

Resettlement Plan

May 2022

Kiribati: South Tarawa Water Supply Project

Prepared by Ministry of Infrastructure and Sustainable Energy for the Asian Development Bank and World Bank. This is an updated version of the draft originally posted in August 2019 available on <https://www.adb.org/projects/documents/kir-49453-002-rrp>.

This resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature. Your attention is directed to the "terms of use" section of this website.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

Resettlement Plan

May 2022

Kiribati: South Tarawa Water Supply Project **Solar Photo Voltaic Plant**

Prepared by Ministry of Infrastructure and Sustainable Energy for the Asian
Development Bank.

This resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

Version	Author	Reviews
December 2017		First draft prepared under the PPTA
November 2019	FCG	Updated following completion of detail design during PDA
May 2020	FCG	Review to incorporate changes to the detail design that included the second desalination plan at McKenzie
14 July 2020	FCG	Update for resubmission to PMU
24 July 2020	FCG	Review to address comments from PMU
26 November 2021	FCG	Prepare Solar PV Plant only version Address ADB 2020 and 2021 comments and feedback
17 January 2022	FCG	Updated to address comments from ADB review
10 May 2022	FCG	Updated to address with inputs and updates from PMU

Currency Equivalents

(As of 2nd May 2022)

Currency unit – Australian Dollar, official currency in Kiribati

AUD \$ 1.4062 = USD 1.00

USD 0.7110= AUD \$1.00

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

Contents

Kainibaire ibukin Kabomwi - Rongorongona ae Kimototo	viii
I. Executive Summary	11
II. Project Description.....	14
III. Scope of Land Acquisition and Resettlement	17
IV. Socio-Economic Information and Profile	26
V. Information Disclosure, Consultation and Participation	29
VI. Complaints & Grievance Redress Mechanism	34
VII. Legal Framework	35
VIII. Entitlements, Assistance and Benefits	46
IX. Resettlement Budget and Financing Plan	54
X. Institutional Arrangements	57
XI. Monitoring and Reporting.....	60
Annex 1. Government approved compensation rates 2021	62
Annex 2. Socio-economic Survey Findings.....	63
Annex 3. Letter from MFED to WB on settlers at Bonriki an Bouta Water Reserves	66
Annex 4. MISE Secretary cover note for the Cut-off Notice and Cut-off Notice	67
Annex 5. Cabinet confirmation on the use of land for the McKenzie desalination plant site.....	72
Annex 6. 1977 Public utilities ordinance – section 8(2) (f)	73
Annex 7. Land lease rates payable by the government.....	75
Annex 8. Government public announcement for lease payments 2022.....	76

List of Tables

Table 1. Preliminary Inventory of Losses.....	24
Table 2. Population of Kiribati in Urban and Rural areas 2020.....	27
Table 3. Projected population of Kiribati in Urban and Rural areas 2025	27
Table 4. Population of Kiribati and South Tarawa: Number of HHs, Average HH size	27
Table 5. Population and HHs from the 2010 census compared to the 2015 census.....	27
Table 6. Summary of community workshops	30
Table 7: Comparison between ADB's Land Acquisition and Involuntary Resettlement Policy Requirements and those of the Government of Kiribati.....	37
Table 8: Main Components of Compensation Approaches	44
Table 9. Project Entitlement Matrix	47
Table 10. Indicative Project Compensation for Land and Assets	52
Table 11. Compensation for Fixed Assets	54
Table 12. Compensation Unit Rates according to the Government approved compensation rates September 2021	55
Table 13. Preliminary Implementation Process and Schedule	59

List of Figures

Figure 1. Map of South Tarawa – Water Supply storage tanks and booster pumps.....	15
Figure 2. Solar PV design layout	16
Figure 3. Solar PV concept design layout.....	20
Figure 4. Area surveyed for development of a preliminary inventory of loses for the PV plant in 2019	23

Abbreviations

ADB	Asian Development Bank
AP	Affected Person
AH	Affected Household
BSR	Basic Schedule of Rates
CEF	Compensation and Entitlement Form
DMS	Detailed Measurement Survey
EA	Executing Agency
FGD	Focus Group Discussions
FPIC	Free, Prior and Informed Consent
GoK	Government of Kiribati
Ha	Hectare (1000 square metre)
HH	Household
IA	Implementing Agency
ICC	Indigenous Cultural Communities
IOL	Inventory of Losses
IP	Indigenous Peoples
IPP	Indigenous Peoples Plan
IR	Involuntary resettlement
KAPII	Kiribati Adaptation Program Phase Two
KAPIII	Kiribati Adaptation Program Phase Three
KM	Kilometre
LAR	Land Acquisition and Resettlement
LDS	Latter Day Saints
LMD	Lands Management Division (within MELAD)
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
NGO	Non-Governmental Organisation
PDA	Project Design Advance
PIA	Project Implementation Assistance
PPTA	Project Preparatory Technical Assistance
PIB	Project Information Booklet
PMU	Project Management Unit
PUB	Public Utilities Board
PV	Solar Photo Voltaic
RF	Resettlement Framework
RP	Resettlement Plan
SES	Socio Economic Survey
SPS	Safeguard Policy Statement
STWSP	South Tarawa Water Supply Project
TA	Technical Assistance
WST	Water Storage Tanks
WTP	Willingness to Pay

Definition of Terms

Affected persons (APs)/ Community/ Households (AHs)	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 communities/ households/ persons are those who utilize, control, or possess the affected land or non-land objects.
Ancestral domain	Refers to all areas generally belonging to Indigenous Cultural Communities (ICCs)/Indigenous Peoples (IPs) comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals, corporations, and which are necessary to ensure their economic, social, and cultural welfare. It includes land, forests, pasture, residential, agricultural, and other lands individually owned whether inalienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by ICCs/IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are still nomadic and/or who practice shifting cultivation.
Ancestral lands	Refers to land occupied, possessed and utilized by individuals, families and clans who are members of the ICCs/IPs since time immemorial, by themselves or through their predecessors-in-interest, under claims of individual or traditional group ownership, continuously, to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth, or as a consequence of government projects and other voluntary dealings entered into by government and private individuals/corporations, including, but not limited to, residential lots, private forests, widen farms and tree lots.
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 level at least equivalent to those maintained at the time of dispossession, displacement, or restricted access.
Customary law	It refers to a body of written and/or unwritten rules, usages, customs and practices traditionally and continually recognized, accepted, and observed by respective ICCs/IPs.
Cut-off date	Cut-off date for land-taking will be set on the first day of inventory of losses (IOL) and census undertaken as part of the social safeguard

document/plan review after both the project approval by the IA and Detailed Engineering Design. Persons not covered at the time of census-taking will not be eligible for claims of compensation entitlements.

Displaced Persons (DPs)	In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas (ADB IR Source Book, 2012).
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 affected households (AHs), depending on the type and severity of their losses, to restore their economic and social base.
Free and prior informed consent (FPIC)	The consensus of all members of the Indigenous Cultural Communities (ICCs)/ Indigenous Peoples (IPs) to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable and appropriate to the community.
Field-based investigation	It refers to the ground investigation to determine if the plan, program, project, or activity overlaps with or affects an ancestral domain, the extent of the affected area, and the ICCs/IPs whose FPIC is to be obtained.
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).
Inconvenience allowance	It is the compensation amount given to each AP who holds full title to or a legalizable tax declaration over the land and structures severely affected by the project, and who consequently must move elsewhere.
Indigenous people/ indigenous cultural	Refers to a group of people or homogenous societies identified by self-ascription and ascription by other, who have continuously lived as organized community on communally bounded and defined

communities	<p>territory, and who have, under claims of ownership since time immemorial, occupied, possessed customs, tradition and other distinctive cultural traits.</p> <p>The definition used in this RP aligns with that of the ADB' SPS 2009 in which indigenous people/communities is used in generic sense to refer to a distinct, vulnerable, social, and cultural group possessing the following four characteristics in varying degrees:</p> <ul style="list-style-type: none"> (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary, cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the language of the region. <p>Based in this definition, a significant majority of the population in South Tarawa are considered indigenous.</p>
Informal settlers	Families whose housing units have been constructed on land that the occupants have no legal claim to or occupy illegally
Inventory of losses (IOL)	The listing of assets as a preliminary record of affected or lost assets during the preparation of the RIPP/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, their exact location pinpointed, and their 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	<p>When the displaced persons have no right to refuse the land acquisition by the state that result in their displacement. This occurs when land is acquired through</p> <ul style="list-style-type: none"> (i) expropriation by invoking the eminent domain power of the state, or (ii) land is acquired through negotiated settlement when the pricing is negotiated in a process where expropriation will be the consequence of a failure in the negotiation. (ADB IR Source Book, 2012)
Marginally affected person	The impact is only partial and the remaining portion of the property or asset is still viable for continued use.
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.

Professional squatters	Persons who have previously been awarded home lots or housing units by the government but who sold, leased or transferred the same to settle illegally in the same place or in another area; to non-bona fide occupants; and to intruders of lands reserved for socialized housing or other communal purposes. The term also refers to individuals or groups who occupy lands without the expressed consent of the landowner and who have sufficient income for legitimate housing.
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, full restoration of living standards and quality of life.
Relocation	The physical displacement of an AP from her/his pre-project place of residence and/or business.
Replacement cost	The value enough 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 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.
Severely affected persons	Those who experience significant/major impacts due to (i) losses of 10% or more of their total productive land, assets and/or income sources due to the project; and/or (ii) relocation due to insufficient remaining residential land to rebuild.
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) children and the elderly households who are landless and with no other means of support; (v) landless households; (vi) indigenous peoples or ethnic minorities.

Kainibaire ibukin Kabomwi - Rongorongona ae Kimototo

Kainanoan te Karikirake

E tabe ni birirake mwaitin te botanaomata i Tarawa Teinainano ao mwaitin te ran mai antano e aki tau n tobwa kainnanaoana iroun te botanaomata. E bwaunanaki ngkai te ran nakoia aomata ake a maeka ni uakaan ma mwiin ana ran PUB, are e tii 2 te aoa ni katoa uoua te bong. Aki taun mwaitin te ran ae itiaki n reke nakoia taan maeka e bon karekei kanganga aika rekereke ma te nako-tinaniku, kawakinan te itiaki, ao aoraki aika reke man te ran, te amwarake, aorakin te kun, ao tabeua riki. Oin te kantaninga n te karikirake ae te South Tarawa Water Supply Project bwa e na karikirakea ao ni kateimatoa aia konaa aomata n reke irouia te ran ae itiaki, karikirakea te marurung ao anua ni kakaitiaki ibukia taan maeka iaon Tarawa Teinainano.

Kanoan te Karikirake

E na karaoaki te katamaroa nakon te ran ibukin Tarawa Teinainano ae kanoana katean uoua taabo ake ana onika te ran ae tarika nakon ae mam ao kanakoan ranna are e taoro nako marawa; onobwaiian kateitei ma mitiin te ran aika ngkai, n reitaki ma kanimwan bwaam aika boou ao kaboouan bwaibu ao mwiin te ran ni kabane; ao katean te Tabo ni Iti man Taai (Solar PV Plant). E kaonotaki te Kainibaire ibukin Kabomwi (ke te Resettlement Plan) aio nakon te Solar PV plant.

Te Solar PV Plant e na anga te iti ke te korakora are kainanoaki ibukin kabutan mitin ni karao ran ao bwaam rinanon te iti man taai ae teimatoa rekena ao ni booraoi, ao ni kaurerekea te urubwai nakon te otabwanin man buoka rikiraken te konabwai ni kaitara bibitakin kanoan bong. Korakoran te PV plant aio bon 2500 te kW, e kateaki i aontano, e aki mwamwaingiing man bane n toma nakon te tabo ae tii teuana ae kakaboraoa korakoran te iti nakon 2000 kW ae na tei n te tabo n ran i Bonriki. Teuana naba kanoan te mwakuri bon te katamaroa nakon rainin te iti are te 11kV. E nakon 1 km abwakin te rain are e na katamaroaki ian te Karikirake aio.

Kainanoan te Aba

E kantaningaaki te karikirake bwa e na uarereke rotakin te aba iai, ngkai akea te kamwainging ae na riki ni kabuta te tabo are e na kateaki iai. Akea kamwaingan maeka ke rotakin karekemwane ae na riki ibukina bwa tamnein te Solar PV e na katuai kateitei aika iai rabwataia. E na kainnanaoaki te kabomwi iaon aroka ma kai n amwarake ake ana koreaki ke n kamwawaaki. E ngae n anne ao e na aki rang rotaki maeuia taan abaaba ibukina bwa e rang uarereke kakabonganakin aroka ma kaai n amwarake aikai. E na teimatoa ni kabwakaa riitin te tabo aio te Tautaeka n aron ae kakaraoia man 1950 tabun ngke e karikaki te tabo aio bwa te tabo n ran.

E kabobongaki tamnein te Solar PV Plant irouia intinia ni mwakoron te karikirake are te kakatauraai (project design advance), ae kanoana bon bairean korakoran te PV Plant, buburana ao te katautau iaon buburan te aba ae na kainnanaoaki. Te kambwana are e na katea te PV plant e na katabeaki naba ibukin katabwaninan tamnein te PV Plant, ao ni kaineti ma babaire ake a tia ni wene, e na katiaa te tamnei ibukin kawenean solar panels, ao n nora riain katuaaia taan maeka.

Rotaki riki Tabeua

Te aba ae kainnanaoaki (nakon 8.6 Ha) a maeu iaona kai n amwarake ake a moti uaaia (kaina, nii, mai, etc.) ao aika a uaa naba (n ikotaki ma bwabwai) ake arokaia taan abaaba aika kakaokoro. Warebwai iaon bwaai aikai (Inventory of Losses) (oti n te tabo ane kataneaki n te tamnei ane Figure 3) e oti iai kabonganakin 86,000 m² man aaba ake e riitin te Tautaeka ibukin te Solar PV Plant, ni ikotaki ma 54 nii, 8 maai ao 390 kaina. Akea te uruaki nakon kateitei ao akea naba te kamwaing ae na riki nakon maeka. Ai uana naba nakon aaba ake a kabonganaki ibukin te ununiki ke taabo aika bwaibwai iai ao ni bongana ibukin maeuia aomata aika a mwaiti bwa a na bon aki rotaki. Akea bwakamwane aika ana kainnanaoaki ibukin bwaai ke bao ni mwamwananga ngkai akea kateitei aika ana rotaki. Te Karikirake e na bon totokoa rikin te kainnanao ke kanganga nakoia aomata ake a kai rotaki. Akea kainnanaoan karaoan te Kainibaire ibukia Kain te Aba (Indigenous Peoples Plan) ngkai angia (98%) aomata iaon Tarawa Teinainano bon kain Kiribati.

Kataumwane

Kanoan te kataumwane ibukin te kabomwii bon kabomwii ibukin aaba, aroka ao tabeua riki ake a noraki riaia iaan te Karikirake. Te mwaiti ae katauaki ibukin te kabomwi imwin te warebwai e bon nakon AUD \$31,624. Ma e kona n uarereke riki te mwaiti.

Te Karinan

E ngae ngke te STWSP e mena iaan te Karinan B ibukin kabomwi ma kamwaing aika kairoroaki (Involuntary Resettlement) ni kaineti ma ana Kora ni Kaeti ADB ibukin te Kamanomano 2009 (Safeguards Policy Statement). Karikirake ian Karinan B a kona ni iai kanganga n reke mai iai ma a uarereke ao man a kona n taobaraaki. Te Kainibaire ibukin te Kabomwi aio e katauraaki ni kataunariaki ma taraan ke tein taian kanganga.

Katanoata, Maroro ao Kaongora

Katanoata ma maroro a tia ni wakinaki ibukin angiin mwakoron te karikirake, ike a katuruturuaki iai itera ake ana rangi n rootiia rabwata aika a kakaokoro. Rongorongon ni kabane te Karikirake, katanoata ma maroro ana reitinako n te aro bwa ana kona rabwata ake iai rekerekeia ma te Karikirake ni kona n tibwai aia iango ma tabeaiangaia man aia taratara inanon wakin te Karikirake.

