

# Draft Resettlement Plan

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## KIR: South Tarawa Renewable Energy Project (STREP)

Prepared on behalf of the Public Utilities Board (PUB) and Ministry of Infrastructure and Sustainable Energy (MISE).

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## CURRENCY EQUIVALENTS

(As of 7 October 2020)

Currency units	–	Australian dollar/s (A\$)
A\$1.00	=	\$0.710
\$1.00	=	A\$1.408

## ABBREVIATIONS

ADB	-	Asian Development Bank
AH	-	affected household
AP	-	affected person
BESS	-	Battery energy storage system
BSR	-	Basic Schedule of Rates
CB	-	Confirmed Beneficiary
CEF	-	Compensation and Entitlement Form
DD	-	detailed design
DL	-	Department of Lands (within MELAD)
DMS	-	Detailed Measurement Survey
EA	-	Executing Agency
GoK	-	Government of Kiribati
FGD	-	Focus Group Discussion
HH	-	Household
IA	-	Implementing Agency
IOL	-	Inventory of Losses
KAP	-	Kiribati Adaptation Project
LAR	-	Land Acquisition and Resettlement
M&E	-	Monitoring and Evaluation
MC	-	Magistrates Court
MELAD	-	Ministry of Environment, Land and Agricultural Development
MFED	-	Ministry of Finance and Economic Development
MISE	-	Ministry of Infrastructure and Sustainable Energy
PIB	-	Project Information Booklet
PMU	-	Project Management Unit
PUB	-	Public Utilities Board
PV	-	photovoltaic
RF	-	Resettlement Framework
RP	-	Resettlement Plan
SES	-	Socioeconomic Survey
SPS	-	Safeguard Policy Statement
STREP	-	South Tarawa Renewable Energy Project
STWSP	-	South Tarawa Water Supply Project
TA	-	technical assistance

## GLOSSARY

Affected Person (AP) / Communities/Households (AH)	–	Refers to any person or persons, customary or local community, private or public institution who are displaced (physical or economic) as result of temporary and permanent impacts during construction, restriction on land use or on access to legally designated parks and protected areas. The affected community/ households/ person are those who utilize, control, or possess the affected land or non-land objects.
Compensation	–	Payment in cash or in kind (e.g. land-for-land) to replace losses of land, housing, income, and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market value, and any transaction costs such as administrative charges, taxes, registration and titling costs. In the absence of functioning markets, a compensation structure is required that enables affected people to restore their livelihoods to a level at least equivalent to those maintained at the time of dispossession, displacement, or restricted access.
Confirmed Beneficiary	–	Project Affected Person confirmed to receive compensation in the Resettlement Plan's Confirmed Entitlement Form (CEF)
Customary Law	–	It refers to a body of written and/or unwritten rules, usages, customs and practices.
Cut-Off Date	–	Cut-off date for land-taking will be set on the first day of census/inventory of losses undertaken as part of the social safeguard document/plan preparation after both the project approval by the IA. Persons or asset not covered at the time will not be eligible for entitlements.
Detailed measurement survey	–	This activity involves the finalization and/or validation of the results of the inventory of losses, severity of impacts, and list of APs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.
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.

Eligibility	– Refers to any person who has settled in the subproject area before the cut-off date that suffers from (i) loss of shelter, (ii) loss of assets (land, space above and below the surface of the land, buildings, plant, and objects related to the land) and/or or ability to access such assets, permanently or temporarily, or (iii) other losses that can be appraised. such as transaction costs, interest, on loss of residual land, loss of income sources or livelihood regardless of relocation, profession shift, and other types of loss stated by the assignor, will be entitled to compensation and/or assistance).
Entitlement	– A range of measures comprising compensation, livelihood restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the AHs, depending on the type and severity of their losses, to restore their economic and social base.
Livelihood Restoration	– This involves re-establishing productive livelihood of the displaced persons to enable income generation equal to or, if possible, better than that earned by the displaced persons before the resettlement (ADB IR Source Book, 2012).
Inventory of Losses (IOL)	– The listing of assets as a preliminary record of affected or lost assets during the preparation of the RP where all fixed assets (i.e., land used for residence, commerce, agriculture; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; standing crops and trees with commercial value; etc.) and sources of income and livelihood inside the subproject boundaries are identified, measured, their owners identified, and their exact location pinpointed, and their estimated replacement costs calculated. The severity of impact on the affected assets and the severity of impact on the livelihood and productive capacity of the APs are likewise determined.
Involuntary Resettlement	– Refers to physical and economic displacement 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. Such displacement can be full or partial, permanent or temporary.
Land Acquisition	– Refers to the process whereby an individual, household, firm or private institution is compelled to relinquish all or part of the land s/he/it owns or agrees to grant land to government for public purpose in return for compensation at replacement cost.



Meaningful consultation	–	A process that (i) begins early in the project preparation stage and is carried out on an on-going 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 issues.
Informal settlers	–	Families whose housing units have been constructed on land that the occupants have no legal claim to or occupy illegally.
Rehabilitation		Assistance provided in cash or in-kind to project APs (especially the vulnerable) due to the loss of productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, restoration of living standards.
Relocation	–	The physical displacement of an AP from her/his pre-project place of residence and/or business.
Replacement cost	–	The value to replace affected assets and/or cover transaction costs necessary to replace the affected assets without depreciation for such assets, as well as material advantage, taxes and/or administration or travel expenses.
Resettlement Plan	–	The social safeguard document that contains the policies and guidelines and time-bound action plan with budget, setting out the resettlement objectives and strategies, entitlements, activities and responsibilities, resettlement monitoring, and resettlement evaluation.
Vulnerable groups	–	Distinct groups of people who might suffer disproportionately or face the risk of being marginalized by the effects of resettlement and specifically include: (i) households headed by women with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) elderly households with no other means of support; (v) landless households; (vi) indigenous peoples or ethnic minorities.

## EXECUTIVE SUMMARY

The Government of Kiribati (GoK) plans to implement the South Tarawa Renewable Energy Project (STREP) with assistance from the Asian Development Bank (ADB). The Project will enable the installation of 5 MW of solar PV, and 13.0 MWh battery energy storage system (BESS), associated network connections and modern control systems on the Bonriki Water Reserve. The Project will also include assistance in regulatory reforms, particularly drafting of the Energy Act, and institutional capacity building support, for PUB, MISE and other agencies including through the Project Management Unit (PMU) and Project Implementation Consultant (PIC). The overall Project objective is to increase access to a reliable supply of affordable electricity for the residents of South Tarawa.

This Resettlement Plan has been prepared to address potential impacts on land and/or assets associated with the installation of the physical investments for solar power generation and storage in the Bonriki Water Reserve. The Resettlement Plan complies with ADB SPS Safeguard Policy Statement 2009 and national laws and regulations. The project is categorized under ADB's SPS as Category B for involuntary resettlement (IR). This resettlement plan was prepared commensurate with the nature of the impacts.

**Land Requirements.** STREP will require 5.3 hectares for the 5 MWp PV array, batteries, office and reception areas to be located at the Bonriki Water Reserve, within land currently leased by the government. The Water Reserve is a critical natural asset for South Tarawa. Converting grassland and tree-covered green space to solar PV arrays will have a net benefit on the infiltration rates of rainwater into the Bonriki freshwater lens. The project will help to reduce the decline in water availability and water quality, as well as avoid the risk of further encroachment of incompatible land uses and contamination. As a result, the government has earmarked an additional seven hectares of land next to the STREP site for future PV field expansion. As STREP will be conducting extensive consultations with the landowners regarding the project and the compensation of affected trees and assets, the government has indicated that the resettlement related impacts for the entire 12.3 hectares be included in this Resettlement Plan, and will ensure ADB's safeguards policies will be applied for the entire 12.3 hectares. Additional consultations, surveys and impact assessments will be conducted on the use of the Water Reserve by the nearby households, and the compensation and clearing of trees and fencing of the entire 12.3 hectares may be completed in stages (with the first stage being the 5.3 hectares required for STREP).

**Resettlement Impacts.** The Project will utilize land within the Bonriki Water Reserve, which is currently leased by the Government. There are 14 land plots affected, one of which is under dispute.<sup>1</sup> Ownership of the 13 undisputed land parcels is shared by 139 individuals. There will be no physical displacement impacts caused by the project. There is one informal settler household within the 12.3 hectares, however the STREP project will avoid impacts to structures, assets, and a cemetery belonging to this household.

**Economic displacement** is limited to the following:

- (i) loss of standing productive trees, in 14 affected land parcels. An inventory of losses was compiled with MELAD's assistance which valued the standing trees at AUD 37,769.00 using current Government approved rates for compensation. The trees are owned by the landowners. For disputed lands, compensation for trees will be paid into an escrow-like bank account, until the dispute is resolved by the courts;

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<sup>1</sup> A second disputed land plot in the Bonriki Water Reserve is outside the identified STREP site.

- (ii) loss of access to two water wells used by three households; and
- (iii) loss of access by the surrounding community to natural resources, including biomass (firewood) for cooking fuel, leaves and tree trunks used for traditional building materials, toddy and fruit.

**Legacy Issues.** Several reports noted that the initial land acquisition by colonial administrators via eminent domain was not widely supported by traditional landowners. GoK's decision to initiate the leasing of lands from landowners following independence in 1995, was made in this context. Bonriki landowners' dissatisfaction continued unabated according to some reports<sup>2</sup>, over lease rates and the acquisition and compensation received for the airport land. A 2009 KAP II<sup>3</sup> report noted the same concerns and landowners' displeasure, linking acts of vandalism of PUB facilities in Bonriki (both in the reserve and the airport) to them. Cognizant of these concerns, MELAD completed a review of lease rates in early 2020 in consultation with landowners and the reviewed rates will come into effect in Q3-Q4, 2020. This legacy issue will continue to be monitored by PUB and MELAD.

**Cut-Off date and inventory of losses.** ADB Safeguards Policy requires the announcement of a cut-off date before the inventory of losses is carried out. The Cut-Off date is the last date after which any crops planted, or physical assets constructed or installed in the project area will not be eligible for compensation. The Cut-off date for STREP was 23 November 2019, announced in a community meeting in Bonriki on the same day. The Inventory of Losses was carried out on the 24 November 2019 by MELAD personnel. The results counted 638 standing trees of various species of utility value that are eligible for compensation, and two water wells used by three households living outside the site. There are no built structures or other physical assets. The inventory of losses will be validated again, through the conduct of a detailed measurement survey following the approval of the project by ADB. PUB and MELAD will conduct additional social impact assessments and census of affected people in the wider Bonriki area, particularly to determine impacts on vulnerable households. Following this, the Resettlement Plan will be updated, disclosed to affected persons and cleared by ADB. The Updated Resettlement Plan will be uploaded to the ADB website.

**Disclosure and Consultations.** This Resettlement Plan was prepared between October 2019 and August 2020 during the Project Preparation Technical Assistance (PPTA) stage funded by ADB. Community level consultations concerning the project design and potential impacts, were held providing opportunities for feedback from participants. During the preparation of the Resettlement Plan, six meetings were held with villagers and additional consultations conducted with a number of key government agencies, non-governmental organizations, and individual households. Face-to-face discussions were also carried out with selected households in five villages, the one household and informal settler living in the site and with a 20-household sample surveyed in northern Bonriki. A draft of this Resettlement Plan will be disclosed to affected persons and a project information brochure has been prepared (Annex 8).

**Grievance Redress Mechanism.** The project will implement a Grievance Redress Mechanism to resolve all complaints related to the project. The Grievance Redress process will pay specific attention to complaints brought by women, to ensure fair and equal treatment. Affected persons are entitled to lodge complaints regarding any aspect of the preparation or implementation of the Resettlement Plan without prejudice to gender.

**Resettlement Budget.** A Resettlement Plan budget for financial compensation and other

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<sup>2</sup> Ian White et al (2009).

<sup>3</sup> Ian White et al (2009).

resettlement measures is estimated at AUD137,439, including contingency costs. This includes financial compensation for 139 confirmed beneficiaries who share the ownership of the trees located on 13 of the 14 land parcels affected (with the ownership of one plot under dispute) and the procurement of three water storage tanks and accompanying materials/fittings for 3 affected households. It also includes an allocated cost for an enrichment tree planting program, within the 20m buffer zone along the northern and western ring road boundary.

**Implementation agencies.** The preparation and implementation of the Updated Resettlement Plan will be the responsibility of the PUB with the assistance of MELAD. The Ministry of Finance and Economic Development (MFED) will provide the funds to MELAD based on the Updated Resettlement Plan for the payment of compensation entitlements to all confirmed beneficiaries, and the funding of other land-based resettlement measures. The PUB (PMU) will also provide appropriate capacity building to selected PUB and MELAD personnel to ensure effective information gathering for updating the Resettlement Plan and to support subsequent RP implementation and monitoring.

**Monitoring.** The Updated Resettlement Plan will be uploaded to the ADB website. PUB will monitor the implementation of the Updated Resettlement Plan, preparing semi-annual safeguard monitoring reports to be submitted to ADB and disclosed on the ADB website. PUB will prepare a Compensation Completion Report once all compensation payments and assistances have been provided to identified affected persons and submit this report, prior to the awarding of civil works contracts.

## I. PROJECT DESCRIPTION

The Government of Kiribati has requested assistance from the Asian Development Bank for the South Tarawa Renewable Energy Project (STREP). STREP will install a solar photovoltaic (PV) generation plant, a battery energy storage system and ancillary infrastructure, and support the development of a renewable energy enabling environment.

### A. PROJECT RATIONALE

Kiribati is highly dependent on energy imports. In 2014, 63% of the national energy supply was generated from imported petroleum products with indigenous renewable energy sources (mainly bioenergy, then solar) accounting for the remaining 37% (Irena et al, 2017). In terms of overall imports, diesel alone comprises 58% of total imports.

Kiribati faces two main challenges in the energy sector (i) an overdependence on expensive fossil fuel imports and (ii) an insufficient resource generation and storage capacity to cope with intermittent generation from renewable energy sources (GoK, 2018). Overreliance on expensive imported fossil fuels (52%) and coconut and palm oil residues (42%) has been increasing over the last several years (ibid). The residential sector is the largest energy consumer, while power sector consumers accounts for almost half (49%) of the imported diesel.

Heavy reliance on diesel for electricity generation results in high electricity cost of \$0.395 per kilowatt-hour (kWh)<sup>4</sup>, among the highest in the Pacific<sup>5</sup>. In 2017, the Public Utilities Board (PUB) spent USD 6.1 million (57 per cent of total expenditures) on diesel and lubricants. The high cost of electricity generation has suppressed demand and is negatively impacting economic growth, particularly in the commercial and tourism sectors. The high cost of energy is due to large capital replacements, high cost of repairs and maintenance, and high cost of fuel shipments due to Kiribati's remoteness. Due to the lack of back up generation assets, PUB regularly conducts load shedding to cope when catastrophic events, such as generator failures, occur.

For South Tarawa, grid connected solar power is already proven to be the least cost renewable energy alternative<sup>6</sup>. As of 2017, solar photovoltaic (PV) serves up to 9% of load and makes up 22% of generation capacity. These solar PV units were funded by a number of donors including Japan, United Arab Emirates, World Bank and others. There is potential for expansion but constraints of funding, and capacity are among the limiting factors.

The GoK envisages that continued investments in renewable energy, energy storage, and distributed technologies that shift load will improve the country's energy security by increasing the reliability of the grid, while reducing fossil fuel consumption. The GoK's vision and strategies for pursuing this outcome is set out in a number of key policy and planning documents including the following:

**Kiribati Vision 20.**<sup>7</sup> This is a long-term blueprint for Kiribati that sets out the country's goals

<sup>4</sup> Approximately 49% of all imported diesel is used for electricity generation.

<sup>5</sup> Pacific Power Association. 2018. "Utilities Benchmarking Report, 2017 Fiscal Year", indicates the average supply costs across Pacific utilities is \$0.32/kWh.

<sup>6</sup> IRENA. 2016. "Kiribati Integrated Energy Roadmap: 2016–2025". Bonn.

<sup>7</sup> Government of Kiribati. 2016. Kiribati 20 Year Vision 2016 – 2036. GoK.

and strategies for transforming Kiribati to a healthier, wealthier, and peaceful nation. KV20 addresses the Government's objectives outlined in its Climate Change Policy (2018) and Energy Policy (2009), which both seek to promote sustainable renewable energy development, as well as the Kiribati Development Plan for 2016 -2019, which seeks to increase I-Kiribati's access to high-quality and climate-resilient infrastructure.

**Kiribati Integrated Energy Roadmap (KIER) 2017 – 2025.** KIER is a comprehensive plan to support the country's transition to affordable renewable energy. It defines a strategy for overcoming the regulatory, technical and financial barriers hindering the country's access to affordable renewable energy and efficient use of its energy resources. It is a packaged plan of institutional, policy, regulatory, technical, financial and capacity-building actions that, collectively, will enable the Government of Kiribati to achieve its energy objectives set out in the Kiribati National Energy Policy (KNEP).

**Renewable Energy Investment Plan (IP)** The Government's Renewable Energy Investment Plan (IP)<sup>8</sup> aims to contribute to delivering on Kiribati's commitment under the Nationally Determined Contributions to the United Nations Framework Convention on Climate Change, which is to reduce the Kiribati's greenhouse gas emissions by 48.8% and fossil fuel consumption by 45 per cent in South Tarawa and 60% on Kiritimati Island by 2025.

Kiribati is blessed with excellent solar potential across all of its islands, with Tarawa's potential estimated at 544MW. Already some of this potential is being successfully harnessed but more investment in solar PV generation is viewed as a major strategy for achieving the country's renewable energy goals. Along the way, a number of constraints to fully realizing the RE goals must be addressed which include a weak institutional, legal and regulatory framework, limited availability of financing, affordability concerns and grid stability issues.

## **B. THE PROPOSED PROJECT**

The South Tarawa Renewable Energy Project (STREP) will install 5 MWp/4MWac solar photovoltaic (PV) generation capacity, a 5 MW/13 MWh battery energy storage system (BESS) and ancillary infrastructure, and support the development of a renewable energy enabling environment, including addressing barriers to private sector investment.

STREP will allow the South Tarawa grid to achieve 44% renewable energy penetration, higher than the KIER target for South Tarawa, which is 36% RE penetration by 2025.<sup>9</sup> Increased solar generation will benefit the economy through reduced importation of fossil fuels and placing downward pressure on tariffs. Utilization of renewable energy also reduces GHG emissions which contribute to global warming and rising sea levels that render Kiribati among the most vulnerable. The project is expected to generate 6.845 gigawatt-hours (GWh) of clean electricity from solar PV, offset 1.83 million liters of diesel fuel per year and avoid up to 4,928 tons of carbon dioxide equivalent GHG emissions per year by 2024.

**Impact, Outcome, and outputs.** The impact of the project is an increase in renewable energy generation and a reduction in greenhouse gas emissions in Kiribati. The expected outcome is increased generation and utilization of clean energy in South Tarawa. STREP has three outputs: (1) Solar photovoltaic and battery storage system installed; (2) enabling

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<sup>8</sup> Under the Scaling Up Renewable Energy Program in Low Income Countries (SREP)

<sup>9</sup> Government of Kiribati. 2016. *"Kiribati Intended Nationally Determined Contribution."* Tarawa.

framework for renewable energy adopted; and, (3) institutional capacity in renewable energy project development, management and supervision enhanced. Specific project deliverables are:

- (i) 5 MWp/4MWac solar PV and 5 MW/13 MWh battery energy storage system installed and associated network connections and modern control systems on the Bonriki Water Reserve;
- (ii) enabling framework for renewable energy developed, including assessments and revisions of (a) electricity legislation, (b) grid codes, (c) technical standards, and (d) model documentation for private sector engagement; and
- (iii) institutional capacity building for stakeholders including on project management and supervision, and operation and maintenance of renewable energy generation assets.

## **II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT**

### **A. BACKGROUND**

There are three main island groups in Kiribati, namely the Gilbert Group, the Line Group and the Phoenix Islands Group. All islands in both Line and Phoenix groups are state lands. In the Gilbert group, land tenure is predominantly private land with the exception of Butaritari. South Tarawa, Abemama and Kuria where land tenure is both private ownership and state ownership. On the capital of South Tarawa only 95% of land is under traditional private ownership, while 5% is state-owned. State lands in South Tarawa are predominantly confined to Temaiku Bight, an area of reclaimed land of approximately 200 hectares at the apex of the island between South and North Tarawa. The remaining lands in South Tarawa are privately owned, except for small parcels of land that have been reclaimed from the sea. Women as well as men can inherit or own land in i-Kiribati tradition.

During the 1950s, the former British colonial authority leased 30% of lands in Betio, Bairiki, and Bikenibeu from the traditional landowners for a 99-year lease period in order to control development. Of the 671 ha of land leased by the government, only 400.64 ha is utilized for government purposes. The remaining 65.6 ha of land is leased for commercial purposes, 204.37 ha is used for residential purposes and 130.71 ha is reserved for conservation of water sources. The Government uses the leased land for activities such as ministry headquarters, ports, warehouses, sports fields, local government offices, public enterprises, and extensive public housing stock.

### **B. LAND REQUIREMENTS FOR STREP**

STREP will require 5.3 hectares for the 5 MWp PV array, batteries, office and reception areas. An area within the Bonriki Water Reserve has been selected by MELAD as the preferred location. The Bonriki Water Reserve is located at the eastern end of South Tarawa, near the Bonriki International Airport. Comprising of approximately 76.3 hectares in total, the Bonriki Water Reserve is government-leased land under the control of the PUB for the management of the Bonriki freshwater lens as one of the key sources of reticulated water supply for Tarawa.

The area mostly consists of grassland and tree-covered green space, although some families have settled along the outside of the Water Reserve close to the shoreline, and a few families within the Water Reserve area itself. Some of these families have ties to the landowners and others have no familial connections. As the land is leased by the government, they are considered by the MELAD to be informal settlers.

The Water Reserve is a critical natural asset for South Tarawa. Converting grassland and tree-covered green space to solar PV arrays will have a net benefit on the infiltration rates of rainwater into the Bonriki freshwater lens. The project will help to reduce the decline in water availability and water quality, as well as avoid the risk of further encroachment of incompatible land uses and contamination.

