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L2783/2784 PNG: BRIDGE REPLACEMENT FOR IMPROVED RURAL ACCESS SECTOR PROJECT (BRIRAP)

RESETTLEMENT PLAN UPDATE



PACKAGE 3: 3 BRIDGES IN SEPIK HIGHWAY EAST SEPIK PROVINCE

Department of Works

November, 2014

Resettlement Plan Update –3 Bridges (Sepik Highway)

Resettlement Plan: Bridge Replacement for Improved Rural Access Project (BRIRAP)

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Papua New Guinea: Bridge Replacement for Improved Rural Access Project (Sepik Highway)

Prepared by Department of Works, Port Moresby, for the Asian Development Bank.

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Currency Equivalents

Currency Unit – Kina (K)

K1 = \$US 0.3950 (Bank of PNG Official exchange rate as at 7th November, 2014).

Abbreviations & Acronyms

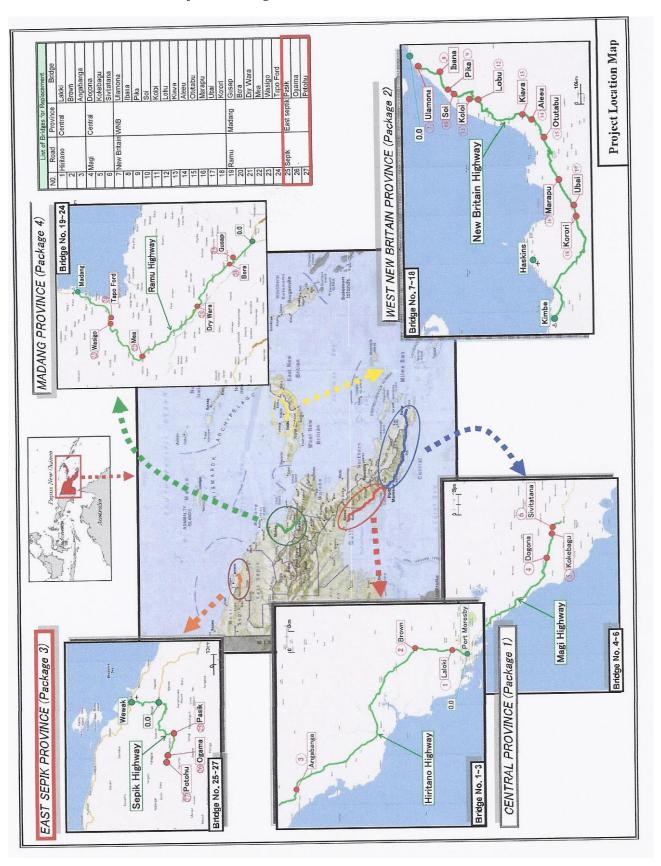
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ADB -	Asian Development Bank
BRIRAP	Bridge Replacement for Improved Rural Access Project
DLO -	District Lands Officer
DMS -	Detailed Measurement Survey
DOLPP -	Department of Lands and Physical Planning
DOW -	Department of Works
DPs -	Displaced Persons
EA	Executing Agency
EIA -	Environmental Impact Assessment
EMP -	Environmental Management Plan
ESP -	East Sepik Province
ESPA -	East Sepik Provincial Administration
ESPA -	East Sepik Provincial Administrator
GAD -	Gender Awareness Development
GAP -	Gender Action Plan
GoPNG -	Government of Papua New Guinea
Ha -	hectare
HH -	households
HIV/AIDS -	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
IA -	Implementing Agency
IEE	Initial Environmental Examination
HH-	Household
IOL -	Inventory of Loss
IPSA	Initial Poverty and Social Analysis
JICA	Japan International Cooperation Agency
LLG -	Local Level Government
LNG	Liquefied Natural Gas
MFF	Multi-tranche Financial Facility
MOA -	Memorandum of Agreement
MTDP	Medium Term Development Plan, 2010-2015
NGO	Non-Government Organization
OPA -	Office of Provincial Administration
PIU	Project Implementation Unit
PLO -	Provincial Lands Officer
PNG	Papua New Guinea
PPP	Public Private Partnership
PPTA -	Project Preparatory Technical Assistance
PSA	Poverty and Social Assessment
RF	Resettlement Framework

ROW	Right of Way
RP	Resettlement Plan
SD&G	Social Development & Gender
SES	Socio-Economic Survey
SHW -	Sepik Highway
SIS -	Socio-Economic Impact Study
SPS	Safeguard Policy Statement (ADB 2009)
STI -	Sexually Transmitted Infection
TOR	Terms of Reference
WB	World Bank
VGPS	Valuer Generals Price Schedule
VG	Valuer General

GLOSSARY OF TERMS

Meaningful consultation	A process that (i) begins early in the PPTA and is carried out on an ongoing basis throughout the project cycle, (ii) Provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people, (iii). Is undertaken in an atmosphere free of intimidation or coercion; (iv)is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, and implementation measures.
Affected Persons (APs)	Persons who are impacted by the project who live close to the project such as neighbouring clans, public health and education workers, people of the same electorate, province or people from other provinces who regularly use the bridge.
Displaced Persons (DPs)	In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions of land use or of- access to legally designated parks and protected areas.
Physical Displacement	Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Economic	Loss of Land, assets, access to assets, income sources, or means of livelihoods as a result
Displacement	of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use, or on access to legally designated parks and protected areas.
Gender Mainstreaming	The process of ensuring that gender concerns and women's needs and perspectives are explicitly considered in projects and programs, and that women participate in the decision making processes associated with development-based activities.
Country	This is the legal and institutional framework of Papua New Guinea, and it consists of its
Safeguard	national, sub national, or sectoral implementing institutions and relevant laws,
Systems.	regulations, rules and procedures that pertain to the policy areas of social safe guards.
Significant Impact	The loss of 10% or more of productive assets, (income generation)or physical displacement and or both.

MAP 1: BRIRAP Project Coverage



Kuminim Sibabaru But Gogue Pausum Bam Mushu highd Bismarck Japuain Bolken 344 Salimbua Wewak Bonamu Sepik Highway Macci 0.0 Yangoru Karagora Walangal Kaubari Sassoia Sara Mampe rangoru ď, Kamanburuka Haripmor Mission Maliu Potohu Turingi Rabundogum Mangul Urimo Barrarat Yari Kworo Mission Pasik Tring Ogama Mensit Nongawa Kumbiwingel Peringa Kamaragu

Map 2: Sub-project area coverage (Sepik Highway)

A. EXECUTIVE SUMMARY

- 1. The project aims to replace temporary bailey bridges and other badly deteriorating bridges on the National Highways in PNG with permanent bridges. The old bailey bridges will be re-used on Provincial and District roads to provide access to rural areas. The Project covers 27 replacement bridges on five priority National Highways and 22 reusable bridges on provincial, district and local roads connecting rural communities within the corridor of influence of these five priority national highways.
- 2. The contract package along the Sepik Highway (SHW) involves the replacement of three bridges that includes: one Bailey bridge, one Cause way and a Steel Plate Girder Bridge; that requires physical displacement of people and their properties. There are two houses, 4 huts (Shelters), 2 Trade stores and one incomplete trade store building; and crops such as: cocoa, coconut, vanilla, banana and vegetables; will be displaced when the State acquires 6.1846 hectares (Ha) of customary land to construct these bridges. Relocation and displacement will require payment of compensation at replacement cost.
- 3. Based on the IOL in compliance with the Valuer Generals' Price schedule as the basis for calculating the replacement cost, the DPs will be paid a total of K162, 150.00 (US\$64,049.25). The universal cost including the resettlement support budget of K115,000.00 for this RP is K277,150.00 or US\$109,474.25. People have agreed to accept compensation for physical improvements and relocate themselves but for land acquisition, DPs have advised DOW to escrow payments until they sort out their land disputes. DPs gave their assurance that thebridge sites under disputes will in no way, shape or form disrupt the bridge construction.DOW concurred with the DPs to escrow land compensation and proceed with construction.
- 4. Thereare 25 HHs consisting of 128 persons with an average occupation rate of 5 members. Two HHs will be significantly displaced of which one is a female headed HH and the otheris headed by a male who will forego their improvements including crops and physical structures. Among the affected persons that will be displaced there are a number of vulnerable persons: a mentally affected person and two disabled persons at Ogama, three disabled persons at Pasik and one person with left hand handicap at Potohu. There are also 8 officially known persons living with HIV/AIDS. Members of these HHs are all from within the locality accept for one HH at Ogama bridge site that migrated in from Baimuru, about 7 kilometres from the Wamaian village, who has been residing in the area for more than 40 years.
- 5. In terms of education and health services, most DPs have attained primary and secondary level of education and a reduced number have acquired technical training either at Vocational, Technical or on the job training provided by the East Sepik Provincial Government, Local Churches and the National Government. Clean drinking water is a major

concern. Although there are numerous creeks along the bridge sites, frequent flooding caused by heavy rains render the creeks unsafe for drinking. This has resulted in many DPs affected by water borne diseases. Access to Health facilities are generally good as most facilities are within easy reach, including the bigger health facilities at Kubalia, Yangoru and Wewak.

- 6. All DPs rely on subsistence agriculture for HH consumption. Large scale commercial Agriculture and livestock farming is virtually non-existent although there are varieties of small scale activities such as cocoa, coconut, vanilla, and betel nut; that enables them to earn income tosupport family livelihoods. Most impacted households are able to produce more than enough for domestic consumption and the surplus are either sold for additional income or are shared with friends and clan members. Income from Land acquisition and other resettlement payments by the state to DPs will have a positive impact on their income levels and improveliving standard.
- 7. The following table shows the criteria applied to determine eligibility to receive an entitlement:

Table 1:	Summary of Eligibility a	and Entitlements Crite	eria Matrix for DPs
		=	

Type of Impact	Entitled Person (s)	Entitlements	
Permanent	Legal Owner(s)	Provision of similar size of land by state is not	
Acquisition of Land	including customary	possible.	
	Landowners.	Will be paid compensation at replacement costs	
	Informal settlers on	for Land acquisition.	
	land to be acquired.		
Temporary Use of	Legal or Customary	Contractor will pay rent on negotiated rates	
Land	Land owners.	between DPs & Contractor.	
Loss of Crops and	All DPs irrespective of	All crops and trees deemed for damage will be	
Trees	Legal status.	paid compensation based on market rates	
Loss of Commercial	ALL DPs regardless of	of DPs will be provided compensation	
Structures	Customary or migrant	replacement costs without deductions for	
	settlers.	depreciation or salvage materials or assistance	
		in finding an alternate site.	
Loss of Livelihoods	Any vulnerable HHs	Vulnerable households will receive priority	
	identified by additional	employment for project construction &	
	social assessment.	maintenance work.	
Unforeseen or	Concerned displaced	Will be determined as per the principles of this	
unintended impacts.	persons.	RP & ADB's Safeguard policies.	

8. DOW will commence processing of compensation payment between December 2014 and February, 2015 based on the LIR and Valuation reports commissioned by DOW contained in this RP and made payable to all identified DPs significantly impacted by involuntary resettlement. During the time of documenting this RP LIRs for the 3 bridge sites have not been fully completed with the exception of western side of Potohu Bridge. The Provincial Customary Lands Officer for ESP declared that all bridge sites are under dispute and referred the matters to the District Lands Court in Wewak to determine the genuine customary land owners. DOW declined a request by Yangoru Sausia District Lands Office to

finance the Land Court process; insteadreferred the matter to East Sepik Provincial Administration as ESPG is a major stakeholder in this project.

9. Despite the disputes, both male and females, expressed overwhelming support for the construction of the bridges saying this project will provide important services to them and the road users for many years. An initial MOA has been signed by DPs giving their consent to the State to proceed with project implementation. Pursuant to that MOA, DPs at all sites signed another MOU to acknowledge the fact that State has a right to construct bridges along the road corridor and that they will not interfere with construction works.

