VI. *Planned Information Disclosure Measures during Project Implementation***

36. The RP will be updated after the detail design. Should replacement cost for land to be acquired along with other productive assets escalate – especially at the Potutu Bridge site because of past experiences and perceptions of market-based value for land - because of a delay in implementation budget for the RP will be updated to ensure that DPs are paid fair compensation. Changes in compensation payment levels will be informed to all DPs..

### **F. Grievance Redress Mechanism**

37. The East Sepik Province DOW works manager will be the grievance redress focal person to receive and address Project related concerns that may arise during Project implementation. DPs will be informed by DOW how they can have access to the grievance redress mechanism. Other than disputes relating to land ownership rights legally contestable in a court of law as per the Land Disputes Settlement Act 2000, it is anticipated that most grievances related to resettlement benefits, physical relocation of structures, and other assistance will be resolved at the subproject level.

38. The Project in collaboration with the East Sepik Province Land Officer, who may be assisted by District Land Officers, will institute a process to resolve land disputes and grievances based on the accepted procedures of mediation. As required, the participation of appointed and traditional leaders will be facilitated to achieve a satisfactory resolution of issues at the local level.

39. In general it is anticipated that customary mediation will yield satisfactory results, except in the case of the Potutu Bridge site where more extensive consultations are required because of perceptions based on past experience. Every attempt will be made to ensure that women DPs, irrespective of traditional constraints, will be included and not excluded from the mediation processes outlined here. However, it also needs to be noted that this process varies from clan to clan including those DPs at the four bridge sites included in this RP.

40. DPs can also lodge a complaint with the PIU for this Contract Package in the East Sepik province. The Project Safeguards Staff and Consultants will assist DPs in registering their complaints with the PIU. This will include assisting aggrieved DPs to prepare their specific grievance. The PIU Project Manager will consider the complaint and within 15 working days convey a decision to the DPs. The Safeguards Staff as well as local government officials will assist the Project Manager in reviewing and addressing the complaint. The Safeguards Team will also facilitate communication between the DPs and PIU in this process. Should DPs not be satisfied with the decision of the PIU, they may take the grievance to the PNG judicial system.

41. If the grievance is to be taken to the PNG judicial system as per the Land Disputes Settlement Act 2000 the following three steps in the dispute resolution are part of this process:

- (i) Local Land Court: the case is heard before the Local Court Magistrate for determination. If the litigants are not satisfied, they may appeal to a higher court.
- (ii) District Land Court: the case is heard before a District land Court Magistrate. If the litigants are not satisfied, they may appeal to a higher court.

- (iii) Provincial Land Court: the case is heard before the Provincial Land Court whose decision is final.

42. It needs to be noted that if recourse to the PNG judicial system is necessary because of the failure of all other means of grievance redress and the courts at any stage find in favor of the litigants all costs associated with this form of dispute resolution will need to be paid by the Project. Therefore this process should only always be used as a very last resort.

43. In the event of grievances that cannot be resolved through legal redress, the DOW and DLO will hold the compensation amounts in escrow. Compensation will be paid in full upon final resolution of the case in accordance with the entitlements of the affected persons.

## **G. Legal Framework**

### ***I. National and Local Laws and ADB Policy Requirements***

44. The policy framework and resettlement entitlements are based on the laws and regulations of the GoPNG and the ADB's safeguard policy. The principal PNG laws include: (i) the 1996 Land Act; and, (ii) the 2000 Land Disputes Settlement Act. Relevant ADB policies include the 2009 Safeguard Policy Statement and the 1998 Gender and Development Policy. The Resettlement Framework includes description of relevant laws.

45. GoPNG does not have any specific policies at the national, provincial or local level for relocating and resettling people, which is not of relevance to the Sepik Highway because no people will either be relocated or resettled, but it does have policies related to the acquisition of land and assets by the State for public purposes (*eminent domain*) and related legal procedures, compensation payable, and the legally defined procedures for receiving and facilitating the resolution of affected persons' concerns and grievances are all incorporated in the Land Act of 1996

46. At the four bridge sites on the Sepik Highway all land is held under customary land tenure for which this Land Act has processes that address the issue of customary land to be used for developmental purposes. The Act covers customary land rights, which includes land owned, used or occupied by a person or community in accordance with current customary usage. Access to land and resources is embedded in social relationships and expressed as customary land rights to utilize resources. Small clan-based groups live in the villages, managing their own resources, and exercising the right to utilize them. These groups (clans which are composed of sub-clans, lineage groups, and at the lowest level extended households) are typically made up of "primary right holders" – the leaders of the group – who collectively have the authority to allocate use rights through their spokesperson. The rest of the lineage typically possesses "secondary rights". Such rights may be inherited or gained through marriage to a primary rights holder. The process of transfer rights differs although in all communities along the Sepik Highway customary land inheritance is overwhelming influenced by patrilineal descent.

47. ADB 2009 SPS includes the following policy principles of relevance to a project of this nature that does not involve the physical displacement of affected persons but rather the need to relocate some physical structures, and acquisition of land, which *inter alia* will also apply to the sub-project bridges along the Sepik Highway:

- (i) Screen the Project early on to identify past, present, and future involuntary resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned non-governmental 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, 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.
- (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 displaced persons with needed assistance, including the following : (i) secure land use tenure on land identified for new sites and (ii) if necessary transitional support and development assistance such as land development, credit facilities, training, or employment opportunities.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards and provide access to land and other resources that is both legal and affordable.
- (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 of loss of non-land assets.
- (viii) Prepare a draft resettlement plan and disclose 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) Pay compensation and provide other resettlement entitlements before physical or economic displacement and implement the resettlement plan under close supervision throughout project implementation.
- (x) 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 and disclose these monitoring results.

48. The ADB's 2009 SPS also states that where there are indigenous peoples their identity, dignity, human rights, livelihood systems, and cultural uniqueness must be safeguarded so they can receive culturally appropriate social and economic benefits. However, all people living in the subproject areas along the Sepik Highway while indigenous have a similar status to the overwhelming majority of other people living in PNG and the Social Assessment has demonstrated that indigenous peoples' development issues are not relevant in the PNG context.

