

APPENDIX VI: Safeguard Compliance Plan: Involuntary Resettlement

Process Framework for Restrictions to Access to Natural Resources

Project Title: Securing the long-term conservation of Timor-Leste's biodiversity and ecosystem services through the establishment of a functioning National Protected Area System and the improvement of natural resource management in priority catchment corridors				
Country: Timor-Leste		Implementation Timeframe: 2018-2021	GEF ID: 9434	CI Contract ID:
Date:	Version:	Description:		
August 2017	1	Project preparation phase		

INTRODUCTION

The TLSNAP project will support the Government of Timor-Leste in establishing a functional protected area (PA) system. At the site level, the project will facilitate participatory collaborative management arrangements with local communities, reducing threats to critical ecosystems and enhancing sustainable livelihoods. Innovative management mechanisms will be developed and implemented, supporting rehabilitation of degraded forest and other land areas, securing ecosystem functions including water and soil protection, and protecting against habitat damage and fragmentation.

Involuntary resettlement is NOT planned under the TLSNAP project. In fact, resettlement of any kind is not planned. The project strategy seeks to strengthen participatory, community level collaborative management of natural resources, including inside protected areas and inside critical catchments having high conservation value.

There are households currently inside the two target protected areas, Mount Fatumasin and Mount Legumau. These households were in place before the protected areas were declared, and government partners have stressed that there will be no involuntary resettlement initiated, but rather sustainable use classification would be advocated for these two sites.

The safeguard policy is triggered because the project will support a stricter enforcement of natural resource management, which will likely include imposing certain restrictions on current access of local people. The project will support more sustainable livelihood options for targeted households, but short-term loss of livelihood could be unavoidable because transitioning into alternative, sustainable options will likely take time.

OBJECTIVE

The objective of this plan is to minimize, mitigate, and/or compensate the potential adverse socioeconomic and cultural impacts of restrictions of access to natural resources the TLSNAP might create.

PROJECT BACKGROUND

The two protected areas selected for project implementation are listed below.

Mount Fatumasin Protected Area (WDPA ID: 555547943; surface area: 40 km²). This PA is situated in the Liqueça *município*, within the upland region of the Comoro catchment.

Mount Legumau Protected Area (WDPA ID: 555547948; surface area: 359.67 km²). This PA is situated near the intersection of the Baucau, Lautem, and Viqueque municípios, within the upland portion of the Irabere catchment.

For development and implementation of community driven natural resource management (NRM) plans, one sub-catchment in each of the two main catchments were selected: the Moto Hare sub-catchment in the Comoro catchment, and the Afalita sub-catchment in the Irabere catchment. Within the two sub-catchments, a total of 10 *sucos* were selected for field interventions. There are clear differences between the four *sucos* selected in the Comoro catchment that are closer to Dili and has reasonably developed services, compared to the six remote *sucos* in the Irabere catchment that are further from the district capital and have considerably lower levels of services (see **Table VI-1**).

Table VI-1: Socioeconomic information of the 10 project *sucos*

Suco	Land Area (ha)	Population			Living Standard Rank*	Households with			Adult literacy	Kilometers to district capital
		Total	Female	Male		Electricity	Improved water	Improved sanitation		
Source:	[1]	[2]			[3]	[3]	[3]	[3]	[3]	[3]
Moto Hare sub-catchment (Comoro catchment):										
Leorema	2,235	6,493	3,158	3,335	281	1%	36%	9%	54%	25
Fahilebo	2,417	1,423	677	746	252	5%	46%	58%	42%	17
Lihu	1,848	1,187	560	627	400	59%	89%	71%	81%	10
Ulmera	3,890	3,527	1,729	1,798	382	54%	68%	37%	62%	14
Afalita sub-catchment (Irabere catchment):										
Uacala	6,009	755	414	341	7	1%	15%	2%	46%	49
Baricafa	2,317	1,552	763	789	21	1%	76%	2%	29%	64
Lari Sula	3,635	821	415	406	13	0%	2%	0%	47%	71
Bahatata	1,136	804	396	408	9	0%	23%	0%	39%	86
Irabin de Cima	1,317	1,108	567	541	63	2%	1%	5%	46%	78
Cainliu	7,146	1,893	925	968	18	2%	78%	65%	49%	44
Total:	31,949	19,563	9,604	9,959						

