

SAM: Central Cross Island Road Upgrading Project (CCIRUP)

Resettlement Plan – Central Cross Island Upgrading Project: Civil Works 1 (CW-1)

*September 2023
Version 01*

*Tanugamanono to Lower Tiavi
(Chainage 0+000 KM to 15+500KM)*

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Document Quality Control

Project Name:	Central Cross Island Road Upgrade Project
Report Prepared for:	Asian Development Bank
Report Prepared by:	Land Transport Authority
Distribution by:	Land Transport Authority – Project Management Division
Document Author:	Rosemary Faletoese Peseta Arasi Afoa Shaanarlei Ward-Iteli

Revision History

Document Version	Submission/Publication Date	Description	Review Done by
Ver.00	August 2023	Draft Resettlement Plan	ADB
Ver.01	September 2023	Draft Resettlement Plan	ADB

Disclaimer

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

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

Table of Contents

Table of Contents		3
List of Figures		5
Currency Equivalents		6
Abbreviation		6
Weight and Measures		6
Notes		6
Glossary		7
1.	EXECUTIVE SUMMARY	1
2.	INTRODUCTION	3
	Project Background	3
	Project Overview	3
	Objectives of the Updated RP	4
	Resettlement Impact Categorization	4
	Key Principles of the RP	5
	Resettlement Plan Implementation Schedule	1
	Rationale for the Project	3
	Current Road Concerns and Recent CCIR Improvement Efforts	3
	Features of the Road Design	4
	CCIRUP Route	6
	Background to the CCIR	6
	Measures to Minimize Land Acquisition Impact	7
3.	SOCIOECONOMIC INFORMATION AND PROFILE OF AFFECTED PERSONS	7
(I)	5. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS	12
	5.1 Overview of Land Ownership in Samoa and along CCIR	12
	2,606	15
	5,570	15
	TOTAL LAND REQUIRED FOR CW1	15
(II)	5. LEGAL POLICY FRAMEWORK AND ENTITLEMENTS	25
	Introduction	25
	Government Land Acquisition Legislation	25
	A. The ADB Policy on Social Safeguards	30
	A. Government Legislative Compatibility to ADB Safeguards Requirements	34
	Sources: Adapted from Consultant’s World Bank funded ERAP resettlement document; Gap Analysis of National Legislation West Coast Road 2015; ADB’s Safeguard Policy Statement, 2009.	40
	B. Resettlement Policy Principles for the Project	41
	C. CCIRUP links to Involuntary Resettlement and Compulsory Land Acquisition	42
(V)	6. EVALUATING LAND AND ASSETS COMPENSATION	43
	6.1 Affected Persons	43
	6.2 Freehold Land Compensation	48
	6.3 Customary Land Compensation	48

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

6.4	Easements	49
6.4.1	Legislation	49
6.4.2	Compensation	49
(VI)	7. SCOPE OF LAND ACQUISITION	51
7.1	Overview of Land Ownership in Samoa and along the CCIR	51
7.2	Summary of Impacts for CW1	51
7.2.2	Impact on Structures and Fixed Assets	53
7.2.3	Impact on Income Generation due to Land Acquisition	53
7.2.5	Impact on Common Property Resources	54
8	Gender impacts	55
(VII)	8 BUDGET AND COMPENSATION PACKAGES	56
	Land compensation	56
	Physical structures	56
	Affected Crops	57
(VIII)	9. RP IMPLEMENTATION	59
	INSTITUTIONAL ARRANGEMENTS	59
	Overview	59
	Process	60
I.	MONITORING AND EVALUATION	62
	Monitoring and Evaluation of Resettlement process	62
	Safeguards Monitoring	63
II.	GRIEVANCE REDRESS MECHANISM	64
	A. Minor Concerns	64
	1. Major Issues	64
	2. Grievance Procedure	65
1.	Samoa village level grievance management	65
9	Legislation	66
10	Contractors Responsibilities	66
11	Grievance Mechanism Monitoring and Reporting	67
13	ADB's Accountability Mechanism	67
(IX)	10. DISCLOSURE, PUBLIC CONSULTATION AND PARTICIPATION	68
	B. Overview	68
3.	Consultation Approach	69
4.	Consultation Challenges	71
5.	Disclosure	72
III.	REFERENCES	73
	List of Annexes	74
	Annex 1. Summary of Compensation rates	74
	Annex 2: Grievance and Complaint Redress Flyer	75
	Annex 3: Easement Agreement Template	77
	Annex 4: GRM Form	79
	Annex 5: Inventory of Losses and Detailed Measurement Survey	81
	Annex 6 Land and Easement with owners names	98

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

List of Tables

Table 1: Description of the CCIRUP route.	10
Table 2: Demographic variables of Affected Persons along CCIR.	12
Table 3: Economic status.	12
Table 4: Occupation and Income	13
Table 5: Land ownership type in Samoa.	15
Table 6: Land areas and status to be acquired.	17
Table 7: Land details to be acquired.	18
Table 8: Summary of Affected Structures.	24
Table 9: Government legislation and relevant policies to social safeguard requirements.	27
Table 10: Government legislative compatibility to ADB safeguards requirements	34
Table 11: CCIRUP affected person entitlement matrix.	42
Table 12: Types of land ownership in Samoa.	49
Table 13: Overall budget for compensation.	54
Table 14: Lists of identified affected crops and crops owners.	56
Table 15: Major resettlement activities.	60
Table 16: Monitoring indicators of the resettlement plan.	61
Table 17: CCIR key stakeholders.	67

List of Figures

Figure 1. Central Cross Island Road Upgrading Project (CCIRUP) locality map.	4
Figure 2. Typical Section Option1 - selected for urban area.	8
Figure 3. Typical Section Option 2- selected for rural area.	9
Figure 4. GRM processes approved for the RP	Error! Bookmark not defined.
Figure 5. Level of grievance resolution within the community.	65

List of Charts

Chart 1: Education level in household	13
Chart 2: Health issues of APs	14
Chart 3: Overall usage of lands for acquired areas for the CCIRUP.	50
Chart 4: Project GRM for GBV Grievances	66

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Currency Equivalents

(As of 27 January 2022)

Currency unit	–	Samoa Tala (WST)
WST1.00	=	\$ 0.38
\$1.00	=	WST 2.59

Abbreviation

AGO	-	Attorney General Office
AoG	–	Assembly of God
AP	–	Affected Persons
CCCS	–	Congregational Church of Samoa
CCIR	–	Central Cross Island Road
CCIRUP	–	Central Cross Island Road Upgrading Project (the Project)
COEP	–	Codes of Environmental Practice
ERAP	–	Enhanced Road Access Project
ESIA	–	Environmental and Social Impact Assessment
GCLS	-	Grievance Complaint Logging System
LDS	–	Latter Day Saints
IR	-	Involuntary Resettlement
LMD	-	Land Management Division
LTA	–	Land Transport Authority
MAF	-	Ministry of Agricultural
MNRE	–	Ministry of Natural Resources and Environment
MOF	–	Ministry of Finance
MWCSD	–	Ministry of Women, Community and Social Development
OHS	–	Occupational Health and Safety
LTA-PMD	-	Land Transport Authority - Project Management Division
PMU	–	Project Management Unit
PUMA	–	Planning and Urban Management Division of MWTI
RC	–	Roman Catholic
RP	–	Resettlement Plan
TCE	–	Tropical Cyclone Evan
WST	–	Samoa Tala
MWTI	-	Ministry of Works, Transports and Infrastructure

Weight and Measures

km (kilometer)	–	length relevant to road
m (meter)	–	Length or width relevant to road
vpd (vehicles per day)	–	Traffic volume
m ² (meter square)	-	Area

Notes

In this report, "\$" refers to Samoa Tala (WST)

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Glossary

Affected Household/Family	–	All members of a household residing under one roof and operating as a single economic unit, who are adversely affected by the project or any of its components; It may consist of a single nuclear family or an extended family group.
Affected Persons	–	Individuals that are directly or indirectly affected by the project through land acquisition, relocation, or loss of income; includes any person, household [sometimes referred to as project-affected family (AF)], firms, public or private institutions; The APs, therefore, include: <ul style="list-style-type: none">● Persons whose agricultural land or other productive assets such as trees or crops are affected;● Persons whose businesses are affected and who might experience loss of income due to the project’s impact;● Persons who lose work/employment as a result of the project’s impact; and● People who lost access to community resources/property as a result of the project.
Assistance Support	–	Assistance support, rehabilitation, and restoration measures extended in cash and/or kind over and above the compensation for lost assets.
Compensation Payment	–	In cash at the current market value or in kind for an asset or a resource that is obtained or affected by a project, in which, the affected people are entitled to in order to replace their lost property or income.
Cut-off date	–	The limitation period for affected persons to claim compensation is 5 years after the date of proclamation of taking lands (Ref: TLA 1964, S27). Negotiations must be completed within 30 days from the effective start of negotiations.
Detailed Measurement Survey	–	The detailed inventory of losses that is completed after the detailed design and marking of project boundaries on the ground.
Inventory of Losses	–	The pre-appraisal inventory of assets as a preliminary record of affected or lost assets.
Limit of Works	-	The footprint including road pavement, shoulder and drainage infrastructure
Rehabilitation Compensatory Measures	–	Measures provided under the policy framework on involuntary resettlement other than the payment for the replacement cost of obtained assets.
Replacement Cost	–	The amount needed to replace an asset and the value determined as compensation for the following: <ul style="list-style-type: none">● Agricultural land at the pre-project or pre-displacement level, whichever is higher and is the market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes;● Land in urban areas: the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services located in the vicinity of the affected land, plus the cost of any registration and transfer taxes;● Houses and other related structures based on the current market price of materials, transportation of materials to construction sites, cost of labour and contractor’s fee, and any cost of registration and transfer taxes. In determining the replacement cost, depreciation of assets and value of salvaged building materials are not taken into account. No deductions are made for the value of benefits to be derived from the project; and● Crops, trees, and other perennials based on current the market value; and other assets (i.e., income, cultural or aesthetic) based on the replacement cost or cost of mitigating measures.
Resettlement	–	All impacts associated with the loss of physical and non-physical assets, including homes, communities, productive land, income-earning assets and sources, subsistence, resources, cultural sites, social structures, networks and ties, cultural identity, and mutual help mechanisms.
Road Reserve	-	The legally surveyed public road reserve set aside for road construction

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

- | | | |
|--------------------------|---|--|
| Sa'o or Chief of the day | - | The head matai in the extended family |
| Significant Impact | – | If 200 or more people experience major impacts, which are defined as: (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating assets). |
| Structures | – | All buildings including the primary and secondary structures such as houses and ancillary buildings, commercial enterprises, living quarters, community facilities and infrastructure, shops, businesses, fences, and walls. |
| Village Fono | - | Village Council of chiefs and orators of a village in Samoa |
| Vulnerable Individuals | – | Those who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement including: <ul style="list-style-type: none">● Female-headed households with dependents;● Disabled household heads;● Poor households that fall on or below the poverty line (within the meaning given previously);● Landless;● Elderly households with no means of support; and● Households without security of tenure. |

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

1. EXECUTIVE SUMMARY

The government is seeking to strengthen the safe access and resilience of its roads and bridges by reconstructing the most critical transportation links to higher standards so that they can better withstand the impacts of climate change and extreme weather events. The Central Cross Island Road Upgrade Project (CCIRUP) forms part of this program, with funding support provided by the Asian Development Bank (ADB). The Ministry of Finance (MOF) is the Executing Agency, and the Land Transport Authority (LTA) is the Implementing Agency.

The preparation of the CCIRUP involves a Technical Assistance consultancy (TA) project (*TA-9519 SAM: Preparing the Central Cross Island Road Upgrading Project*) to address social and environmental safeguards, survey, design and civil works bidding documents for provision of an enhanced, safer and more sustainable road between Tanugamanono and Siumu – the Central Cross Island Road (CCIR). The findings will contribute to the ADB's project appraisal and RRP (Report and Recommendation of the President to the Board of Directors). Design and documentation completion is a separately provided consultancy directly to the LTA (*Consulting Services: Completion of Surveys and Investigations, Design and Documentation*).

The CCIRUP covers a stretch of approximately 20km of the CCIR. The CCIRUP commences (KM 0+000) on the northern side of the Ifiifi Street intersection in the outskirts of Apia. It then progresses southwards across the central highlands of Upolu to the project upgrading end point at the intersection with the South Coast Road in Siumu (KM 19+686).

Following preliminary road design, review and discussions with LTA, stakeholders, communities and the ADB it was resolved that a nominal target right-of-way (ROW) width of 16.0m will be adopted for the entire road upgrade. This is the minimum acceptable width for achievement of road upgrading objectives that include road widening for safety reasons. While the *LTA Act 2007* legislates a standard of 22.0m width for arterial roads (such as the CCIR), in accordance with *ADB Safeguards Policy Statement 2009*, the adoption of this 16.0m width will minimize environmental disruption and resettlement or social impacts. Irrespectively, land still needs to be formally acquired as the existing ROW is as narrow as 10.0m in some locations, and its location and width relative to the existing roadway is largely inconsistent. As part of this project, it is the intent of the government to establish a new uniform ROW over the entire 20km road upgrade length.

This Updated Resettlement Plan (RP) has been prepared specifically for Package 1-Civil Works 1 (CW1). The Civil Works 1 Package will extend from the Ifiifi Street intersection in the outskirts of Apia (KM 0+000) travelling South along the Central Cross Island Road to Tiavi which stretches approximately 15km. This followed a redefinition survey works by the Surveyor to assist LTA with boundary markings to assist with the assessment of affected crops and structures. It outlines the land acquisition and resettlement policy principles, procedures, and institutional arrangements to mitigate risks to the people impacted by the Project. It is based on applicable Samoan law, regulations, and policies, and the *ADB's Safeguard Policy Statement, 2009*.

Land use is predominantly classed as rural at the outskirts of Apia beyond 7km from the project starting point. Beyond 7km to the project end point (KM 19+686) adjacent land use includes scattered residences and institutions but is dominated by mixed-use farmland. Customary land is far more prevalent in the rural area.

There will be no resettlement requirement for the proposed project; identified areas of land parcels will be acquired in order to accommodate the overall CCIR road improvements. For affected fixed assets (e.g. fences, hedges, trees, and temporary structures, etc.) situated within the nominal 16.0m road ROW, owners will receive compensation, or they can choose to have the asset relocated (maintaining the same condition or better).

Affected Persons (APs) include those individuals who own, tenant, or have business interests that will be affected by the CCIRUP-CW1. They may be affected through land acquisition, temporary land use, land easements, or removal of existing fixed assets such as fence lines, vegetation, and structures.

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

No severe impacts have been identified to date, nor are expected through further development of the Project. For Package 1 there are approximately 170 land lots located in CW1) that will be affected by the project. To minimize impacts on assets, land will be acquired on both sides of the road, with approximately 80,261m² of land needed for CW1 component of the project. The project will also require extending easement areas, totaling 4,126m² of land located in CW-1. The plot of land required to upgrade and construct these easements will not be acquired given easements are somewhat of a temporary land development that will be given back to the landowner should they no longer be in use or following any general or technical reasons to have it no longer utilized. Any new easements will be registered with the MNRE similar to the existing ones. Considering easements will be located on family land, LTA as the client have in place easement agreements with each landowner or family representative which outlines conditions for both the family and the client to adhere to. Given these conditions there will not be a requirement to change the ownership of this land.

Beyond 11km to the project end point, there is far less adjacent development, it is generally further away from the existing road, and it is dominated by the large customary land area. There are no impacts on house structures, and as a result there will be no forced physical displacement. Most impacts to assets consist of fences and hedges, and a lesser extent to productive trees and small structures. Considerable effort has been made to determine the ownership type of affected land lots. Landowners have been confirmed by MNRE, followed by a detailed census and socio-economic survey of affected landowners and asset owners that was conducted – with the results presented herein in Section IV- Socioeconomic Information and Profile.

Details including costs associated with the logistics of removal / relocation of utility services e.g. existing power, water, and telecommunications is not included in this updated RP as this will be undertaken as part of the contract prepared for the construction of the CW1.

Final compensation packages will be determined in accordance with replacement value of the lands including assets and compensation amount to disburse. These have been included in the Financial Year 2022/2023 budget which was passed by the parliamentary committee during its meeting held in December 2022. A specific grievance management mechanism has been set up for APs and all questions, queries or grievances will be recorded and responded to in a timely manner.

Legal Agreements with appended compensation details will be drafted by relevant Government offices (LTA, MNRE and AGO). Endorsement of the agreement shall be with the identified legal owner(s) of the land affected or a legally authorized representative and the authorized government representative.

2. INTRODUCTION

Project Background

The Government of Samoa is implementing the Central Cross Island Road Upgrade Project (CCIRUP), with assistance from the Asian Development Bank (ADB). The project is a priority investment in the transport sector and includes: (i) the upgrade of about 20 kilometers (km) of national road featuring climate proofing considerations, innovative technologies, road safety and gender-inclusive elements, (ii) 3-year routine maintenance commencing immediately after the physical completion of the road upgrade with gender-inclusive elements; and (iii) a gender-sensitive capacity strengthening for the road subsector.

The project was originally part of the World Bank's assessment of critical road links to be covered by the Enhanced Road Access Project, which the government implemented in 2015 but was not finalized¹. In 2018, the World Bank approved a \$35.75 million grant for the Samoa Climate Resilient Transport Project to improve parts of West Coast Road and East Coast Road, both identified as vulnerable to climate change impacts². ADB financing was requested to supplement these efforts to improve the road network infrastructure.

The CCIRUP is one of two ADB-assisted transport projects in Samoa, the other is the Enhancing Safety, Security, and Sustainability of Apia Port Project³.

In the aftermath of Tropical Cyclone Evan in 2012 several key roads were damaged. These included parts of the Central Cross Island Road (CCIR), which was completely severed (impassable) in several locations. The CCIR is one of the main economic arterial roads on Upolu Island. Following Tropical Cyclone Evan, three local contractors were hired by the Land Transport Authority (LTA) under emergency funding to restore connectivity and improve the road in the extreme affected areas. A total of five such distinct road sections totaling 3.7 km within Package 1 were upgraded as a result. In the interest of maintaining investment and reducing further project costs, the rehabilitated 3.7 km road sections will not be upgraded as part of the new works.

The Ministry of Finance (MOF) is the Executing Agency, and the LTA is the Implementing Agency. The Ministry of Natural Resources & Environment (MNRE) is also a critical government stakeholder of this project, as they are responsible for land management in Samoa.

The scope of the upgrade of about 20 kilometers (km) of national road is broken into two civil works packages, which are: Package 1 Tanugamanono to Tiavi; and Package 2 Tiavi to Siumu. A draft Resettlement Plan was prepared in March 2020 that covered both packages of civil works. The draft RP was submitted and disclosed by the bank in 2020.

Subsequently, this updated Resettlement Plan (RP) has been prepared based on the finalization of the detailed engineering designs for Package 1 located within CW1 for the purpose of land compensation. The updated Resettlement Plan for CCIR Package 1 outlines the land acquisition and resettlement policy principles, procedures, entitlements and institutional arrangements. It is based on applicable Samoan law, regulations and policies, and the Asian Development Bank's (*ADB's Safeguard Policy Statement, 2009*).

Project Overview

The overall CCIRUP covers a stretch of approximately 20 km of the CCIR. The CCIRUP commences from the northern side of the Ifiifi Street intersection in the outskirts of Apia (KM 0+000). It then progresses southwards across the central highlands of Upolu Island to the project upgrade end point. CW1 will extend from the Ifiifi Street intersection on the outskirts of Apia (KM 0+000) travelling South along the Central Cross Island Road to Tiavi stretching approximately 15.5km along the road

¹ World Bank. 2013. Samoa Enhanced Road Access Project. Washington, DC

² World Bank. 2018. Samoa Climate Resilient Transport Project. Washington, DC.

³ ADB. 2019. Report and Recommendation of the President to the Board of Directors: Proposed Grant to the Independent State of Samoa for the Enhancing Safety, Security and Sustainability of Apia Port Project. Manila

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

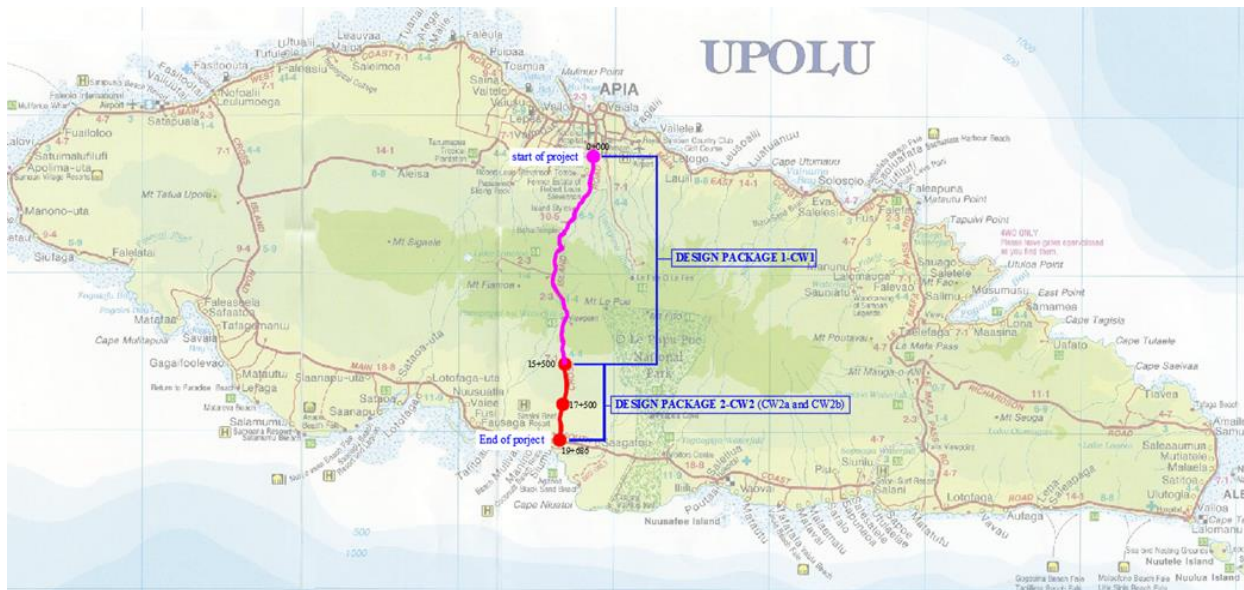


Figure 1. Central Cross Island Road Upgrading Project (CCIRUP) locality map.

While the upgraded road will predominantly follow the route of the current road, it needs to be widened and realigned for safety reasons. In the preparation of detailed engineering designs, the project team has considered:

- An effective road design that improves the safety of pedestrians and commuter's.
- Design of road drainage facilities to mitigate the impacts of climate change on both the roadway and adjacent land;
- Where necessary land acquisition, yet minimizing land acquisition where possible; and,
- Minimizing physical and economic displacement impacts, where possible, and accurately recording an inventory of affected assets that are unable to be avoided (removal of some trees, fences and small structures, whereas major structure relocation or removal of houses is not required).

Objectives of the Updated RP

The government agrees to implement the CCIRUP in accordance with the policies and procedures outlined in the Draft Resettlement Plan and this Updated Resettlement Plan, Samoan national laws and regulations and ADB's safeguard policies and other requirements. Where there are contradictions between government legal and regulatory processes and ADB policies, the more stringent policy will be applied to the project. Government and ADB requirements are further discussed and compared in Chapter V- Legal Policy and Framework Entitlements, Table 5; Government Legislative Compatibility to ADB Safeguards Requirements including gaps, and a project land acquisition and resettlement policy is outlined.

The Project policy includes:

- Avoiding or minimizing involuntary resettlement, wherever feasible;
- Assisting Affected Persons (APs), displaced poor and other vulnerable groups to improve their living standards, earning capacity, and production levels; or at least to restore them (if affected by the project);
- Ensure community involvement in planning and implementing resettlement (if pertinent);
- Assisting APs regardless of the legality of title of land; and
- Providing compensation and resettlement assistance.

Resettlement Impact Categorization

The project has been screened and classified using ADB SPS 2009 classification system⁴. The CCIRUP will require land acquisition due to widening of the road and construction of drainage facilities. As the project involves involuntary

⁴ ADB's categorization system is detailed at <https://www.adb.org/site/safeguards/safeguard-categories>

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

land acquisition with economic displacement impacts, the project has been classified as category “B” in terms of involuntary resettlement (IR) and is required to comply with ADB safeguard policies.

Key Principles of the RP

While there will be no physical displacement of households under this project (Package 1 and 2), land and assets acquisition are required. Hence, key principles which have guided the preparation of the draft RP and this subsequent updated RP are as follows:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks;
- (ii) Determine the scope of resettlement planning through a gender appraisal of gender differentiated impacts of the land acquisition and commuting risks; an inventory of losses and/or census of affected persons;
- (iii) Carry out meaningful consultations with APs, host communities, and concerned relevant nongovernment organizations;
- (iv) Inform any affected persons of their entitlements and resettlement options;
- (v) Ensure APs participation in planning, implementation, and monitoring and evaluation of related livelihood restoration opportunities (if required). Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, disabled and those without legal title to land, and ensure their participation in consultations;
- (vi) Establish an appropriate grievance redress mechanism to receive and facilitate resolution of any AP concerns;
- (vii) Support the social and cultural institutions of affected persons and their host population;
- (viii) Where involuntary resettlement or land acquisition impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase;
- (ix) Improve, or at least restore, the livelihoods of all affected persons through:
 - 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;
 - prompt replacement of assets with access to assets of equal or higher value;
 - prompt compensation at full replacement cost for assets that cannot be restored;
- (x) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status;
- (xi) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets;
- (xii) Prepare a resettlement plan elaborating on displaced persons’ entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule;
- (xiii) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to APs and other stakeholders. Disclose the final resettlement plan and its updates to APs and other stakeholders;
- (xiv) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project’s costs and benefits;
- (xv) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation; and,

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

- (xvi) 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 considering the baseline conditions and the results of resettlement monitoring reports.

Other considerations. While the road designer has successfully mitigated needs for the civil works to occupy private land for purposes of construction and road upgrade works e.g. for embankments, the need for occupation of private land will apply in the following circumstances:

- (i) Where an existing cadastral boundary forming the ROW edge is located in an inconsistent position to that of a fixed boundary structure i.e. roadside of an existing fence line or hedge. In such instances, it makes practical sense to upgrade the road to the frontage of such physical barrier. In the case of easement works, transparent consultation with the APs is required at the early stages of the project prior to signing of a formal agreement for the use of their land before any works can commence. Design details of this proposed works will also be discussed with the AP for any possible change in design and for their general information.
Affected crops within close proximity of the easement will be compensated. However, there will be no need for the government to officially acquire this area of land. Given this, compensation for the usage of these lands would not be required as these easements would benefit the landowner nearby residences and the general public; and,
- (ii) Where a new vehicle crossing will extend further up the existing driveway within the private property due to geometric design leveling constraints and a design objective to avoid excessively steep vehicle crossings. Especially for the latter, property user / owner would need to be informed and consent would need to be given, but this is not seen as an impediment to the Project. In such a case, negotiation and agreement with the APs will be done in terms of reinstatement-if possible or compensation.

*Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan*

Resettlement Plan Implementation Schedule

Table 1: CW-1 Resettlement Plan Implementation Schedule

	Tasks	Progress (at the time of this report – September 2023)	Target to complete	Responsible Agency
Resettlement Plan Preparatory Activities				
1	Residual plans field work, submitted and plans registered	Completed	Feb-23	LTA, MNRE, SMEC
2	Residual plans preparation and submission	Completed	Feb-23	LTA, MNRE, SMEC
3	Examination of survey plans	Completed	Feb-23	LTA, MNRE, SMEC
4	Registration of survey plans	Ongoing – in parallel with negotiations.	Q1 2024	MNRE
Marking/Showing of boundary line for safeguards assessment				
5	Mark boundaries for safeguards assessment	Completed	July-23	SMEC
6	Conduct site inspection for crop assessment and detailed measurement survey	Preliminary assessment completed (July-Aug 23). Verification ongoing.	July-23	MNRE, LTA
7	Conduct site inspection and census survey	Completed – incorporated into this report.	July-23	LTA, SMEC
8	Obtain signatures of landowners for easement agreements	Ongoing to-date.	Dec-23	LTA, SMEC
CW-1 Land Acquisition				
9	Conduct valuation of affected lands	Completed – June 2023	Jun-23	MNRE
10	Prepare and Issue Notice of Intention (NOI) to acquire the land of affected lots (28 day notice)	Completed – June 2023	July-23	MNRE
11	Land proclamation to be prepared and signed subject to no objections following step 10.	Upon completion of land compensation disbursement	Q1-Q2 24	MNRE
12	Hold meetings with landowners to discuss compensation and conduct negotiations	Initial discussions commenced in March 2023. Ongoing to-date	Q1-2024	MNRE
13	Receipt of valuation from private valuer engaged by family (if family does not agree with valuation amount provided by the GoS)	Negotiations ongoing to-date between MNRE and Landowners.	Prior to signing of agreement	MNRE, APs
14	Complete compensation negotiations with affected landowners	Ongoing	Q1-2024	MNRE, APs

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

15	Arrange paperwork for compensation disbursement and submit to MoF	Ongoing	Q1-Q2 24	MNRE, LTA, MOF
16	Disburse compensation to Aps and provide update on disbursement	Ongoing	Q1-Q2 24	LTA, MOF
17	Monitor compensation and document all actions	Ongoing	Q1-Q2 24	LTA, SMEC
Prepare CW-1 80% Compensation Report and submit to ADB for clearance for commencement of work				
18	Prepare Compensation report	Upon commencement of compensation disbursement & > 80% compensation disbursement.	Q1-24	LTA, SMEC
19	Assist, review and update compensation report for submission to ADB for clearance.	Upon commencement of compensation disbursement.	Q2-24	LTA, SMEC
20	Update CW-1 100% Compensation Report submit to ADB for review and clearance for commencement of work	Upon commencement of compensation disbursement.	Q2-24	LTA, SMEC
Resettlement Plan				
21	Update RP to include specific details for sections in CW-1	Completed – Rev 02 shared September 2023	Sept-24	SMEC, LTA
22	Submit RP to ADB for review	Shared Ver 00 to ADB 25-Aug-2023.	Sept-24	SMEC, LTA

Project Description

Rationale for the Project

Samoa's road network provides vital connectivity links that supports the country's development through providing access to economic activities and necessary services for the population. Yet this road network faces a range of vulnerability issues, including:

- (i) Coastal exposure to sea-level rise, storm surge and wave action during cyclones and other extreme events;
- (ii) Inland flooding and landslides during extreme rainfall events; and,
- (iii) Road pavement deterioration due to extreme weather events and sporadic road maintenance regimes.

The CCIR is the main link connecting Apia to many of the main tourist attractions for locals as well as international tourists on the southern coast of Upolu. It also provides for the day-to-day well-being of the people residing along and to the south of the island, increasing their access to economic activities and social services in the main urban hub of Apia.

Current Road Concerns and Recent CCIR Improvement Efforts

Current road condition. The current state of the CCIR varies, but it is generally in poor condition. The first 3km is in a poor state, however, LTA did intervene in 2018 by commissioning asphaltic concrete road overlay works. This improved the ride quality of the road and in many cases, provided an additional width of trafficable carriageway. Some residents assumed that was in fact a result of the planned road upgrade itself, but it is only temporary in nature and in advance of the road upgrade works proper being implemented (the Project). Furthermore, some parts of this overlay have deteriorated with noticeable irregularities in the pavement. The CCIR is characterized by the following general description:

- I. Urban residential area with a number of businesses scattered throughout, often close to the roads edge;
- II. Narrow traffic lanes that barely cater for two cars in some places;
- III. Steep and often unsafe large open drains in close proximity to the edge of live traffic lanes;
- IV. No footpaths or places for pedestrians to walk safely. Many students walk dangerously along the road's edge to go to school or a bus stop. This situation is made worse in the locations where large open side drains also are situated;
- V. Insufficient width and opportunity for safe vehicle overtaking. As often occurs, a slow-moving vehicle will cause traffic to back-up while awaiting such opportunity, or for a vehicle to turn to other roads;
- VI. Patchwork road surface repairs, both old and new. This often includes utility owners installing new services under the road without proper road pavement and surfacing reinstatement;
- VII. Inadequate drainage along much of the road resulting in deluges of muddy water and even rubbish draining onto properties in the lower lying areas, as well as on to the road carriageway; and,
- VIII. No formalized bus stopping areas. This results in buses stopping along the road when requested by passengers, which also causes traffic congestion at peak times.

Traffic. Based on traffic counts recorded at the same locations in 2007, 2013, and more recently in 2018 plus other socio-economic factors CCIR traffic is estimated to grow at a rate of 3.5% per annum. This growth in traffic indicates the importance of this road for commuters, and consequently its access and safety are critical. The 2018 traffic counts indicate that there were presently about 1,350 vehicles per day (vpd) using the CCIR beyond the urban area of Apia. Heavy class vehicle (HCV) use of the CCIR is limited due its steep and winding gradient and alternative routes of the West and East Cross Island Roads to the south coast from Apia in the north. The only HCVs regularly using the CCIR are the island's distinctive buses⁵.

Climatic impacts. In December 2012, Samoa was struck by Tropical Cyclone Evan (TCE). TCE caused substantial damage and destruction to life and infrastructure, with some 4,250 people being temporarily displaced. Physical damage and

⁵ SMEC, 2019. *Economic Analysis Report, CCIRUP*. Apia

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

economic losses to transport infrastructure, houses, and tourism facilities were estimated to be about \$210 million. The CCIR was heavily impacted, as it was temporarily severed (cut-off) in several locations. One local resident along the broader stretch of the road noted the following challenge affecting his family during TCE in 2012: “My son was sick requiring a blood transfusion before the cyclone hit. I took him for treatment to the hospital but was not able to return home due to the road being cut off in several places”.

In the period directly following TCE remedial efforts by the LTA restored road access by upgrading five severely affected road sections. These were implemented by the LTA as ‘emergency works’ using several local contractors to reconnect the road sections. The CCIR remains vulnerable to the impacts of climate change and climatic events. The highest climatic risks to the CCIR include extreme rainfall events and high mean annual rainfall⁶. The proposed road design will mitigate exposure of the CCIR to these risks.

Given the current poor condition of the CCIR, its narrow width, large number of traffic commuters, and a need to provide a safe and efficient access route to Apia for residents and visitors from the southern side of Upolu, the government seeks to rehabilitate and upgrade this critical road link. The CCIR remains a critical link for access to/from the south coast and Apia; especially as a direct-direction mode of travel to either coast or the high-elevation hinterland in the event of significant climatic event to either coastline or side of Upolu Island.

Features of the Road Design

During the preliminary design stage under ERAP a total of six different typical full-width cross sections were considered for the road upgrade. These primarily considered varying shoulder widths and drainage arrangements for both urban and rural areas of the CCIR. Alternate ROW widths were also considered for the rural area. From the six options, LTA selected Option 1 for the urban area and Option 2 for the rural area. These are reflected in Figure 2 and Figure 3 below, although LTA altered Option 2 to suit a nominal ROW width of 16.0m instead of 22.0m. This was to further minimize land acquisition and resettlement impacts, and restrict construction works within the approved ROW and reduce project impacts to the nearby properties and families.

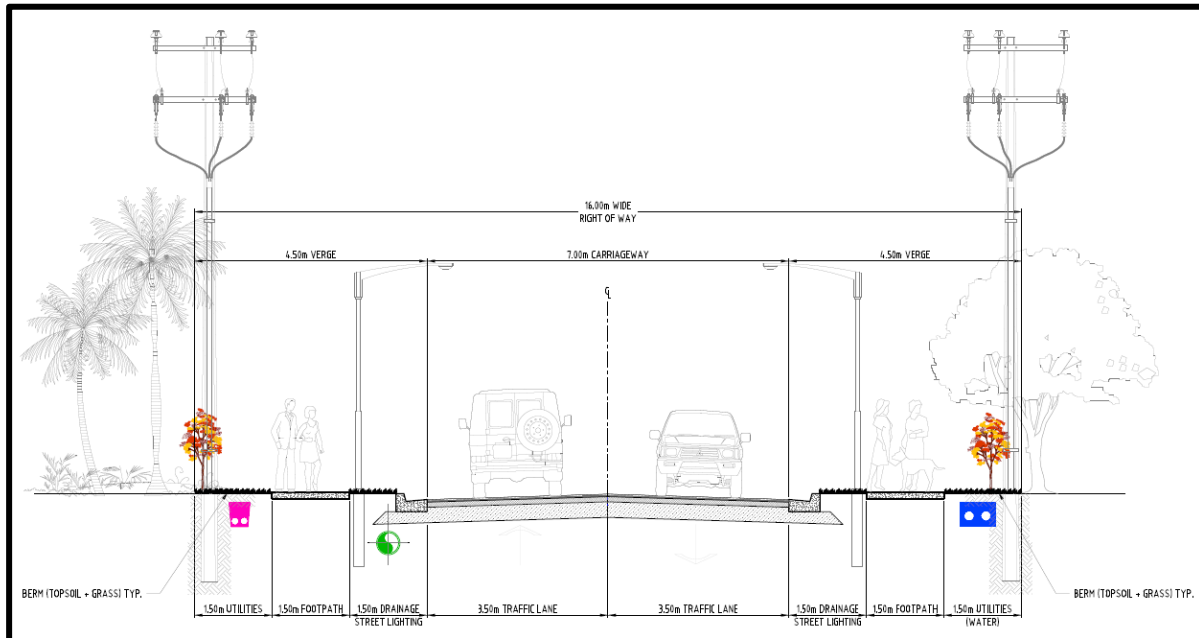


Figure 1: Typical Section Option1 - selected for urban area.

⁶ SMEC, 2019. *Climate Risk Vulnerability Assessment, CCIRUP*. Apia

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

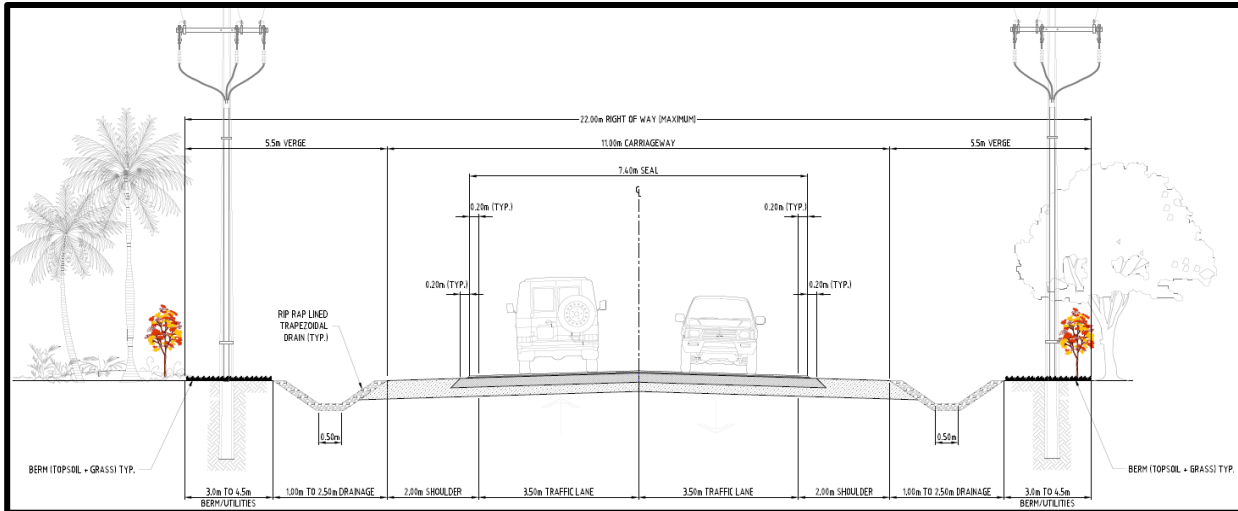


Figure 2: Typical Section Option 2- selected for rural area.

It should be noted that the road ROW is formed as a series of straight lines. The straight lines are cadastral (or survey) boundaries that legally define the limits of the road reserve (the ROW). Because of this, and the winding nature of the road, the ROW width at any given point along the CCIR will vary from 16.0m wide to no more than 20.0m wide along the road centerline, yet 16.0m is not a minimum width. Widest ROW areas will typically be associated with sharp curves where a greater width is needed.

Other instances may include rip rap locations where the existing or proposed new ROW is better suited to be wider to fit snugly within existing private properties on each side, or where drainage outfall structures exist. Such practice is typical for any given road ROW and clarifies why the term “nominal” (“nom.” for short) is commonly used when referring to ROW width i.e. nominal ROW width of 16.0m.

MNRE were consulted regarding definition of a clear boundary between urban and rural areas of the CCIR. This was important to establish given the different physical components of the road upgrade for each of the two distinct road-use and adjacent development environments. Based on information provided by the MNRE, an urban/rural boundary of KM 4+420 was proposed by the road design consultant and approved by the LTA in 2016.

To upgrade the CCIR section in CW1, a substantial utility service relocation exercise is required. This includes water, power, and telecommunications services. All these utility types exist within the current ROW of the CCIR but as the road will effectively be widened and realigned, these utilities will also need to be relocated to the new road boundary. At present, there is little-to-no consistency with existing utility placement relative to the roadway, so other than the necessity to move them for upgrading purposes, the Project also offers an opportunity to formalize a standard utility corridor arrangement for the project road ROW. This will not only aid immediate road upgrading, but will be beneficial for future utility maintenance, upgrade and new-installation plans as future potential for road-user disruption and road damage will be substantially reduced.

To facilitate road upgrading, utility relocation will be undertaken by the utility service provider in close coordination with the road-upgrading contractor(s) as part of the civil works contracts. Utility relocation designs, documentation and cost estimates will be required to be provided by the utility service operator to the LTA for verification and to ensure that relocation works will be within the ROW. For implementation purposes, close coordination with the affected utilities operators/owners and contractors will be heavily emphasized to ensure civil and relocation works run smoothly simultaneously, and to ensure that no impacts and works occur beyond the ROW boundary unless absolutely necessary and authorized and approved by the landowner.

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Full utility relocation designs, documentations and cost estimates will be provided in the civil works bidding and subsequent contract documents. Prior to commencement of these works, a utilities coordination meeting followed by site walk through will be conducted. This will provide a clear understanding and layout of the overall design boundaries and mark out any potentially vulnerable areas to avoid. Notices will be placed in the LTA/EPC/SWA facebook page and other media outlets to indicate temporary disturbance prior to relocation activities to avoid inconvenience for APs.

Rainfall runoff will be conveyed away from the road ROW to existing waterways via an integrated road drainage network. Rural area drainage will include open-lined side drains on both roadsides. These will start and end at each outfall location, or localized high points in the roadside. The design includes frequent use of ‘drop-structures’ (small rock rip-rap weirs) to control water runoff flow rates and thus minimize erosion. Frequent use of piped cross-drains located beneath the road carriageway and connected to open side drains and/or outfall locations on either or both sides are a common drainage network feature. These include ingress/egress structures for erosion and sediment control. Similarly, where vehicle crossings (from the road carriageway to private property) span an open side drain, with small box-culverts also included in the design. Outfalls in the rural area feature a rock rip-rap mattress for erosion control within the road ROW area, conveyed to an open-lined ditch towards an existing waterway. All drainage designs have proactively accounted for the impacts of climate change, including climatic risks such as extreme rainfall events.

CCIRUP Route

CCIRUP will upgrade the existing road and widen it in sections. The upgrading works within CW1 commences from Ifiifi road intersection on the outskirts of Apia to Tiavi (15+500) as shown in Table 2 below. There are 14 villages within the CW1 road stretch.

Table 2: Description of the CCIRUP route.

Package	Section	Villages	Land use	Description	Upgrading works
Package 1	KM 0+000 to KM15+500-	Tiavi Leufisa Tanugamanono Nafanua Papaloloa Papauta Vailima Avele Letava Vaoala Taipapata Malololelei Afiamalu West Afiamalu East	Largely urban with some agricultural especially from KM 4+420 onward	Includes residences, schools, churches, embassies, commercial and mixed-use farmland. A mix of freehold, government and customary land	The road will be widened with drainages and easements etc.

Customary land is slightly more prevalent in the rural environment, with a distinct notable section from approximately KM 11+000 to the end point that is currently borderless according to cadastral mapping.

Background to the CCIR

Originally, the CCIR was a pathway (a simple narrow track) directly linking the central southern coastal area to the central northern area of Upolu Island, where Apia is located. It was first surveyed and understood to have been declared a public ROW (gazette) in 1942. It was again surveyed from 1963 to 1964, as Plans 2795 and 2796 and was approved and legally registered pursuant to *Section 58 Taking of Lands Act 1964* as a legal ROW with the MNRE in June 1964. The current two lane surfaced road was believed to have been built in the mid 1970’s.

Over time, it has been progressively upgraded to the existing road, with changes also made to the legal ROW in isolated road sections, but with no apparent major changes to the physical road alignment. Similarly, adjacent land development

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

has changed over time relative to the existing physical CCIR alignment, rather than in strict conformance to legal land boundary locations.

The *LTA ACT 2007* legislates a standard 22.0m ROW for key arterial roads of Samoa, of which the CCIR is one of them. However, both updates of the legal road ROW and adjacent property development has in many instances been haphazard and uncontrolled. As previously mentioned, the LTA resolved to target a nominal ROW width of 16.0m, thus minimizing both environmental and social i.e. resettlement impacts. The newly upgraded road will generally follow the centerline of the existing road and minor improvements will primarily be made for safety reasons. Because of this, the road centerline will be slightly shifted (improved) in both horizontal and vertical planes.

Measures to Minimize Land Acquisition Impact

Land acquisition and resettlement for the project will be carried out in compliance with the relevant National laws and ADB's safeguards policy for acquiring land and other assets. Under *ADB's Safeguard Policy Statement, 2009*, the policies require that:

- (i) Impacts are identified and assessed early in the project cycle;
- (ii) Plans to avoid, minimize, mitigate, or compensate for the potential adverse impacts are developed and implemented; and,
- (iii) Affected people are informed and consulted during project preparation and implementation.

Thus, the strategy for the project during the detailed engineering designs has been to avoid resettlement impacts wherever possible and minimize land requirements by confining the project's construction works to a nominal ROW width of 16.0 m. This is the narrowest ROW width recommended for CCIRUP adoption. While there will be no resettlement of people or major structures (e.g. houses), the project will need to formally acquire land and other assets for road widening and raising of road embankments. To address these resettlement impacts, lands and assets acquisitions information are presented within the updated RP for disclosure and implementation.

Several land easements for drainage outfalls will be required but their impact is minimized due to the fact that the entire rural area will predominately drain to existing open field areas where water can easily be conveyed as overland flow to existing natural waterways. In some instances, constructed V-ditches will be required within these privately-owned fields to encourage positive flow of road rainfall runoff towards the intended existing waterway. In such instances a formal easement may not necessarily be required.

Due to the current poor road conditions, narrow width, and safety concerns residents have overwhelmingly indicated that an upgraded road is of utmost importance, to the residents and commuters as indicated in the responses throughout the Minutes of the public meeting in Appendix 1. Hence the road upgrade is recognized by the respective communities to bring a positive impact and improvement in quality of life for all affected people and beneficiaries.

3. SOCIOECONOMIC INFORMATION AND PROFILE OF AFFECTED PERSONS

This chapter describes the Socio-Economic Profile of the affected persons (APs) of the Central Cross Island Road Upgrade Project between Apia and Siumu in Upolu, Samoa. The Socio-Economic Survey (SES) covered all Affected persons located in the corridor of impact (within the alignment of the project) in the affected 10 villages namely: Vaoala, Tanugamanono, Tiapapata, Malololelei, Afiamalu, Tiavi, Papauta, Vailima, Avele and Letava.

Maps and measurements on the ground were carried out by the SMEC surveyor. Affected persons were determined by using the project design/ location approved by the project proponent. These PAPs were invited to a stakeholder consultation meeting to inform them about the project and the survey activities that will be conducted in their area. Compensation will be provided to APs with disclosed crop and structure losses based on a set cut-off date. This policy

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

on the cut-off date was also disclosed to the potential APs during the individual consultation with asset owners. LTA will need to establish and disclose official cut-off date for lands to be acquired, as negotiations commenced in July-2023.

Entitlements for eligible PAPs due to unanticipated impacts will be prepared in compliance with the ADB SPS (2009) and applicable national laws and regulations.

Both tagging of structures and socio-economic interviews covered all APs occupying project sites in the villages impacted by CW1. Those APs who refused, cannot be contacted or found, or unavailable during the census were not interviewed, hence, and subsequently they are not included in this socio-economic profile. However, these APs are still eligible for compensation/entitlement since they have crops or structures affected during the cut-off date. LTA will try to locate these APs.

The Census of the APs in the CW1 project site was conducted in July 2023. A total of 80 households were surveyed.

The safeguard interventions aim for the following objectives:

- (i) To ensure an inclusive approach into project planning, implementation and monitoring of impacts and project outputs
- (ii) To upgrade CCIR conditions to a safe and climate resilient road that will remain accessible during climatic events.

This section provides an overview of the socio-economic characteristics of the affected people along the CCIR. Relevant characteristics will be assessed 6 monthly to identify the impacts of the road upgrade on the lives and livelihoods of affected persons.

Table 3: Demographic variables of Affected Persons along CCIR.

Village	Households (4 not contacted)	Sex		HOH		AHs with disabled persons	Age groups of Affected Households				
		Male	Female	Male	Female		0-4	5-12	13-17	18-64	65+
Vaoala	20	47	57	16	4	1	12	21	16	54	8
Tiapapata	11	35	45	10	1	0	8	20	14	36	7
Malololelei	1	-	-	-							
Afiamalu	11	34	35	9	2	0	10	14	10	36	4
Tiavi	7	23	24	5	2	0	7	11	7	19	4
Tanugamanono	9	22	40	7	2	3	1	7	9	20	7
Papauta	6	19	24	3	3	1	6	5	7	20	5
Vailima	11	48	56	9	2	0	20	15	15	46	10
Avele	2	12	6	1	1	1	3	2	2	4	1
Letava	2	7	3	1	1	0	0	0	0	9	1

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Village	Households (4 not contacted)	Sex		HOH		AHs with disabled persons	Age groups of Affected Households				
		Male	Female	Male	Female		0-4	5-12	13-17	18-64	65+
TOTAL	80	247	290	61	18	6	67	95	80	244	47

Source: AP Census 2023

Out of the 80 households 23% are female headed households.

Table 4: Economic status.

Village	Income earners	Residents not earning	Farmer	Paid work	Monthly Wage per household \$SAT			Monthly Expenditure /HH SAT\$				
					500-1K	1K - 2K	2K - 5K	<500	500 - 1K	1-2K	2-5K	>5K
Vaola	37	68	3	11				3	3	5	2	1
Tiapapata	30	59	3	6	3	6	2		5	4	1	2
Afiamalu	27	44	4	8	2	4	5	2	1	4	2	1
Tiavi	15	30	3	4	2	4	5	1	2	3	1	
Tanugamanono	24	28		7	2	4	1			4	1	1
Papauta	12	22		6		4	2			3	1	1
Vailima	31	45	3	9		9	2			8	3	
Avele	3	8		2			2				2	
Letava	9	1		2		1	1			1	1	
	208	305	16	55								

As noted in the table above there is a high dependency ratio in some households with 305 non-working resident's dependents upon 208 working residents. Overall, the dependency ratio is approximately 59%, noting that this is only an indicative measure based on age and in some cases the economic burden may vary.

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Table 5: Occupation and Income

	Community	Main income source				
		Wages or salary	Own business	Remittances or Pension or church offerings	Subsistence	Mixed Paid job/ farming/church offerings/remittances
1	Vaoala	78.5%			21.5%	
2	Tiapapata	60%		10%	20%	10%
3	Afiamalu	73%			27%	
4	Tiavi	57%			43%	
5	Tanugamanono	44.5%	11%			44.5%
6	Papauta	16.5%	16.5%			66.5%
7	Vailima	27%	9%	9%		55%
8	Avele		100%			
9	Letava	50%	50%			

Source: AP Census 2023

While the majority of the working Affected persons are in paid employment, a considerable number 20% of households have mixed income sources as highlighted in the table above.

Education of APs

The following chart indicates the high level of education amongst affected residents along the CCIR. The chart indicates the highest level of education in the household and the large majority have a tertiary education. This is subsequently reflected in employment and incomes. All affected people attended school including secondary school.

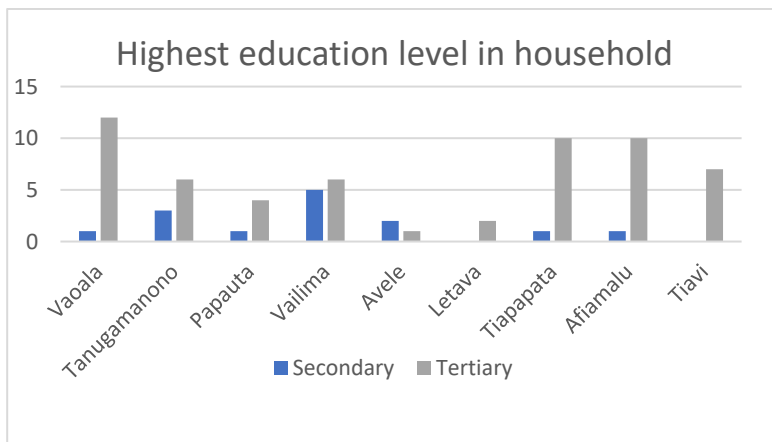


Chart 1: Education level in household

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

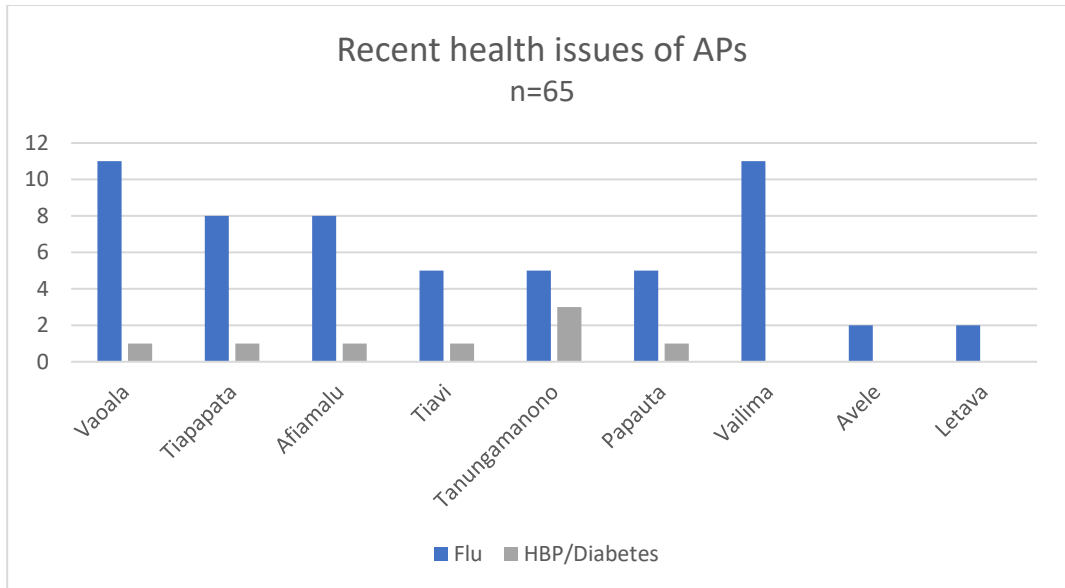


Chart 2: Health issues of APs

The main health problems recently have been flu (88%) Of these cases 89 percent visited the hospital, 3 percent visited a clinic and the remainder visited either traditional medicine (2%) or private doctors (2%).

Affected persons residing along the CCIR are thus situated in a reasonably affluent and sought after location of Apia. While there are pockets of residents who are on lower incomes, the large majority are on paid salaries, have a good education and good access to the key services available.

(I) 5. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

5.1 Overview of Land Ownership in Samoa and along CCIR

The four inhabitable islands of Samoa cover a total land area of about 2,800 km² with 81% held under customary ownership, 15% under the Government of Samoa and 4% as freehold lands. The impacts and challenging characteristics of the customary land tenure system can often result in delays in road developments. There is considerable stakeholder engagement required and land boundaries are normally unclear.

The land tenure system under the Constitution Article 101 outlines three major types of land ownership. These are highlighted below in Table 1.

Table 6: Land ownership type in Samoa.