A tia ni wakinaki maroro aika kaonoti ma aomata ake ana rotaki (Affected Persons) n reitaki ma rabwata ake iai tibwangaia n te Karikirake. Aomata/rabwata aikai e kabwarabwaraki nakoia ana boto ni iango te Karikirake, buburana ao kawai aika riai ni iraki n aron karekean te aba ibukin katean bwain te Karikirake. A kamatataaki aomata/rabwata aikai riain kabonganaakin abaia ao ni kabwarabwaraki Babaire ibukin Tobwan Tangitangia (GRM) iaan te Karikirake.

Man moan wakinan te Karikirake (PPTA) 20 maroro ma bootaki, inanon 13 kaawa ake a tia ni karaoaki n 2017, ma ikotan mwaitia aomata ake a roko ae 426. Maroro ake imwina inanon mwakoron te Karikirake ae te PDA e wakinaki n 2019 n taabo aika a kakaokoro ake a angaraoi kawaraia irovia aomata. Taabo bon mwaneabaia bootaki, Aaro, taabo ni bobotaki, mwenge ma onaoraki (clinics). Ni mwakoron te Karikirake are e tabe ma kabobonga tamnein te Karikirake, a na manga moan wakinaki maroro ibukin kaongoia aomata/rabwata ake iai rekerekeia iaongo iaon katean kawai imarenan maeka, maanin kateitei ao ananga n rotaki aika ana riki.

Kukune man katanoata ao maroro ake a wakinaki nte PDA a kamatoa bwa iai te boutoka nakon te Karikirake ao te tauraoi ni kabooa te ran ngkana e baireaki boona ae tau ibukin aia kona aomata. Taebu ake a kateaki ibukia te mwaiti n aomata ao ni kabooaki ana aki boutokaki irouia aomata ake a kabonganai ngkana arona bwa tii aio te anga ae na roko iai te ran. Iai tabeaianga ake a mwemwe ibukin tamaroan te ran man te mitin ni karao ran n rekereke ma rotakin te marurung, n reitaki ma boin ranin te mitin. Rotakin te otabwanin man mwakurin mitiin n onika te ran ae tarika nakon ae mam e karioi tabeaiangan te botanaomata. Taan maroro man Te Toamatoa (Disabled Persons Association) ake a ira teuana te maroro a katerea kainnanaoan aanga aika ana kabebetea reken te ran nakoia kain aia botaki aika a toara rabwataia n anga aika a kakaokoro.

Te reitaki ma aomata/rabwata ake ana rotaki e na karaoaki ngkana ea waaki mwakoron te Karikirake are kabobongaam tamnein te Karikirake. N te tai anne e na katangainaaki te kabanea n tamnei iaon te Karikirake, kanganga aika kona n riki ao te katautau iaon maanin te kateitei. Rongorongon ao te kamataata iaon te GRM e na katauraaki. Kukune man reitaki aikai ana buoka tobwan kanganga ake ana riki man te kateitei ao waakinan te Karikirake ngkana e a tia.

Kainibaire ibukin Tobwan Tangitang (Grievance Redress Mechanism)

E a tia ni waaki kabonganaan te GRM ian ana tararua te Karikirake. E kaotaki nte Kainibaire aio kawaim n reitaki ma te aobitia are tabe ma GRM, kabwarabwaran te kawai ni uotakirakean te tangitang ao tera ae na reke mai iai. Aikai a bane ni kabwarabwaraki n te Kainibaire. E na kawakinaki te boki n taumwi ibukin tangitang iroun PMU MISE, ae na taua mwin bongin namwakaina, aara, kaotia bwa mwane ke aine taan tangitang, mwakurian te tangitang, ao antai taan mwakuri aika rekereke ma te tangitang. Ni kabane tangitang ma kaekaaia ana bane n tauaki mwii. Te GRM e boutokaia mwauku ma ake aki kona ni wareware/koroboki ni karina tangitangia. A kabwarabwaraki naba kawai n tobwai itabaraara imarenaia aomata, n reitaki ma kawai ake ana kona n touaki ngkana e aki kona n tobwaia te GRM, ke ngkana kanganga a kainnanao tobwaia n rabwata riki tabeua iaon te GRM.

Tuua aika irekereke ma te Karikirake

Aikai Tuua ao Kaetieti aika a kaira aron karekean aaba aika a kainnanaoaki, ke inaomata ni kabonganai ke ni bwaibwai. (i)Tua ae Maungatabu (ii)Tua ibukin Karekean Aaba iroun te Tautaeka 1954 (rinanoaki 1979) (iii)Tua ibukin Rikia ni bwaibwai 1956 (rinanoaki 1977), (iv) Tua ibukin te Public Utilities Board 1977, (v) Tua ibukin Bowi i nano 1978, (vi) Tua ibukin Aban Tautaeka 2001, (vii)Tua ibukin te Tarabunare iaon Tauan Mwin Tangitang iaon Aaba 2002 ao (viii) Te Onono iaon te Tua ibukin Te Rikia ni bwaibwai 2011.

Te Tutuo ao Riboti

MISE e na kateimatoaa te tutuo iaon kakoroan nanon te kainibaire aio (RP) ao n ribooti nakon ADB uoua te tai n te ririki. E na kakarekei ribooti man PUB ae na kaoti araia aomata/rabwata ake a rotaki, mwaitin te kabomwi ae na riai n reke irouia, kabwakamwane ni kabomwii bwa a bwaka ia. Aron kabonganaki te kataumwane nte kainibaire aei, bwaka mwane n kabomwi ibukia ake a rotaki, mwakuri n kaongora ma maroro ao kanganga inanon te karikirake a na bon tararuaki raoi ao n ribotinaki n kaota mwin te mwakuri n wakinan te RP.

I. EXECUTIVE SUMMARY

Project need

1. The population of South Tarawa is rapidly growing and the available yield from fresh groundwater sources is not enough to sustain the growing population. Currently, reticulated water is rationed in South Tarawa, with residents having access to Public Utility Board's (PUB) potable water for only 2 hours every second day. Limited availability of potable water for the residents has been linked to poor sanitation, hygiene, and public health issues, such as, water-borne, food-borne and skin diseases, besides other socio-economic impacts. The overall outcome of the South Tarawa Water Supply Project will be increased access to reliable potable safe water, improved health and sanitation practices for the residents of South Tarawa.

Proposed project

2. The Project covers the installation of a water supply system for South Tarawa involving the construction of two desalination facilities and brine outfalls; upgrades to the existing water supply infrastructure, including new booster pumps and improvements to the reticulated water supply system; and the installation of a Solar Photo Voltaic (PV) Plant. The scope of this Resettlement Plan (RP) is limited to the PV Plant.
3. The Solar PV Plant will offset electricity demand for desalination and pumping through optimum functionality and reduced operational costs, resulting in decreased environmental impacts and improved climate resilience. The PV Plant is a 2500 kW ground mounted, fixed and centralized PV array with a 2000 kW Solar Smoothing Energy Storage System to be installed at the Bonriki Water Reserve. The installation of the PV Plant also includes an upgrade to the existing 11 kV power network of approximately 1 km.

Land requirements

4. The project is expected to have minimal land impacts, as there will be no physical displacement impacts for the entire project site. No relocation of housing settlements or income restoration will be required as the solar PV configuration has the flexibility to avoid existing structures. Compensation will be required for the loss of trees and plants of economic value required to be cleared. However, economic impacts are not significant as they are not relied on for subsistence. The Government will continue to make lease payments since the area was declared a Water Reserve in the 1950s.
5. The project design advance (PDA) engineering consultant completed the project design which included the identification of the capacity of the PV Plant, its size and indicative land requirements. The contractor building the PV Plant will be also responsible for the detailed design and within the identified footprint will prepare the layout plan for the solar panels, with recognition of the need to avoid settlers.

Other impacts

6. The land required (maximum 8.6 Ha) is vegetated mostly by non-productive trees (pandanus, coconuts, breadfruits etc.) and productive plants (bwabwai) that belong to the various land plot owners. Based on these assets, the preliminary Inventory of Losses (IOL) (located in the area demarcated in Figure 3) results in the loss of an estimated 86,000 m² of government leased private land for the solar PV Plant, including 54 coconut trees, 8 breadfruit trees and 390 pandanus trees. No loss of primary structures and no relocation of households is required. Similarly, there will be no loss of agricultural land or common property of which no common property resources will be affected. No material and transport allowances will be required due to unaffected structures. The Project does not create cases of economic resettlement or impacts to vulnerable people. There is no requirement for an Indigenous Peoples Plan as the majority (98%) of the South Tarawa population is indigenous to the country.

Budget

7. The preliminary compensation budget is composed of compensation for land, trees and Project Specific conditions. The preliminary resettlement budget requires a total amount of up to AUD \$31,624. However, this amount is likely to be lower.

Categorisation

8. While the STWSP is classified as Category B for involuntary resettlement (IR) according to the ADB Safeguards Policy Statement 2009 (SPS), involuntary resettlement impacts for the Solar PV Plant are not expected or they may be not significant. Category B projects include involuntary resettlement impacts that are not deemed significant. This resettlement plan was prepared commensurate with the nature of impacts.

Disclosure, consultation, and participation

9. Disclosure and consultation meetings to-date have been conducted for most project components, with attention to the most relevant parts to each stakeholder group. The detailed engineering design, disclosure and consultation meetings will continue to enable stakeholders to provide their inputs, views, and concerns from a more informed perspective as the project unfolds.
10. Individual meetings were held with all Affected Persons (APs) as well as institutional partners (i.e. Church of the Latter-Day Saints). The APs were informed of the project objectives, scope and processes including the necessary land acquisition resulting from the proposed project infrastructure. The APs were informed on the rationale for acquiring private land belonging to them and advised on the arrangement of the Grievance Redress Mechanism of the project.
11. Since the beginning of the Project (PPTA) 20 community workshops, involving 13 villages, were held in 2017 with a total of 426 participants. The PDA-phase consultations with members of the community as well as community-based organisations took place in 2019 in a variety of venues which were often considered most convenient for stakeholders. These venues included community and religious

maneabas, community meeting areas, houses, and clinics. During the detailed engineering design stage, a new round of consultations will take place to provide information to stakeholders of the design of the access tracks, the construction timeframes and impacts.

12. Findings from the PDA disclosure and consultations presentations confirmed there is support for the project and a willingness to pay for water if it is set at an affordable rate. Communal taps which charge for water are not popular and will not be supported by community members if these are the only service options. Concerns were raised related to the safety of desalinated water and its potential health impacts as well as concerns regarding the taste of desalinated water. Environmental impacts of the desalination process are a major concern of the community. Community representatives from Te Toamatoa (Disabled Persons Association), who had participated in the workshop, highlighted considerations to improve accessibility for their members with varying physical disabilities.
13. Consultation with APs will take place during the detailed engineering design phase. This will include disclosure of the final layout and potential impacts and timeframes for construction. Information and awareness on the GRM will be provided. Outcomes of the consultation will inform the mitigation of any temporary, construction or operational impacts.

Grievance Redress Mechanism

14. A GRM has been implemented and is being managed by the PMU. Contact details of the GRM officer, instruction on how to lodge grievances and what to expect have been clearly described in the mechanism. A register of complaints will be maintained at the PMU MISE, recording dates, names and gender of complainants, action/s taken, and personnel involved. All complaints and resolutions will be properly documented. The GRM also provide support for those with disabilities or illiterate to lodge their complaints. Dispute resolution pathways are also described, including supplementary pathways for when the GRM fails to address the concerns of complainants or when the issues are required to be escalated to other instances or authorities.

Legal framework

15. The following legislation and policies provide the legal and policy framework for the acquisition of any land required, or of access and user rights. (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, and (viii) Native Lands Amendment Act 2011.
16. The project in this RP is also informed by ADB' SPS 2009.

Monitoring and reporting

17. MISE will monitor RP implementation on an ongoing basis and submit monitoring reports to ADB on a semi-annual basis. It will request from PUB periodic reports that will include a list of all APs, their entitlements, and the status of delivery of cash compensation. It will use budget timeframe, delivery of AP entitlements, consultations and grievances as indicators to gauge progress in RP implementation.

II. PROJECT DESCRIPTION

A. Project Rationale

18. Fresh reticulated water for use by South Tarawa residents is supplied from fresh groundwater reserves – extracted from a total of 28 galleries in Bonriki and Buota. The total sustainable yield from the groundwater lenses is 2,010 m³ /day. However, the population in South Tarawa is rapidly growing and the available yield from fresh groundwater sources is not enough to sustain the growing population. Currently, reticulated water is rationed in South Tarawa, with residents having access to Public Utility Board's (PUB) potable water for only 2 hours every second day. Although rainwater is harvested by residents, this is not enough to augment supplies from the reticulated system in South Tarawa, particularly during droughts.
19. The limited availability of potable water for the residents has been linked to poor sanitation, hygiene and public health issues such as water-borne, food-borne and skin diseases, besides other socio-economic impacts.
20. Climate change and variability are additional threats to water security in South Tarawa. The groundwater reserves drawn on for the PUB water supply are vulnerable to periodic droughts linked to the El Niño Southern Oscillation cycles. Studies carried out under Kiribati Adaptation Program Phase Two (KAPII) showed that inundation as a result of sea level rise could reduce groundwater yields from Bonriki and Buota reserves by about 20% by 2030. Subsequent studies have also highlighted that whilst inundation events could have short-term impacts on groundwater yield, the freshwater lens has an ability to recover but is more particularly vulnerable to drought and extraction. These studies highlight the vulnerabilities of the current supply and the need for alternative water supplies that are more resilient to climate influences.
21. The overall outcome of the South Tarawa Water Supply Project will be increased access to reliable potable safe water, improved health and sanitation practices for the residents of South Tarawa.

B. The Proposed Project

22. The Project covers the installation of a water supply system for South Tarawa, namely: (i) construction of two desalination facilities and brine outfalls; (ii) upgrades to existing water supply infrastructure, including up to 18 new booster pumps; (iii) increasing the capacity of 9 water supply tanks; (iv) upgrades to the reticulated water supply system; and (v) installation of a Solar Photo Voltaic (PV) Plant. The scope of this Resettlement Plan (RP) is limited to the PV Plant. However, to provide context, all Project components are briefly described below.

Two desalination Plants

23. Two desalination plants will have a combined production capacity of 6.0 ML/day, with the ability to upgrade production by 1.0 ML/day to give an ultimate daily drinking water production capacity of 7.0 ML/day.

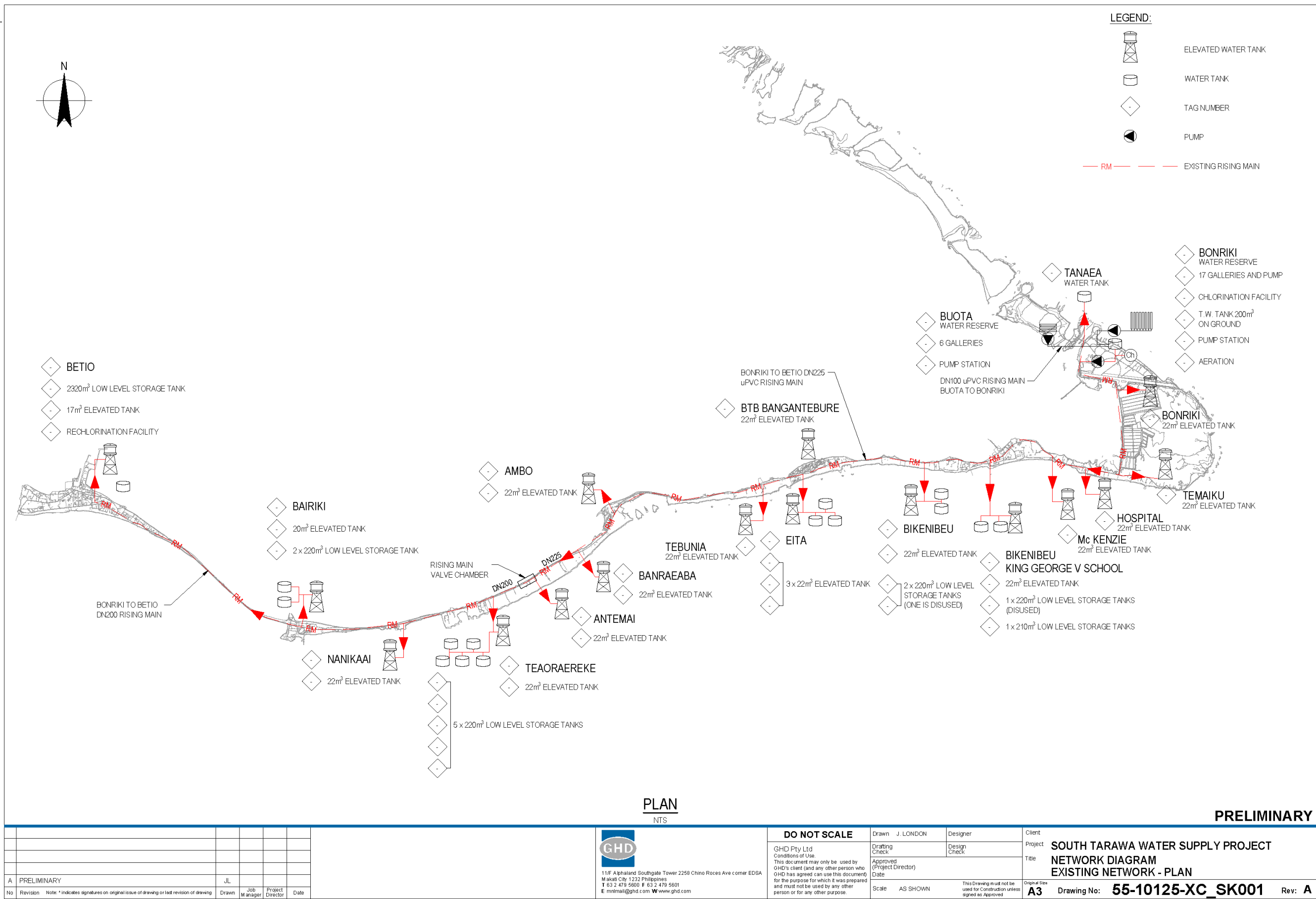


Figure 1. Map of South Tarawa – Water Supply storage tanks and booster pumps

24. In addition to other training as identified in the Project training plan, the Project will include capacity building and training of Public Utilities Board (PUB) employees through the supplier of the reverse osmosis systems to provide ongoing support services of experienced personnel in South Tarawa.