[1]: Source: ALGIS (suco maps)

[2]: Source: Community consultations during PPG phase (2017)

[3]: Source: ADB estimates based on the 2010 Timor-Leste population and housing census (National Statistics Directorate 2011) and the 2001 Suco Survey (East Timor Transitional Administration, ADB, World Bank, and United Nations Development Programme, 2001).

*The rank ranges from 1 to 442, where 1 is the suco with the lowest standard of living based on the asset index and 442 is the suco with the highest standard of living.

There are significant differences between the two catchments in terms of threats from human activities. The **Comoro catchment** is in proximity to the capital city Dili (see **Figure V1-1**), which is the key economic and populous center for the country. The catchment also hosts the Comoro Power Plant which situated within the core of the national electricity grid, it is close to the Presidente Nicolau Lobato international airport, and is in the vicinity of the Dili port, the main point at which all goods either enter or exit Timor-Leste.

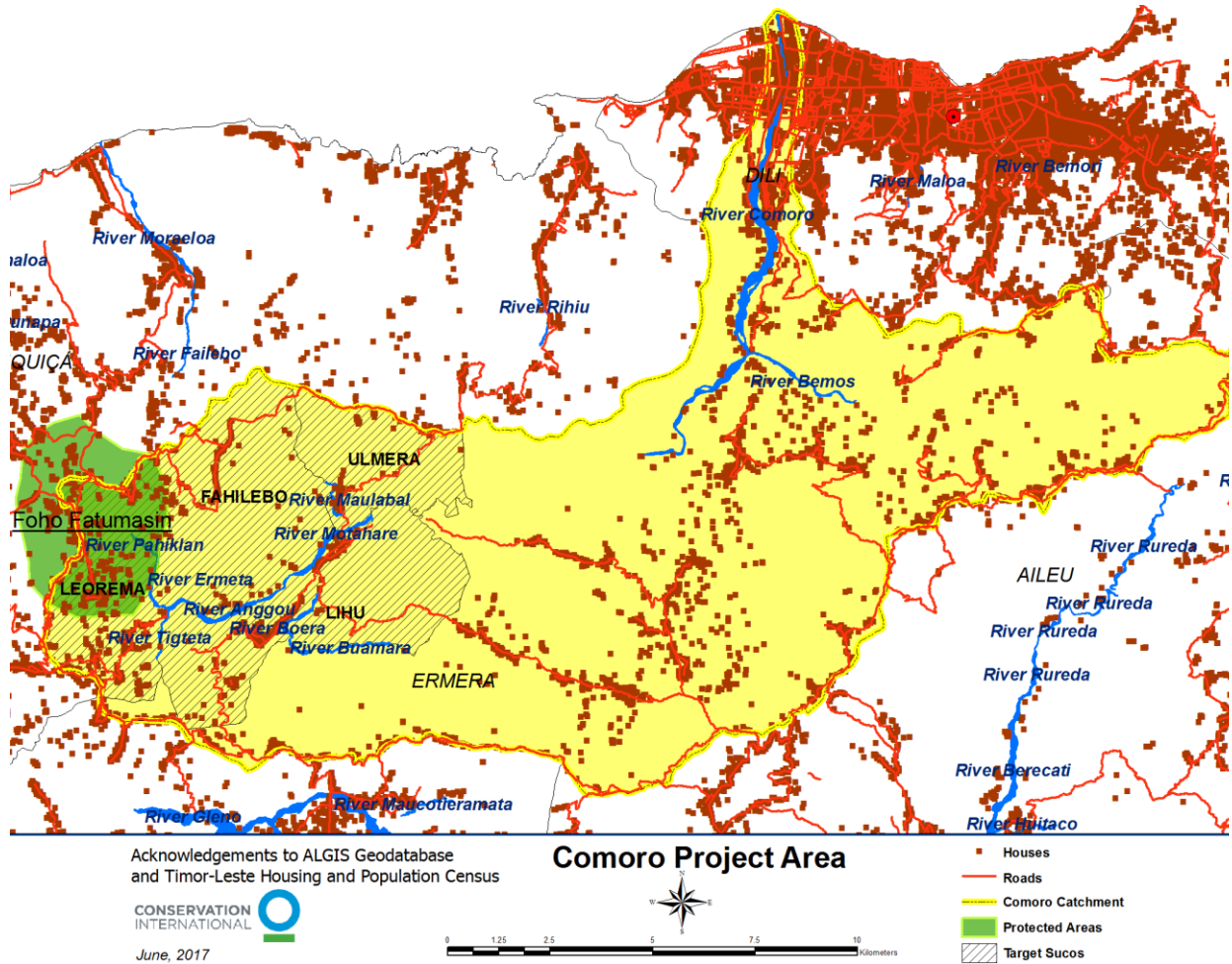
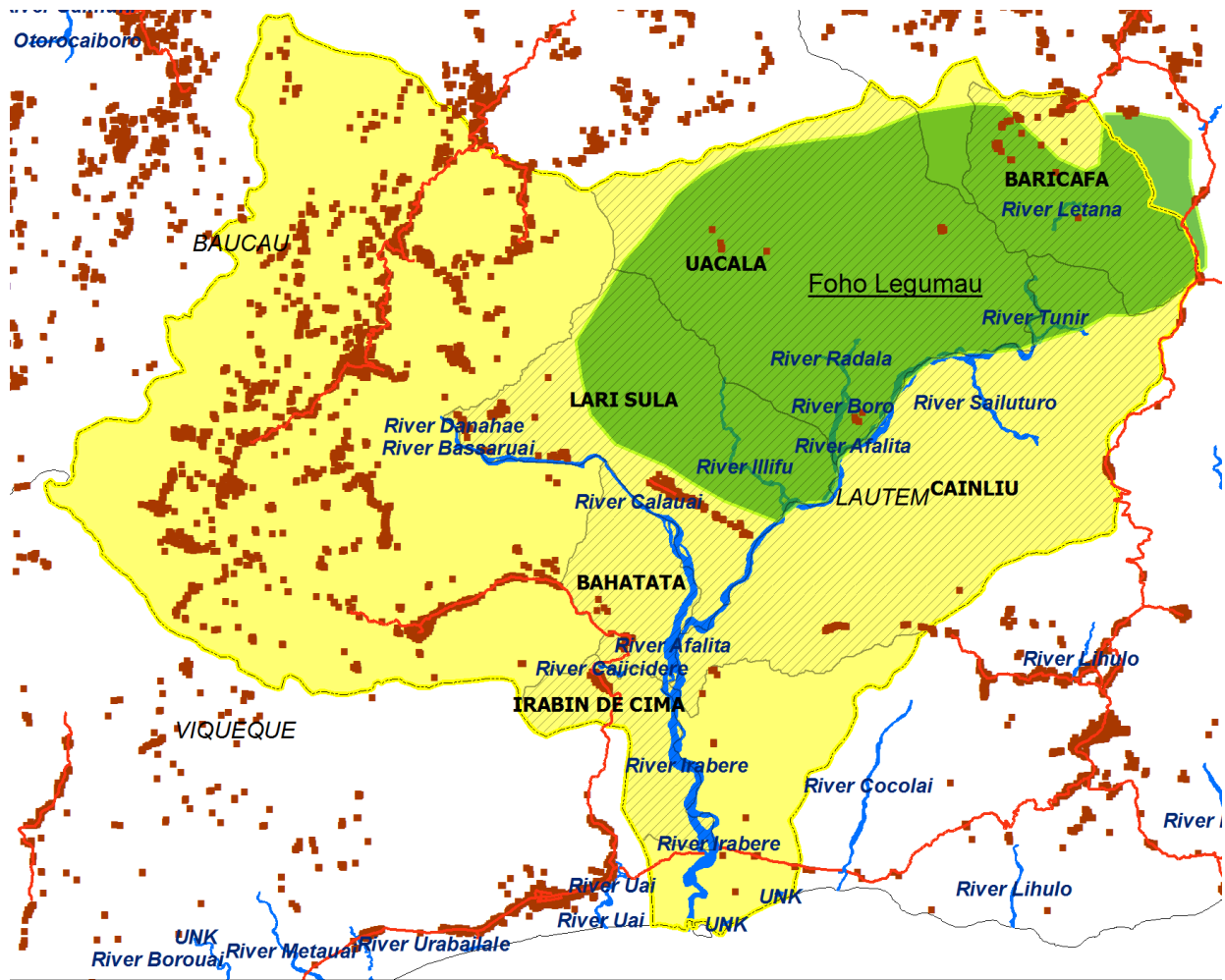