S.NO	Land Type	Description
1	Customary	Lands under customary ownership and protected by the Constitution for the custom and usages of the people of Samoa. Lands owned by communities and villages in accordance with traditional customs and usage. May be entitled for lease under a legal agreement with the village council or paramount chief. May not be sold or transferred. Expropriation by the government for projects for the public benefits is permitted by law (including the CCIRUP).
2	Government	Government owned/public lands which can be leased or transferred under certain circumstances.
3	Freehold	Privately owned. Can be transferred, leased, mortgaged or other wise.

Customary land within villages is governed by the Village Fono or Council and is comprised of:

- (i) Village owned controlled customary land – Normally customary lands used by all members of the village under the consent of the village council; and,
- (ii) Customary land allocated to traditional extended Samoan Families – Lands governed by traditional families or under the appointed paramount chief of the traditional extended family. These lands are allocated to each family by the family chief matai ('Sao ole Aiga').

5.2 Rationale for Land Acquisition and Land Use Dimensions of the CCIR

The CCIR is the main arterial and public road connecting the Apia Town Area to the central south side of Upolu where numerous tourist attractions and rural residences are located. The CCIR is the road responsible for the day to day commuting needs of many communities and people residing along the central area and the south of the island, providing access to economic activities and major social services in the main urban area of Apia.

The land use of the CCIR-Package 1 and part of CCIR-Package 2 are categorized and summarized below:

Chainage	Land use classification	Description

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

KM 0+000 to KM 4+420	Urban Area	<p>Most of the initial 4.2 kilometer of the CCIR is categorized as the urban area due to its close proximity to Apia Town Area. This road segment traverses 14 villages and includes a variety of residential, commercial, public facilities and government buildings.</p> <p>Commercial facilities include: lodges, hotels, retailers and restaurants.</p> <p>Community facilities including schools (pre-schools, primary schools and colleges), churches, government and international offices include the Secretariat of the Pacific Regional Environmental Programme (SPREP), Forestry Division office and plant nursery, Watershed Division Office, the Scientific Research Organization of Samoa, the US Embassy, Chinese Embassy and New Zealand High Commission.</p> <p>While most of the land ownership is registered as freehold lands, there are several customary land allotments scattered throughout this road segment.</p>
KM 4+420 to KM 6+000	Sub-urban	<p>Relatively built up with scattered residences, hotels, institutions and mixed-crop farmlands.</p>
KM 6+000 to KM 15+500	Rural Area	<p>Agricultural activities dominate this section of the CCIR include mixed crop farms and livestock with a sparse population scattered along this road segment.</p>

5.3 Methodology for assessment of land acquisition impacts in CCIRUP

Initial surveys were conducted and funded under the ERAP in 2016 under the supervision of the contracted consultant firm and the Land Transport Authority. The resettlement information was presented and was based on the digitized cadastral survey or cadastral boundary master plan of each lot plan obtained by the consultant’s survey from the Ministry of Natural Resources and Environment. The cadastral digitized information did provide an overlay of the project footprint for the planned design limit of works for the proposed road upgrade. However, the presented information was partial and was inadequate when compared to the topographically surveyed features. This was primarily due to the existence of the two separate grid systems within the limits of the CCIR.

The Land Transport Authority and the consultant contracted for the road design of CCIR resumed the survey works in 2019, with the commencement of survey activities, utilizing a new survey team to restart the cadastral compilation working on raw survey plans and data obtained by the ministry. These survey works included the setup of a new alignment control system, assessments and verifications of raw survey data and the transfer of the new and approved information into a single survey grid. Repegging road boundaries and the new required alignment were implemented on site at the same time. The new and improved survey data has been used to overlay the finalized road design for the proposed CCIR upgrade.

The survey works identified several Affected Persons and generated a preliminary inventory of losses, as well as a general social-economic profile of project affected people within the 14 affected communities. In addition, their concerns and perceptions toward the project and resettlement options were ascertained and reported.

A resettlement verification survey with affected landowners and a full census of all affected people was not completed or undertaken during the preliminary stage of the project. This activity has since been conducted by LTA Safeguards Team with support from the SMEC National Social Safeguards Officer early 2023. The results are captured herein the current RP. The following methods were employed:

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

- Marking and documenting accurate measurement of affected lands and structures as approved by the final engineering designs;
- Interviews of individual affected households with structured questionnaires;
- Small focus group discussions with affected people and relevant stakeholders (men, women, youth and vulnerable groups) and businesses owners.

The following section presents the updates and discusses the initial findings of the resettlement activities for CCIRUP-Package 1. Updated and specific resettlement information as well as the updated inventory of losses will be shared with relevant APs directly by the Land Transport Authority and MNRE at the appropriate time of this resettlement plan disclosure and implementation.

The ministry has gathered preliminary information on registered landowners and have yet to confirm and negotiate land compensation with these affected landowners. LTA has subsequently gathered detailed information in a census and socio-economic survey of the affected landowners and asset owners as required by the development of this updated resettlement plan.

5.4 Potential Impacts

The reconstruction of the Central Cross Island Road (CCIR) will have positive social impacts and benefits for the affected local communities in reducing traveling times and emergency responses. The proposed upgrade will reduce travel time to and from the southern side of the Upolu and improve transportation routes utilized by local businesses around and close to the central business area. The project also serves as an important link and role in emergency responses as required and directed through this area during natural disasters or emergencies.

However, this project may also have some adverse social impacts. These impacts are addressed under this land acquisition, resettlement and rehabilitation plan and include: speed induced safety issues; reduced or no income during construction affecting relevant affected people’s livelihoods; as well as social development implications related to gender issues, violence, traditional differences, occupational health concerns and potentially child labor.

There is no forced relocation or physical displacement given the proposed work is confined within the ROW of 16 meters. Most impacts will affect assets such as fences, access or driveways, hedges, trees, crops and small temporary structures. Detailed information on these affected assets will be provided in the updated inventory of losses for this updated resettlement plan.

5.5 Permanent Impacts

The upgrade of the CCIR-CW1 total will require 80,261 m2 of land located across 14 villages, starting from the upper region of Leufisa Village and heading into the lower region of Tiavi Village. The land parcels required consist of government lands, customary lands and freehold owned land. All land acquisition activities are implemented and verified by the Ministry of Natural Resources and Environment. The project will also require construction and extension of easement areas, totaling 4,126m², however these affected parcels will not be acquired or compensated by the project, and there will not be change any ownership of affected lands.

There are more affected land parcels within the initial 3 km of the CCIRUP where land acquisition impacts are projected to be higher than all the other segments of the road. This is the outskirts of the Apia Town Area, the most densely populated area of the CCIR. Following the first 3 km, the next 8 km is expected to have less impacts as the affected land parcels are quite small in size. The rest of Package 1 consists of developments that are generally further from the existing road and it is dominated by customary lands and agricultural development as mentioned above.

Table 7: Land areas and status to be acquired.

NO	Village Name	Freehold Land (m2)	Government Land (m2)	Customary Land (m2)
1	Leufisa			
2	Tanugamanono	253		148

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

3	Nafanua			
4	Papaloloa			
5	Papauta			
6	Vailima	1,687	924	1,559
7	Avele		213	
8	Letava	7		
9	Vaoala	4,410	1,237	1,163
10	Tiapapata	4,067	65	
11	Malololelei	433		
12	Afiamalu	10,648	525	4,729
14	Tiavi	11,762	2,606	33,825
	SUBTOTAL	33,267	5,570	41,424
		TOTAL LAND REQUIRED FOR CW1		80,261.

All lands are acquired permanently for either the realignment or the extension of the road in identified areas as required under the road safety requirement of the project.

5.5.1 Government lands – These lands are managed or registered under the Government of Samoa or a respective governmental ministry or authority. Affected parcels of lands under the government can be transferred to the Land Transport Authority under the proper legal procedures unless the affected government agency has paid and therefore should require compensation.

5.5.2 Loss of land – The project requires several plots of land that are identified under freehold and customary ownership. This requires permanent acquisition of land for the reconstruction and operation of the CCIR. The total required land area for CW1 is 80,261m² consisting of 170 land lots. Table 2 provides details of land to be acquired.

Out of the 170 lots, 27 lots are situated in the sealed section completed as part of the Emergency works following Cyclone Evan (2009). These completed/sealed sections will not be upgraded under the CCIRUP. This circumstance ensures that any disputes or delays on land acquisition for these particular lots on the sealed sections should not hinder the implementation of construction activities for CW-1. However, MNRE, LTA and relevant authorities will need to address and resolve any concerns related to these 27 lots to ensure a fair process for all landowners and affected parties involved. These lots are highlighted in the table below.

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Table 8: Land details to be acquired.

No.	Description of Land to be Taken						Status of Land	
	Plan #	Lot #	Flur	District	Village	sqm	Land Registry	Purpose
1	12583	1	XVI	Tuamasaga	Tiavi	977	Freehold	Land Taking
2	12584	1	XVI	Tuamasaga	Tiavi	41	Freehold	Land Taking
3	12584	2	XVI	Tuamasaga	Tiavi	87	Freehold	Land Taking
4	12584	3	XVI	Tuamasaga	Tiavi	121	Freehold	Land Taking
5	12584	4	XVI	Tuamasaga	Tiavi	6033	Freehold	Land Taking
6	12585	1	XVI	Tuamasaga	Tiavi	1127	Freehold	Land Taking
7	12585	2	XVI	Tuamasaga	Tiavi	1089	Freehold	Land Taking
8	12585	3	XVI	Tuamasaga	Tiavi	393	Freehold	Land Taking
9	12585	4	XVI	Tuamasaga	Tiavi	100	Freehold	Land Taking
10	12586	1	XVI	Tuamasaga	Tiavi	1121	Freehold	Land Taking
11	12776	1	XVI	Tuamasaga	Tiavi	2324	Customary Land	Land Taking
12	12776	2	XVI	Tuamasaga	Tiavi	431	Customary Land	Land Taking (sealed section)
13	12776	3	XVI	Tuamasaga	Tiavi	304	Freehold Land	Land Taking (sealed section)
14	12776	4	XVI	Tuamasaga	Tiavi	369	Freehold Land	Land Taking (sealed section)
15	12776	5	XVI	Tuamasaga	Tiavi	1237	Customary Land	Land Taking (sealed section)
16	12776	6	XVI	Tuamasaga	Tiavi	219	Customary Land	Land Taking (sealed section)
17	12776	7	XVI	Tuamasaga	Tiavi	2647	Customary Land	Land Taking (sealed section)
18	12776	8	XVI	Tuamasaga	Tiavi	1467	Customary Land	Land Taking (sealed section)
19	12777	1	XVI	Tuamasaga	Tiavi	1675	Customary Land	Land Taking (sealed section)
20	12777	2	XVI	Tuamasaga	Tiavi	899	Customary Land	Land Taking (sealed section)
21	12777	3	XVI	Tuamasaga	Tiavi	1044	Customary Land	Land Taking (sealed section)

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

22	12777	4	XVI	Tuamasaga	Tiavi	463	Government Land	Land Taking (sealed section)
23	12777	5	XVI	Tuamasaga	Tiavi	2304	Customary Land	Land Taking (sealed section)
24	12778	1	XVI	Tuamasaga	Tiavi	2266	Customary Land	Land Taking (sealed section)
25	12778	2	XVI	Tuamasaga	Tiavi	785	Customary Land	Land Taking (sealed section)
26	12778	3	XVI	Tuamasaga	Tiavi	959	Government Land	Land Taking (sealed section)
27	12778	4	XVI	Tuamasaga	Tiavi	817	Government Land	Land Taking (sealed section)
28	12778	5	XVI	Tuamasaga	Tiavi	1152	Customary Land	Land Taking
29	12778	6	XVI	Tuamasaga	Tiavi	1305	Customary Land	Land Taking
30	12778	7	XVI	Tuamasaga	Tiavi	1590	Customary Land	Land Taking (sealed section)
31	12779	1	XVI	Tuamasaga	Tiavi	2306	Customary Land	Land Taking (sealed section)
32	12779	2	XVI	Tuamasaga	Tiavi	2243	Customary Land	Land Taking (sealed section)
33	12779	3	XVI	Tuamasaga	Tiavi	1997	Customary Land	Land Taking (sealed section)
34	12779	4	XVI	Tuamasaga	Tiavi	2118	Customary Land	Land Taking (sealed section)
35	12587	1	XII	Tuamasaga	Tiavi	165	Government Land	Land Taking
36	12587	2	XII	Tuamasaga	Tiavi	252	Customary Land	Land Taking
37	12588	1	XII	Tuamasaga	Tiavi	126	Customary Land	Land Taking
38	12588	2	XII	Tuamasaga	Tiavi	753	Customary Land	Land Taking
39	12590	1	IX	Tuamasaga	Tiavi	2012	Customary Land	Land Taking
40	12590	2	IX	Tuamasaga	Tiavi	202	Government Land	Land Taking
41	12590	3	IX	Tuamasaga	Tiavi	108	Customary Land	Land Taking
42	12591	1	IX	Tuamasaga	Tiavi	77	Customary Land	Land Taking
43	12591	2	IX	Tuamasaga	Tiavi	58	Customary Land	Land Taking
44	12591	3	IX	Tuamasaga	Tiavi	430	Customary Land	Land Taking
45	12591	4	IX	Tuamasaga	Afiamalu	149	Freehold Land	Land Taking

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

46	12591	5	IX	Tuamasaga	Afiamalu	1690	Customary Land	Land Taking
47	12591	6	IX	Tuamasaga	Afiamalu	651	Customary Land	Land Taking
48	12592	1	IX	Tuamasaga	Afiamalu	1055	Customary Land	Land Taking
49	12592	2	IX	Tuamasaga	Afiamalu	17	Government Land	Land Taking
50	12592	3	IX	Tuamasaga	Afiamalu	58	Government Land	Land Taking
51	12592	4	IX	Tuamasaga	Afiamalu	100	Government Land	Land Taking
52	12592	5	IX	Tuamasaga	Afiamalu	42	Government Land	Land Taking
53	12592	6	IX	Tuamasaga	Afiamalu	130	Customary Land	Land Taking
54	12592	7	IX	Tuamasaga	Afiamalu	211	Customary Land	Land Taking
55	12592	8	IX	Tuamasaga	Afiamalu	3	Freehold Land	Land Taking
56	12592	9	IX	Tuamasaga	Afiamalu	10	Freehold Land	Land Taking
57	12592	10	IX	Tuamasaga	Afiamalu	153	Freehold Land	Land Taking
58	12592	11	IX	Tuamasaga	Afiamalu	992	Customary Land	Land Taking
59	12592	12	IX	Tuamasaga	Afiamalu	63	Freehold Land	Land Taking
60	12593	1	VIII	Tuamasaga	Afiamalu	152	Freehold Land	Land Taking
61	12593	2	VIII	Tuamasaga	Afiamalu	55	Freehold Land	Land Taking
62	12593	3	VIII	Tuamasaga	Afiamalu	1876	Freehold Land	Land Taking
63	12593	4	VIII	Tuamasaga	Afiamalu	25	Freehold Land	Land Taking
64	12593	5	VIII	Tuamasaga	Afiamalu	24	Freehold Land	Land Taking
65	12593	6	VIII	Tuamasaga	Afiamalu	2	Freehold Land	Land Taking
66	12593	7	VIII	Tuamasaga	Afiamalu	2	Freehold Land	Land Taking
67	12593	8	VIII	Tuamasaga	Afiamalu	16	Freehold Land	Land Taking
68	12593	9	VIII	Tuamasaga	Afiamalu	34	Government Land	Land Taking
69	12593	10	VIII	Tuamasaga	Afiamalu	274	Government Land	Land Taking
70	12593	11	VIII	Tuamasaga	Afiamalu	84	Freehold Land	Land Taking
71	12593	12	VIII	Tuamasaga	Afiamalu	521	Freehold Land	Land Taking
72	12593	13	VIII	Tuamasaga	Afiamalu	255	Freehold Land	Land Taking
73	12594	1	VIII	Tuamasaga	Afiamalu	229	Freehold Land	Land Taking (sealed section)
74	12594	2	VIII	Tuamasaga	Afiamalu	298	Freehold Land	Land Taking
75	12594	3	VIII	Tuamasaga	Afiamalu	2429	Freehold Land	Land Taking
76	12594	4	VIII	Tuamasaga	Afiamalu	848	Freehold Land	Land Taking

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

77	12594	5	VIII	Tuamasaga	Afiamalu	1143	Freehold Land	Land Taking
78	12594	6	VIII	Tuamasaga	Afiamalu	2311	Freehold Land	Land Taking
79	12595	1	VIII	Tuamasaga	Malololelei	105	Freehold Land	Land Taking
80	12595	2	VIII	Tuamasaga	Malololelei	51	Freehold Land	Land Taking
81	12595	3	VIII	Tuamasaga	Malololelei	106	Freehold Land	Land Taking
82	12595	4	VIII	Tuamasaga	Malololelei	34	Freehold Land	Land Taking
83	12595	5	VIII	Tuamasaga	Malololelei	107	Freehold Land	Land Taking
84	12595	6	VIII	Tuamasaga	Tiapapata	1188	Freehold Land	Land Taking
85	12595	7	VIII	Tuamasaga	Tiapapata	112	Freehold Land	Land Taking
86	12595	8	VIII	Tuamasaga	Tiapapata	133	Freehold Land	Land Taking
87	12780	1	VIII	Tuamasaga	Malololelei	30	Freehold Land	Land Taking
88	12596	1	VIII	Tuamasaga	Tiapapata	481	Freehold Land	Land Taking
89	12596	2	VIII	Tuamasaga	Tiapapata	57	Freehold Land	Land Taking
90	12596	3	VIII	Tuamasaga	Tiapapata	30	Freehold Land	Land Taking
91	12596	4	VIII	Tuamasaga	Tiapapata	222	Freehold Land	Land Taking
92	12596	5	VIII	Tuamasaga	Tiapapata	122	Freehold Land	Land Taking
93	12596	6	VIII	Tuamasaga	Tiapapata	248	Freehold Land	Land Taking
94	12596	7	VIII	Tuamasaga	Tiapapata	170	Freehold Land	Land Taking
95	12597	1	VIII	Tuamasaga	Tiapapata	131	Freehold Land	Land Taking
96	12597	3	VIII	Tuamasaga	Tiapapata	213	Freehold Land	Land Taking
97	12597	5	VIII	Tuamasaga	Tiapapata	81	Freehold Land	Land Taking
98	12597	7	VIII	Tuamasaga	Tiapapata	69	Freehold Land	Land Taking
99	12597	9	VIII	Tuamasaga	Tiapapata	39	Freehold Land	Land Taking
100	12597	11	VIII	Tuamasaga	Tiapapata	400	Freehold Land	Land Taking
101	12597	13	VIII	Tuamasaga	Tiapapata	292	Freehold Land	Land Taking
102	12597	15	VIII	Tuamasaga	Tiapapata	57	Freehold Land	Land Taking
103	12813	1	VIII	Tuamasaga	Tiapapata	22	Freehold Land	Land Taking
104	12813	3	VIII	Tuamasaga	Tiapapata	65	Government Land	Land Taking
105	12598	1	VIII	Tuamasaga	Vaoala	1219	Government Land	Land Taking
106	12598	2	VIII	Tuamasaga	Vaoala	173	Freehold Land	Land Taking
107	12599	1	VIII	Tuamasaga	Vaoala	493	Freehold Land	Land Taking
108	12599	2	VIII	Tuamasaga	Vaoala	48	Freehold Land	Land Taking

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

109	12599	4	VIII	Tuamasaga	Vaoala	38	Freehold Land	Land Taking
110	12599	5	VIII	Tuamasaga	Vaoala	13	Freehold Land	Land Taking
111	12599	6	VIII	Tuamasaga	Vaoala	344	Freehold Land	Land Taking
112	12599	7	VIII	Tuamasaga	Vaoala	72	Freehold Land	Land Taking
113	12599	8	VIII	Tuamasaga	Vaoala	196	Freehold Land	Land Taking
114	12599	9	VIII	Tuamasaga	Vaoala	124	Freehold Land	Land Taking
115	12599	10	VIII	Tuamasaga	Vaoala	512	Freehold Land	Land Taking
116	12600	2	VIII	Tuamasaga	Vaoala	87	Freehold Land	Land Taking
117	12600	3	VIII	Tuamasaga	Vaoala	471	Freehold Land	Land Taking
118	12600	5	VIII	Tuamasaga	Vaoala	81	Customary Land	Land Taking
119	12600	6	VIII	Tuamasaga	Letava	7	Freehold Land	Land Taking
120	12600	8	VIII	Tuamasaga	Vaoala	10	Freehold Land	Land Taking
121	12600	10	VIII	Tuamasaga	Vaoala	102	Freehold Land	Land Taking
122	12600	12	VIII	Tuamasaga	Vaoala	90	Freehold Land	Land Taking
123	12600	14	VIII	Tuamasaga	Vaoala	391	Customary Land	Land Taking
124	12600	15	VIII	Tuamasaga	Vaoala	99	Freehold Land	Land Taking
125	12600	16	VIII	Tuamasaga	Vaoala	147	Freehold Land	Land Taking
126	12781	1	VIII	Tuamasaga	Vaoala	60	Freehold Land	Land Taking (sealed section)
127	12781	2	VIII	Tuamasaga	Vaoala	29	Freehold Land	Land Taking (sealed section)
128	12781	3	VIII	Tuamasaga	Vaoala	14	Freehold Land	Land Taking (sealed section)
129	12781	4	VIII	Tuamasaga	Vaoala	18	Government Land	Land Taking (sealed section)
130	12781	5	VIII	Tuamasaga	Vaoala	617	Freehold Land	Land Taking (sealed section)
131	12782	1	VIII	Tuamasaga	Vaoala	67	Freehold Land	Land Taking
132	12782	2	VIII	Tuamasaga	Vaoala	58	Freehold Land	Land Taking
133	12782	3	VIII	Tuamasaga	Vaoala	16	Freehold Land	Land Taking
134	12782	4	VIII	Tuamasaga	Vaoala	303	Customary Land	Land Taking
135	12782	5	VIII	Tuamasaga	Vaoala	126	Customary Land	Land Taking
136	12782	6	VIII	Tuamasaga	Vaoala	91	Customary Land	Land Taking
137	12782	7	VIII	Tuamasaga	Vaoala	47	Customary Land	Land Taking

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

138	12782	8	VIII	Tuamasaga	Vaoala	64	Customary Land	Land Taking
139	12782	9	VIII	Tuamasaga	Vaoala	34	Customary Land	Land Taking
140	12782	10	VIII	Tuamasaga	Vaoala	26	Customary Land	Land Taking
141	12783	1	VIII	Tuamasaga	Vaoala	530	Freehold Land	Land Taking
142	12783	2	VIII	Tuamasaga	Avele	73	Government Land	Land Taking
143	12783	3	VIII	Tuamasaga	Avele	67	Government Land	Land Taking
144	12783	4	VIII	Tuamasaga	Avele	73	Government Land	Land Taking
145	12783	5	VIII	Tuamasaga	Vailima	171	Government Land	Land Taking
146	12783	6	VIII	Tuamasaga	Vailima	639	Government Land	Land Taking
147	12783	7	VIII	Tuamasaga	Vailima	1099	Customary Land	Land Taking
148	12784	1	VIII	Tuamasaga	Vailima	224	Customary Land	Land Taking
149	12784	2	VIII	Tuamasaga	Vailima	236	Customary Land	Land Taking
150	12784	3	VIII	Tuamasaga	Vailima	22	Freehold Land	Land Taking
151	12784	4	VIII	Tuamasaga	Vailima	25	Freehold Land	Land Taking
152	12784	5	VIII	Tuamasaga	Vailima	18	Freehold Land	Land Taking
153	12784	6	VIII	Tuamasaga	Vailima	6	Freehold Land	Land Taking
154	12784	7	VIII	Tuamasaga	Vailima	126	Freehold Land	Land Taking
155	12784	8	VIII	Tuamasaga	Vailima	300	Freehold Land	Land Taking
156	12784	9	VIII	Tuamasaga	Vailima	115	Freehold Land	Land Taking
157	12784	10	VIII	Tuamasaga	Vailima	29	Freehold Land	Public Road
158	12785	1	VIII	Tuamasaga	Vailima	70	Government Land	Land Taking
159	12785	2	VIII	Tuamasaga	Vailima	28	Government Land	Land Taking
160	12785	3	VIII	Tuamasaga	Vailima	16	Government Land	Land Taking
161	12785	4	VIII	Tuamasaga	Vailima	66	Freehold Land	Land Taking
162	12785	5	VIII	Tuamasaga	Vailima	292	Freehold Land	Land Taking
163	12785	6	VIII	Tuamasaga	Vailima	313	Freehold Land	Land Taking
164	12785	7	VIII	Tuamasaga	Vailima	179	Freehold Land	Land Taking
165	12785	8	VII	Tuamasaga	Vailima	196	Freehold Land	Land Taking
166	12786	1	VII	Tuamasaga	Tanugamanono	31	Freehold Land	Land Taking
167	12786	2	VII	Tuamasaga	Tanugamanono	46	Freehold Land	Land Taking
168	12786	3	VII	Tuamasaga	Tanugamanono	113	Freehold Land	Land Taking
169	12786	4	VII	Tuamasaga	Tanugamanono	148	Customary Land	Land Taking

*Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan*

170	12786	5	VII	Tuamasaga	Tanugamanono	63	Freehold Land	Land Taking
------------	-------	---	-----	-----------	--------------	----	---------------	-------------

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

4.5.3 Loss of Access – There are several plots of land owned by different landowners that face loss of access to their land due to the project. That is due to the lands access location being adjacent to the road which will be closed during the construction of the road project, or some may need to be permanently closed. Temporary access will be provided to affected landowners and project personnel where it is suitable and safe.

Inventory of Losses

An Inventory of Losses (IOL) and Detailed Measurement Survey (DMS) was initially carried out in 2019 by SMEC. This preliminary assessment was aimed to identify and gather information on structures, trees and crops potentially affected by clearance within the road reserve and on lands to be acquired, to be incorporated into the overall RP for the CCIRUP. Findings from this assessment was also documented on the Right of Way (ROW) design drawings. A detailed record of the assessment is provided in Annex 5.

A verification process on the data collected was initiated in June 2023 and is ongoing to-date until all affected structures and trees have been accounted for. Approximately 85% of data has been verified. This information, specific to CW-1 is summarized below;

4.5.4 Loss of Structure –

Table 9: Summary of Affected Structures to July 2023.

Type of Structure	Total Number	Percentage %
Chain link fences	48	46.2
Barb-wire fences	37	35.6
Concrete walls / structure	11	10.6
Market stall	8	7.6
Total	104	100

4.5.5 Loss of Trees and Fruit Crops to July 2023.

Type	Papaya	Taro	Coconut	Breadfruit	Giant Taro	Guava	Banana	Lemon tree	Ginger	Poumuli	Pineapple	Cocoa	Talie	Nonu	Avocado	Laupele	Mango	Tomatoes	Cassava
Quantity	8	940	122	23	104	18	391	17	10	2	20	13	5	26	4	16	4	50	7
%	0.4	52.8	6.8	1.2	5.8	1.0	21.9	0.9	0.5	0.1	1.1	0.7	0.2	1.4	0.2	0.8	0.2	2.8	0.3

4.5.6 Loss of Business – No business loss has been identified during the preliminary stages of the project. The street vendors or the temporary market stalls near the road usually operate from the morning until the late afternoon. They will be relocated away from the road corridor during the implementation of the road upgrade.

4.5.8 Temporary Impacts – This road upgrade project may incur some temporary impacts during the construction phase. All identified impacts will be mitigated as per provisions included within or under the project policies and the project approved entitlement matrix summarized in Table 12 of this resettlement plan.

**Central Cross Island Upgrading Project – CW1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

4.5.9 Temporary occupation of land – During the construction of the CCIR, some land parcels within the confines of the project will be temporarily affected, including areas where proposed crossings or access areas will be relocated to, which will require further grading into an affected property. Other temporary land occupation includes the use of lands for contractor set up sites and camping areas. These will be further discussed under the Contractor Environment and Social Management Plan.

4.5.10 Easement for drainage outfalls – While easements do not require formal acquisition of land, there is the need for a consent or an agreement between the landowner or incumbent property owner and the Land Transport Authority as the representative of the Government of Samoa for the access and use of lands for the installation of easement pipes or construction of open easements. The agreement for easements will be provided to MNRE as a formal registration of easements and for future maintenance of the outfall and associated infrastructures. A list of land affected by the project easements will be provided within this plan as well as in the summary report of the consultation with affected landowners or property owners conducted by the supervision consultant, Land Transport Authority and representatives of MNRE-Land Management Division.