Solar Photo Voltaic Plant

25. In evaluating the options of installing varying levels of both central and distributed PV, the engineering design includes the installation of a 2500 kW ground mounted, fixed centralized PV array with a 2000 kW Solar Smoothing Energy Storage System to be installed near the Bonriki pumping station at the Bonriki Water Reserve. The installation of the PV Plant also includes an upgrade to the existing 11 kV power network of approximately 1 km.
26. The rationale for the inclusion of the Solar PV Plant is to offset electricity demand for desalination and pumping through optimum functionality and reduced operational costs, resulting in decreased environmental impacts and improved climate resilience. Figure 2 shows the location of the Solar PV Plant.
27. Other options were considered for the installation of PV, including rooftop installation. The option chosen has the maximum degree of flexibility, allowing the avoidance of any houses or other assets.



Figure 2. Solar PV design layout

III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Background

28. There are two main types of land tenure in Kiribati – private ownership and state ownership. More than 95% of land is under traditional private ownership, while less than 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. Both women and men can inherit or own land in i-Kiribati tradition.
29. During the 1950s, the former British colonial authority leased 30% of lands in Betio, Bairiki, and Bikenibeu from the traditional landowners for 99-year lease period in order to control development. Of the 670.6 hectare (Ha) of land leased by the government, 400.64 Ha is utilized for government purposes, including 130.71 Ha reserved for conservation of water sources, 65.6 Ha of land is leased for commercial purposes and 204.37 Ha is used for residential purposes. 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. Project impacts

30. The project is expected to have minimal impacts. There is no requirement for an Indigenous Peoples Plan (IPP) as the majority (98%) of the South Tarawa population is indigenous to the country. No relocation of housing, other settlements or income restoration will be required as the solar PV configuration would have the flexibility to avoid existing structures. Figure 3 shows a preliminary concept design layout that avoids existing structures and other assets such as plantations and access tracks that belong to settlers living at the location. The Government of Kiribati (GoK) on June 2019 committed to allow the *“illegal settlers to remain on the water reserves (Bonriki and Buota) until the completion of the Project (STWSP)”*, refer to Annex 3. The commitment also includes limiting the arrival of new settlements.
31. Compensation will be required for the loss of trees and plants of economic value that will be required to be cleared. However, economic impacts are not significant as they are not relied on for subsistence.

Scope of land acquisition

32. The Bonriki Water Reserve area near the Bonriki pumping station for the proposed PV site is a government leased site making the area available for the Project. The Bonriki Water Reserve was declared a water reserved area for the people residing on South Tarawa as covered under section 8(2) (f) of the 1977 Public Utilities Ordinance (Cap. 83) since early 1986 – See Annex 6. The full acquisition compensation payment or arrangement had been done during the colonial period in 1977-1978 between the protectorate Government of the day and concerned landowners. In 1994-1995 during the administration of H.E

Teburoro Tito, the right was reverted to the landowners. From 1995, the Government assumed full responsibility and has been liable for paying annual land rent for Bonriki Water Reserve. The Government pays based on the areas which had been agreed between concerned landowners, the Court and the Land Management Division. The rates are the same set by the Government for land leased in South Tarawa (Annex 7). Payments will continue to be made according to these rates and will be increased when reviewed, generally every 2-4 years. As shown in Annex 7, the rates were reviewed in 2021 and payments are up to date, with the most recent made on 13th and 20th January 2022 as shown in Annex 8. Due to the Covid-19 pandemic, MELAD established a mechanism for landowners to collect their payments by completing an on application to receive a direct deposit to their bank account.

33. Notwithstanding the agreement between the Government and landowners to maintain the site as a water reserve, people have settled in the area where they have built shelters and established small crop areas where vegetables are grown.
34. While no resettlement impacts on the livelihood of the residents/settlers of the Bonriki Water Reserve are expected. There are unavoidable impacts on amenity as the landscape changes from bushland to the PV plant site.
35. As shown in Figure 3, the concept design layout of the Solar PV Plant allows the coexistence of settlers and the Project. The land required for the solar PV array is estimated would have up to 86,000 square meters. Preliminary concept design layouts, completed during the PDA, considered the existing location of houses of residents/settlers of the Bonriki Water Reserve as well as their vegetable gardens and access tracks. Trees located near the residences and used for productive purposes have also been considered. The PV site concept design layout has been configured to avoid any involuntary resettlement or adverse effects on any assets such as productive trees and gardens. The water reserve area is large enough so that the PV boundary has been moved to avoid any resettlement impacts. The PV footprint shown in Figure 3 allows flexibility with respect to the layout to avoid any resettlement impacts. These design principles used for the concept outline will be requirements for the detail design in order to avoid resettlement impacts.
36. The project design advance (PDA) engineering consultant completed the project design, which included the identification of the capacity of the PV Plant and its size and indicative land requirements. The site boundaries shown in Figure 3 show the maximum extension of the site for the 2.5 MW PV array. The contractor building the PV Plant will be also responsible for the detail design and within the identified footprint will prepare its own layout plan for the solar panels recognising the space limitations and the need to confine the solar PV array to a small a site as possible without: (1) compromising the efficiency of the solar array; (2) the need to maintain the arrays and the surrounding and covered land surface; (3) the need to avoid settlers; (4) the need to permit maintenance access to the water supply infrastructure; (5) recognise the buffer zone and height limitations; and (6) comply with azimuth, orientation and other requirements as outlined in the glint and glare assessment report.

Impacts on common property resources

37. The contractor responsible for the detailed design and construction of the PV plant may realign some of the access tracks to improve the efficiency of the design however ensuring that residents have free access to the land and assets they currently have. Considering the current site arrangements and the GoK commitments towards settlers and layout requirements, the PV plant will not create impacts to their access to homes or crops and is not expected to create any impacts to their livelihood.
38. Eleven households were identified in the local area, five of them in close proximity to the concept design layout of the PV plant. These five are shown in Figure 3, two in the eastern side located only a few meters apart and using the same access track; one living on the western side; and two on the north-western side using the same access tracks.
39. 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.

Legacy issues

40. The GoK on June 2019 committed to allow the “illegal settlers to remain on the water reserves (Bonriki and Buota) until the completion of the Project (STWSP)”, refer to Annex 3. This decision was made in consideration of the possible social and environmental risks to the Bonriki Water Reserve and its lens on which the population of South Tarawa relies. The commitment also includes limiting the arrival of new settlements and managing activities by the current settlers that could contaminate the ground water supply.

Physical displacement

41. There will be no physical displacement impacts for the entire project site. The alignment of the solar panels will be configured to ensure the informal settler households in the area are not landlocked, their crops and fruit trees are not affected and access to community facilities outside is not blocked.

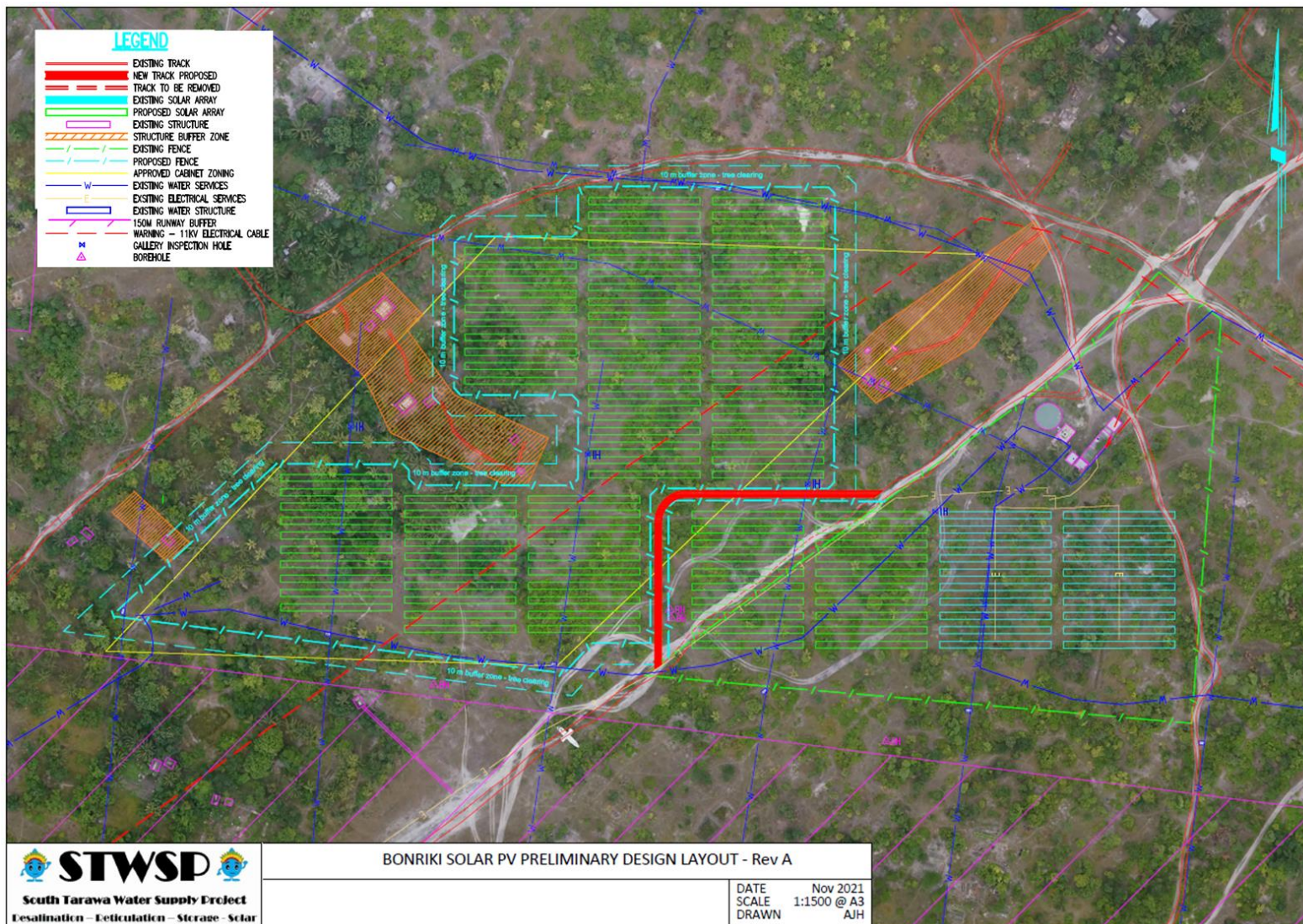


Figure 3. Solar PV concept design layout

Economic displacement - loss of productive trees

42. The 86,000 m² maximum area (8.6 Ha) is vegetated by productive trees (pandanus, coconuts, breadfruits etc) and productive plants (bwabwai) that belong to the various land plot owners. Table 1 provides a detailed preliminary inventory of trees, with a total of 369 trees in the area described in the concept design layout presented in Figure 3. Over the years, the Bonriki Water Reserve has become a communally shared 'commons' resource that surrounding households rely on for firewood, traditional building materials and food.

Inventory of losses

43. The Inventory of Losses (IOL) based on the above new assets located in the area demarcated in Figure 3 results in:

- i) Loss of an estimated 86,000 m² of government leased private land for the solar PV Plant.
- ii) Loss of 54 coconut, 8 breadfruit, 390 pandanus trees and 115m³ of giant taro (bwabwai) pit
- iii) No loss of primary structures and no relocation of households.
- iv) No loss of agricultural land.
- v) No loss of common property.
- vi) No cases of economic resettlement and
- vii) No cases of impacts on vulnerable people

44. The preliminary tree count undertaken covers more than the area likely to be utilized for the Solar PV array. Once the final layout is completed a new ILO will be required. Detailed designs will be completed by the selected contractor who will confirm the full extent of land clearing.

45. While the lease agreement provides for the tenant (The GoK) for the duration of the lease to be entitled to the exclusive use of the land, trees, plants and other fixtures, relevant landowners of the trees will be compensated for these losses prior to commencement of construction as per the policy principles and entitlement matrix outlined in the Resettlement Framework.

Cut-Off Date

46. The RF states that the cut-off date after which affected persons' (APs) eligibility for compensation ceased would normally be established by GoK procedures. In the absence of such procedures, the MISE STWSP Community Engagement Team during the PDA established the cut-off date for eligibility. This was following completion of the IOL survey. A preliminary IOL for the RP was undertaken on 14th December 2017. Subsequently for the update of the RP in 2019 a more another IOL based in the Solar PV concept design layout presented in Figure 4 was completed between the 29th and 30th October 2019. Annex 4 includes the MISE' Secretary cover note and STWSP Cut-off Notice distributed at the completion of the IOL. Figure 4 presents the area surveyed for development of a preliminary IOL for the PV plant in 2019.

47. The updated IOL based on the Solar PV concept design layout (Figure 3)

completed in September 2021 is for a reduced area. This is due to the understanding gained from further technical assessments on the likely area required to produce 2.5 MW. As this reduced area is within the area previously surveyed for the ILO and disclosed at the time with the announcement of the cut-off date, a new cut-off date was not required.

48. Information regarding the cut-off date was disseminated throughout the project area among those landowners impacted by the Project. Having a cut-off date is required to discourage parties from taking advantage of the opportunity for compensation. All structures constructed and crops/trees planted after the cut-off date are not eligible to receive compensation.