As a result, the government has earmarked an additional seven hectares of land next to the STREP site for future PV field expansion. As STREP will be conducting extensive consultations with the landowners regarding the project and the compensation of affected trees and assets, the government has indicated that the resettlement related impacts for the



entire 12.3 hectares be included in this Resettlement Plan, and will ensure ADB's safeguards policies will be applied for the entire 12.3 hectares.

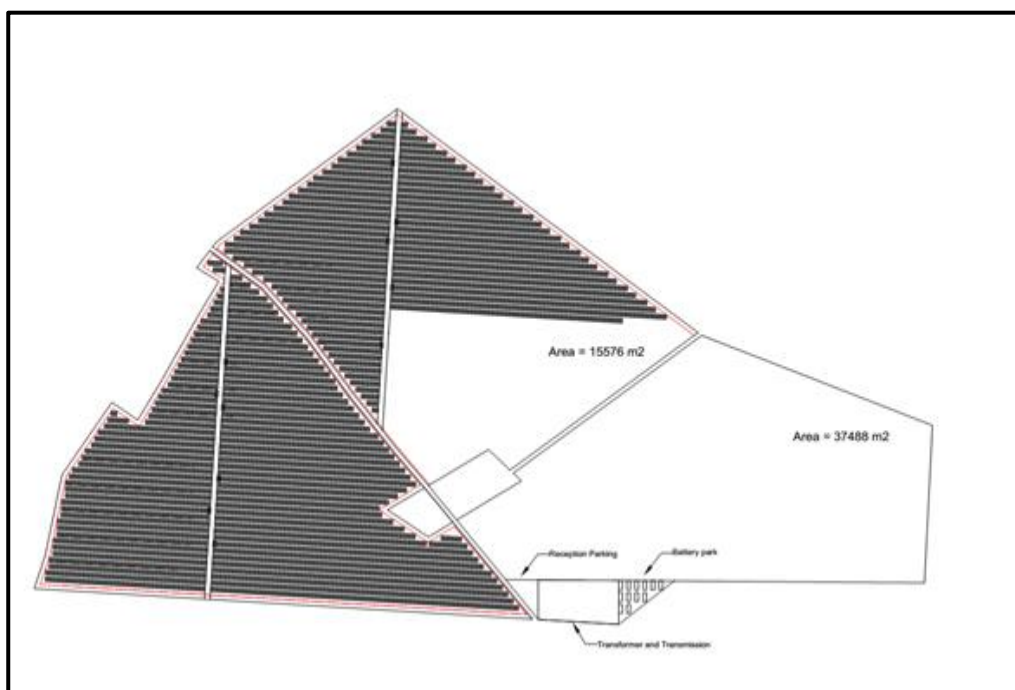
Nonetheless, additional consultations, surveys and impact assessments will be conducted on the use of the Water Reserve by the nearby households, and the compensation and clearing of trees and fencing of the entire 12.3 hectares may be completed in stages (with the first stage being the 5.3 hectares required for STREP).

There is one informal settler household within the 12.3 hectares, however, the STREP project will avoid impacts to structures, assets and a cemetery belonging to this household. The additional seven hectares for the future development of solar PV similarly avoids impacts on the land currently used by this household (Figure 1), with plans for the facility to eventually circle the space ensuring continued road access.

**Figure 1. Proposed Delineation of 12.3 ha Area (White Boundary) for Current and Future Solar PV Developments**



Note: Proposed layout of PV Solar Array under STREP (in clay red) comprising of 5.3 ha, and the exclusion of an area in the middle containing the informal settler household's dwellings and cemetery.

**Figure 2. Proposed Alignment of PV Arrays**

As the one informal settler household will be avoided, there will be no physical displacement impacts because of STREP. Site preparation for the physical infrastructure will result in the loss of productive trees and two water wells. Access into the area for the surrounding community, for firewood and food collection mainly, will be blocked once the STREP site is fenced off for security purposes (and additional 7 ha for future development if this is fenced as well to ensure there are no informal settlers constructing homes within the area in the future).

As a result of these impacts to trees and community assets (water wells), the project has been categorized as Category B for Involuntary Resettlement, under ADB's Safeguard Policy Statement (2009).

### **C. FINDINGS OF INITIAL SITE ASSESSMENT**

A walk-through of the proposed STREP site conducted in September 2019 and again in November 2019 found the following features as detailed in Table 1.

**Table 1. Site Characteristics and Project Impacts**

Site characteristics and features	Project impacts
One informal settler household (HH1), (comprising of a couple and two primary school aged children) occupying approximately 50m by 50m (250m <sup>2</sup> ) of land including area under crops. The house is of traditional design, made of wooden/timber poles and cladged and roofed with woven pandanus fronds. It has a	The project will avoid the land used by HH1 and there will be no impacts on the structures, crops or assets located within the land area they were using at the time of the impact assessment.

Site characteristics and features	Project impacts
compacted earthen floor of no more than 25m <sup>2</sup> including a small extension for open-fire cooking. <sup>10</sup>	
Cultivated crops belonging to HH1 both seasonal (vegetables mainly) and long-term crops (breadfruits, coconuts) – in the immediate surrounding of their residence.	These crops will not be affected by the Project.
An inactive cemetery within 75m of HH1 occupying an area of approximately 10m by 10m, belonging to HH1.	The cemetery will be avoided by the project and there will be no impacts on grave sites.
Productive trees (mainly pandanus, coconuts and breadfruits), some wild others planted, scattered throughout the proposed 12.3 ha site. The trees belong to the various landowners, but the trees have become an open-accessed ('commons') resource that informal settlers and nearby communities use to gather food, toddy, wood for construction and firewood.	Productive trees will be impacted by the project.
Two water wells used by three households living outside the Water Reserve, located 35m near the northern west boundary.	The two water wells are within the STREP area and will be impacted by the project.
PUB pump stations, borehole monitoring stations and piping network in several locations within the proposed STREP site (see Figure 1).	Some of these PUB facilities and equipment will be impacted by the project.
A network of unsealed roads providing access by PUB to its facilities (pump station and PV array), and also used by the informal settlers in the reserve, to access public services and community facilities (churches, school, shops) located outside the Reserve.	The project will keep the roads that are commonly used by community members open. The existing access path from the northern ring road through the Reserve will be extended to the airport boundary to maintain pre-project access of Bonriki residents to the south via the airport runway. Smaller walking paths may be impacted by the project. A permanent perimeter fence for Project site will be built during construction phase. This includes a path/access track used by PUB to access their facilities, which will be gated. A security system and personnel will be employed once operational.

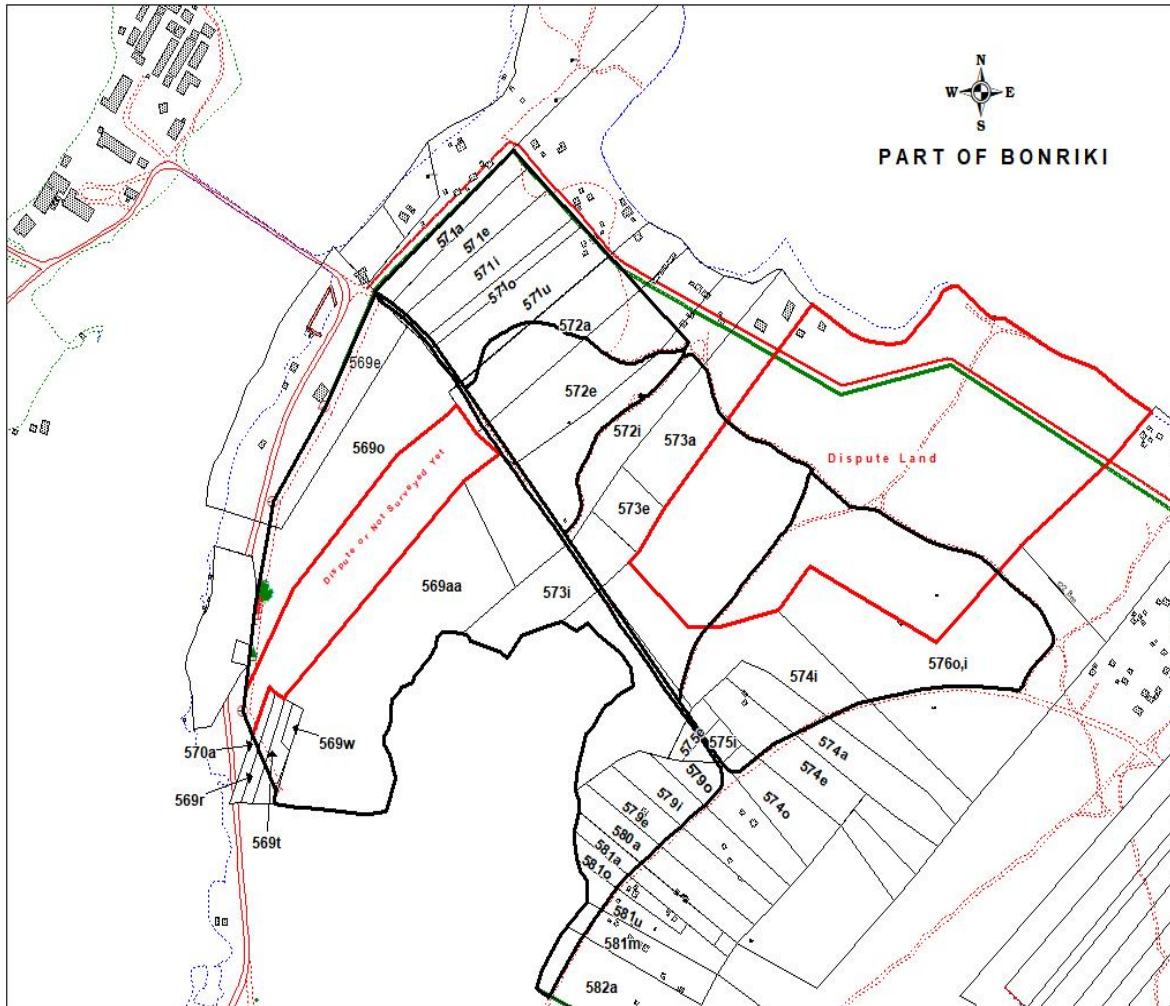
## D. IDENTIFIED RESETTLEMENT IMPACTS

### 1. Land requirements

STREP will require 5.3 hectares for the 5 MWp PV array, batteries, office and reception areas. An additional 7 ha of land has been earmarked for future PV solar development. The land is currently leased by the government for the purposes of the Bonriki Water Reserve. MELAD has detailed information and records of land ownership and survey plans for the entire Bonriki Water Reserve. There are 14 land plots within the 12.3 ha site, one of which has its ownership in dispute. Ownership of the 13 undisputed land parcels is shared by 139 individuals. The list of all landowners is in Annex 3. Figure 3 shows the various land parcels affected by the Project.

<sup>10</sup> Consultations with the spouse (wife) of the HH1 family found that the family has plans to relocate to the husband's family land on the southern side of the Bonriki International Airport.

**Figure 3. Different Land Plots Comprising STREP Site**



A history of landowner dissatisfaction with the lease rate for land for water reserves is well documented. Rates for the lease of land (rent) are set by GoK in consultation with affected landowners and were reviewed initially every five years, and since 2008, every three years following the enactment of the Rent Review Amendment Act.

With the last review implemented in 2017, GoK is conscious of landowner sensitivity to this issue and a review of rates for all Government leases was carried out in late 2019 and completed in early 2020. The new rates will be effective from Q3 2020. In accordance with the land rent review ordinance, landowners were consulted during the rent review exercise. The current lease rate for the reserve is A\$3,500 per acre per year which is the commercial rate.

## 2. Physical displacement

There will be no physical displacement impacts for the entire 12.3 ha. The alignment of the solar facilities will be configured to ensure the one informal settler household in the area is not landlocked, their crops and fruit trees are not affected and access to the inactive family cemetery to the south, and to community facilities outside the reserve is not blocked.

### **3. Economic Displacement — Loss of Productive Trees**

The 12.3 ha is vegetated by productive trees (pandanus, coconuts, breadfruits etc.) that belong to the various land plot owners. Table 3 provides a detailed inventory of trees, with a total of 639 trees to be impacted (for the 12.3 ha area). Over the years, the Bonriki Water Reserve has become a communally shared ‘commons’ resource that surrounding households especially those to the north, rely on for firewood, traditional building materials and food. A household survey conducted of 20 households comprising that part of the Bonriki community to the north of the water reserve found that 95% of interviewed households regularly collect firewood from the Water Reserve, including the area earmarked for STREP (5.3 ha) and future PV installation (7ha). Food is gathered occasionally, although the households surveyed indicated that they do not earn an income from the gathered food or natural resources (including firewood) from the Water Reserve. The loss of part of the households’ firewood and food sources will force some to spend income on kerosene and food. Further assessments regarding these impacts will be completed in the preparation of the Updated Resettlement Plan, with mitigation measures, entitlements and assistance provided commensurate with the impacts and project policies outlined in this Resettlement Plan.

### **4. Economic Displacement — Loss of Other Resources**

Consultations with the Bonriki community found three households draw water from two wells 35m from the road on the northern side within the 5.3 ha area. Access to the water wells will be blocked once the STREP site is fenced off early in the project construction phase. The three affected households live outside the STREP site along the northern ringroad and are therefore not informal settlers in the water reserve. Nonetheless, it is ADB safeguard policy requirements that the well users are considered affected persons and that a replacement water source be provided for them. Water from the wells is used by the affected households’ (AH’s) for washing, bathing, and cooking.

### **5. Economic displacement — Restriction of Access in and Out of the Reserve**

Once the project site is fenced off, all walking tracks running through the site - established over the many years of unrestricted access into the Water Reserve – will be blocked. Similarly, access to communally shared resources and services outside the reserve will be restricted to established PUB-maintained roads. The existing PUB-maintained roads tracks will be unaffected but will be gated within the site. Additionally, in response to community requests during the 29 June 2020 consultation, an access path from the northern ring road to the southern border with the airport runway will be established.

Households outside the reserve who hitherto rely on the project site for firewood may need to travel longer distances to collect firewood from other accessible parts of the Reserve. The remaining accessible areas of the reserve, mainly on the eastern side, are not as densely vegetated; thus, competition for the resource will be intense. To mitigate this impact, the STREP design has adjusted the northern boundary of the project site to allow for a 20m wide corridor of reserve land and its vegetation to remain accessible to the surrounding population (refer to section G.1). An area of approximately 4.8 hectares immediately to the east of the Project site, and over 10 hectares of unoccupied area on the eastern side of the reserve, will remain unaffected by the Project and accessible to these households.

The increase in effort as a result of longer walking distances will impact men, women and



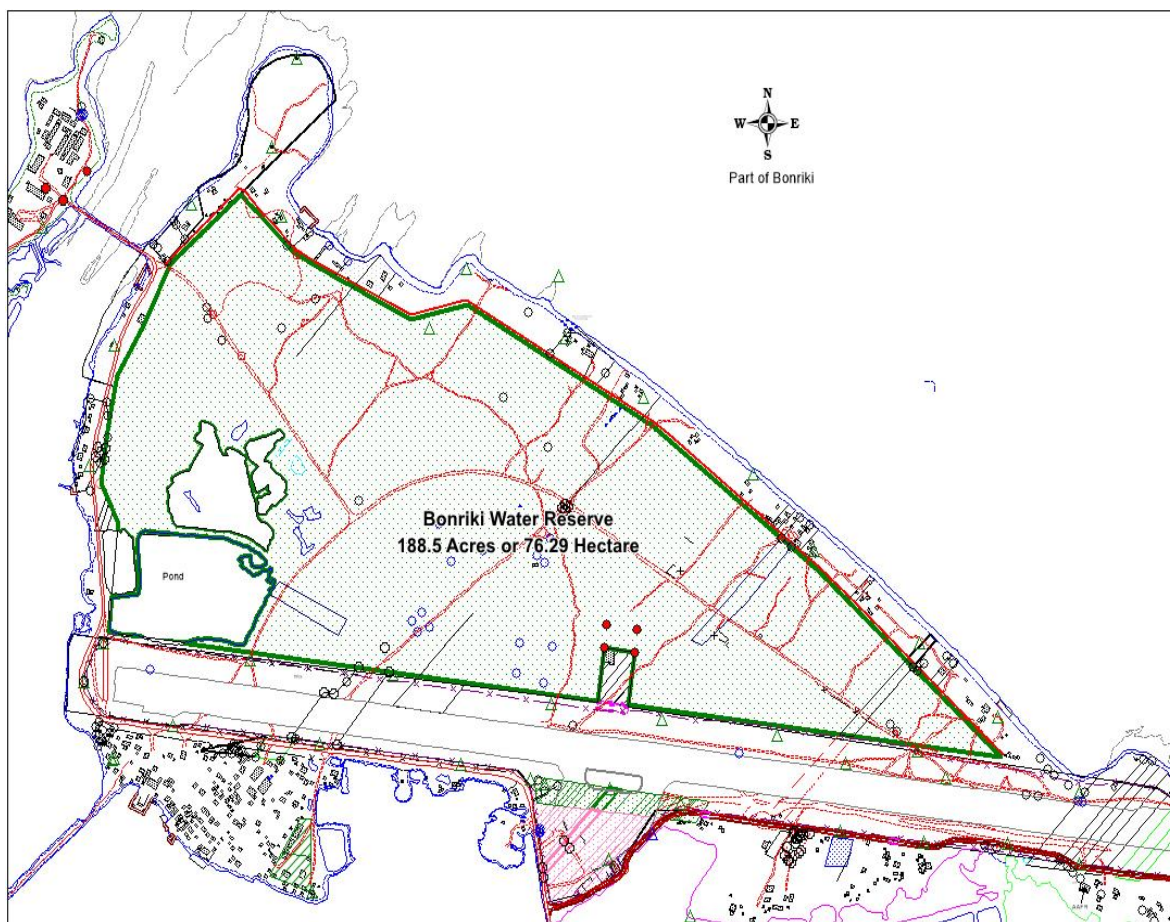
children who share the task of firewood collection.

## E. CUT-OFF DATE

ADB Safeguards Policy requires the announcement of a cut-off date before the inventory of losses (IOL) is carried out. The Cut-Off date is the last date after which any crops planted, or physical assets constructed or installed on the Project area will not be eligible for compensation. The Cut-Off date is thus followed immediately by the IOL, to ensure no time is allowed to any unscrupulous persons to enhance their compensation claims by planting new crops or building new structures, before the IOL is carried out.

In the case of STREP, the Cut-off date was set as the 23 November 2019, announced during the same day in a community meeting in Bonriki.

**Figure 4. Bonriki Water Reserve**



## F. INVENTORY OF LOSSES

The inventory of losses (IOL) was carried out on the 24 November 2019 by MELAD personnel. The IOL recorded the loss of productive trees (of coconuts, pandanus, bero, uro and breadfruits) in 14 separate land parcels and two water wells. No built structures are affected nor is there any physical relocation of people. The results are summarized below.

**Table 2. Type of Losses, Application, and Impacts in STREP**

#	Type of Loss	Application	Impacts
1	Loss of: Land	Homestead land, agricultural land, or vacant plot	0
2	Loss of: Structure	Residential/ commercial structure and other assets	0
3	Loss of: Livelihood	Livelihood/source of income	0
4	Loss of: Trees	Standing trees	639 trees (Refer to Table 3)
5	Loss of access to water source	Two affected water wells	Three households access to water used for bathing and washing
6	Reduced access to common property resource	Biomass for fuel, building materials, food etc.	95% of 100 – 120 households in northern Bonriki affected
7	Temporary loss of: Land	Land to be temporarily acquired for the Project	0
8	Temporary loss of: Access	Temporary loss of access to land, structure, utilities, etc.	0
9	Temporary loss of: Livelihood	Temporary loss of livelihood/source of income	0

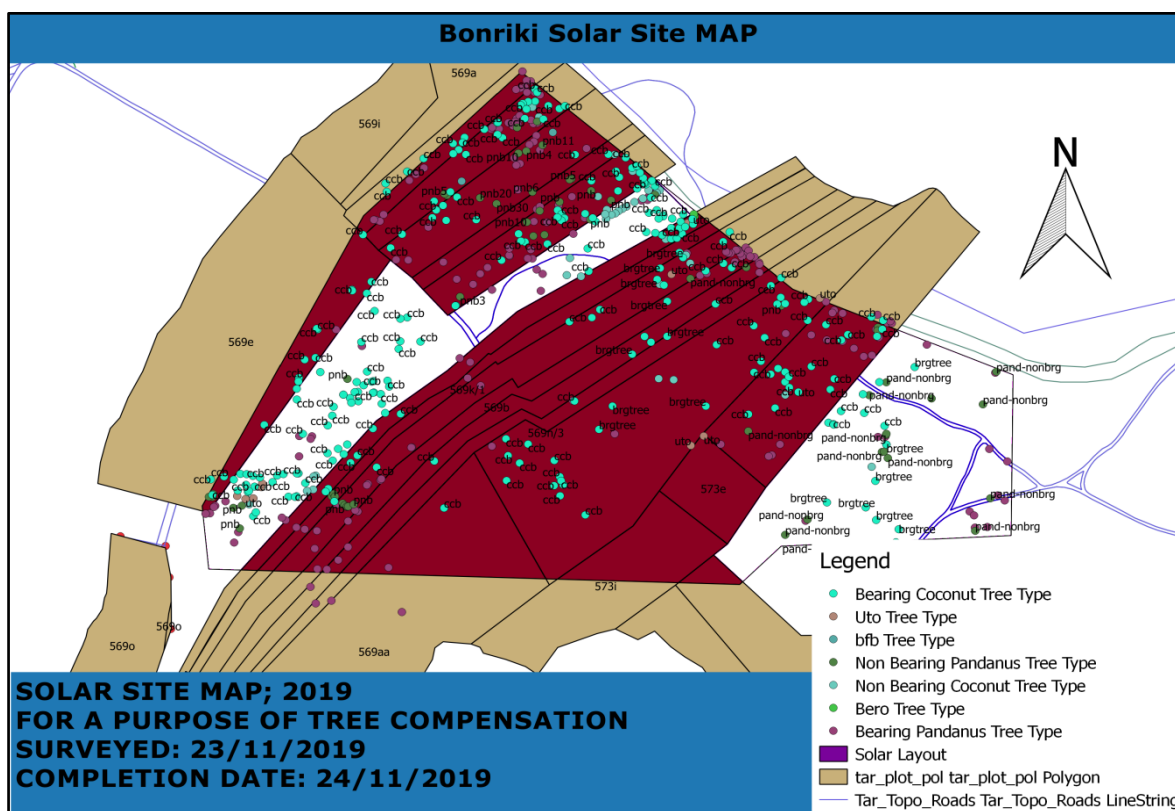
The extent of losses of productive trees for each affected land parcel is given in Table 3 below.