49. The other policy of relevance to this Project is the ADB's 1998 Policy on Gender and Development, which requires that all ADB financed projects ensure where possible and practicable special design features and strategies will be built into projects to facilitate and encourage women's involvement and ensure tangible benefits for women.

50. There are some gaps between GoPNG policies and procedures and those of the ADB. The main gaps relate to (i) carrying out meaningful consultations that also ensure people living below the poverty line, the landless, elderly, women and children are consulted; (ii) requirement to improve or at least restore livelihoods of all displaced persons by ensuring the full replacement costs for assets lost is paid; (iii) provision of economically displaced persons with necessary assistance to improve upon or restore their existing livelihoods at least to national minimum standards of living; (iv) ensuring that displaced persons without recognizable rights to land are eligible for compensation for loss of non-land assets; and, (v) monitoring and assessment of resettlement outcomes.

**Table 3: Comparison of GoPNG Law and ADB Policy and Gap-Filling Measures**

<b>PNG Laws</b>	<b>ADB SPS Requirements</b>	<b>Gap-Filling Measures</b>
There are no provisions to prepare RP based on meaningful consultations with DPs, including the poor, the landless, elderly, women, and other vulnerable groups.	ADB SPS requires that RPs must be prepared based in consultations with DPs, and that poorer and vulnerable people are also consulted and informed of their entitlements and resettlement options.	RPs will be prepared in consultation with DPs, including vulnerable groups, and uploaded on ADB website; translated or summary versions will be available at the provincial, district and local level. Local clan leaders whose members are affected will also receive a copy of the summary RP or brochure with relevant information.
There are no provisions to improve or at least restore the livelihoods of all DPs.	It is needed to improve or at least restore livelihoods of DPs by a range of strategies targeted at DPs.	RPs will include measures for improvement or at least restoration in living standards of DPs to pre-subproject levels.
Very limited provisions to provide assistance/compensation to DPs who lose access to non-	Requires that DPs are compensated for all losses, including non-land assets, at full replacement cost.	The project will follow the principle of replacement cost for compensation of affected assets. Valuer-General will provide updated schedule for valuation

PNG Laws	ADB SPS Requirements	Gap-Filling Measures
land assets (e.g. Valuer General has 2008 Schedule for valuation).		of project affected assets.
There is no requirement for the monitoring and assessment of resettlement outcomes.	It requires that resettlement outcomes be monitored and assessed.	RPs will include indicators and baseline data to monitor impacts on living standards of DPs. The monitoring reports will also be disclosed including to DPs.

## ***II. Resettlement Policy Principles for the Project***

51. DOW as the EA that has prepared this RP will abide by national and local laws applicable to resettlement and the policy requirements of the ADB. Specifically DOW will ensure affected landowners will be paid fair compensation for land and other productive assets acquired at agreed upon replacement cost, be responsive to grievance processes and act in an accountable and transparent manner, and will ensure that women will also be entitled to benefit during the resettlement processes. The principles on land acquisition, compensation and resettlement that DOW will commit itself to in the East Sepik Province include:

- Land acquisition and resettlement will be minimized through careful engineering design during detailed design although in accordance with GoPNG policy a 40 meter ROW will be acquired. In particular there will be no physical displacement of people, either on an individual household basis or through the acquisition of public properties such as schools, churches or other community centers.
- DPs will be consulted during the project cycle. This RP will be updated with full participation of the DPs. Effective mechanisms will be established for hearing and resolving grievances.
- DPs will receive compensation at replacement cost for their loss of productive assets and this should ensure they will be as well off if not better off than if the Project did not proceed.
- All compensation will be fully paid to DPs prior to the commencement of site clearance at each of the bridge sites.
- Absence of formal title is not a bar to compensation and assistance and particular attention will be paid to women and other vulnerable people.
- Land acquisition and the relocation of market structures will be conceived as part of the Project and costs related to these forms of involuntary resettlement will be included in and financed out of the Project cost as part of the GoPNG contribution to the Project cost.
- The impacts of these four subproject bridges, including unforeseen losses and damages that may occur during either bridge construction or realignment of the approaches to these bridges will be carefully monitored and remedial steps taken as required.

### ***III. Principles and Methodologies for Determining Valuations and Compensation Rates***

52. The DOW recognizes that affected landowners and land-users will be consulted to provide an estimate of the value of their land that will be acquired and other productive assets that will be lost because of the Project requirements. This is because market conditions for the replacement of land are largely absent. However, DOW will require the Valuer-General to provide a valuation of land costs and other productive assets based on accepted replacement costs, which will need to include (i) adequate information about any recent land transactions; (ii) land value by types; (iii) cropping patterns and crop production; and, (iv) availability of land in the sub-project areas. The Valuer-General will ensure that compensation is based on prevailing market rates or replacement cost principle.

### ***IV. Description of Land Acquisition Process***

53. Based on the 1996 Land Act the DOW in East Sepik Province will apply the following procedures when acquiring land at the four bridge sites:

- DOW employs surveyors to determine boundaries, location, size and area of the land to be acquired in accordance with the detailed design of each of these four bridge sites. It will request the Surveyor-General to register the surveys.
- DOW will request the Department of Land and Physical Planning (DLPP) to ask the Office of Provincial Administration (OPA) in East Sepik Province to do the investigation for land acquisition.
- The East Sepik Province Land Officer or the District Land Officer in each of the bridge sites will conduct the land investigation and prepare a Land Investigation Report (LIR) including ownership genealogy, rights and interests held in the land, and, estimated value of improvements to land in consultation with the landowners and other relevant government offices. This will include the garden crops, food trees and timber trees.
- The LIR is then submitted to the OPA in East Sepik Province for his recommendation for the surveyed land to be alienated. The OPA will prepare a certificate of alienability confirming that there is no impediment to land acquisition.
- The LIR is sent to the Valuer-General for approval of the land and improvements that includes garden crops, food trees, and timber trees. The Valuer-General will provide a valuation of these assets based on 2011 replacement costs value not those of 2008.
- DOW will receive the valuation report and certificate of alienability, raises checks and prepares purchase documents. The signed documents and checks are sent to the OPA for execution and payment to landowners through the East Sepik Province Land Office.
- The OPA, through the East Sepik Province Land Office, makes the offer to the landowners. The forms are executed and money is handed over in accordance with the requirements of the landowners. If rejected, it then goes to the Minister of Lands for a negotiated settlement.