4.5.11 Measures to Minimize Land Acquisition Impacts – The CCIRUP attempts to take all possible steps to reduce impacts of land acquisition within the affected project area, and to minimize the likely adverse impacts through the project design and implementation of its components. Based on consultation with affected communities and various project stakeholders during the design phase, the following measures were identified under the project to minimize likely resettlement impacts.

- I. the project will be reconstructed along the existing road footprint;
- II. the right of way width will be reduced to 16 meters to minimize land taking;
- III. land taking will be conducted on both sides of the existing road to reduce impacts on landowners from one roadside only.

The project's resettlement approach has met the goal to avoid any major resettlement activities such as relocations of APs and AHs, as well as demolition of major residential structures. However, the project still requires land and the removal of other assets for the road widening, footpaths and raising of road embankments.

(II) 5. LEGAL POLICY FRAMEWORK AND ENTITLEMENTS

Introduction

The government has limited power of 'eminent domain', which is the power of the government to take private property and convert it for public purpose. This section outlines the relevant legal and regulatory environment in Samoa which sets the mandate for involuntary land acquisition, consultation and negotiation, compensation entitlement, and grievance resolution.

This chapter briefly discusses:

- I. The key laws, regulations and policies as they are applied to land acquisition for public development projects;
- II. The legal and policy commitments as applied to LTA as the implementing agency for the different types of land acquisition and/or displaced persons;
- III. Gaps between national laws and ADB operational policies;
- IV. Evaluation of land/asset compensation which also outlines the principles and methodologies to determine valuations and compensation rates at replacement cost for land, assets, incomes, and livelihoods. The compensation and assistance eligibility criteria as well as how/when compensation will be provided; and,
- V. The land acquisition process with a proposed schedule for meeting identified requirements.

Government Land Acquisition Legislation

The key legislative instruments relevant to the CCIRUP activities and consequently environmental and social safeguards pertinent to the CCIR are briefly summarized in Table 11.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Table 10: Government legislation and relevant policies to social safeguard requirements.

Legislation	Key Principles	Relevant Mechanisms
The Constitution	Article 102 of Constitution authorizes (under an Act of Parliament) the taking of any customary land or any interest therein for public purposes, hence the TLA 1964.	Does allow for compulsory acquisition for public purposes with the following provisions: <ul style="list-style-type: none"> ● Compensation payment within a reasonable timeframe. ● Right of access to the Supreme Court regarding amount of compensation. ● Right of appeal to the Supreme Court.
<i>Taking of Land Act 1964</i>	Establishes the taking of lands for "public purposes" (i.e. taking of freehold or customary land). This Act mentions easements - a proclamation is the basis for acquiring an easement. It also provides for compensation entitlements (s11, 25, 37).	Once land is identified for acquisition a survey and plan is carried out to properly identify the land to be taken. Subsequently, reasonable notice must be given to the owner or occupier of freehold land or the matai who has the authority over customary land. Public notice of 28 days is allowed for any objections. If no written objection is received, the Minister may take the land by Proclamation.
<i>Property Law Act 1952</i>	<ul style="list-style-type: none"> ● Part IX deals with easements and provides for easements in gross (s122)8; ● Power of the courts to modify or extinguish easements (s127); and ● Permission for the court to impose easement for encroachment (s129). 	

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Legislation	Key Principles	Relevant Mechanisms
<p><i>Land Titles Registration Act 2008 (and regulations)</i></p>	<p>Regulates the property title registration system and rules for land transactions:</p> <ul style="list-style-type: none"> ● Part 9 details easements and deed of restriction due to easements; and ● Part 13 outlines government compensation. <p>Terms also describe landowner responsibilities to minimize disturbance over the land and to restore the land, as nearly as practicable to its original condition:</p> <ul style="list-style-type: none"> ● Section s67(3) allows a deed of restriction to be registered; and ● Section 68-69 details the procedure for the release, modification and extinguishment of easements and restrictions as to user. 	<p>This Act does not apply to customary land (customary lands cannot be registered) but it does apply to registration of leases and licenses of customary lands.</p> <p>Includes the type of water allowed to flow across/under the land, how infrastructure (such as drainage pits, open channel drains) can be maintained and accessed, and responsibility of dominant tenement to restore the land to its original condition after any service or maintenance.</p> <p>Easements must be registered to be considered legally valid.</p>
<p><i>Survey Act 2010 (and regulations)</i></p>	<p>Requires existing and proposed easements (either easements in gross, or dominant or servient tenement) to be clearly shown on a survey plan (s19, 24).</p>	<p>Clear inclusions for design mapping</p>
<p><i>Taking of Land Act 1964</i></p>	<p>The Act is silent on easement or ROW, permitting the leasing and licensing of customary lands for certain authorized purposes. Any issue on easement would come under discussion for terms and conditions for lease agreement.</p>	<p>May add an element of ambiguity into negotiations for customary land acquisition</p>
<p><i>Land Transport Authority Act 2007</i></p>	<p>“41. Road Reserves-</p> <p>(1) Subject to subsection</p> <p>(2), the area along the length of a national road being 11 metres on each side of the centre points of the carriageway shall be deemed to be a road reserve for the purposes of this Act.</p> <p>(3) Where a surveyed boundary of privately owned land adjoining a national road is within the 11 metre area on either side of the centre point of the carriageway, the road reserve shall extend only up to the line of that boundary.”</p> <p>“43. Regulations relating to national roads - Regulations may be made:</p> <p>(a) varying the dimensions of the road reserve ...</p> <p>(e) to prescribe means by which disputes over the existence of road reserves, or by competing users of road reserves, may be resolved.”</p> <p>“48. Compensation-</p> <p>(1) Regulations may be made prescribing the payment or assessment of compensation to be paid as a result of any land being acquired for the purposes of this Part...”</p> <p>“52. Powers of the Authority in relation to the use of roads, road reserves, bridges etc (f) approve the use of any road reserve, including for the provision of utility services...”</p>	<p>A number of clauses which are specifically pertinent and support the RP.</p>

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Legislation	Key Principles	Relevant Mechanisms
<i>Land Valuation Act 2010</i>	Deals with the practice of land valuations and relevant valuation requirements for the registration and licensing of qualified land valuers.	Valuations for the same area of freehold or customary land are guided by current market value overall.
Samoa Code of Environmental Practice (COEP)	Set up to improve environmental management of all publicly financed works in the planning, design and implementation stages - guide and control the ways in which environmental aspects of all civil engineering works and the private sector are managed and addressed	Mandates LTA's activities in carrying out environmentally-sound practices included in environmental management plans of design, construction and maintenance phases of a road project. The COEP should be introduced and implemented before the first phase works begin - a condition of project effectiveness.
<i>The Lands, Surveys and Environment Act 1989</i> <i>Survey Act 2010</i>	Includes the process for the taking of government land, including functions of the land board in administration, management, development, settlement, protection and care of government lands. In Samoa, land within five meters of a natural watercourse (<i>Survey Act 2010</i>) is public land over whose property it flows upon and maintenance of the watercourse is therefore the responsibility of the government. The foreshore reserve is also five metres (<i>Lands Survey & Environment 1989</i>)	Government land is a subclass of public land which is not set aside for any public purpose and includes land which has become the property of the Government to be leased out for certain purposes such as for farming, residential and commercial or industrial purposes. There are a variety of controls under this Act on both leases and sales of Government land.
<i>Planning and Urban Management Act 2004</i> <i>(public participation)</i>	18. Consultation-(1) The Agency shall consult with all stakeholders where possible and shall provide them with all relevant information on the environment of the planning area PART VI COMPENSATION. Right to compensation-(1) The owner or occupier of any land may claim compensation from the Government for financial loss suffered as the natural, direct and reasonable consequence of – (a) The land being reserved for a public purpose under a sustainable management plan. 65. Taking of Land Act 1964 to apply - Part III - any necessary adaptations and changes, applies to the determination of compensation.	Purpose of development planning such as roads – must inform and consult with affected landowners. Supports rights of owners to compensation for Taking of Land for roads. Incorporate to the project environmental managements plans

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Legislation	Key Principles	Relevant Mechanisms
<p><i>Ministry of Works Act 2002</i></p>	<p>39. Designating public roads and road reserves – “(d) Subject to subsection (3), the area along the length of the road being 11 meters on each side of the centre points of the carriageway shall be deemed to be a road reserve...”</p> <p>42. Identifying areas required for roads, drains, bridges and seawalls – “(1) The Minister may make written determinations specifying areas of land required for road development or for the construction or development of other public assets...”</p> <p>43. Restrictions on using areas required for roads, etc. – “(1) No person, without the prior written consent of the Minister, may erect, alter or extend any building or structure of any description on land to which section 42(1) applies...”</p> <p>45. Compensation –</p> <p>“(1) The Head of State, acting on the advice of Cabinet, may make Regulations concerning the payment or assessment of compensation to be paid as a result of any land being acquired for the purposes of this Part...”</p> <p>“(2) Regulations made under subsection (1) shall relate specifically to the compensation implications of road development...notwithstanding that they may conflict with any provision of Part III of the Taking of Land Act 1964.”</p> <p>“(3) The Minister may, after consultation with the Minister responsible for Agriculture and the Minister responsible for Internal Affairs, approve a scale of compensation to be paid in relation to the destruction of any plants or crops caused due to road development or the development of other public assets to which this Act applies.”</p> <p>“(4) No action may be maintained in any court for compensation relating to the destruction or removal of plants and crops which exceeds the amount prescribed in the scale of compensation approved under subsection (3), as it applies at the relevant time.”</p>	<p>A number of terms pertinent to the road reserve of 11 metres each side of the middle line.</p> <p>Compensation in support of <i>Taking of Lands Act 1964</i>.</p>
<p><i>Water Resources Management Act 2008</i></p>	<ul style="list-style-type: none"> ● “the sustainable management of the water resource through coordinated and scientifically sound planning of water resource development and regulated water utilisation for all lawful purposes;” ● “Require that certain matters relating to the water resource be considered in the assessment of environmental impacts of proposed developments required under the Environment Impact Assessment requirements applying under the Planning and Urban Management Act 2004, and any other applicable law;” ● “State control of water resources-(1) The sole right to permit the use of water.....and to otherwise manage and control such waters, remains vested in the Government;” and ● “The Ministry shall have the right to use the water resource for any purpose associated with the protection or management of the environment, where such use is consistent with the Samoa Water Resource Management Plan.” 	<p>Management of outfalls for the purpose of road sustainability</p> <p>Management of underground water drainage networks</p> <p>Incorporate into Environmental Management Plan</p>

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Legislation	Key Principles	Relevant Mechanisms
<i>Samoa Water Authority Act 2003</i>	<ul style="list-style-type: none"> ● “To erect or make use of, on or under any roads, ways or other public or other places and any buildings, structures, machinery, manholes and other entrances, light and lamp holes, ventilating grids and such other works and things for the efficient sanitary drainage of any locality, or for the supply of water thereto in accordance with law;” ● “To utilise any natural watercourse for the discharge of overflows from any of its facilities, in accordance with law;” and ● “To purchase or otherwise acquire and maintain such personal and real property, easements and rights of way as the Authority may deem necessary for the furtherance of its functions.” 	Relevance associated with road design as well as outflow management.
<i>Customary Land Advisory Commission Act 2013</i>	<p>Amends: The <i>Alienation of Customary Land Act 1965</i> 31 December 2014[LEX-FAOC035512] to a small extent.</p>	<p>Provides for establishment of Customary Land Advisory Commission which will:</p> <ul style="list-style-type: none"> ● Recommend to Cabinet measures to facilitate, encourage and promote the economic use of customary land in Samoa; and ● Review all laws affecting customary land in Samoa and recommend change to Cabinet to facilitate, encourage and promote the economic use of customary land.

COEP = Code of Environmental Practice, LTA = Land Transport Authority, RP = Resettlement Plan.

Source: Relevant Acts & Regulations; West Coast Road LARF; Consultant’s World Bank funded ERAP draft resettlement document.

A. The ADB Policy on Social Safeguards

Safeguard Policy Statement (June 2009). The Safeguard Policy Statement (SPS) was formulated to address the emerging challenges of development, respond to lessons learned from its experience with its old safeguard policies, and adapt to its new lending modalities and financing instruments.

The ADB Safeguard Policy Statement 2009 (SPS) requires ADB-assisted projects to

- (i) avoid resettlement impacts wherever possible;
- (ii) minimize impacts by exploring project and design alternatives;
- (iii) enhance, or at least restore, the livelihoods of all Affected Persons (AP) in real terms relative to pre-project levels; and
- (iv) improve the standards of living of the affected poor and other vulnerable groups covering both physical displacement and economic displacement.

1. SPS Safeguard Requirements for Involuntary Resettlement. Involuntary Resettlement aims to avoid or minimize the impacts on people, households, businesses and others affected by the land acquisition required by a project. The scope of the policy includes physical and economic displacement as a result of:

- i. involuntary acquisition of land;
- ii. involuntary restriction on land use; and
- iii. involuntary restriction of access to legally protected areas.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

2. Principles. The key principles of the ADB safeguard policy on resettlement are as follows:

- i. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- ii. Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations.
 - Inform all displaced persons of their entitlements and resettlement options.
 - Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs.
 - Acknowledge the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations.
 - Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns.
 - Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are complex and sensitive, compensation and resettlement decisions should undergo a social preparation phase.
- iii. Improve, or at least restore, the livelihoods of all displaced persons through:
 - 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,
 - prompt replacement of assets with access to assets of equal or higher value,
 - prompt compensation at full replacement cost for assets that cannot be restored, and
 - additional revenues and services through benefit sharing schemes where possible.
- iv. Provide physically and economically displaced persons with assistance, including:
 - if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities;
 - transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and
 - civic infrastructure and community services, as required.
- v. Improve standards of living of displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- vi. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- vii. Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- viii. Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

- ix. Disclose draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- x. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- xi. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- xii. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

Full and Partial Displacement - Displacement can be full or partial, permanent or temporary (which includes relocation, loss of residential land, or loss of shelter etc).

Whether involuntary acquisition of land affects a full parcel of land or only a part of it, ADB involuntary resettlement requirements apply and resettlement entitlements are commensurate with the severity of actual impact on livelihoods of displaced persons.

Permanent and Temporary Displacement - Displacement affecting people permanently or temporarily is also considered within the scope of the SPS. For example, in such road projects, roadside shops may have to move a safe distance during earth moving, heavy machinery activity, and other construction operations before returning once work is complete.

Involuntary Resettlement - The SPS considers resettlement involuntary when the displaced persons have no right to refuse the land acquisition by the state that result in their displacement. This occurs when “when displaced individuals or communities do not have the right to refuse land acquisition that results in displacement”. This applies in cases where:

- (iii) lands are acquired through expropriation based on eminent domain; and
- (iv) lands are acquired through expropriation when negotiated settlement processes have failed (SPS, Appendix 2, paras. 4 – 5).

Voluntary Resettlement - Voluntary resettlement, on the other hand, refers to any resettlement not attributable to eminent domain or other forms of land acquisition backed by powers of the state.

Negotiated Land Acquisition - Negotiated land acquisition or negotiated settlement/agreement is normally achieved by providing fair and appropriate compensation and other incentives to the willing seller, negotiated through meaningful and well documented consultations.

Types of Displaced Persons - The Policy identifies the following three types of displaced persons who are affected by partial or total land loss:

- persons with formal legal rights to land and/or structures lost entirely or in part;
- persons who lost the land and have no formal legal rights to such land, but who have claims to such land that are recognized or recognizable under national laws, and
- persons who lost the land they occupy and have neither formal legal rights nor recognized or recognizable claims to such land (SPS, Appendix 2, para. 7). These groups include:
 - **Type 1: Displaced persons with formal legal rights**, who are generally defined by the possession of individual freehold titles duly recorded in title registries and cadastral records.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

- **Type 2: Displaced persons whose rights are not formal or legal but whose claims are recognized under national laws**, such as customary landowners, tenants (or block holders) or community owned land, structures or cultural resources.
- **Type 3: Displaced persons without formal legal rights**. This category includes encroachers, squatters, tenants, sharecroppers, and wage laborers who depend upon the land acquired. They have neither legal rights to the land nor recognizable ownership claims to the land but because land acquisition destroys their livelihoods they are considered displaced persons and are entitled to receive resettlement assistance.

Resettlement Strategies - The Policy triggers compensation and protections under the resettlement safeguard requirements to physical and economic displacement that is caused by land acquisition. In physical displacement, the Policy stipulates that compensation should preferably be land-based (rather than cash). The replacement land must have at least the same characteristics in terms of productive potential and advantageous location (e.g. access to markets) as the land taken (SPS, Appendix 2, para. 9).

Assistance for physical displacement - The assistance required by SPS for physical displacement includes relocation assistance, secured tenure to relocation land, better housing with accessibility to employment and production opportunities, transitional support and development assistance, and opportunities to derive development benefits. Resettlement assistance is broader in scope and includes relocation as well as transitional/subsistence allowances of food, fodder, and fuel that may be needed until new production systems are working well.

Assistance for economic displacement - Economically displaced persons includes those with title or recognizable title to land and those who are without title to land or landless. Assistance to economically displaced persons includes compensation at full replacement cost for the loss of income or livelihood sources—often called income restoration or livelihood support measures. These people may depend directly on the land and are often the poorest and most vulnerable. They may include sharecroppers, renters, tenants, and wage laborers, as well as artisans, shopkeepers, and small businesses occupying land they do not own. They are entitled to compensation for the loss of their income or livelihood sources at full replacement cost. Their lost assets may be crops, irrigation facilities, trees, livestock pens, fences, shops, and stalls.

Resettlement assistance for such persons may include a subsistence allowance for food and fuel until incomes are restored, and programmatic access to credit, training, and employment opportunities. For land acquisition affecting commercial structures, the resettlement assistance for the owners will include the cost of reestablishing the activities, net income lost during the period of inactivity, and the moving cost of materials. Shop owners who have a title to land or have recognizable title to land are also entitled to land or cash compensation at full replacement cost for the land where they carry out their commercial activities.

Compensation - In cases of cash compensation for acquired housing, land and/or other assets, the compensation rate must be the full replacement cost, which includes:

- fair market value;
- transaction cost;
- interest accrued;
- transitional and restoration costs; and
- other applicable payments, if any. In cases of economic displacement, the borrower/client is required to provide compensation for loss of income or livelihood sources at full replacement cost. This applies even if affected people have not been physically displaced.

Disclosure - The ADB Access to Information Policy (2018) seeks to promote stakeholder trust in ADB and to increase the development impact of ADB activities. The policy reflects ADB's commitment to transparency, accountability, and participation by stakeholders in ADB-supported development activities. It also recognizes the rights of people to seek, receive, and impart information about ADB's operations. The policy applies to documents and information

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

that ADB produces, requires to be produced by its borrowers or clients, or are produced and provided to ADB by other parties in the course of ADB operations.

SPS Safeguard Requirement for Indigenous peoples - The Indigenous Peoples safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of Indigenous Peoples or affects the territories or natural or cultural resources that Indigenous Peoples own, use, occupy, or claim as an ancestral domain or asset. The term Indigenous Peoples is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- (iv) a distinct language, often different from the official language of the country or region. In considering these characteristics, national legislation, customary law, and any international conventions to which the country is a party will be taken into account.

Gender equity - The other key policy of relevance to this project is the ADB's Policy on Gender and Development, which requires that all ADB financed projects ensure where possible and practicable special design features and strategies will be built into projects to facilitate and encourage women's involvement and ensure tangible benefits for women. It adopts gender mainstreaming as a key strategy for promoting gender equity and equality, and for ensuring participation of women and that their needs are explicitly addressed in the decision-making process for development activities. For projects that have the potential to have substantial gender impacts, a gender action plan is prepared to identify strategies to address gender concerns and the involvement of women in the design, implementation and monitoring of the project.

A. Government Legislative Compatibility to ADB Safeguards Requirements

While land tenure in Samoa is based predominantly on customary land (81%) with a small yet growing freehold land proportion, the national laws and regulatory framework are consistent with the principles as described under the *ADB's Safeguard Policy Statement, 2009*, albeit gaps exist. Table 5 highlights the main pertinent legislation to land acquisition necessary for the CCIRUP as well as its compatibility/comparability to the *ADB's Safeguard Policy Statement, 2009*.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Table 11: Government legislative compatibility to ADB safeguards requirements

Government Legislation	ADB Safeguards	Comment	Policy gap filling measures
<p>Part IIA Taking of Land Act 1964 (TLA) Section 24F note the following '.....the Minister or his officers, workers or others by his direction shall do as little damage as may be</p>	<ul style="list-style-type: none"> ● Avoid adverse impacts of projects on the environment and affected people, where possible. ● Minimize, mitigate, and/or compensate for adverse project impacts on the environment and affected people when avoidance is not possible. 	<p>They support each other in minimising damage in taking land yet under GOS legislation there is no provision specifically for livelihoods resettlement</p>	<p>The project will comply with government legislation and ADB policies, particularly as it relates to explicit efforts to recognize and address negative impacts on livelihoods of APs – in particular – local procurement and maintenance</p>
<p>TLA Part IIA Section 24F: Any estate owner suffering from land acquisition shall 'be entitled to full compensation to be ascertained in the same manner as compensation for land taken under Part III of this Act'</p>	<p>Improve, or at least restore, the livelihoods of all displaced persons through.</p> <ul style="list-style-type: none"> ● land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at full replacement value for land when the loss of land does not undermine livelihoods. ● prompt replacement of assets with access to assets of equal or higher value. ● prompt compensation at full replacement cost for assets that cannot be restored. ● additional revenues and services through benefit sharing schemes where possible. 	<p>No provision specifically for livelihoods – however land compensation can support ADB Safeguards</p>	<p>The project will comply with government legislation and ADB policies, particularly as it relates to efforts to recognize and address negative impacts on livelihoods of APs – in particular local procurement and maintenance.</p> <p>ADB policies requiring compensation for affected land and assets at replacement value will also be provided.</p>

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Government Legislation	ADB Safeguards	Comment	Policy gap filling measures
<p>TLA Section 14 stipulates ‘public notification and specifically requires direct notification of each owner, occupier and person having an interest in the land’ or their agent.</p>	<ul style="list-style-type: none"> ● Carry out meaningful consultations with APs, host communities, and concerned NGOs. ● Inform all displaced persons of their entitlements and resettlement options. ● Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. <p>Particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children and those without legal title to land and ensure their participation in consultations.</p>	<p>While consultation is stipulated in both, GOS fall short in the timing, the depth and the target audience. ADB is more inclusive of vulnerable people, land users and informal settlers who may or may not be the legal owners.</p>	<p>Consultations will follow ADB safeguards policies</p>
Compensation			
<p>TLA Part III – Section 25 – the right for ‘full and just compensation for all affected people’ – basis for determining value of affected land</p>	<p>Improve, or at least restore, the livelihoods of all displaced persons through</p> <ul style="list-style-type: none"> ● 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. ● Prompt replacement of assets with access to assets of equal or higher value. ● Prompt compensation at full replacement cost for assets that cannot be restored. ● Additional revenues and services through benefit sharing schemes where possible. 	<p>GOS does not include any explicit consideration of livelihoods in determining compensation.</p>	<p>The project will include efforts to improve livelihood opportunities for vulnerable groups – including local procurement and maintenance.</p> <p>Compensation for customary land will follow Samoan protocol and ADB policies of replacement value.</p>
<p>Displaced persons only those with formal legal rights to land</p>	<p>Displaced persons:</p> <ul style="list-style-type: none"> ● With formal legal rights to land; and ● Ensure that displaced persons without titles to land. <p>Or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.</p>	<p>ADB much more inclusive – includes those APs without legal rights as well as non-land assets.</p>	<p>ADB policies regarding inclusion of those without formal legal rights to land will be followed.</p>

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Government Legislation	ADB Safeguards	Comment	Policy gap filling measures
Legislation allows for compensation - not transitional assistance	<p>Provide physically and economically displaced persons with needed assistance, including the following:</p> <ul style="list-style-type: none"> ● If there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities. ● transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities. ● civic infrastructure and community services, as required. 	ADB takes compensation includes transitional assistance where applicable.	<p>ADB policies regarding assistances provided to physically and economically displaced persons will be followed.</p> <p>Temporary local procurement opportunities and relevant hands-on training will be provided to affected communities, if needed. Further training will be identified on a case-by-case basis.</p>
Broad definition of impacts regarding taking of lands	Impacts – direct economic and social impacts as well as impacts on the standards of living of displaced persons.	ADB extend impacts to include impacts on standards of living.	ADB's policies regarding assistance to be provided to address impacts on standards of living, where relevant.
TLA Section 28 – fair compensation for all displaced people	Improve, or at least restore the livelihoods of all displaced persons through 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.	ADB extends terms to include livelihoods replacement /supports.	ADB policy regarding compensation based on replacement value and additional efforts considered to include activities that strengthen livelihoods of vulnerable APs will be undertaken
TLA Sections 52, 53 and 54 provide for the exchange of land as compensation in part of in full – ‘....for the land taken and the damage done if compensation for the same were made wholly in money...’	Land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land	Government and ADB is comparable	No additional action required

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Government Legislation	ADB Safeguards	Comment	Policy gap filling measures
<p>TLA section 14 and 14b require public notices to be 'sent to each landowner, occupier or persons having an interest in the land' stating governments proposal to take the land and the public purpose for taking the land. Affected people can give written notice of objection to the CEO within 28 days of the first public notice. Section 37 stipulates a cut-off date for the calculation of compensation.</p>	<ul style="list-style-type: none"> ● Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. ● Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks. ● Inform all displaced persons of their entitlements and resettlement options. ● Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. 	<p>Government and ADB policies consistent – identify DPs early and setting cut-off dates for compensation determination.</p>	<p>Both policies will be applied, as required.</p>

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Government Legislation	ADB Safeguards	Comment	Policy gap filling measures
<p>TLA Section 28 stipulates who can make claims:</p> <ul style="list-style-type: none"> ● Any person (including executor or administrator) who possesses or are entitled to lands or estate or has an interest therein, whether they have or do not have the power to sell and convey the same. ● Any such claim on behalf of beneficiaries, infants or mentally defective persons may be made by a trustee, guardian or committees ● If the beneficiary, infant or mentally defective person does not have a trustee, guardian or committee in Samoa, the Public Trustee shall be deemed to their trustee, guardian or committee... 	<p>‘Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land.’</p>	<p>ADB much more inclusive – includes those APs without legal rights as well as non-land assets.</p>	<p>Eligible affected people will follow ADB policies. Livelihoods clauses will be included.</p>
<p>N/A</p>	<p>The full cost of resettlement activities required to achieve the Project objectives are included in the full cost of the Project – like the cost of other project activities are treated as a charge against the economic benefits of the project. Resettlement components need not be economically viable but must be cost effective.</p>	<p>No equivalent clause on the government policy and needs to be integrated into RP if relevant.</p>	<p>Not required as no resettlement, but if there are unanticipated impacts then ADB policies will be applied.</p>
<p>N/A</p>	<p>Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.</p>	<p>No equivalent clause on the government policy and needs to be integrated into RP if relevant</p>	<p>Compensation and entitlements will be paid entirely before physical works commence, including land clearance activities.</p>

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Government Legislation	ADB Safeguards	Comment	Policy gap filling measures
<p>LTA Section 27 2(b) The value of the land shall, subject as hereinafter provided, be taken to be the amount, which the land if sold in the open market by a willing seller on the specified date. LTA also stipulates that compensation shall be full and fair.</p>	<ul style="list-style-type: none"> ● '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. ● prompt replacement of assets with access to assets of equal or higher value. ● prompt compensation at full replacement cost for assets that cannot be restored. 	<p>GOS does not include any explicit consideration of livelihoods in determining compensation</p>	<p>Compensation will be based on replacement values and entitlements will include efforts to improve livelihood opportunities for vulnerable groups – including local procurement and maintenance.</p>

ADB = Asian Development Bank, AP = affected person, NGO = Nongovernmental organization, TLA = Taking of Land Act 1964, RP = resettlement plan.