B. PROJECT DESCRIPTION

- 10. The National bridge replacement Project aims to replace aging and single lane bailey bridges and other badly deteriorated bridges on the National Highways in Papua New Guinea (PNG) with double lane permanent bridges. The old bailey bridges will be dismantled and re-deployed to Provincial and District roads to provide access to rural areas. The Project will cover the replacement of 27 bridges that include: 17 bailey bridges, two steel truss bridges, and three steel plate girder bridges, two log bridges, two cause ways and one Wet Crossing. Twenty two (22) of the existing bridges are reusable on the Provincial or district roads impacted by these National Highways.
- 11. It is anticipated that improving access for rural communities will have positive impacts on access to better social and economic services, and therefore better living standards. Importantly this project should contribute to improved flow of traffic, less traffic congestion at bridge sites, and a safer road transport service. Expected overall outcome is improved and safer access to markets and social services for rural population living along the selected road corridors and expected specific outputs are: (i) Reduced bottlenecks on the National Highways, (ii) Safer journeys for both motorized and non-motorized transport users on the roads, (iii) Improved capacity of the road agencies especially Department of Works (DOW) and National Roads Authority (NRA) to manage bridge assets but also to provide greater levels of accountability and transparency; and (iv) maintenance of the bridges by beneficiary communities".
- 12. The project is aligned and consistent with the long and medium term national development plans, goals and strategies. One of the targets of the National Governments Strategic Development Plan 2010-2030 is that by 2030 eighty five percentages (85%) of rural communities will have access to better and safer road transportation. This project will contribute towards achieving that target. In addition, it should have positive impact on rural industries such as Mining, Petroleum, Logging, Agro-forestry, Agriculture and other downstream processing projects.
- 13. The Project is estimated to cost US\$100 million and is being funded through an ADB loan of US\$90 million comprising a US\$50 million ADF loan and US\$40 million OCR loan, and counterpart funding of US\$10 million from the GoPNG.
- 14. The Sepik Highway component of the project covers the replacement of three

bridges:1 single lane Bailey bridge, one Cause Way and one Steel Girder Bridge. These bridges will be replaced by dual lane Steel Plate Girder Bridges that will cost US\$11.9 million (K30.1m) based on detailed engineering design (DED) at the current exchange rateof K1.00 toUS\$0.3950, (Bank of PNG as at 07 November, 2014). The initial PPTA cost estimate was US\$6.95 million, a variance of US\$4,949,213.60. The variation of thecostingisdue to a number of factors indicated in the detailed engineering design, some of which are extended embankments, depth, road approach, and materials.

Name of Bridge	Chainage (KM)	Bridge Length (m)	2011 Est. Cost (US\$) (M)	2014 Final Cost Est.(US\$) (M)	PNG Kina Million (M)
Pasik	22.9	30	2.73	4.1	10.2
Ogama	40.2	30	2.42	3.6	9.1
Potohu	43.1	20	1.80	4.2	10.6
Total		80	6.95	11.9	30.1

Table 2: Bridge span and estimated cost of new bridge replacement.

- 15. The Bailey bridge and the Steel Girder Bridge will be dismantled and taken to Wewak DOW base camp for storage because the district impacted by the project does not have DOW camp. The ESPA and DOW will decide on the re-deployment of these bridges in one of the priority feeder roads in the Yangoru Sausia Electorate. The option of dismantling the bridges and taking them straight to one of the priority rural bridges was discussed but the identification and decision to finance the re-use of the old bridges are yet to be determined by ESPA and DOW. Pending the financial decision the bridges will be kept at Wewak DOW base camp.
- 16. This resettlement plan (RP) relates to this sub-project communities that will be displaced as a result of the construction activities.

C. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

i. Projects Potential Impacts

17. The DPs along this sub-project area will experience a number of potential impacts as a result of the acquisition of customary land. Extra portions of land along the river banks were surveyed as part of the bridge and road approach alignment to cater for extensionthat will also affect assets such as coconut trees, and other economic and culturally sacred plants. Two trade stores, one new trade store under construction and 6 huts owned by two HHs will be physically relocated includingthe displacement of garden crops. The other two bridge sites will forego trees and plants of economic and cultural values. IOLsand valuation are done accordingly to adequately compensate them at replacement costs.

ii. Scope of Land Acquisition

18. The State will acquire 6.1846 hectares of customary land at the 3 bridge sites. Details relating to total land area per bridge site, assets considered for displacement, HHs identified for involuntary relocation, the number of clans and individuals significantly affected by each bridge are all outlined in the following table:

Table 3: Scope of Land Acquisition

Bridge Name	Estimated Land Loss	Current Land use	Village Affiliation	Bridgesite land Group	Number of DPs
Pasik	1.799 ha	Banana trees Coconuts pineapples Forest/timber	Tounumbu (Village)	Havo Mango& Anaiak	82 DPs
Ogama	2.3516 ha	Vanilla, Banana, Betelnut, Coconut palms, Forest/timber, 2x trade stores, 1 incomplete trade store building, & 5 Huts (Shelters).	Wamaian (Village)	Huffa	21 DPs
Potohu	2.034Ha.	Banana Cassava Betel nut Forest/timber	Wamaian (Village)	JavahamaNanguka Clan	25 DPs
Total	6.1846 ha	·		128	DPs

Note:

- (1). Cadastral Surveys and valuations on assets were done for all 3 bridge sites but LIR was restricted to Western side of Potohu Bridge. Javahama clan also owns Eastern part of Potohu Bridge but few individuals are disputing ownership. LIR on that side was therefore delayed until court determines owners.
- (2). The Niugini Island Regional Surveyor General based in Kokopowill approve the Survey Plans and issuePortion numbers. DOW will update ADB as soon as approvalsare granted.

iii. Effects of Assets Lost

- 19. All customary land acquired for the3bridge sites will include a width of more than 40metres of road approaches, including the20 plus metres on each side from the centre line; andmore than 50 meters of land at all river corridors for extended embankments as reflected in the cadastral plans (Appendix IV). The Lengths of road approach extendfrom 100 400 metresat each bridge site depending on the approach soil type, terrain and other physical features. Land will also be required for construction of camps and storage yard for contractors. Compensation will be paid at replacement cost for the land acquired while temporary land use will be leased based on negotiated rates and agreed upon prices between DPs and the Contractor.
- 20. Most of theland areas targeted for bridge construction are used communally for semi-subsistence agriculturefarming such as Banana, taro, cassava, yam, and other vegetables. Cocoa trees although not planted on or near bridge alignment and road approach corridor, are regarded as fully commercial crop with few other economic crops and trees among them.

- 21. DPs at Ogama bridge site will involuntarily suffer greater economic loss due to displacement of two trade stores (or commonly referred to as tucker shops), obviously are their main source of income. Nineteen DPs occupying two HHs (13 family members at Russel Kuma's houses and 6 family members at RuthyKambot's trade store and shelters) will suffer fromsignificant displacement of 2 houses and 5 huts that provides shelter. The most heartbreaking scenario will be the involuntary transfer of a disabled person that lies under one of the huts. Potohu and Pasik although will suffer from loss of garden crops and land, DPs will not suffer any significant displacement of physical structure. A garden at Potohu that is so close to a mother's heart will be significantly affected by the shifting road approach from north east to south east.
- 22. The displacement of persons, HHs, land, vegetables, cash crops and other trees will be adequately compensated at replacement costs based on the 2013 Valuer Generals' compensation rates. With the compensation income, despite the displacements, DPs will be better off than would be without the sub-project, because it will be considered additional income to their current supply of food and income supplements from their original settlement areas where they regularly use for subsistence and commercial cultivation. With the feeling of receiving additional benefits, DPs expressed that replacement of these bridges will in fact have positive impacts not only to them but also the travelling public.

iv. Common property resources

23. River systems are common property as DPs regularly use water for washing and swimming. DPs expressed that water near all the bridge sites are used for washing. The most regularly utilizedriver site is at Ogama bridge, where everyone including travelling public stop bye to take a bath or swim, wash clothes, dishes, vehicles, and even drink; before they move on. Fish is another common property where all DPs fish for household consumption. Fishing is limited to few individuals as the supply is scarce and anyone fisherman would spend long hours fishing before hooking one or sometimes nothing. Other common properties include green mustardsused commonly as a recipe to chew with betel nut that is grown by every HH in the area. DPs expressed that the construction works would not deprive them from accessing these common properties as they can either go upstream or downstream for bath, swim or fish. The Initial Environmental Examination (IEE) also did not consider this as major environmental issue.

D. SOCIO-ECONOMIC INFORMATION AND PROFILE

i. Demographic features of Affected People

24. The PPTA report (TA - 7594) of June 2011 stated that the..."4 bridge sites had 16 HHs consisting of 19 persons with an average size of 5.7 members. It also reported that there are no migrants residing within close proximity to the bridge sites. The population at and around the bridge sites inclusive of the two main villages have a relatively high literacy rate with 71%, with most citizens having completed year 8. Around 24.5% completed secondary and 2.5% attained qualifications from universities and colleges. It was further

stated that 61% of the population were 20 years and younger, while 34.1% are between 20 and 60 years and 4.3% are over the age of 60 years.

- 25. Out of the 4 bridges, Malas was eliminated during the final analysis f bridge selection. At the three bridge sitesthere are 25 HHs with an occupancy rate of 5 members per HH, highest being 7 persons. In total there are 128 DPs (Appendix X) with 48 females and 80 males. Unfortunately, this figure does not include many of the children in the impacted villages. One clan known as the Javahama clan occupying the eastern section of Potohu Bridge site refused to provide names of DPs and number of HHs until land disputes among clan members are appropriately settled. From a broader scale, this sub-project impacts two main villages or Council Wards namely: "Tounumbu in the Sausso LLG and Wamaianin the Numbor LLG in the Kubaliasub-district", Yangoru Sausia District; consisting of "1,591 persons comprising 817 females and 774 males occupying approximately 310 HHs at an average rate of 5 members per household" (PNG National Population Census 2011). According to this census, female population in the two main villages are slightly higher than male folks. A major contributing factor is the out-migration of males - educated and uneducated – to other provinces or to urban centres seeking education, employment or for marriage reasons. And most do not return back to the villages.
- 26. Observations during the detailed measurement survey confirmed the initial PPTA report that 71% plus are over the ages ranging from 1-20 years, but DPs listed during the SISindicated to the contrary. Based on the SIS,32% are under 20 years, 57% are adults between the ages of 21-50 years and 11 % are more than 50 years. The anomaly in the population figure is attributed by non-provision of children numbers at all sites.
- 27. It was confirmed that the literacy rate in the project area is quite highimplying that the bridge sites population take pride in attending school from primary to Universities and colleges. Only 22.3% have not attended school, most of these are children under the school age children and therefore will attend school at later stages. Detailed analysis confirms that 41% completed primary education up to Grade 8, and over 30% have completed Gr.12 and 8% have completed either Universities or colleges. Gender comparison of education level shows that 52% of males completed some level of education whileonly 27% of females attended schools, both at primary levels and higher institutions. This is quite a contrast despite the fact that female population is slightly higher by 2.7%. It is also alarming to note that females from the area completed some level of higher education; yet the number seems to be declining. The DPs take advantage of schools being located within their villages where Tounumbu village children attend Kubalia Primary School and the Wamaian village children attend Kusambu primary school. Graduates of both primary schools attend Kubalia and Yangoru secondary schools.
- 28. In terms of ethnicity and tribal affiliations of displaced persons, 100 percent are

locals from Tounumbu and Wamaian villages of the Yangoru Sausia tribal group. There aresome form of migration but are very much localized within clans. For example, the settlers at Ogama bridge site are originally from Baimuru village located between Yangoru and Wamaian localities that were adopted by the Huffa clan and resided within the locality for more than 40 years. By virtue of the customary recognition act they have become permanent residents and are regarded as landowners. Three families from Pasik migrated out to major cities and towns and have never returned to the village due to work commitments. Despite being absent from the village, they claim ownership of their village land. Local residents recognise them as genuine landowners. All HHs in the area aremainly comprised of nuclear family structure with the father as the head. People from other provinces are not attracted to the locality because there are no economic activities of significant profitability in the locality.

29. Most DPs have memberships with various community groups, with main ones being Sports, Women and Youth groups. Current religious affiliations for all DPs show that nearly all are Christians predominantly affiliated with the Assemblies of God, Catholic Church, followed by the United Church and Seventh Day Adventists (SDA). Commencing in recent times, Pentecostal churches such as the Christian Revival Church is having more influence over the other churches.

ii. Impacts of Land and Asset Acquisition on Affected Peoples

- 30. In this sub-project locality, agriculture and economic activities are minimal to justify consistent flow of income to all households, despite an effective provision of social services such as health, education, and land transport system by the National Government and Faith Based Organisations (FBOs). It is interesting, however, to know that DPs manage to generate income to support a sustainable livelihood. The advantage of generating income is supported mainly by the Sepik highway. If the road did not traverse through that part of the territory, the APs along the road would be worst off in social and economic development indicators. Cash payments to DPs for land acquisition and for loss of assets will be an added advantage to affected HHs. In order to understand how the acquisition of land and assets would impact the DPs, excluding the entire population of the two major council wards as described above, the following socio-economic indicators were used.
- 31. **Income**: Average annual household income is about K7,825.00 generated from a number of formal and informal activities such as Cocoa, betel nuts, vegetables, trade store goods, wages from both public and private sector employment, Public Motor Vehicles (PMVs) income and remittances of cash from friends and relativesworking in other parts of PNG. Over the last two years a local contractor at Pasik (principal landowner) was able to employ a number of village men to work on his construction company and diesel retail station located close to the bridge. He also encouraged village people to venture into cocoa

and vanilla farming that generates to date a sustained flow of income. With the advantage of such income PasikResidents' average income per year increased toK9, 162.50, almost close to that of Potuhu's annual income of "K9,267.00" (PPTA report 2011). However, this trend has significantly diminished as a result of unfavourable world market prices for vanilla. Vanilla is no longer a major form of income earner. Two HHs at Ogama are relying on income from trade stores, of which one is headed by a female and employs two women to assist her in the store as well as sales of other cooked foods like sago and baked scones including ice-blocks. The male owner started from a small thatched roof and bamboo blind wall building and with the proceeds from the sales started building a bigger storewith corrugated iron roofing and walls and plywood interior that is yet to be completed. Sadly these structures will be removed and resettled to a new location of their choice. With the income from the involuntary resettlement, the two HHs are likely to venture into bigger trade store businesses. It is expected that the current average annual income of K5, 046.00 will increase substantially not only for Ogama but the other two as well. All HHs in the three sites have close to 400-500 cocoa trees that guarantee them consistent income. Compared to the "internationally recognized PPP equivalent of US\$1.25 per day, per capita", the DPs earn reasonable amount of income to support a sustainable life.