54. The DOW acknowledges that where land has been acquired for roads in areas such as the Western Highlands there have been many problems that have delayed project implementation and is determined to avoid such problems on the Sepik Highway irrespective of the problems at the Potohu Bridge site.

## H. Entitlements, Assistance and Benefits

### I. *Displaced Person's Entitlements and Eligibility*

55. The initial identification of DPs and affected assets and very preliminary negotiations for land acquisition has been undertaken at the four bridge sites. DOW will further consult with the affected clans and undertake a detailed land survey and investigation of actual land ownership in coordination with the District Land Officers (DLOs) to collect relevant information. The date of signing of the land investigation report by the DLOs will be the “cut-off” date for eligibility for compensation and any rehabilitation assistance. The following are the procedures summarizing eligibility for compensation and other assistance to DPs:

- Landowners and land users that have either documented claims to the affected land or are able to demonstrate that this land belongs to them to the satisfaction of the DLO as with the cocoa, vanilla, tobacco, and betel nut and the fresh food market at the Potohu Bridge site as of the cut-off date will be eligible for compensation and/or rehabilitation assistance as per this RP.
- Any person or group that occupies or uses the land identified for the Project after the cut-off date will not be eligible for any compensation and/or assistance. They will be required to move from the land as per the provisions of the Land Act.
- Landowners and land users who have satisfied the DLO that they either have documented claims to the affected land and/or other productive assets or through the DLO investigation can demonstrate that they are the rightful owners or users will receive compensation for land acquired by the Project. Those DPs who cannot satisfy the DLO that they are the rightful users but are using the land anyway will receive compensation for productive assets attached to the land and other assistance as required.

56. Eligibility and entitlement for compensation and other assistance is summarized in the following Entitlement Matrix:

**Table 4: Entitlement Matrix**

Type of Impact	Entitled Person(s)	Entitlements
Temporary use of land.	Legal/ customary landowners/land users	It will happen only with agreement with landowners/DPs. Affected landowners/DPs will be paid rent on terms negotiated with them. The land will be returned to respective landowners/DPs after its restoration.
Permanent acquisition of land.	Legal owner(s)/customary landowners  Informal settlers (e.g. on land acquired for ROW) with no legalizable rights	Landowners will be provided equivalent size and quality of land, or cash compensation at replacement cost.  DPs will be provided compensation for their damaged non-land assets (e.g. crops, trees, and structures) on project-affected land.

Type of Impact	Entitled Person(s)	Entitlements
Loss of crops and trees	All DPs irrespective of their legal status	DPs will be given notice to harvest crops and trees before site clearance or removal from required land. If DPs are not able to harvest, they will be paid cash compensation at replacement cost. In case of perennial crops and trees, the compensation will also include loss of income for a period until new crops or trees produce an equivalent income
Loss of structures (only a roadside market is expected to be affected)	All DPs (whether having legal title to land or not)	DPs will be provided compensation at replacement cost without deductions for depreciation or salvaged materials and assistance in finding an alternative site. It will be ensured that replacement structures are ready to move before relocation of existing structures.  In case business activities are disrupted, the business owners will be provided disruption allowance for the duration of business being disrupted.
Impacts on vulnerable DPs	Vulnerable DP households identified by social assessment.	Vulnerable households will receive (i) priority employment in project construction and maintenance works; and (ii) additional cash allowance (K600 per capita) to purchase foodstuffs during the period of income disruption.
Unforeseen impacts	Concerned displaced persons	These will be determined as per the principles of the RF and ADB's Safeguard Policy Statement.

## ***II. Assistance to Vulnerable Groups***

57. The SES undertaken for this RP has not identified any vulnerable or female-headed households and if during further investigation it is revealed that such households so exist, they will receive further assistance in accordance with an assessment of their socio-economic circumstances. Assistance will be provided to find alternative land for gardens to maintain food production and this will require agreement among the competing clans to provide surplus garden land they may not be utilizing.

## ***III. Opportunities for Affected Persons to Derive Appropriate Development Benefits***

58. There are a number of both quantifiable and non-quantifiable development benefits DPs will be able to leverage as a result of this Project. Benefits include:

- Opportunity to invest compensation monies in clan-based activities such as social support for pre-school children and elderly clan members to ensure greater levels of social inclusion and maintain clan social cohesiveness.

- Employment opportunities will be afforded to DPs by the contractors that not only ensure a stable waged income over three years but an opportunity to acquire non-agricultural skills without having to leave the local community.
- Women will be offered the same types of employment-based opportunities as men and of equal importance will be able to actively participate alongside men in other resettlement-based activities thereby also having an indirect impact upon the patrilineal structures of male domination in traditional PNG society.
- Social risks associated with HIV/AIDS and other STIs will be mitigated to a large extent by employing as many local people on bridge construction activities locally as possible and awareness and prevention programs designed to empower women.
- There will be opportunities to provide a range of goods and services to outside bridge construction workers that will enhance the local economy because such workers will generally have greater purchasing power than local villagers.
- Improvements to overall bridge design, including pedestrian walkways, and changes to bridge approach alignments will improve road safety standards and render NMT users' safer than hitherto has been possible.
- The bridges as part of a longer term developmental strategy to enhance connectivity between rural and urban PNG will ultimately result in improved market links and access to a wider range of goods and services.

## **I. Relocation of Physical Structures**

### ***I. Options for Relocating Physical Structures***

59. The only physical structure that is likely to require relocation at any of the four bridge sites is the fresh food market currently in what will become the ROW for the approach to the Potutu Bridge. The most viable option for relocating this important local market is to relocate it beyond the proposed ROW and during consultations with DPs and other clan members it was agreed that this could occur. DOW has agreed with DPs that it will assist and cover any necessary costs involved. This agreement will be ratified before the RP is updated as the final document.

### ***II. Consideration of Alternative Relocation Sites***

60. There is no alternative relocation sites that DPs and other clan members wish to consider because the existing market is located in a very strategic location not only for local villagers but also passing road users.