Sources: Adapted from Consultant's World Bank funded ERAP resettlement document; Gap Analysis of National Legislation West Coast Road 2015; ADB's Safeguard Policy Statement, 2009.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

B. Resettlement Policy Principles for the Project

There will be a requirement to acquire parcels of land along both sides of the road's edge as noted in Project description. Specific aspects of the abovementioned legislation in Samoa relevant to the acquisition of land parcels for the CCIRUP include:

- I. Key legislation in Samoa relevant to involuntary resettlement and compulsory land acquisition include the *Taking of Land Act 1964*, the *Lands, Surveys and Environment Act 1989 (LSE Act)*, and the *Codes of Environmental Practice (COEP)*;
- II. The *Taking of Land Act 1964* establishes the taking of lands for "public purposes" (i.e. taking of freehold or customary land) Leases of public land and customary land are administered by MNRE and are based on standard terms. The Minister of Lands is appointed by the Taking of Lands Act 1964 to act for and on behalf of all beneficial owners in signing a lease for registration; and
- III. The *Customary Land Advisory Commission Act 2013* provides a support for the use of customary land where there are links to economic development or income generation.

Where the laws of Samoa are not clear or where there are gaps between the policies, a project-specific set of resettlement principles consistent with ADB policy has been adopted, and for all other matters, the ADB SPS policy or the more stringent should be followed. The resettlement principles adopted are as follows:

- I. Land acquisition and resettlement will be avoided or minimized through careful engineering design.
- II. If impacts are unavoidable, the affected persons losing assets, livelihood or other resources (including productive agricultural land, trees and gardens) will be fully compensated at replacement value and assisted so that they improve or at least restore their pre-project economic and social conditions.
- III. Where displacement of business enterprises or impacts on business income is unavoidable, all eligible affected persons losing assets, income, livelihoods or resources will be fully assisted so that they can improve, or at least restore, their pre-project standards of living.
- IV. Absence of formal title will not be a bar to compensation or assistance.
- V. Additional assistance will be provided to poor and other vulnerable affected persons, including women, to help them improve their socio-economic status.
- VI. If the impacts to a structure or asset are partial, affected persons will not be left with residual portions that would not be viable for continued use for the original purpose. If the remaining portion of a partially affected structure or land lot is not technically viable for continued use, the entire structure or land lot will be compensated.
- VII. People temporarily affected shall be considered as affected persons (APs).
- VIII. Contractors shall enter into lease agreements for facilities such as construction and stockpiling areas and should there be a need for compensation for affected assets and improvements due to the impacts of these facilities, the Contractor shall comply with the provisions in this Resettlement Plan, the project's Environmental Management Plans and national laws and regulations.
- IX. Compensation will be provided at full replacement cost, free of depreciation, transfer costs or eventual salvaged materials.
- X. Compensation for affected persons that are dependent on agricultural activities will be land-based, wherever possible. Land-based strategies may include provision of replacement land, ensuring greater security of tenure, upgrading livelihoods of people without legal titles or those not belonging to a customary land group. If access to replacement land is not available, other strategies may be built around opportunities for re-training, skills development, wage employment and self-employment, including access to credit.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

- XI. Transitional assistance will be provided, in addition to compensation, to assist affected persons to restore their livelihood and standards of living, if needed. This support may take the form of short-term project related employment, subsistence support and a transitional allowance.
 - I. Information on the preparation/implementation of Resettlement Plan will be disclosed to all affected persons and people’s participation will be ensured in all planning and implementation stages.
 - II. Before commencing construction and prior to displacement/impacts on assets, compensation to exceed 80% completion rate, in accordance with the provision described in the Resettlement Plan and a compensation completion report will be submitted and cleared by ADB.
 - III. A GRM will be established to resolve any conflicts or concerns which may arise during the compensation process, as well as throughout the implementation of the project.
 - IV. AP consultation will continue during the preparation and implementation of the Resettlement Plan. To the extent possible, affected persons should be involved in the decisions concerning the impacts from the project.
 - V. Resettlement impacts, including any unforeseen losses that may occur during construction will be monitored and remedial steps taken as required. Adequate monitoring and evaluation will be conducted, and reports submitted for clearance to ADB.
 - VI. Adequate budgetary support will be fully committed and made available to cover the costs of implementing the Resettlement Plan and providing entitlements and assistance, including the livelihood restoration measures, within the agreed implementation period. The funds for all resettlement activities will come from the Government of Samoa. Additional budget will be allocated for unanticipated impacts and a contingency amount included.
 - VII. Arrangements for the implementation of the Resettlement Plans will be in place prior to the commencement of the implementation. This includes adequate human resources for implementing, supervising and monitoring of the resettlement activities, and for conducting consultations.

C. CCIRUP links to Involuntary Resettlement and Compulsory Land Acquisition

This chapter describes the process of determining the compensation for acquiring land for the project. The Land Registrar is empowered by *Section 15 of the Land Titles Registration Act 2008* to register all public land, freehold land, or customary land that is leased or alienated. There is also provision for the Registrar to record and register any customary land where the *Pule* (local traditional authority) or authority over it has been established.

In the case of easements, the MNRE Chief Valuer has the task, on a case-by-case basis, to assess the value of the proposed easements based on freehold sales with full-use land rights and then making appropriate adjustments (if any) for the restrictions that the landowner will have over the narrow strips required for drainage purposes.

While the processes and steps are similar for both types of land ownership (private freehold and customary), the level of complexity can vary in Samoa. This is due to several reasons including community ownership of land (versus individual) under customary land ownership; and in some instances, unclear boundaries (or lack thereof). Land disputes are common and are often settled outside common law courts through the Land and Titles Court or Village councils. In the case of land ownership disputes the compensation will be placed in an escrow account managed under the MOF until the dispute resolution process has ascertained ownership.

(V) 6. EVALUATING LAND AND ASSETS COMPENSATION

The evaluation methodology for compensation will be determined in accordance with national legislation and regulations as highlighted in Table 11 under government legislation, as well as ADB SPS and as approved by the government and ADB.

Both processes for the acquisition of land from customary or freehold landowners are similar from a government perspective. What differs is the degree and type of consultation to the landowners. Respect and following the *fa'a Samoa* principles is inherent throughout both processes. However, the customary land as previously mentioned in the project overview chapter, will involve consultation with all affected persons, whilst acknowledging that the paramount chief is the responsible person for final land decisions. Once the compensation is to be dispensed it will be to the head of the relevant village family.

While freehold land compensation will be directly dispensed to the affected person or registered land owner in the case of the traditional land it is up to the head of the family to distribute benefits as is pertinent.

6.1 Affected Persons

For the purposes of this Resettlement Plan, affected persons (APs) include those individuals who own, tenant, use, or have business interests that will be affected by land acquisition for the CCIRUP. They may be affected through land acquisition, temporary land use, easements, or through impacts on existing fixed assets such as fence lines, vegetation, and structures.

Affected persons define those owners affected through lost land, assets or both. Lost assets may include existing structures that are in the current ROW e.g. trees, hedges, fence lines, and temporary structures e.g. road-side vendor shacks. While elaborated further under the APs entitlement matrix, these APs can be summarized to include:

The main categories of affected persons eligible for compensation include:

- I. APs with formal legal rights. These are generally the individual members of clans and families who are shared owners of customary land or those with individual freehold titles. This category also includes any leaseholders with formal legal rights as tenants, as well as owners of affected registered businesses.
- II. Persons whose rights are not formal or legal, but whose claims on land or assets are recognized under national or customary practices, such as those having informal leases on customary land. (Type 2). Customary land is owned by the community in accordance with traditional custom and usage. Within customary land lots, some land is allocated to each extended family members for their houses or farming. Where formal land records do not exist for such an arrangements, documentation and testimony from customary land group leaders and/or would determine eligibility for compensation for affected assets, replacement land, or other assistance. This category also includes informal businesses that operate on the land that they own.
- III. Persons with no legal rights to land or assets at the time of assessment or census. (Type 3). This may include internally displaced people, squatters, or wage laborers, informal businesses who use the land acquired. They have neither legal rights nor recognizable ownership claims, but if the project land acquisition impacts their livelihoods or affects their assets, they are considered affected persons and are entitled to receive assistance.
- IV. Local community or local authority owning community property, infrastructure or resources.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Table 12: CCIRUP affected person entitlement matrix.

Loss Type	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
A. AGRICULTURAL LAND				
Loss of agricultural land such as taro and bananas upon which income is derived	Owner with title deed or registration certificate	All payments for land will be at full replacement costs. Government payment for loss of productive land at market prices will be deposited into nominated bank account	Payment for lost assets and restoration of livelihood.	LTA, MNRE, MOF, OAG
Loss of access to agricultural land such as taro and bananas upon which income is derived	Tenant, user with lease	No payment for land. Bank deposit for temporary loss of income if critically timed access is restricted during construction, and if cultivated by tenant or user with lease.	Payment to cover lost crops and restoration of livelihoods LTA to ensure temporary access are available for the affected people	LTA, MNRE, MOF,
Loss of crops	Person who cultivates crops and/or owns trees (regardless of whether the land is owned or not)	For relevant APs as follows: <ul style="list-style-type: none"> ● Owner, payment for crops at market price. ● Tenant, payment for crops shall be paid to tenant. ● Sharecropper, payment for crops shared between owner and sharecropper as noted in the sharecropping agreement. ● All: advance notice for harvest of crops: ● Payment for net value of perennial crops and fruit bear trees where harvesting is not possible. Compensation is determined by the based annual net product market value multiplied by fraction or number of years of disruption. ● Payment for timber or non-fruit bearing trees at market prices. 	Payment for losses Payment for trees calculated on market value on the basis of type of crops on the local market value. The crops rates were provided by the MAF for the Vaitele Street Project funded by the World Bank in 2016. These rates have been subsequently increased under the approval of the Project Management Division's Manager (LTA) depending on the increase market value at the time of the project. A revised summary of these crops rates is provided in Annex 01.	LTA, MNRE, MOF, , MAF
B. RESIDENTIAL LAND AND STRUCTURES				

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Loss Type	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
Loss of Residential land and structure	Owner with title deed or registration certificate	<p>All payments for land and structure will be made at full replacement cost</p> <p>All payments at replacement cost in material, cheque, or a combination of both according to the actual loss to repair or rebuild the structure to original or better condition when remaining land sufficient to rebuild upon.</p> <ul style="list-style-type: none"> • Includes option to be compensated for entire structure if remaining structure is no longer viable • Includes right to salvage materials from structure without any deduction from compensation. 	Payment for lost assets, assistance to reorganize on existing land or relocate on alternate land and support for transition period.	LTA, MNRE, MOF, OAG
C. COMMERCIAL LAND AND STRUCTURES				
Loss of commercial land and structure	Owner/operator of registered business	<p>All payments for land lost at full replacement cost</p> <p>Payment at replacement cost in material, cash, or a combination of both according to the actual loss to repair or rebuild the structure to original or better condition where remaining land sufficient to rebuild upon.</p> <ul style="list-style-type: none"> • Includes option to be compensated for entire structure if remaining structure is no longer viable • Includes right to salvage materials from structure without any deduction from compensation 	Project shall give a reasonable time for APs to continue their business operation while rebuilding their structures.	LTA, MNRE, MOF, OAG
Loss of commercial Structure	Tenant/operator of registered business	<p>If there is partial loss of structure, AP has the option to stay with the owner's agreement OR</p> <ul style="list-style-type: none"> • If AP chooses to move out, financial assistance for 6 months' rental allowance. • Assistance in finding new affordable rented premises to re-establish business. 	Payment for rental allowance or payment for value of remaining lease, assistance for alternate rental accommodation and support for income losses and during transition period.	LTA, MNRE, MOF, OAG

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Loss Type	Entitled Persons	Entitlements	Intent/Requirement	Responsibility
Loss of commercial Structure	Owner or operator of non-registered business/squatter	For structures – all payments for structure lost at full replacement cost in material, cheque, or a combination of both according to the actual loss <ul style="list-style-type: none"> • Includes right to salvage materials from structure • Transfer and business disruption allowance • Cost of structure repair to original or better condition 	Payment for lost assets, transition assistance and income restoration	LTA, MNRE, MOF, OAG
D. OTHER PRIVATE PROPERTIES OR SECONDARY STRUCTURES				
Partial or complete loss of other property or secondary structure (i.e. shed)	Owners of structures (regardless if the land is owned or not)	All payments for affected structure at replacement cost; Cost of structure repair to original or better condition; and Financial assistance for relocation of structure.	Payment for loss and relocation if required	LTA, MNRE, MOF, OAG
Loss of graves	All owners	Compensation to cover the cost of exhumation (including any religious ceremonies if required) and relocation – no grave is expected to be affected	Payment for loss and relocation if required	LTA, MNRE, MOF, OAG
E. LOSS OF INCOME OF EMPLOYEES OR HIRED LABOURERS				
E.1 Temporarily Affected				
While business re-establishes (i.e. reorganizing or relocating)	All affected employees, wage or daily labourers in private businesses	Payment for lost salary/wages for each month AP cannot work; or Assistance in securing new employment including relevant skills training if required	Businesses will be encouraged to retain existing employees. Payment for lost income during business re-establishment	LTA, MNRE, MOF, OAG
F. COMMUNITY ASSETS				
Loss of buildings and other structures (fences, walls, etc.), common resources (such as water supply)	Local community or local authority owning or benefiting from community property, infrastructure or resources	Restoration in existing location of affected community buildings, structures, infrastructure and common property resources to original or better condition; Replacement in alternative location identified in consultation with affected communities and relevant authorities; or (Cheque) Payment at full replacement cost.	Full restoration of buildings, structures, infrastructure, services or other community resources by contractor if agreement for local authority or community to undertake the restoration works.	LTA, MNRE, MOF, OAG

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Any other loss not identified	Family members who may or may not be tenants of the land	Unanticipated involuntary impacts shall be documented and mitigated based on the principles provided in ADB’s involuntary resettlement policy.	Opportunities such as local procurement and maintenance contracts can assist with livelihood options for these APs	LTA; Contractor; ADB, OAG
-------------------------------	--	--	--	---------------------------

AP = affected person, LTA = Land Transport Authority, MOF = Ministry of Finance, OAG = Office of the Attorney General, MNRE = Ministry of Natural Resources & Environment, MAF = Ministry of Agriculture and Fisheries
Source: Consultant

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

6.2 Freehold Land Compensation

Determining compensation to be paid for freehold land is a straight forward process as it is regularly sold and conveyed, mortgaged as collateral for loans, and its value is determined by the fluctuation of the open market of "willing buyer and seller". Land is valued according to the availability of amenities such as water, electricity, and telephones; its proximity to facilities such as schools and hospitals and the comparable sales of similar sized land in the same area. MNRE-Land Management Division as the main focal point for land matters, will be solely in charge of conducting the land valuation for all affected lands. As part of MNRE due diligence, MNRE will also be responsible with consulting and negotiating with all the affected persons regarding the family affected lands. For this project, replacement value will be calculated, based on

- (i) fair market value,
- (ii) transaction cost,
- (iii) interest accrued,
- (iv) transitional and restoration costs,
- (v) and other applicable payments, if any.

Freehold land is registered under deeds registration system with a public record maintained with the Register of Freehold Lands. Freehold land is situated mainly within the Apia urban area and on the town outskirts. Residences on freehold land are not subject to the authority of the chiefs and orators of a village, even if it is in a village.

6.3 Customary Land Compensation

Acquiring customary land can be challenging, especially as there can be uncertainty or dispute over land ownership. Disputes are referred to the Lands and Titles Court for decision about the *Pule* over the land or title in dispute.

Customary land also presents difficulties for valuation because it cannot be sold, mortgaged or alienated other than by lease. Furthermore, as customary land has never been subject to rates, it is difficult to ascertain the "market value" other than by using the market value of freehold land as a basis, a recognized process previously applied to past similar in nature road projects. The *Taking of Lands Act 1964* states that compensation should be paid at the "market value" and in practice customary land value has been measured in comparison to the market value of freehold land in the same area. For this project, replacement value will be calculated, based on

- (i) fair market value,
- (ii) transaction cost,
- (iii) interest accrued,
- (iv) transitional and restoration costs,
- (v) other applicable payments, if any.

Taking of customary land is possible by only two methods:

- a. By lease of the land to a person determined by the paramount chief of the family. The Minister of Lands is appointed by the *Taking of Land Act 1965* to act for and on behalf of all beneficial owners in signing a lease for registration. The Minister may grant a lease or license of customary land for authorized purposes (which are defined). The maximum lease in aggregate for a public, commercial, business or religious purpose is 40 years; and
- b. By the *Taking of Lands Act 1964* for a "public purpose". The Lands and Titles Court is an independent court specifically established to deal with customary lands and titles. *Section 9 of the Land Titles Registration Act 2008* states clearly that no provision of that Act is to be seen as disposing of any customary land.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

6.4 Easements

6.4.1 Legislation

Easements are the grant of a ‘non-possessory property’ interest that grants the easement holder permission to use another person's land. There are different kinds of easements including the affirmative easement (most relevant for the CCIRUP) which gives the easement holder the right to do something on the grantor of the easement's land. Laws and regulations relating to easements include:

- I. *Part IX of the Property Law Act 1952* deals with easements and provides for easements in gross (s122); power of the courts to modify or restrict easements (s127); and permission for the court to impose easement for encroachment (s129);
- II. The *Taking of Lands Act 1964* does not permit the creation of easements over customary land, but provides provisions for the granting of leases and licenses;
- III. *Part 9 of the Land Registration Titles Act 2008 (LTRA)* details easements and deed of restriction due to easements, whereas Part 13 outlines compensation by government. It however falls short of specifying compensation for drainage outfalls, especially those underground. This Act indicates what type of water is allowed to flow across or under the land, how the infrastructure (such as drainage pits and open channel drains) can be maintained and accessed, and what responsibility the dominant tenement has to restore the land to its original condition after any service or maintenance;
- IV. The terms also describe the responsibility of the landowner (grantee) to minimize disturbance over the land and to restore the land, as nearly as practicable to its original condition. Section s67(3) allows a deed of restriction to be registered. Easements must be registered to be considered legally valid; and
- V. The *Survey Act 2010 (and regulations)* requires existing and proposed easements (either easements in gross, or dominant or servient tenement) to be clearly shown on a survey plan (s19, 24).

6.4.2 Compensation

The process for open drainage easements is included under the *Lands and Titles Registration Act 2008*- relevant to both Freehold and Customary Lands. Note that landowners shall not build any permanent structures or plant trees which may constrain future site maintenance on easement sites. Consultations responded to public questions as follows:

In accordance with the design, there are a total of 23 easements within CW-1 to be upgraded and newly constructed easements. In both situations, LTA will be conducting an initial consultation with the landowners regarding the conditions with all the APs on the overall objectives and benefits of upgrading and constructing all these easements. This will be followed by the signing of an easement agreement between the landowner and LTA.

When conducting land valuation, the land is surveyed, value calculated, and negotiated with landowners on market value. This is an exception for easements. Conditions imposed on the easement are in place, such as no rubbish or littering or planting allowed on top of the easement. The owner of the land still has legal ownership over the easement, but when the Government wants to come in to maintain the drainage, they cannot stop the works from taking place. All these terms and conditions are relayed to the APs and stipulated in the easement agreement. Landowners are not compensated for drainage easement considering the Government is not buying the land or permanently acquiring the lands for these easements, and the land remains the property of the landowner. However, crops that are affected along these easement sites will be compensated. Several queries were asked and responded to by the consultant as follows:

- (i) **Involvement of local communities.** “...the legal framework is adequate to create easements for drainage but that the framework cannot achieve perfect results without sensible and sensitive application of the laws and procedures, with a special focus on communications and engagement with villagers and affected land holders”;
- (ii) **Amendment to the laws.** “There is no need to amend any legislation in the immediate future to allow drainage easements to be created and registered. However, the laws should be amended

***Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan***

within the next few years to clarify the matters described in this report regarding the creation of drainage easements, particularly easements in gross, and also the registration of such easements”;

In conclusion, no compensation will be given for land that will have drainage easements as it is determined to benefit the landowner, this process will include negotiation with APs followed by disclosure of RP to APs. Consultation with the APs will highlight that the easement will need to be available for maintenance access and to ensure that no building restricts access to the easement. Detail of the easement agreement form is in annex 3.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

(VI) 7. SCOPE OF LAND ACQUISITION

Within CW1, the Government will compulsorily acquire partial land areas from 124 lots owned by private and customary owners, with 30 Lots under Government ownership to be transferred to the LTA to accommodate the new road upgrade requirements and 23 lots to be affected by easement works. The affected landowners were consulted by MNRE and LTA throughout the preliminary stages of the project. All affected landowners will be negotiated with and will acquire land compensation signed by MNRE before release. Sections of land affected by easement works will not be acquired by the government, however, affected landowners will need to sign an easement agreement form for the legal registration of the easement under MNRE and for maintenance works in the future by the contractor.

There are impacts on existing privately-owned physical assets (e.g. fence lines, hedges, trees, etc.) that will need to be removed or relocated, and compensation provided before the start of any physical works. There will be no requirement to resettle people, households or major structures e.g. residential houses or business structures as a consequence of the proposed upgrade. In addition to land acquisition and removal/relocation of fixed assets, property owner agreements will also be needed for drainage outfall easements. Drainage easements are necessary for instances where road rainfall runoff needs to be conveyed to an existing waterway outside of the existing ROW.

7.1 Overview of Land Ownership in Samoa and along the CCIR

The islands of Samoa cover a total area of 2,800 km² over two large (Upolu and Savai'i) and two small islands. Of this total land area, 81% is held under customary ownership, 15% by the government, and 4% as freehold. Land Tenure or categories under the Constitution Article 101 outline three types of ownership. These are reflected in Table 7 below.

Table 13: Types of land ownership in Samoa.

S. No.	Land Type	Description
1	Freehold	Privately owned. Can be transferred, leased, mortgaged or otherwise.
2	Government	Government owned/public lands. Can be leased and in certain circumstances transferred.
3	Customary	Under customary ownership. Protected by the constitution for the "customs and usages" of the people of Samoa. Customary land is owned by the community in accordance with traditional custom and usage and may be leased but may not be otherwise sold or transferred. Expropriation by the Government for projects for the public benefit is permitted by law.

Source: Constitution Article 101

Information regarding customary land boundaries is handed down through a family by word of mouth and in some cases mapping. A considerable proportion of customary land is communally owned land by villages and aiga (family). Customary land can be awarded through historic claims and by family genealogy and connections. Communal village land is governed by the village "Fono" (village council) and is comprised of:

- (i) **Village controlled customary land.** Normally the undeveloped hinterland that is used by all members of the village; and,
- (ii) **Land allocated to each extended family member.** For their houses or farming. Extended family land is allocated by the "Sao" (chief matai) in consultation with members of their extended family.

7.2 Summary of Impacts for CW1

There are 194 lots within CW1 that will be partially affected by the project. This includes 164 private and customary owned land lots, 30 Government owned land lots and 23 easements under customary, government and private ownership, to minimize impacts on land lots and assets, the reduced standard ROW from 20 m to 16 m, a total of 82,488 m² of land will be acquired on both sides of the road, where it is possible.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

The project will also require extending easement areas within 23 lots, within CW-1. This is included within this updated RP, but again these are partial impacts, with a cumulative total length of 4,126 m² required. The easements will not require a change in the title of ownership of the land. Affected crops along this area of land will be compensated with affected assets either reinstated or compensated depending on the best decision agreed upon by the affected owner. However, lands affected by easement works will not be acquired by the government thus, not needing any compensation for lands.

Resettlement (relocation of people and/or major structures such as houses and large businesses) has been avoided in the CCIRUP, and the majority of affected assets will be able to be relocated outside the road boundary or rebuilt to a similar or better condition than it was before. While residents and commuters alike will experience some nuisance, safety and income generation impacts (e.g. roadside vendors) during the implementation phase of the project, all those consulted emphasized that the upgrading of the road was their priority. The CCIR stakeholders including APs overwhelmingly noted their support for the road to be upgraded and requested for it to commence as soon as possible. The following types of land will be required for the CCIRUP:

- (i) **Type 1 – Permanent acquisition of land.** For construction and operation of the CCIRUP with total lots of 156 belonging to private, customary and government ownership.

From the total of 194 lots, a total of 82,488 m² of land will be acquired by the Government for the road upgrade and road widening purposes only. This brings the total usage of land to be acquired to 60% acquired from freehold land, 28% acquired from customary land and 11% of land under Government ownership.

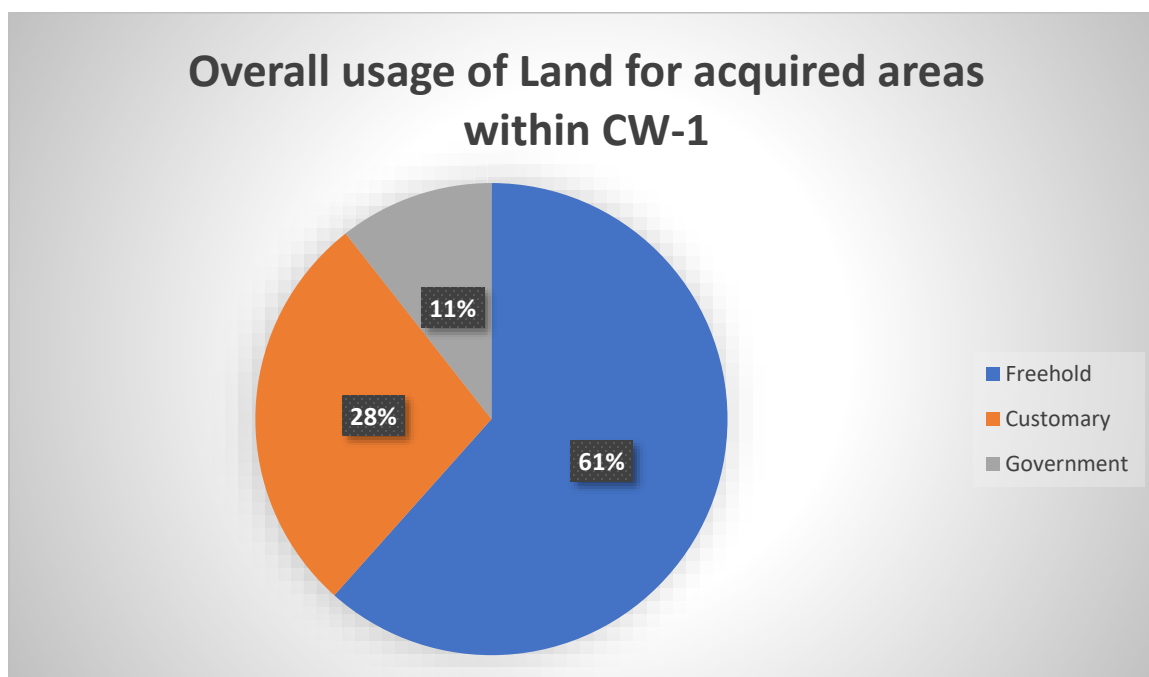


Chart 3: Overall usage of lands for acquired areas for the CCIRUP.

A final verification of Inventory of Loss assessment together with a Detailed Measurement Survey (DMS) was conducted between June-July 2023 upon mobilization of a surveyor to undertake the redefinition of boundaries along the alignment. This document will subsequently be updated to incorporate data/findings from this assessment.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

The degree of impact on land and vegetation may be classified to be moderately affected as no affected landowners will lose 10% or more of their lands or any major productive assets. This minimization of impacts was achieved through the survey works by ensuring that affected landowners alongside the CCIR received similar moderate impacts of land being taken by acquiring equivalent sections of lands from both sides of the existing road to avoid major land loss impacts affecting any one particular landowner.

- (ii) **Type 2 – Temporary occupation of land.** Temporary occupation of land will include the need to utilize the family land to cater for detour routes. In this case, the contractor will need to consult the landowner and have in place a lease agreement or consent to ensure that the contract will rehabilitate the disturbed land to an equal or better condition than it was before. Temporary occupation will also include the need to store away machinery on family lands. Lease agreements or consents will also be required between both the family and the contractor. All temporary disturbed lands will need to be included within the rehabilitation/restoration report prepared by the contractor.
- (iii) **Type 3 – Easements for drainage outfalls.** These do not require formal acquisition i.e. complete ownership by/transfer of land title to the government but do require granting of certain access rights by the incumbent property owner to the government for purposes of installing and thereafter maintaining the outfall and all associated infrastructure. Drainage easements total area of 3663 m² applies to freehold, government and customary lands.