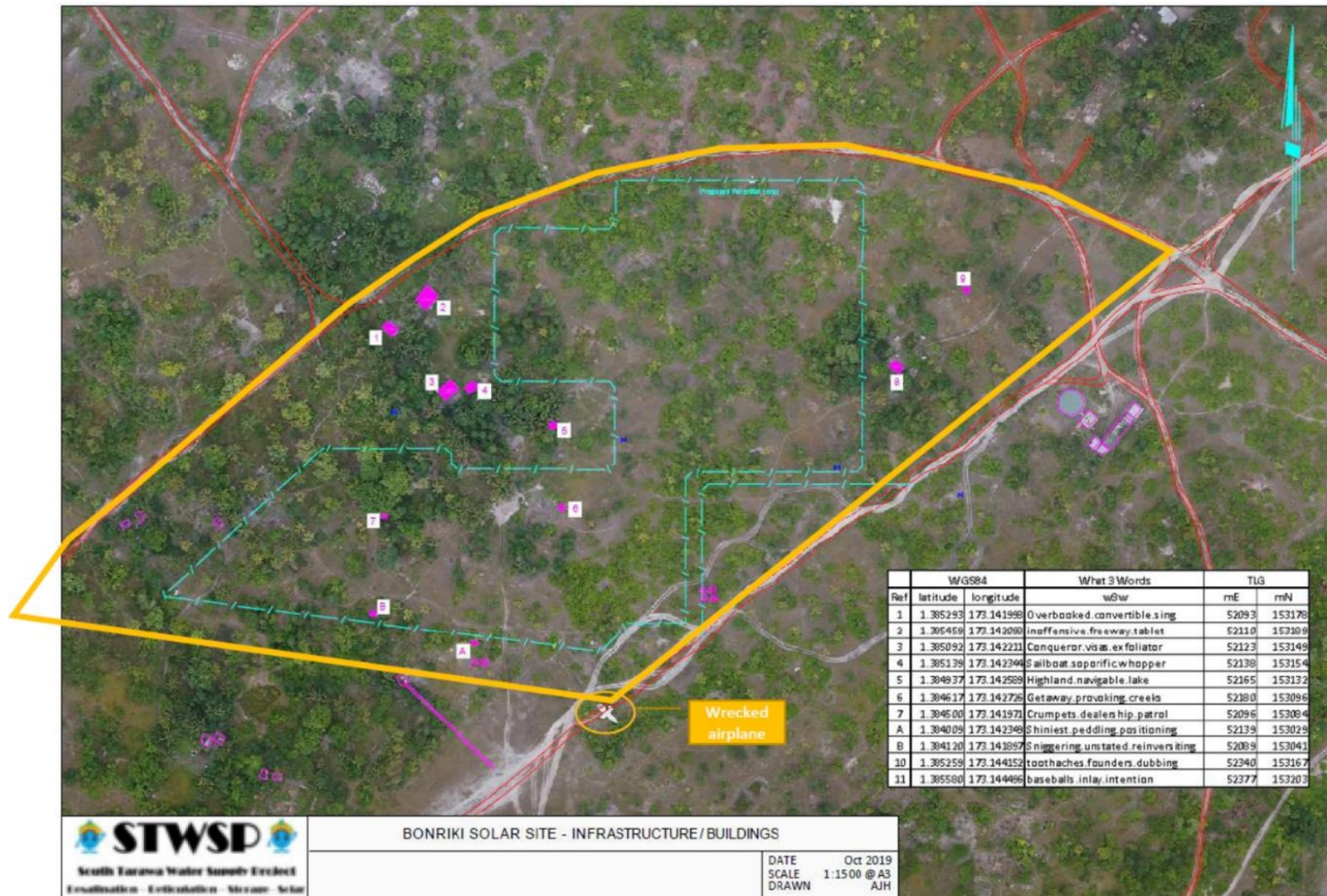


Figure 4. Area surveyed for development of a preliminary inventory of losses for the PV plant in 2019

Preliminary Inventory of Losses

49. Table 1 presents the findings from the IOL at the time of RP preparation, no temporary loss of land is envisioned.

Table 1. Preliminary Inventory of Losses

Item	Type of loss	Application	Impacts	Comments
1	Land	Private homestead land, agricultural land, or vacant plot	Up to 86,000 m ² of long-term government leased private land for PV Plant.	Regular lease payments for the land used would not change
2	Structure	Residential/ commercial structure and other assets	Not expected	No cases
3	Livelihood	Livelihood/source of income	Not expected	No cases
4	Crops and trees	Standing crops and trees	54 coconut trees - 40 coconut bearing - 14 senile 8 breadfruit trees bearing 390 pandanus trees - 235 bearing - 155 senile 115m ³ giant taro (bwabai) plant pit*	Utilize schedule of rates as approved by cabinet on 30 th September 2021
5	Communal property/access (temporary)	Temporary loss of access to land, structure, utilities, common property resource	Minor realignment of access track for settlers	New access track to be created prior to closure of existing tracks.
6	Communal property/access (permanent)	Permanent loss of access to land, structure, utilities, common property	Not expected	No cases
7	Livelihood	Temporary loss of	Not expected	No cases

Item	Type of loss	Application	Impacts	Comments
	(temporary)	livelihood/ source of income		
8	Any other (not identified)	-	Not expected	No cases

** Plants belonging to residents of the Bonriki Water Reserve that may not require removal.*

50. While the STWSP is classified as Category B for involuntary resettlement (IR), involuntary resettlement impacts for the solar PR Plant are not expected or they may be not significant. Category B projects include involuntary resettlement impacts that are not deemed significant. This resettlement plan was prepared commensurate with the nature of impacts.

IV. SOCIO-ECONOMIC INFORMATION AND PROFILE

A. Geographic Background

51. 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 33 low-lying (and one raised) coral islands scattered over 3.5 million km² (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 6 metres above sea level. Of the 33 islands, 21 are inhabited.
52. 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 millimetres (mm) to 148 mm per month. The wettest period concerns the period from December to April. The 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 monthly variation.
53. South Tarawa comprises of 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 metres above sea level. The island itself is flat, with no major differences in elevation.

B. Socio-Economic Baseline

54. From the 2020 Population and Housing Census (2020 Census), the total population of Kiribati is 119,940 people, comprising 59,154 males (49%) and 60,786 females (51%). The ethnic composition of Kiribati is primarily people of Kiribati descent (I-Kiribati) who make up 96% of the population, according to the 2015 Census. The remaining population report themselves as being of mixed I-Kiribati descent with others being immigrants from Tuvalu as well as a smattering of other ethnic groups (including from Australia, New Zealand, United Kingdom and United States). South Tarawa mirrors the national norm, with 96% of its population being I-Kiribati.
55. According to the 2020 Census 63,439 (53%) people live in urban areas in South Tarawa, with the other 56,501 (47%) living in rural areas throughout the country. Females make up 52% of the urban population (Refer to Table 2). Life expectancy at birth in 2013 was 64 for males and 69 for females, the second lowest in the Pacific.

Table 2. Population of Kiribati in Urban and Rural areas 2020

Kiribati population 2020			Urban			Rural		
Total	Male	Female	Total	Male	Female	Total	Male	Female
119,940	59,154	60,786	63,439	30,458	32,981	56,501	28,696	27,805
100%	49.3%	50.7%	100%	48.0%	52.0%	100.0%	50.8%	49.2%
100%			52.9%			47.1%		

Source: 2020 Kiribati Population and Housing Census

56. Linear population projections using data from the 2010, 2015 and 2020 Census estimated that the population of South Tarawa will reach to over 71,369 by 2025. These projections are conservative and assume a population growth between 2020 and 2025, similar to that between 2010 and 2020, hence the population of South Tarawa can increase by over 8,000 people by to 2025. Refer to Table 3.

Table 3. Projected population of Kiribati in Urban and Rural areas 2025

Kiribati population 2025			Urban			Rural		
Total	Male	Female	Total	Male	Female	Total	Male	Female
130,617	64,420	66,197	71,369	34,265	37,104	59,258	30,096	29,162
100%	49.3%	50.7%	100.0%	48.0%	52.0%	100.0%	50.8%	49.2%
100%			54.6%			45.4%		

Source: 2015 and 2020 Kiribati Population and Housing Census with projections from PDA and PIA

57. It is estimated there are over 9,000 households (HHs) in South Tarawa covering 16 square km of land with an average HH size of 7 members (2015 Census data projected to 2021). This compares to an average HH size for Kiribati of 6 members per HH (Table 4).

Table 4. Population of Kiribati and South Tarawa: Number of HHs, Average HH size

Year	Population		Households		Average HH size	
	2015	2020	2015	2020	2015	2020
Kiribati	110,136	117,00	17,772	19,687	6.2	6.0
South Tarawa	56,388	60,261	7,877	9,253	7.2	6.8

Source: 2015 Kiribati Population and Housing Census with projections from PDA

58. Table 5 compares the population and HH figures from the 2010 census with those of the 2015 census and the projections for 2020. South Tarawa's percentage of all HHs has increased from 41% in 2010 to 44% in 2015 and 47% in 2020 which describes the rural migration to the urban centre of South Tarawa. The 2020 Census is yet to release HH data.

Table 5. Population and HHs from the 2010 census compared to the 2015 census

Year	2010		2015		2020	
	Number	Proportion	Number	Proportion	Number	Proportion
Kiribati	16,043	100%	17,772	100%	19,687	100%
South Tarawa	6,705	41%	7,877	44%	9,254	47%

Source: 2015 Kiribati Population and Housing Census with projections from PDA

59. The total population of Kiribati according to the 2020 population census shows an increase of 7,051 persons since the 2015 Census. Linear projections estimate an increase of 9,804 persons to 2025. This is equivalent to a growth rate of 1.78%

per annum (GoK), lower than the previous growth rate of 2.2% obtained from the 2010 population census. The annual growth rate in South Tarawa is 2.50% (GoK). The national birth rate stands at 21.3 births per 1,000 population (2016 est.) (ADB 2016). The high population density, lack of adequate infrastructure, services and proper urban planning in Tarawa produces a very poor social environment for many families in the capital.

C. Project Socio-economic Profile of Affected Households (AHs)

60. Socio-economic interviews were conducted with the landowners identified through the IOL conducted at the PPTA stage in 2017 and later during the PDA stage in 2019. Information was also provided to the landowners about the project. Interviews were conducted with landowners for the proposed water tank and booster pump sites in Banraeaba, Tebunia, Antemai, and Bangantebure. No socio-economic interviews were conducted for the development of the Solar PV Plan RP. Once the detailed design becomes available, interviews will be conducted for the updated RP with settlers living in the proposed footprint of the PV Plant and any other affected people.

V. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

61. As described below, disclosure and consultation meetings to-date have been conducted for all project components, with attention to the most relevant parts to each stakeholder group. During the detailed engineering design, disclosure and consultation meetings will continue to enable stakeholders to provide their inputs, views and concerns from a more informed perspective. Outcomes of that consultation and participatory process will be included in the next version of this RP.

A. Achievements during project preparation stage

62. Individual meetings were held with all Affected Persons (APs) as well as institutional partners (i.e., Church of the Latter-Day Saints). The APs were informed of the project objectives, scope and processes including the necessary land acquisition resulting from the proposed project infrastructure. The APs were informed on the rationale for acquiring private land belonging to them. The project compensation matrix was referenced, and compensation entitlements were clarified. The APs were advised that the project Grievance Redress Mechanism has been established should any unforeseen issues arise or should there be any cause for grievance. Questions raised by the APs were addressed by the PPTA team during the HH socio-economic survey and by the PDA Community Engagement Team, particularly related to the design and the service provision. The outcome of the consultation was that HHs taking part in the IOLs agreed in writing to allow the project to use their land. Future service users had opportunities to ask questions and inform the detailed design.

63. Additionally, 20 PPTA community workshops, involving 13 villages, were held from 31 July to 5 August 2017 with a total of 426 participants. One of these workshops was with persons with disabilities living in Nanikai. Participants' average age was 42 (range 17 -78 years) and over half (58%) of participants were women. Group size varied from 5 (Abarao) to 70 (Bonriki) participants. The median group size was 16 participants. The PDA phase consultations with members of the community as well as with community-based organizations took place between January and November 2019.

64. The PDA workshops were held at a variety of venues often considered most convenient for stakeholders, including community and religious maneabas, community meeting areas, houses, and clinics. In some cases, the participants represented 'communities of interest' associated with local NGOs. In some workshops, multiple 'communities' were represented (e.g., Ambo Clinic (11 communities) and Bairiki New Road (6 communities) and others were communities defined by their association with the village or church maneaba in which the workshop was held). The understanding was that the representatives at the workshops would convey project information to their members. Participation at the workshops is considered significant with more than 328 total participants, of which 47% were male and 53% female.

65. The objectives of the workshops were: 1) to provide objective information about

the STWSP, the alternatives being considered, opportunities and issues created by the project and key stakeholder roles and responsibilities; and 2) to encourage participants in considering the project to voice concerns and raise questions. Table 6 provides a summary of the Community Workshops in terms of locations and other details including water supply characteristics.

66. During the detailed engineering design stage, a new round of consultations will take place to inform the design of the access tracks and provide information on the construction timeframes and impacts.

Table 6. Summary of community workshops

Village	Date	No. of participants		
		Male	Female	Total
PPTA				
Betio (Temanoku)	3 Feb 2018	8	10	18
Betio (Temakin)	6 Feb 2018	15	30	45
Bairiki	9 Feb 2018	9	6	15
Teaoraereke	7 Feb 2018	13	18	31
Bangantebure	11 Feb 2018	15	35	50
Bonriki	11 Feb 2018	21	10	31
Total		81	109	190
PDA				
Betio Temakin	20 Jun 2019	-	15	15
Causeway	21 Jun 2019	14	5	19
Ambo East	22 Jun 2019	1	9	10
Eita East	23 Jun 2019	5	7	12
Banraeaba	26 Jun 2019	37	25	62
Temaiku 1	29 Jun 2019	20	11	31
Ngaon Ambo	29 Jun 2019	10	5	15
Te Kawai ae boou	1 Jul 2019	9	8	17
Takoronga Clinic	2 Jul 2019	-	6	6
Tabonkabauea	4 Jul 2019	-	15	15
Eita West	6 Jul 2019	8	4	12
Betio Bonnanon te Beero	25 Jul 2019	4	9	13
Betio Ueen te Bitati	23 Jul 2019	3	8	11
KUC Buota	1 Aug 2019	15	5	20
Catholic Church Buota	2 Aug 2019	18	14	32
Bonriki Water Reserve residents	13 & 20 Oct 2019	15	11	26
Nei Tebabaimaiu Community McKenzie Bikenibeu East	19 Nov 2019	1	11	12
Total		160	168	328
Grand total		240	277	518

67. Based on the small group presentations and workshop participant discussions, the following conclusions were reached:

- There is support for the project and a willingness to pay for water if it is set at an affordable rate.
- There is a risk that if a tariff is not affordable, people will bypass the system or will be forced to use an unsafe water supply (well water) and risk failure

of the Project in achieving its objective of improved health.

- The willingness to pay, based on people who were consulted, is likely to be less than AU\$10 a month per HH. Although, this needs to be confirmed through a more detailed study, such as a Willingness to Pay (WTP) survey.
- Confidence in PUB's ability to sustainably manage the upgraded and new infrastructure is low.
- Communal taps which charge for water are not popular and will not be supported by community members if these are the only service options.
- There are concerns related to the safety of desalinated water and its potential health impacts as well as concerns regarding the taste of desalinated water.
- Communities are willing to play a role in managing the water supply system at a household level and through reporting issues to the PUB.
- The taps are likely to be the weakest point in the system and a risk to achieving lower Non-Revenue Water targets.
- Environmental impacts of the desalination process are a major concern of the community.
- The KAPIII Pilot presents an excellent opportunity to test questions on service options, community management, tariff structures and levels and willingness to pay.

68. The community representatives from Te Toamatoa (Disabled Persons Association) who participated in the workshop held on 1 August 2017, as well as raising concerns and ideas described above, also highlighted some important considerations to improve accessibility to their members with varying physical disabilities. These include:

- Providing taps in the kitchen areas to decrease distance to water
- Providing multiple taps to the community (which has 16 people and multiple households) but would share one meter.
- Provide support for the maintenance of taps from the PUB as their disabilities may prevent them from being able to or afford to make repairs
- Providing a water meter that shows the cost, not just the water consumed, or that cuts-out when 'too much water' has been used – to avoid bill shock
- Providing subsidised rates for disabled people due to limitations in their ability to earn income

69. The findings from these workshops will be integrated into the Project design for the reticulated water supply network and referenced in the RP prepared for that project component. Ensuring that the comments arising from the Community workshops are carried forward and implemented will be managed by the PMU with the support from Safeguards and Gender/Social Specialists.