### ***III. Timetable for Site Preparation and Transfer***

61. As per the Implementation Schedule all land must be acquired before civil works can commence in month 13 of the Project, which at this juncture would be in early 2013. However, as there is only one physical structure involved, the site can be prepared at any time after month 9 in 2012 when payment of compensation has been effected.

#### ***IV. Measures to Assist Displaced Persons***

62. The DPs who either own and/or operate the market stalls will be assisted by the Project to dismantle the existing structures and re-erect them at the agreed upon site. During consultations with these DPs it was suggested by the latter that the Project should finance the construction of a more modern market, including the creation of better public hygiene, water and sanitation facilities. This they argued would make the market more attractive both to local users and to passing customers. DOW will consider this request during additional consultations and include final provisions in the updated RP. However, DOW cannot afford to meet the costs associated with the type of market envisaged by some DPs based on what they have seen in either Port Moresby or Wewak but it has agreed to assist improve upon existing conditions so that stall-holders and their customers have access to cleaner and therefore safer food products.

### **J. Income Restoration and Rehabilitation**

#### ***I. Possible Livelihood Risks and Mitigation Measures***

63. For DPs who will lose the right to use land that they can grow cocoa, vanilla, tobacco and betel nut on it will be their cash incomes that are most affected although the impacts are considerably less than 10% and based on the SES and FGD the loss of access to land is most unlikely to present any problems associated with the increased risk of food insecurity. Any risk will be mitigated by providing assistance to find alternative land nearby respective bridge sites.

64. The road-side fresh food market at the Potutu Bridge site will need to be relocated because of the ROW to be established but clan members have agreed that it can be relocated on land outside the proposed ROW as it meets the needs of both the local communities and passing highway users. It was also explained to DPs affected by this relocation of the market they will benefit by selling goods and services to non-locally recruited labor working on the bridge, which is accepted by DPs that were consulted.

#### ***II. Income Restoration Program***

65. The issue here is not really one of diminished food security but rather loss of income but based on consultations there is land of equivalent productive value available that can support the cultivation of cocoa, vanilla, tobacco, and betel nut. It will be the female DPs that will require adequate assistance to ensure that alternative land can be utilized. Clan members have stated they are able and willing to assist women DPs and also to provide security if and when required in gardens further away from existing garden sites.

66. The Social Assessment undertaken as part of the Project concluded that incomes could be enhanced to ensure foodstuffs could be purchased in the market-place if DPs were to be offered employment on the Project. It is estimated that each of the four bridges will take up to three years to construct and during this time waged labor opportunities will be made available as a priority to DPs. Such employment opportunities on their own do not ensure sustainable livelihoods but being paid at least the minimum wage and enjoying working conditions as per ILO Core Labor Standards DOW is confident that DPs will be considerably better off financially as a result of the Project. This is the experience DOW has found elsewhere in PNG when

waged employment opportunities are offered locally. It should also be noted that experience with waged employment on a relatively long-term basis will be a new experience for most of the AP based on consultations facilitated as part of preparing this RP.

### ***III. Special Measures to Support Vulnerable Groups***

67. Income support to vulnerable household if identified prior to the finalization of the RP will be provided. Within affected households on an intra-household basis women and girls may be rendered more vulnerable when working in gardens at some distance from their existing gardens. It will be ensured that their safety and security are not compromised, although all women DPs who participated in consultations during field-based resettlement planning argued an influx of outside labor posed more of a threat to their safety and security than having either other male clan members or non-clan members in the new gardens they would prepare. As part of the GAP and incorporated into the EMP the Project will mitigate this potentially negative impact.

### ***IV. Specific Gender Considerations***

68. DOW recognizes that specific gender considerations apply to all public infrastructure projects it both executes and manages. As part of this RP women DPs have been consulted both in mixed groups with men DPs but also in groups just consisting of women with consultations being facilitated by a woman. The measures proposed in this RP to enhance the positive impact of the Project on women DPs and other women living in the Project area are as follows:

- Iterative consultations with women at all stages of the Project cycle and importantly in the preparation of the RP.
- Ensuring that women clan members not just men clan members are compensated for loss of land and other productive assets
- Facilitating processes whereby women DPs can lodge grievances with the DOW and ultimately ADB if they are dissatisfied with any aspects of the RP.
- Ensuring that women DPs and not just men DPs are offered priority waged employment on the Project and are afforded equal pay and on-the-job training opportunities.
- Addressing concerns women DPs might have with safety and security issues in contexts where they have to relocate their gardening activities.
- Ensuring that all livelihood outcomes socio-economic data is gender disaggregated to analyze impacts at the intra-household level.

### ***V. Training Programs***

69. DPs that will be offered priority employment on the Project will be provided with on-the-job training by the contractor as part of her/his condition to be awarded the contract. Such training may include but not be restricted to activities such as pile-driving, concreting, and welding, taking into account occupational health and safety issues and the lack of real experience by most DPs, especially women DPs. The contractor will also be required to offer practical training in bridge maintenance to DPs as DOW is considering the employment of local communities to undertake routine maintenance on bridge assets.

## K. Resettlement Budget and Financing Plan

### I. Itemized Budget for Resettlement Activities

70. The exact amount budget for resettlement activities at these bridge sites will be confirmed after the detail design. However, based on the PPTA study, the Table below presents the estimate costs for compensation of land and other assets. The costs for land survey and resettlement specialists will be included in the project management/administration cost.

Item	Cost (Kina)
Value of Land to be Acquired	22,350
Trees and Crops:	
Betel Nut	2,000
Coconut	400
Tobacco	3,000
Cocoa	240
Vanilla	90
Value of All trees total	5,730
Roadside market	20000
Sub-total	53,810
Contingencies 20%	10762
<b>Grand Total PNG Kina (K)</b>	<b>64,572</b>
<b>USD Equivalent</b>	<b>28153.392</b>

Source: PPTA

### II. Flow of Funds

71. Funds for compensation are paid directly to DPs from the Office of Provincial Administration once it has been paid to this Office by the Department of Finance in Port Moresby. The latter prepares the funds for disbursement based on advice from the DOW against who the funds will be drawn down as part of the GoPNG contribution to this Project. Payment for temporary acquisition of land is made directly by the contractor to local DPs based on an agreement between the two parties as to the actual amount. This will not involve the DOW or other parties unless DPs are dissatisfied with the amounts offered by the contractor.