7.2.2 Impact on Structures and Fixed Assets

Privately owned fixed structures and assets will be permanently impacted. In some instances, these assets may be able to be relocated and/or compensated, such as for wire boundary fences. The majority of the affected assets are located on customary land. This is further elaborated in the Inventory of Losses Section-Affected structures by type.

Affected assets were identified to be within the existing ROW and will be required to be removed for the new alignment of the road. Commonly occurring existing fixed assets that will require removal include:

- I. Fence lines of various forms e.g. chain & wire mesh, ornamental, concrete block, agricultural, and hedges. Fences range from barbed-wire fences to corrugated iron, mesh wire, chain-link, and concrete block fences. They also include a number of hibiscus hedge fences; and,
- II. Temporary structures i.e. small road-side vendor shacks.

Families may decide to carry out the demolition and reinstate the fence in which case compensation in lieu of the works will be provided; otherwise, the successful contractor will undertake the works by reinstating the affected assets behind the ROW during the construction phase.

7.2.3 Impact on Income Generation due to Land Acquisition

The environmental management plan for the project includes mitigation strategies for construction and operational related activities that will impact on the income generating capacity of residents and businesses including:

- (i) **Transportation of farm produce.** Those farming communities on the southern side of Upolu will face temporary disruption in transporting their produce to Apia markets during construction activities. This will mean a longer drive through the Alafa'alava Road or Lemafa Road for the south eastern part of Upolu. A notice will be prepared and will be posted by LTA prior to any temporary road closure of the CCIR during construction noting the suggested detour through Alafa'alava Road and Lemafa Road. This will provide detour information as well as inform residents along this detour road of potentially heavier traffic. This impact will be minimized through temporary traffic controls (TTC) practices under the approved Traffic Management Plan prepared by the civil works

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

contractor/s, and will be supervised, updated and regularly monitored by the construction supervision consultant (CSC) and LTA. Heavy trucks currently avoid the CCIR due to its steepness, sharp curves, poor road conditions and safety concerns; hence this should be of limited concern.

- (ii) **Clientele Visits.** Disturbance along the road during construction is expected to be minimal as there is no major business or services along the CCIR. However, in case a safety or similar concern arises during the construction period, it will be minimized through temporary traffic management and controls. Additionally, the contractor/s will be required to maintain access to businesses and farms during normal operating hours, and to closely coordinate and agree to any required temporary closures; and,
- (iii) **On-street parking.** Due to the currently informal nature of the CCIR regulations, road users are more or less free to park on the roadside in any given location. This will not be possible in many locations following the upgrade. Small businesses such as market stalls will be relocated behind the road boundary. Any identified market stalls will be relocated or compensated prior to works commencing and will be allowed to operate throughout the construction phase depending on the stall owner's decision. Stall owners will still be provided with the option to erect their market place/stall outside of the legal road reserve in a safe location from the project works.

7.2.5 Impact on Common Property Resources

The customary lands in the villages comprise the common property resources forming the basis of a communal benefit system. There is a strict code of controls, management, utilization and access under the auspices of the chiefly (matai) system. Where the road development will need to acquire lengths of customary land along the existing road, the paramount chief of the relevant village or customary landowner group will be the representative; however, village members and customary landowners will be meaningfully consulted by MNRE, LTA and Supervision Consultant. Consultation with customary landowners suggested the following actions are important to ensure that land acquisition of customary land operates seamlessly:

- (i) **Respectful relationships between communities and contractors to be maintained** during construction. This is through periodic informal consultations in collaboration with LTA and the CSC to the community *sui o nu'u* (mayor), *sui tama'itai* (women's representative) and matai (chiefs), to update on progress made or any constraints that may affect the community. Also ensure curfew times and village by-laws are observed and respected.
- (ii) **Customary Leader Consultation(s).** This includes informing the customary leaders, Sui o le Nuu and/or landowner of the proposed affected areas and gaining their insights into land acquisition requirements; further upgrades required like signage, bus bays, solar lighting, road humps; and other potential safety features during design to ensure that their inputs are included. Once the landowner approves the land acquisition, the decision is final and cannot be overturned; and,
- (iii) **Security.** Where possible, utilize community members for such roles as security, unskilled and semi-skilled labor roles in road construction.

Compensation for land acquisition on customary land will follow a similar process to freehold in the sense that affected persons residing on affected properties largely have similar needs. Although slight differences in terms of management of family affairs concerning land and compensation which usually requires direction by the Sa'o leading the family clan of a customary land without a land deed. On the other hand, while a freehold land may have single/multiple owners, the names are clearly stated in a land deed. In the case of the affected customary lands, landowners have been consulted and have agreed for land compensation to be given to the landowner/Sa'o of the family.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

8 Gender impacts

Men and women have quite different travel patterns, modes of transport access and utilization of infrastructure. This has been showcased through this proposed CCIRUP to also be the case in Samoa. For example:

- (i) More women than men use the buses that commute along the CCIR to Apia (bus drivers 2018, 2022);
- (ii) Safety concerns exist in terms of use of road, transport methods and personal safety concerns. This is further discussed in the Rapid Gender Assessment;
- (iii) Employment in terms of local construction opportunities is more likely to favor men. Major employment opportunities (contractors and supervision) for local people under the project implementation for consultancy works and contractor will be dominated by men due to the physical nature of works and the lack of women within the technical fields. However, there are some areas that women can also contribute through the following avenues: food catering services, cleaning services for office sites, daily clearance of the laydown areas, traffic management, material sorting at the storage areas and roadside maintenance;
- (iv) In terms of freehold land, payment will go to the registered/rightful landowner identified and consulted by MNRE;
- (v) For customary land ownership, land is registered under the Chief of the day or Chief (extended) of the family (a.k.a in Samoan – *Sa’o*). All customary landowners identified for land compensation under Package 2 are male chiefs. The chief of the day also has the right to allow a female title or non-title holder to receive the land compensation on behalf of his extended family and under the proper legal agreements and verification documents as required by the MNRE - Land Management Division. There are also some female chiefs within the village council whose interests are protected under the village system.

Communities along the CCIR have reiterated the importance of using local labor for construction.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

(VII) 8 BUDGET AND COMPENSATION PACKAGES

The proposed budget will cover land acquisition, affected crops and assets compensation as well as 10% contingencies which is covered under the Government of Samoa 2023-2024 financial year budget. The updated budget included the estimated costs for affected lands and affected non-land assets to be compensations within CW1. This budget totaled at WST \$7,886,343.30 including WST \$6,926,110.00 for land compensations, WST \$212,000.00 for non-land assets compensations and 10% contingencies estimated at WST \$716,940.3. The current allocated budget which is administered by MoF can be increased depending on the rate of payments released by December, 2023. Supplementary funds can be requested during this time should additional funds be required. Table 13 below gives a summary of this RP Budget:

Table 14: Overall budget for compensation.

Item	Total	Unit	Rate/valuation	Amount (WST)
Land Acquisition	48,886	Square meters	Refer to table 3-Affected land	\$6,926,110.00
Physical structures	106	Square meters	TBC	\$ 212,000.00
Crop Count	1423	Each	Refer to table 14 - Affected Crops	\$ 31,293.00
Total (WST)				\$7,169,403.00
Contingency (10%)				\$716,940.30
Overall total				\$7,886,343.30

Land compensation

The total proposed cost of the compensation for the CCIRUP RP was assessed and determined by MNRE based on current market prices, while this document will provide a guide for the process and the assets, crops and structures, as well as support and income to APs.

In cases where the affected landowners are not yet confirmed by the ministry, land compensation for these affected lands based on the land valuation report will be deposited into an escrow account and will be released once the rightful landowners are confirmed. The escrow account will be created by MoF upon the receipt of a formal request from the LTA- Chief Executive Officer.

Physical structures

A few physical structures are located within the ROW and will be removed during the project implementation. A summary of these affected assets is provided in Table 9 within detailed information provided in Annex 5.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Affected Crops

Lists of affected crops in CW-1 are listed in Table 5 below. The LTA and CSC continue to record affected crops at the completion of this report, in which additional records will be incorporated into this report.

Table 15: Lists of identified affected crops and crops owners.

Purpose	Talie	Orange	Taro	Coconut	Breadfruit	Giant Taro	Guava	Banana	Lemon Tree	Pineapple	Cocoa	Nonu	Avocado	Laupele	Mango	Tomatoes	Cassava	Apiu	Rambutan	Yams	Esi/ Papaya	Spring onion	Cucumber	Eggplant
Land Taking									1															
Land Taking		1							1						1			1	1					
Easement				4																				
Land Taking				109	1			21	1				1				7			7				
Land Taking			10		3			15			5	20								10				
Land Taking			200					3													1			
Land Taking	4												2								2			
Land Taking				500	1			2			2		1	16	1						1			
Land Taking																								
Land Taking					1			4							1					30				
Land Taking			120	2										1										
Land Taking			4																	9				
Land Taking		2					2		2			9			10									
Land Taking			150																					
Land Taking			30	1							2									2				
Land Taking					2																			
Easement				2					1															
Land Taking															1									

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Right of Way			5		1						1							5				
Right of Way			10					2	1									5				
Right of Way			5		1		2															1
Right of Way			15		2						1											
Right of Way					7		5						15	1		10				4	8	
Right of Way			50		1		6											5				
Right of Way			250																			
Right of Way			15											30								4
Right of Way	1		80	12	2		1			1												
Land Taking							5															
Right of Way				4	2					2	1		1							1		
Right of Way			15	2			1	6		1			10							1		
Right of Way	6			1			4	1		5												
Right of Way					1		2						4	1					10			
Right of Way					9					1			1							1		
Land Taking							6	1		1			1					13				
Right of Way			370							12												
TOTAL	11	3	1329	646	25	3	82	8	2	24	39	6	46	19	30	17	14	83	11	8	4	1

(VIII) 9. RP IMPLEMENTATION

INSTITUTIONAL ARRANGEMENTS

Overview

MOF is the Executing Agency, and the LTA is the Implementing Agency. Under the World Bank funded Samoa Climate Resilient Transport Project (SCRTP), a Centralized Technical Support Services Unit (CTSSU) has been established under the Aid Coordination & Debt Management Division of the MOF. The CTSSU will provide assistance and service support on project implementation for all development projects including CCIRUP. In addition, a Transport and Infrastructure Sector Coordination Division (TISCD) has been established within the Ministry of Works, Transport & Infrastructure (MWTI). The TISCD will also assist with CCIRUP project implementation and is generally responsible for overall reporting and of the Transport and Infrastructure Sector Plan. It will be guided by the Transport and Infrastructure Sector Advisory Committee (TISAC). The TISAC will not be involved in day-to-day implementation but will instead provide general sector oversight and policy direction for projects in the sector.

As the implementing agency, the LTA is responsible for ensuring proper and transparent implementation of the RP. The LTA will be closely supported by the Land Management Division of the MNRE. The MNRE will determine and use as primary basis current market rates and replacement values for negotiation purposes, according to this Resettlement Plan. As the CCIRUP is the first project in Samoa to have land acquisition / resettlement implemented according to *ADB's Safeguards Policy Statement, 2009*, the government's implementation of the RP by the MNRE and LTA will be closely supported by the Project Implementation Consultant.

A contracted project team will oversee implementation works as well as safeguards and report progress and any concerns to the LTA and ADB. Within this team there will be a dedicated International Safeguards and Gender Specialist as well as a National counterpart. These specialists will be responsible for ensuring ADB Safeguards are met within project preparation, implementation and evaluation. For example, an effective and transparent GRM – that it is in place and compliant with ADB Safeguards Policy for social, environmental and GBV/VAC related issues.

The implementation works contractor also has responsibility in terms of safeguards implementation and reporting. They will report directly to the contracted Safeguards Specialists.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

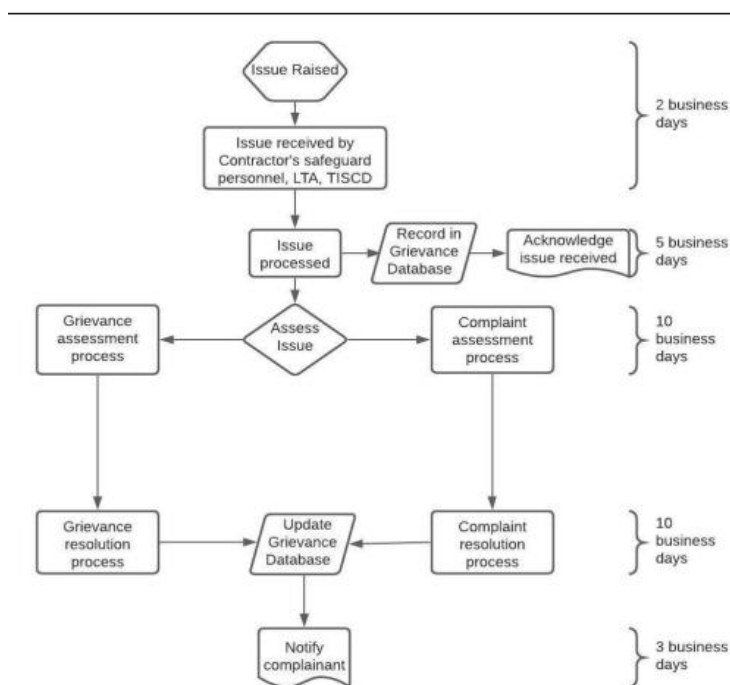


Figure 3: GRM processes for the approved RP

Final RP implementation will commence following clearance of this document by ADB and prior to commencement of construction activities. In general, RP implementation will have four key stages, as follows:

- (i) Addressing legal requirements pertaining to the gazetting of the land to be included in the CCIRUP that does not currently follow the registered ROW.
- (ii) The negotiating process related to AP compensation for land acquisition, easements, and removal/relocations of privately-owned assets.
- (iii) Provision of property rights, payment of compensation, and livelihood restoration (if required).
- (iv) Ongoing monitoring and evaluation, including reporting on a biannual basis of Safeguards.

Process

The Executing Agency (MOF) will be responsible for the timely allocation of funds to compensate APs for land acquisition, and funds have been earmarked and are ready for compensation payments to be made to affected people. The payment of compensation will be disbursed by transfer to bank accounts of affected persons. Alternative arrangements such as a government bank cheque can be provided to those who do not have a bank account. In the case of any disputes, compensation will be placed in an escrow account managed under the MOF until the dispute has ascertained a resolution. A completion report will be submitted to ADB for clearance.

Table 15 identifies the key responsibilities of ministries and other agencies for the land acquisition of the CCIRUP.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Table 16: Major resettlement activities.

Activities	Responsible Agency
1. RP Preparation	
Review and approval of draft RP	LTA / ADB / Consultant
Establish Grievance and redress mechanism – compliant with ADB reporting for Social Safeguards – also including records as well as reporting mechanism in place	LTA PMD / TISCD
Update RP as required if there are unanticipated impacts during project implementation and prepare corrective action plan if there will be non-compliance.	Project Consultant / LTA
Following the award of the civil works contract, arrange a briefing to the contractors to raise their awareness on safeguard requirements	Project Consultant / LTA / TISCD
Finalise RP once road design complete and approved	National Safeguard Specialist ADB consultant/LTA/MNRE
2. RP Implementation	
Approval and release of funds for compensation	MOF
Verification of APs	LTA / MNRE
Monitoring mechanism in place	LTA / MOF
Ongoing information updates and consultations with APs	LTA and Project Consultant
Undertake regular monitoring and reporting on implementation progress of RP and Safeguards	Project Consultant and LTA PMD
Grievance and redress arrangements compliant with ADB and national mechanisms – also including records as well as reporting mechanism in place	LTA
Preparation of deeds of sale/lease	MNRE & LTA
Payment of Compensation	MOF assisted by LTA & MNRE
Compliance Report	LTA , MoF, MNRE and Consultant

ADB = Asian Development Bank, AP = affect persons, CCIRUP = Cross Central Island Road Upgrading Project (the Project), LTA = Land Transport Authority (implementing agency), MNRE = Ministry of Natural Resources and Environment, MOF = Ministry of Finance (executing agency), RP = resettlement plan.

Source: Consultant

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

I. MONITORING AND EVALUATION

The following indicators have been identified to monitor the progress of the implementation of the RP. Additional indicators will be added as required as part of the Resettlement Completion Assessment. Note that these indicators can be measured quantitatively and where relevant qualitatively.

Table 17: Monitoring indicators of the resettlement plan.

Indicator	Number	Key elements impacted	Notes
Number of GOS staff working on RP		Support provided to LTA and MNRE to assist in process	Men and women disaggregated
Resettlement team trained to meet ADB SPS 2009	1 training	Overview of ADB requirements in line with GOS procedures	Carried out during Fact finding mission Number women/men trained – 2018
Project affected households	TBC	Land loss Plants Facilities Income generating	Compensation to be paid
Compensation paid	TBC	Land loss Plants Facilities Income generating	Negotiations commenced, pending compensation disbursement.
Facilities replaced and improved	TBC	Fences Roofs Plants Easements	Includes easements
Livelihood replacement training	TBC	Potentially this is not required as any impacts are likely to be temporary	Number of interested parties. This does not have a budget under implementation
Number of APs employed by contractors and LTA	TBC	TBC	During road construction and for road maintenance
Road safety perceptions after project construction	N/A	Survey form recording degree of satisfaction Police reports of accidents	
Records of grievances	None to-date	From implementation of the RP	Maintained and updated in LTA
Actions – responses to grievances	N/A	% of resolved issues recorded to the AP satisfaction	Ongoing – 6 monthly updates

Monitoring and evaluation will occur at different levels:

Monitoring and Evaluation of Resettlement process

Upon completion of the RP, the monitoring and evaluation of the implementation of the RP will be the responsibility of the LTA Safeguards Team together with the Project Supervision safeguard specialists. A RP compliance report will be prepared and submitted to the ADB for monitoring and the confirmation of all RP activities prior to the commencement of any physical works. This compliance report will be prepared by the PIC social safeguards

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

consultant recruited under the project together with the assistance from LTA safeguards team, MNRE and MoF-Aid Coordination and Debt Management Division for the confirmation of all compensation payments.

The RP compliance report will be prepared and submitted in two separate phases as highlighted below:

Phase 1: Consist of all the land acquisition activities, resettlement measures, consultation procedures and compensation remedies as highlighted in the disclosed RP prior to the commencement of any physical works; and,

Phase 2: Upon the completion of other resettlement activities including all identified reinstatement works and rehabilitation measures implement by the contractor.

The RP compliance report will be submitted to the bank to ensure the social requirements for ADB to compensate affected landowners and crops owners are satisfied before the commencement of construction works. In addition, the report will also provide the opportunity for the main implementation agency to reflect on the implementation of the RP and identify ways to improve future safeguards works under ADB funded projects.

Semi-annual safeguards monitoring reports will be submitted to ADB throughout the implementation of the project by the TISCD, and the LTA safeguards team supported by the Supervision Consultant will provide fortnight or monthly safeguards updates to online meetings or when required by the bank.

Safeguards Monitoring

The national PMU Social Safeguards consultant (LTA) together with the Project Supervision Safeguards Specialist will audit impacts on APs during and post construction to ensure any impacts are managed effectively. These reports will be undertaken biannually and will assess living standards of APs over the project duration. This will be undertaken through a consultative process with APs and other relevant stakeholders. The report will consider such aspects as:

- (i) Changes to livelihoods as a consequence of the project which may include unforeseen impacts as well as potential changes arising from temporary or even permanent employment opportunities;
- (ii) Any undesired impacts that may have been experienced and how these were reported and managed under the GRM as noted above;
- (iii) Road safety related concerns as a consequence of the project. This links the safeguards monitoring to GAP whereby it can encompass efforts to improve access and conditions for vulnerable affected residents. The GAP will be updated 3 monthly and will be attached to the 6 monthly Safeguards Reports;
- (iv) Local procurement opportunities in terms of semi and unskilled labor roles; and ongoing maintenance and improvement opportunities; and
- (v) Sex disaggregated data will be collected to indicate the differential impact on men and women.

This report will be forwarded to ADB six monthly.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

II. GRIEVANCE REDRESS MECHANISM

The following Grievance Redress Mechanism (GRM) procedure is being followed to address any social or environmental issues that may arise throughout the project.

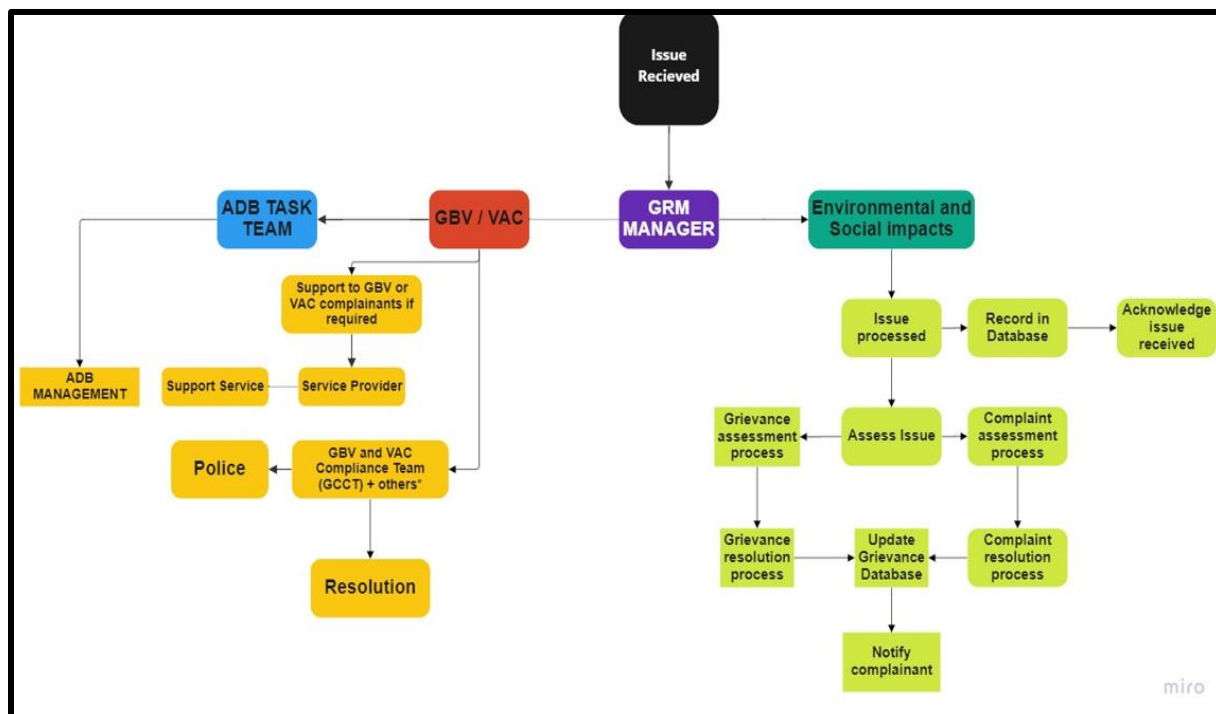


Figure 4: GRM Process inclusive of GBV, VAC and SEAH Focus

A. Minor Concerns

- (i) Filed with the safeguards specialist(s) of the construction supervision consultant (CSC) who records the complaint and consult with the contractor for a solution.
- (ii) CSC to maintain and regularly update a complaint's register;
- (iii) Report to safeguards officer from LTA with proposed resolution; and
- (iv) CSC to respond to the AP with a resolution within 48 hours.

1. Major Issues

- (i) AP should file a formal complaint with the LTA Project Manager or to any relevant stakeholders (MNRE, MoF, MAF and MWTI) if they face a major concern e.g. land issues or damage caused by the Contractor.
- (ii) Follow the same process as a minor issue but the time to respond for discussions and meetings with the complainant to reach a resolution must be within 7 days. However, note that for land issues, the timeframe for discussion and meetings may be more than 7 days.
- (iii) LTA Project Manager to maintain a register of complaints, with a duplicate of the relevant complaint given to the AP.
- (iv) If complaint is dismissed, the AP is to be informed of their rights to take their complaint to the next level.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

- (v) If the AP is not satisfied with the LTA or any ministry's decision, the AP can take their grievance to the judicial system at their own cost, however, if the Court shows that LTA or the relevant ministry have been negligent, the AP may seek compensation of costs.

Grievances under the RP implementation are usually related to land disputes regarding landownership, compensation, land & road reserve boundaries, crops ownerships and crops rates. LTA and other relevant agencies must ensure that affected communities and people are consulted and meaningfully engaged throughout all stages of the project. LTA will conduct a community/public consultation for all affected families alongside the road before the start of the construction works. Other site-specific issues occur during the project implementation will be addressed through proper mitigation measures and specific management plans prepared by the contractor and will be monitored on a daily basis.

2. Grievance Procedure

All issues are logged and tracked in the grievance data sheet by the safeguards team and are reviewed as part of the ADB/LTA compliance monitoring systems. Once the issue has been satisfactorily resolved with the member of the public who initiated the complaint (the 'complainant'), then the complaint will be closed. The complainant will be notified in accordance with the procedures as documented in the GRM, and this will be recorded in the GRM data sheet.

The GRM data sheet maintains statistics on number of and types of complaints, time taken to resolve, etc. These statistics can be easily published to a public website or included in reports. Complaints may be lodged through a website, by SMS, in person, by telephone, e-mail, or letter. Website complaints are automatically logged in the system, while other forms are manually entered by the 'Complaints Administrator'. Different levels of grievance management fall under the above process and include:

1. Samoa village level grievance management

While most grievances follow the above process and are reported directly to LTA-PMD, there is also a traditional grievance process that operates in villages such as Siumu. Some project related grievances experienced by villagers can be dealt with effectively at the village level and need not be referred to the LTA Project Manager/IA unless village level redress mechanisms fail. Common among such grievances are local disputes over land boundaries, claims of ownership over crops and compensation distribution. Other common disputes involve contractors such as where non-land assets such as soil and rocks are used without prior consent of landowners; or where contractors fail to deliver on agreed terms for their use.

The traditional mechanism for grievance redress requires the aggrieved party to take his/her grievance to his/her extended family paramount chief, who will assume responsibility for a resolution on their behalf. Furthermore, their decision is final. The aggrieved party's paramount chief may seek redress directly with the Contractor or the other/opposing party and would do his/her utmost to secure a satisfactory outcome. Failing this, the 'paramount chief' will then take the grievance to the Village Council of Chiefs, through the Pulenu'u/Sui o le Malo. Usually this is discussed during the monthly meeting of the Council of Chiefs. The Council of Chiefs will decide on how best to address the grievance including conveying the concern to the Contractor on behalf of the aggrieved party, or alternatively recommending that the aggrieved party seek a resolution directly with the responsible Government agency (i.e. LTA) and failing that, seeking redress with the Court.

In the case of local disputes over customary land boundaries, and ownership and use of non-land assets, the Council's decisions are final with the disputing parties aware of the risk of noncompliance. Such decisions of the Village Council are now recognized by the Courts by the *Village Fono Act 2000*. 6 outlines the levels of traditional and government authority that are involved in grievance resolution, depending on the severity of the grievance.

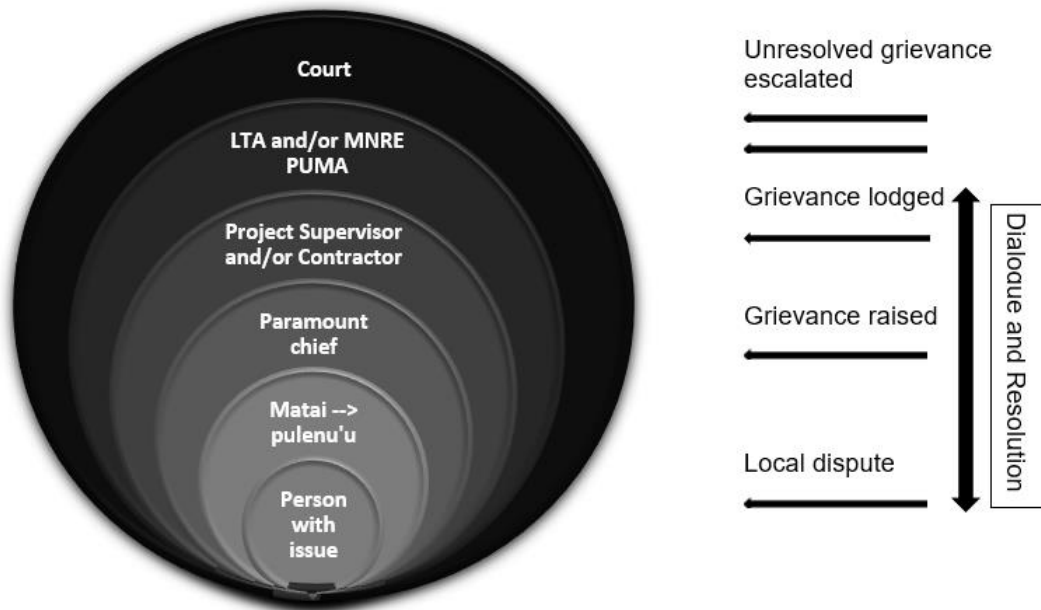


Figure 5: Level of grievance resolution within the community.