32. Land Ownership: The land ownership in the region is owned by man (patrilineal ownership) and is passed on from generation to generation. The land remains a property of the community or clan. Individuals or HHs utilize the surface of the land for personal use but land within the clan boundary remains the property of the clan. When it comes to community, Provincial or National Projects; the project proponent deals with the clan, not the individual. Any benefits relating to land acquisition and business spin off activities are done through the clan level. Benefits payable under land acquisition are payable to the clan and not individuals. Since the bridge sites are disputed by various claimants and some of them are registered with the Provincial Lands Court (except for western end of Potohu bridge site where LIR was done) payments will be escrowed until issues are resolved. Land Investigation Report (LIR) was not allowed by landowners as they wanted proper land dispute settlement. If LIR was conducted during the DMS, the chances of identifying wrong landowners who would not normally be entitled to receive displacement costs are high. East Sepik Lands Office recommended in a letter to their Provincial Administrator(Appendix VI) that all bridge sites are under dispute and therefore LIRs are not done until such time the Local or Wewak District Land court hears and determines the genuine landowners. All landowners however, agreed that the bridges must be constructed while they settle their disputes in Court(AppendixIII). All compensation payments accrued from the displacement of physical structures and gardens will be paid to current owners because no interested party is disputing their ownership. In a nutshell, instead of accepting compensation payments for compulsory acquisition of customary land, various interested parties are disputing ownership, mainly because the disputants want to receive a bigger slice of the payment. There is already disharmony and it would be interesting to see how things unfold

after the courts determination of ownership.

- 33. **Livestock:** DPs in this sub-project site tend to behave and think like the highlanders of PNG where livestock farming plays an important part, not only in terms of status recognition but also as a source of income and food for each household. The DPs are currently farming chickens (chicken broilers) and between 2 to 4 pigs for local markets, which isconsidered as a major source of revenue for some HHs to support livelihood for the impacted households and displaced persons. Other livestock like goats, sheep and cattle were hardly seen at the bridge sites. Business ventures in to sheep, goat and cattle farming were not observed and the reason given by some DPs is the lack of Government support in terms of provision of extension services and financial subsidies. It is perceived that the financial benefits derived from the loss of houses, trade stores and food gardens will not be invested in other livestock farming.
- 34. **Estimated Total Expenditure**: Of the average annual income of K7,825.00 almost 70% is spent primarily on household food items, 15% on school fees and health care, 10% on other social and leisure activities such as sports and alcohol, and 5% on cultural rituals and church activities. Income savings for future activities by HHs depend on the amount of income earned at any one time, maybe fortnightly or monthly; and is a decision that an individual makes. In the case of DPs in this sub-project region, they were not able to ascertain whether it was the right thing to do because their income is highly inconsistent, very often in small amounts. Yes, they do save some surplus in their wallets or suitcases or maybe at a secret location within the precincts of their properties after expenditure but only to finance emergencies. The only persons who save in banks are those who have formal jobs or operate small to medium businesses such as the Civil Construction Company at Pasik or the tucker shops at Ogama.

Occupational Structure: Well over 60 % of the surveyed households and displaced persons indicated subsistence agriculture as being the main activity that occupies their time that supports their livelihood, followed by cocoa farming, livestock farming especially raising chickens and pigs, trade stores and owning and operating PMVs. They also do road side marketing of vegetables, store goods mainly biscuits, sausage, soft drinks, ice blocks and popularly sago, predominantly by female DPs. Many of the DPs work for the government of PNG as public servants and some of them hold senior positions such as Joe Asinubu from Pasik with DOW as the former FAS-Operations, and now a special projects officer in charge of Project Audits. Another person is a medical doctor at the Port Moresby General Hospital. Havo Contractors Limited (HCL) is a local civil construction company that employees over 14 people and is involved inroad patching, stone walls, and road side grass cutting activities along the Sepik Highway. HCL also owns a small fuel service station near Pasik Bridge. Over 18% of the population is actively engaged in both public and private sector in the country. Two HHs (one is a female) are involved in Trade store business at the Ogama bridge site. Another five (5) Trade Stores or Tucker shops are owned by Huffa clan members that are

located at the main village, just before reaching the Ogama bridge site from Wewak.

35. Access to Public Service: As a result of the good road corridor, despite the deteriorating bridges, PMVs ply the Wewak - Mapriksection of the SHW on a regular basis using Dyna trucks and five 15 seater buses owned by the affected persons. They also own a few private vehicles to commute along the Sepik Highway. With the improved transportation system, all DPs have easy access to health and education services. Kubalia Health Centre is within walking distance while Yangoru, Maprik and Wewak hospitals are accessed through Public Transport System. Schools including Kubalia and Kusamb primary and Kumbalia secondary are within walking distance while Yangoru high school is accessed through public transport. Water and sanitation are not accessed through a reticulated water supply system but they do have good running creeks that they use to drink and bath. A few HHs with permanent houses in the main villages have rain water tanks. Micro finance is gradually introduced to the area and in the next 12 months all women and aspiring small to medium business minded persons will be encouraged to borrow. Already a Micro bank through the National Development Bank is in Wewak but none of the DPs tried that facility yet. The Minister for Trade and Industry is from that area and his intention is to encourage people to borrow money and venture into Cocoa and Oil Palm business. Agriculture Extension services have been missing for a very long time and this initiative by their Minister is a welcome hope for people in the locality.

iii. Project's Impacts on Poor, Different Ethnic Groups, and other Vulnerable Groups

- 36. There is one female headed HH at Ogama Bridge who is able to support her children and employ two other girls to work for her. She is a single mother of two school age children after having divorced her husband few years ago that will be involuntarily resettled at a new location. There is another female headed HH at Pasik but she is a Catholic Nun who is self-reliant. Sadly, the project area has many persons living with disabilities: some with crippled legs and hands, some deaf and mute, others having mental illnesses caused mainly by consumption and abuse of drugs as is the case with one DP at Ogama bridge, who has a wife and 2 children, (Appendix XII: Photographs) that will also be relocated. Village leaders have also confirmed 8 reported persons living with HIV/AIDS. The actual number could be higher as many infected are not reported. There could be other vulnerable HHs who would be exposed to disadvantages of social and economic inequities during the construction but the support system that exists within the village setting alleviates such miseries. The contractor will be requested to assist the most vulnerable people at Ogama.
- 37. As experienced elsewhere in PNG, mini markets will pop up at each bridge construction site as mothers and youths seize the opportunity to generate income through sales of fresh fruits, cooked food and other consumables from construction workers and travelling public who would normally stop by to watch construction works. Again, this is an added external economic benefit for immediate displaced persons and households who will obviously become vulnerable HHs due to displacement from their HHs, gardens and their

land. Long term benefits far outweigh the short term costs of the loss of land, gardens, tree crops, and current income opportunities. Although water ways and vegetation will be affected during construction, the effects are temporary as vegetation will grow back in a few months and water ways will regain its pristine status prior to the construction phase. All things considered, the project is socially, economically and environmentally favourable, viable, and far more beneficial to the poor and vulnerable groups at each bridge site including the APs along the highway corridor.

- 38. There are various clans disputing ownership of land that makes it difficult for the state to remit compensation monies to the DPs. Deeper analysis of the disputes indicate that the complainants are registering their claim over a piece of land essentially trying their luck to receive cash benefits, knowing very well that they do not have legitimate ownership of the land. For example: there is a land dispute between a Mr Peter Waliawi from Haniak clan (none resident but recognized landowner) versus Timothy Hombo of Havo Mango clan since 1995 over Pasik bridge site. At Ogama there is a dispute between Huffa Clan and Neimo Clan (Eastern end), Senginawa Kuma vs. Francis Wama, and Ruben Waine vs Francis Wama (Western End). The actual owners according to landowners and ESPA Lands Officers indicate that the Huffa clan is the genuine owner. The others are putting their interest because they want to receive part of the land compensation payments. Similarly, the eastern end of Potohu has been disputed by members of the Javahama clan and it is ongoing. During DMS and IOL consultation, DOW was unable to resolve these disputes because they wanted the Land Courts to hear and determine the owners. DOW advised the disputing parties that they must resolve these disputes through local mediators because if they chose to seek judicial intervention, the chances of delaying the hearing are high and the costs of litigation would be breath-taking. If they are not satisfied in the mediation, they can take the matters to the district Land Court for further deliberations. DOW has advised the ESPA to take ownership of the dispute settlement because ESPG is a stakeholder(Appendix VIII). Pending the outcome of the resolution, all benefits for land acquisition will be escrowed.
- 39. The DPs stressed in no uncertain terms that they are already exposed to development challenges and are conscious of the social and economic impacts these bridge projects will cause. They have matured over time since the highway was opened and any issues relating to whether or not the construction workers might spread diseases such as HIV/AIDs or STDs to local women is manageable. All they want is to ensure that the bridges are constructed without delay. They want improvement on the road saying that it is their lifeline. DPs confirmed that livelihood will be much more improved with the construction of the bridges, especially for communities in the vicinity of the Ogama and Potohu bridge sites. Already clan members are gradually migrating to settle on the road sites to have easy access to social and economic services brought about by the improved road system.

iv. Gender and Resettlement Impacts

40. Men are in control over all aspects of life, whether it be land and property issues, law and order issues, financial or other social and cultural issues. However, in recent times women have taken control of some day to day issues such as attending schools and colleges and finding permanent jobs. Females also decide the type of foods to be taken daily.

Woman DPs when asked about the management and handling large amount of cash during the payment of compensation for displacement of land and crops, they openly expressed their views that management and distribution of income from any source should be their responsibilities given the experiences that when men receive large payments such as the bridge site land acquisition fees, they would spend money on unnecessary expenses, especially purchase and consumption of alcohol.

- 41. Women work hard in their subsistence gardens to make sure there is food for every member of their HHs. Woman have expressed their desire to work for the construction company but male DPs added that employment of casual workers be restricted to men. This biased view should not prevent the contractor from employing women. Women are equally capable of doing any job whether it is lifting metals, timbers, stone piling, digging using spades, cooking, washing or security guards or camp clerks, etc.
- 42. The potential for incidents of family violence, marital problems, promiscuity and alcohol related problems are inevitable and cannot be ruled out, as these have been observed in many other similar projects in PNG. Continuous awareness on the effects and impacts of these incidences including HIV/AIDs will help in mitigating these social and health problems. Whilst it may be difficult to control these social disorders, preventative and precautionary measures will be taken to cater for and attend to these social misconducts. Where incidents relate to a contract worker and a member or members of the local community, the Community Liaison officer (CRO) will facilitate meetings to ensure amicable resolutions are reached and that there is minimum or no disruption to construction work.

E. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

i. Project Stakeholders

- 43. This sub-project has primary and secondary stakeholders. The primary stakeholders are those who will be directly affected and theseinclude the impacted CustomaryLandowners and the general travelling public. The customary landowning DPs interest is in compensation payments for both land and other assets of economic value and safe crossing across the bridges during wet conditions while the general travelling publics' interest is predominantly safe access across permanent and modernised bridges. Interests of other stakeholders including Local Level Government, Provincial and National Governments, and civil society are mainly for safer rural access.
- 44. Secondary stakeholders are those that will benefit indirectly from the bridge construction which in this case includes the ESPA Provincial Lands, Works and Survey Offices, ESPG and Local Level Governments. These stakeholders were consulted and made aware and also sought their opinions regarding the project. All secondary stakeholders consulted gave an overwhelming support for the project with some of them providing key data, statistics and other information to help the team. Additional labour units were provided by the ESPA Provincial Lands, Surveying and Valuation to help out withSIS, Surveying, LIR& Valuation; for the first 2 weeks in the province and the second and third meaningful consultations, as they fully believed the 3 new bridges will provide safer access

to people living in both East and West Sepik Provinces.

ii. Consultation & Participation Mechanisms

- 45. There were a number of meaningful briefings and discussions with Wewak Lands and DOW about the importance of conducting SIS, DMS, IOL and LIR in order to derive at a Resettlement Plan (RP). Several meaningful consultations were held with DPs at the three bridge sites and the Wamaian village's main market and disclosedinformation about the positive and negative impacts and also gauged opinion on the different types of impacts that would affect their lives during construction. An average of 1 hour 30 minutes was spent on conducting consultations and interviews at each bridge site with DPs, with consulted persons being 80% male and 20% females. This timing only applies for SIS but for other activities including LIR, IOL and Surveying many hours and days were spend at each bridge. In many occasions each site was visited many times to ascertain that information collected was correct.
- 46. Members of 3 clans who own the 3 bridge sites were interviewed at the villages near all bridge sites. "Meaningful consultations" commenced on 28-29 May, 2014, second meaningful consultations started on 8^{th} July, 2014, 3^{rd} meaningful consultations took place on $15^{th} 16^{th}$ July 2014, 4^{th} meeting on 28-29 July,and final meeting on 19-20 September, 2014 with all DPs, including women, Children, and marginalized persons. They were given opportunities to speak their minds as to what they each think about the whole project.

iii. Activities under taken during the RP information awareness and DMS

Table 4: Key dissemination, resettlement information and DMS activities

Dates	Bridges	Activity Notes	Participants
28/05/14	Wewak DOW &	Met with Provincial DOW Manager & his Staff. Also	Works & Chodai&
	Lands	met with ESPA Lands at Lands Office.	ESPA Lands Officers.
29/05/14	Pasik and Ogama	Discussed with DPs about DMS, IOL, SIS and LIR and	ESPA Lands, DOW
		they need to co-operate with Officers.	Wewak, Chodai and
			SIS Consultants.
8-9/07/4	Pasik, Ogama &	Met, consulted& interviewed DPs, IHHs, clan	DOW, ESPA Lands &
	Potohu bridge	members, women, youths and village leaders-	SIS Consultants
	sites.	surveying, LIR, SIS started	
15/07/14	Pasik, Ogama &	LIR & Surveyor investigating land ownership and	ESPA & DOW
	Potohu	carrying surveying.	Surveyors
28/07/14	ESPA Lands &	Discussion held at DOW Office and Lands Office	Chodai, DOW, DOLPP
	DOW Wewak	re.IOL and valuation by DOLPP.	and ESPA
29/07/14	Pasik, Ogama &	Conducted IOL & SIS & LIR. LIR was prevented by	Chodai, DOW,DOLPP
	Potohu	DPs from all bridge sites.	& ESPA.
19/09/14	ESPA PA Office,	Discussed the reasons causing delay on Surveying,	Chodai, DOW, ESPA
	DOW & ESPA	DOW & ESPA LIR and Valuation. And that ESPA Administration's Lands	
	Lands Office.	need to take ownership.	Administrators Office.

20/09/14	Pasik, Ogama &	Met with Ogama & Potohu DPs at Wamaian	Chodai, ESPA, Yangoru
	Potohu.	Villages main market and tried to mediate on their	District Lands Officer
		ongoing land disputes but Disputants objected any	and DOW Wewak.
		attempt mediate. They wanted all matters to be	
		determined by Lands Court. In that meeting they	
		confirmed that Bridge construction will proceed	
		without disturbance from DPs.	
21-	Wewak Hotel,	As a result of Landowners refusal to allow LIR to	ESPA, ESPA Lands and
22/10/14	ESPA Lands and	proceed, ESPA Lands wrote a letter to ESP	Chodai.
	ESPA Provincial	Provincial Administrator advising him of the	
	Administration	disputes at the three bridge sites.	
	Office		

iv. Results of Consultations with affected people

- 47. Consultations and interviews with those that will be displaced by the bridge projects indicated strong support especially when considering the socio-economic benefits of improved access to services and markets from quality and improved new bridges. DPs are extremely happy about the entire project as the government will compensate the DPs for land acquisition and the losses that will be brought upon them. Moreover, the idea of being employed by bridge construction companies during the construction stages got everyone showing interests and indicating overwhelming commitment and support for the projects. Following are some comments made by some DPs.
- At Pasik there is a Construction company owning two dyna trucks and a service station
 with a diesel tank that holds 8000 Litres. DPs there requested DOW (Appendix XI) and the
 contractor to consider awarding sub-contracts such as gabion baskets, grass cutting,
 drainage concrete, and security service; and to refill all diesel operated equipment; to
 their company.
- All DPs occupying the bridge sites acknowledged that the state reserves the right to
 construct any infrastructure on or near their area of occupation but on the condition
 that they are adequately compensated at market rates which will assist them to cater
 for socio-economic needs during the transition period.
- Women in the area expressed that they should be considered for jobs in each of the
 construction sites. They requested DOW to ensure that there must be gender equality in
 terms of job sharing because past practices tended to favour men only.
- The most notable and noble undertaking everyone made with greater enthusiasm was
 that they will not disturb construction under any circumstance. The landownership
 disputes they have before the courts are for the Court Magistrates to deliberate on and
 will not in any way, shape or form hold the construction into ransom (Appendix III).
- 48. No one from the Yangoru District Administration or their member of parliament expressed interest to re-deploy the old bailey bridge and the Steel Plate Girder bridge to any of their priority roads within the district, despite the opinion expressed by the Provincial

Administration Works Coordinator to transport the de-launched bridges to a nearby bridge site. The dismantled bridges will be transported to Wewak DOW base camp.

v. Disclosure of the Resettlement Plan

- 49. Information about the sub-project construction, impacts and benefits was verbally relayed to the East Sepik Provincial and District Administrations, as well as the DPs during consultations and interviews. Written notices (Appendix II) were distributed to all DPs to notify them of Government Team visits. They were also informed of the required bridge sites amount of land (hectares) for the new bridges that will need to be forfeited to the state. All DPs, HHs, clan members and land owners were also told about the displacement of their dwellings/households, economic crops like cocoa, coconut, betel nut, etc., and that the state will pay at replacement costs for the displacement of such items.
- 50. The contractor will advise DPs of additional land required for their site camp office, accommodation, storage yard, rubbish dump site and a good source of water. The DOW Provincial Works Office will advise DPs of when bridge construction work is expected to commence, as well as providing advice on possible job requirements. As pidgin is widely spoken in the province and at the bridge sites, it would be much easier to communicate with various key stakeholders and DPs in pidgin.

vi. Planned information disclosure measures during projectimplementation

51. The first information disclosureswere undertaken on the 16th& 17th of July, 2014. The second information disclosure containing summary of this RP in both English and pidgin language, a brochure containing the description of the new bridge design and significant features of the bridge including commencement and completion summary of construction will be done in January, 2015. The purpose of the information disclosures is to advise DPs of this RP, construction schedule and payment of essettlement of HHs, land purchase, and improvement fees and to prevent disruptions stemming from a lack of information disclosure. The RP will then be uploaded on to ADB websites and the second upload will be done immediately after payment of compensation to all DPs including the brochures and public notices.

F. GRIEVANCE REDRESS MECHANISM

- 52. With regards to Land Disputes, the ESPA division of Lands & Physical Planning and ESP DOW have established a grievance redress mechanism to resolve all concerns by landowners relating to the project including landownership disputes. DPs will be informed by ESPA Lands & DOW on how they can access to the grievance redress mechanism. Land disputes relating to landownership rights which are legally contestable in a court of law have been referred to District Lands Court in Wewak as per the Land Disputes Settlement Act 2000, because themost anticipated traditional mediation process to addressthese grievances were refused by disputants.
- 53. Despite the above, the Project in collaboration with the ESPA Lands Officer, who will be assisted by the District Lands Officers, will institute a process to resolve disputes and

grievances based on the accepted procedures of mediation. As required, the participation of the appointed and traditional leaders will be facilitated to achieve mutually satisfactory resolution of issues at the local level.

- 54. In general it is anticipated that customary mediation will yield satisfactory results. Moreover the Gender Action Plan prepared for this project, calls forwomen DPs, irrespective of traditional constraints, to be included in the mediation processes outlined herein. It should, however, be noted that this process will vary from clan to clan at the 3 bridge sites included in this RP.
- 55. DPs can also lodge their complaints with the PIU in Port Moresby, but given the cost and distance of travel, DPs at the bridge sites are at liberty to lodge complaints with the Project Safeguards Staff and Project Supervision Consultants who will in turn will register the complaints with the PIU. This will include assisting aggrieved DPs to prepare their specific grievances and the PIU Project Manager will consider the complaint within 15 working days and convey decisions made to the DPs. The Safeguards Staff as well as Local Government Officials will assist at the Project Manager level in reviewing and addressing the complaint. The Safeguards Team will also facilitate communication between the DPs and PIU in this process. If the DPs are not satisfied with the decision, they may then take the grievance to the PNG Judicial system.
- 56. If the grievances are to be taken to the PNG judicial system as per the Land Disputes Settlement Act 2000, the following three steps in the dispute resolution are part of this process:
 - (a) Local Lands Court (LLC): The case is heard before the Local Court Magistrate for determination. If the disputants are not satisfied, they may appeal to a higher court.
 - (c) District Lands Court (DLC): The case is heard before a District Land Court Magistrate. If the disputants are not successful, they may appear to a higher court.
 - (d) Provincial Lands Court (PLC): The case is presided by a Provincial Land Court whose decision is final.
- 57. It needs to be noted that if recourse to the PNG judicial system is necessary because of the failure of other means of grievance redress and the courts at any stage find in favour of the litigants all costs associated with this form of dispute resolution will be paid by the Project. This means settling grievances should be avoided as much as possible, and should only be sought as a very last resort.
- 58. In the event that grievances cannot be resolved through legal redress, the DOW and the East Sepik Provincial Administration will hold the compensation payment in escrow. Compensation will be paid in full upon final resolution of the case through other means of mediation for an agreed upon amount by the aggrieved parties (DPs) in accordance with the entitlements of the affected persons.
- 59. Grievances with regards to wages, employment opportunities, sub-contracts, and

social issues caused by construction workers will be dealt with at the sub-project level. Any issue of criminal nature will be referred to Police. The Contractor will deal with such grievances on site because they have an obligation to address community issues. Usually, DPs would want to refer grievances through DOW if they are not satisfied with response from the Contractor. Should this occur, DOW will intervene to mediate and resolve such disputes. Based on the nature and severity of the case, DOW has the power to direct the contractor to resolve disputes to ensure construction is completed unhindered.

G. LEGAL FRAMEWORK

i. National Laws, Local Laws and ADB Policy requirements

- 60. "The policy framework and resettlement entitlements are based on the laws and regulations of the GoPNG and ADB's Safeguard policy. The PNG Laws include: (a) The 1996 Lands Act, and (b)The 2000 Land Dispute Settlement Act. The Resettlement Framework for the project provides description of the relevant laws. Relevant ADB policies include the 2009 Safeguard Policy Statement and the 1998 Gender and Development Policy.
- 61. The GoPNG does not have any specific resettlement policies or laws governing resettlement of people from one place to another.
- 62. All portions of land at Pasik bridge corridor was acquired and is a state land, Ogama and Potohu have their improvements on customary land. Normal acquisition and determination of compensation payments have been adhered to in identifying owners of land and properties. Land Investigation, Cadastral Survey, and property valuation as per the Valuer General's Price schedule 2013 have been used as the basis to determine a fair value. In the event of disagreement of such rates a fair value will be derived at in consultation with the Valuer Generals' Office.
- 63. The ADB 2009 SPS includes the following policy principles of relevance to a project of this nature that involves the physical displacement of affected persons and the need to relocate some physical structures, and secure suitable replacement land for construction of new HHs and gardening based activities, which inter alia will also apply to the sub-project along the Sepik Highway.
 - (i) Screen the Project early on to identify past, present and future involuntary resettlement impacts and risks;
 - (ii) Carry out meaningful consultations with affected persons, host communities, and concerned non-governmental organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of the vulnerable groups, especially those below the poverty line. The landless, elderly, women and children, and indigenous peoples, and those without legal title to land, and to ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.