### III. Justification for Calculating Compensation Rates and Other Cost Estimates

72. The above costs are based on PPTA estimates. Final compensation rates will be based on replacement cost calculated by a registered valuer and approved by the Valuer-General. However, the calculation of these rates will also take into account the opinions of DPs, especially if they can demonstrate rates based on recent land transactions in land of equivalent value in their village or nearby villages. Replacement costs will also take into account any likely escalation in land values as a result of this Project contributing to a general rise in land values along the Sepik Highway.

#### ***IV. Sources of Financing***

73. The GoPNG will finance all land acquisition, compensation and resettlement activities. ADB will finance cost of consultant services to oversee the resettlement based activities during detailed design and RP implementation, monitoring and evaluation of these resettlement activities.

#### **L. Institutional Arrangements**

##### ***i. Responsibilities and Mechanisms for Carrying out Resettlement Plan***

1. DOW will be both the Executing and Implementing Agency for this Project but it will delegate to the East Sepik Province's DOW day-to-day activities related to land acquisition and loss of other productive assets. These activities will include:

- Collaboration with and assistance to the Province/District Land Officer at each of the four bridge sites undertake their work to comply the Project's policies and ADB requirements.
- Provision of resources, including where necessary DOW expertise or contracted expertise, to carry out the Inventory of Loss (IOL) and Detailed Measurement Survey (DMS).
- Collaboration with and assistance to the Provincial Land Officer and/or District Land Officer for negotiations and agreements with affected landowners or land-users.
- Facilitation of consultations with affected communities and ensuring that all stakeholders are informed about the Project, its policies and procedures; ensure that all requirements are met concerning public disclosure of the provisions for land acquisition and compensation; and, overseeing and monitoring the grievance redress process.
- Reviewing and endorsing the draft RP prior to submission to the ADB for approval, ensuring that all matters related to land acquisition and other forms of compensation are complete and correctly reported upon.
- Monitoring the process of allocation and disbursement of funds for compensation at both the national and provincial levels and ensure that funds are available and compensation is paid in a timely manner.
- Undertake all other activities including the monitoring of land acquisition and other productive assets' activities.

2. OPA, including the PLO and DLO will collaborate with DOW to plan, implement, and monitor land acquisition activities at the sites of the bridges. The responsibilities include:

- Undertake cadastral surveys and investigation of land required permanently for these bridges and estimate the area of land required for temporary acquisition by the Project.
- Negotiate and sign a Memorandum of Agreement for the acquisition/use of customary land with the clan leaders and affected landowners and/or land-users.
- Negotiate and sign leases for temporary use of land required for the bridges although this might be varied by authorizing the successful contractor to undertake this activity.
- Consult with and advise affected communities about the Project, the policies and procedures when land is required and the rights and responsibilities of directly affected people and other indirectly affected peoples.

3. The Provincial Governor and/or Provincial Administrator are responsible to ensure that all funds are allocated and disbursed to pay compensation. Local Level Government Ward Councilors will facilitate all consultations with local communities, affected people, and other stakeholders. They will be responsible for collaborating with DOW to organize and carry out these consultations.

**ii. Institutional Capacity Building Program**

4. Governmental staff who will be involved in implementing this RP will be provided training in the ADB's social safeguard policies and procedures because this Project will be the first one to be implemented by DOW after the 2009 Safeguard Policy Statement became operational in January 2010. Some DOW staff has limited training in survey tools and techniques that are necessary to prepare a RP, they will be provided necessary training for skills improvement. Officials to be targeted will include DOW, PLO and DLO, relevant staff of the Valuer-General's office, and any other organizations that might be involved in land acquisition and compensation activities, including civil society groups.

5. A Land Acquisition Officer from DOW will be assigned within the PIU based in Port Moresby to implement the RP. The Project will also provide consultancy support, including an international resettlement specialist and a national resettlement specialist to build capacity within DOW and local governments to prepare, implement, and monitor the RP. The cost of the above items will be included in the project management consultancy packages.

**iii. Role of Civil Society Groups**

6. While there are some civil society groups in the Project area most of them are religious-based and are less than satisfactory for the purposes required as part of the RP. However, there are at least two Port Moresby based NGO groups that have worked with DOW in the past.<sup>1</sup> In case resettlement impacts become significant under the subproject, a NGO will be engaged by DOW to undertake external monitoring and evaluation of the RP including its outcomes.

**iv. Involvement of Women's Groups in Resettlement Planning and Management**

7. DOW is very mindful of the important role women who are affected by involuntary resettlement and the Gender Action Plan prepared for the Project, based on consultations during the preparation of this RP, outlines in detail how the resettlement planning and management processes will be implemented to ensure affected women are not disadvantaged as a result of the Project. Principally compensation payments will be made in such a way that affected women rather than simply men will receive an equal share of compensation payable based on severity of loss and women will also be encouraged to seek grievance redress if deemed necessary.

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<sup>1</sup> These two NGOs are the Center for Environment, Law and Community Rights (CELCR) and Environment Law Center (ELC). Both these NGOs are non-sectarian in nature and have a good understanding of both gender and indigenous people's development issues and in the opinion of the DOW are able to work more effectively with local communities than other NGOs: they are also more cost effective

### M. Implementation Schedule

8. The implementation schedule for resettlement activities to (i) update the RP; (ii) implement the RP; and, (iii) monitoring activities is as follows:

**Table 5: Implementation Schedule**

	<b>Activities</b>	<b>Schedule</b>
	<b>Update of Resettlement Plan</b>	<b>2012</b>
1	Confirm land requirements based on detailed engineering design of the bridges	Month 1
2	Securing authorization from the Department of Land for cadastral land survey	Month 2
3	Follow up consultations with affected communities and agreement on land use/acquisition.	Ongoing
4	Cadastral survey of land and submission to Surveyor-General for registration	Month 3
5	Request Provincial Land Office to prepare LIR including valuation of land and improvement)	Month 3
6	Submission to the Office of Provincial Affairs for Certificate of Alienability to be signed by the Secretary and Affected LLGs	Month 4
7	Valuer-General verifies the land valuation at the bridge sites	Month 4
8	Department of Works updates the RP in consultation with landowners, including agreement on compensation rates and discloses updated RP	Month 5 & 6
9	Department of Works submits the updated RP for approval and uploading on the ADB website	Month 6
10	ADB issues no-objection to the RP	Month 7
	<b>Resettlement Plan Implementation</b>	
11	Department of Works issues checks to Provincial Land Offices for execution of land acquisition and payment of compensation	Month 8
12	Provincial Land Offices complete land purchase and issue Native Dealing Number (NIT)	Month 9
13	Payment of compensation and allowances	Month 9 & 10
14	Department of Works submits to ADB the Land Acquisition Completion Report	Month 9
15	Award of civil works contract	Month 10 & 11
16	Clearance of acquired land	Month 11 & 12
17	Commencement of civil works (contingent on 100% of compensation and allowances being paid)	Month 13
18.	Payment of adjusted compensation, as required, for unforeseen damages and losses	Actual Month of Damage
	<b>Monitoring Plan</b>	
19.	Department of Works starts DPs socio-economic monitoring	Month 12
20	Department of Works submits progress report to ADB on implementation of the RP	Six Monthly
21	Department of Works conducts post-resettlement survey and final monitoring report	Month 36

## N. Monitoring and Reporting

74. DOW will monitor all activities associated with land acquisition and payment of compensation to DPs. The scope of monitoring includes: (i) compliance with the agreed policies and procedures for land acquisition; (ii) prompt approval, allocation and disbursement of compensation payments to DPs, including if necessary supplemental compensation for additional and/or unforeseen losses; and, (iv) remedial actions, as required. The monitoring will also cover the social impacts of the bridges and whether DPs are able to restore, and preferably improve, their pre-project living standards, incomes, and productive capacity. A monitoring and evaluation program utilizing the following indicators has been drafted on the understanding it can be subject to change, including by DPs who will be afforded the opportunity to suggest indicators they consider of more relevance to their livelihoods than are considered relevant by other stakeholders. These draft monitoring and evaluation indicators are as follows:

**Table 6: Draft Monitoring and Evaluation Indicators**

Type of Indicator	Indicator	Examples of Variables
<b>Process Indicators</b>	Staffing	No of PIU staff by job function Engagement of Safeguards Staff and training No of other agency officials available for tasks
	Consultation, Participation, and Grievance Resolution	No of consultation and participation programs held with various stakeholders No of field visits by PIU Staff No of civil society groups participating in Project
	Procedures in Operation	Effectiveness of compensation/assistance delivery system Coordination between PIU and other GoPNG agencies, project supervision consultants, and civil society groups
<b>Output Indicators</b>	Households	No of households affected
	Structures	No of community structures, if any, moved out
	Economic Trees and Crops Assistance to APs	No of households receiving agreed compensation for trees and crops
<b>Impact</b>	Household Earning Capacity	Employment status of households having a formal job Employment status of households being self-employed Number of women engaged as waged workers by the

Type of Indicator	Indicator	Examples of Variables
<b>Indicators</b>	Special Assistance to Women	Project  Type of Project-related skills women received training in  Average wage of women employed on Project compared to that of men  Increase in market-based incomes of women traders  Increase in ownership of household assets  Increased access to schooling and health services  Increase in visits by GoPNG service providers
	Other Livelihood Indicators	

75. The SES undertaken of DPs for this RP together with the Social Assessment undertaken for the Corridor of Influence along the Sepik Highway will be used as the baseline to monitor and evaluate the above indicators. They will also be used in conjunction with monitoring and evaluation indicators prepared for both the GAP and EMP for these bridges.

76. The DOW will prepare and submit semi-annual progress reports to ADB as part of project performance monitoring. The DOW will also submit a subproject land acquisition completion report to ADB when compensation has been paid.

77. In case resettlement impacts become significant, an external monitoring expert (e.g. NGO) will be appointed to undertake external monitoring and evaluation. Such reports together with those prepared by DOW will be submitted to ADB at six monthly intervals as per the Implementation Schedule. On completion of the sub-projects a report highlighting its assessment of resettlement outcomes for all four sub-projects in the Sepik Highway Corridor will be prepared.

## Appendix I

### Socio-Economic Survey

<b>Household Composition</b>	
<ol style="list-style-type: none"> <li>1. Household Numbers</li> <li>2. Ages of HH Members</li> <li>3. Genders of HH Members</li> <li>4. Relationship to Other HH Members</li> <li>5. Ethnicities of HH Members</li> <li>6. Education Levels</li> </ol>	
<b>Social Characteristics of Households</b>	
<ol style="list-style-type: none"> <li>1. Family Structure</li> <li>2. Lineage Affiliations</li> <li>3. Clan Membership</li> <li>4. Community Organizations</li> <li>5. Class Background</li> <li>6. Religious Affiliation</li> </ol>	
<b>Income, Assets and Expenditure</b>	
<ol style="list-style-type: none"> <li>1. Individual Income</li> <li>2. Corporate/collective Income</li> <li>3. Land Ownership</li> <li>4. Livestock</li> <li>5. Common Property Resources</li> <li>6. Estimated Total Expenditure</li> </ol>	
<b>Occupational Backgrounds</b>	
<ol style="list-style-type: none"> <li>1. Subsistence Agriculture</li> <li>2. Commercial Agriculture</li> <li>3. Rural Waged Employment</li> <li>4. Other Waged Employment</li> <li>5. Small and Medium Enterprise</li> <li>6. Public Sector Official</li> </ol>	
<b>Access to Public Services</b>	
<ol style="list-style-type: none"> <li>1. Health Care Amenities</li> <li>2. Water Supply and Sanitation</li> <li>3. Educational Facilities</li> <li>4. Motorized Transport</li> <li>5. Micro-Finance</li> <li>6. Agricultural Extension</li> </ol>	
<b>Gender Roles and Issues</b>	
<ol style="list-style-type: none"> <li>1. Control of HH Finances</li> <li>2. HH Decision-Making Responsibility</li> <li>3. Membership of Village Organization</li> <li>4. Maintenance of Public Goods</li> <li>5. Interaction at Supra Village Level</li> </ol>	
<b>Attitudes and Preferences of Affected Peoples</b>	
<ol style="list-style-type: none"> <li>1. Project Generally Beneficial</li> <li>2. Exacerbates HIV/AIDS</li> <li>3. Increase in Traffic Accidents</li> <li>4. Negative Environmental Impacts</li> <li>5. Prepared to Gift Land</li> <li>6. Willingness to Work on Project</li> <li>7. Commitment to Maintain Asset</li> </ol>	