B. Future Consultation

70. Consultation with APs will take place during the detailed engineering design phase. This will include disclosure of the final layout and potential impacts and timeframes for construction. Information and awareness on the GRM will be provided. Outcomes of the consultation will inform the mitigation of any temporary or construction impacts as well as operational impacts.
71. The Project will establish continuous and ongoing consultation with all HHs as well as APs. An Information, Education and Communication (IEC) program for Public Utilities Board (PUB) water supply and service has been developed through the Kiribati Adaptation Project III (KAP III) and is being implemented by PUB. The program implementation may be expanded to include the STWSP HHs. Funds to support this IEC program have been allocated through the Project Gender Action Plan. Project benefits will be maximized only if the population affected by project investments is informed and engaged. Through consultation and awareness-raising, HHs can be encouraged to:
- show a willingness-to-pay for well-managed and fully operational water supply services;
 - ensure the integrity of water supply pipes and taps;
 - understand causes of water pollution and the dangers of using polluted water for HH consumption; and
 - recognise the dangers of groundwater pollution, especially for well users.
72. The expectation is that, with increased access to better quality water and a 24/7 water supply, HHs will recognise the benefits of using and paying for their PUB water supply. Conservation of water will require for water consumer awareness and public education programs.
73. In addition, the Project has also developed a Stakeholder Engagement and Management Plan (SEMP) during the PDA and was updated during the PIA. Two key objectives are identified in the SEMP for the life of the project to:
- ensure a regular flow of project activity and timeline information to project beneficiaries, Affected Persons (APs) and other government departments/development partners. Invite Feedback (2-way communication); and
 - build public awareness and change knowledge, behaviour and attitudes about water supply services, including payment for water.

C. Disclosure

74. MISE will disclose the updated RP to APs prior to ADB disclosure on its website. The RP Executive Summary will be translated into the local language (Gilbertese) and will be made available at the PUB/MISE office for reference along with the complete RP document copy for all the APs reference. This is provided as per the disclosure policy of the ADB. Further copies of the same will

also be available on the internet of the ADB and the PUB/MISE. This allows APs and others to have access to these documents to refer as necessary and provide any feedback or suggestions for improvement during the implementation of the project.

75. At the completion of the resettlement plan implementation, MISE will prepare a completion report and submit to ADB and other relevant stakeholders. The monitoring report will confirm that the following documents are available at PMU (including a summary status):

- Completed Compensation and Entitlement Forms (CEFs);
- Copy of Project Information Bulletins (PIBs) in English and Gilbertese;
- Record of Project Disclosure and consultations with APs;
- Minutes of consultations agreeing to the content of the resettlement plan;
- Individual agreement on compensation reached with APs, where appropriate; and
- Journal voucher(s) or equivalent document(s) showing payment for compensation and entitlements to displaced persons.

76. MISE will also include progress/status on resettlement in its six-monthly reports to ADB.

77. Civil works will commence once the resettlement plan has been satisfactorily completed.

VI. COMPLAINTS & GRIEVANCE REDRESS MECHANISM

78. Members of the public have the right to lodge grievances known to the MISE and for them to be addressed, to the extent practicable and reasonable. During construction, the PMU Safeguards Specialist will be assigned the role of community liaison for each project activity. The name and contact details of this individual will be presented on a notice board at work sites and at the MISE, with instructions on how to make a complaint. For minor complaints, such as noise or dust nuisance, or disregard of safety procedures, corrective action will be instructed by the supervising consultant and carried out by the contractor, and a response provided to the complainant within 48 hours. If no action is deemed appropriate, the complainant will be of his/her rights to take the complaint to the Magistrate's Court. This process is clearly outlined in the GRM. A leaflet in I-Kiribati explaining the GRM will be prepared during the PIA.
79. Complaints over major issues, such as injury, damage to property, or occupation of land without due agreement, requires the supervision consultant to respond within 24 hours and arrange a meeting with the PMU Safeguards Specialist. If a solution, agreeable to all parties, is not reached within a period of seven days, the complainant may file the grievance with the Magistrate's Court (MC), which involves a registration fee of \$3.00. This fee will be paid by MISE. If a lawyer is needed and the complainant cannot afford one, a lawyer will be provided at no cost to the complainant. The Magistrate's ruling will be binding on all parties.
80. A register of complaints will be maintained at the MISE recording dates, names and gender of complainants, action/s taken, and personnel involved. All complaints and resolutions will be properly documented and be available for (i) the public and (ii) monitoring purposes. Sex-disaggregated data will be prepared to identify the gender of complainants, the nature of their complaint and the resolution of the complaint. The PMU Safeguards Specialist will review the register database and interview women to corroborate equal treatment for male and female complainants.
81. It is recognised that, in many cases, APs do not have the writing skills or ability to articulate their grievances verbally, however, APs will be encouraged to seek assistance from the Project or nominated local non-governmental organizations and/or other family members, village heads to have their grievances recorded in writing and to have access to relevant project and RP documentation, and to any survey or valuation of assets, to ensure that where disputes do occur all the details have been recorded accurately enabling all parties to be treated fairly. In the event of disputes, an independent NGO will be contracted by the project to review land use issues. This NGO will be introduced to the APs during PIA information disclosure meetings.
82. If the number of complaints increase so much so 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 historically conducted with other specific compensation cases and was found to work effectively. The procedures for filing grievances will be discussed and explained during Project Disclosure and subsequent consultations and the Detailed Measurement Survey (DMS).

VII. LEGAL FRAMEWORK

83. 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 widely practiced in Kiribati society today.
84. 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 water supply infrastructure.
85. 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) Native Lands Amendment Act 2011
86. **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 defence, public safety, public order, public morality, public health, town or country planning or the development or utilization of any property for a public purpose. (c) provision is made by a law applicable to that taking of possession or acquisition for the payment of adequate compensation within a reasonable time.
87. **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.” Public purposes referred to under this Ordinance and under section 8 of the Constitution include “the making of sanitary improvement of any kind” (Section 3e).

88. 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.
89. 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 13 sets out the mechanism and process for the redress of grievances related to title and or compensation.
90. **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.
91. 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. One of these functions is the Right of the PUB to supply water. The Board shall have the exclusive right within any water supply area to supply, distribute and sell water and to perform services incidental thereto. Section 8(2) gives PUB rights: to construct or lay down any waterworks for improving or augmenting the water supply. Section 9(1)(a) limits these powers only to that of user and also requires PUB to relocate or reposition its facilities, etc., if it becomes a nuisance or is causing loss to the owner of such land or give reasonable compensation.
92. **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.
93. 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.
94. 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 looked into. 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.

95. **Native Lands 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.

96. The Project land acquisition and resettlement principles comply with ADB's related policies and with the Kiribati legal context. In general, the national Kiribati policies on land acquisition and resettlement can be connected with the Project's financing agency's key guidelines for involuntary resettlement. These all support the guiding principle of ADB's SPS that "...project affected people compensated and assisted so that their economic and social future will generally be at least as favorable with the project as without it". The SPS intends to ensure that the absence of formal and legal titles to land by affected grouped or individual users should not be formal or legal reasons for non-compensation, and that "particular attention should be paid to the needs of the poorest APs including those without legal title to assets, female-headed AHs, and other vulnerable groups, such as indigenous people, and appropriate assistance provided to help them improve their status." The absence of formal title is not a formal or legal reason for non-compensation.

97. Table 7 provides a comparison between ADB's Land Acquisition and Involuntary Resettlement Policy Requirements and those of the Government of Kiribati.

Table 7: Comparison between ADB's Land Acquisition and Involuntary Resettlement Policy Requirements and those of the Government of Kiribati

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition & Involuntary Resettlement Policy Requirements	Gaps and Consistencies between GoK and ADB Policies
<p>The Constitution of Kiribati generally guarantees against deprivation of property without adequate compensation (s.3).</p> <p>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>

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition & Involuntary Resettlement Policy Requirements	Gaps and Consistencies between GoK and ADB Policies
<p>Ordinance 1954 empowers the Minister to acquire land compulsorily on behalf of the 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>The 1954 Ordinance also provides for prior notice to all affected people of no less than 6 months to give up possession of such lands, unless the Minister considers it urgently required (s.7 and s.8).</p> <p>In the conduct of preliminary investigation preceding the acquisition of any land for public purpose, agents of the Minister are authorized to enter the land, take measurements, soil samples, etc., to ascertain if land under consideration is 'adapted for such purpose' (S6(1)) but shall not enter into any building or upon any enclosed land attached to a dwelling-house (except with the consent of the occupier thereof) without previously giving such occupier at least 7 days' notice of the Minister's intention to do so.</p>	<p>Where population displacement is unavoidable, it should be minimized by providing viable livelihood options.</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>

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition & Involuntary Resettlement Policy Requirements	Gaps and Consistencies between GoK and ADB Policies
<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>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.</p> <p>PUB Ordinance 1977 requires compensation of land used for PUB purposes one of which is to establish, operate and maintain sewage systems.</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, 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.</p>	<p>The Ordinance is consistent on the principle of replacement cost based on market value. The Ordinance is also cognizant of the secondary impacts of any land acquisition on the affected persons' livelihood and 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 re-establish 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.</p>

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition & Involuntary Resettlement Policy Requirements	Gaps and Consistencies between GoK and ADB Policies
<p>State Acquisition of Lands Ordinance 1954 (S.7) – provides for prior notification of no less than 6 months during which time, the affected people may seek compensation or otherwise lodge a complaint with the High Court should there be disagreements over the amount of compensation or disputes over evidence supporting the claim.</p> <p>PUB Ordinance 1977 requires 7 days notice before entering unless landowner consent allows for earlier entry. Where there is disagreement over amounts of compensation payable, the Court will make this determination in response to a complaint lodged by the Complainant.</p>	<p>The APs are to be fully informed and closely consulted on compensation and/or resettlement options, including relocation sites, and socioeconomic rehabilitation. Pertinent resettlement information is to be disclosed to the AP at key points, and specific opportunities provided for them to participate in choosing, planning, and implementation options.</p>	<p>Close consultation regarding compensation is implied in the Ordinance as part of the process of reaching agreement or otherwise, in which case the matter is referred to the High Court for resolution.</p> <p>While less explicit, GoK policy is consistent with that of ADB. The only difference is that the GoK puts the onus on the affected people to seek compensation, while ADB's policies ensure that the project is proactive in paying due compensation to people.</p>
<p>S.13 of the State Acquisition of Lands Ordinance 1954 – Dispute as to compensation and title to be settled by High Court.</p> <p>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>
<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 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</p>	<p>Institutions of the affected people, and, where relevant, of their hosts, are to be protected and supported. Affected people are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.</p>	<p>The Land Code is consistent with the ADB policies.</p>

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition & Involuntary Resettlement Policy Requirements	Gaps and Consistencies between GoK and ADB Policies
<p>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>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.</p> <p>GoK policies and ADB requirements are consistent.</p>

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition & Involuntary Resettlement Policy Requirements	Gaps and Consistencies between GoK and ADB Policies
<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 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 owners 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>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 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>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 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</p>	<p>Kiribati policy for calculation of compensation for land, crops and other assets is based on current market value, i.e., consistent with the ADB replacement value policy. 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. GoK updated its schedule of rates for valuing crops and trees to reflect current market value for compensating</p>

Kiribati's Land Acquisition Policy	Scope of ADB's Land Acquisition & Involuntary Resettlement Policy Requirements	Gaps and Consistencies between GoK and ADB Policies
	are likely to cause involuntary resettlement, sufficient 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.	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. For all compensation arising out of the project, the Government will be requested to include eligible costs of compensation, relocation and rehabilitation in the ADB loan financing for the project.

98. The RF defines key principles for this Project to guide the compensation and entitlement policy. They include:

- a. Acquisition of customary lands will be minimized and resettlement of people avoided, as much as possible;
- b. Where population displacement is unavoidable, impacts will be minimized by providing viable livelihood options;
- c. Freehold customary land currently occupied by water supply infrastructure to be rehabilitated under this project will be paid all outstanding compensation prior to the commencement of project implementation;
- d. 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;
- e. In the consultation process, MISE will include leaders of AP communities, and will encourage and facilitate the participation of women, the elderly and vulnerable people. Local NGOs will also be invited to participate;
- f. The customs and traditions as well as the religious practices and observances of the local communities will be respected, and historical or cultural landmarks and reservation areas will be preserved and protected;
- g. Updated land rates and crop/tree values as updated every three years and provided by MELAD will be used to calculate compensation and replacement values;
- h. Compensation rates for physical assets, i.e., houses, buildings, and other structures, and non-physical assets like lost income from productive assets or jobs will be calculated at replacement cost in the project area at the time of compensation;

- i. Lack of formal legal rights to assets lost will not deprive any APs from receiving compensation and entitlement. The census of APs will be appropriately designed to ensure APs without title to land are clearly identified;
- j. 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;
- k. The titleholders will be involved in decision making related to land acquisition and resettlement and they will be assisted by the MISE to mitigate the adverse impacts of resettlement;
- l. The full cost of land acquisition and resettlement will be included in the project cost and benefits, and adequate budgetary support will be committed and made available by the Ministry of Finance and Economic Development during implementation. Costs for land acquisition, compensation and relocation of APs may be considered for inclusion in ADB loan financing for the project, if requested by the EA;
- m. 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; and
- n. Land acquisition, compensation, resettlement and rehabilitation activities will be satisfactorily completed and the project areas cleared of all obstructions before civil works begin.

99. An overview about the Project's compensation approach is shown in Table 8 in line with the RF.

Table 8: Main Components of Compensation Approaches

Key Item	Internationally Applied Best Practice of ADB	Kiribati Legislation	South Tarawa Water Supply Project
Scope of impact	Include all affected areas including construction and operational sites/facilities	All Listed Key Items Are Mandatory	Shall include all residential and commercial areas: (i) permanently/temporarily acquired, (ii) construction and operations and maintenance related, (iii) private and/or public areas.
Definition of assets	All fixed and movable assets		Shall define all assets: (iv) legally acknowledged, and (v) socio-economically surveyed as used by AHs.

Compensation to formal owners / users of assets	Compensation legally required		<p>Shall be offered and provided to:</p> <p>(vi) private users,</p> <p>(vii) private organizations (farmer water user communities, etc),</p> <p>(viii) public users.</p>
Relocation	Avoiding displacement		<p>Shall be applied and shown through:</p> <p>(ix) Technical optimized design of proposed infrastructure.</p> <p>(x) If not avoidable, relocated households shall receive (for no costs or payments) issued land titles for their new compounds.</p>
Timing of Compensation and support measures	Before construction start of an infrastructure project		<p>Before start of construction:</p> <p>(xi) Compensation funds made available and proven to be accessible.</p> <p>(xii) Paid and/or provided to affected individuals/AHs before work commences on any affected property</p>
NOTE	In case there are distinctions between applied international practice and the legal requirements of Kiribati, ADB policies will be applied or an approach taken as agreed between ADB and MISE/MELAD.		

VIII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

100. Entitlements for APs are based on the types and levels of losses. The defined entitlements have been followed and complementary details provided by the Project Entitlement Matrix. The overall objective of the compensation and entitlement policy for the Project is to ensure that all APs 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.

101. For the purpose of this RP, project affected people includes Affected Persons (APs) or Affected Households (AHs) whose:

- a. agricultural, residential, or commercial land is in part or in total affected (temporarily or permanently) by the Project;
- b. houses and other structures are in part or in total affected (temporarily or permanently) by the Project;
- c. businesses or source of income (i.e. employment) are affected (temporarily or permanently) by the Project;
- d. crops (annual and perennial) and trees are affected by the Project;
- e. other assets are in part or total affected (temporarily or permanently) by the Project; or
- f. connection with changes in Project design or alignment, prior to or even during project construction works, become known subsequently are entitled to the same entitlements as those of the other AHs/APs.

102. The Entitlement Matrix in Table 9 is from the Project RF. While the project is not expected to have impacts on land use for productive purposes, productive assets residential structures or livelihoods the Entitlement Matrix covers all those possibilities to ensure any potential impacts from changes in Project design or alignment prior to or even during project construction works as described above in the description of PAs (paragraph 87.f).