Figure V1-1: Map of the project area in the Comoro catchment

The Comoro catchment is also a main source of resources such as water, gravel, and firewood for the city of Dili and surrounding communities, and as such has been targeted by the government for rehabilitation¹. There is enormous pressure on this catchment and its resources due to the prevalence of illegal cutting, firewood collection, and cattle grazing, as well as the constant migration of the younger population to the center looking for work.

The **Irabere catchment** straddles the borders of the Baucau, Lautem, and Viqueque municipalities (*municípios*), extending to the Irabere River Estuary at the south coast of Timor-Leste, as shown below in the map in **Figure V1-2**.

¹ Timor-Leste Strategic Development Plan 2011-2030, version submitted to the National Parliament.; and McIntyre, M.A., 2011. Strategic Action Plan for the Programme of Works on Protected Areas.



Acknowledgements to ALGIS Geodatabase and Timor-Leste Housing and Population Census



June, 2017

Irabere Project Area

- Roads
- Houses
- Irabere Catchment
- Protected Areas
- Target Suco



Figure V1-2: Map of the project area in the Irabere catchment

The Irabere catchment has within its boundary part of four declared protected areas: Mount Matebian, Mount Legumau, Mount Burabo, and Mount Maure. No other catchment in Timor-Leste contains as many protected areas. This critical element along with fairly intact forest cover outside the protected areas, limited access to employment or income generating opportunities, and its relative closeness to Nino Konis Santana National Park which provides a critical opportunity to develop habitat corridors between these protected areas, made the selection committee recognize it as a prime project site. There are far fewer houses inside or near the Mount Legumau PA compared to the Mount Fatumasin PA, due largely to the remoteness of the place, but some *sucos* are expanding there as part of certain land restitution initiatives.

There are an estimated 93 households situated within the delineated borders of the Mount Fatumasin PA; these households are in the *aldeia* of Cutulao, located in the Leorema *suco*. For the Mount Legumau PA, there are an estimated 12 households in the *aldeia* of Baifa and 14 households in the *aldeia* of Baburo, both located in the Uacala *suco*, that are within the borders of the protected area.

PARTICIPATORY IMPLEMENTATION

Affected households will be meaningfully consulted and be provided with opportunities to participate in planning and implementing project interventions. The *suco* NRM plans, upon consultation with local communities, will include descriptions of restrictions to natural resources. For households situated within delineated protected areas, the project will offer training and skills development opportunities for sustainable use of forest resources.

Given low literacy levels in some of the target *sucos*, the project will need to ensure that communication is presented orally and visually as well as in written form, to ensure stakeholders can understand the project and its potential impacts and benefits.

Criteria for eligibility of affected persons

The preliminary criteria for selecting the eligibility of households for assistance under the project include the following:

- Situated inside the delineated borders of the target protected areas;
- An indication of interest by the residents of these households;
- Household income (preference will be extended to lower income families); and
- Opportunities for involvement of women and other vulnerable groups.

These criteria will be refined during the inception phase of the project, as part of the participatory social, biological, and ecological assessments in conjunction with development of the protected area management plans and as part of community discussion regarding demarcation of PA borders.