**Appendix II**  
**PUBLIC INFORMATION BULLETIN**

**PNG BRIDGE PROJECT: IMPROVING RURAL ACCESS**

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**1. GOAL**

TO IMPROVE THE RURAL ACCESS AND BOTH DIRECTLY AND INDIRECTLY IMPROVE THE LIVING STANDARDS OF LOCAL COMMUNITIES. IT WILL BE FINANCED BY THE GOVERNMENT OF PAPUA NEW GUINEA AND A LOAN FROM THE ASIAN DEVELOPMENT BANK HEADQUARTERED IN MANILA, PHILIPPINES.

**2. INTERVENTIONS**

BRIDGES ALONG NATIONAL HIGHWAYS TO BE REPLACED BECAUSE THEY ARE TOO OLD AND CANNOT MEET LONG-TERM GROWTH IN MOTORIZED TRAFFIC. THEY WILL BE TWO-LANE INSTEAD OF ONE LANE. THE DISMANTLED BAILEY BRIDGES WILL BE REASSEMBLED ALONG FEEDER ROADS THAT DIRECTLY SERVE LOCAL COMMUNITIES AT RIVER OR STREAM CROSSINGS WHERE EITHER BRIDGES DO NOT EXIST AT PRESENT OR IF THEY DO THEY ARE IN POOR CONDITION.

**3. LAND ACQUISITION**

TEMPORARY LAND ACQUISITION MAY BE NECESSARY TO ENABLE BRIDGE CONSTRUCTION TO GET UNDERWAY. PERMANENT LAND ACQUISITION WILL BE NECESSARY WHERE THE HIGHWAY NEEDS TO BE ALIGNED TO ENSURE SAFE PASSAGE ACROSS THE CARRIAGE-WAY.

**4. COMPENSATION ISSUES**

GOVERNMENT OF PAPUA NEW GUINEA AND ASIAN DEVELOPMENT BANK HAVE POLICIES AND PROCEDURES TO ENSURE THAT IF YOU LOSE ACCESS TO YOUR LAND EITHER TEMPORARILY OR PERMANENTLY YOU WILL BE COMPENSATED AT REPLACEMENT COST BASED ON FAIR MARKET VALUES.

SHOULD YOU DECIDE TO GIFT YOUR LAND IN THE INTEREST OF THE PUBLIC GOOD AT THE LOCAL LEVEL THAT IS ACCEPTABLE BUT YOU ARE UNDER NO OBLIGATION TO DO SO AND REFUSAL TO DO SO WILL NOT HAVE ANY ADVERSE IMPACT UPON YOU OR THE REASSEMBLY OF BAILEY BRIDGES ON RIVER OR STREAM CROSSINGS IN FEEDER ROADS THAT SERVE YOUR COMMUNITY.

**5. ACTIVITIES**

A SOCIO-ECONOMIC SURVEY AND INVENTORY OF LOSS OF AFFECTED HOUSEHOLDS (THOSE WHOSE LAND WILL BE ACQUIRED) WILL BE UNDERTAKEN AND A RESETTLEMENT PLAN PREPARED. YOU WILL BE ENTITLED TO REVIEW THIS RESETTLEMENT PLAN IN YOUR LANGUAGE OF CHOICE AND SUGGEST

AMENDMENTS. IT WILL NOT BE FINALIZED BEFORE YOUR FREE AND INFORMED CONSENT IS PROVIDED BY WAY OF A SIGNED MEMORANDUM OF AGREEMENT BETWEEN YOU AND A PROVINCIAL REPRESENTATIVE OF THE GOVERNMENT OF PAPUA NEW GUINEA.

## **6. MITIGATION MEASURES**

AS AFFECTED WOMEN AND MEN YOU WILL BE OFFERED FIRST CHOICE OF PAID EMPLOYMENT DURING BRIDGE CONSTRUCTION AND FOR PERIODIC MAINTENANCE ACTIVITIES ON THESE NEW BRIDGES (GRASS CUTTING AND PAINTING) IF THESE ACTIVITIES ARE SUB-CONTRACTED BY THE PROVINCIAL DEPARTMENT OF WORKS.

## **CONTACTS**

- **MR/MS.....**  
**DISTRICT LAND OFFICER**  
**TELEPHONE.....**
- **LAND MANAGEMENT UNIT**  
**PROVINCIAL DEPARTMENT OF WORKS**  
**ADDRESS:**  
**TELEPHONE:**  
**EMAIL:**
- **SAFEGUARDS UNIT**  
**PROJECT IMPLEMENTATION UNIT**  
**ADDRESS:**  
**TELEPHONE:**  
**EMAIL:**
- **ASIAN DEVELOPMENT BANK**  
**6 ADB AVENUE, MANDALUYONG CITY**  
**1550 METRO MANILA, PHILIPPINES**  
**TEL: +63 2 683 1912; FAX: +63 2 636 2446**  
**[www.adb.org](http://www.adb.org)**

**Appendix III**  
**MEMORANDUM OF AGREEMENT**  
**(Central Province)**

The Memorandum of Agreement (MOA) concerns the agreement between the Department of Lands and Physical Planning (DLPL) acting on behalf of the Department of Works (DOW) and the community of .....with regards to the use of customary land for the purposes of building a new bridge.