**Table 3. Summary of STREP Inventory of Losses**

Land Plots	Bearing Coconut	Non Bearing	Bearing Pandanus	Non Bearing Pandanus	Bero Tree	Uto Trees	Breadfruits Tree	Total
571e	20	2	28	24	0	0	1	<b>\$3,365.00</b>
571a	9	0	17	0	0	0	0	<b>\$1,349.00</b>
571i	11	0	35	81	0	0	1	<b>\$3,907.00</b>
571o	3	1	14	5	0	0	0	<b>\$893.00</b>
571u	30	15	48	15			1	<b>\$5,254.00</b>
573a	19	3	20	0	1	0	0	<b>\$2,396.00</b>
572i	28	3	3	0	2	0	0	<b>\$2,503.00</b>
569e	15	0	1	0	0	0	0	<b>\$1,237.00</b>
569aa	1	0	3	0	0	0	0	<b>\$191.00</b>
572e	17	3	26	0	1	0	0	<b>\$2,618.00</b>
572a	26	6	6	2	3	0	0	<b>\$2,628.00</b>
569o	60	7	15	0	5	0	0	<b>\$5,715.00</b>
573e	0	0	0	0	0	0	2	<b>\$2.00</b>
Land Disputed	60	7	15	4	5			<b>\$5,711.00</b>
								<b>\$37,769.00</b>

Source: MELAD, 13 May 2020.

**Figure 5. Distribution of Affected Trees in the STREP Site**



## G. ALTERNATIVES CONSIDERED TO AVOID AND OR MITIGATE RESETTLEMENT IMPACTS

### 1. STREP's northern boundary

The alignment of the STREP site following the initial assessment included a 10 m buffer from the road on the northern (Oceanside) boundary. Following further consultation with the Bonriki community and noting the high level of dependence on the reserve's vegetation for firewood, building materials and food, the 10m offset was increased to 20m.

### 2. Other resettlement measures – Alternative water sources

The three households drawing water for washing, bathing and cooking from two wells in the STREP site will be provided with water tanks and appropriate materials and fittings to ensure effective rainwater harvesting and storage.

## H. LEGACY ISSUES

Several reports noted that the initial land acquisition by colonial administrators via eminent domain was not widely supported by traditional landowners. GoK's decision to initiate the lease of lands from landowners following independence in 1995 was made in this context.



Bonriki landowners' dissatisfaction continued unabated according to some reports,<sup>11</sup> over lease rates - the "...lease rates for water reserves' relative to leases for other public infrastructure - and the acquisition and compensation received for the airport land". A 2009 KAP II<sup>12</sup> report noted the same concerns and landowners' displeasure, linking acts of vandalism of PUB facilities in Bonriki (both in the reserve and the airport) to them. Cognizant of these grievances, GoK through MELAD completed a review of the lease rates in early 2020 and to be effective in Q3-Q4, 2020. This legacy issue will continue to be monitored by PUB and MELAD.

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<sup>11</sup> Ian White et al (2009).

<sup>12</sup> Ian White et al (2009)

### III. SOCIOECONOMIC INFORMATION AND PROFILE

#### A. GEOGRAPHIC BACKGROUND

Formerly known as the Gilbert Islands, the Republic of Kiribati (Kiribati) is a Pacific Island nation located near the equator and east of the International Date Line. In 1979, Kiribati gained its independence from Britain. The Republic of Kiribati consists of 32 low-lying (and one raised) coral islands scattered over 3.5 million km<sup>2</sup> (an area roughly the size of Europe) of the central and western Pacific. Most of the islands are less than 2 km wide and not more than 6m above sea level; 21 are inhabited.

Due to Kiribati's location at the heart of the Pacific Ocean and straddling the equator, it has an equatorial, maritime climate. Rainfall is generally common all year round, ranging from approximately 90 mm to 148 mm per month. The wettest period concerns the period from December to April. Total annual rainfall is just over 2,000 mm per year and hence the climate can be classified as a wet, tropical climate that can be hot and humid with temperatures staying relatively constant all year round. The daily temperature ranges from lows of 24°C, to highs of 32°C throughout the year, with no significant variation seen from month to month.

South Tarawa comprises a series of atolls, oriented east-west and connected by causeways. It adjoins North Tarawa and is approximately 150 km north of the equator. The entire island of Tarawa is considered low-lying, with a maximum level of approximately 3 m above sea level. The island itself is flat, with no major differences in elevation of note.

#### B. SOCIOECONOMIC INFORMATION

From the 2015 Population and Housing Census, the total population of Kiribati is 110,136, comprising 54,096 male (49%) and 56,040 females (51%). The ethnic composition of Kiribati is primarily people of Kiribati descent (I-Kiribati) who make up 96% of the population. The remaining population are of mixed I-Kiribati descent with others being immigrants from Tuvalu as well as a smattering of other ethnic groups (i.e., Australians, British, etc.). South Tarawa mirrors the national norm, with 96% of its population being I-Kiribati.

Females make up 52% of the urban population. Life expectancy at birth in 2013 was 64 for males and 69 for females, the second lowest in the Pacific.

**Table 4. Population of Kiribati in Urban and Rural Areas**

	Total			Urban			Rural		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Kiribati	110,136	54,096	56,040	56,388	27,159	29,229	53,748	26,937	26,811

**Source:** 2015 Kiribati Population and Housing Census.

There are 7,877 households (HHs) in South Tarawa (comprising 44% of the total households in Kiribati) occupying 16 square km of land with an average household size of seven members compared to the national average of six (6) (2015 Census data). Population

density in South Tarawa is 3,660/km<sup>2</sup> compared to the national density figure of 152/km<sup>2</sup> with the islet of Betio registering 10,377 people per square kilometer. Other than the Marshall Islands' atoll of Ebeye (with a population density of 38,600/km<sup>2</sup>), only Solomon Islands' capital of Honiara has a higher population density (4,079/km<sup>2</sup>) among urban areas in the Pacific Island countries. Such overcrowding in South Tarawa is putting stress on housing, land management, water and sanitation services and the natural environment including water reserves, creating a very poor social environment for many families in the capital.

**Table 5. Population and Households Comparing the 2010 and 2015 Censuses**

	2010			2015		
	Population	Households (HHs)	% of HHs	Population	HHs	% of HHs
<b>Kiribati</b>	103,058	16,043	100%	110,136	17,772	100%
<b>South Tarawa</b>	50,182	6,705	41%	56,388	7,877	44%

**Source:** 2015 Kiribati Population and Housing Census.

Other poverty indicators such as access to potable water and sanitation add to an overall picture of abject poverty and hardship. Water availability per day in South Tarawa from PUB's piped network is 11 liters per day (GoK, 2018)<sup>13</sup>, far less than the actual estimated demand of between 57 and 112 L/day and, in the context of disaster response, is considered the absolute minimum quantity required for basic drinking, cooking and personal hygiene needs (ibid.). Regarding sanitation, only forty (40) percent of Kiribati's population has access to improved sanitation (FAO, 2014). Open defecation continues to be practiced by 36% of the population (ibid.). For South Tarawa, 22% of households defecate in the beach, bush and sea combined; 29% of households uses flush toilets. Not surprisingly, there is a high level of water borne diseases and related health issues. In 2005, 56% of all cases of diarrhea in Kiribati occurred in South Tarawa and of them 54% came from clinics in the crowded Betio Island. A recent GoK report (2018) found that one in two persons was treated for water borne disease in a hospital or clinic in South Tarawa.<sup>14</sup>

Overall, Kiribati's poverty rate is estimated at 22 per cent in 2006 with the Southern Gilbert islands (29% of households) and South Tarawa (17 per cent of households) having the highest rates. Those in South Tarawa are slightly more likely to experience poverty than those in rural areas where subsistence production underpins daily life.<sup>15</sup>

### **C. SELECTED SOCIOECONOMIC FEATURES OF THE BONRIKI COMMUNITY**

A socioeconomic survey covering a randomly selected sample of 20 households comprising 4.6% of the total Bonriki community was conducted on 24 – 25 November 2019. The surveyed households live directly across from the proposed project site along the northern boundary. The survey sample size is limited relative to the total Bonriki household population

<sup>13</sup> Government of Kiribati. 2018. South Tarawa Water Supply Project – Environmental Impact Assessment (EIA).

<sup>14</sup> Government of Kiribati. 2018. op cit.

<sup>15</sup> Ibid.

of 400, however over half of the Bonriki population/households live to the south of the airport and do not rely on the water reserve as a source for biomass. The estimated number of households along the northern road facing the reserve that depends on the Water Reserve for biomass is 170<sup>16</sup> thus the 20 household sample size represents a sampling intensity of about 12 percent of the directly affected households of Bonriki. The key results from that survey are summarized below.

**Table 6. Bonriki Community Survey: Household Population and Types of Houses**

Ave. # of people per household (HH)	Ave. % of ppl 18yrs + per HH	Ave. % < 18yrs per HH	Type of houses		
			Type 1	Type 2	Type 3
6.7	3.95	2.75	45 %	40%	35%

Type 1 = traditional houses with thatched roofs and sides.

Type 2 = open pole/timber construction with corrugated iron roof and concrete floors.

Type 3 = Closed timber/concrete/blocks construction with iron roof.

The average surveyed population per household in Bonriki of 6.7 is slightly lower than the average household population of South Tarawa of 7 people; and higher than the national average of 6 people per household.

**Table 7. Bonriki community survey: Main Sources of Household Income<sup>17</sup>**

Government jobs	Jobs in private sector incl sea farers	Self-employed	No one in paid employment
40%	25%	30%	5%

**Table 8. Bonriki Community Survey: Main Source of Energy for Lighting**

Both electricity & solar	Solar only	Electricity only	Biomass
35%	40%	25%	0%

Comparing the Bonriki community survey results to the rest of South Tarawa, the 2015 census found that for lighting, 72.4% of households use PUB electricity, 15.5% uses solar and 4.6% uses kerosene.

**Table 9. Bonriki Community Survey: Main source of Energy for Cooking**

Biomass	Kerosene	Both biomass and kerosene	Electricity
95%	40%	75%	15% <sup>(a)</sup>

(a) = mainly for kettles (boiling water) and rice cookers.

Comparing the Bonriki community survey results to the rest of South Tarawa, the 2015 census found that for cooking, 14.2% use biomass, 8.3% use gas, 0.7% use electricity and 75% use kerosene.

Ninety-five percent (95%) of surveyed households that use biomass (firewood) for cooking collect it from the Water Reserve and this activity will be partially impacted by the project (i.e. lose access or require to travel longer distances for firewood when the STREP project

<sup>16</sup> PUB count as of 6 May 2020 (Tiaon Aukitino, email 7 May 2020).

<sup>17</sup> Average monthly income data is not given as most HH's were unwilling or unable to give an estimate.

area is fenced off). While 60% of surveyed households share this task more or less equally among men, women and children, 25% of surveyed households assigned this task to children.

## **IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION**

### **A. MEANINGFUL CONSULTATION**

Information disclosure and stakeholders' consultations have been conducted throughout the project preparation stage, and will continue throughout the project cycle, including during the updating and implementation of the Resettlement Plan and prior, during and after construction activities. The Consultation process has played a key role in identifying the potential issues associated with the initial design of the project, in understanding the expectations of the key stakeholders, as well as the needs and expectations of the population likely to be impacted. During the updating of the Resettlement Plan, PUB and MELAD will carry out meaningful consultations with project affected persons. Meaningful consultation is a process comprising the following elements:

- (i) It begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle.
- (ii) It provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people.
- (iii) It is undertaken in an atmosphere free of intimidation or coercion.
- (iv) It is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups.
- (v) It 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 issues.

The main objectives of the information disclosure and consultation activities as they relate to the Resettlement Plan are as follows:

- (i) to make affected people aware about the project, project features, potential impacts and implementation arrangements;
- (ii) to seek affected people's participation during the inventory of losses and socio-economic surveys and census activities;
- (iii) to discuss about the eligibility and entitlement of various likely losses;
- (iv) to convey the cut-off-date and schedule of survey activities;
- (v) to discuss on the grievance redress structures, procedures and mechanism;
- (vi) to seek affected people's overall participation for a smooth implementation of the project; and
- (vii) to make affected people aware of the next phase of consultation and disclosure, and an update on the implementation schedule.

### **B. CONSULTATIONS DURING PROJECT PREPARATION STAGE**

Information about the project was disclosed during meetings and workshops targeting (i) government agencies (ii) non-governmental organizations (iii) the Bonriki community and (iv) households in five South Tarawa communities namely, Ambo, Bairiki, Bonriki, Tearekerekere and Teimaku.<sup>18</sup> The following were conducted:

- (i) Inception Workshop, 2 October 2019;

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<sup>18</sup> These were conducted in large part to identify and assess gender issues and impacts but were prefaced by information regarding the Project and its main features.

- (ii) Stakeholders Workshop (1), held in Bikenibeu, 21 November 2019;
- (iii) Stakeholders Workshop (2), held in Bairiki, 29 November 2019;
- (iv) Bonriki Community meeting, held in Bonriki, 23 November 2019 and
- (v) Bonriki Community meetings (2), held in Bonriki, 29 June 2020<sup>19</sup>

Information imparted in these consultative exercises was primarily intended to explain the Project, and in the cases of the Bikenibeu and Bairiki workshops, focused on gender issues but the opportunity was also used to discuss other social impacts including land and resettlement issues. Meeting reports and lists of participants are provided in the annexes.

Face-to-face meetings with NGO representatives were organized with the assistance of the Ministry of Women's except the Bonriki community, which was organized through the local Town Council representative and which also include a specific request to ensure a high level of women participation. Civil society groups consulted through participation in the workshops held were mostly Church women's groups but also included KANGO and the national women's group, AMKA. All community meetings were conducted in I-Kiribati and involved the use of power point presentations. An information hand-out in I-Kiribati was distributed at the Bonriki community meeting (Annex 9).

The Bonriki community meeting on 23 November 2019 was on a Saturday afternoon in accordance with the community's preference. The meeting discussed the initial project design and the expected benefits for South Tarawa. It was also used to announce the cut-off date for the inventory of losses (IOL) and the next steps in the project preparation process. Sixty-one (61) community members attended, 35 (57%) were women.

The two Bonriki community meetings on the 29 June 2020, led by MELAD and PUB, discussed the draft RP, with specific emphasis on the proposed enrichment planting activity. The community expressed support for the tree planting activity, both for the resources to be created in the long term as well as the employment opportunities it offered in the short term. The community also requested extending access from the north ring road to the airport runway boundary with accompanying measures to ensure the safety of those using it.

## **C. DISCLOSURE OF THE DRAFT RESETTLEMENT PLAN**

This draft Resettlement Plan will be discussed and disclosed to households within the Bonriki area by PUB and MELAD. The Executive Summary of the Resettlement Plan will be made available during the consultation meeting, and at the PUB office, along with a copy of the finalized draft Resettlement Plan document.

## **D. FUTURE CONSULTATION AND DISCLOSURE**

Information disclosure and consultation activities will be continued throughout the project cycle, especially during the updating of the Resettlement Plan, during disbursement of compensation and assistance, and also during the construction. A Stakeholder Communications Strategy and Plan will be prepared by the PMU and future consultations will be carried out by the PMU and MELAD. At each consultation activity, the grievance redress process will be explained. The Resettlement Plan, and any update, will be disclosed on the ADB website. Semi-annual monitoring reports will also be uploaded on ADB's website. At the completion of resettlement plan implementation, PUB will submit a

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<sup>19</sup> Two community meetings on 29 June, 2020 at Te Kawai ae Boou' and the Catholic Maneaba (lagoon side).

## Draft Resettlement Plan

Compensation Completion Report to ADB. Civil works will commence once the resettlement plan is satisfactorily implemented, and ADB, having received and found the Compensation Completion Report to be satisfactory, has issued its no objection letter.



## V. COMPLAINTS AND GRIEVANCE REDRESS MECHANISM

A grievance redress mechanism is a process for systematically receiving, investigating and responding to stakeholder complaints. Throughout the life cycle of the project, queries and grievances from the impacted community may arise hence a Grievance Redress Mechanism (GRM) is established to address grievances raised. The GRM will be triggered in all instances where a complaint is received by the project management unit (PMU) or its contractors. The objective of the GRM is to resolve complaints related to the project in a time-bound and transparent manner.

The project GRM will respond to matters related to project design, construction, and operation. From a safeguard perspective, members of the public may perceive risks to themselves or their property or have concerns about the environmental performance of the project. These issues may relate to construction and operation or to ownership of project affected assets and eligibility for compensation. Aggrieved persons are encouraged to file complaints with the Project Management Unit to enable concerns to be addressed promptly and sensitively, and without retribution.

**Types of grievances.** Before project construction and following the public disclosure of the Resettlement Plan, issues relating to land ownership and compensation payment are likely to arise especially when confirmed beneficiaries will have been announced over the radio and other media for paying out of compensation. At the pre-construction phase, during which the Resettlement Plan is implemented, most if not all complaints received are expected to be related to land, compensation or resettlement issues generally.

**GRM process for resettlement/land issues.** All complaints will be directed to the Project Manager in the PMU. The Project Manager, in coordination with the Director of Lands Management Division of MELAD, will initiate corrective actions as appropriate, and inform the complainant within two weeks. The Project Manager will also ensure proper records and a register is kept recording all complaints, names of complainant(s), the nature of the complaint, the response offered and the outcome. If after two weeks the matter is not resolved to the satisfaction of the complainant, the Project Manager will then relay the issue to the Project Steering Committee (PSC). The PSC will have two months to address the complaint. When the PSC has determined a solution to the issue, the complainant is informed by letter and if the complainant remains aggrieved, he/she is free to take the matter to the Magistrate Court, at PUB's expense. A decision of the Court would be final. If the number of complaints increases such that their resolution will delay the project, the MC will appoint a Magistrate to deal only with project-related cases, until normal flow of processing grievances is restored. This is an arrangement that was reportedly done in the past with other specific compensation cases and was found to work well.

**GRM process during construction.** During construction, most complaints will be about construction impacts. To deal with these, the Contractor will have a designated liaison person, to whom all complaints are first directed. He/she will endeavor to resolve the grievance immediately but if unsuccessful, will then relay the matter to the Supervising Engineer. The liaison person will also advise the complainant of when to expect a response from the Supervising Engineer.

The contractor will maintain a complaints book on site, containing complaint forms that are filled out in duplicate, with one copy provided to the complainant. The forms will record date, time and nature of the complaint and information on the rights of the complainant and

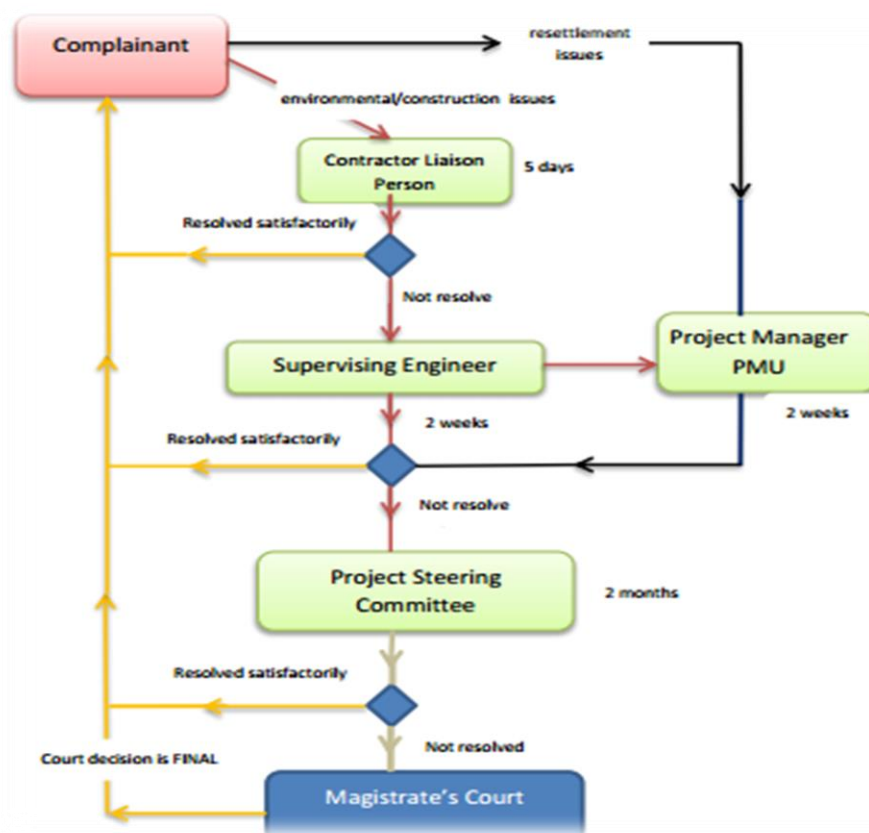
process to be followed for assessing and acting on the complaint. The forms will allow space for anonymous complaints to be registered. Registering and resolving a complaint will be at no cost to the complainant. The contractor will then address the complaint and take corrective action agreed to with the complainant.

For minor complaints, such as noise or dust nuisance, or disregard of safety procedures, immediate corrective action will be taken. For more serious issues requiring guidance or further discussions, the contractor will raise the issue with the Supervising Engineer. A written response will be prepared, stating either (i) the nature and duration of action that has been taken, (ii) where an issue is not readily addressed by direct action on site, the steps that have been taken for resolution or (iii) complaint is considered invalid, an explanation as to why. In each case, the complainant will be informed as to their rights for the next step. The response will be handed to the complainant or made available for them to collect, within 48 hours of the complaint being received.