Table 9. Project Entitlement Matrix

Application	Entitled person	Compensation Policy	Implementation issues	Responsibility
Loss of land				
Homestead land, agricultural land, or vacant plot	Owner(s) with legal title	<ul style="list-style-type: none"> a) Compensation at replacement value or land-for-land where feasible. If the replacement cost is more than the compensation, as determined by MELAD, then the difference is to be paid by the project in the form of "assistance." b) Provision of stamp duty, land registration fee, capital gains tax, and value added tax incurred for replacement land c) Option to be compensated if remaining land is no longer viable d) Transitional allowance based on three months minimum wage rates e) Shifting assistance for households f) Notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. g) Additional compensation for vulnerable households (item 4) 	Vulnerable households to be identified during detailed measurement surveys conducted as part of the resettlement plan	MELAD/PUB

Application	Entitled person	Compensation Policy	Implementation issues	Responsibility
Homestead land, agricultural land, or vacant plot	Tenant(s) and/ or leaseholders	<ul style="list-style-type: none"> a) Compensation equivalent to up to 3 months of rental b) For agricultural lands, 60 days notice to harvest standing seasonal crops. If notice cannot be given, compensation for share of crops will be provided. c) Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> a) Landowners will reimburse tenants and leaseholders land rental deposit or unexpired lease. b) Vulnerable households to be identified during detailed measurement surveys conducted as part of the resettlement plan 	MELAD/PUB
Homestead land, agricultural land or vacant plot	AP(s) without legal titles	<ul style="list-style-type: none"> a) 60 days advance notice to shift from occupied land b) Resettlement assistance (land, other assets, cash, employment, etc.) in lieu of compensation for the land they occupy c) Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> a) Vulnerable households to be identified during detailed measurement surveys conducted as part of the resettlement plan 	MELAD/PUB
Loss of structure				
Residential/ commercial structure and other assets	Owner(s) with legal titles	<ul style="list-style-type: none"> a) Cash compensation equivalent to replacement value of structure (or part of structure) b) Option to be compensated for entire structure if remaining structure is no longer viable c) Rights to salvage materials from structure d) Provision of all taxes, registration costs, and other fees incurred for replacement structure e) Transfer and subsistence allowance (up to 3 months) f) Additional compensation for vulnerable households (item 5) 	<ul style="list-style-type: none"> a) Vulnerable households to be identified during detailed measurement surveys conducted as part of the resettlement plan 	MISE/MELAD/PUB

Application	Entitled person	Compensation Policy	Implementation issues	Responsibility
Residential/ commercial structure and other assets	Tenants and/or leaseholders	a) Cash compensation equivalent to replacement value of structure (or part of structure) constructed by the AP b) Rights to salvage materials from structure c) Provision of all taxes, registration costs, and other fees incurred for replacement structure. d) Transfer and subsistence allowance e) Lease /rental agreements to be continued after the reconstruction of the structure f) Additional compensation for vulnerable households (item 5)	a) Vulnerable households to be identified during detailed measurement surveys conducted as part of the resettlement plan b) Structure owners will reimburse tenants and leaseholders rental deposit or c) unexpired lease.	MELAD/PUB
Residential/ commercial structure and other assets	AP(s) without legal titles	a) Cash compensation equivalent to replacement value of structure (or part of structure) constructed by the affected persons b) Rights to salvage materials from structure c) Provision of all taxes, registration costs, and other fees incurred for replacement structure d) Transfer and subsistence allowance e) Additional compensation for vulnerable households (item 5)	a) Vulnerable households to be identified during detailed measurement surveys conducted as part of the resettlement plan	MELAD/PUB
Loss of livelihood				
Livelihood/ source of income	Business owner(s), tenant (s), Leasehold- er(s), employee(s), agricultural worker(s), hawker(s)/ vendors(s), APs without legal title	a) Assistance for lost income based on three months lost income or minimum wage rates. b) Additional compensation for vulnerable households (item 5)	a) Vulnerable households to be identified during detailed measurement surveys conducted as part of the resettlement plan	MELAD/PUB
Loss of crops and trees				

Application	Entitled person	Compensation Policy	Implementation issues	Responsibility
Standing crops and trees	Owners with legal titles, tenant(s), leaseholder(s), APs without legal title	a) 60 days advance notice to harvest standing seasonal crops; if harvest is not possible, cash compensation for crops (or share of crops) equivalent to prevailing market price b) Cash compensation for perennial crops and fruit-bearing trees based on annual net product market value multiplied by 5 years c) Cash compensation equivalent to prevailing market price of timber for nonfruit trees	a) Work schedule to allow harvesting prior to acquisition and avoid harvest season b) Market value to be determined c) Tree replanting for shade to be considered wherever possible	MELAD/PUB
Impacts				
All Impacts	Vulnerable	a) Additional allowance for loss of land or structure b) Vulnerable households will be prioritized in any employment required for the project.	a) Vulnerable households to be identified during detailed measurement surveys conducted as part of the resettlement plan	MISE/MELAD/PUB
Loss of land – Temporary				
Land temporarily acquired for the Project	Owner(s) with legal title, tenant(s), leaseholder(s), APs without legal title	a) Temporary use will happen only with agreement with affected people/landowners. b) 60 days advance notice c) Provision of land rental value during the duration of temporary acquisition d) Restoration of affected land		Civil Works Contractor
Loss of land – Temporary and long-term				
Land used by the Project on a long term basis	Owner(s) with legal title, tenant(s), leaseholder(s), APs without legal title or previously recognise by the Government	a) Lease payments according to Government set rates for South Tarawa b) Regular in advance and on-time payments	a) Occupation/lease payments for water reserves and other long-term arrangements to continue according to National legislation and Government rates (see Annex 7)	MELAD/PUB

Application	Entitled person	Compensation Policy	Implementation issues	Responsibility
Loss of access – Temporary				
Land temporarily acquired for the Project	Owner(s) with legal title, tenant(s), leaseholder(s), APs without legal title	a) Temporary use will happen only with agreement with affected people/landowners. b) 60 days advance notice c) Provision of land rental value during the duration of temporary acquisition d) Restoration of affected land		Civil Works Contractor
Loss of livelihood – Temporary				
Temporary loss of livelihood/ source of income	Business owner(s), tenant(s), leaseholder(s), employee(s), agricultural worker(s), hawker(s)/ vendor(s), APs without legal title	a) 30 days advance notice regarding construction activities, including duration and type of duration b) Contractors' action to ensure there is no income/access loss through provision of access, etc. c) Assistance to mobile vendors/hawkers to temporarily shift for continued economic activity d) For construction activities involving unavoidable livelihood disruption, compensation for lost income or a transitional allowance for the period of disruption, whichever is greater e) Restoration of affected land, structure, utilities, common property f) resource.		Civil Works Contractors
Temporary loss of livelihood/ source of income				
		a) Unanticipated involuntary impacts shall be documented and mitigated based on the principles provided in ADB's safeguard policies.	b)	

103. In Table 10, **Indicative Project Compensation** is based on resettlement impacts in accordance with the provisions of the Entitlement Matrix. Compensation for loss of trees, crops and other assets will be determined on the basis of replacement costs based on compensation rate schedule approved the MELAD on 30th September 2021 – refer to Annex 1.

Table 10. Indicative Project Compensation for Land and Assets

Item	Type of Loss	Application	Impacts*	Comments
1	Loss of: Land	Homestead land, agricultural land, or vacant plot	-	No loss of land, land has been under long term lease.
2	Loss of: Structure	Residential/ commercial structure and other assets	-	No cases
3	Loss of: Livelihood	Livelihood/source of income	-	No cases
4	Loss of: Crops and trees	Standing crops and trees	54 coconut trees, including 40 bearing. 8 breadfruit trees. 390 pandanus trees, including 235 bearing. 115 m ³ giant taro (bwabai) plant pit	Utilize rates as approved by Cabinet. Includes crops all project locations for desalination plants, Solar PV and water tanks locations.
5	Impacts	All Impacts	-	No cases
6	Temporary loss of: Land	Land temporarily acquired for the Project	-	Private land already leased by the Government will be leased and regular payments made.
7	Temporary loss of: Access	Temporary loss of access to land, structure, utilities, common property resource	-	No cases at this time
8	Temporary loss of: Livelihood	Temporary loss of livelihood/source of income	-	No cases at this time
9	Any other loss: Not identified	-	-	No cases

* Denotes upper limits of expected losses, actual losses are likely to be less.

104. As a summary:

- There is no temporary land acquisition necessary for construction activities. No compensation costs are assumed for these.
- If contractors should damage private property during the construction work, the contractor must replace, restore or compensate for the damage in agreement between the contractor and the concerned asset owner/s in compliance with this document and the Resettlement Framework. If APs do not receive timely satisfaction from the contractor, they may register a complaint through the Grievance Redress Mechanism.
- There are no expected Project affected primary or secondary structures.

- There is an estimated loss of 54 coconut trees, 8 breadfruit trees and 390 pandanus trees and 115 cubic metre (m³) pit of giant taro (bwabai) plants.
- No common property resources will be affected.
- No material and transport allowances will be required due to affected structures.

IX. RESETTLEMENT BUDGET AND FINANCING PLAN

A. Preliminary Budget Estimate

105. The preliminary compensation budget is composed of compensation for land and for trees and for Project Specific conditions as set out in Table 11. The preliminary resettlement budget requires a total amount of up to AUD \$31,624, however it is likely to be less.

Table 11. Compensation for Fixed Assets

Item	Description	Preliminary Costs (AUD)	Comments
Value of Assets (per IOL)			
Lease of land			Additional land not already leased by the Government. Land lease cost is annual.
Loss of trees	14 coconut trees at \$60	\$840	This will be paid prior to the mobilisation of the contractor
	40 coconut trees bearing at \$120	\$4,800	
	8 breadfruit trees at \$290	\$2,320	
	155 pandanus trees at \$29	\$4,495	
	235 pandanus trees bearing at \$56	\$13,160	
Loss of crops	115m ³ bwabwai pit*	\$575*	
Subtotal 1: Value of assets		\$26,190	
Implementation			
Acquisition and payments		-	Administration GoK 7.5% of Subtotal 1
Safeguards		\$655	GoK lumpsum: 2.5% of Subtotal 1
Internal M&E		\$655	GoK lumpsum: 2.5% of Subtotal 1
Subtotal 2: Implementation		\$1,310	
Contingencies			
Lump Sum for Value of Assets		\$3,928	15% of Subtotal 1
Lump Sum for Implementation		\$196	15% of Subtotal 2
Subtotal 3: Contingencies		\$4,124	
Total		\$31,624	

*Calculation of the cost is base also on weight, this cannot be determined until the bwabwais are uprooted at the time of land clearance. Payment will be finalised and made during land clearance and before construction. A \$2,000 allowance is recommended in the budget.

106. The implementation of the RP will be financed by the GoK. This preliminary estimate includes costs for resources related to safeguard implementation (consultation, grievance, participation, etc.) and internal M&E. As indicated in the Safeguard Policy Statement 2009, due to the insignificant impacts there is no requirement for an external monitor. The Ministry of Finance and Economic Development (MFED) will provide the proposed budget directly to MELAD's Land Department for compensation payments. MELAD will confirm when this budget provision has been made for implementation of the Updated RP.

107. Compensation will be paid and resettlement of affected persons if any, will be completed before taking possession of land/properties and prior to the start of civil works. The affected persons will hand over to the Government land and properties acquired free from all encumbrances such as mortgage and debt. MISE will submit a Compensation Completion Report to ADB for no-objection prior to site possession.
108. Compensations of trees and crops for disputed lands will be deposited to an escrow budget allocation within MFED. The disputed amounts will be adjusted according to the existing tree/crops compensation rate at the time the dispute is resolved. The GoK is responsible for additional costs to ensure full compensation is received by the rightful owner at the time of the payment.

Organizational Procedures for Delivering Entitlements

109. Cash compensation will be paid out directly from PUB cashier based on the Compensation Entitlement Form (CEF), which will list all APs and their corresponding entitlements. APs will be required to provide means to verify their identity and will sign on prepared forms to confirm receipt of compensation payment.
110. PUB will announce over the radio and the local newspaper the date, times and place for compensation payment, and requirements for verifying identification.
111. The delivery of other entitlements (e.g., restoration of temporarily occupied or disturbed sites, alternative access, etc.) will be coordinated by MISE and will be delivered as work progresses, before working crews and machinery shift to new locations. MISE will liaise directly with project contractors to ensure their delivery.

B. Compensation Unit Rates

112. The cost estimates for compensation relate to unit compensation rates established for fixed assets. The trees Government approved compensation rates has been used to define unit rates that the STWSP will follow. See Table 12.

Table 12. Compensation Unit Rates according to the Government approved compensation rates September 2021

Assets		Unit Rates [AUS\$]		Source
Trees	Coconut	Non-fruit bearing	\$60.00 / tree	<ul style="list-style-type: none"> Government approved tree compensation rates Approved by the Land Management Division of the Ministry or Environment, Lands and Agricultural Development. (MELAD)
		Fruit-bearing	\$120.00 / tree	
	Pandanus	New planted	\$2.00 / tree	
		Non-fruit bearing	\$29.00 / tree	
		Fruit-bearing	\$56.00 / tree	
	Breadfruit	Non-fruit bearing	\$146 / tree	
		Fruit-bearing	\$290.00 / tree	
Plants	Bwabwai Pit	Filling in	\$5.00 / m ³	

C. Availability of Budget

113. The Kiribati government fiscal year corresponds to the calendar year. Financial planning for the fiscal year starts in October of the previous year. This should be taken into account to ensure budget availability to the Project when required for RP implementation. This updated RP provides a more accurate estimate of the compensation budget and represents a reduction of \$52,386 from \$83,316 in the June 2020 version to 30,930 in this updated version. The June 2020 version has been used for budgeting purposes.

X. INSTITUTIONAL ARRANGEMENTS

A. Government Agencies and Organizations

114. The Ministry of Finance and Economic Development (MFED) is the Executing Agency (EA) for the Project. The Ministry of Infrastructure and Sustainable Energy (MISE) is the Implementing Agency (IA). As the IA, MISE will have overall responsibility for resettlement planning with the assistance and support of the Lands Management Division, Ministry of Lands, Environment and Agricultural Development (MELAD) as well as the Public Utilities Board (PUB).

1. Ministry of Infrastructure and Sustainable Energy

115. A Project Management Unit (PMU) will include consultant support from the Team Leader, an International Safeguards Manager (key staff responsible for Safeguards) and others such as Social Development and Gender Specialist as deemed necessary. MISE will also be supported by a project implementation firm which will engage a Safeguards Specialist to assist MISE supervise physical works and avoid resettlement impacts and any safeguards issues. For RP planning and implementation, two senior officers from MISE – Water Engineer South Tarawa (Water & Sanitation Engineering Unit) and Public Relations Officer – will be assigned safeguards responsibility and will ensure overall coordination for resettlement planning and implementation. They will be responsible for the following tasks:

- a. Work with PUB and MELAD to coordinate the public disclosure process and RP consultations.
- b. Work closely with PUB, MELAD and private landowners to finalize the location of new project facilities.
- c. Update the RP using this resettlement framework as well as information from socio-economic surveys.
- d. Carry out consultations with all APs to discuss the finalized compensation and entitlement matrix and to explain how compensations were derived. In these consultations, also re-explain the GRM procedures.
- e. Oversee RP implementation.

116. Monitor RP implementation to ensure that it is implemented fully, and that all affected people eligible for compensation and other entitlements receive their compensation.

117. Compile and submit to ADB progress reports on RP implementation, during and at the end of the project implementation.

2. Lands Management Division, MELAD

118. The Lands Management Division (LMD) of MELAD will be responsible for the following tasks:

- a. Process data: develop database and store raw and processed data.
- b. Make available data from socioeconomic surveys to MISE (PMU), which will oversee the development of the Resettlement Plan.
- c. Participate in consultations with APs to explain compensation and entitlements and to present computed list of APs and compensation.
- d. Assist in disbursement of tree compensations

119. Delegate to PUB responsibility for payment of compensation for water supply infrastructure sites. The Director of Lands will have overall coordination for this work and will be the point of contact with MISE.

3. Public Utilities Board (PUB)

120. Make provisions in its annual budget for payment of compensation

- a. Notify APs and deliver/pay out cash compensation on scheduled date based on the RP.
- b. Compile reports on RP implementation (payment of cash compensation) for MISE, providing supporting documentation of payment.

4. Magistrate Court

121. 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.

B. Organizational Procedures for Delivering Entitlements

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

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

124. The delivery of other entitlements (e.g., restoration of temporarily occupied or disturbed sites, alternative access, etc.) will be coordinated by MISE and will be delivered as work progresses, before working crews and machinery shift to new locations. MISE will liaise directly with project/civil works contractors to ensure their delivery.

125. All activities in implementing the RP will precede and will not overlap with project construction activities. The responsible agencies (MELAD, MISE and PUB) will satisfactorily complete the payment of compensation, and the land will be free of all obstructions and encumbrances before civil works begin.