- (iii) Improve or at least restore, the livelihoods of all displaced persons through (a) land based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods; (b) prompt replacement of assets with access to assets of equal or higher value; (c) prompt compensation at full replacement cost for assets that cannot be restored; and, (d) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically displaced persons with needed assistance, including the following (relevant to the subprojects in the SHW): (a) secure land use tenure on land identified for new garden sites and (b) if necessary transitional support and development assistance such as land development, credit facilities, training or employment opportunities.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards and provide access to land and other resources that is both legal and affordable.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlement will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation of loss of non-land assets.
- (viii) Prepare a draft resettlement plan and disclose a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time bound implementation schedule.
- (ix) Pay compensation and provide other resettlement entitlements before physical or economic displacement and implement the resettlement plan under close supervision throughout project implementation.
- (x) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and results of resettlement monitoring and disclose these monitoring results.
- 64. The ADB 2009 SPS also states that where there are indigenous peoples, their identity, dignity, human rights, livelihood systems, and cultural uniqueness must be safeguarded so they can receive culturally appropriate social and economic benefits. The SES to date demonstrates that it is the right of DPs indigenous to the villages of this corridor whose, right to access to land needs must be safeguarded.
- 65. The other policy of relevance to this project is the ADBs 2003 Policy on Gender and Development (GAD), which requires that all ADB financed projects ensure where possible

and practicable, special design features and strategies be built into projects to facilitate and encourage women's involvement and ensure tangible benefits for women.

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

Table 5: Comparison of GoPNG Laws & ADB -Policy & Gap - Filling Measures

PNG Laws	ADB SPS Requirement	Gap Filling Measures		
No provisions to prepare RO based on meaningful consultations with DPs, including poor, landless, elderly, women and other vulnerable groups,	ADB SPS requires that RPs must be prepared based in consultations with DPs by a range of their entitlements and resettlement options.	RPs will be prepared in consultation with D including vulnerable groups, and uploaded ADB website; translated or summary version will be available at the Provincial, district of local level. Local clan leaders whose membare affected will also receive a copy of summary RP or brochure with relevations.		
No provisions to improve or at least restore the livelihoods of all DPs.	It is needed to improve or at least restore livelihoods of DPs by a range of strategies targeted at DPs.	RPs will include measures of improvement or at least restoration in living standards of DPs to pre-subprojects levels.		
Very limited provisions to provide assistance or compensation to DPs who lose assets (e.g. Valuer Generals price schedule.	Requirement by ADB that DPs are compensated for loss of non-land assets at full replacement costs.	Valuer General has provided an updated 2013 schedule for garden crops, food trees, cash crops and timber trees.		
There is no requirement for the monitoring and assessment of resettlement outcomes.	The ADB requires that the outcomes be monitored and assessed.	The M&E indicators prepared for this resettlement plan will enable outcomes to be monitored including their impacts on living standards of DPs and whether the objectives of the resettlement plan have been achieved by taking into account baseline socio-economic conditions. The monitoring reports will also be disclosed including to DPs.		

(Source: Initial PPTA Report 2011).

ii. Resettlement Policy Principles for the Project

67. DOW as the EA that has prepared this RP unequivocally states that it will abide by national and local laws applicable to resettlement and the policy requirements of the ADB. Specifically, the DOW states that it will ensure affected landowners will be paid a fair compensation for land and other productive assets acquired at agreed upon replacement

cost value, be responsive to grievance processes and act in an accountable and transparent manner, and will ensure that women will also be entitled to benefit during the resettlement processes. The principles on land acquisition, compensation and resettlement that DOW will commit itself to in ESP include:

- Land acquisition and resettlement will be minimized through careful engineering design during detailed design although in accordance with GoPNG policy and particularly wherea 40 meter ROW will be acquired. In this particular case, therewill be no displacement of people, either on an individual household basis or through the acquisition of public properties such as schools, churches or other community centres.
- DPs will be consulted during the project cycle. This RP will be updated with full participation of the DPs. Effective mechanisms will be established for hearing and resolving grievances.
- DPs will receive compensation at replacement cost for their loss of productive assets and this should ensure they will be as well off if not better off than if the Project did not proceed.
- All compensation will be fully paid to DPs prior to the commencement of site clearance at each of the 3 bridge sites along the SHW.
- Absence of formal title is not a bar to compensation and assistance and particular attention will be paid to women and other vulnerable people.
- Land acquisition and the relocation of physical structures will be conceived as part of the
 Project and costs related to these forms of involuntary resettlement will be included in
 and financed out of the Project cost as part of the GoPNG contribution to the Project
 cost. The impacts of the 3 bridges, including unforeseen losses and damages that may
 occur during either bridge construction or realignment of the approacheswill be
 carefully monitored and remedial steps taken as required.

iii. Principles and Methodologies for Determining Valuations and Compensation Rates

68. The DOW recognizes that affected landowners and land-users are required to provide an estimate of the value of their land that will be acquired and other productive assets that will be lost due to Project requirements. This is because market conditions for the replacement of land are largely absent. However, DOW has engaged the Valuer Generals' office to use the Valuer-General's Price Schedule (VGPS) 2013, to provide valuation of land and other productive assets based on accepted replacement costs, which will include: (i) adequate information about any recent land transactions; (ii) land value by types; (iii) cropping patterns and crop production; and, (iv) availability of land in the subproject areas. It is anticipated that there will be some disagreements and disputes on the values, especially in light of feedbacks on consultations on land matters, , but DOW is obliged by law to accept the Valuer-General's assessment and this has already been conveyed to affected landowners and land-users during the consultations and interviews at each of the 3 bridge sites.

iv. Description of Land Acquisition Process

- 69. Based on the 1996 Land Act, the DOW in ESP has applied the following procedures to acquiremore than 40 meters right-of-way at the 3 customary land bridge sites. Pasik bridge site has been acquired by the State earlier but extra portions of customary land is surveyed and assessed for acquisition.
 - DOW hired a registered private surveyor to determine boundaries, location, size and area of the land for acquisition in accordance with the detailed design of each of the three (3) bridge sites. The Surveyor has requested the Surveyor-General to register the survey plans and issue portion numbers.
 - DOW in consultation with the Department of Landsand Physical Planning (DLPP) asked the ESPA Division of lands and physical planning to investigate land for acquisition.
 - The ESPA Provincial Lands Officer conducted the land investigation for the Western side of Potohu and prepared a Land Investigation Report (LIR) including ownership,genealogy, rights and interests held in the land, and a registered Valuer from theValuer General's office has estimated the value of improvements to land in consultation with the landowners. This included the garden crops, food trees, cash crops and timber trees.
 - Upon completion of the dispute resolution by the Wewak Lands Court, LIRs will be conducted. The LIRswill then be submitted to the Office of the Provincial Administrator (OPA) in the ESP for his recommendation for the surveyed land to be alienated. The OPA will prepare a certificate of alienability confirming that there are no impediments for land acquisition. The same was done for western side of Potohu bridge site.
 - The Valuer-Generalconducted and approved the land and improvements that included garden crops, food trees, cash crops, and timber trees based on 2013 VGs price schedule.
 - DOW received the valuation report and is now processing the necessary purchasing documents. The signed documents and cheques will be sent to the OPA for execution and payment to landowners through the ES Provincial Lands Office.
 - The OPA, through the ES Provincial Lands Office, will pay the landowners. The forms will be executed and money is handed over in accordance with the requirements of the landowners. If rejected, it then goes to the Minister of Lands for a negotiated settlement.
- **70.** The DOW acknowledges the delays encountered due to non-payment of compensations, particularly in the highlands, and therefore do not wish that similar occurrences with this particular project. However, on the SHWall bridge sites are disputed by landowners and requested the Lands Court to determine the owners but asked DOW through a MOU to proceed with construction.

H. ENTITLEMENTS, ASSISTANCE AND BENEFITS

i. Displaced Persons' Entitlements Eligibility

- 71. The initial SES has had some negotiations with affected DPs whose names were listed under each bridge but the clan names were incorrect. This RP has identified and confirmed legitimate owners and occupiers of land on the bridge sites having customary ownership rights and are eligible to receive entitlements. Despite LIR not being complete, DOW knows the clans who are eligible to compensation for land acquisition and confirmed names of individuals and clans entitled to receive entitlements for loss of cash crops and HHs based on the 2013 Valuer Generals price schedule. Upon completion of payments, the owners will be advised to harvest all crops in readiness for construction.
- 72. Compensation payments for Land acquisition will be escrowed until outstanding disputes are settled by Local or Provincial Lands Court. Only one clan's entitlement will be paid before construction.
- 73. Eligibility and Entitlements for compensation and other assistance are summarised in the following Entitlement Matrix.

Table 6: Summary of Eligibility and Entitlement Criteria Matrix for DPs.

Type of impact	Entitled Person (s)	Entitlements			
Permanent	Legal owner (s),	Landowners will be provided equivalent size and quality of			
Acquisition of including customary		land, or cash compensation at replacement cost.			
Land Landowners		DPs will be provided compensation only for their damaged			
		crops, trees, and structures on project affected land.			
Temporary use of Legal Landowner(s)		Landowners will be paid rent on terms between them and the			
Land	including customary	contractor.			
	landowners.				
Loss of crops and	All DPs irrespective	DPs will be given notice to harvest crops and trees before site			
trees.	of their legal status.	clearance or removal from required land. If DPs are not able			
		to harvest, they will be paid cash compensation at			
		replacement cost. In case of perennial crops and trees, the			
		compensation will also include loss of income for a period			
		until new crops or trees produce an equivalent income.			
Loss of	All DPs (whether	DPs will be provided compensation at replacement cost			
commercial	have legal title to	without deductions for depreciation or salvaged materials and			
Structures	land or not).	assistance in finding an alternative site.			
Loss of	Any vulnerable HHs	Vulnerable HHs will receive priority employment for project			
livelihoods.	identified by	construction and maintenance.			
	additional social				
	assessment.				
Unforeseen or	Concerned displaced	This will be determined as per the principles of this RP and the			
unintended persons.		ADB's Safeguard policy.			
impacts.					

(Source: Initial PPTA Report, 2011)

74. Based on the above eligibility and Entitlements Criteria, DOW will pay the entitlements as per DMS, IOL and assessment done by the Valuer General (AppendixIX). VG has however applied deliberate omissions of physical structures built out of bush materials (Appendix XII: photographs) at Ogama bridge site which are utilized for trade store, accommodation, fuel sales outlet, market stall for cooking and selling of food items and

normal shelter for storage of garden foods, accommodation and cultural activities. DOW has requested VG to reassess and furnish report to DOW for settlement before relocation. Non-payment would mean depriving them of their rights to own and enjoy occupation.

ii. Assistance to Vulnerable Groups

- 75. There are many people with disabilities at the 3 bridge sites. At Pasik,3 members of Hombo family who are principle owners at the bridge site have disabilities. At Ogama 3 members of the Russell family that reside at the eastern end of the bridge are disabled; two children having poor limbsand an adult ismentally distorted and literally unable to move around without support. At Potohu there is one person with disability. There are 8 confirmed people living with HIV/ Aids.DPs confirmed that there are many people with disabilities and HIV/Aids. It is strongly recommended to the successful bidders that at least one member of the displaced household with a vulnerable member be employed on the project, full time. Again, these specific bridge sites with vulnerable and displaced persons will be made known to the successful bidders to consider.
- 76. Assistance will need to be provided to DPs to maintain food production and this will require agreement among the competing clans to provide surplus garden land that they may not be utilizing.

iii. Opportunities for Affected Persons to Derive Appropriate Development Benefits

- 77. There are a number of both quantifiable and non-quantifiable development benefits DPs will be able to leverage as a result of this Project. These include:
 - Opportunity to invest compensation monies in clan-based activities such as social support for pre-school children and elderly clan members to ensure greater levels of social inclusion and maintain clan social cohesiveness.
 - Affected land-users will have the opportunity to learn experientially how to diversify crop production possibly with newer and higher yielding varieties or different cropping regimes and improve upon traditional land management practices.
 - Employment opportunities, especially casual labour for minor unskilled jobs as and when required, can be afforded to DPs by the contractors that not only ensure a stable waged income over three years but an opportunity to acquire non-agricultural skills without having to leave the local community. However, DOW cannot guarantee employment opportunities for DPs by successful bidders.
 - Again, the chances of women to be offered jobs on full-time basis are highly unlikely as it is totally up to the construction company to decide. Nevertheless, there are many jobs on offer that specifically women DPs can do, such as cooking, laundry, security, or camp clerks that the contractor can consider at the company's discretion. Apart from securing jobs from the construction company, women have the liberty to sell fresh fruits and cooked foods to construction workers. This would ensure women DPs are not omitted from income generatingopportunities.
 - There is potential for increased social incidence of risks associated with HIV/AIDS and other STIs. Measures must be put in place to mitigate these increased risks. A possible solution for the contractor would be employing majority of its workers from

within the impacted households and villages.