Should the complainant remain dissatisfied with the action taken or the explanation received, the matter/complaint file will be forwarded to the Supervising Engineer. The Supervising Engineer will have assigned a member of staff with the role of community liaison. The name of this individual will be provided on the complaints registration form, with contact details and notice that this individual can be approached for follow up in respect of the complaint and that this may be done in person, by phone or in written form. The Supervising Engineer will consult with PUB and on their behalf review the complaint and the response of the contractor, then make a decision to be referred to the complainant within a maximum of two weeks. If the grievance remains unresolved, the Project Steering Committee will be advised, and they will consult with the complainant and determine the next course of action. The expected period of time for this process is two months. If the complainant remains dissatisfied with the Project Steering Committee's actions or decisions, the grievance may be filed with the Magistrate's Court, which under normal conditions involves a registration fee (that will be covered by PUB). The Magistrate's ruling will be binding on all parties.

At the completion of the works, and when the contractor's defects liability period has passed, the infrastructure is handed over to PUB. As PUB will be responsible for infrastructure service delivery, they will be required to receive and act on complaints relating to the operation and maintenance of the solar PV system. A complaints register will be maintained. Figure 6 details the process to be followed for the project GRM.

**Figure 6. Grievance Redress Mechanism**



**Record keeping.** The PMU and contractor will maintain a register of all complaints and grievances received either on site or at the office. The register will include: date of the complaint, the name of the complainant (and their contact details), name/title of person receiving the complaint, nature of complaint, any actions taken to immediately resolve the complaint and any future actions required, and close-out date when the complaint was satisfactorily resolved. The register will be subject to inspections during audits and will be summarized and appended to the semi-annual safeguard monitoring reports submitted to ADB.

**Awareness of the GRM.** The procedures for filing grievances, including details of contact persons, will be discussed and explained during Project Disclosure and subsequent consultations. During construction, the name and contact details of the liaison contact person will be presented on a notice board at work site and PUB office. The notice board will also state (i) that members of the public with a grievance or concern have the right to register complaints (verbally or in written form) and for appropriate and reasonable action to be taken to address any valid complaint and (ii) that complaints can be made to the individuals concerned either verbally, in person, or in written form and that (iii) a written response will be provided within 48 hours.

**Confidentiality and Anonymity.** The project will aim to protect a person's confidentiality when requested and will guarantee anonymity in semi-annual reporting. Individuals will be asked permission to disclose their identity and grievances may be submitted anonymously with an option for a third party to liaise with the project if desired. Investigations will be

undertaken in a manner that is respectful of the complainant and the principle of confidentiality. The complainant will need to recognize that there may be situations when disclosure of identity is required, and the project will identify these situations to see whether the complainant wishes to continue with the investigation and resolution activities.

**Implementation and budget.** PUB, specifically the Project Management Unit, will be responsible for implementing the GRM. A plan to implement the GRM, including record keeping documents and information brochures, will be prepared by the PMU during the pre-construction phase. The associated costs to implement the GRM will be borne by PUB.

**Land related disputes.** Within the State Acquisition of Lands Act (1979), Section 13 sets out the mechanism and process for the redress of grievances related to title and or compensation. Project grievances that relate specifically to land titles or compensation may be referred to the process specified in Section 13 of the Act, and shall be settled by the High Court, which has the jurisdiction to hear and determine cases.

**Accountability Mechanism.** People who are, or may in the future be, adversely affected by the project may submit complaints to ADB's Accountability Mechanism. The Accountability Mechanism provides an independent forum and process whereby people adversely affected by ADB-assisted projects can voice, and seek a resolution of their problems, as well as report alleged violations of ADB's operational policies and procedures. Before submitting a complaint to the Accountability Mechanism, affected people should make an effort in good faith to solve their problems by working with the concerned ADB operations department. Only after doing that, and if they are still dissatisfied, should they approach the Accountability Mechanism.

## VI. LEGAL FRAMEWORK

### A. RELEVANT LAWS

Under the Kiribati constitution (1979) all land in Kiribati belongs to the I-Kiribati people except for the Phoenix and Line Islands, small portions of reclaimed land owned by the Government, and lands belonging to the Catholic Church. Rights and interests in I-Kiribati land are acquired mostly by inheritance and gifting customs as codified in the Gilbert and Phoenix Islands Lands Code (1956). The various customs governing the acquisition of interests and rights to land are defined in the Code. The Code documents customs and practices as of 1956 and, despite changes to a market economy, these customs and practices continue to be highly relevant in Kiribati society today.

The Constitution of Kiribati and land-related legislation begin with the premise that land cannot be alienated by sale, gift, lease or otherwise to a person who is not a native. It does not, however, restrict the alienation of land to the State, Local Government Council and the Housing Corporation. The State can acquire land, by agreement or compulsorily, for public purposes including the location of electric power generation, storage and distribution infrastructure.

The following legislation and policies provide the legal and policy framework for the acquisition of any land required, or of access and user rights. The most relevant legislation is discussed in further detail below.

- (i) Constitution of Kiribati;
- (ii) State Acquisition of Lands Ordinance 1954 (rev 1979);
- (iii) Native Lands Ordinance 1956 (rev edition 1977);
- (iv) Public Utilities Board Ordinance 1977;
- (v) Magistrate's Courts Act 1978;
- (vi) State Lands Act 2001;
- (vii) The Land Registration Grievance Tribunal Act 2002;
- (viii) The Squatters' Recovery Act 2005; and
- (ix) Native Lands Amendment Act 2011

**The Constitution of Kiribati.** The Constitution of Kiribati declares that all-natural resources of Kiribati are vested in the people and their Government. Section 8 (Protection from deprivation of property) states that no property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except where the following conditions are satisfied: (a) the taking of possession or acquisition is necessary or expedient in the interests of defense, public safety, public order, public morality, public health, town or country planning or the development or utilization of any property for a public purpose; and (b) provision is made by a law applicable to that taking of possession or acquisition for the payment of adequate compensation within a reasonable time.

**State Acquisition of Lands Ordinance 1954 (rev 1979).** Section 5 empowers the Minister to acquire "...on behalf of the republic, any lands required for any public purpose, absolutely or for a term of years as he may think proper, paying such consideration or compensation as may be agreed upon or determined under the provisions of this Ordinance." Sections 6 (1) and 6 (2) empower agents of the Minister to access land to be taken for public purposes including surveying and marking of boundaries, but also define limits to protect the privacy of land occupants in their homes.

Kiribati's policy for the determination of compensation for affected peoples and their assets is set out in Section 16 – "Matters to be considered in determining compensation." Section 16(a)(ii) refers to "the damage sustained by the person interested by reason of the taking of any standing crops or trees which may be on the land at the time of taking possession thereof". Section 13 sets out the mechanism and process for the redress of grievances related to title and or compensation.

**Native Land Ordinance 1956.** Part VI of the Native Lands Ordinance provides for leases. It reaffirms the inalienability of native land to a person who is not a native, but grants exemptions for their alienation to the State (Crown) for public purposes (Section 5(2)). The Native Lands Ordinance complements the State Acquisition of Lands Act and provides the legal basis for the State to lease native (private) lands when and if necessary.

**The Public Utilities Board (PUB) Ordinance 1977** empowers the Public Utilities Board (Part III Section 7(1)) to do anything or to enter into any transaction which in its opinion is calculated to facilitate the proper discharge of its functions or is incidental or conducive thereto. Part III Section 5 empowers the Minister to declare by notice "... any island or part of an island to be an electricity supply area or a water supply area or both as an electricity and a water supply area". Part III Section 6 gives the Board "... the exclusive right within any electricity supply area to generate, transform, transmit, distribute, supply and sell electricity and to perform services incidental thereto."

**Magistrate's Courts Act 1978.** Section 58 of this Act gives the Magistrate's Court the power to hear and adjudicate in all cases concerning land matters in accordance with the provisions of the Code, and where the Code is not applicable, in accordance with customary law. Land matters concerning land boundaries, transfers, registration of native lands and any disputes concerning the possession and utilization of native land are dealt with by the Magistrate's Court.

**The State Lands Act 2001** empowers the State as the owner of land to make some of this land available for development purposes including for the permanent settlement of citizens and their families. The State is equally empowered to reverse the transfer of land back to the State, or to another party.

**The Land Registration Grievance Tribunal Act 2002** The Tribunal was established to hear outstanding complaints by direct descendants of persons who were by mistake or fraud deleted from or denied entry on a land registry in the Gilbert Group. For some time, citizens have complained that in the period 1940 to 1980 persons who should have been registered with an interest in land were overlooked. The descendants of these persons, who might have inherited the interest in land have complained that this injustice should be investigated. The Tribunal does not have the independent power to make awards to a successful griever without written consent, (S.4(3)). Instead, it is for the Government to consider what should be done in the circumstances of each case. The Act recognizes the legal concepts of grievance in the functions of the Tribunal.

**The Squatters' Recovery Act 2005.** This Act makes provisions for the recovery of lands from persons in unauthorized occupation of such lands, and related matters. Part III Section 11 empowers the Police to direct people believed to be trespassing to leave and remove all possessions he/she may have on the land. Sections 12, 13 and 14 empower Police to seize and remove possessions and to retain and dispose of such possession. Owners of such

seized possessions are not entitled to any compensation.

In the context of the proposed project, the GoK is not required under its laws to compensate squatters on the water reserve. GoK and ADB Safeguards Policies differ in this regard.

**Native Lands Ordinance Amendment Act 2011** amends Section 4 of the Native Lands Ordinance to address the concerns of I-Kiribati who feel they have lost their lands as a result of fraud committed by those who are currently registered over the disputed lands or by their predecessors. The amendment seeks to give aggrieved people the opportunity to challenge those titles in Lands Court.

## **B. ADB SAFEGUARD POLICY STATEMENT 2009**

The ADB's Safeguard Policy Statement (SPS) 2009 comprises three safeguard policies, including one on involuntary resettlement which aims to

- (i) Avoid involuntary resettlement wherever feasible; and
- (ii) Minimize resettlement where population displacement is unavoidable by exploring all viable project options.

However, if resettlement is not unavoidable following careful consideration of all design options, the individuals or communities who lost their land, means of livelihood, social support systems, or way of life should be

- (i) compensated for lost assets and loss of income and livelihood;
- (ii) assisted for relocation;
- (iii) assisted so that their economic and social future will generally be at least as favorable with the project as without it;
- (iv) provided with appropriate land, housing, infrastructure, and other compensation, comparable to the without-project situation; and
- (v) fully informed and closely consulted on resettlement and compensation options.

ADB's SPS also specifies that lack of formal legal title to land is not a requirement for compensation. The ADB's safeguard requirements on involuntary resettlement cover physical displacement (relocation, loss of residential land or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources or means of livelihoods) as a result of involuntary acquisition of land, involuntary restrictions on land use or on access to legally designated parks and protected areas. The SPS covers all affected people, whether the losses and involuntary restrictions are full or partial, permanent or temporary.

The policy principles that need to be implemented are to

- (i) screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks;
- (ii) carry out meaningful consultations with displaced and other affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women

- and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations;
- (iii) establish a grievance redress mechanism to receive and facilitate resolution of the displaced/affected persons' concerns;
  - (iv) support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase;
  - (v) improve, or at least restore, the livelihoods of all displaced persons through (a) 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, (b) prompt replacement of assets with access to assets of equal or higher value, (c) prompt compensation at full replacement cost for assets that cannot be restored, and (d) additional revenues and services through benefit sharing schemes where possible;
  - (vi) provide physically and economically displaced persons with needed assistance, including the following: (a) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (b) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (c) civic infrastructure and community services, as required;
  - (vii) improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing;
  - (viii) 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;
  - (ix) ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets;
  - (x) prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule;
  - (xi) disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to displaced/affected persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced/affected persons and other stakeholders;
  - (xii) conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation;



- (xiii) pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation; and
- (xiv) monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

### **C. COMPARISON BETWEEN ADB'S LAND ACQUISITION AND INVOLUNTARY RESETTLEMENT POLICY REQUIREMENTS AND THOSE OF THE GOVERNMENT OF KIRIBATI**

Table 10 summarizes the key differences between the GoK and ADB's SPS 2009 and outlines the measures that need to be taken by the GoK and the ADB to address these gaps.

**Table 10. Comparing GoK and ADB Land Acquisition Laws and Policies**

<b>Kiribati's Land Acquisition Policy</b>	<b>Scope of ADB's Land Acquisition and Involuntary Resettlement Policy Requirements</b>	<b>Gaps and Consistencies between the Government of Kiribati (GoK) and ADB Policies</b>
<p>The Constitution of Kiribati generally guarantees against deprivation of property without adequate compensation (s.3). In situations where property is compulsorily taken possession of or an interest or right over property is compulsorily acquired, compensation must be paid within a reasonable time (s.8).</p> <p>The Native Lands Ordinance 1956 makes clear that native land cannot be alienated to a non-native, and the Non-Native Lands Ordinance 1974 restricts the alienation of non-native land except to the State.</p> <p>The State Acquisition of Lands.</p>	<p>Involuntary resettlement should be avoided wherever feasible.</p>	<p>Both the Constitution and the State Acquisition of Lands Act 1954 safeguards against the deprivation of property without compensation.</p> <p>There are no explicit provisions preventing involuntary resettlement but the restrictions on the alienation of native lands to non-natives, and the mechanism for reacquiring non-native lands by the State potentially provide for the State the opportunity to intervene in these situations to prevent involuntary resettlement.</p> <p>Kiribati's policy is therefore consistent with ADB's policies. The provision for prior agreement of landowners is important in this regard.</p>
<p>Ordinance 1954 empowers the Minister to acquire land compulsorily on behalf of the</p>		

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition and Involuntary Resettlement Policy Requirements	Gaps and Consistencies between the Government of Kiribati (GoK) and ADB Policies
<p>Republic, or with the agreement of landowners, any land which is required for the construction, maintenance or improvement of any road designated as a highway (S.10(1)). The Ordinance also prohibits the Minister from acquiring land on either side of a public highway, except by agreement with landowners (S.10(2)).</p>		
<p>The Constitution and State Acquisition of Lands Ordinance guarantee compensation for land, crops and other assets vital to livelihoods that are damaged.</p>	<p>Where population displacement is unavoidable, it should be minimized by providing viable livelihood options.</p>	<p>The requirement for prior notice and the duration of no less than 6 months is clearly intended for affected people to relocate in a prepared and orderly manner, with compensation. Likewise, the restraints on the Minister's agents from entering homes without prior notice during preliminary investigations are to minimize disturbance and adverse impacts.</p> <p>There is no explicit statement requiring the provision of viable livelihood options, but the intent of the legislation to minimize hardship on affected people is clear. In this regard, Kiribati and the ADB policies are partly consistent and there is a need for GOK to put in place additional measures to ensure full compliance.</p>
<p>The State Acquisition of Lands Ordinance 1954 (S.5) empowers the Minister to acquire lands for any public purpose, "...paying such consideration or compensation as may be agreed upon or determined under the provisions of this Ordinance."</p>	<p>Replacing what is lost. If individuals or community must lose all or part of their land, means of livelihood, or social support systems, so that a project might proceed, they will be compensated and assisted through replacement of land, housing,</p>	<p>The Ordinance is consistent on the principle of replacement cost based on current market value. The Ordinance is also cognizant of the secondary impacts of any land acquisition on the affected persons' livelihood and</p>

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition and Involuntary Resettlement Policy Requirements	Gaps and Consistencies between the Government of Kiribati (GoK) and ADB Policies
<p>Section 16 (a) lists all matters to be considered in determining compensation which covers the market value of land at the date of notice of intention to take such land.</p> <p>Section 17 also provides for compensation to affected people for loss of rents and profits. PUB Ordinance 1977 requires compensation of land used for PUB purposes one of which is to establish, operate and maintain sewage systems.</p>	<p>infrastructure, resources, income sources, and services, in cash or in kind, so that their economic and social circumstances will be at least restored to the pre-project level. All compensation is based on the principle of replacement cost at current market prices.</p>	<p>source of income, which is an important aspect of ADB's policy.</p>
	<p>Each involuntary resettlement is conceived and executed as part of a development project or program. The executing agencies or project sponsors, during project preparation, assess opportunities for affected people (AP) to share project benefits. The APs need to be provided with sufficient resources and opportunities to reestablish their livelihoods and homes as soon as possible, with time-bound action in coordination with civil works.</p>	<p>The government has no written policy consistent with or equivalent to that of ADB. In this case, ADB policy prevails.</p>
<p>S.13 of the State Acquisition of Lands Ordinance 1954 – Dispute as to compensation and title to be settled by High Court. PUB Ordinance 1977 requires compensation, and where landowners and PUB disagree on the amount of compensation, the landowner can lodge a complaint and the Court will make this determination.</p>	<p>Grievance redress mechanisms for APs are to be established. Where adversely affected people are particularly vulnerable groups, resettlement planning decisions will be preceded by a social preparation phase to enhance their participation in negotiation, planning, and implementation.</p>	<p>The 1954 and 1977 Ordinances clearly establish the mechanism for resolving disputes and grievances. But there is no explicit provision for safeguarding the interests of affected people that are particularly vulnerable.</p> <p>GoK needs to put in place specific strategies for ensuring the timely redress of all grievances as part of the project design, as well as provisions for safeguarding the interests of affected people who are particularly vulnerable.</p>

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition and Involuntary Resettlement Policy Requirements	Gaps and Consistencies between the Government of Kiribati (GoK) and ADB Policies
<p>Kiribati has no ethnic minorities. In the State Lands Act 2001, the transfer of rights to land via leases distinguishes between natives and non-natives.</p> <p>Unlawful occupation of native lands is an offense under S.35 of the Native Lands Ordinance. The unlawful occupant may be ordered by the Court to pay to the proprietor compensation for the period of the unlawful occupation (S.35 (2)).</p> <p>In terms of State-owned lands, the Minister under S.13 may allow a third party with close family connections to the lessee to occupy the land or part of it. This family member or owner may receive financial compensation, at the sole discretion of the Minister, up to no more than the current value of improvements on the plot, when the plot is transferred and registered under a new owner (S.16).</p>	<p>Indigenous groups, ethnic minorities, pastoralists, people who claim for such land without formal legal rights, and others, who may have usufruct or customary rights to affected land or other resources, often have no legal title to their lands. The absence of a formal legal title to land is not a bar to ADB policy entitlements.</p>	<p>For leased State-owned land, affected people permitted to occupy land under S.13 of the State Lands Act 2001 are entitled to compensation for any improvements on the land. For native lands, occupants without title have no such rights.</p> <p>There is inconsistency between ADB policies and those of the Government of Kiribati with respect to occupants without titles on native lands.</p> <p>To comply with ADB Policy, the GoK will ensure that all affected people who have legitimate claims to crops, trees and/or land are compensated regardless of whether or not they have formal legal title.</p>
<p>All lands (native, state-owned) are registered in the register of native lands (S.2 Native Lands Ordinance) and State-owned lands respectively (S.4 (1) State Lands Act 2001). The Leases Register and Sub-Leases Register are also maintained for native lands (S.2 Native Lands Ordinance).</p>	<p>The APs are to be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cut-off date, preferably at the project identification stage, to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits.</p>	<p>Existing registers allow for the early identification of affected people and facilitate the establishment of their eligibility. There are also unsurveyed plots with titles unconfirmed, which need boundary surveys before inventory of assets and census of affected people can be finalized. GoK policies and ADB requirements are consistent.</p>
<p>Under S.28 of the Native Land Ordinance 1956, the Gilbert and Phoenix Islands Lands Code was declared to be the code of laws governing native land rights from 1 March 1963 in each of the 18 populated islands of Kiribati. The</p>	<p>Particular attention must be paid to the needs of the poorest APs, and vulnerable groups that may be at high risks of impoverishment. This may include those without legal title to the land or other</p>	<p>The Gilbert and Phoenix's Land Code under the Native Land Ordinance 1956 provides for vulnerable groups including women, children, and the elderly. It is</p>

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition and Involuntary Resettlement Policy Requirements	Gaps and Consistencies between the Government of Kiribati (GoK) and ADB Policies
<p>Code, codifying custom, describes the system of native land tenure and regulates the distribution or transfer of native lands, fishponds and fish traps to the owner's spouse and children (legitimate, illegitimate and adopted). The Code also regulates gifts of land for nursing a landowner who is incapacitated by illness; gifts for wet-nursing babies (that is where a child is cared for and raised by persons other than the child's natural parents), and gifts of land by a husband to his wife or a wife to her husband during marriage. Customs pertaining to land have changed and, cognizant of this, the Minister (under S.8 of the Native Lands Ordinance) is obliged to lay before Parliament at its next meeting, any of the orders made incorporating the changes.</p>	<p>assets, household headed by female, the elderly or disabled and other vulnerable groups, particularly indigenous peoples. Appropriate assistance must be provided to help them improve their socio-economic status.</p>	<p>consistent with ADB policies.</p>
<p>Kiribati legislation (State Acquisition of Lands Ordinance) provides for compensation of land based on market value at the date of notification of intent to take such land. Government lease rates for Government leased lands are determined at market rates and reviewed every three years, the most recent in 2009. Compensation for crops is similarly valued.</p>	<p>The full resettlement costs are to be included in the presentation of project costs and benefits. This includes cost of compensation, relocation and rehabilitation, social preparation and livelihood programs as well as the incremental benefits over without-project situation (which are included in the presentation of project costs and benefits). The budget also includes cost for planning, management, supervision, monitoring and evaluation, land taxes, land fees, and physical and price contingencies. Where loans include subprojects, components or investments prepared only after project approval and loans through financial intermediaries that are likely to cause involuntary resettlement, sufficient</p>	<p>Kiribati policy for calculation of compensation for land, crops and other assets is based on replacement cost for long term assets and current market value for annual crops. The existing legislation is silent with regards to social preparation and livelihoods programs as part of compensation and resettlement assistance. On the other hand, recent practice wherein Government lending institutions provide preferential terms for housing loans for people affected by Government projects point to compliance in practice with ADB policy.</p> <p>GoK updated its schedule</p>

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition and Involuntary Resettlement Policy Requirements	Gaps and Consistencies between the Government of Kiribati (GoK) and ADB Policies
	contingency allowance must be allocated for resettlement prior to approval of the loan. Similarly, resettlement plans should also reflect the timeframe for resettlement planning and implementation.	of rates for valuing crops and trees to reflect current market value for compensating calculations, in 2011 as part of the Kiribati Road Improvement Project.
	Eligible cost of compensation, relocation and rehabilitation may be considered for inclusion in ADB loan financing for the Project, if requested, to ensure timely availability of the requested resources and to ensure compliance with involuntary resettlement procedures during implementation.	The Government of Kiribati has budgetary provisions for lease payments on existing lands leased by the State for public purposes and for all compensation arising out of the project.