<b>1. Identification and Location of the Bridge</b>	
Bridge Name	
Chainage	
Locality	
District	
Province	

<b>2. Additional Land Requirements</b>	
<b>Existing</b>	<b>Proposed</b>
Carriageway.....meters	Carriageway.....meters
Formation.....meters	Formation.....meters
Total Width.....meters	Total Width.....meters
District	Area Affected.....hectares
Province	

<b>3. Description of Affected Land</b>	
Soil Quality	
Water Quality	
Flora	
Fauna	
Topography	

We, the undersigned, agree with the Department of Land and Physical Planning to provide land in the amount of .....hectares at replacement cost to permit the Department of Works to replace the following bridge.....at chain age.....In so agreeing, we understand and confirm the following:

1. The community of .....agrees with and strongly supports the proposed building of the.....Bridge;
2. We make this agreement on the basis of an informed choice, having been provided with full information by the Department of Land and Physical Planning and Department of Works about the Project and the consequences for our community;
3. We provide this land in agreement with the replacement cost at market value by a Government registered valuer and, accordingly, waive any additional interest in the land once compensation payment has been made;
4. We guarantee on behalf of all members of this community and its clans that no further land claims will be made and that there will be no disruption or disturbance of the civil works required to build this bridge.

I.....of the Provincial Lands Office of Central Province, an officer of the Government of Papua New Guinea, do hereby certify that the contents of this MOA were read over by.....in the.....language and that it is understood by the signatories of this MOA and I further certify that to the best of my knowledge and belief the contents of this MOA are understood by the signatories hereto.

Dated at Port Moresby this.....day of 2011

Signature.....

Designation.....

**Appendix IV**  
**List of Persons Consulted and Interviewed**

	<b>Name</b>	<b>Gender</b>	<b>Age</b>	<b>Clan</b>
<b>Pasik</b>				
1	Markus Nume	M	72	Hura
2	Ilisa Nume	F	70	Hura
3	Otto Kama	M	25	Hura
4	Yopu Jacop	M	30	Hura
5	Clara Hombi	F	46	Hura
6	John Hombi	M	50	Hura
7	Clement Ireken	M	45	Hura
8	Janis Ireken	F	43	Hura
9	Peter Agome	M	58	Hura
10	Nobilo Asuak	M	62	Hura
11	Zackery Guambangi	M	75	Hura
12	Mary Marua	F	22	Hura
13	Lukas Marura	M	25	Hura
14	Nakuai Zulu	M	64	Hura
15	Juty Zulu	F	60	Hura
16	Geraldine Nomi	F	32	Hura
17	Arnold Nomi	M	35	Hura
18	Mary Nomi	F	42	Hura
19	Vincent Nomi	M	45	Hura
<b>Ogama</b>				
20	Francis Namu	M	65	Jivijava
21	Mary Namu	F	59	Jivijava
22	Yago Mathias	M	68	Jivijava
23	John Tagio	M	67	Jivijava
24	Bernadette Tagio	F	65	Jivijava
25	Robin Waya	M	26	Jivijava
26	Gabriel Waya	F	24	Jivijava
27	John Inakuai	M	35	Jivijava
28	Mary Inakuai	F	33	Jivijava
29	Arnold Sugi	M	42	Jivijava
30	Walok Kennedy	M	68	Jivijava
31	Dika Kennedy	F	66	Jivijava
32	Yongu Gisson	F	48	Jivijava
33	Mabu Gisson	M	52	Jivijava
34	Daniel Tuongarra	M	48	Jivijava
35	Mary Tuongarra	F	45	Jivijava
36	Niembie Kaia	M	49	Jivijava
37	Yuluru Kaia	F	45	Jivijava
38	Anna Hummus	F	52	Jivijava
39	David Hummus	M	56	Jivijava
40	Paul Loepts	M	62	Jivijava

	Name	Gender	Age	Clan
41	Linda Loeps	F	60	Jivijava
42	Witma Rejoke	M	25	Jivijava
43	Helen Rejoke	F	23	Jivijava
44	Russell Wayobi	M	32	Jivijava
45	Lee Addie	M	62	Jivijava
46	Josephine Addie	F	60	Jivijava
47	Paul Moccos	M	58	Jivijava
48	Mary Moccos	F	55	Jivijava
49	John Indiva	M	36	Jivijava
50	Sasi Oso	F	33	Jivijava
51	James Missach	M	42	Jivijava
<b>Potutu</b>				
52	Cecila Manua	F	68	Hufa
53	Aiui Poline	F	62	Hufa
54	Jales Kopi	M	69	Hufa
55	Arnold Aap	M	65	Hufa
56	Patrick Yana	F	32	Hufa
57	Mary Yana	F	30	Hufa
58	Kome Wafi	M	45	Hufa
59	Jerith Nalomo	M	56	Hufa
60	Malaki Yanu	M	45	Hufa
61	Jethro Wafi	M	52	Hufa
62	John Grigori	M	48	Hufa
63	Mary Grigori	F	45	Hufa
64	Ruben Manua	M	50	Hufa
65	Gabriel Manua	F	52	Hufa
66	Paul Manua	M	55	Hufa
67	Yambael Xnalomo	M	62	Hufa
68	Dalicia Xnalomo	F	58	Hufa
<b>Malas</b>				
69	John Avi	M	31	Wama
70	Mary Avi	F	27	Wama
71	Mapi Nalaeng	M	46	Wama
72	Patricia Naleng	F	44	Wama
73	Peter Masis	M	57	Wama
74	Maria Masis	F	55	Wama
75	Abrian Nambak	M	58	Wama
76	Janet Nambak	F	55	Wama
77	Wilem Hanis	M	62	Wama
78	Latif Hanis	F	60	Wama
79	Felix Yalong	M	28	Wama
80	Philippa Yalong	F	25	Wama
81	Joyce Yanu	F	48	Wama
82	Simon Yalong	M	52	Wama
83	Dalila Avi	F	39	Wama
84	Paul Avi	M	42	Wama

	<b>Name</b>	<b>Gender</b>	<b>Age</b>	<b>Clan</b>
85	Georgine Daniel	F	37	Wama
86	Joseph Kinjua	M	62	Wama
87	John Makum	M	59	Wama
88	Osaia Avi	F	64	Wama
89	Simai Inalomo	M	62	Wama
90	Daniel Steneth	M	35	Wama
91	Mary Steneth	F	33	Wama