- Improvements to overall bridge design, including pedestrian walkways, and changes to bridge approach alignments will improve road safety standards and render NMT users' safer than hitherto has been possible.
- The bridges as part of a longer term developmental strategy to enhance connectivity between rural and urban PNG will ultimately result in improved market links and access to a wider range of goods and services.

I. RELOCATION OF PHYSICAL STRUCTURES

i. Options for Relocating Physical Structures

78. One bridge site has physical structures that will need to be relocated to make way for bridge construction. These include: 2 Trade stores,1 old trade store, 2 houses with 4 Kitchen houses at Ogama Bridge site, (AppendixXII).

Table 7: Relocation of Physical Structures

Bridge Name	Crops/Trees Loss	Loss of Houses	Trade Stores	Kitchen house	Total structu res	Comments
Pasik	Improvements		0	0		Crops & trees.
Ogama	Trees, betel nuts palms, coconuts palms,crops	2 x House type shelters	3	5	9	2HH &4 Kitchen houses, 2 trade stores & 1 old trade store for relocation.
Pasik	Planted crops	0	0	0	0	Only plants
Potohu	Crops, banana trees, bread fruit trees, & crops	0	0	0	0	Improvements
Total		2	2	5	9	

ii. Consideration of Alternative Relocation Sites

79. Agreed understandingwas reached through Consultations and discussions with the owners of the dwellings within the perimeter of the bridge corridor that all physical structures including houses, trade stores, etc.,will be relocated 10 meters away from current locations by the owners before bridge clearing and construction works begin. The owners have understood well and have accepted to relocate on the condition that they are compensated first for their involuntary displacement and all their productive assets, physical structures, etc. The involuntary relocations will be made prior to construction but after receiving their entitlements.

iii. Timetable for Site Preparation and Transfer

80. DPs have been advised to relocate immediately after receiving their entitlements. Their entitlements will be paid between December 2014 and February 2015. By end of that period, all DPs should have either relocated and their gardens harvested or are removed just

before commencement of construction. The CLO will advise DPs when to remove such improvements.

iv. Legal Requirements to Regularize Tenure and Transfer Title

81. The Land Act (No. 45 of 1996 and ratified on 20/12/96), specifically Section 13 (6) states that the GoPNG may acquire the land in question and the DOL is able to issue the Native Dealing Number (NIT) that regularizes tenure and enables title to be transferred. Because the relocation of these specific physical structures is unlikely to generate any controversy, regularization of tenure and transfer of title is not a major issue.

v. Measures to Assist Displaced Persons

82. DOW confirmed with the DPs that they are able and equally capable of being self-reliant in terms of relocating to a new location. Secondly, the project will assist them to resettle only on the condition that the members of the HHs being targeted for relocation are physically incapacitated and that they demand assistance. In the event that DPs are unwilling to relocate, a notion that is highly unlikely, the project will assist where ever the need arises just before commencement of construction.

J. INCOME RESTORATION AND REHABILITATION

i. Possible Livelihood Risks

- 83. The DPs on site are not exposed to any livelihood risks apart from the involuntary resettlement at Ogama. The risks listed by the initial PPTA report are not new to the bridge site communities. They have been exposed to such risks since the Highway came into existence. Potential risks anticipated are marital and spouse related emanating from: (a) family violence as a result of husbands getting employed and not sharing the income with the spouses, (b) Construction workers paying local women for sex which has a higher risk of spreading HIV/AIDS virus, and (c) Non-Landowners registering their interest as having land and try to benefit from compensation payment, which has already occurred. However, these risks can be controlled and managed through awareness and peer education by the contractor.
- 84. For those who are losing land to Bridge alignment and road approach, an amount of compensation package will be paid equivalent to what they are foregoing. They will also be paid for small amount of crops on site which are deemed economically viable. It will be a gain for DPs by removing crops and other trees in consideration for cash payment.

Localised vegetable markets were not visible at the bridge sites during site inspection althoughthere were sightings of sale of sausages, fried sago and banana at Ogama by the female headed HH that also owns the trade store. Markets are located at the main villages at Tounubu and Wamaian. The injection of additional cash from compensation payments and household incomes from employment will increase the demand and supply of vegetables, hence increase economic activities.

85. Some common properties like water, fish and timber trees will be affected during

construction, however, these effects are only short-term and nature will return to its pristine state once construction is all done and gone. Thus there are no long-term adverse effects on these common properties.

ii. Income Restoration Program

- 86. The food source from gardens close to the bridge site will be supplemented with cash income from land compensation and crop payment. Cash crops like coconut and cocoa have been counted by the Valuation Team and all economic and food crops were valued for payment as per the 2013 Valuer General's price schedule.
- 87. The DPs will have a number of income sources. The short term income will be relatively large amount of money from compensation payments for foregoing land, vegetables, trees and cash crops. Second source of income will be a period of 24-36 months from wages paid by the contractor to those DPs who will be employed. The contractor is not obligated to employ all DPs though. However,for those DPs employed they will have constant cash-flow for their families. The third source of income will be from the sale of garden and cooked foods at all the bridge site markets. This is normally the case for mothers and youths. Most will buy store goods with the money they earn and resell to workers at the bridge sites.

iii. Special Measures to Support Vulnerable Groups

88. DOW is committed to supporting vulnerable groups by way of addressing their concerns relating to both social and economic inequities. It was reported that during pay days most men spend almost half their income on alcohol and become abusive at home. Concerns were raised that the same practice might occur during payment of compensation fees and wages for those who will be employed during construction phase. Concerns were also raised that only men would be considered for employment opportunities without considering the plight of vulnerable groups including women, people living with disabilities, and other marginalized groups. DOW will ensure a special counselling program is implemented by the contractor where the CLO will be given the responsibility to monitor these concerns daily and address such issues where the vulnerable groups are not able to address on their own.

iv. Specific Gender Considerations

- 89. DOW recognizes that specific gender considerations apply to all public infrastructure projects it executes and manages. As part of this RP, women DPs have been consulted both in mixed groups with men and in groups consisting only of women with consultations facilitated by a woman. The measures proposed in this RP to enhance the positive impact of the Project on women DPs and other women living in the Project area are as follows:
- Iterative consultations with women at all stages of the Project cycle and importantly in the preparation of the RP.
- Through the RP ensuring that women clan members, not just men clan members, are compensated for loss of land and other productive assets.
- Facilitating processes whereby women DPs can lodge grievances with the DOW and ultimately ADB if they are dissatisfied with any aspects of the RP.
- Ensuring that women DPs, and not just men DPs, are offered priority waged

- employment on the Project and are afforded equal pay and on-the-job training opportunities.
- Addressing concerns women DPs might have with safety and security issues in contexts where they have to relocate their gardening activities.
- Ensuring that all livelihood outcomes socio-economic data is gender disaggregated to analyse impacts at the intra-household, the intra/inter clan, and where relevant intertribal level.

v. Measures to Assist DPs – Suggested training programs

- 90. Farmer training and business skills improvement trainings will be facilitated with the help of DOW and other major stakeholders such as ESP Division of Agriculture and Livestock, Maprik Agriculture College and Department of Agriculture and Livestock. DOW will ensure such trainings especially in better farm management practices for Cocoa plantation and management in collaboration with the Cocoa Board. In cash crop, food crop and livestock improved farming methods; expertise will be sourced from the National Agricultural Research Institute (NARI), Vudal Agricultural University or even University of Technology in Lae. DOW is convinced that these trainings will be beneficial in enhancing farming skills and hence, increase yield and farm productivity to sustain livelihoods for DPs at each of the 6 bridge sites.
- 91. DPs that will be offered priority employment on the project will be accorded with "on thejob" training by the contractor as part of the condition to be awarded the contract. Such training will include but not restricted to activities such as pile-driving, concreting, and welding, taking into account occupational health and safety issues and the lack of real experience by most APs, especially women APs. The contractor will also be required to offer practical training in bridge maintenance to DPs as DOW is considering the employment of local communities to undertake routine maintenance on bridge assets. Women will be considered for jobs like traffic control, cooks at the camp mess, cleaners, security guards, tool hands, etc., on construction sites.

K. RESETTLEMENT BUDGET AND FINANCING PLAN

i. Itemized Budget for Resettlement Activities

- 92. First part of this budget is for Implementation of RP known as "Resettlement Budget (RB)" and the second part involves the "Resettlement Support Budget (RSB)". Funds allocated for RB (Table 8) is specifically for: Out right Land Purchase, payment for Physical structures such as Houses, and Crops and Plants. Funds earmarked for RSB will be used exclusively to support the implementation of RP (Table 9). Total budget for this project under RB and RSB amounts to: K162,150.00 + K115,000 = K277, 150 (US\$ 109,474.25).
- 93. The Resettlement Budget involves three cost centres with regards to: (i) Land acquisition that involves undeveloped value and occupation fee which are payable to a clan, (ii) Crop payment and, (iii) relocation of physical structures as shown below are payable to the current owner occupying the properties:

Table 8: Resettlement Budget

No	Bridge	Land Acqu	sition	Physical	Crops &	Total	Amount
	Name	Area (Ha)	Amount (K)	Structure (K	Plants	(K)	(\$US)
				Amount (K)	Amount (K)		
1	Pasik	1.799	19,800.00	-	1,250.00	21,050.00	8,314.75
2	Ogama	2.352	52,000.00	11,200.00	31,500.00	94,700.00	37,406.50
3	Potohu	2.034	41,700.00	-	4,700.00	46,400.00	18,328.00
	Total	6.185	113,500.00	11,200.00	37,450.00	162,150.00	64,049.25

Note: The total land value for Ogama Bridge site is assessed as Undeveloped Value of K25,900 + Occupation fee of K26,000 = K52,000 (Appendix IX (b), pp.71-75). Also for Potohu, the undeveloped value of K22,400 + Occupation fee of K19,300 = K41,700. (Appendix IX (c), pp.76-78).

Costs associated with monitoring and evaluation of RP implementation described herein is shown in Table 9:

- (i) compensation for land and loss of other livelihood activities;
- (ii) any special assistance to vulnerable DPs that might be identified during construction that was not identified during SIS and LIR,
- (iii) livelihood enhancement training for women and men;
- (iv) expenses for outreach in agriculture, livestock and forestry based activities;
- (v) purchase of newer and higher yielding seed varieties;
- (vi) training and backstopping for the resettlement committee in ESP, and;
- (vii) Monitoring and evaluation.

It is likely that items ii,iv, v and (vi) will be based on cost norms that DOW has applied to other projects it is implementing that involve resettlement activities.

Table 9: Resettlement Support Services Budget

Item	Cost Centre	Amount (PGK)	US\$
1	Donations to Vulnerable groups	K15, 000.00	5,925.00
2	Training of DPs	K30,000.00	11,850.00
3	Agriculture Extension	K10,000.00	3,950.00
4	Monitoring & Evaluation	K30,000.00	11,850.00
5	Community Relations Officer	K30,000.00	11,850.00
Total		K115, 000.00	45,425.00

II. Flow of Funds

- 94. Funds for activities are paid directly to DPs from the Office of Provincial Administration upon payment and clearance by the Department of Finance in Port Moresby. The latter prepares the funds for disbursement based on advice from the DOW against who the funds will be drawn down as part of the GoPNG contribution to this Project. Payment for temporary acquisition of land is made directly by the contractor to local DPs based on an agreement between the two parties as to the actual amount. This will not involve the DOW or other parties unless DPs are dissatisfied with the amounts offered by the contractor.
- 95. Funds for remaining activities will be paid directly by the PIU once disbursement has been made by the Department of Finance in Port Moresby to the DOW in Port Moresby. An alternative arrangement for the PIU to be paid directly by the Department of Finance is not acceptable to the DOW as it does not necessarily guarantee the level of accountability and transparency required by law unlike the payment of compensation to DPs.

iii. Justification for Calculating Compensation Rates and Other Cost Estimates

- 96. Compensation rates were based on replacement cost calculated by a registered Valuer from the Valuer-Generals Office and approved by the Valuer-Generalbased on the 2013 Valuer General's price schedule. The calculation of these rates also took into account the opinions of DPs.
- 97. Other cost estimates were based on cost norms the DOW applied to other infrastructure projects involving the construction of bridges that it is responsible for implementing. However, some of the cost norms for activities (ii) to (v) were based on consultations with DPs and civil society groups who are more familiar and experienced in estimating the costs of such activities than the DOW. Price ceilings were set for all negotiations with a variance allowance of 20 per cent to ensure compliance to budget appropriation for compensation was maintained. It also prevented any precedence set for other compensation negotiations. These were done with the consensus and advise of the Valuer Generals Office.

iv. Sources of Financing

98. The GoPNG is financially responsible for all resettlement activities as per ADB guidelines with the exception of TA Consultant services to oversee the resettlement based activities during detailed design, RP implementation, and the monitoring and evaluation of these resettlement activities.