9 Legislation

The grievance procedures defined by the Taking of Lands Act 1964 are only utilized as a last resort. It is more common for any differences to be settled by negotiation and consensus reached between the Government and the village or villagers involved and this is usually the first step in the resolution of any grievances. As indicated above, the complainant can choose to take their grievance straight to LTA, however the traditional system remains important in the villages and in terms of customary land issues.

10 Contractors Responsibilities

The Contractor is responsible for community consultation regarding construction activities and recording complaints as per provision contracts. At the inception of the project, all employees of the Contractor should be briefed on the GRM and informed they are required to report any grievance to the Site Manager. The contractor/consultant shall nominate a staff member for community consultation who will manage grievances, i.e., the Site Manager. The Site Manager will work in cooperation with LTA PMD and the Public Relations Officer on a regular basis. A phone number will need to be established and be made publicly available on project signage and public relations materials readily accessible and visible to the affected persons and communities.

During construction phase, a suggestion box and complaint forms will be located at the Site Office. The Site Manager will receive grievances on site and respond within 48 hours of the grievance being received. The response should confirm the nature of the grievance and indicative timeframe for resolution. The Site Manager shall record the grievance in a logbook or Complaint Register then provide a copy of the grievance to LTA PMD within two working days of the complaint being made. This logbook will be maintained throughout the construction or contract period. Furthermore, the operational GRM will be monitored and reported on six monthly basis and report submitted to LTA PMU and ADB under Safeguards Reporting commitments.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

11 Grievance Mechanism Monitoring and Reporting

Monitoring will be carried out six monthly by the International Safeguards Specialist (Project Supervisors) with LTA and the results communicated to ADB through the Safeguards progress reports.

- (i) reported grievances and subsequent resolution outcomes;
- (ii) consultation with APs;
- (iii) status of land acquisition and payments on land compensation; and
- (iv) compensation for affected structures and other assets.

12 GBV Grievances

GBV issues will have a dedicated officer within the LTA Safeguards Team to manage GBV grievances and ensure these are addressed in a timely manner, confidentially and the safety of any victim is ensured. This will be in collaboration with the Safeguards team of the CSC. The following chart simplifies the process indicating the key agencies/persons responsible for ensuring GBV victims are protected and their claims dealt with seriously.

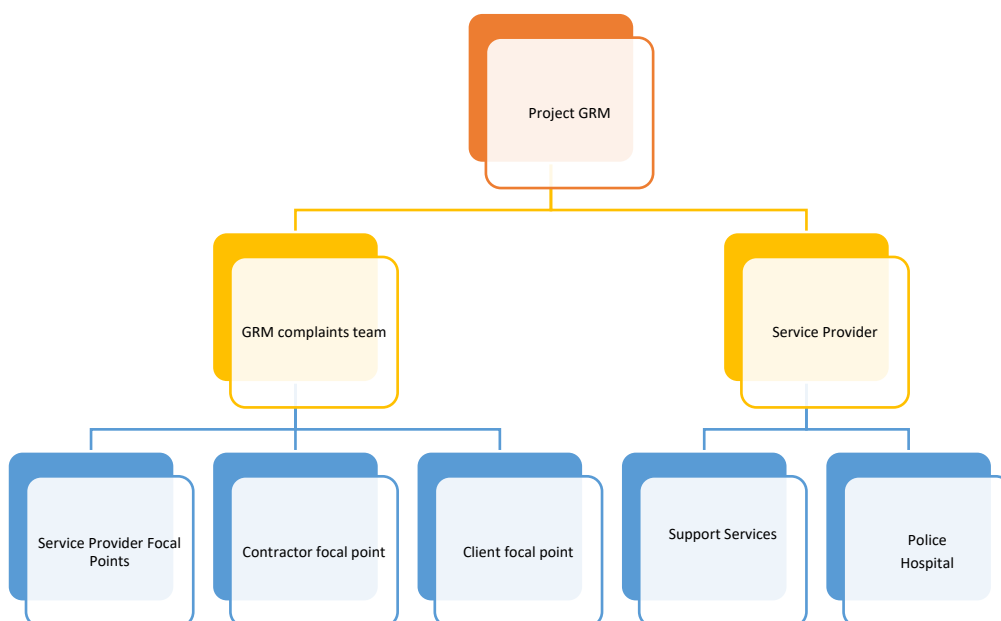


Chart 3: Project GRM for GBV Grievances

13 ADB's Accountability Mechanism

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

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

(IX) 10. DISCLOSURE, PUBLIC CONSULTATION AND PARTICIPATION

B. Overview

Public consultations and disclosure allow two-way communication between LTA, MNRE, MWTI and the impacted communities. They are important to provide a comprehensive, mutual awareness and understanding, and encourage mutual responsibility, ownership and trust among all the stakeholders affected by the CCIRUP and other interested parties. Public consultations enable early exposure of potential problems and efforts to address them.

The key objective of the public consultation and disclosure process for the CCIRUP RP has been to encourage the participation of the project-affected people in planning and implementing activities associated with land acquisition. Accordingly, this chapter describes the public consultations undertaken, demonstrating that the CCIRUP is following public consultation and disclosure requirements for projects involving land acquisition in accordance with government and ADB requirements.

Key stakeholders are summarized in the following table. An accompanying updated Stakeholder Engagement and Communication Plan (see Appendices xxx) provides proposed consultations in greater depth.

Table 18: CCIR key stakeholders.

Project Phase	Affected Stakeholders
Design and Approval	Affected persons Resource owners Customary leaders and officials from key communities CCIR Residents Siumu Residents CCIR Businesses, including bus drivers Women’s and other vulnerable groups Schools Churches e.g. Baha’i; Catholic; Methodist; Latter Day Saints Embassies e.g. Australian, American Relevant government agencies e.g. MNRE; PUMA, MWCD Relevant NGOs and CSOs Utility owners ADB Other development partners
Land & Assets Compensation	Directly affected residents Directly affected businesses Directly affected land users Directly affected landowners, including customary ADB
Implementation (civil works)	Resource owners Transport/haulage contractors Public transport operators Residents, including nearby from Apia and Siumu Women’s organizations Businesses, including tourism operators Schools Churches Tourists Utility owners ADB Other donor agencies

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

CCIR = Central Cross Island Road, CSO = Civil Society Organization, MNRE = Ministry of Natural Resource and Environment, MWCD = Ministry of Women and Community Development, NGO = Non-government Organization
Source: Consultant

3. Consultation Approach

Consultations have been undertaken alongside public awareness raising, through several means including the following:

Initial consultations – 2016 and 2018

- (i) **Public consultations.** These included formal presentations at the community and inter community levels. These were held at the design stage of the project (2016 and 2018) and included discussions on the proposed road design; environmental; social, and land acquisition/resettlement dimensions. Comments were gathered and those pertaining to design and improved design considered and integrated into the design. The minutes of the initial public consultations carried out in 2019 are available as required upon request:
 - a) The meetings were advertised in the local newspaper, the radio and on Facebook a week prior to the meeting;
 - b) A flier highlighting the key message was distributed to participants (see Appendix 2); and
 - c) While no sitting allowance was paid to attendees, it is a custom within a village to hold cultural ceremony for visitors holding workshops, training, consultation etc. for which a donation usually in the form of money is provided to a village in exchange to show respect and demonstrate appreciation for their kindness. In this case the amount of WST500 to the Siumu village in traditional respect.
- (ii) **Focus group discussions and face-to-face meetings.** These were held at homes and community meeting locations to ensure:
 - a. The proposed extent of the CCIRUP is fully understood; and
 - b. Community related ‘power’ differentials do not create feelings of coercion and intimidation among the more vulnerable community members – with the initial part of the CCIR comprising some of the more affluent residents and/or businesses of Apia, it is also important to include the concerns and interests of the more vulnerable affected households who rely largely on subsistence farming with limited commercial sales.
- (iii) **Individual interviews included:**
 - a. **Social Profiling.** Was undertaken in 2019 which included a sample based on purpose and convenience. The interviews mainly assessed views on the potential project impacts (positive and negative), mitigation measures, and suggestions for improvement. The social profile includes a brief overview of the project and elicits comments on potential impacts. Each respondent was provided with contact details of the LTA office for any follow-up questions; and
 - b. **Land acquisition and compensation.** Stakeholders informed that all affected stakeholders will be consulted and advised regarding necessary land acquisition for the road and subsequent compensatory payments. Discussions will provide maps of land locations to be acquired; need for removal or transference of key plants and/or items; proposed compensation based on assessment; a grievance redress mechanism and process; as well as answers to frequently asked questions in Samoan and English.
 - c. **Bus drivers** who travel from the South side of the island were interviewed for their perspectives and concerns regarding the current state of the road and the proposed development stages of the project.

Supervision Stage Consultations 2022-2023

- a. **Public consultations.** These included formal presentations to specific community and inter community groups. This has commenced and will continue throughout the supervision stage of

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

the project periodically as the project requirements dictates. Discussions include: proposed road design; environmental; social, and land acquisition/resettlement dimensions as well as recording any concerns that may be raised in discussions. This includes introduction of the Contractor team to the community. Key groups consulted with include:

- **Vailima and associated communities**
- b. Focus group discussions and face-to-face meetings.**
- **Sui a Nuu (community mayors)** to discuss proposed status of road upgrade
 - **Bus Drivers** – undertook a Gender Sensitization and GBV Awareness training. Also updated discussions regarding proposed road progress and any concerns that may be raised.
- c. Individual interviews included:**
- **Affected Persons for the Census** - undertaken through census survey and one-on-on onsite consultation for showing/verification of proposed area to be acquired.

Public information flier - This was developed for implementation of the project outlining details of the project, status, its proposed designs for the road and answers to frequently asked questions

Public disclosure of project impacts and consultations have been carried out since the initial World Bank funded ERAP design phase of the Project, and in the current ADB funded phase of the Project. They have been continued through a combination of public consultations, focus group discussions, and individual consultations. These consultations provide information regarding the status of the Project as well as to gain further insights and design improvements that meet the particular needs of commuters and residents along the CCIR.

The following public consultations for both CW-1 and CW-2 have been undertaken to-date.

Date	Participants / Stakeholders	Purpose
2018 – 2019	Siumu focus groups Individual / AP's Bus drivers	As reported in IEE/PEAR and RP CW-2.
13 th February 2020	Public consultation – Siumu	RP disclosure
Q1 – Q2 2022	Individual / AP's	One-on-one consultation with crop / structure owners during the DMS activity.
2 nd September 2022	Bus Drivers	Gender Sensitization
9 th September 2022	Government Ministries and Utility Service Providers	Gender Sensitization
14 th September 2022	Village Mayors	Project status and upcoming activities
15 th September 2022	MNRE-Technical Division + Lands Management	Survey works (CW-1) and land taking status (CW1 and CW2)
28 th October 2022	MNRE-Technical Division + Lands Management	Survey works (CW-1) and land taking status (CW1 and CW2)

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

13 th March 2023	MWCSD	Gender / GBV Trainings with the focus groups
16 th March 2023	Focus group (women and youth)	Gender sensitization and GBV/VAC awareness.
28th - 29th March 2023	School	Road Safety Awareness Program

Consultations will continue during the implementation of the RP and the CCIRUP. The following consultations will be undertaken at the appropriate time:

- (i) One-on-one consultations conducted by the LTA and MNRE with the APs / community leader's dependent upon the specific stretch of the CCIR during the AP compensation/negotiations stage.
- (ii) Information to be provided include;
 - i. the policy on cut-off-date for eligibility to project entitlements;
 - ii. land acquisition and compensation process;
 - iii. Specific relevant sections of the RP which will need to be disclosed to APs;
 - iv. roles of the MNRE and LTA compensation team; and
 - v. the grievance redress mechanism.
- (iii) Ongoing public consultations by LTA during project implementation.

4. Consultation Challenges

Discussions regarding outfalls posed a challenge during consultation as their placement required cooperation from affected property owners. This is very important for effective drainage, as 'flood water' can create the potential for concentrated volumes of water (and debris) near / within downstream properties.

Some landowners were reluctant to allow an outfall to run through their property and needed encouragement to recognize the benefits of supporting the outfalls on their land, especially as the flood waters may not affect them as much as those living downstream. This is especially pertinent to a few houses that divert the flood waters to other homes.

Potential incentives can include:

- (i) Compensation for open drainage;
- (ii) Less water and debris inundating their land, which can increase property values as the water is diverted safely off the cliff face;
- (iii) Potential contracts for landowners to maintain the outfall; and
- (iv) Consultation must emphasize the overall benefits, the assurance on quality structures, and minimal disruption to their land security during construction (as also sought by the New Zealand High Commission).

Families affected by easement construction onto their land have already been transparently consulted and have agreed to the benefits along with the terms and condition to having these easements on their land.

Refer to table 9 for list easements in Civil Works 2; with one additional in CW1.

Refer to annex 3 for easement agreement form.

*Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan*

5. Disclosure

The draft-final RP and Updated RPs are available at LTA, MNRE and on the ADB website. Key features of the RP; particularly compensation entitlements, institutional arrangements for grievance redress, contact information of the LTA Safeguards Officer, as well as RP implementation schedules will be summarized and distributed among the APs and broader communities along the project alignment. Translations of key sections will also be distributed.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

III. REFERENCES

- ADB. June 2009. *Safeguard Policy Statement*. Manila. Online at: <https://www.adb.org/sites/default/files/institutional-document/32056/safeguard-policy-statement-june2009.pdf> Government of Samoa. Numerous Acts and Regulations. Apia.
- MWCSD. 2013. *Village Profiles*. Apia.
- Rodríguez DA, Evenson, K.R, Diez Roux AV, Brines SJ. 2009. *Land use, residential density, and walking: The multi-ethnic study of atherosclerosis*. American Journal of Preventive Medicine. 37 (5):397–404.
- Samoa Bureau of Statistics. 2011. *Samoa Population and Housing Census*. Apia.
- Samoa Bureau of Statistics. 2011. *Socio-Economic Atlas 2011*. Apia. Online at: <http://www.sbs.gov.ws/index.php/new-document-library?view=download&fileId=1646>
- Samoa Bureau of Statistics. 2015. *Samoa Demographic and Health Survey 2014*. Apia.
- Samoa Bureau of Statistics. 2016. *Samoa Population and Housing Census*. Apia.
- Samoa Police Department. 2016 and 2018. *Reported accidents along the Central Cross Island Road*. Apia.
- SMEC. 2015. *Social Beneficiary Survey 2015*. Enhancing the Climate Resilience of the Upolu West Coast Road. Samoa: Enhanced Road Asset Project. Apia.
- Tauaa, S. *The Impact of Rural Access Roads in Samoa: The Case of Vaitele Street (Lalovaea-Lepea) and other Selected Roads*. Apia.
- UN Pacific and Asia Samoa 2015. Samoa. Online at: <http://asiapacific.unwomen.org/en/countries/fiji/co/samoa>
- World Bank. 2012. *Land Acquisition and Resettlement Framework (LARF)*. Enhancing the Climate Resilience of the Upolu West Coast Road. Samoa: Enhanced Road Asset Project. Apia.

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

List of Annexes

Annex 1. Summary of Compensation rates

Crop Name	Rate
Esi/Papaya	\$30
Breadfruit	\$80
Soursop	\$20
Laupele	\$5
Nonu	\$20
Taro	\$5
Coconut	\$100
Polynesian Plum/Vi tree	\$30
Chilli Peppers	\$30
Mango	\$30
Guava	\$50
Banana	\$50
Avocado	\$30
Lemon	\$50

(Source: Revised compensation rates approved for compensation of West Coast Rehabilitation Works, 2021)

Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan

Annex 2: Grievance and Complaint Redress Flyer

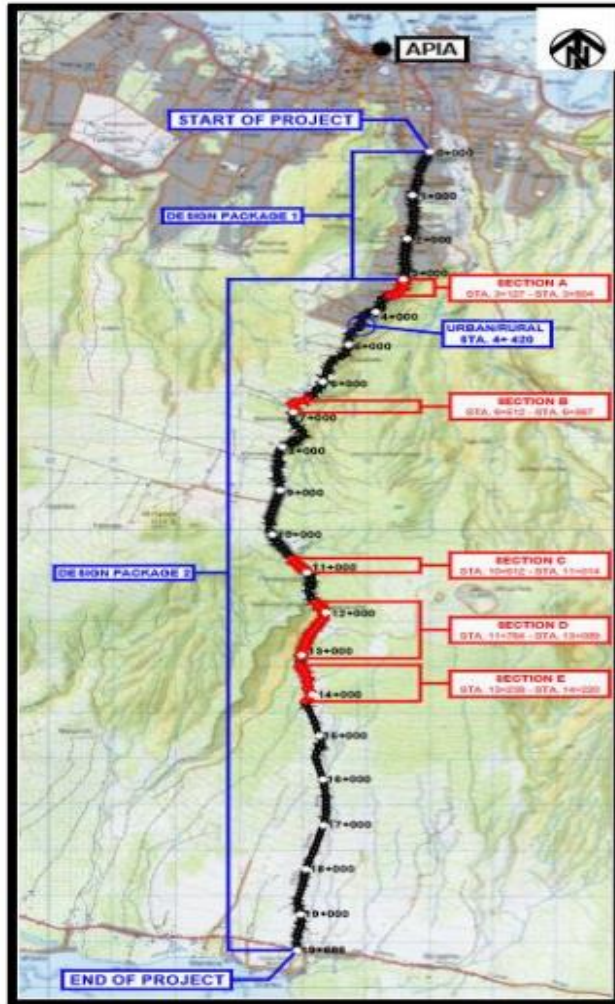


Government of Samoa

Central Cross
Island Road
Upgrade Project.



ASIAN DEVELOPMENT BANK



PROJECT BACKGROUND

The Government of Samoa is implementing the Central Cross Island Road Upgrade Project (CCIRUP) with assistance from the Asian Development Bank (ADB). The scope of the of this upgrade broken into two civil works packages, and these are: Package 1 from Tanugamanono to Tiavi and Package 2 from Tiavi to Siumu. This project is a priority investment in the transport sector which includes: (i) the upgrade of about 20 kilometers of national road, (ii) 3-year routine maintenance that will begin immediately after the physical completion of the Road upgrade with gender-inclusive elements; and (iii) a gender-sensitive capacity strengthening for the road subsector.

BENEFITS OF CENTRAL CROSS ISLAND ROAD UPGRADE PROJECT:

The current state of the road is quite narrow and with the widening of the road it will help reduce car accidents as well ensure a safer environment for the affected people. Furthermore, with the road upgrade the project will enhance potential local employment. The road upgrade will help benefit accessibility from rural areas to urban areas. The community will benefit as the road upgrade will shorten the time travel distance to essential services. Moreover, this will provide an opportunity for the community to voice their concern or issues or any improvements for the project to LTA. Apart of the road design the road upgrade will provide bust stops, pedestrian crossing, new drainage and etc. for a safety environment.

WHAT IS GRIEVANCE REDRESS MECHANISM?

The GRM is a process or platform created under the project to receive and address complaints issued by affected persons or community members regarding specific project activities whether it be social or environmental. It describes the appropriate procedures to undergo as well as the specifies roles and responsibilities of the parties involved.

What are grievable issues?



ENVIRONMENT

Issues relating to harmful effects on the natural environment.



SOCIAL

Issues impacting the social well-being of communities such as dust noise etc...



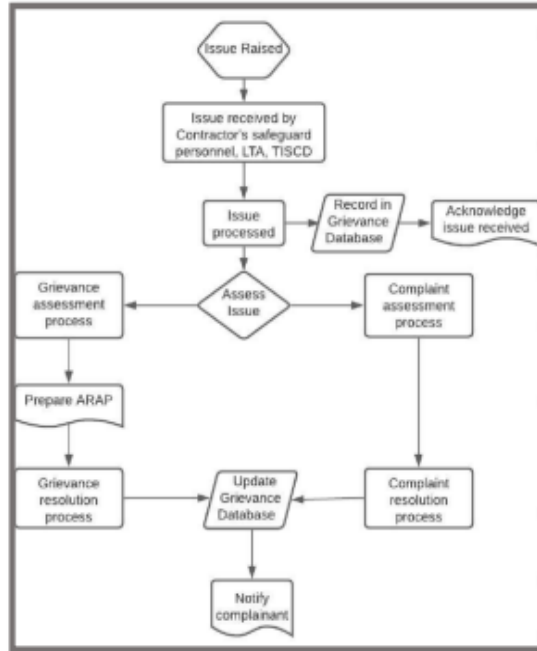
OTHER

Any other project-related issues such as compensations etc...

GRIEVANCE REDRESS PROCESS

Stages of the Grievance Resolution Process

This procedure is used to address any social or environmental issues that may arise throughout the project.



How to submit a grievance



Phone call



Letter



Verbal



Website:
www.gov.ws

Who to submit a grievance to

Land Transport Authority (LTA)
Vaitele, Apia, Samoa
phone: +685 26740, Fax: +685 26739
Email: lta.enquiries@gmail.com

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Annex 3: Easement Agreement Template

LAND TRANSPORT AUTHORITY
PULEGA O FELA'UAIGA I LE LAUELEELE
GOVERNMENT OF SAMOA
Vaitele Office
Phone: (685) 26740/41
Savaii Office
Phone: (685) 51508

Private Mail Bag, Vaitele, Apia
Email: info@lta.gov.ws
Web: www.lta.gov.ws
Facebook: Land Transport Authority - Samoa



**EASEMENTS AGREEMENT
CENTRAL CROSS ISLAND ROAD UPGRADE PROJECTS (CCIRUP)**

This agreement is made on the _____ day of _____.

Parties

Between: Land Transport Authority established under Section 4 of Land Transport Authority Act 2007 "The Client"

And: _____ "Landowner" for the piece of land for the construction of drainage easement.

1. LAND DETAILS:

Lot Number on Plan:	
Land Type (Customary/Freehold)	
Legal Landholder/Matai Holder	
Occupier (if different from Landholder)/Landowner:	
Village:	

1. AGREEMENT DETAIL:

Following the consultation, both parties have agreed to be bound by this agreement and have agreed to be following conditions:

- The Landowner will utilize a portion of their land of approximately _____ to be utilized for installation of drainages as part of the Central Cross Island Road Upgrade Projects Design.
- Any structure within the proposed easement will be reinstated in a location specified/agreed by the Land Owner in pre-project condition or better, in lieu of cash compensation.
- Any Trees or Fruit bearing crops within the proposed easement will be cleared and will be compensated for by the client.
- Building of any permanent structures along the easement area will not be permitted.
- The landowner agrees to not plant any vegetation that will disrupt the functioning of the drainage installation.
- The landowner agrees to all reasonable access to the LTA for maintenance purposes.
- The landowner will be given a notice in advance prior to accessing the easement except in emergency situations or as requested by the Claimant.

Please address all correspondence to the: Chief Executive Officer, Land Transport Authority

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

LAND TRANSPORT AUTHORITY
PULEGA O FELA'UAIGA I LE LAUELEELE
GOVERNMENT OF SAMOA

Vaitele Office
Phone: (685) 26740141
Savaii Office
Phone: (685) 51508

Private Mail Bag, Vaitele, Apia
Email: info@lta.gov.ws
Web: www.lta.gov.ws
Facebook: Land Transport Authority - Samoa



3. SIGNATORY DETAILS:

Sign:

Print Name:

Landowner/Matai Holder/Occupant:

Date:

Sign:

Print Name:

LTA representative:

Date

Sign:

Print Name:

Consultant Representative:

Date:

Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan

Annex 4: GRM Form

GRIEVANCE REDRESS REGISTERING AND MONITORING FORM

Project: _____ Date: _____ Time: _____

Complainant Information (Person Reporting)

- 1. Name (or anonymous): _____
- 2. Village/Location: _____
- 3. Gender: **Male x Female x**
- 4. Age: _____
- 5. Telephone: _____
- 6. Email: _____
- 7. Type of complainant:

- Affected person/s**
- Intermediary (on behalf of the AP)**
- Civil organization (NGO, Church, etc.)**
- Government organization**
- Others (specify) _____**

1.