126. Table 13 presents the preliminary implementation process.

Table 13. Preliminary Implementation Process and Schedule

#	Activity	Responsible Agencies
A.	RP Updating	
1	Preparation of draft RP	MISE
2	Incorporation of ADB comments	MISE
3	Detailed Design/Measurement	MISE
4	RP Updated based on DD	MISE
5	Updated RP disclosed on ADB website etc	MISE
B	RP Implementation	
1	Approval and release of funds for compensation	Ministry of Economic Development and Finance
2	Verification of APs	MELAD/PUB
3	Internal monitoring of RP to start	MISE
4	Grievance and Redress	MISE
5	Payment of compensation	PUB
6	Acquisition of affected lands, if any	MELAD LMD
7	Submit completion report to ADB	MISE
8	Validate compliance implementation documents for RP	ADB
C	Construction Stage	
1	Confirm 'No Objection' for the award of civil works	ADB
2	Tendering and award of civil works	MISE
3	Hiring of APs and community members whenever feasible and mobilization of labor force	Civil works contractor
4	Compensation for any land temporarily used by contractor	Civil works contractor
5	Core project construction	Civil works contractor
D	Post construction	MISE
1	Restoration and return of temporarily affected lands	Civil works contractor

XI. MONITORING AND REPORTING

127. MISE will monitor RP implementation on an ongoing basis and submit monitoring reports to ADB on a semi-annual basis. It will request from PUB periodic reports that will include a list of all APs, their entitlements and the status of delivery of cash compensation. It will use the following indicators to gauge progress in RP implementation.

Budget and timeframe:

- Evidence of resettlement staff being mobilized for field and office work (from both MISE and PUB).
- MELAD reports on land ownership review, census of APs and inventory of assets
- Record of resettlement funds being received, indicating date of receipt.

Delivery of AP entitlements:

- CEFs showing names of APs, date, time, amount of compensation received and signatures.

Consultations, grievances and special issues:

- Reports of all consultations held, listing names and gender of participants, summary of views expressed and photographs of meetings
- Copies of PIB in English and Gilbertese
- Evidence of endorsement by APs of draft RP compensation framework
- Court record of all APs (gender disaggregated data) who lodged complaints, nature of complaints and outcomes

128. At the completion of RP implementation, MISE will report to ADB that it has complied fully with all the requirements of the RP and will submit a Completion report to support its claim:

- Completed CEFs
- Copy of PIBs in English and Gilbertese
- Record of consultations with APs
- Minutes of consultations with women (if separate consultations are conducted)
- Minutes of consultations agreeing to the content of the RP
- Individual agreement on compensation reached with APs, where appropriate
- Evidence of transfer of titles of acquired lands, where appropriate

- Journal voucher(s) or equivalent document(s) showing payment for compensation and entitlements to APs

129. Civil works will commence following payment of compensation.

130. MISE may also recruit qualified and experienced external experts or qualified civil society organizations to verify its internal monitoring report if significant safeguard issues arise during implementation. MISE will recruit such experts or organizations in consultation with ADB and submit external monitoring reports to ADB.

ANNEX 1. GOVERNMENT APPROVED COMPENSATION RATES 2021



GOVERNMENT OF KIRIBATI
MINISTRY OF ENVIRONMENT, LANDS & AGRICULTURAL DEVELOPMENT
 LAND MANAGEMENT DIVISION
 PO Box 7, Bairiki, Tarawa. Republic of Kiribati.
 Phone No: 686 75021283 Fax No: 686 21463

File ref:

Date: 30/09/2021

TO WHOM IT MAY CONCERN:

Please kindly find hereunder the 2021 Government approved tree compensation rates as stipulated in the table below;

Name of Crop/Tree	Rate
Coconut (Te Nii)	AUDS
Fruit Bearing	\$ 120.00
Non- Bearing with trunk	\$ 60.00
Non- Bearing without trunk top	\$ 3.00
Pandanus Tree (Te Kaina)	AUDS
Fruit Bearing	\$56.00
Non Bearing	\$29.00
Newly Planted	\$2.00
Local Fig Tree (Te Bero)	AUDS
Fruit Bearing	\$24.00
Non Bearing	\$8.00
Newly Planted	\$2.00
Breadfruit (Te Mai)	
Te Mai Kora, Mai Keang, Bukiraro	AUDS
Fruit Bearing	\$290.00
Non- Bearing with trunk	\$146.00
Non- Bearing without trunk top	\$12.00
Te Bokeke & Te Motiniwae	AUDS
Fruit Bearing	\$483.00
Non- Bearing with trunk	-
Non- Bearing without trunk top	-
Papaya (Te Bwabwaia)	AUDS
Fruit Bearing	\$29.00
Non- Bearing and above 3 ft high	\$6.00
Lady Fingers and Plaintains (Banana)	AUDS
Fruit Bearing	\$24.00
Non- Bearing	\$8.00
Bwabwai Plant (Te Bwabwai)	AUDS
Per Pound	\$3.00
Filling in (per cubic meter)	\$5.00
Pumpkin (Bwaukin)	AUDS
Per Square Meter	\$8.00
Sweet Potato (Kumwara)	AUDS
Per Square Meter	\$12.00
Buildings/ Structures	AUDS
Permanent (Concrete) Per m ²	\$242.00
Semi Permanent (Timber) Per m ²	\$120.00
Local Building (Per m ²)	\$84.00

Please feel free to contact the Land Management Division for further queries and information with regards to the above rates.

Ko rabwa

.....
 For Director of Lands

ANNEX 2. SOCIO-ECONOMIC SURVEY FINDINGS

Site 1: Banraeaba. Interview with HH Head.

Ten (10) family members live in the HH, ranging from 8 months to 46 years old. The HH head is female, as are 3 others in the family. The HH head has primary education whereas 1 female (18 years old) and 2 males (34 and 21 years old) have secondary education. The rest of the family members are in primary or pre-school. The HH head is a cleaner, with the two older males working as security guards. The remainder of the family members are students. All are of the Roman Catholic faith.

Besides wages (AUD400/month), other sources of HH income include leases for land (AUD90/year). The land originally belonged to the HH head's mother. The house is owned by the occupants and is made from local materials. They have no electricity and use solar for their main lighting source. Cooking is done on a kerosene stove. Assets include 1 pig. PUB water is used for drinking and cooking, whereas well water is used for washing and bathing. They share a toilet with a neighbor.

Monthly expenditures total AUD606 and comprise:

- Food (AUD 200)
- Church (AUD 30)
- Bingo (AUD 20)
- Ceremonies (AUD 20)
- Transportation (AUD 60)
- Clothing (AUD 10)
- Loan payments to bank/others (AUD226).

Family members attend schools every day, churches two times a week and go to the bank re their loans. Family members would be interested in being considered for work with the project.

Site 2: Tabunia. Interview with HH Head

Five (5) family members live in the HH, ranging in age from 44 to 7 years old. The HH head is male, as are 3 others in the family. The HH head has primary education, whereas the 1 female (44 years old) and 2 males (23 and 20 years old) have secondary education. The 7-year-old is in primary school. 2 of the family members are engaged in business, with one other employed in security work and another unemployed. All belong to the Kiribati United Church.

Besides self-employment income (AUD 200/month), there are no other sources of HH income. The legal status of the land is not indicated. The house is a permanent house. The HH has electricity. Assets include: 1 freezer, 3 fans, 2 cars, 1 laptop, 1 radio, 4 cell phones, 1 sewing machine, 8 pigs and 2 productive trees. PUB water is used for drinking, washing, and bathing; rainwater is used for drinking and cooking whereas well water is used for washing and bathing. They have their own flush toilet. The main source of fuel is wood including coconut and a gas burner.

Monthly expenditures total AUD810 and comprise:

- Food (AUD 50)
- Church (AUD 50)
- Bingo (AUD 20)
- Ceremonies (AUD 20)
- Kava (AUD 15.00x30 – 450)
- Transportation (AUD 90)
- Communication (cell phones, etc.) – (AUD 60)
- Electricity (AUD 70)

Family members attend school every day, go to church 2 times per month, go to the health clinic 2 times per month, go to the hospital about once every 3 months, go to government offices to pay their taxes and visit the bank daily. Family members would be interested in work on the project.

Site 3: Antemai. Interview with HH Head

Eight (8) extended family members live in the HH, ranging in age from 67 to 17 years old. The HH head is male, as are 3 others in the family. The HH head has primary education, as does one female age 20. The others in the family (ages 49, 25 (3), 20 and 17) have secondary education. The HH head is an inspector, a 49-year-old female is a teacher, a 25-year-old male is a driver and a 20-year-old female is a housewife. All belong to the Kiribati Protestant Church.

Beside wage employment (AUD 700/month), income includes an AUD50,000 contract for self-employment. The legal status of the land is not indicated. The HH owns the house which is a permanent structure. The HH has electricity. Assets include: 1 freezer, 2 fans, 1 car, 1 motor bike, 2 laptops, 1 radio, 3 cell phones, 1 TV, 2 sewing machines, 1 kerosene stove and 3 pigs. PUB water is used for drinking and cooking. Rainwater is used for drinking and cooking and well water is used for washing and bathing. The HH has 2 toilets. The main sources of fuel are kerosene and wood including coconut, with electricity the main lighting source.

Monthly expenditures total AUD590 and comprise:

- Food (AUD 200)
- Church (AUD 40)
- Ceremonies (AUD 20)
- Transportation (AUD 300)
- Electricity (AUD 30)

No information was provided on services. They would not be interested in work on the project.

Site 4: Bangantebure. Interview with son of landowners

Ten (10) extended family members live in the HH, ranging in age from 79 to 12 years old. The

HH head is male (41 years old), as are 5 others in the family. The HH head has tertiary education, with one other having secondary education (female 41 years old). The teenagers are in High School (17, 15, 14, 13 years old), the 12-year-old is in Junior Secondary School. The older family members (74, 76 and 79) had no education. All are involved in the family business. All are of the Roman Catholic faith.

HH sources of income include leases for land (AUD1000+/year) and wage employment (AUD 13,000/year). The legal status of the land is not indicated. The wife of the HH head owns the house, which is permanent. The HH has electricity. Assets include: 1 freezer, 1 fan, 1 radio, 1 cell phone, 1 TV, 1 kerosene stove, 2 pigs, and 2 productive trees. PUB water is used for drinking and for cooking. Rainwater is also used for drinking. Well water is used for washing, bathing and for cooking. The HH has a private toilet. The main source of fuel is kerosene, with the main lighting source electricity.

Monthly expenditures total AUD672 and comprise:

- Food (AUD 250)
- Church (AUD 80)
- Kava (AUD 40)
- Communication (cell phones, etc.) – (AUD 12)
- Electricity (AUD 100)
- Loan payments to bank/others (AUD 180)

Family members attend school every day, go to church (how often not indicated) and pay monthly visit to health clinics and hospitals. Family members would be interested in project work

ANNEX 3. LETTER FROM MFED TO WB ON SETTLERS AT BONRIKI AN BOUTA WATER RESERVES



GOVERNMENT OF KIRIBATI
MINISTRY OF FINANCE & ECONOMIC DEVELOPMENT
Phone: (686) 74021806 or 21802 / 740 21307, Address: PO Box 67, Tarawa, Kiribati

File ref: DF10/14

Date: 13 June 2019

Michel Kerf
Country Director – Papua New Guinea & Pacific Islands
The World Bank
Sydney
Australia

Dear Michel

**South Tarawa Water Supply Project (STWSP)
Management of the Bonriki and Buota Water Reserves**

Thank you for your letter dated 22 May 2019 on the captioned matter.

I am pleased to inform you formally that the Government of Kiribati has reached a decision on the STWSP in relation to illegal settlers to allow them to remain on the water reserves until the completion of the Project.

In consideration of the possible social and environmental risks to the water lens, on which the South Tarawa population is relying for sustenance, the Government further approved that the national stakeholders collaborate with the World Bank and ADB to mitigate these risks. The measures will include preventing new settlements and managing activities by the current settlers that could contaminate the ground water supply.

I trust this sits well with the World Bank's policy on social and environmental safeguards and will set this important project in motion.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Teuea Toatu'.

**Hon. Dr Teuea Toatu
MINISTER**

cc: Lasse Melgaard
Resident Representative – South Pacific
The World Bank

Masayuki Tachiiri
Regional Director – Pacific Department
ADB

ANNEX 4. MISE SECRETARY COVER NOTE FOR THE CUT-OFF NOTICE AND CUT-OFF NOTICE



MINISTRY OF INFRASTRUCTURE & SUSTAINABLE ENERGY

P.O. Box 498, Bairiki, Tarawa, Republic of Kiribati
Phone: (686) 75126192/75126142, Email Address: registry@mise.gov.ki Website: www.mise.gov.ki

Date: 23 Okitobwa 2019

Nakon:

Kona Mauri.

Ti rimoa ni karabwako ibukin am kariaia kabonganaan mwakoron abam ibukin ana karikirake te Tautaeaka ae te South Tarawa Water Supply Project. N aron ae ko ataia ao iai bwain te karikirake aio aika a na kateaki iaon mwakoron abam are e a tia ni karaoaki te tutuo i aona n taai aika a nako.

N te tai aei ao iai reitan te mwakuri n tutuo irovia taan mwakuri n te karikirake are ana kainnanao iai am ibuobuoki ao am tai teutana ibukin kabwarabwaraan aia mwakuri i aon warebwaian bwaai aika a kakawaki ake a tei i aon abam, ao kaekaan titiraki tabeua ake a kakawaki ibukin barongan raai te mwakuri n te aro bwa ana akea te kanganga ae na riki imwina.

Ngkana iai aki otam ke am titiraki ao ko rangi ni butimwaeaki irovia kain te tiim ibukin karekean aia ibuobuoki.

Ko bati n'rabwa.

Saitofi Mika

Tia Koroboki

Botaki ni Mwakuri ibukin Mwakurian Karikirake ao Kateimatoan Korakora

English version of Secretary's cover note

Kiribati	English translation
<p>Kona Mauri.</p> <p>Ti rimoa ni karabwako ibukin am kariaia kabonganaan mwakoron abam ibukin ana karikirake te Tautaeka ae te South Tarawa Water Supply Project. N aron ae ko ataia ao iai bwain te karikirake aio aika a na kateaki iaon mwakoron abam are e a tia ni karaoaki te tutuo i aona n taai aika a nako.</p> <p>N te tai aei ao iai reitan te mwakuri n tutuo irouia taan mwakuri n te karikirake are ana kainnanao iai am ibuobuoki ao am tai teutana ibukin kabwarabwaraan aia mwakuri i aon warebwaian bwaai aika a kakawaki ake a tei i aon abam, ao kaekaan titiraki tabeua ake a kakawaki ibukin barongan rai te mwakuri n te aro bwa ana akea te kanganga ae na riki imwina.</p> <p>Ngkana iai aki otam ke am titiraki ao ko rangi ni butimwaeaki irouia kain te tiim ibukin karekean aia ibuobuoki.</p> <p>Ko bati n rabwa.</p>	<p>Greetings</p> <p>First we wish to express our gratitude for your consent to utilise a portion of your land by the South Tarawa Water Supply Project. As you are aware certain project facilities will be constructed on the portion of your property which was surveyed recently.</p> <p>Now I wish to inform you that further survey work will be carried out by the project staff which will require your support and some of your time to obtain full explanation about the inventory of existing assets currently standing on your selected property, and to obtain certain information from you which are critical in this inventory work to avoid misunderstanding and issues that may arise in future.</p> <p>If you need clarification or have any questions the project team will be more than ready to assist.</p> <p>Thank you very much.</p>

Cut-off notice distributed in I-Kiribati



**MINISTRY OF INFRASTRUCTURE
& SUSTAINABLE ENERGY**
P.O. Box 498, Bairiki, Tarawa, KIRIBATI



South Tarawa Water Supply Project **Tokin te tai n kabomwi**

Te karikirake ae te **South Tarawa Water Supply Project**, e na karokoa te ran ae itiaki ao man tau ibukin te mimaki ao man teimatoa inanon 24 te aua nte bongina inanon itua te bong nte wiki nakon mwenga ma kominiti n kabane iaon Tarawa Teinainano n karoko I-Buota. Te **Karikirake aei** e na kauarerekei uotara ma ara tabeaianga ibukin te uraki ao te kaburo ran. Te **South Tarawa Water Supply Project** e na ibuobuoki n katamaroa riki aron te maiu n kakaitiaki ao tauan tuan te mauri irouia ake a kabongana te karikirake aei. Irarikin aikai, e na bon iai makuri tabeua ake a na reke man uan te makuri n kateitei ao inanon butin ma makurian te karikirake.