## D. PROJECT POLICIES

In bridging gaps between the GoK and the ADB policies on land acquisition, the following principles and policies will govern the project, with due consideration for the customs and traditions of local communities:

- (i) Acquisition of freehold native lands will be minimized, and resettlement of people avoided. The preferred mode of securing access to lands will be through negotiated long-term lease;
- (ii) Where population displacement is unavoidable, it will be minimized by providing viable livelihood options;
- (iii) All APs will be systematically informed and consulted on the acquisition and compensation of affected land, other affected assets, the rights and options available to them on the proposed mitigating measures, and to the extent possible, APs will be involved in the decisions to avoid any delay in RP implementation;
- (v) In the consultation process, PUB will include leaders of AP communities, and will encourage and facilitate the participation of women, the elderly and vulnerable people. Local NGOs and CSOs will also be invited to participate;
- (vi) The customs and traditions as well as the religious practices and observances of the local communities will be respected, and historical or cultural landmarks, spiritual sites and reservation areas will be preserved and protected;
- (vii) Updated land rates, as provided by MELAD, will be used to calculate compensation and replacement values. A review of the rates for trees and crops will be carried out at time of settlement; this review may give rise to a top up to ensure their applicability.
- (viii) Lack of formal legal rights to land will not deprive APs from receiving compensation and other entitlements for lost assets on the affected land. The

census of APs will be appropriately designed to ensure APs without title to land are clearly identified;

- (ix) Particular attention will be given to socially and economically vulnerable groups like female-headed households, children, the landless, elderly people without support structures and people living in extreme hardships during the resettlement plan implementation process;
- (x) The titleholders will be involved in decision making related to land acquisition and resettlement and they will be assisted by the IA to mitigate the adverse impacts of resettlement;
- (xi) The full cost of land acquisition and resettlement must be incorporated into MFED budget planning and approved by the Council of Ministers with a clear and agreed implementation period;
- (xii) Appropriate internal reporting (including auditing and redress functions), monitoring and evaluation mechanisms will be established by the IA as part of the resettlement management system;
- (xiii) Land acquisition, compensation, resettlement and rehabilitation activities will be satisfactorily completed and the project area cleared of all obstructions before civil works begin;
- (xiv) Affected populations that stand to lose only part of their physical assets will not be left with a proportion that will be inadequate to sustain their current standard and convenience of living, such a minimum size being identified and agreed upon during the resettlement planning process;
- (xv) Community facilities and infrastructure damaged due to the project will be restored or repaired, as the case may be, at no cost to the community;
- (xvi) APs whose land or assets are temporarily taken by the works under the project will be fully compensated for their net loss of income, damaged assets, crops and trees, as the case may be. The contractor will negotiate with landowners for fair and documented compensation for temporary use of lands. The contractor will also ensure that all temporarily acquired land and structures are returned in their pre-project state; and
- (xvii) Where local communities or individuals elect to make voluntary contributions of affected land without compensation, or in accordance with traditional practices, this will be acceptable only if the following safeguards are in place:
  - (a) full consultation with landowners and any non-titled affected people on site selection;
  - (b) voluntary donations should not severely affect the living standards of affected people;
  - (c) any voluntary donation will be confirmed through written record and verified by an independent third party such as a nongovernment organization (NGO) or legal authority;

adequate grievance redress mechanism should be in place.

## **E. METHODS FOR VALUING AFFECTED ASSETS**

Affected assets may include (i) native land with title currently leased by the government for the Water Reserve (ii) trees or other non-land assets, and (iii) water wells. The project will follow MELAD standard processes for valuation of assets. Preparation of initial valuations will use the GoK Compensation Rates for Trees, Crops and Building Structures (refer Annex 3). As the schedule of rates was last updated in 2011, they may not reflect current replacement values. MELAD is committed to reviewing rates for trees to reflect replacement

value and will carry out the review at the time of settlement; this review may give rise to a top up to ensure their applicability.

An inventory of losses and initial valuations was conducted. Both will be validated and updated. This information will be captured in an updated RP which will be reviewed and approved by ADB and implemented by PUB prior to awarding of civil works contracts. Where there is a lack of human resource capacity within MELAD to meet all social safeguards requirements, assistance from project safeguards consultants will be provided.

## F. OTHER MITIGATION MEASURES

An enrichment tree planting program (ETPP) within the 20m buffer zone along the northern and western ring road, planting available space within 4.25 acres of reserve land will be implemented. The tree planting program was initially proposed as a way to mitigate the impact – in the long-term – of the loss of trees within the reserve that are used by the nearby community for firewood and food. In the short term, the ETPP will also provide employment opportunities for over 100 men and women from the directly affected households in Bonriki. Planning of this activity was delayed due to international travel restrictions affecting the participation of consultant specialists but was since completed with the assistance and collaboration of MELAD and PUB and following consultation with the Bonriki community on 29 June 2020. Annex 10 presents the ETPP budget.

An access path running through the reserve (between the STREP and STWSP sites) connecting the northern ring road to the airport runway boundary to the south will be established in response to community requests during the June 2020 consultation in Bonriki. PUB may install lights along parts of the fence as part of the security for their facility, at their discretion which will also contribute to enhancing the safety of those using these paths.

**Figure 7. Access path from north ring road through reserve to the boundary with airport runway (in blue)**





## VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

**Avoiding or minimizing land acquisition.** To minimize land acquisition and resettlement impacts, the preliminary design has sought to utilize government leased land or public land where possible. Land earmarked for STREP is part of an existing Government lease for which landowners have been receiving annual lease payments. Government leases are either residential or commercial and the Bonriki Water Reserve is a commercial lease receiving the higher rate of \$3,500 per acre per year. A GoK review of lease rates was completed in early 2020 and will come into effect in Q3 2020. The design for STREP avoids all residential structures, as well as a cemetery, belonging to an informal settler household.

The overall objective of the compensation and entitlement policy for the Project is to ensure that all affected persons are able to maintain and, preferably, improve their pre-project living standards and income-earning capacity through compensation for the loss of physical and non-physical assets and, as required, other assistance and rehabilitation measures.

### A. ENTITLEMENT MATRIX

For the purpose of this Resettlement Plan project affected persons (APs) are limited to the following:

- (i) Confirmed landowners of the leased land used for the Water Reserve where the project and future development will be located;
- (ii) Owners of crops and productive trees which will be impacted as a result of the project and future developments (in this case, the confirmed landowners);
- (iii) Users of the resources (productive trees, crops, wells) in the area earmarked for the project and future developments.
- (iv) Any other individual or household affected by unanticipated impacts.

**Table 11. Project Entitlement Matrix**

	Type of loss	Application	Entitled Person	Entitlements	Implementation Issues
1	Loss of land	All land earmarked for STREP (5.3 ha) and future developments (7ha)	Landowners	Land will continue to be leased by the Government for the purposes of the Water Reserve, as well as electricity generation. Lease rates will comply with government standard lease rates for native land.	MELAD completed a review of lease rates in early 2020 that will come into effect in Q3 2020.
2	Loss of productive trees	638 trees of various species	Landowners	Financial compensation at full replacement cost.	A review of the rates for trees and crops will be carried out at time of settlement; this review may give rise to a top up to ensure their applicability.
3	Loss of productive trees	638 trees of various species	Resource users (households that gather leaves and stems for firewood, thatches and fruit)	<p>Priority recruitment for employment opportunities generated by the project.</p> <p>A sustainable resource of trees and plants accessible to affected householders for firewood, food and other subsistence needs.</p>	<p>PUB/MISE will ensure the requirement of priority employment is included in the bidding documents for the Contractor.</p> <p>MISE/PUB to ensure effective implementation of the Enrichment Tree Planting Program.</p>
4	Loss of water wells	Two water wells	Three households who draw water from the wells	Rota tanks (minimum size of 3,000 liters) and materials/fittings for ensuring effective rainwater harvesting will be provided to each of the three affected households.	Delivery will be completed before the project area is fenced off.

	Type of loss	Application	Entitled Person	Entitlements	Implementation Issues
5	Loss of walking paths and minor dirt roads within the project area	Walking paths and minor roads located within the 12-ha area	Households living around the Water Reserve site who use the walking paths and minor roads	<p>Advance notice of impending loss of access to the walking paths and minor dirt roads.</p> <p>Priority recruitment for employment opportunities generated by the project.</p> <p>Provision of alternative access in and out of the reserve.</p>	<p>Community consultations will be conducted by PUB.</p> <p>PUB/MISE will ensure the requirement of priority employment is included in the bidding documents for the Contractor.</p> <p>MISE/PUB to ensure effective implementation of approved access path from north ringroad to airport boundary.</p>
6	Vulnerability	(i) households headed by women with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) elderly households with no other means of support; (v) landless households	Affected households (identified above)	Priority in employment in the ETPP or project construction.	
7	Unanticipated loss or other impacts relating to assets or livelihoods	Unanticipated involuntary impacts shall be documented and mitigated based on the principles provided in ADB's safeguard policies.			

## Draft Resettlement Plan

For disputed lands, compensation for trees will be paid into an escrow-like bank account, until the dispute is resolved by the courts.

## VIII. INCOME RESTORATION AND REHABILITATION

Initial social impact assessments have determined that the Project will not directly result in the loss of household income. This will be further confirmed and validated following the approval of the project by ADB. A full socio-economic survey and census of potentially affected people, living around the project site, will be conducted to determine social impacts, particularly on household incomes.

At this stage it is known that households<sup>20</sup> are likely to be impacted by not being able to gather biomass (firewood) for cooking fuel and other food and natural resource materials within the project site. In turn, they will likely spend more on kerosene and replacement food items; or be forced to travel further to collect these resources in other areas of the Water Reserve, or both.

The following mitigation measures are proposed:

- (i) A 20m corridor will separate the STREP site and the northern road, 10m more than originally planned, to leave intact the vegetation within this corridor, which the surrounding households can use to gather firewood, building materials and food.
- (ii) An Enrichment Tree Planting Program (discussed above) will be implemented to provide a sustainable source of biomass. In the short term, the ETPP will provide employment for over 100 men and women.
- (iii) The stakeholders will be informed in advance of plans to fence off part of the reserve and the resulting loss of informal access into the project area. Access of core roads will be maintained.

Following further social impact assessments, income restoration and rehabilitation measures will be included in the Updated Resettlement Plan if these impacts are identified.

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<sup>20</sup> 95% of household surveyed collect biomass from the reserve for cooking fuel.

## IX. RESETTLEMENT BUDGET AND FINANCING PLAN

### A. PRELIMINARY BUDGET ESTIMATE

The preliminary resettlement budget is composed of compensation for lost trees and for other land-based resettlement measures set out in Section IX above. The resettlement budget is AUD137,439. Details are given in Table 12 below. The budget for the Updated Resettlement Plan will be requested by MELAD through its annual budget allocation.

MELAD advised<sup>21</sup> that a review of lease rates for all Government leases was completed in early 2020 and will come into effect in Q3, 2020. The rent is not included in the RP budget (as it is an annual budget expenditure for MELAD) and will continue to be paid by MELAD to landowners as per current practice and schedule, albeit adjusted if needed to reflect the approved revised rates.

**Table 12. Compensation for Lost Assets and Other Resettlement Measures**

Item	Description	Preliminary Costs (AUD)	Comments
<b>Value of Lost Assets</b>			
Loss of land	No land compensation required	0.00	
Loss of trees	Refer to Annex 3 for details of trees lost	37,769.00	
<i>Subtotal 1 – value of assets</i>		<i>37,769.00</i>	
<b>Cost of other resettlement measures</b>			
Lost access to water wells*	Three roto mold water tanks (min 3,000ltr) plus materials and fittings for rainwater harvesting for each of the affected households.	4,620.00	
Loss of source of firewood, building materials, medicinal plants and food source for affected households	Enrichment Tree Planting Plan (ETPP)	78,264.00	MELAD to coordinate implementation. Cost = labor + planting material + maintenance for first 8 months.
<i>Subtotal 2: Value of other resettlement measures</i>		<i>82,884.00</i>	
<b>Implementation</b>			
Acquisition and payments		2,832.68	Administration GoK 7.5% of Subtotal 1
Safeguards		944.23	GoK lumpsum: 2.5% of Subtotal 1

<sup>21</sup> Reei Tioti, Video Conference 27 March 2020.

Internal M&E	944.23	GoK lumpsum: 2.5% of Subtotal 1
<i>Subtotal 3: Implementation</i>	<i>4,721.14</i>	<i>In kind contribution from Government of Kiribati</i>
<b>Contingencies</b>		
Lump Sum for Value of Assets	3,776.9	10% of Subtotal 1
Lump Sum for Implementation	8,288.4	10% of Subtotal 2
<i>Subtotal 4: Contingencies</i>	<i>12,065.3</i>	
<b>Total</b>	<b>AUD137,439.44</b>	

The Resettlement Plan budget will be financed by the GoK. This proposed budget of AUD137,439 includes costs for resources related to safeguard implementation (consultation, grievance, participation, etc.) and internal M&E. No external monitor is deemed necessary for Resettlement Plan implementation with monitoring to be carried out by the PMU (Safeguards Specialist) with, as necessary, the assistance of MELAD. The Ministry of Finance and Economic Development (MFED) will provide the proposed budget directly to MELAD's Land Management Department for compensation payments. MELAD will confirm when this budget provision has been made.

The total resettlement budget includes a 10% contingency in anticipation of increased rates for trees from a review that GoK has agreed to undertake and to cover any price increase in water tanks. If following the rates review, the budget is insufficient, the GoK will allocate additional funds as necessary to ensure the full payment of compensation owed. If the review is not completed in time for the required pay-out, the GoK through MELAD will ensure, if there is an increase in rates for compensation, the payment of a top-up to affected persons in order to meet the ADB safeguard policy compliance of replacement value. Details of the provision of the top-up will be agreed upon during the preparation of the Updated Resettlement Plan. The Updated Resettlement Plan will be cleared (no-objection issued) by ADB prior to contract award, and prior to compensation being paid to affected persons.

Compensation will be paid before any civil works contract can be awarded. MELAD will submit a Compensation Completion Report to PUB (PMU) for onward transmission to ADB for its no-objection prior to civil works contract awards.

## **B. COMPENSATION UNIT RATES**


ADB SPS 2009 stipulates the payment of financial compensation for fixed assets based on replacement cost. For productive trees GoK has established rates for different trees that are reviewed on a regular basis. The rates for this Resettlement Plan was approved by GoK in 2011 but reviewed and confirmed by MELAD for use in STREP in January 2020. The rates are listed in Figure 8 below.

ADB safeguard policies require affected people be compensated at replacement value based on current market rates. Since the existing schedule of rates were set in 2011 it is unlikely that they meet this requirement. During the Fact-Finding Mission (FFM), the top-up was discussed and agreed and signed off by the Secretary of the Ministry of Finance. If the schedule of

rates is updated to reflect market rates, then there is no need to provide the top-up amounts. During the FFM, MELAD indicated that a review had commenced and hoped that this would be finalized before the payment of compensation required for the project.

**Figure 8. GoK Rate for Compensation of Crops and Trees**

GOVERNMENT OF KIRIBATI  
**MINISTRY OF ENVIRONMENT, LAND & AGRICULTURE DEVELOPMENT**  
**LAND MANAGEMENT DIVISION**  
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**Government Approved Compensation Rate for Trees, Crops and Building Structures**

Listed below is the compensation rates for all trees, crops and building structures approved by Cabinet on 8th September 2011 (Cabinet Minutes 45/11)

<b>Name of Crop/Tree</b>	<b>Rate</b>
<b>Coconut (Te Nii)</b>	<b>AUD \$</b>
Fruit Bearing	\$ 80. 00
Non - Bearing with Trunk	\$ 40. 00
Non - Bearing without Trunk Top	\$ 2. 00
<b>Pandanus Tree (Te Kaina)</b>	<b>AUD \$</b>
Fruit Bearing	\$ 37. 00
Non Bearing	\$ 19. 00
Newly Planted	\$ 1. 00
<b>Local Fig Tree (Te Bero)</b>	<b>AUD \$</b>
Fruit Bearing	\$ 16. 00
Non Bearing	\$ 5. 00
Newly Planted	\$ 1. 00
<b>Breadfruit (Te Mai)</b>	
<b>Te Mai Kora, Mai Keang, Te Bukiraro</b>	<b>AUD \$</b>
Fruit Bearing	\$ 193. 00
Non - Bearing with Trunk	\$ 97. 00
Non - Bearing without Trunk Top	\$ 8. 00
<b>Te Bokeke &amp; Te Motiniwae</b>	<b>AUD \$</b>
Fruit Bearing	\$ 322. 00

### C. AVAILABILITY OF BUDGET

The Kiribati government fiscal year corresponds to the calendar year. Financial planning for the fiscal year starts in October of the previous year. This will be taken into account to ensure budget availability to the Project when required for Resettlement Plan implementation. PUB, MELAD and MFED will work closely to ensure funding for Resettlement Plan implementation is secured and available when needed.



## **X. INSTITUTIONAL ARRANGEMENTS**

The implementation arrangements are described below.

### **A. GOVERNMENT AGENCIES AND ORGANIZATIONS**

The Ministry of Finance and Economic Development (MFED) will be the Executing Agency (EA) for the Project. The Ministry of Infrastructure and Sustainable Energy (MISE) will be the Implementing Agency (IA) for the renewable energy enabling framework output, while the Public Utility Board (PUB) will be the IA for all other Project outputs, and will house the Project Management Unit (PMU). PUB has overall responsibility for resettlement planning and implementation with the assistance of MELAD. MFED will contribute to implementation by ensuring the Resettlement Plan budget is provided and will set up an escrow-like bank account for holding disputed compensation.

#### **1. Public Utilities Board (PUB)**

The Project Management Unit (PMU) will be housed in PUB and will include the Team Leader, Safeguards Specialist and others such as Social Development and Gender Specialist as deemed necessary. PUB will provide logistic and administration support to the PMU. For Resettlement Plan planning and implementation, PUB will be responsible through the PMU for overall coordination, and will be supported by MELAD in performing the following tasks:

- (i) consultations with affected households;
- (ii) build PUB and MELAD capacity in GRM implementation and information gathering for RP update, implementation and monitoring;
- (iii) conduct of 100% census and socio-economic surveys of affected households;
- (iv) confirm and update of the Inventory of Losses and Detailed Measurement Survey;
- (v) update the Resettlement Plan, following confirmation of resettlement costs including revised lease rates, and to incorporate any unanticipated impacts or any new information rising from the public disclosure, seeking clearance from ADB;
- (vi) oversee and monitor Resettlement Plan implementation to ensure that it is implemented fully, and that all confirmed beneficiaries receive their compensation; and
- (vii) compile and submit to ADB progress reports on Resettlement Plan implementation, during and at the end of the project implementation.

#### **2. MELAD**

MELAD will be responsible for the following aspects of resettlement planning and implementation:

- (i) make provisions in its annual budget for funding the full RP budget including the payment of compensation and other resettlement measures;
- (ii) update schedule of rates for assets and leases;
- (iii) participate in all consultations with affected households;
- (iv) validate the Detailed Measurement Survey and Inventory of Losses;
- (v) review and approve the Updated Resettlement Plan;
- (vi) notify APs and deliver/pay out cash compensation on scheduled date based on the Updated Resettlement Plan;

- (vii) deliver other resettlement measures to confirmed beneficiaries as per the Updated Resettlement Plan;
- (viii) compile reports or otherwise provide information for the compilation of Resettlement Plan implementation and completion reports to (payment of cash compensation) PUB, providing supporting documentation of payment;
- (ix) review and confirm information provided on the affected land parcels and landowners;
- (x) assist PMU in addressing any grievances related to land during project implementation;
- (xi) undertake any land survey and measurements necessary; and
- (xii) assist PUB in undertaking any additional socio-economic survey required.

The Director of Lands will have overall coordination for this work and will be the point of contact with PUB.

### **3. Ministry of Finance and Economic Development**

The Ministry of Finance and Economic Development (MFED) will be responsible for ensuring adequate budget to implement the Resettlement Plan is available. MFED will also be responsible for establishing an escrow or escrow-like bank account for compensation payments that are unable to be paid due to existing land disputes.

### **4. Magistrate Court**

The Magistrate Court has a complement of 78 Court staff including 12 Magistrates. It is not anticipated that the level of complaints from the project will cause the current resources of the Court to be stretched. However, should this situation arise, the Court will appoint a Magistrate to deal specifically with project-related cases, to avoid lengthy delays.

## XI. IMPLEMENTATION SCHEDULE

### A. ORGANIZATIONAL PROCEDURES FOR DELIVERING ENTITLEMENTS

Cash compensation will be paid out directly from MELAD cashier based on the Compensation Entitlement Form (CEF), which will list all confirmed beneficiaries (CB's) and their corresponding entitlements. CB's will be required to provide means to verify their identity and will sign on prepared forms to confirm receipt of compensation payment.

MELAD will announce over the radio and the local newspaper the date, times and place for compensation payment, and requirements for verifying identification.

The delivery of replacement wells for the three affected households will be carried out by MISE through its water tanks distribution program. Delivery will be timed to complete before the Contractor takes possession of the site.

Delivery of the tree planting program proposed to provide a long-term mitigation for the loss of biomass to the surrounding community will be integrated into MELAD's annual work program. The 8-month duration is to ensure adequate maintenance and survival of all planted trees. MELAD will ensure adequate funding is available in its annual budget and will review and revise the updated RP budget accordingly.

Except for the tree planting program, implementation of the Resettlement Plan will precede and will not overlap with project construction activities. The responsible agencies (PUB, MELAD and MFED) will satisfactorily complete the payment of compensation, and the land will be free of all obstructions and encumbrances before the Contractor takes possession of the site.

Table 13 below presents the preliminary implementation process and schedule.