- 8. Mode of receiving the grievance:
 - Letter**
 - Phone call**
 - Email**
 - Verbal**
 - Others (specify) _____**

9. Location of the problem/issue specified in the complaint: _____

10. Short description of the problem: _____

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

11. Past action/s taken by the complainant (if any): _____

12. Details of the focal point that received the complaint:

Name of the person who received the complaint: _____

Position: _____

Name of the receiving office: _____

Actions taken by the Receiving Office _____

Signature: _____

Date: _____

*Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan*

Annex 5: Inventory of Losses and Detailed Measurement Survey

EAST/LEFT-HAND-SIDE										
All Properties Listing		Land Acquisition			Drainage Easement		MOU	Non-land Asset		
Lot/Subdiv. No.	SP No.	Lot No.	Area	Yes	Area	Yes	Yes	Form	Length	Type
			(m2)	(1)	(m2)	(1)	(1)		(m)	
			23,706	16	3,469	0	71		7420	
129/1278										
130/1278							1		20	
119/2835							1		30	hedge
344/2835	12786			1	1,382		1		17	hedge
665/7605, 666/7605, 667/7605, 668/7605, 669/7605	12786			1	39		50			Banana patch x 50
173/1469			-							
109/1143	12785	8	196				1	1	21	hedge hedge. 1 x bfruit. 30 x taamu. 1 x mango. 4 x
110/1143	12785	7	179				36	2	34	banana
119/1143	12785	6	313				2	3	57	hedge. 1 x bfruit.
Lee Road 2347/6405										
122/3512	12785	5	292							
887/4288										
Leauane Road							3	4	26	hedge(2), minor struc.
1971/5744							1		20	concrete car park
1972/5744										
1615/4868							4	5	25	hedge(2), bfruit(2)
Road										
5/2199							2	13	35	hedge, bfruit (1)

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

315/6/2751					
2293/6289					
353/2751					
5/10164					
4/10164					
3/10164					
2/10164					
1/10164					
7/4709					
Road					
2374/6536					
2375/6536					
2376/6536	1	14	9	fence	
1472/4653	1	15	26	fence/barbwire	
1473/4653	1	16	40	fence/barbwire	
Jay Road					
918/4341	3	17	58	hedge, fence, tree	
933/4341	3	18	54	hedge, fence, tree	
3435/6660	1	19	47	hedge	
Road					
1880/5575	1	20	10	hedge	
2210/6062					
Hillary Avenue					
2658/6917	1	21	30	hedge	
2101/5906	1	22	28	hedge	
2102/5906	1	23	20	hedge	
Eveni Drive					
1037/4403	1	36	80	concrete base/steel top fence-orn., tree	
1038/4403	1	37	33	hedge	

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

1824/5338							1	38	56	hedge(2), bfruit (2) niu (1)
Road							1	39	12	hedge
2/12037	12784	6	6				1	40	13	
1/12037	12784	5	18							Concrete wall/light post
1827/5338	12784	4	25							
1828/5538	12784	3	22				1	41	23	hedge/banana patch
308/2284	12784	2	236				1	42	3	hedge, mango (1)+wall
309/2284	12784	1	224	1	162					closed shack/structure
Alaoa Road										
14/1452	12783	7	1,099	1	54		1	43	146	hedge, concrete fence
Puataunofo Road										
2180/6029										
1/11001										
Road										
2/10349										
1/10556										
1876/5555										
1838/5388	12783	2	73				1	46	13	hedge, car park-concrete median strip
160/1307	12783	1	530				1	47	92	hedge(2), fence
Falegafulu Road										
1066/4441	12783	10	26							
1091/4441	12783	9	34							
1093/4441	12783	8	64							
1096/4441	12783	7	47							
1097/4441	12783	6	91				1	48	15	fence
1098/4441	12783	5	126				1	49	21	fence, hedge, tree
Muuvai Road										

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

1113/2783	12783	4	303			1	65	53	fence/concrete base + steel posts
331/2669	12783	3	16			1	66	10	hedge
339/2683									
338/2683									
334/2741									
335/2741									
349/2741				1	18				
336/2741				1	57				
337/2741				1	47				fence, hedge (2)
190/4480			522			1	175	100	hedge
1798/5282									
Road									
1799/5282									
1800/5282									
1801/5282									
Road									
1762/5170						1	71	65	hedge
1761/5170						1	72	60	hedge
1758/3201				1	102	1	73	78	hedge, rip-rap wall
1846/5448									
2095/5892									
2096/5892	12600	6	7						
427/2874	12600	8	10						
418/2846	12600	10	102						Banana patch(30)
885/4284	12600	12	90			1	78	47	fence (chainlink)
Road									
<u>659/3698</u>	12600	15	99			1	79	230	fence-orn., hedge
185/22/2846						1	79	63	hedge
<u>659/3698</u>	12600	16	147			1	79	110	hedge, tree

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

638/3649			36			1	79A	25	concrete base+steel posts fence
307/2316	12599	5,6	357			1	80	135	chainlink fence, water tank
38/2783	12598	1	1,219	1	83	1	88	217	chainlink fence
148/2782			256	1	69	1	89	244	fence(2), hedge, bfruit(2), niu(6), taro(20), talie(1)
147/2782			705			1	90		niu(2)
2442/6680						1	103	62	barbwire fence, road side taro patch(10)
1/11239						1	104	48	barbwire fence
2/11239						1	104A	50	barbwire fence, cocoa(2)
3/11239						1	104B	68	barbwire fence
817/4108						1	104C	3	barbwire fence
4/11239						1	104D	61	barbwire fence
5/11239						1	104E	19	barbwire fence
6/11239						1	104F	33	barbwire fence
4/11240						1	104G	7	barbwire fence
1/11240						1	105	92	barbwire fence
2/11240						1	106	75	barbwire fence
1877/5568						1	107	48	chainlink fence
2/11240						1	116	82	chainlink fence, hedge
Road									
5/11240	12595	6	1,188					70	chainlink fence
699/3932			150			1	116A	52	chainlink fence
Phillip Road									
723/3932									
1564/4784						1	117	240	fence(3), hedge(3)

Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan

692/3868						1	118	58	chainlink fence, hedge(2)
1872/3868									
1873/5544									
1871/2782									
1229/4533									
1990/1953			92						
1991/5764									
2310/6388									
2311/6388									
Rudy Aiono Road									
2679/7028									
1979/5747		94R	-	161					
51/4244	12594	3,6	4,740			1	128	500	chainlink fence
54/2782	12593	3	1,876			1	130	310	barbwire fence
304/2282	12593	12	512	1	460	1	131	155	fence, hedge
305/2282	12593	13	255			1	136	103	fence, hedge(2)
675/3815									
[Road]									
Cust Land	12592	1,6	1,185	1	381	1	137	322	barbwire fence
380/4178	12592	7,11	1,269	1	127				barbwire fence
525/4229	12591	1,2	135						barbwire fence
62/1301	12591	3	430			1	143	335	barbwire fence
528/2854	12590	2	202	1	228	1	147	56	chainlink fence
Road									
73/1144				1	212	1	148	270	fence
677/4644			1,285			1	150	240	fence
184/3511									
677/4644		135R	2,419						
<u>Customary Land/7104</u>	<u>12587</u>	<u>2</u>	<u>252</u>						

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Road									
683/4644									
77/3689	138R		693						
<u>Customary Land/7104</u>	<u>139R</u>		2,012						
67/3098	139R	-	2,095		1	151	150	fence	
172/6608	140R		513						
Road									
173/6608									
1/10527	141R	-	1,161						
160/6493			866						
Road									
192/6722	143R	-	2,395						
<u>Customary Land/7104</u>	<u>143R</u>		3,115						
<u>Customary Land/7104</u>	<u>144R</u>		749						
274/7885	144R	-	869						
Metcalf Place									
280/7885	145R	-	328		1	153	60	fence	
167/6593	146R	-	1,666		1	154	190	fence	

WEST/RIGHT-HAND SIDE									
All Properties Listing		Land Acquisition			Non-land Asset				
Station	Lot/Subdiv. No.	SP. No	Lot. No	Area	Yes	S. No	No. of	Length	Type
(KM)				(m2)	(1)			(m)	
			7	52,524	10		238	8497	
		1278			3				
0.000	610/6383	6	5	63	1	6	1	18	hedge

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

	Ififi Street									
		1278								
	1/10137	6	4	148	1	7	3	74	hedge	
		1278								
	25/1148	6	3	113	1	8	2	25	hedge	
		1278								
	24/LR1/296	6	2	46						
		1278								
	23/1040	6	1	31						
	22/1065									
	1004/1018									
	Road									
	104/89/1975									
	228/89/1975	1								
	729/3951				1	9	1	30	fence	
	Papauia Road									
	1/3951/11149									
	2/3951/11149									
	1/10348									
	6/10348									
	7/10348									
	2/10348									
	3/10348									
0.700	4/10348									
0.700	5/10348									
	736/3951				1	24	1	18	hedge	
	826/4127				1	25	1	5	chainlink fence	

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

827/4127				1	26	1	28	fence
<u>1</u>				1	27	1	148	chainlink fence
	1278							
2/10283	5	3	16	1	28	1	12	fence
	1278							
<u>1/10283</u>	5	2	28	1	29	1	15	fence
	1278							
<u>277/87/1989</u>	5	1	70	1	30	1	4	fence
	1278							
150/87/1989	5	1	70	1	31	1	30	fence
<u>277/87/1989</u>				1	32	1	18	fence
276/87/1989								
2/11556				1	33	2	28	chainlink fence, hedge
3/11556								
274/87/1989								
3267/8089								
3272/8089								
3268/8089								
1/11077								
2/11077								
3270/8089								
273/87/1989								
272/87/1989								
	1278							
268/87/1951	4	10	29					
	1278							
151/87/1951	4	9	115					
2330/6397								
2331/6397								
Road								

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

	2332/6397				1	34	1	12	hedge	
	2333/6397				0	34	1	201	garden	
1.400	143/86/2114	1278	4	8	300	1	35	1	34	hedge
1.400	1052/4407									
	1053/4407									
	1055/4407									
	1054/4407									
	Avoka Road									
	2277/6307									
		1278								
	1/12562	4		7	126					
	Ala O Le Alofa Road									
	1869/5542									
		1278								
	1870/5542	5			608	1	44	1	10	hedge
		1278								
	234/5542	6			305	1	45	6	97	fence-orn.(2), hedge, bfruit(3)
		1278								
2.100	Road	7			51					
2.100	2/11236					1	50	1	35	fence
	2/11422					1	51	2	35	hedge, fence
	ROW					1	52	2	10	hedge, fence
	4/11422					1	53	2	46	hedge, fence
	7/11236					1	54	2	10	hedge, fence
	8/11236					1	55	3	47	hedge(2), fence
	698/6580					1	56	1	37	hedge
	424/6580					1	57	2	63	hedge
	Avele Road									

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

	3/11307								
	3068/7773			1	58	2	24		hedge
	Eti Road			1	59	1	11		hedge
	7983/3207			1	60	1	13		hedge
	7983/3208								
	776/4029								
	Potua Road								
	779/4029			1	61	1	10		hedge
	1894/5606			1	62	1	30		hedge
	1895/5606			1	63	1	19		hedge
	1896/5606								
	Tuluiga Road								
	1007/4366			1	64	1	30		fence
	1010/4366								
	Road								
2.800	1864/5526								
2.800	1468/4639								
	1469/4639								
	1470/4639								
		1279							
	257/1529	8	125	1	68	4	94		hedge(3), minor struc.
	Road								
	671/3740			1	69	2	25		hedge, minor struc.
3.127	1/11223			1	70	2	41		hedge
3.127	2349/6414								
	1551/4725								
	1550/4725								
	1549/4725								
	1232/4535								
	1233/4535								

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

1234/4535								
1235/4535								
1606/4805								
1605/4805								
ROW								
	1280							
ROW	0		18					
	1280							
264/19/1868	1		15					
Road								
	1280							
1590/4813	2		90					
1591/4813								
Road								
1629/4893								
1630/4893								
1632/4890								
2413/6617								
2414/6617				1	74	1	20	hedge
1636/4893				1	75	1	25	hedge
1637/4893				1	76	1	22	hedge
1634/4893								
1635/4893								
1638/4893								
	1280							
1639/4893	3		85	1	77	3	80	hedge, tree(2)
	1280							
3.850	25/2855	4	462					

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

		1281							
3.850	248/24/2855	1	81	1	81	3	58	hedge(2), minor struc.	
	Road								
	482/3231			1	82	3	83	fence chainlink, hedge(2)	
	805/4090			1	83	1	30	hedge	
	2409/6616								
	2410/6616								
	2411/6616								
	3162/7911			1	84	1	43	hedge	
	3163/7911								
	1494/4658								
	1812/5296								
	1813/5296			1	85	2	56	fence, hedge	
	2127/5940								
	2128/5940								
	2129/5940								
		1281							
	2712/7072	2	48	1	86	1	22	fence	
	Road								
		1281							
4.550	2669/7077	3	637	1	87	1	35	hedge	
4.550	2670/7077	2	208	1	91	1	57	hedge	
	5/10091	3	72	1	92	1	15	hedge	
	Road								
	6/10091			1	93	2	90	fence, hedge	
	2/10072			1	94	2	36	fence, hedge	
	5/10072			1	95	2	96	fence, hedge	
	Pevila Road								
	2171/6020	4	183	1	96	3	57	hedge(2), riprap wall	
	2600/6759	5	133	1	97	1	53	fence	
	2601/6759	6	218	1	98	1	43	fence	

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

	Lamosa Road								
	1865/5540	7		89	1	99	1	39	fence
	1867/5540	8		76	1	100	1	32	fence
	1868/5540	9		42	1	101	2	13	fence
5.250	999/4350	10		354	1	102	4	111	fence(2), tree(2)
5.250	998/4350	11		252	1	108	7	41	fence(2),tree(5)
	997/4350	12		20					
	Road								
	4/11378	13		205	1	109	1	30	fence
	5/11378	14		347	1	110	3	142	fence(2), hedge
	Road								
	3198/7957	15		143	1	111	1	40	fence
	1/11415	16		316	1	112	3	73	fence(2), hedge
	2/11415	17		97	1	113	1	37	fence
	2&3/10115	18		572	1	114	10	220	fence(2), hedge, tree(7)
	Road								
	2648/6991								
5.950	2685/6991	19		173	1	115	1	50	fence
5.950	2686/6991	3	85R	72	1	119	3	116	fence(2), hedge
	Road								
	384/2815								
	385/2815				1	120	1	35	hedge
	386/2815				1	121	1	33	hedge
	828/4131				1	122	1	32	hedge
	829/4131				1	123	1	42	hedge
	Road								
	439/2967	4		97	1	124	1	32	hedge
	440/2967	5		25	1	125	1	32	hedge
	441/2967	6		97	1	126	1	7	hedge
	1982/5749	7		46					

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

	1983/5749								
	1984/5749								
	1985/5749								
	1986/5749								
	1987/5749								
	1988/5749								
	1989/5749				1	127	1	33	hedge
	3308/8175	8		317					
	3307/8175	9		204					
6.650	1408/4569	10		13					
6.650	1407/4569								
	Road								
	1391/4569								
	1393/4569								
	Malololelei Central Road								
	1356/4569								
	1354/4569								
	Road								
	1353/4569	14		224					
7.350	880/2856	15	97R	3,872	1	129	1	103	fence
7.350	1681/5016	18		711					
	Road								
	3148/7899	19		344					
	3146/7899	20		107					
	1695/5074	21		163					
	Road								
	1696/5074	22		187	1	132	4	90	fence(2), hedge(2)
	1044/5701	23		71		1	1	21	fence
	1045/5701	24		15		2	1	3.5	fence
	[Unknown ROW]	25		16		3	1	3.5	fence

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

	1046/5701	26		181	1	133	3	60	fence(2), hedge(1)
	451/3078	27		247	1	134	1	45	fence
	ROW 310/53/2382	28		50	1	135	1	13	fence
	ROW 311/53/2382	29		50					
	312/56/2382	30		215					
8.050	1539/4723	31		280					
8.050	1541/4723	35		85	1	138	1	80	fence
	1542/4723				1	139	1	70	fence
	Afiamalu Road								
	815/4629				1	140	1	28	fence
	816/4629				1	141	1		minor struc.
	817/4629								
	818/4629								
	819/4629								
	820/4629	36		17					
	821/4629	37		59					
	822/4629	38		101					
	823/4629	39		42					
	Road to Lanuto'o								
	1132/6275								
	1134/6275	40		16					
	813/4624	41		159					
8.750	814/4624	42		213	1	142	2	125	fence, hedge
8.750	<u>96/2861</u>	45		1,585					
	Road	46		552					
	96/2861	45		552	1	144	1	100	fence
	Road	47		97					
	98/2861	48		651	1	145	1	160	fence
9.450	Road	49		37	1	146	1	10	fence
9.450	6/1959	52	134R	2,183	1	149	1	200	fence

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

	130/3177									
	Road									
	139/3177									
	145/3177									
	Road									
	148/3177									
10.150	151/3177									
10.150	Road									
	154/3177									
10.850	7/4388	54		126						
10.85/14.35	<u>Customary Land/7104</u>	55	137R	5,974	1	152	3	228	fence	
14.350	202/7104	67	149R	2,318	1	157	37	909	fence(3), tree(34)	
15.050	123/5639	66	149R	4,143						

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

Annex 6 Land and Easement with owners names

No.	Lot #	Plan #	Village	sqm	Land Registry	Owner	Purpose
1	1	12776	Tiavi	2324	Customary Land	[REDACTED]	Land Taking
2	2	12776	Tiavi	431	Customary Land	[REDACTED]	Land Taking
3	3	12776	Tiavi	304	Freehold Land	[REDACTED]	Land Taking
4	4	12776	Tiavi	369	Freehold Land	[REDACTED]	Land Taking
5	5	12776	Tiavi	1237	Customary Land	[REDACTED]	Land Taking
6	6	12776	Tiavi	219	Customary Land	[REDACTED]	Land Taking
7	7	12776	Tiavi	2647	Customary Land	[REDACTED]	Land Taking
8	8	12776	Tiavi	1467	Customary Land	[REDACTED]	Land Taking
9	1	12777	Tiavi	1675	Customary Land	[REDACTED]	Land Taking
10	2	12777	Tiavi	899	Customary Land	[REDACTED]	Land Taking
11	3	12777	Tiavi	1044	Customary Land	[REDACTED]	Land Taking
12	4	12777	Tiavi	463	Government Land	[REDACTED]	Land Taking
13	5	12777	Tiavi	2304	Customary Land	[REDACTED]	Land Taking
14	1	12778	Tiavi	2266	Customary Land	[REDACTED]	Land Taking
15	2	12778	Tiavi	785	Customary Land	[REDACTED]	Land Taking
16	3	12778	Tiavi	959	Government Land	[REDACTED]	Land Taking
17	4	12778	Tiavi	817	Government Land	[REDACTED]	Land Taking
18	5	12778	Tiavi	1152	Customary Land	[REDACTED]	Land Taking
19	6	12778	Tiavi	1305	Customary Land	[REDACTED]	Land Taking
20	7	12778	Tiavi	1590	Customary Land	[REDACTED]	Land Taking

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

21	1	12779	Tiavi	2306	Customary Land		Land Taking
22	2	12779	Tiavi	2243	Customary Land		Land Taking
23	3	12779	Tiavi	1997	Customary Land		Land Taking
24	4	12779	Tiavi	2118	Customary Land		Land Taking
25	5	12779	Tiavi	87	Customary Land		Easement
26	6	12779	Tiavi	126	Customary Land		Easement
27	7	12779	Tiavi	293	Customary Land		Easement
28	1	12587	Tiavi	165	Government Land		Land Taking
29	2	12587	Tiavi	252	Customary Land		Land Taking
30	A	12587	Tiavi	36	Government Land		Easement
31	1	12588	Tiavi	126	Customary Land		Land Taking
32	2	12588	Tiavi	753	Customary Land		Land Taking
33	A	12588	Tiavi	90	Government Land		Easement
34	1	12590	Tiavi	2012	Customary Land		Land Taking
35	2	12590	Tiavi	202	Government Land		Land Taking
36	3	12590	Tiavi	108	Customary Land		Land Taking
37	A	12590	Tiavi	95	Government Land		Easement
38	B	12590	Tiavi	228	Government Land		Easement
39	1	12591	Tiavi	77	Customary Land		Land Taking
40	2	12591	Tiavi	58	Customary Land		Land Taking
41	3	12591	Tiavi	430	Customary Land		Land Taking
42	4	12591	Afiamalu	149	Freehold Land		Land Taking
43	5	12591	Afiamalu	1690	Customary Land		Land Taking
44	6	12591	Afiamalu	651	Customary Land		Land Taking
45	1	12592	Afiamalu	1055	Customary Land		Land Taking
46	2	12592	Afiamalu	17	Government Land		Land Taking
47	3	12592	Afiamalu	58	Government Land		Land Taking

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

48	4	12592	Afiamalu	100	Government Land	[REDACTED]	Land Taking
49	5	12592	Afiamalu	42	Government Land	[REDACTED]	Land Taking
50	6	12592	Afiamalu	130	Customary Land	[REDACTED]	Land Taking
51	7	12592	Afiamalu	211	Customary Land	[REDACTED]	Land Taking
52	8	12592	Afiamalu	3	Freehold Land	[REDACTED]	Land Taking
53	9	12592	Afiamalu	10	Freehold Land	[REDACTED]	Land Taking
54	10	12592	Afiamalu	153	Freehold Land	[REDACTED]	Land Taking
55	11	12592	Afiamalu	992	Customary Land	[REDACTED]	Land Taking
56	12	12592	Afiamalu	63	Freehold Land	[REDACTED]	Land Taking
57	A	12592	Afiamalu	381	Customary Land	[REDACTED]	Easement
58	B	12592	Afiamalu	127	Customary Land	[REDACTED]	Easement
59	1	12593	Afiamalu	152	Freehold Land	[REDACTED]	Land Taking
60	2	12593	Afiamalu	55	Freehold Land	[REDACTED]	Land Taking
61	3	12593	Afiamalu	1876	Freehold Land	[REDACTED]	Land Taking
62	4	12593	Afiamalu	25	Freehold Land	[REDACTED]	Land Taking
63	5	12593	Afiamalu	24	Freehold Land	[REDACTED]	Land Taking
64	6	12593	Afiamalu	2	Freehold Land	[REDACTED]	Land Taking
65	7	12593	Afiamalu	2	Freehold Land	[REDACTED]	Land Taking
66	8	12593	Afiamalu	16	Freehold Land	[REDACTED]	Land Taking
67	9	12593	Afiamalu	34	Government Land	[REDACTED]	Land Taking

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

68	10	12593	Afiamalu	274	Government Land	[REDACTED]	Land Taking
69	11	12593	Afiamalu	84	Freehold Land	[REDACTED]	Land Taking
70	12	12593	Afiamalu	521	Freehold Land	[REDACTED]	Land Taking
71	13	12593	Afiamalu	255	Freehold Land	[REDACTED]	
72	A	12593	Afiamalu	460	Freehold Land	[REDACTED]	Easement
73	1	12594	Afiamalu	229	Freehold Land	[REDACTED]	Land Taking
74	2	12594	Afiamalu	298	Freehold Land	[REDACTED]	Land Taking
75	3	12594	Afiamalu	2429	Freehold Land	[REDACTED]	Land Taking
76	4	12594	Afiamalu	848	Freehold Land	[REDACTED]	Land Taking
77	5	12594	Afiamalu	1143	Freehold Land	[REDACTED]	Land Taking
78	6	12594	Afiamalu	2311	Freehold Land	[REDACTED]	Land Taking
79	1	12595	Malololelei	105	Freehold Land	[REDACTED]	Land Taking
80	2	12595	Malololelei	51	Freehold Land	[REDACTED]	Land Taking
81	3	12595	Malololelei	106	Freehold Land	[REDACTED]	Land Taking
82	4	12595	Malololelei	34	Freehold Land	[REDACTED]	Land Taking
83	5	12595	Malololelei	107	Freehold Land	[REDACTED]	Land Taking
84	6	12595	Tiapapata	1188	Freehold Land	[REDACTED]	Land Taking
85	7	12595	Tiapapata	112	Freehold Land	[REDACTED]	Land Taking
86	8	12595	Tiapapata	133	Freehold Land	[REDACTED]	Land Taking

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

87	1	12780	Malololelei	30	Freehold Land	[REDACTED]	Land Taking
88	1	12596	Tiapapata	481	Freehold Land	[REDACTED]	Land Taking
89	2	12596	Tiapapata	57	Freehold Land	[REDACTED]	Land Taking
90	3	12596	Tiapapata	30	Freehold Land	[REDACTED]	Land Taking
91	4	12596	Tiapapata	222	Freehold Land	[REDACTED]	Land Taking
92	5	12596	Tiapapata	122	Freehold Land	[REDACTED]	Land Taking
93	6	12596	Tiapapata	248	Freehold Land	[REDACTED]	Land Taking
94	7	12596	Tiapapata	170	Freehold Land	[REDACTED]	Land Taking
95	1	12597	Tiapapata	131	Freehold Land	[REDACTED]	Land Taking
96	3	12597	Tiapapata	213	Freehold Land	[REDACTED]	Land Taking
97	5	12597	Tiapapata	81	Freehold Land	[REDACTED]	Land Taking
98	7	12597	Tiapapata	69	Freehold Land	[REDACTED]	Land Taking
99	9	12597	Tiapapata	39	Freehold Land	[REDACTED]	Land Taking
100	11	12597	Tiapapata	400	Freehold Land	[REDACTED]	Land Taking
101	13	12597	Tiapapata	292	Freehold Land	[REDACTED]	Land Taking
102	15	12597	Tiapapata	57	Freehold Land	[REDACTED]	Land Taking
103	A	12597	Tiapapata	69	Freehold Land	[REDACTED]	Easement
104	1	12813	Tiapapata	22	Freehold Land	[REDACTED]	Land Taking
105	3	12813	Tiapapata	65	Government Land	[REDACTED]	Land Taking
106	1	12598	Vaoala	1219	Government Land	[REDACTED]	Land Taking
107	2	12598	Vaoala	173	Freehold Land	[REDACTED]	Land Taking
108	A	12598	Vaoala	70	Government Land	[REDACTED]	Easement

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

109	1	12599	Vaoala	493	Freehold Land	[REDACTED]	Land Taking
110	2	12599	Vaoala	48	Freehold Land	[REDACTED]	Land Taking
111	4	12599	Vaoala	38	Freehold Land	[REDACTED]	Land Taking
112	5	12599	Vaoala	13	Freehold Land	[REDACTED]	Land Taking
113	6	12599	Vaoala	344	Freehold Land	[REDACTED]	Land Taking
114	7	12599	Vaoala	72	Freehold Land	[REDACTED]	Land Taking
115	8	12599	Vaoala	196	Freehold Land	[REDACTED]	Land Taking
116	9	12599	Vaoala	124	Freehold Land	[REDACTED]	Land Taking
117	10	12599	Vaoala	512	Freehold Land	[REDACTED]	Land Taking
118	2	12600	Vaoala	87	Freehold Land	[REDACTED]	Land Taking
119	3	12600	Vaoala	471	Freehold Land	[REDACTED]	Land Taking
120	5	12600	Vaoala	81	Customary Land	[REDACTED]	Land Taking
121	6	12600	Letava	7	Freehold Land	[REDACTED]	Land Taking
122	8	12600	Vaoala	10	Freehold Land	[REDACTED]	Land Taking
123	10	12600	Vaoala	102	Freehold Land	[REDACTED]	Land Taking
124	12	12600	Vaoala	90	Freehold Land	[REDACTED]	Land Taking
125	14	12600	Vaoala	391	Customary Land	[REDACTED]	Land Taking
126	15	12600	Vaoala	99	Freehold Land	[REDACTED]	Land Taking
127	16	12600	Vaoala	147	Freehold Land	[REDACTED]	Land Taking
128	A	12600	Vaoala	61	Freehold Land	[REDACTED]	Easement
129	1	12814	Vaoala	72	Freehold Land	[REDACTED]	Land Taking

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

130	2	12814	Vaoala	52	Freehold Land	[REDACTED]	Land Taking
131	1	12781	Vaoala	60	Freehold Land	[REDACTED]	Land Taking
132	2	12781	Vaoala	29	Freehold Land	[REDACTED]	Land Taking
133	3	12781	Vaoala	14	Freehold Land	[REDACTED]	Land Taking
134	4	12781	Vaoala	18	Government Land	[REDACTED]	Land Taking
135	5	12781	Vaoala	617	Freehold Land	[REDACTED]	Land Taking
136	6	12781	Vaoala	43	Freehold Land	[REDACTED]	Easement
137	7	12781	Vaoala	50	Freehold Land	[REDACTED]	Easement
138	8	12781	Vaoala	13	Government Land	[REDACTED]	Easement
139	1	12782	Vaoala	67	Freehold Land	[REDACTED]	Land Taking
140	2	12782	Vaoala	58	Freehold Land	[REDACTED]	Land Taking
141	3	12782	Vaoala	16	Freehold Land	[REDACTED]	Land Taking
142	4	12782	Vaoala	303	Customary Land	[REDACTED]	Land Taking
143	5	12782	Vaoala	126	Customary Land	[REDACTED]	Land Taking
144	6	12782	Vaoala	91	Customary Land	[REDACTED]	Land Taking
145	7	12782	Vaoala	47	Customary Land	[REDACTED]	Land Taking
146	8	12782	Vaoala	64	Customary Land	[REDACTED]	Land Taking
147	9	12782	Vaoala	34	Customary Land	[REDACTED]	Land Taking
148	10	12782	Vaoala	26	Customary Land	[REDACTED]	Land Taking
149	1	12783	Vaoala	530	Freehold Land	[REDACTED]	Land Taking
150	2	12783	Avele	73	Government Land	[REDACTED]	Land Taking
151	3	12783	Avele	67	Government Land	[REDACTED]	Land Taking
152	4	12783	Avele	73	Government Land	[REDACTED]	Land Taking
153	5	12783	Vailima	171	Government Land	[REDACTED]	Land Taking

**Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan**

154	6	12783	Vailima	639	Government Land	[REDACTED]	Land Taking
155	7	12783	Vailima	1099	Customary Land	[REDACTED]	Land Taking
156	1	12784	Vailima	224	Customary Land	[REDACTED]	Land Taking
157	2	12784	Vailima	236	Customary Land	[REDACTED]	Land Taking
158	3	12784	Vailima	22	Freehold Land	[REDACTED]	Land Taking
159	4	12784	Vailima	25	Freehold Land	[REDACTED]	Land Taking
160	5	12784	Vailima	18	Freehold Land	[REDACTED]	Land Taking
161	6	12784	Vailima	6	Freehold Land	[REDACTED]	Land Taking
162	7	12784	Vailima	126	Freehold Land	[REDACTED]	Land Taking
163	8	12784	Vailima	300	Freehold Land	[REDACTED]	Land Taking
164	9	12784	Vailima	115	Freehold Land	[REDACTED]	Land Taking
165	10	12784	Vailima	29	Freehold Land	[REDACTED]	Public Road
166	1	12786	Tanugamanono	31	Freehold Land	[REDACTED]	Land Taking
167	2	12786	Tanugamanono	46	Freehold Land	[REDACTED]	Land Taking
168	3	12786	Tanugamanono	113	Freehold Land	[REDACTED]	Land Taking
169	4	12786	Tanugamanono	148	Customary Land	[REDACTED]	Land Taking
170	5	12786	Tanugamanono	63	Freehold Land	[REDACTED]	Land Taking
171	6	12786	Tanugamanono	1382	Government Land	[REDACTED]	Easement
172	7	12786	Tanugamanono	6	Freehold Land	[REDACTED]	Easement
173	8	12786	Tanugamanono	5	Freehold Land	[REDACTED]	Easement
174	9	12786	Tanugamanono	7	Freehold Land	[REDACTED]	Easement
175	10	12786	Tanugamanono	9	Freehold Land	[REDACTED]	Easement
176	11	12786	Tanugamanono	11	Freehold Land	[REDACTED]	Easement

*Central Cross Island Upgrading Project – Package 1 (Tanugamanono to Lower Tiavi)
Resettlement Plan*