Land Tenure Considerations

In Timor-Leste access and holdings on land are through customary and informal systems; there is not yet a formal legal land tenure framework. Under this context, the term “land ownership” is different from western derived definitions and practices.

The project will not finance any major civil works. Plant nurseries will be established and strengthened in the ten target *sucos*. Based upon consultations during the PPG phase, land area required for establishing new nurseries or expanding existing ones will be provided by the local farmers groups and/or individual farmers as in-kind cofinancing contributions. The project will facilitate appropriate land use arrangements between the farmers and *suco* councils.

Assistance for communities where new restrictions are imposed regarding access to natural resources

The project will provide assistance in the form of capacity building, e.g., skills training in sustainable livelihood alternatives, for households that are affected by new restrictions are imposed regarding access to ecosystem goods or services that might result in a loss of income sources. The types of activities promoted by the project include the following:

- Protection and/or conservation of natural resources and habitats;
- Community conservation of natural resources, including community driven sustainable forest management.
- Rehabilitation of degraded forest and other lands;
- Improved use of firewood or promotion of environmentally sustainable alternatives fuel sources;

- Technical assistance to improve land and natural resource use, and marketing of sustainable products and commodities;
- Various ‘eco-agriculture’ or ‘mosaic landscape’ activities that combine agricultural production to sustain rural livelihoods as well as protection of wild plant and animal species.
- Strengthening participation of local people and application of traditional ecological knowledge;
- Improved livestock management, through capacity building with the assistance of extension services;

Prohibited Activities

Based on consultations made during the project preparation phase, the following preliminary set of activities are considered prohibited from financing under the TLSNAP project, either with GEF resources or as part of cofinancing activities:

- **Damage to Cultural Resources:** Damages or losses to cultural resources, including sites have historical, religious, cultural, and unique natural values will be prohibited.
- **Construction or Improvement of Unsafe Infrastructure:** Construction of roads or other infrastructure inside natural habitats and existing or proposed protected areas that lead to negative environmental impacts will be prohibited.
- **Introduction of Non-Native Species:** Introduction of non-native species, unless those already present in the vicinity or known from similar settings to be non-invasive, will be prohibited. Introduction of genetically modified plant varieties into a designated protected area will also be prohibited.
- **Conversion or Degradation of Natural Habitats:** Conversion or degradation of natural habitats will be prohibited.
- **Unsustainable Exploitation of Natural Resources:** Unsustainable exploitation of natural resources, including non-timber forest products (NTFPs), will be prohibited.
- **Production and Trade of Wildlife Products:** Production or trade in wildlife products or other activities deemed illegal under national laws and regulations or according to international conventions and agreements will be prohibited.
- **Unsafe Pesticide Use:** Purchase and application of pesticides prohibited under the Stockholm Convention on Persistent Organic Pollutants and relevant national regulations and international agreements will be prohibited. If the use of pesticides is necessary, procurement, handling, and management will be made in accordance with The International Code of Conduct on Pesticide Management², including training local people to ensure safe use.
- **Improper Working Conditions:** Implementing working conditions involving harmful or involuntary forms of labor or unsafe occupational health and safety conditions will be prohibited.
- **Procuring Potentially Detrimental Assets:** Purchase of assets that could be detrimental to the environment, including destructive hunting and fishing gear will be prohibited.

Conflict resolution and compliant mechanism

² IOMC, 2014. The International Code of Conduct on Pesticide Management. World Health Organization, and Food and Agriculture Organization of the United Nations. Inter-Organization Programme for the Sound Management of Chemicals.

The project will ensure that local communities participate throughout the implementation phase and will strive to avoid potentially adverse impacts, including unintended consequences.

In the first instance, any grievance should be addressed and where possible resolved locally. CI will be responsible for informing project-affected communities about the grievance provisions, including the ESMF's accountability and grievance mechanism. Contact information of CI and the GEF will be made publicly available to involved stakeholders. Complaints to CI can be made through many different channels including, but not limited to face-to-face meetings, written complaints, telephone conversations, or e-mail.