**Table 13. Preliminary Implementation Process and Schedule**

#	Activity	Responsible Agencies	Timelines
<b>A.</b>	<b>Resettlement Plan Updating</b>		
1	Update of presentation materials and brochures about the project, including translation for disclosure and awareness raising purposes.	PUB	Q1 2021
2	Consultations with affected households and government agencies	PUB and MELAD	Q1 2021
3	Set up of the GRM, including capacity training to PMU;	PUB	Q1 2021
5	Conduct of 100% census and socio-economic survey	PUB	Q1 2021
6	Preparation of a management database regarding affected households, including the data from the census and other baseline information	PUB	Q1 2021
7	Confirm and update of the Inventory of Losses and Detailed Measurement Survey	PUB	Q1 2021
8	Finalize design of ETPP and budget	MELAD	Q1 2021
9	Obtain accurate quotes and update rates for the revisions of the final budget	PUB	Q1 2021
10	Verification of APs/Confirmed Beneficiaries	MELAD	Q1 2021
11	Preparation of draft Updated Resettlement Plan to submit to ADB, MELAD and MFED	PUB	Q1 2021

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#	Activity	Responsible Agencies	Timelines
12	Disclosure of and consultations with affected households in Bonriki on the Updated Resettlement Plan and incorporate feedback where needed	PUB/MELAD	Q1 2021
13	Final version of the Updated Resettlement Plan sent to ADB;	PUB	Q1 2021
14	Updated Resettlement Plan disclosed on ADB website.	PUB	Q1 2021
<b>B Resettlement Plan Implementation</b>			
1	Internal monitoring of Resettlement Plan	PUB/MELAD	Q2 2021 onwards
2	Completion of CER forms with Affected Persons	PUB/MELAD	Q2 2021
3	Approval and release of funds for compensation	MFED	Q2 2021
4	Setting up Escrow Account for disputed compensation; deposit of disputed compensation into Escrow Account.	MFED	Q2 2021
5	Payment of compensation	MELAD	Q2 2021
6	Compensation Completion Report (CCR) prepared and submitted to ADB	PUB/MELAD	Q2 2021
<b>C Construction Stage</b>			
1	Confirm 'No Objection' for the award of civil works	ADB	Q2 2021 or later
2	Award of civil works	PUB	Q2 2021 or later
3	Priority hiring of vulnerable APs and community members whenever feasible and mobilization of labor force	Civil works contractor	Q1 2021
4	Implementation of the tree planting program	MELAD	Q1 2021
5	Semi-Annual Safeguards Monitoring Reports	PUB	Every 6 months (Jan and July) from July 2021
<b>D Post construction</b>			
1	Maintenance and support for tree planting program	MELAD	Post construction

## **XII. MONITORING AND REPORTING**

PUB through the Safeguards Specialist in the PMU, will monitor the implementation of the Updated Resettlement Plan on an ongoing basis and submit monitoring reports to ADB on a semi-annual basis. PUB will use the following indicators to gauge progress in Resettlement Plan implementation.

- (i) Budget and timeframe:
  - (a) Evidence of staff being mobilized for Resettlement Plan implementation of field and office work (from both PUB and MELAD).
  - (b) MELAD reports on land ownership review,
  - (c) Census of APs, inventory of assets and detailed measurement surveys
  - (d) Record of resettlement funds being received, indicating date of receipt.
- (ii) Delivery of AP entitlements:
  - (a) CEFs showing names of APs, date, time, amount of compensation received and signatures.
  - (b) Evidence of escrow account (number, domicile, escrow agent), and of deposit of full amount of disputed compensation.
- (iii) Consultations, grievances, and special issues:
  - (a) Reports of all consultations held, listing names and sex of participants, summary of views expressed and photographs of meetings
  - (b) Copies of project brochures in English and Gilbertese
  - (c) Record of all grievances, including details who lodged complaints (sex disaggregated data), nature of complaints and outcomes.

The PMU will also contribute to building the capacity of selected PUB and MELAD personnel to support information gathering for RP update as well as subsequent RP implementation and monitoring, including the management of the Grievance Redress Mechanism. Capacity building activities have been integrated into the RP Implementation Schedule (Table 13).

At the completion of Resettlement Plan implementation, PUB will report to ADB that it has complied fully with all the requirements of the Resettlement Plan and will submit a Compensation Completion Report, which includes the following compliance documents to support its claim:

- (i) completed CEFs;
- (ii) copy of PIBs in English and Gilbertese;
- (iii) record of consultations with APs;
- (iv) minutes of consultations with women (if separate consultations are conducted);
- (v) individual agreement on compensation reached with APs, where appropriate;
- (vi) evidence of revised lease documents, where appropriate;
- (vii) journal voucher(s) or equivalent document(s) showing payment for compensation and entitlements to APs; and
- (viii) evidence of funds in escrow account, if required.

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## ANNEX 2. PEOPLE CONSULTED

**Table 14. People Consulted**

Name	Position & Organization	Contact Details
Cindy Tiangco	Principal Energy Specialist, ADB	ctiangco@adb.org
Taniela Faletau	Safeguards Specialist, ADB	tfaletau@adb.org
Cindy Bryson	Safeguards Specialist, ADB	cbryson@adb.org
Jonathan Mitchell	Director, Climate Finance Unit, MFED	Jonathan Mitchell <jmitchell@mfep.gov.ki>
Rooti Terubea	Climate Finance Unit, MFED	Rooti Terubea <rterubea@finance.gov.ki>
Wayne Brearley	CEO, PUB	Wayne Brearley <ceo@pub.com.ki>
Teitibwebwe Kaberiera	Customer Services Manager, PUB	
Tekiera Ruaia	Kiribati Fiduciary Services Unit (KFSU)	tekruaia@gmail.com
Toromon Tororo	Account Division, MFED	acg@mfep.gov.ki
Ereta Turaki	Central Procurement Unit	eturaki@mfep/go.ki
Kinaai Kairo	Director, Agriculture and Livestock Div., MELAD	dald@melad.gov.ki
Teaaro Otiuea	Deputy Director, Agriculture and Livestock Div., MELAD	ddald@melad.gov.ki
Reei Tioti	Lands Department, MELAD	rtioti@melad.gov.ki
Tarakabu Tofinga	Lands Department, MELAD	t.tofinga@melad.gov.ki
Tiaontin Enari	Lands Department, MELAD	cls@melad.gov.ki
Tewaea Keariki	Lands Department, MELAD	tkeariki@melad.gov.ki
Nenenteiti Teariki Ruatu	Environment Conservation Division, MELAD	decd@melad.gov.ki
Putat Martin Tofinga	Environment Conservation Division, MELAD	putat@environment.gov.ki
Farran Redfern	Environment Conservation Division, MELAD	farranr@environment.gov.ki
Anne Kautu	Women Division, Ministry of Women, Youth and Social Affairs (MWYSA)	annemarie.kautu@gmail.com
Orebwa	Bureau of Statistics	
Martin Pine	Bonriki Council Member	
Aristita Tekaieti	Government Statistician, Bureau of Statistics	<a href="mailto:atekaiete@finance.gov.ki">atekaiete@finance.gov.ki</a>
Kirita Aaron Tibwere	PUB HR Manager	hrmanager@pub.com.ki
Tenikona Katanea	PUB Power Engineering Manager	<a href="mailto:pemanager@pub.com.ki">pemanager@pub.com.ki</a> / 73023716
Eera T Teakai Baraniko	MWYSA	eteakai@gmail.com
Birati Titon Agting	Deputy Secretary, MWYSA	btiton@moe.gov.ki
Thomas Teb'ateki Taoaba	Engineer (MISE) South Tarawa Project	<a href="mailto:taoabatebateki@gmail.com">taoabatebateki@gmail.com</a> / 73004242

## ANNEX 3. COMPENSATION ENTITLEMENT FORM (CEF)

**Table 15. Compensation Entitlement Form (CEF) for Affected Trees**

Names	Share	Bearing 20 @ \$80.00	Non Bear 2 @ \$40.00	Brg Pand 28 @\$37			Non brg pan 24 @19	brg bread 1 @\$193.00	Total
<b>571a</b>	<b>Orship %:</b>	\$ 1,600.00	\$ 80.00	\$ 1,036.00			\$ 456.00	\$ 193.00	\$ 3,365.00
Beriana Abantaaka (N)	12.50	\$ 200.00	\$ 15.00	\$ 129.50			\$ 57.00	\$ 24.13	\$ 420.63
Bitakuna Kiara	2.08	\$ 33.33	\$ 2.50	\$ 21.58			\$ 9.50	\$ 4.02	\$ 70.10
Kalimiri Nanetaaka	6.25	\$ 70.00	\$ 7.50	\$ 64.75			\$ 28.50	\$ 12.06	\$ 210.31
Maria Nanetaaka	6.25	\$ 70.00	\$ 7.50	\$ 64.75			\$ 28.50	\$ 12.06	\$ 210.31
Nanetaaka Kiara	2.08	\$ 23.33	\$ 2.50	\$ 21.58			\$ 9.50	\$ 4.02	\$ 70.10
Ngatau Toia	8.33	\$ 93.33	\$ 10.00	\$ 86.33			\$ 38.00	\$ 16.08	\$ 280.42
Taakea Taruru	25.00	\$ 280.00	\$ 30.00	\$ 259.00			\$ 114.00	\$ 48.25	\$ 841.25
Takantekai Kiara	2.08	\$ 23.33	\$ 2.50	\$ 21.58			\$ 9.50	\$ 4.02	\$ 70.10
Takantemanku Toia	8.33	\$ 93.33	\$ 10.00	\$ 86.33			\$ 38.00	\$ 16.08	\$ 280.42
Takenuru Toia	8.33	\$ 93.33	\$ 10.00	\$ 86.33			\$ 38.00	\$ 16.08	\$ 280.42
Tawerito Nanetaaka	6.25	\$ 70.00	\$ 7.50	\$ 64.75			\$ 28.50	\$ 12.06	\$ 210.31
Tarataaka Toama (N)	12.50	\$ 140.00	\$ 15.00	\$ 129.50			\$ 57.00	\$ 24.13	\$ 420.63
Names	Share	Bearing 9 @ \$80.00	Non Bear 0 @ \$40.00	Brg Pand 17 @\$37			Non brg pan 0 @19	brg bread 0 @\$193.00	Total
<b>571a</b>	<b>Orship %:</b>	\$ 720.00		\$ 629.00					\$ 1,349.00
Berenato Tauriri	16.67	\$ 120.00		\$ 104.83					\$ 224.83
Kabusang Tauriri	16.67	\$ 120.00		\$ 104.83					\$ 224.83
Manewesaa Tauriri	16.67	\$ 120.00		\$ 104.83					\$ 224.83
Tonganibela Hurutaaka	50.00	\$ 360.00		\$ 314.50					\$ 674.50
Names	Share	Bearing 11 @ \$80.00	Non Bear 0 @ \$40.00	Brg Pand 35 @\$37			Non brg pan 81 @19.00	brg bread 1 @\$193.00	Total
<b>571i</b>	<b>Orship %:</b>	\$ 880.00		\$ 1,295.00			\$ 1,539.00	\$ 193.00	\$ 3,907.00
Belataaka Bala	5.00	\$ 44.00		\$ 64.75			\$ 76.45	\$ 9.65	\$ 185.70
Bika Bala	5.00	\$ 44.00		\$ 64.75			\$ 76.45	\$ 9.65	\$ 185.70
Biribi Bala	5.00	\$ 44.00		\$ 64.75			\$ 76.45	\$ 9.65	\$ 185.70



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Buring Rubenteli	8.33	\$ 73.33		\$ 107.92			\$ 127.42	\$ 16.08	\$ 309.50
Burninga Bate	5.00	\$ 44.00		\$ 64.75			\$ 76.45	\$ 9.65	\$ 185.70
Fadima Nabura	1.19	\$ 10.48		\$ 15.42			\$ 18.20	\$ 2.30	\$ 44.21
Kakikeli Bate	5.00	\$ 44.00		\$ 64.75			\$ 76.45	\$ 9.65	\$ 185.70
Ko Tsangira	5.00	\$ 44.00		\$ 64.75			\$ 76.45	\$ 9.65	\$ 185.70
Meeri Rubenteli	8.33	\$ 73.33		\$ 107.92			\$ 127.42	\$ 16.08	\$ 309.50
Numusa Bate	5.00	\$ 44.00		\$ 64.75			\$ 76.45	\$ 9.65	\$ 185.70
Nutake Bate	5.00	\$ 44.00		\$ 64.75			\$ 76.45	\$ 9.65	\$ 185.70
Paureri Rubenteli	8.33	\$ 73.33		\$ 107.92			\$ 127.42	\$ 16.08	\$ 309.50
Rusta Nabura	1.19	\$ 10.48		\$ 15.42			\$ 18.20	\$ 2.30	\$ 44.21
Rubenteli Tana	8.33	\$ 73.33		\$ 107.92			\$ 127.42	\$ 16.08	\$ 309.50
Tanus Rubenteli	8.33	\$ 73.33		\$ 107.92			\$ 127.42	\$ 16.08	\$ 309.50
Tekalo Nabura	1.19	\$ 10.48		\$ 15.42			\$ 18.20	\$ 2.30	\$ 44.21
Tekarimwa Bate	5.00	\$ 44.00		\$ 64.75			\$ 76.45	\$ 9.65	\$ 185.70
Tekeli Nabura	1.19	\$ 10.48		\$ 15.42			\$ 18.20	\$ 2.30	\$ 44.21
Tenta Bate	5.00	\$ 44.00		\$ 64.75			\$ 76.45	\$ 9.65	\$ 185.70
Tentia Nabura	1.19	\$ 10.48		\$ 15.42			\$ 18.20	\$ 2.30	\$ 44.21
Teta Nabura	1.19	\$ 10.48		\$ 15.42			\$ 18.20	\$ 2.30	\$ 44.21
Timon Nabura	1.19	\$ 10.48		\$ 15.42			\$ 18.20	\$ 2.30	\$ 44.21
Names	Share	Bearing 3 @ \$80.00	Non Bear 1 @ \$40.00	Brg Pand 14 @\$37			Non brg pan 5 @19.00	brg bread 0 @\$193.00	Total
571o	Ownship %:	\$ 240.00	\$ 40.00	\$ 518.00			\$ 95.00		\$ 893.00
DBK	50.00	\$ 120.00	\$ 20.00	\$ 259.00			\$ 47.50		\$ 446.50
Rakmon Arawaia	50.00	\$ 120.00	\$ 20.00	\$ 259.00					\$ 446.50
Names	Share	Bearing 30 @ \$80.00	Non Bear 15@ \$	Brg Pand48@\$37			Non brg pan15 @19.00	brg bread 1 @\$193.00	Total
571u	Ownship %:	\$ 2,400.00	\$ 600.00	\$ 1,776.00			\$ 285.00	\$ 193.00	\$ 5,254.00
Isakoba Tatake	12.50	\$ 300.00	\$ 75.00	\$ 222.00			\$ 35.63	\$ 24.13	\$ 656.75
Rakauke Takabwabwe	50.00	\$ 1,200.00	\$ 300.00	\$ 888.00			\$ 142.50	\$ 96.50	\$ 2,627.00
Tauke Tatake	12.50	\$ 300.00	\$ 75.00	\$ 222.00			\$ 35.63	\$ 24.13	\$ 656.75
Taukaro Tatake	12.50	\$ 300.00	\$ 75.00	\$ 222.00			\$ 35.63	\$ 24.13	\$ 656.75

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Tio Tataka	12.50	\$ 300.00	\$ 75.00	\$ 222.00			\$ 35.63	\$ 24.13	\$ 656.75
<b>Names</b>	<b>Share</b>	<b>Bearing 19 @ \$80.00</b>	<b>Non Bear 3 @ \$40.00</b>	<b>Brg Pand20 @ \$37</b>	<b>uto 1@252</b>		<b>Non brg pan 0 @19.00</b>	<b>brg bread 0 @\$193.00</b>	<b>Total</b>
573a	Ohhip %:	\$ 1,520.00	\$ 120.00	\$ 740.00	\$ 2.00				\$ 2,382.00
Akaka Korera	11.11	\$ 168.89	\$ 13.33	\$ 82.22	\$ 0.22				\$ 264.67
Alaka Korokian	5.56	\$ 84.44	\$ 6.67	\$ 41.11	\$ 0.11				\$ 132.33
Alamali Korera	11.11	\$ 168.89	\$ 13.33	\$ 82.22	\$ 0.22				\$ 264.67
Bauro Korokian	5.56	\$ 84.44	\$ 6.67	\$ 41.11	\$ 0.11				\$ 132.33
Bota Iabota	11.11	\$ 168.89	\$ 13.33	\$ 82.22	\$ 0.22				\$ 264.67
Bordelaka Tenanona	5.56	\$ 84.44	\$ 6.67	\$ 41.11	\$ 0.11				\$ 132.33
Kamau Tira	33.33	\$ 506.67	\$ 40.00	\$ 246.67	\$ 0.67				\$ 794.00
Kimawea Korokian	5.56	\$ 84.44	\$ 6.67	\$ 41.11	\$ 0.11				\$ 132.33
Melinda Maria	11.11	\$ 168.89	\$ 13.33	\$ 82.22	\$ 0.22				\$ 264.67
<b>Names</b>	<b>Share</b>	<b>Bearing 14@ \$80.00</b>	<b>Non Bear 1 @ \$40.00</b>	<b>Brg Pand 1 @ \$37</b>			<b>Non brg pan 0 @19.00</b>	<b>brg bread 0 @\$193.00</b>	<b>Total</b>
572V1	Ohhip %:	\$ 1,120.00	\$ 40.00	\$ 37.00					\$ 1,197.00
Takrua Aro	100.00	\$ 1,120.00	\$ 40.00	\$ 37.00					\$ 1,197.00
<b>Names</b>	<b>Share</b>	<b>Bearing 14@ \$80.00</b>	<b>Non Bear 1 @ \$40.00</b>	<b>Brg Pand 1 @ \$37</b>	<b>uto1@2</b>		<b>Non brg pan 0 @19.00</b>	<b>brg bread 0 @\$193.00</b>	<b>Total</b>
57202a	Ohhip %:	\$ 560.00	\$ 40.00	\$ 37.00	\$ 2.00				\$ 639.00
Ekoti Tokanaka	12.50	\$ 70.00	\$ 5.00	\$ 4.63	\$ 0.25				\$ 74.63
Kuriti Tokanaka	12.50	\$ 70.00	\$ 5.00	\$ 4.63	\$ 0.25				\$ 74.63
Tanea Iembwebebe	50.00	\$ 280.00	\$ 20.00	\$ 18.50	\$ 1.00				\$ 298.50
Tiatere Tokanaka	12.50	\$ 70.00	\$ 5.00	\$ 4.63	\$ 0.25				\$ 74.63
Timote Tokanaka	12.50	\$ 70.00	\$ 5.00	\$ 4.63	\$ 0.25				\$ 74.63
<b>Names</b>	<b>Share</b>	<b>Bearing 14@ \$80.00</b>	<b>Non Bear 1 @ \$4</b>	<b>Brg Pand 1@ \$37</b>	<b>uto1@2</b>		<b>Non brg pan 0 @19.00</b>	<b>brg bread 0 @\$193.00</b>	<b>Total</b>
57202a	Ohhip %:	\$ 560.00	\$ 40.00	\$ 37.00	\$ 2.00				\$ 639.00

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Paianaka Aravatau	20.00	\$ 112.00		\$ 7.40	\$ 0.40			\$ 119.40	
Tobaka Aravatau (N)	20.00	\$ 112.00	\$ 8.00	\$ 7.40	\$ 0.40			\$ 119.40	
Tobau Aravatau (N)	20.00	\$ 112.00	\$ 8.00	\$ 7.40	\$ 0.40			\$ 119.40	
Tobita Toanga (N)	10.00	\$ 56.00	\$ 4.00	\$ 3.70	\$ 0.20			\$ 59.70	
Turingo Bairo	20.00	\$ 112.00	\$ 8.00	\$ 7.40	\$ 0.40			\$ 119.40	
Timau Toanga	10.00	\$ 56.00	\$ 4.00	\$ 3.70	\$ 0.20			\$ 59.70	
Names	Share	Bearing 15@ \$80.00	Non Bear 0 @ \$40.00	Brg Pand 1@ \$37			Non brg pan 0 @19.00	brg broad 0@ \$193.00	Total
502a	Ownship %:	\$ 1,200.00		\$ 37.00					\$ 1,237.00
DBK	12.50	\$ 150.00		\$ 4.63					\$ 154.63
Koriantuka Takirua	12.50	\$ 150.00		\$ 4.63					\$ 154.63
Paurenti Toatu	12.50	\$ 150.00		\$ 4.63					\$ 154.63
Taua Toatu	12.50	\$ 150.00		\$ 4.63					\$ 154.63
Taveia Toatu	12.50	\$ 150.00		\$ 4.63					\$ 154.63
Tiati Toatu	12.50	\$ 150.00		\$ 4.63					\$ 154.63
Tiata Toatu (N)	12.50	\$ 150.00		\$ 4.63					\$ 154.63
Toni Toatu	12.50	\$ 150.00		\$ 4.63					\$ 154.63
Names	Share	Bearing 1@ \$80.00	Non Bear 0 @ \$40.00	Brg Pand 3 @\$37			Non brg pan 0@ 19.00	brg broad 0@ \$193.00	Total
502a	Ownship %:	\$ 80.00		\$ 111.00					\$ 191.00
Takirua Aro	100	\$ 80.00		\$ 111.00					\$ 191.00
Names	Share	<a href="#">Bearing 17@ \$80.00</a>	Non Bear 3@ \$40.00	Brg Pand 26 @\$37	ute1@2.00		Non brg pan 0@19.00		Total
572a	Ownship %:	\$ 1,360.00	\$ 120.00	\$ 962.00	\$ 2.00				\$ 2,444.00
Ana Teareva (N)	3.33	\$ 45.33	\$ 4.00	\$ 32.07	\$ 0.07				\$ 81.47
Babara Teareva (N)	3.33	\$ 45.33	\$ 4.00	\$ 32.07	\$ 0.07				\$ 81.47
Bedrake Kaiti	2.88	\$ 38.86	\$ 3.43	\$ 27.48	\$ 0.06				\$ 69.83
Bika Baleriki									
Bwevetauke	5.00	\$ 68.00	\$ 6.00	\$ 48.10	\$ 0.10				\$ 122.20