Ao ni bon aron taian karikirake nako, te **South Tarawa Water Supply Project** e na bon riki ao man reke kaangabuaka ma te aki rau inanon wakin te makuri. Angabuaka aikai a kantaningaaki rikia ni moan te ririki ae 2020. A waki kateitei ma makuri n taabo ma taai aika kakaokoro. Iaon Tarawa Teinainano. E ngae n anne, a kantaningaaki aeka n kamwengabuaka aikai n tain te kateitei ma te makuri, ma a na aki teimaan ma a na toki imwin tabeua te wiiki n ami kainga. Tabeua mai buakon kamwengabuaka aikanne bon karongoaa, te bubu, maitin taian kaa ma baai n makuri, te ruruu, tutuki nakon kawai n nakonako man keniken ibukin kaweneakin bwaibu, te kamwe ao te kamaing nakon baika a tei rabwataia, e na kona naba n reke te urubwai n tiaki te nano nakon baai tabeua.

E na iai te warebai nakon baai ma aroka ake a na rotaki ao man uruaki rabataia ibukin te makuri n kateitei ao kawenean bwaibun nako te ran, katean miitin are a na karekea te iti man taai, ao ai katean te miitin are e na onika taari nakon te ran, ao a wakinaki aikai imarenan te Kaabong 24th October and te Kanimabong 25th October. Te warebai aei e na karekei rongorongon aroka, kaai, o-n-auti ma taabo, te kawai n nakonako ao baai riki tabeua ake a na rootaki ao man tangira kamwaingakiia ke kanakoakiia.

Kam na ataia naba bwa e na a aki karaoaki te kamwaing ke te tabetabe n bong aika e 24th and 25th October. E na karaoaki aei inanon wakin te kateitei ma te makuri imarenan ririki aika 2020 ao 2025. Kabwaka mane n kabane ibukin taian kabomwi nakon baai ma aroka ake a kamwaingaki ke n tabekaki nako ke a koutaki man nneia, a na karaoaki imwain karaoan te makuri.

FUNDING PARTNERS



E rangi n kakawaki ao man riai n ururingaki bwa, baai n kabane ake a karaoaki ibukin te katamaroa, ke unikan kaai n amwarake, ke katean O ao baai tabeua riki ae iai rabwatana ke auti n maeka ke bon aekan auti nako, a na bon AKI karaoaki kabomwi nako iai man te [South Tarawa Water Supply Project](#) ke mai iroun te Tautaeaka. Inanon wakin te warebai, a na tauaki raoi tamnein baai nako, tamneina nte korobanna ngkana e riai, bwa e na barabara raoi taekan baai ake a tia n tauaki mwia nte warebai.

Inanon bong aika te 24th and 25th October, taai bwaibwai ibukin baai ake a rotaki man ana waki te te [South Tarawa Water Supply Project](#) a na anganaki aia tai n norii baikai ke kanoan te warebai aei ao man tiainaia imwain kamatoakina.

FUNDING PARTNERS



English version of the Cut-off Notice



MINISTRY OF INFRASTRUCTURE & SUSTAINABLE ENERGY

P.O. Box 498, Bairiki, Tarawa, KIRIBATI.



South Tarawa Water Supply Project Inventory of Losses

The **South Tarawa Water Supply Project** will provide safe and reliable water 24 hours a day and 7 days a week to all communities in South Tarawa and Buota. The **Project** will reduce the burden of fetching and boiling water. The **South Tarawa Water Supply Project** will also help to improve sanitation and health of those using the service responsibly. Additionally, some limited jobs will be available during the construction and operation.

Like any other construction of public infrastructure, the **South Tarawa Water Supply Project** will create some inconveniences during the construction period. These inconveniences are expected to begin in late 2020. Construction will take place at different times in different areas of South Tarawa. However, disruption from construction activities is expected to last only for a few weeks at each community. Some of the inconveniences include temporary noise, dust, traffic, vibration from construction, limited accessibility from trenching to lay pipes, temporary disruption or removal of structures, minor construction damages may occur.

An inventory of potential damages due to the construction of the water network, solar plant and desalination plants will take place between Thursday 24th October and Friday 25th October. This inventory will collect information on trees, plants, fences, access roads and any other infrastructure that may be affected needing relocation or removal.

Please note the actual relocation or removal will not take place on the 24th and 25th October. The actual relocation will take place during the construction between 2020 and 2025. Compensation payment for assets removed will take place before they are removed.

It is important to remember that any improvements such as new trees planted, fences and other structures erected or houses built after the inventory of losses is completed, will NOT be compensated by the **South Tarawa Water Supply Project** or the Government. The completion of the inventory marks the cut-off date for the Project. During the completion of the inventory of potential damages, photos will be taken and drawings (when required) will be made to support the inventory and to keep a clear record.

During the 24th and 25th October, owners of potential assets impacted by the **South Tarawa Water Supply Project** will have an opportunity to review the inventory and sign it before is finalised.

FUNDING PARTNERS



ANNEX 5. CABINET CONFIRMATION ON THE USE OF LAND FOR THE MCKENZIE DESALINATION PLANT SITE

Re: Cabinet Paper Transcript



Saitofi Mika

Wed, 18 Dec 2019 4:21:28 PM +1200

To "Joshua Chappelow" <joshua.chappelow@mise.gov.ki>

Cc "Tioti Taaitee" <sas@mise.gov.ki>, "Tibwe Taraua" <ttaraua@mise.gov.ki>, "ttira" <ttira@adb.org>

Tags

Security TLS [Learn more](#)

Mauri Josh

Please note the decision by cabinet at their meeting no 74/19 dated 12th Dec 2019 : Cabinet approved reserving land for a second SWRO Desalination Plant at Mackenzie to be delivered under the South Tarawa Water Supply Project.

by copy Teatao, please note approval from our political masters.

thank you

---- On Wed, 18 Dec 2019 15:40:33 +1200 **Joshua Chappelow** <joshua.chappelow@mise.gov.ki> wrote ----

Mauri Saitofi,

Appreciate if you can forward a copy of the Cabinet transcript so that I can submit to ADB.

Ko bati n rabwa,

Josh Chappelow

Project Manager South Tarawa Water Supply Project

Ministry of Infrastructure & Sustainable Energy

M +686 7304 8301

E joshua.chappelow@mise.gov.ki

ANNEX 6. 1977 PUBLIC UTILITIES ORDINANCE – SECTION 8(2) (F)

6

CAP. 83

Public Utilities

[1977 Ed.]

electricity within an electricity supply area without the prior written permission of the Board shall be liable to a fine of \$1000 or to imprisonment for 6 months.

Right of
Board to
supply water

7. (1) Subject to subsection (2), the Board shall have the exclusive right within any water supply area to supply, distribute and sell water and to perform services incidental thereto.

(2) The Board may give written permission to any person to supply, distribute and sell water at any place within a water supply area.

(3) Any person who supplies, distributes, or sells water within any water supply area without the prior written permission of the Board with the intention of depriving the Board of its income, or of its rights under subsection (1), shall be liable to a fine of \$500 or to imprisonment for 3 months.

Powers of
Board

8. (1) Subject to the provisions of this Ordinance, the Board shall, for the purposes of carrying out its functions under this Ordinance, have power 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.

(2) Without prejudice to the generality of the provisions of subsection (1) the powers of the Board shall include powers—

- (a) to do all acts and things necessary for developing, controlling, generating, transforming and transmitting, distributing and selling electricity for public and private purposes;
- (b) to undertake electrical wiring installation and servicing of electrical equipment and to provide electricity to commercial and residential premises;
- (c) subject to section 9 (1), from time to time to cause switching and transformer substations, distribution boxes, posts, poles or pillars together with fixtures and fittings and other apparatus to be erected or placed on, and electric and water lines, sewers and drains to be laid and carried through, across, over or under any road or, after reasonable notice in that behalf to the owner or occupier, on, through, over or under any land whatsoever, enclosed or otherwise:

Provided that all such substations, boxes, posts, poles or pillars, fixtures, fittings and other apparatus, and electric and water lines and sewers and drains, shall remain the sole property of the Board and shall not be deemed to become part of any freehold by reason of being affixed thereto.

Continues...

- (d) subject to section 9 (2), from time to time to cause lamp posts, standards or other lighting apparatus to be put or fixed upon or against the walls of any building or enclosure or to be put up or erected in such other manner as shall be deemed proper, and also to cause such number of lamps of such sizes and types to be provided and affixed and put on such lamp posts and standards as are necessary for lighting roads;
- (e) subject to section 9 (2), to cut and remove from any road and to enter upon and to cut and remove from any private or public lands any tree, or any branch, root or other part of a tree growing on such lands in such proximity to any electric or water line, sewer or drain as to interfere with, endanger or otherwise prejudicially affect the supply by the Board, or a person licensed by the Board pursuant to section 6 (2) or 7 (2), of water or electricity or facilities for the disposal of sewage;
- (f) subject to section 9 (3), whenever it appears necessary to the Board for the protection or conservation of any water catchment area or otherwise to secure adequate and pure supplies of water to any area, with the approval of the Minister to declare by order any area to be a water reserve and to require by notice the owner or occupier of any land in such a water reserve to remove any structure or fill in any pit upon or in his land whether or not lawfully erected or excavated, within such reasonable time as may be specified and if such person fails to do so to carry out the work itself;
- (g) to set examinations for and issue licences to electricians;
- (h) to do all acts and things necessary for the collection, production, distribution, supply and sale of water to the public for domestic and commercial use in water supply areas;
- (i) to establish, operate and maintain a sewage system;
- (j) to control, manage, maintain, operate and supervise waterworks and provide in water supply areas (so far as is practicable) an adequate supply of water for the use of the public;
- (k) to construct or lay down any waterworks for improving or augmenting the water supply;
- (l) whenever in the Board's opinion it may be expedient or necessary for the purpose of conserving the water supply or for extending, altering or repairing waterworks or for the purpose of connecting or repairing water services, to diminish, withhold, suspend or divert (without prejudice

ANNEX 7. LAND LEASE RATES PAYABLE BY THE GOVERNMENT

RATES FOR LAND RENT ON SOUTH TARAWA		
YEAR	RESIDENTIAL	COMMERCIAL
1980-1984	\$ 400.00	\$ 400.00
1985-1989	\$ 460.00	\$ 460.00
1990-1994	\$ 560.00	\$ 560.00
1995-1999	\$ 910.00	\$ 1,200.00
2000-2004	\$ 1,166.00	\$ 1,506.00
2005-2009	\$ 1,480.82	\$ 1,807.20
2010-2012	\$ 1,717.75	\$ 2,024.06
2013-2015	\$ 2,000.00	\$ 2,500.00
2016-2020	\$ 2,800.00	\$ 3,500.00
2021-present	\$ 5,600.00	\$ 7,000.00
RATES FOR OUTER ISLANDS LAND RENT		
1995-1999	\$ 100.00	
2000-2004	\$ 355.00	
2005-2009	\$ 523.50	
2010-2012	\$ 692.25	
2013-2015	\$ 1,000.00	
2016-2020	\$ 1,400.00	
2021-	\$2,800.00	
Note: The rates used in outer islands are flat. There is no commercial/Residential rate		

ANNEX 8. GOVERNMENT PUBLIC ANNOUNCEMENT FOR LEASE PAYMENTS 2022

Ministry of Environment Lands and Agriculture Development | Facebook

KATANOATA IBUKIN TE KABWAKA RIITI 2022.

Nakoia taan abaaba ake a riitinaki abaia iroun te Tautaeaka, Kam na bane ni mauri inanon te ririki ae boou 2022!

Ti kukurei ni katanoata ikai bwa a tauraoi ni kabwakaki riitin abami ake e riitini Te Tautaeaka ibukin te ririki aei 2022. E na moa kabwakakin riitin aaba iaon Tarawa Teinainano ma Betio ma riitin Aonnaba ake ana bwaka mwaneia i Tarawa.

BONGIN AO TAIN TE BWAKA RIITI

E na moa te bwaka riiti man te Katenibong ae 12 Tianuare nakon 25 Tianuare ntaabo aika ana taekinaki inano. Te tai bon man te aoa 10.00AM nakon 6.00PM.

Te moan raaun n bwakamwane e na karaokaki n te bong ae 12 n Tianuare ao n toki n 18 n Tianuare 2022 n taabo aika ana taekinaki naba inano.. Te kauaoki ni bwakamane e na bon karaokaki man 19 Tianuare nakon 25 Tianuare n taabo aika ana taekinaki naba inano.

Kaetieti iaon taai aikai ana bane ni kona n noraki n teke n ana Notice Board Aobitin Tararuan Aaba i Bairiki ao ai Aobitin Kauntira aika TUC ma BTC.

Ibukiia kaara ao mwauku ana bon ti nikiraki aia riiti koraki ake a kaman riboti nakon Aobitin Aaba imwain tain te bwakamane.

KAURING TABEUA AIKA KAKAWAKI

1. Ko riai n uota am National ID Card ibukin te anai mwane.
2. Ngkana e kaokoro aram n am National ID Card ao aram n te boki n bwaka riiti ao ko riai n uota am Statutory Declaration.
3. Bon tii te tia abaaba are toka arana n te boki ae e na kariaiakaki n anai mwane. Taan abaaba ake a tia ni bua ke ni mate ana bon aki kabwakaki aia mwane tii ngkana iai minitin te katokaara imwin te mate.
4. Uringnga naba bwa e aki butimaeaki te kariaia inanon tain te bwakamwane.

TE RAWETAMEI N TAIN TE BWAKA RIITI

Ibukin totokoan kanganga ao ana bane n raweaki tamneia taan anai mwane e ngae ngke ko a bon tia n rarawetamnei mai imwaina.

BANK ACCOUNTS

Koraki ake a bangke ana karinaki naba ami riiti n ami akaunti inanon naba tain te bwakariti.

IBUKIMI KAAIN AONABA (OUTER ISLANDS)

Ibukimi ngkami taan anai riiti i aonaba ana kanakoaki beeban ami mwane ao araia taan anai riiti inanon tain te bwaka mwane.

Kam a kauringanaki naba ikai Kiraaka ma taan mwane i aonnaba n reitaki ma te Lands Office ngkana a bane n reke iroumi ami DWs.

Kam rabwa ao tekeraoi te anai mwane,

Mairoun Director of Lands,
Ibukin Te Tia Koroboki,
IbukinAobitin Otabwanin, Aaba ao Karikirakean te Ununiki.

TAIN TE BWAKA RIITI 2022		
MOAN RAAUN N BWAKA RIITI		
TE BONG	RIITIN	TE TABO
Katenibong - 12/01/2022	BUOTA WATER RESERVE	Arorae Maneaba
	ABATAO, TANAEA	Tewakirake Maneaba
Kaabong - 13/01/2022	BONRIKI WATER RESERVE	Arorae Maneaba
	BONRIKI LEASE	Tewakirake Maneaba
Kanimabong - 14/01/2022	TEMAIKU - BIKENIBEU LEASE	Arorae Maneaba
	AMBO - BAIRIKI	Tenarikai Maneaba
Moanibong - 17/01/2022	BETIO WEST	Arorae Maneaba
	BETIO EAST	Tewakirake Maneaba
Kauabong - 18/01/2022	Riitin Aonnaba (Outer Island Lease)	Arorae Maneaba
KAUOUA N RAAUN N BWAKA RIITI		
TE BONG	RIITIN	TE TABO
Katenibong - 19/01/2022	BUOTA WATER RESERVE	Arorae Maneaba
	ABATAO, TANAEA	Tewakirake Maneaba
Kaabong - 20/01/2022	BONRIKI WATER RESERVE	Arorae Maneaba
	BONRIKI LEASE	Tewakirake Maneaba
Kanimabong - 21/01/2022	TEMAIKU - BIKENIBEU LEASE	Arorae Maneaba
	AMBO - BAIRIKI	Tenarikai Maneaba
Moanibong - 24/01/2022	BETIO WEST	Arorae Maneaba
	BETIO EAST	Tewakirake Maneaba
Kauabong - 25/01/2022	Riitin Aonnaba (Outer Island Lease)	Arorae Maneaba