L. INSTITUTIONAL ARRANGEMENTS

i. Responsibilities and Mechanisms for Carrying out Resettlement Plan

- 99. DOW will be both the Executing and Implementing Agency for this Project but it will delegate to ESP DOW day-to-day activities relating to land acquisition and for the loss of other productive assets. These activities will include:
 - Collaboration with and assistance to the Yangoru Sausia District Lands Officer at the

- 3 bridge sites and undertake their work to comply with the Project's policies and ADB requirements.
- Provision of resources, including where necessary DOW expertise or contracted expertise, to carry out the Inventory of Loss (IOL) and Detailed Measurement Survey (DMS).
- Collaboration with and assistance to the Provincial Land Officer and/or District Land Officer for negotiations and agreements with affected landowners or land-users.
- Facilitation of consultations with affected communities and ensuring that all stakeholders are informed about the Project, its policies and procedures; ensure that all requirements concerning public disclosure of the provisions for land acquisition and compensation; and, overseeing and monitoring the grievance redress process.
- Reviewing and endorsing the draft RP prior to submission to the ADB for approval, ensuring that all matters related to land acquisition and other forms of compensation are complete and correctly reported upon.
- Monitoring the process of allocation and disbursal of funds for compensation at both the national and provincial levels and ensure that funds are available and compensation is paid in a timely manner.
- Undertake all other activities including the monitoring of land acquisition and other productive assets' activities.
- OPA, including the PLO and DLO will collaborate with DOW to plan, implement, and monitor land acquisition activities at the 3 bridges sites. The responsibilities include:
- Undertake cadastral surveys of land required permanently for these three bridges and estimate the area of land required for temporary acquisition by the Project.
- Negotiate and sign a Memorandum of Agreement for the acquisition/use of customary land with the clan leaders and affected landowners and/or land-users.
- Negotiate and sign leases for temporary use of land required for the 3 bridges although this might be varied by authorizing the successful contractor to undertake this activity.
- Consult with and advise affected communities about the Project, the policies and procedures when land is required and the rights and responsibilities of directly affected people and other indirectly affected peoples.

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

ii. Institutional Capacity Building Program

101. As part of the preparation of the RP it has been concluded by DOW in Port Moresby that governmental staff who will be involved in implementing this RP require more training in the ADB's social safeguard policies and procedures because this Project will be the first one to be implemented by DOW after the 2009 Safeguard Policy Statement became operational in January 2010. It is also considered necessary by DOW to review GoPNG policies and procedures for the acquisition of land and other forms of involuntary resettlement. Finally, while some DOW staff has limited training in survey tools and techniques that are necessary to prepare a RP there is still considerable room for

improvement. Officials to be targeted will include DOW, PDOL and DDOL, relevant staff of the Valuer-General's office, and any other organizations that might be involved in land acquisition and compensation activities, including civil society groups.

102. A Land Acquisition Officer from DOW will be assigned within the PIU based in Port Moresby to oversee the implementation of the RP. The Project has also provided consultancy support via a Safeguards Specialist to build capacity within DOW and local governments to prepare, implement, and monitor the RP. Training is provided immediately before the commencement of the DMS.

iii. Role of Civil Society Groups

103. There are some civil society groups in the Project area but most are religious-based and are less satisfactory for the purposes required as part of the RP. However, there are at least two Port Moresby based NGO groups that have worked with DOW in the past. These two NGOs are the Centre for Environment, Law and Community Rights (CELCR) and Environment Law Centre (ELC). Both these NGOs are non-sectarian in nature and have a good understanding of both gender and indigenous people's development issues and in the opinion of the DOW are able to work more effectively with local communities than other NGOs: they are also more cost effective. Subject to satisfactory negotiations, it is recommended either NGO or both are contracted by DOW to undertake external monitoring and evaluation of the RP including its outcomes.

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

- 104. DOW is mindful of the important role women who are affected by involuntary resettlement and the Gender Action Plan prepared for the Project, based on consultations during the preparation of this RP, outlines in detail how the resettlement planning and management processes will be implemented to ensure affected women are not disadvantaged as a result of the Project. Principally, compensation payments will be made in such a way that affected women, rather than simply men, will receive an equal share of compensation payable based on severity of loss and women will also be encouraged to seek grievance redress if deemed necessary.
- 105. Women are hard-working compared to their men folks. It is important to recognise that hard working practise, while considering DPs for direct employment. Most women DPs interviewed during the SIS and LIR investigations expressed great enthusiasm, determination and commitment to work on the projects.

M. Implementation Schedule

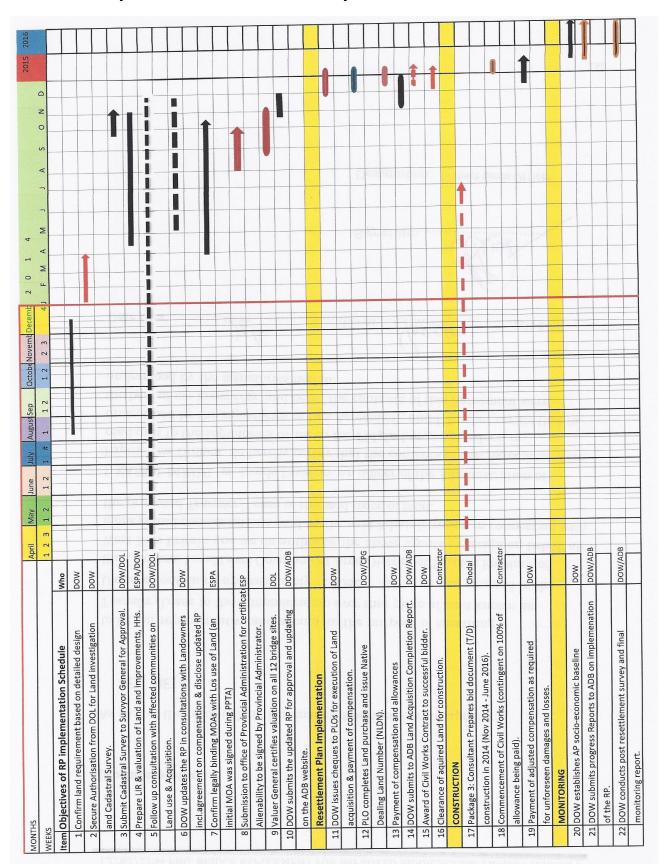
106. The implementation schedule for resettlement activities to (i) update the RP; (ii) implement the RP; and, (iii) monitor implementation schedule are shown in tables 10 & 11. Updating RP and Implementation has slipped by a few months because the Cadastral Surveyors were and still are too slow in furnishing the completed drawings to DOW. The Survey Plans ($Appendix\ IV\ (a-c)$ of this RP are provided without the approved Portion Numbers. The Survey Plans yet to be submitted to the Momase Regional Surveyor General based in Lae and as soon as the approvals are granted, DOW will submit the approved plans

with portion numbers to ADB in due course.

Table 10: Implementation Schedule (PPTA Report)

	Activities	Schedule
	Update of Resettlement Plan	2013
1	Confirmation of legally binding Memorandum of Agreement (MOA) with landowners on use of land (an initial MOA was signed during the PPTA)	Month 1
2	Confirm land requirements based on detailed engineering design of the three bridges	Month 2
3	Securing authorization from DOL and for cadastral land Survey.	Month 3
4	Follow up consultations with affected communities and agreement on land use/acquisition.	Ongoing
5	Cadastral survey of land and submission to Surveyor-General for Registration.	Month 3
6	Request Provincial Land Office to prepare LIR including valuation of land and improvement)	Month 3
7	Submission to the Office of Provincial Affairs for Certificate of Alienability to be signed by the Secretary and Affected LLGs.	Month 4
8	Valuer-General verifies the land valuation at the 3 bridge sites.	Month 4
9	Department of Works updates the RP in consultation with landowners, including agreement on compensation rates and discloses updated RP.	Month 5 & 6
10	Department of Works submits the updated RP for approval and uploading on the ADB website.	Month 6
11	ADB issues no-objection to the RP.	Month 7
	Resettlement Plan Implementation	
12	Department of Works issues checks to Provincial Land Offices for execution of land acquisition and payment of compensation	Month 8
13	Provincial Land Offices complete land purchase and issue Native Land Dealing Number (NIT)	Month 9
14	Payment of compensation and allowances	Month9& 10
15	Department of Works submits to ADB the Land Acquisition Completion Report.	Month 9
16	Award of civil works contract	Month 10 & 11
17	Clearance of acquired land.	Month11& 2
18	Commencement of civil works (contingent on 100% of compensation and allowances being paid).	Month 13
19	Payment of adjusted compensation, as required, for unforeseen damages and losses.	Actual month of damage
	Monitoring Plan	
20	Department of Works establishes AP socio-economic baseline.	Month 17
21	Department of Works submits progress report to ADB on implementation of the RP.	6 monthly
22	Department of Works conducts post-resettlement survey and final Monitoring report.	Month 36

Table 11: Implementation Schedule Update



N. MONITORING AND REPORTING

107. DOW will monitor all activities associated with land acquisition and payment of compensation to DPs. The scope of monitoring includes: (i) compliance with the agreed policies and procedures for land acquisition; (ii) prompt approval, allocation and disbursement of compensation payments to DPs, including if necessary supplemental compensation for additional and/or unforeseen losses; and, (iv) remedial actions, as required. The monitoring will also cover the social impacts of the 3 bridges and whether DPs are able to restore, and preferably improve, their pre-project living standards, incomes, and productive capacity. A monitoring and evaluation program utilizing the following indicators has been drafted on the understanding it can be subject to change, including by DPs who will be afforded the opportunity to suggest indicators they consider of more relevance to their livelihoods than are considered relevant by other stakeholders. These draft monitoring and evaluation indicators are as follows:

Table 12: Draft Monitoring and Evaluation Indicators

Type of	Indicator	Examples of Variables
Indicator		
Process	Staffing	Number of PIU staff by job function.
Indicators		Engagement of Safeguards Staff and training.
	Consultation,	No. of other agency officials available for tasks.
	Participation,	No. of consultation and participation programs held with
	and Grievance	various stakeholders
	Resolution	No. of field visits by PIU Staff.
		No. of civil society groups participating in Project.
		Effectiveness of compensation/assistance delivery system.
	Procedures in	Coordination between PIU and other GoPNG agencies, project
	Operation	supervision consultants, and civil society groups.
Output	Households	No. of households affected.
Indicators	Structures	No. of community structures, if any, moved out.
	Economic Trees	No. of households receiving agreed compensation for trees and
	and Crops	crops.
	Assistance to APs	No. of households that have participated in income restoration
		and livelihood enhancement measures.
		No. of special assistance programs to vulnerable households.
	Assistance for	Training and assistance in agriculture, livestock and forestry.
	Income	
	Restoration and	
	Livelihood.	

Impact Indicators	Enhancement	No. of households participating in income restoration and livelihood enhancement programs
	Household Earning Capacity	Employment status of households having a formal job. Employment status of households being self- employed. No of households receiving income enhancement skills training. Number of women engaged as waged workers by the Project. Type of Project-related skills women received training in.
	Special Assistance to Women	Average wage of women employed on Project compared to that of men.
	Other Livelihood Indicators	No of women receiving income enhancement skills training. Increase in market-based incomes of women traders. Increase in ownership of household assets. Increased access to schooling and health services. Increase in visits by GoPNG service providers.

- 108. The SES undertaken of DPs for this RP together with the Social Assessment undertaken for the Corridor of Influence along the Sepik Highway will be used as the baseline to monitor and evaluate the above indicators. They will also be used in conjunction with monitoring and evaluation indicators prepared for both the GAP and EMP for these 3 bridges.
- 109. The DOW will prepare and submit semi-annual progress reports to ADB as part of project performance monitoring. The DOW will also submit a sub-project land acquisition completion report to ADB when compensation has been paid.
- 110. To ensure that there is adequate accountability and transparency with monitoring and evaluating the outcomes of this RP, an external monitor paid for by DOW will be appointed to undertake independent monitoring and evaluation. Such reports together with those prepared by DOW will be submitted to ADB at six monthly intervals as per the Implementation Schedule. On completion of the sub-projects this external monitor will prepare a report highlighting its assessment of resettlement outcomes for all 3bridges in the SepikHighway Corridor.