Given low literacy levels in some of the target *sucos*, project details will be communicated orally and visually as well as in written form in local languages, to ensure local stakeholders can understand the specific activities being implemented and the potential impacts and benefits.

The project will also work closely with existing *suco* level administrative and traditional structures for addressing potential disputes. It will be imperative to maintain proactive engagement with *suco* councils and traditional leaders, who are often called upon to settle land related issues and other conflicts in rural communities.

Stakeholders may raise a grievance at any time to Conservation International (CI), as the Executing Agency (EA) about actions implemented by the project and the application of its safeguard frameworks. Affected stakeholders should be informed about this possibility and contact information of the respective organizations at relevant levels should be made available either online, during the project inception workshop and/or in project target sites where most relevant.

The Accountability and Grievance Mechanism is intended to supplement the proactive stakeholder engagement that is required of CI and implementing partners throughout duration of the project. Communities and individuals may request an Accountability and Grievance Mechanism process when they have used standard channels for project management and quality assurance, and are not satisfied with the response.

If this process does not result in resolution of the grievance, the grievant may file a claim through CI's EthicsPoint Hotline at <https://secure.ethicspoint.com>

Through EthicsPoint, CI will respond within 15 calendar days of receipt, and claims will be filed and included in project monitoring processes.

Alternatively, the grievant may file a claim with the Director of Compliance (DOC) who is responsible for the CI Accountability and Grievance Mechanism and who can be reached at:

Mailing address: Director of Compliance
Conservation International
2011 Crystal Drive, Suite 500
Arlington, VA 22202, USA.

Implementation Arrangements

As the executing agency, Conservation International will establish a project management unit, headed by a project manager. The project manager will have overall responsibility of day to day implementation of the project and report directly to the project board. The main implementation partner will be the Ministry of Agriculture and Fisheries, specifically the National Directorate of Protected Areas.

The project management unit will include two catchment coordinators, one for the Comoro catchment (Mount Fatumasin PA) and one for the Irabere catchment (Legumau PA). The catchment coordinators will facilitate the design and implementation of community interventions.

Protected area management committees will be established for the Mount Fatumasin and Mount Legumau PAs. Design and implementation of the PA management and business plans will be guided by these management committees. There will also be community conservation groups established in each of the 10 target sucos, and these groups will be responsible for carrying out and/or supporting the community level project interventions.

Action Plan

Activity	Actions	Indicator	Target
Advocating voluntary agreement to restrictions of access to natural resources	Advocate for voluntary restrictions of access to natural resources, through participatory social consultations with local communications. Involve affected households into the planning and design of sustainable livelihood alternatives.	Number of persons whose access to and use of natural resources have been voluntary restricted	127 households (93 in the aldeia of Cutalao, 12 in the aldeia of Baiafa, and 14 in the aldeia of Baburo)
Advocating against involuntary restrictions of access to natural resources	Advocate against involuntary restrictions of access to natural resources, through participatory social consultations with local communications. Involve affected households into the planning and design of sustainable livelihood alternatives.	Number of persons whose access to and use of natural resources have been involuntary restricted	0
Promoting voluntary agreement to restrictions of access to natural resources	Design and deliver awareness campaigns, as part of development and implementation of <i>suco</i> NRM plans. Percentage of persons who have received compensation for voluntary restrictions.	Percentage of persons who gave their consent for voluntary restrictions	100%
Discouraging monetary compensation of persons who agree to voluntary restrictions	Provide assistance to households that voluntarily agree to restrictions of access to natural resources, in the form for capacity building, skills training, linking up with enabling partners, etc.	Percentage of persons who have received compensation for voluntary restrictions	0%

Monitoring and Evaluation

Performance of the targets specified in the action plan will be regularly monitored and monitoring and evaluation results will be reported in the project progress reports and project implementation review (PIR) reports.

The indicative budget for the planned monitoring and evaluation activities under this safeguard plan is included in Line Item c (Project Results Monitoring) in the project M&E plan.