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Buebo Monlana	0.57	\$ 7.77	\$ 0.69	\$ 5.49	\$ 0.01				\$ 13.96
Florence Isabwa	20.00	\$ 272.00	\$ 24.00	\$ 192.40	\$ 0.40				\$ 488.80
Karacanti Teritiki	0.57	\$ 7.77	\$ 0.69	\$ 5.50	\$ 0.01				\$ 13.97
Kazro Tentia	0.24	\$ 3.24	\$ 0.29	\$ 2.29	\$ 0.00				\$ 5.82
Katruwa Kaula	2.88	\$ 38.86	\$ 3.43	\$ 27.48	\$ 0.06				\$ 69.83
Kotri Kaula	2.88	\$ 38.86	\$ 3.43	\$ 27.48	\$ 0.06				\$ 69.83
Matobo Eti	0.71	\$ 9.71	\$ 0.86	\$ 6.87	\$ 0.01				\$ 17.46
Meeri Tomiriko	2.50	\$ 34.00	\$ 3.00	\$ 24.05	\$ 0.05				\$ 61.10
Ruoranti Tentia	0.24	\$ 3.24	\$ 0.29	\$ 2.29	\$ 0.00				\$ 5.82
Rutakia Teritiki	0.57	\$ 7.77	\$ 0.69	\$ 5.50	\$ 0.01				\$ 13.97
Rusia Kamwemwaaka	0.48	\$ 6.48	\$ 0.57	\$ 4.58	\$ 0.01				\$ 11.64
Tabaramang Temwang	2.50	\$ 34.00	\$ 3.00	\$ 24.05	\$ 0.05				\$ 61.10
Tabita Bela	0.83	\$ 11.33	\$ 1.00	\$ 8.02	\$ 0.02				\$ 20.37
Takrua Kamwemwaaka	0.48	\$ 6.48	\$ 0.57	\$ 4.58	\$ 0.01				\$ 11.64
Takrua Teritiki	0.57	\$ 7.77	\$ 0.69	\$ 5.50	\$ 0.01				\$ 13.97
Tamango Tibwan	5.00	\$ 68.00	\$ 6.00	\$ 48.10	\$ 0.10				\$ 122.20
Tarwai Kabuzi	1.67	\$ 22.67	\$ 2.00	\$ 16.03	\$ 0.03				\$ 40.73
Tawawabwaba Tabokai	3.33	\$ 45.33	\$ 4.00	\$ 32.07	\$ 0.07				\$ 81.47
Tebou Tawwa	5.00	\$ 68.00	\$ 6.00	\$ 48.10	\$ 0.10				\$ 122.20
Tebwabwaba Bela	0.83	\$ 11.33	\$ 1.00	\$ 8.02	\$ 0.02				\$ 20.37
Tala Kamwemwaaka	0.48	\$ 6.48	\$ 0.57	\$ 4.58	\$ 0.01				\$ 11.64
Tekaua Eti	0.71	\$ 9.71	\$ 0.86	\$ 6.87	\$ 0.01				\$ 17.46
Tekawwa Teritiki	0.57	\$ 7.77	\$ 0.69	\$ 5.50	\$ 0.01				\$ 13.97
Tekonwanga Teritiki	0.57	\$ 7.77	\$ 0.69	\$ 5.50	\$ 0.01				\$ 13.97
Tematibo Kamwemwaaka	0.48	\$ 6.48	\$ 0.57	\$ 4.58	\$ 0.01				\$ 11.64
Terengantaaka Tiban	5.00	\$ 68.00	\$ 6.00	\$ 48.10	\$ 0.10				\$ 122.20
Tereni Tororo	3.33	\$ 45.33	\$ 4.00	\$ 32.07	\$ 0.07				\$ 81.47
Terito Bataka	5.00	\$ 68.00	\$ 6.00	\$ 48.10	\$ 0.10				\$ 122.20
Terua Tiban	5.00	\$ 68.00	\$ 6.00	\$ 48.10	\$ 0.10				\$ 122.20
Turukidi Eti	0.71	\$ 9.71	\$ 0.86	\$ 6.87	\$ 0.01				\$ 17.46
Twarwanga Eti	0.71	\$ 9.71	\$ 0.86	\$ 6.87	\$ 0.01				\$ 17.46

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Tewate Taana	5.00	\$ 68.00	\$ 6.00	\$ 48.10	\$ 0.10				\$ 122.20
Tiroa Karmawewataaka	0.48	\$ 6.48	\$ 0.57	\$ 4.58	\$ 0.01				\$ 11.64
Tinamori Teu	0.57	\$ 7.77	\$ 0.69	\$ 5.49	\$ 0.01				\$ 13.96
Tongobo Moriana	0.57	\$ 7.77	\$ 0.69	\$ 5.49	\$ 0.01				\$ 13.96
Tuin Kaka	2.88	\$ 38.86	\$ 3.43	\$ 27.48	\$ 0.06				\$ 69.83
Ua Moriana (N)	0.57	\$ 7.77	\$ 0.69	\$ 5.49	\$ 0.01				\$ 13.96
Uene Moriana	0.57	\$ 7.77	\$ 0.69	\$ 5.49	\$ 0.01				\$ 13.96
Wilhe Karmawewataaka	0.48	\$ 6.48	\$ 0.57	\$ 4.58	\$ 0.01				\$ 11.64
Names	Share	Bearing26 @ \$80.00	Non Bear6 @ \$40.00	Brg Pand 6 @\$37	Uto 3@\$2	Bero2@\$16	Non brg pan 0 @\$19.00	brg bread 0 @\$193.00	Total
572a	Chhip %:	\$ 2,080.00	\$ 240.00	\$ 222.00	\$ 6.00	\$ 32.00			\$ 2,580.00
DBK(Tormana Berki)	100.00	\$ 2,080.00	\$ 240.00	\$ 222.00	\$ 6.00	\$ 32.00			\$ 2,580.00
Names	Share	Bearing60 @ \$80.00	Non Bear7 @ \$40.00	Brg Pand 15 @\$37	Uto 5@\$2	Bero0@\$16	Non brg pan 0 @\$19.00	brg bread 0 @\$193.00	Total
589a	Chhip %:	\$ 4,800.00	\$ 280.00	\$ 555.00	\$ 10.00				\$ 5,645.00
Ioane Kawaiku	10.00	\$ 480.00	\$ 28.00	\$ 55.50	\$ 1.00				\$ 564.50
Marata Bwebwetara	7.14	\$ 342.86	\$ 20.00	\$ 39.64	\$ 0.71				\$ 403.21
Tabeau Kawaiku	10.00	\$ 480.00	\$ 28.00	\$ 55.50	\$ 1.00				\$ 564.50
Tacmaklebu Bwebwetara	7.14	\$ 342.86	\$ 20.00	\$ 39.64	\$ 0.71				\$ 403.21
Tawala Kawaiku	10.00	\$ 480.00	\$ 28.00	\$ 55.50	\$ 1.00				\$ 564.50
Tebau Bwebwetara	7.14	\$ 342.86	\$ 20.00	\$ 39.64	\$ 0.71				\$ 403.21
Torea Bwebwetara	7.14	\$ 342.86	\$ 20.00	\$ 39.64	\$ 0.71				\$ 403.21
Tekatau Kawaiku (N)	10.00	\$ 480.00	\$ 28.00	\$ 55.50	\$ 1.00				\$ 564.50
Teua Bwebwetara	7.14	\$ 342.86	\$ 20.00	\$ 39.64	\$ 0.71				\$ 403.21
Tiata Bwebwetara	7.14	\$ 342.86	\$ 20.00	\$ 39.64	\$ 0.71				\$ 403.21
Touri Bwebwetara	7.14	\$ 342.86	\$ 20.00	\$ 39.64	\$ 0.71				\$ 403.21
Turi Kawaiku (N)	10.00	\$ 480.00	\$ 28.00	\$ 55.50	\$ 1.00				\$ 564.50
Names	Share	Bearing 0 @ \$80.00	Non Bear0 @ \$40.00	Brg Pand 0 @\$37	Uto 1@\$2	Bero0@\$16	Non brg pan 0 @\$19.00	brg bread 0 @\$193.00	Total

## ANNEX 4. REPORT OF STAKEHOLDER CONSULTATION, 3 OCTOBER 2019

<b>Minutes of Stakeholder / Public Consultation for South Tarawa Renewable Energy Project (STREP)</b>	
<b>Venue :</b> Kiribati United Church Maneaba,	<b>Date/Time:</b> 3 October 2019 10:00am - 12:30 noon
<b>Participants</b>	Refer to Annex 6 – Participants' Sign-Up Sheet.
<b>Representatives of ADB</b>	None
<b>Representatives of TA s</b>	Antoine Bittar (Team Leader; AB); Sam Sesega (Social Safeguards/Land Resettlement Specialist; SS); Tiaon Aukitino (National Consultant/Project Engineer; TA)
<b>Representative of PUB</b>	Teitibwebwe, Manager Customer Services
<b>Name/Time/Matter/</b>	<b>Comments/Presentation</b>
<p><b>Opening</b> Tiaon Aukitino (TA) facilitated the opening, calling the workshop to order before inviting one of the participants to give an opening prayer as per local tradition.</p> <p>TA then invited Acting Secretary for MISE, for his remarks and to officially open the workshop.</p> <p>The A/Secretary welcomed participants on behalf of GOK, speaking briefly about the STREP and its importance to Kiribati in terms of its economy, as well as part of GOK strategy for adapting to climate change, and to strengthening its CC resilience. He then officially opened the workshop.</p>	
<p><b>Presentation 1 - Project Overview</b> TA Team Leader Antoine Bittar (AB) took the floor; thanked PUB for organizing the workshop, and participants for making time to attend. AB then presented in power-point presentation, an overview of the STREP, including the objectives, project activities, intended beneficiaries. He emphasized that STREP is a GOK project and the TA is simply assisting in preparing the documentations required for ADB funding. He called on all participants and their various agencies to assist the TA by responding to requests for information.</p>	
<p><b>Presentation 2 - Social Assessment and Land Access</b> Sam Sesega (SS), Social Safeguards and Land Resettlement Specialist for the TA, introduced himself, before commencing on his power-point presentation. SS noted that ADB Policy on Involuntary Resettlement is triggered, likewise also GOK's Environment Act 1999 which, among its requirements, is a Development License Application supported by an Environmental Assessment report. SS discussed the methodology used and the central role of inclusive stakeholder consultations in the Project preparation process.</p> <p>SS also discussed efforts during the week to identify and assess a suitable site for STREP within the Bonriki Water Reserve. He noted the challenge in avoiding resettlement impacts due to the extent of illegal habitation of the Reserve, which is GOK leased land. He also noted the objective of ADB's safeguards policy of avoiding all adverse impacts on local people and communities or where avoidance is not possible, reducing adverse impacts to an acceptable level. Aerial photos showed the area within the Bonriki Water Reserve that is of interest and where illegal occupiers are located.</p> <p>Using maps and aerial images including some provided by MELAD, SS pointed out unoccupied areas that would pose the least adverse social impacts.</p>	
Following the presentations, participants were encouraged and invited to ask questions and comments. The following constitute all the comments/questions made/asked.	
<b>Comments/Views expressed</b>	
1. There is high expectation that STREP will not only result in accessible and affordable electricity for the whole population of South Tarawa, but that the problem of frequent power	

outages and availability will be eliminated. He noted power rationing and frequent outages as a major issue for businesses and families. Can this Project make sure these results are delivered?
2. Can you define energy efficiency? (NZ HC (MFAT) representative).
3. ECD representative asked what mechanism and arrangements are in place to ensure full compliance of contractors to the Project ESMP. He noted that contractors simply do their own thing and ignore the requirements of the ESMP. (ECD Representative)
4. Can you give some timelines for project implementation and completion?
5. Are outer islands included in the scope of this ADB funded projects? (Woman representative)
6. Do we need more electricity storage capacity than PV arrays?
7. Is there another option for project site other than the Bonriki Water Reserve?
8. Regarding the project's capacity building objective, there is some capacity within the PUB especially in PV installation. (This participant recalled their involvement in installing the existing PUC 500kW PV facility and the level of experience within the agency but noted that STREP's proposed capacity building activities is most needed and should built on this existing albeit limited capacity.
9. Will the GOK agencies have access to the project design documents being prepared by the TA? ECD Representative
10. In the presentation, women involvement in the project is mentioned several times. What is the level of women involvement required? (Woman representative)

**Closure:**

The workshop was concluded after no further questions and or comments were asked/made. The TA Local Engineer (TA) spoke on behalf of the TA team thanking all participants for their interest and attendance. The TA Team Leader (AB) also expressed gratitude to all participants for their interest and making time for this workshop. He noted that further consultation with all stakeholders will be held in the near future as the TA's work progresses.

Following the closure, lunch was served. Other participants used to the opportunity to informally discuss the project further with members of the TA. Workshop ended at around 12:30pm.

End.

Minutes compiled by Sam Sesega  
EQO-NIXUS –Social Development/Safeguards Specialist

**Figure 9. Participants Sign-Up Sheet for Stakeholder Consultation**

Name	Organisation	email	Tel #	Gender
Kareia	BTC	kareia@btccom.fj	73009632	M
Alecia	Housing inc.	aalecia@housinginc.com.fj	73032628 73054655	F
Rackin	PUB	rackin@pub.com.fj	73024412	F
Tavita	RSEC	tavita@solar.com.fj	73049236	M
Tobias	RAK	tobias.rak@gmail.com	7302032	F
Ianeta I.	OB	ianeta@ob.gov.fj	73061452	F
Lanuq	KASO	lanuqa@kasosales.com	73037096	M
Ross	MEAT	ross.cowan@meat.gov.fj		M
Ncaluk	MFAT	nkaluk@mfat.gov.fj	73090102	F
Jamena	LMD-MELAD	jamenalmd@yahoo.co.uk	73079591	M
Portia Tufua	ECD-MELAD	portiatufua@gmail.com		M
Taati	CED-MFEO	taatai@cedmfao.org.fj	73022755	F
Tarosi	YU	tarosi@youth.gov.fj		M
Kitiballave	PUB	kitiballave@pub.com.fj	73040725	M
Tohi I.	MUSE	tohi@muse.gov.fj	73055775	M
Sam Sanga	TA	samsangas@gov.fj		M
KANGOI				
Catholic Women's group				

Aming Union  
aminguriam@gmail.com



## ANNEX 5. REPORT OF CONSULTATION WITH THE BONRIKI COMMUNITY, 23 NOVEMBER 2019

<b>Minutes of Meeting/Consultations with the Bonriki Community to discuss South Tarawa Renewable Energy Project (STREP)</b>		
<b>Venue</b>	Community maneaba, Northern Bonriki.	<b>Date/Time</b> 23 November 2019 4pm – 6pm.
<b>Participants</b> Refer to Annex 6 – Participants' Sign-Up Sheet.		
<b>Representatives of ADB - None</b>		
<b>Representatives of TA</b> Sam Sesega (Social Safeguards/Land Resettlement Specialist; SS); Tiaon Aukitino (National Consultant / Project Engineer; TA)		
<b>Bonriki Local Council Representative:</b>		
<b>Opening</b> <p>The local Council Representative called the meeting to order, expressed thanks to the participants for their attendance. He introduced the TA consultants then invited the consultants to make their presentation. He also asked the participants to sign the attendance sheets being circulated.</p> <p>(The community meeting was conducted in I-Kiribati language with Tiaon Aukitino (TA) providing partial translation for the benefit of the Safeguards Specialist).</p>		
<b>Powerpoint Presentation of Project Overview</b> <p>A powerpoint presentation tailored for the local community was prepared and presented by Tiaon Aukitino. A leaflet in local language explaining the project was also distributed prior to the start of the powerpoint presentation. The presentation presented the objectives of STREP, the activities and the expected outputs and outcomes. TA also commented on the boundary survey being initiated and informed the community that the counting of crops, trees and other assets for compensation purposes will be carried out the next day, 24<sup>th</sup> November.</p> <p>Following the presentation, the community was invited to ask questions or make comments.</p>		
<b>Comments/Views expressed</b>		
1. The speaker (male) expressed support for the project and referring to the area presented as being earmarked for STREP, endorsed it noting that only one household lives in the area.		
2. This community representative asked about crops and trees that will be affected, whether there will be any compensation. He also expressed support for the project.		
3. This representative expressed relief that only 1 household lives in the area of interest; he expressed support for the project noting that the benefits far outweigh the negative impacts.		
4. There was a request to maintain existing access through the reserve from the north through to the airport runway side.		
5. Expressed support for the project, noting that the project will improve power supply, referring to frequent power outages.		
6. Questions were asked about possible employment during construction and operational phases.		
7. The project is timely, to improve the power supply situation which is presently not reliable with too frequent power outages.		
8. The water reserve is an important source of firewood for most families. Many families will have to look for firewood elsewhere, or otherwise use more kerosene for cooking.		

- |     |   |
|-----|---|
| 9.  | This participant noted many crops are grown inside the reserve. Suggested that the boundary on the northern side be moved inside by 50m or so to avoid loss of crops and fruit trees. |
| 10. | Three households depend on wells dug inside the reserve for water and were concerned about losing access to their wells. (This was conveyed to TA after the workshop).                |

**Closure:**

The Local Council Representative expressed gratitude to the TA Consultants for the useful presentation and information about the STREP. The Consultants were invited to a cup of tea and biscuits as per tradition, and the Consultants presented a small monetary donation for the use of the maneaba and the refreshments.

Workshop ended at around 6:00pm.

End.

Minutes compiled by Sam Sesega  
EQO-NIXUS –Social Development/Safeguards Specialist

## ANNEX 6. PARTICIPANTS (BONRIKI CONSULTATION) SIGN-UP SHEET

Figure 10. Participants Sign-up Sheet – Bonriki Consultation, 23 November 2019

① Bonriki Community Mtg, 23 Nov, 2019

#	Name	F/Male	Age (yrs)
1	Teboutara. Obwaia	F	48 <del>Bwarika. Narkin</del>
2	Bineh Teteki	F	61
3	Bethafa. Taareta	F	23
4	Taakenteiti. Nikutabu	F	21
5	Bwanglengle. Teroron	F	44
6	Kantarawa Taakatu	F	30
7	Buteate Timon	F	40
8	Anatata. Eketi	F	27
9	Bereteking. Atata	F	52
10	Taanla. Meliana	M	59
11	Ribafiti. Aroka	M	49
12	Maria. Yekane	F	67
13	Tinang. Taaki	F	65
14	Rerei. Rabangaki	F	62
15	Tebwebwe Rabangaki	M	51
16	Kabetile Mwetaka	M	67
17	Meero Metara	F	54
18	<del>Jafeta</del> Fawoaua	F	57
19	Kekeia. Timau	F	38
20	Aboro Manuao	F	39
21	Rastini Toakibu	F	52
22	Januru Teue	F	47
23	Deban Kaioto	F	54
24	Bwaranika. Narkin	F	36
25	Eren	F	58

② Bonriki Community Meeting, 23 Nov 2019

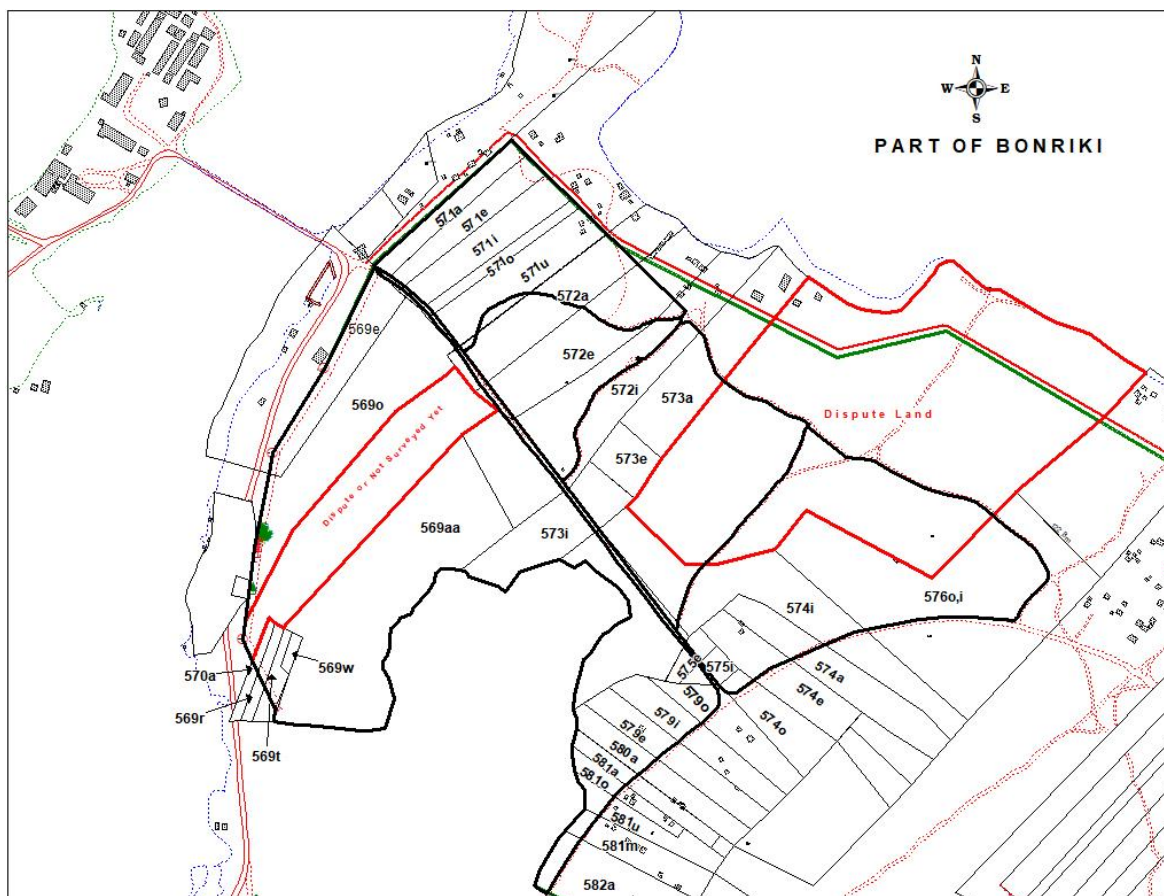
Name	Female / Male (F) / (M)	Age(yrs)
26. Tebota	F	39
27. Tiiman	F	44
28. Mereria		
29. Luma	F	24
30. Moamara Tutera	F	49
31. Tari Akebonto	F	64
32. Marieta Letawa	F	40
33. Nimaakei Jeremia	M	52
34. Anerini Teareta	M	24
35. Teaberna-Paniele	M	25
36. Waibama Tekima	M	80
37. Mariano Karoro	M	71
38. Naatan Ioakibu	M	58
39. Hroni Kaniwaka	M	61
40. Bina Beinaea Ieloo	F	60
41. Kiteka Timatan	F	26
42. Tevabea Timatan	M	23
43. Enaa Timatan	F	32
44. Marco Kasiwaka	M	20
45. Taamos Bokaraang	M	52
46. Tiaan Inatia	M	58
47. Buateriki Teeroran	M	38
48. Karachaa-Tanunaki	M	48
		82

③ Bonriki Community Meeting, 23 Nov 2019

Name	Female/Male	Age (Yrs)
49. Talerini James	F	60 yrs.
50. Iotobina Raka	F	48
51. Kante Cleanda	F	54
52. Tanta Uriem	F	52
53. Tetta - Tawaba		42
54. Tawaber - Mitiana		47
55. Blawo Teroron		50
56. Bwobwenimatang		22
57. Trataran Tokorake		54
58. Telwadi Tebuan		49
59. Johnas Warbenua		33
60. Papias	Male	42
61. Pitutabu	Male	44

## ANNEX 7. MAP SHOWING DIFFERENT LAND PARCELS CONSTITUTING STREP SITE

Figure 11. Different Land Parcels in STREP Site including Disputer Parcels in Red



Note: Of the two disputed land plots indicated (in red), only the smaller disputed land on the east is partly within the STREP site; the larger disputed land plot on the right is outside the 12.3 ha proposed for STREP's activities and future solar development.