Appendix 1: Socio-Economic Survey

Household Composition	
1.Household Numbers	
2. Ages of HH Members	
3. Genders of HH Members	
4. Relationship to Other HH Members	
5. Ethnicities of HH Members	
6. Education Levels	
Social Characteristics of Households	
1. Family Structure	
2. Lineage Affiliations	
3. Clan Membership	
4. Community Organizations	
5. Class Background	
6. Religious Affiliation	
Income, Assets and Expenditure	
1. Individual Income	
2. Corporate/collective Income	
3. Land Ownership	
4. Livestock	
5. Common Property Resources	
6. Estimated Total Expenditure	
Occupational Background	
1. Subsistence Agriculture	
2. Commercial Agriculture	
3. Rural Waged Employment	
4. Other Waged Employment	
5. Small and Medium Enterprise	
6. Public Sector Official	
Access to Public Services	
1. Health Care Amenities	4. Motorized Transport
2. Water Supply and Sanitation	5. Micro-Finance
3. Educational Facilities	6. Agricultural Extension
Gender Roles and Issues	
1. Control of HH Finances	
2. HH Decision-Making Responsibility	
3. Membership of Village Organization	
4. Maintenance of Public Goods	
5. Interaction at Supra Village Level	
Attitudes and Preferences of Affected people	I
Project Generally Beneficial	
,	E Dropared to Gift Land
2. Exacerbates HIV/AIDS	5. Prepared to Gift Land
3. Increase in Traffic Accidents	6. Willingness to Work on Project
4. Negative Environmental Impacts	7. Commitment to Maintain Asset

Appendix II

PUBLIC INFORMATION BULLETIN

PNG BRIDGE PROJECT: IMPROVING RURAL ACCESS

1. GOAL

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

2. INTERVENTIONS

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

3. LAND ACQUISITION

PERMANENT LAND ACQUISTION WILL BE NECESSARY WHERE THE HIGHWAY NEEDS TO BE ALIGNED TO ENSURE SAFE PASSAGE ACROSS THE CARRIAGE-WAY. TEMPORARY LAND ACQUISTION FOR CAMPS and STORAGE YARDS MAY BE NECESSARY TO ENABLE BRIDGE CONSTRUCTION TO GET UNDERWAY.

4. COMPENSATION ISSUES

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

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

5. ACTIVITIES

A SOCIO-ECONOMIC SURVEY AND INVENTORY OF LOSS OF AFFECTED HOUSEHOLDS (THOSE WHOSE LAND WILL BE ACQUIRED) AND CADSTRAL SURVEY WILL BE UNDERTAKEN COMMENCING; 28 May — 30 May, 2014AND A RESETTLEMENT PLAN PREPARED. YOU WILL BE ENTITLED TO REVIEW THIS RESETTLEMENT PLAN IN YOUR LANGUAGE OF CHOICE AND SUGGEST AMEMNDMENTS. IT WILL NOT BE FINALIZED BEFORE FREE AND INFORMED CONSENT IS PROVIDED BY WAY OF A SIGNED MEMORANDUM OF AGREEMENT BETWEEN

YOU AND A PROVINCIAL REPRESENTATIVE OF THE GOVERNMENT OF PAPUA NEW GUINEA.

6. MITIGATION MEASURES

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

CONTACTS

- MR. CASPAR WANGI
 PROVINCIAL LAND OFFICER TELEPHONE: 7006 7964
- LAND MANAGEMENT UNIT PROVINCIAL DEPARTMENT OF WORKS ADDRESS: TELEPHONE: 456 2117 or Fax: 456 1230 EMAIL:
- SAFEGUARDS UNIT PROJECT IMPLEMENTATION UNIT DEPARTMENT OF WORKS ADDRESS: P.O.BOX 1108, BOROKO, NCD. TELEPHONE: 324 4730 EMAIL:
- ASIAN DEVELOPMENT BANK
 6 ADB AVENUE, MANDALUYONG CITY
 1550 METRO MANILA, PHILIPPINES
 TEL: +63 2 683 1912; FAX: +63 2 636 2446

www.adb.org

Appendix III (a): Memorandum of Agreement with Pasik DPs.

Appendix III

MEMORANDUM OF AGREEMENT

(ESP Province)

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

ridge Name : PASSIK	
hainage :	- 1
ocality: Hanyak &	Toanunubu Caucia Dietrict
District: Kubalia LL	.G, Yangoru Sausia District
Province : East Sepik	Province
Additional Land Reg	uirements Existing Proposed
	Proposed
E xisting Carriageway	.meters . Carriage waymeters
Formation	motors FOIIIIdion
Formation Total Width	meters
Total width	
District Area Affected:	1.799 hectares
Province: 3.Description of Affect	ted Land Soil Quality
Water Quality	
Water Quanty	
Flora	
Flora	

We, the undersigned, agree with the Department of Lands and Physical Planning to provide land in the amount of 1.799 hectares at replacement cost to permit the Department of Works to replace the following bridge. Past Chainage.......In so agreeing, we understand and confirm the following:

Appendix III (B): Memorandum of Agreement with Ogama DPs

Appendix IV

MEMORANDUM OF AGREEMENT

(ESP Province)

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

Location of the B	ridge
Yangoru Sausia D	istrict
Province	
quirements Existi	ng Proposed
	Proposed
meters .	Carriage waymeters
	Formationmeters
meters.	Total Widthmeters
1,799 hectares	1-
2.035 16 He	CTANS.
ted Land Soil Qua	ality
	Yangoru Sausia D Province

,2.3516 Ha.

We, the undersigned, agree with the Department of Lands and Physical Planning to provide land in the amount of 2.247 hectares at replacement cost to permit the Department of Works to replace Ogama Bridge at chainage...... In so agreeing, we understand and confirm the following:

Appendix III (c): Memorandum of Agreement with Potohu DPs.

Appendix IV

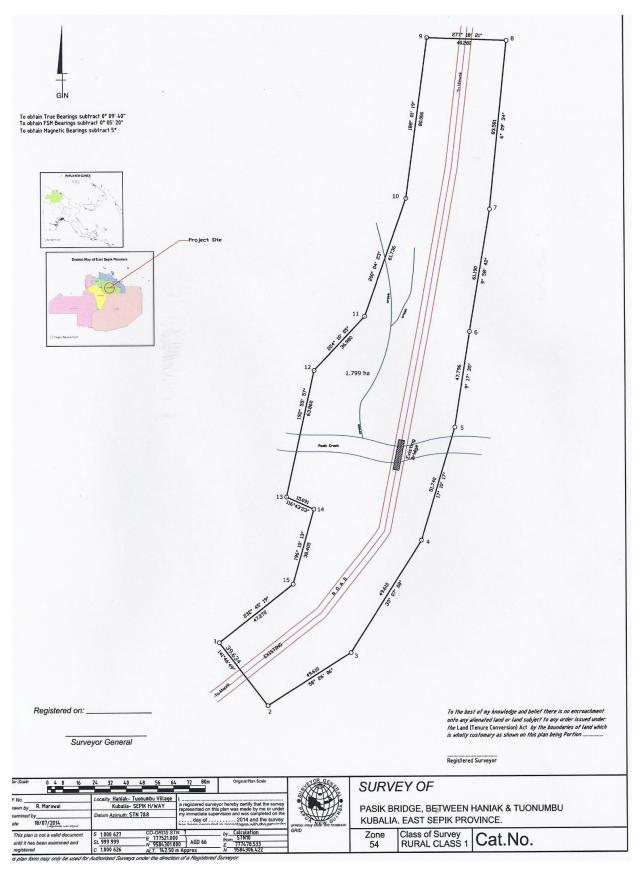
MEMORANDUM OF AGREEMENT

(ESP Province)

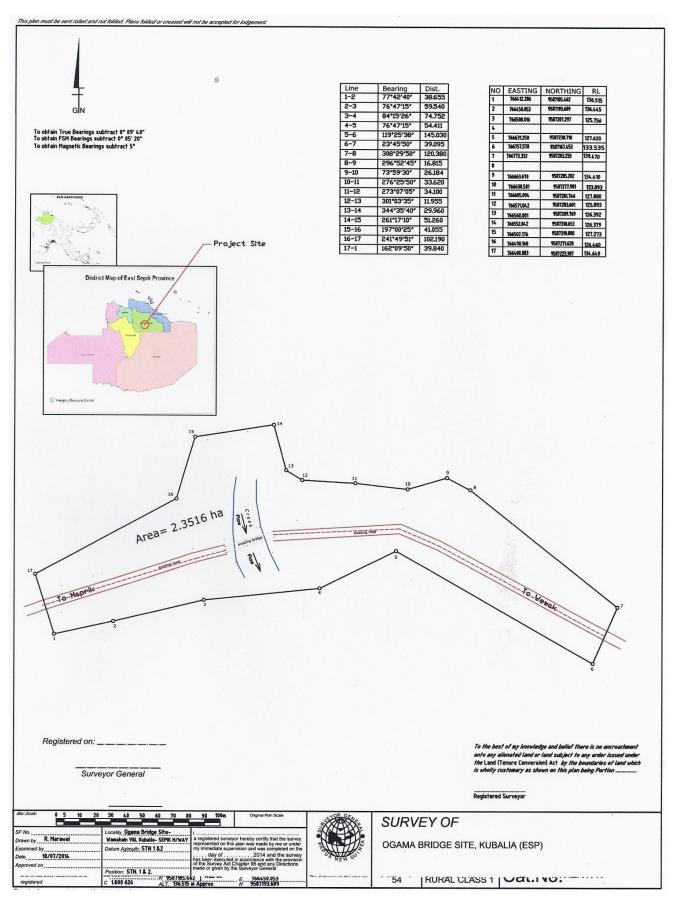
The Memorandum of Agreement (MOA) concerns the agreement between the Department of Lands and Physical Planning (DOLPP) acting on behalf of the Department of Works (DOW) and the community of Potohu Bridge with regards to the use of customary land for the purposes of building a new bridge.

bridge Mairie . Totoma	OTAHUA (POTOHU)
Chainage :	
Locality: Wamaian	
District: Kubalia LLG	5, Yangoru Sausia District
Province: East Sepik P	rovince
2. Additional Land Require	ements Existing Proposed
Existing	Proposed
Carriageway	.meters . Carriage waymeters
Formation	
Total Width	meters. Total Widthmeters
District Area Affected: 2.0	34 hectares
Province:	
Province: 3.Description of Affected	Land Soil Quality
	Land Soil Quality
3.Description of Affected	Land Soil Quality
3.Description of Affected Water Quality	Land Soil Quality

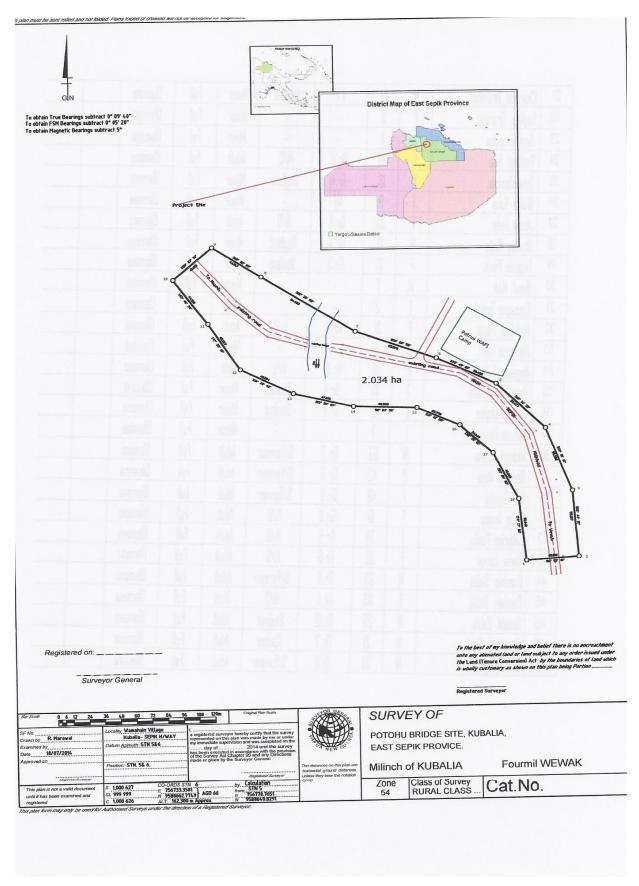
Appendix IV (a): Cadastral Survey Plan: Pasik Bridge



Appendix IV (b). Cadastral Survey Plans: Ogama Bridge



Appendix IV (c). Cadastral Survey Plans for Potohu Bridge



APPENDIX XII: PHOTOGRAPHS OF DPS AND THEIR IMPROVEMENTS FOR RELOCATION AT OGAMA BRIDGE SITE





RuthyKambot (female) owns this Trade store and two shelters. She bakes and sells scones, sausages and ice blocks including other foods.



These structures are located at the Western end (Maprik side) of Ogama Bridge.

The IOL assessment done by Valuer General's Office omitted the orange marked physical structures. DOW requested VGO to reassess to ensure that DPs significantly affected are not disadvantaged by involuntary resettlement.