## ANNEX 8. PROJECT INFORMATION BOOKLET (PIB)

### PROJECT INFORMATION BOOKLET South Tarawa Renewable Energy Project

#### 1. What is the South Tarawa Renewable Energy Project (STREP)?

The South Tarawa Renewable Energy Project (STREP) is an ADB, MFAT (NZ) and Kiribati Government funded project to harness solar energy for the production of electricity in South Tarawa. It follows a country priority to increase the use of renewable energy and reduce greenhouse gas emissions. STREP has three outputs: (1) Solar photovoltaic and battery storage system installed; (2) enabling framework for renewable energy adopted; and, (3) institutional capacity in renewable energy project development, management and supervision enhanced.

#### 2. Who will be implementing the Project?

MFED is the executing agency. MISE is the implementing agency (IA) for the regulatory framework component while PUB is the IA for all other project components (Outputs 1 and 3). A project steering committee and a tender evaluation committee will be established for the project. The TA consultant will also support PUB for pre-implementation works, including procurement. The Project Management Unit (PMU) will be housed in PUB and will be supported by a Project Implementation Committee (PIC) in construction supervision and capacity building.

#### 3. What is the scope of the Project?

STREP will produce three outputs. **Output 1. Solar photovoltaic and battery energy storage system (BESS) installed.** Installation of climate-resilient, ground-mounted solar photovoltaic and BESS on the Bonriki water reserve. The output includes 5 MWp/4MWac solar photovoltaic capacity and 5 MW/13 MWh BESS, network strengthening, including associated modern control systems. The project is expected to generate 6.845 GWh of clean electricity, offset 1.83 million liters of diesel fuel a year, and avoid 4,928 tons of carbon dioxide equivalent emissions per year from 2023, for 25 years. **Output 2. Enabling framework for renewable energy adopted.** The project will assist in the creation of enabling frameworks for renewable energy development, including the development of the Energy Act for submission to Parliament, along with corresponding implementing regulations, as well as development of model transaction documents for private sector investments in renewable energy. **Output 3. Institutional capacity in renewable energy project development, management and supervision enhanced.** The output will include support for consulting services for project management and project implementation including construction supervision as well as a comprehensive and inclusive institutional capacity development program covering technical (PV and BESS design, construction, testing, commissioning, operation and maintenance), financial and economic analyses, financial management, environmental and social safeguards, gender, procurement, tariff and governance and will use various methods and modalities such as workshops, lectures, hands-on training and certified training and degrees.



**4. Where is the Project located and how much land is required?**

The Project will be located on the north western side of the Bonriki Water Reserve; the exact area to be finalized in consultation with MELAD. The project will occupy 5.3 hectares of land for the 5 MWp PV array, batteries, office and reception areas. An additional 7 ha has been earmarked for future PV solar development. The land is a Government lease.

**5. Who are the directly affected people by the Project?**

Once operational, the Project will provide a more reliable supply of electricity that will benefit all consumers of electricity in South Tarawa, including private homes, businesses and government users. During the construction phase, the Project will affect landowners of the 14 land plots that will be repurposed for the Project, owners of trees within the site that will be removed; three households who draw water from two wells inside the Project site, and the surrounding households who will no longer be able to collect leaves, wood, firewood, and food from the project area.

**Figure 12. STREP Project Area (boundary of 12.3ha in white)**





**6. Who are eligible for assistance under the Project?**

The following Affected Persons (AP's) are eligible for assistance under the Project – (i) landowners who will receive financial compensation for land occupied; (ii) owners of trees that will be removed from the site; (iii) 3 households who draw water from two water wells in the Project site; (iv) Government agencies and organizations, mainly MISE and PUB, whose capacity will be strengthened through training, mentoring, and assistance provided by Project funded consultants and technical specialist and (iv) other affected households whose source of firewood, food and building materials will be partially lost. .

**7. What form of assistance will be provided for Affected Persons?**

Confirmed owners of trees affected are entitled to financial compensation. The three households who draw water from two wells inside the Project area will be provided each with plastic water storage tanks and materials/fittings to ensure effective rainwater harvesting.

The STREP boundary fence will be set back 20m from the road/reserve boundary. This 20m wide buffer area is created to ensure the existing vegetation is unaffected by the Project and will continue to be accessible to the surrounding community for firewood, water wells and other uses.

An enrichment tree planting program (ETPP) will be implemented on land within the buffer zone along the northern and western ringroad. Approximately 650 new trees (pandanus, coconuts and breadfruits) and medicinal plants will be planted and maintained over 8 months in 2021. The enrichment tree planting program will generate short term employment for over 100 men and women recruited from the Bonriki community, with particular emphasis on recruiting men and women from directly affected households.

Furthermore, in response to community requests, an access path connecting the northern boundary and the airport runway fence through the reserve will be established,

**8. What is meant by Cut-Off Date and when was the Cut-Off Date?**

This is the date after which any crops, trees planted or assets built on the Project site, will not be eligible for financial compensation under the Project. An inventory of losses (IOL), typically carried out immediately after the Cut-Off Date, will count only those crops, trees, and other assets that were standing on the site before the Cut-Off date.

The Cut-Off Date was the 23 November 2019. This date was announced to the Bonriki community in a community meeting on the same day. The IOL was carried out by MELAD personnel on the 24 November 2019.

**9. How are grievances of AP's heard and resolved?**

All project related grievances will be considered and addressed to the fullest extent possible, in as short a time as practicable.

All grievances are to be directed either verbally or in writing to a liaison person to be named by the Contractor. This persons' name, phone number and other contact details will be made known publicly during the disclosure of Project documents including this Resettlement Plan. It will also be written on a notice board at the PUB and MISE reception area, and on a mounted board at the gate of the Project site in Bonriki.

On receipt of a complaint, the liaison person will endeavor to address it immediately. If it is not possible for the liaison person to deal with the complaint to the satisfaction of the complainant, he/she will explain to the complainant the next steps, including when he/she can expect to be informed of the outcome of his/her complaint. The liaison person will do one of two things – (i) if the complaint is to do with land and compensation, he/she will refer the matter to the Project Manager located at MISE; (ii) if it is related to the construction activities, he/she will relay the matter to the Supervising Engineer of the Contractor.

For resettlement/land related grievances, the Project Manager will endeavor to address the grievance within 2 weeks. The complainant will be informed in writing of the course of action for addressing hi/her grievance and if the complainant is not satisfied, the Project Manager will then refer the matter to the Project Steering Committee and will inform the complainant to expect a response by the end of two months. At the end of 2 months (if not earlier) a decision of action is relayed in writing to the complainant from the Project Steering Committee. If this does not satisfy the complainant, then the Project has exhausted the options available to it for grievance resolution. The complainant may then wish to proceed with legal action and take the matter to the Magistrate Court, whose decision will be final and binding on all parties.

For construction related complaints, if it cannot be addressed satisfactorily by the liaison person, the matter is then referred to the Supervising Engineer. After 2 weeks, the complainant is advised of the course of action to be taken, and is still not satisfied, the Supervising Engineer will then turn the matter over to the Project Steering Committee. The Project Steering Committee has two months to deliberate on the issue. If a solution proposed by the Committee is still not acceptable to the complainant, then the Project has exhausted its efforts to resolve the matter. The complainant may wish to take the matter to the Magistrate's Court. A decision of the Court is final and binding on all parties.

#### **10. Who may be contacted for any inquiries about the Project?**

All inquiries about the Project are to be directed to – Tiaon Aukitino, Project Management Unit – STREP, MISE. Mobile phone – 73016012; email – [aukitino@gmail.com](mailto:aukitino@gmail.com)


## ANNEX 9. INFORMATION HAND-OUT FOR BONRIKI COMMUNITY CONSULTATION 23, NOV 2019

Figure 13. Information Hand-Out Distributed at the Bonriki Community Consultation Meeting, 23 November 2019

# TE ITI ae Itiaki IBUKIRA NI KABANE

**SOUTH TARAWA  
RENEWABLE ENERGY  
PROJECT**

**Ministry of Infrastructure  
and Sustainable Energy**  
P.O. Box 498, Betio, Tarawa KIRIBATI



**TERA STWSP?** STREP bon South Tarawa Renewable Energy Project ke te Karikirake iaon te iti man taai ibukin Tarawa Teinainao (ao Betio).

**BOTO NI IANGO**  
Te boto ni iango iaan te karikirake aei bon “karekean te iti ae itiaki nakon mwenga ni kabane iaon Tarawa Teinainano” ao “kakerakean ana konabwai PUB/MISE ibukin tararuan te karikirake aei ngkana e tia”

**KABWAIA AO KANGANGA MAN TE KARIKIRAKE**  
**KABWAIA**

- Te iti ae itiaki n kaitara kainanoakin te iti.
- Kauarerekean kabonganakin te bwa.
- Karekean te rabakau nakoia taan makuri.
- Kaungakia aomata ma kambwana iaon Kabonganaakin te iti ae itiaki.

**ANGABUAKA/KANGANGA**  
Kanganga aika ana reke n tain te mwakuri

- Te karongoa, te bubu, mwaitin te motoka, rurun aontano.
- Rootakin te mwamwananga man te keniken.
- Kamwaingan kateitei ke bon kanakoala aomata.
- Kainnanaoan te aba ibukin karekean te maeu.

**ANTAI AE NA REKE IROUNA TE ITI man Taai?**

- Aomata/Auti ma Business ake a toma ma te iti

**MWAITIN TE ITI AE NA REKE?**

- 4.1MW man taai ao 2.1MWh man te batere
- Te mwaiti aio e na kona n kauarereka te kabonganana te bwa nte mwaiti ae 20 te katebubua.

**E NA WAAKI NNINGAI STREP?**  
E na waaki te karikirake n aron ae oti inano:

- ❖ Te katauraai ae 5 te namakaina(e toki n Tianuare 2019)
- ❖ Te kabooobwai te ririki maanna (2020-2021)
- ❖ Waakinan te karikirake ae 2 te ririki maanna (2021-2023)

E na waaki katean te solar ao kawenean uaea(cable) iaon n Bonriki ao n tomaaki ma ana iti te PUB are e toma Betio nako Nabeina.

**REKEREKEN TE STREP MA KAINIBAIRE TABEUA**

- E boutokai ana kainibaire te Tauateka n itera aika a kakaokoro n aron kabonganakin te iti ae itiaki, ao tabeua riki.
- E boutoka ana kouru Bootakia Aban te Aonnaba ae ataaki n arana ae Sustainable Development Goals, kouru#7 iaon te iti ae teimatoa..

**AMI BAU TE MAURI, TE RAOI AO TE TABOMOIA**

## ANNEX 10. ENRICHMENT TREE PLANTING PROGRAM AND BUDGET

### Rationale/Background of Program

The Enrichment Tree Planting Program (ETPP) is geared to recuperate unnecessary transitional costs that may arise by the affected communities once the Resettlement Plan (RP) is underway. The planting site will include the buffer zone shaded in blue which covers a land area of 4.25 acreages (Fig.1). The ETPP targeted long term fruit tree species and medicinal plants which are resilient species and of which require minimal maintenance. In total, there will be 638 plants to be planted by the program. The planting schedule of these crops is scheduled to commence in Q1 2021 as to ensure plants are well established prior the Resettlement Plan commencement anticipated in Q2 2021. As these plants require minimal maintenance, a period of three months will be catered for planting all the targeted crops. Another further five months is required for ensuring the plants are well established. Hence, it is recommended that the ETPP will operate only for eight months maximum duration.

Figure 1



Prior the commencement of the ETPP, two consultations were carried out with the affected community. One was done at the northern side of the STREP (*Te Kawai ae Boou*) and the second one was at the Catholic Maneaba on the southern side of the STREP.

The outcome of the consultation was that the community welcomed the program however, there were two similar issues raised in both consultation sites. The first issue was the request for the rate of compensation on food crops trees that were to be cut to be raised. The second issue was for a safer access road from the northern side of the STREP to its southern side. Since the ETPP has nothing to do with the issues, the program is anticipated to commence upon its approval.

### Objectives of ETPP

There are five major objectives of the program. These include:

- (i) Restocking of the ETPP's site with four (4) food crops and five (5) medicinal plants;
- (ii) Providing employment opportunity to a maximum of 85 people from the affected community for eight months;

- (iii) Capacity building in Crop husbandry and Nursery management to the people employed by the program;
- (iv) The planting site will be a provider to the affected community's needs in terms of food, medicine, firewood and other social and economic benefits and;
- (v) The program is expected to continue to provide the benefits as stated in (iv) provided the community sustain it.

**Program Duration:**

The program duration is estimated at eight months commencing from Q4 2020 and ending in Q2 2021.

**Outcomes:**

The outcomes of the program comprise:

- (i) The 4.25 acreages of land area is restocked with four fruit tree species and five medicinal plants totalling 638 plants. Food crops comprise of 60 dwarf coconut varieties (*Cocos nucifera*), 60 breadfruit (*Artocarpus altilis*), 84 pandanus (*Pandanus amaryllifolius*), and 84 native fig (*Ficus carica*) totalling to 288. Medicinal plants on the other hand has a total of 350 which include 70 beach heliotrope (*Messerschmidia argentea*), 70 beach almond (*Terminalia litoralis*), 67 beach salt bush (*Scaevola sericea*), 72 beach mulberry (*Morinda citrifolia*) and 71 guettarda (*Guettarda speciosa*).

Considering that the solar panels are not shaded by the plant's canopies, the plants are to be planted away from the fence of the STREP. The targeted food crops are tall trees when they are fully mature hence will be planted at the edge of the 20 meters buffer zone or in other words near to the road. The breadfruit and dwarf coconut trees will be planted alternatively in one row at a distance of four (4) meters away from the road. The pandanus and fig tree will be planted behind them as the second row at a distance of eight (8) meters away from the first row. In between the first and second rows, the small shrubby medicinal plants, beach mulberry (noni), and beach salt bush, will be planted. A spacing of eight meters will be used for food crops.

Further behind the row of pandanus and fig trees, at a distance of three (3) meters are the taller medicinal plants, the heliotrope and beach almond which will be planted in the fourth row. A space of five (5) meters away from the fence of STREP to the last fourth row will contain nothing.

All trees will be planted in existing spaces within the buffer zone and will not require the clearance and removal of existing trees.

- (ii) Five Nurserymen (NM) and 80 Nurserymen Assistants (NA) are recruited from the affected community and are trained on crop husbandry and nursery management. The five NM are to be contracted on an eight months period as they are to be the leading hand of the program. As for the NA position, 10 at a time will be recruited on a one-month duration. The aim for this short period of contract is to ensure the financial benefits are more equally distributed among more people of the affected community (Attachment 1 - [Salary.xlsx](#)). Gender balance will be given the priority

with consideration of the heavy physical work to be involved such as the digging and getting of planting materials where climbing may involve.

- (iii) Training of the 85 recruited people will be provided by MELAD-ALD. The training will be conducted in two different modules. The first module targets the NM who are responsible to provide trainings and mentoring the new NA as they are recruited. The second module will be for both NM and NA. The training will be divided into five different topics as to align to the phases of activities namely (a) compost making, (b) mass producing of planting materials & nursery management, (c) preparation of planting holes, (d) backfilling them with compost and, (e) planting and care of plants in their early stages after transplant phase.

### Workplan and Budget of the activities to be undertaken

Activities of the program are summarized in the Work Plan/Budget table below.

#### 1 -WORKPLAN/BUDGET

No	Activities	Outputs	Cost Description	Amount (AUD)	2020			2021				
					Q4			Q1			Q2	
					O	N	D	J	F	M	A	M
1	Recruitment of the 5 NM and the 80 NA	Five NM recruited and 80 identified and recruited as the need arise	Recruitment cost									
2	Training of NM and NA	NM and NA are trained		300								
3	Salaries for ETPP employees	Salary of 5 NM (L18-1) & 10 NA (L19-1) for eight months	ETPP's employees' salary	64,812								
4	Survey buffer zone for Baseline data on food crops already established	Baseline data	Cost of survey									
5	Compost making by the NM & NA	Compost is made to be ready after 8 weeks	Fuel cost for shredding & transport hire	1,612								
			Cost of compost batching	6,110								
6	Procurement of planting materials	4 fruit trees, & 5 medicinal plants are procured	Cost of 638 planting materials & transport cost	600								
7	Mass production of planting materials in nursery	Planting materials are well cared in nurseries	Cost of nursery tools & equipment	4,830								
8	Planting holes preparation and backfilling with compost	638 plantings holes are to be made ready	Cost of shovel, spade, pick, bush knife, wheelbarrow									
9	Transplanting of food crops & medicinal plants	Targeted crops are all planted										

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10	Monitoring and replacement of dying crops	All planted crops are well established												
			<b>SUB TOTAL</b>	<b>78,264.00</b>										
	Miscellaneous		<b>10%</b>	<b>7,826.40</b>										
			<b>TOTAL</b>	<b>86,090.40</b>										



## **ANNEX 11. REPORT OF CONSULTATION WITH BONRIKI COMMUNITY, 20 JUNE 2020**

### **Minutes of Consultation with Bonriki Residents 29 June, 2020**

***Team members:***

Timon Uatioa	- Team Leader (Deputy Secretary, MELAD)
Kinaai Kairo	- Director, ALD
Teaaro Otiuea	- Deputy Director, ALD
Kabuati Teuriaria	- Senior Agricultural Officer (SAO), ALD
Tekataake Oromita	- Ag. SAO, ALD
Karoti Toto	- Agricultural Officer (AO)
Tiaon Aukitino	- Ministry of Infrastructure and Sustainable Energy (MISE)
LMD Team	
PUB Team	

1. The first 'maneaba' at the new road or 'Te Kawai ae Boou' was visited at 0930hrs on Monday morning 29<sup>th</sup> June 2020. The consultation commenced with welcome remarks from the Chairperson of the Mother Community followed by additional introductory remarks from Councilor Martin Pine. Finally, the team was given the floor to proceed with their presentation
2. MELAD Team Leader gave a brief introduction on the purpose of the visit which is to introduce the planting component plan of the solar panel project and the outcome expected from the consultation to be raised from Bonriki residents especially those to be affected by the project. There were around 15 people attending the consultation meeting at the ocean side of Bonriki
3. ALD Director, presented the replanting plan highlighting the 20m buffer zone outside the fence to be erected when the project starts, as the area to be planted. In addition, she elaborated that there would be different varieties of crops to be planted ranging from fruit trees, root crops, medicinal plants and other low maintenance local crops. The main idea behind this is to ensure that Bonriki residents will be able to harvest food and get local medicines later on from crops within the 20m zone once the project site is completely fenced off. Furthermore, she stressed that there would be no watchman to look after the zone and the residents are kindly requested to do this job on a voluntary basis as a way forward to ensure ownership by those residents who will be executing the activities at the end of the day
4. SAO Kabuati presented specifically on the 5 nurseries to be established on the site at different locations as well as the crops to be planted. He briefly informed that a total of 2,000 crops will be planted and these will include coconut trees (specifically the dwarf variety), pandanus (as many varieties as can be provided), wild fig (te bero), breadfruit trees (different varieties), pawpaw, banana, cassava, sweet potato, medicinal plants like, te ren, te ukin, te uri, etc. There would be 5 nurseries to be established as well inside the fenced area at different locations around so that each can provide planting materials during implementation of activities that is anticipated to start in July



5. After the presentation from MELAD team, the team leader gave some time for residents to ask questions or make comments. The following questions, comments and concerns were raised:
  - i) The Councilor asked if the team could advise on the boundary surrounding the project site and also if different varieties per crop could be planted
  - ii) One of the audiences raised a concern to the team that he has 2 water wells inside the designated area so he would like to know what will happen to those when the project commenced given that they depend on the wells for their daily needs for water
  - iii) One of them proposed that maybe it is better to contract one member from each household (landowner) to implement the planting activity
  - iv) One old man raised a concern on the proposed fenced project site to reconsider closure of the area or allow access road to cross from the ocean to lagoon side. The reason is that the area has been serving as an access road for ages to go to visit their relatives on the lagoon side of Bonriki.
6. The second consultation was convened at the Bonriki Village Catholic Maneaba on the lagoon side of Bonriki Village where more than 60 people attended. The same procedure was done and again MELAD team presented the plan following the same procedure as the first maneaba. There were a lot of concerns raised from residents and these include the following:
  - i. The 20m buffer zone to be planted is insufficient to cater for the whole Bonriki residents increasing population in terms of local food, shelter and firewood. If this is done, there is an assumption that this will create more problems to those who are not land owners within the buffer zone to fight over the crops against landowners based on the advice that the crops to be planted are for everyone
  - ii. The watchman should be recruited to ensure that crops to be planted are not destroyed
  - iii. The project should consider giving some space for access road in order to be able to cross from the lagoon to the ocean side
7. Tiaon Aukitino from MISE provided responses to those concerns raised that were related to the solar panel project saying that these will be further considered in the process before the project commenced
8. Consultation in the third maneaba was not possible due to absence of Bonriki residents at the appointed venue. The team decided to call it a day at that point and agreed to find another time for the last consultation later.