

Esso Highlands Limited



Papua New Guinea LNG Project

**KANTOBO TO KAIAM (KP 153 – 227)
Communal Resource Plan**

PGHU-EH-SPZZZ-490008

CONTENTS

Executive Summary	v
1.0 INTRODUCTION.....	9
1.1 Resettlement Goal.....	10
1.2 Sources of Information.....	10
1.3 Site Selection and Avoiding/Minimizing Resettlement.....	10
2.0 Institutional and Legal Framework.....	11
3.0 Social, Economic and Cultural Environment.....	12
3.1 Population	12
3.2 Cultural Context.....	13
3.2.1 Social Organization of Clans.....	13
3.2.2 The Emergence of 'Tribal Politics'.....	14
3.2.3 Subsistence Patterns.....	14
3.2.4 Types of Land Rights.....	14
3.3 Land Ownership	15
3.3.1 Kantobo Village.....	16
3.3.2 Baina Village.....	16
3.3.3 Siawiti Village	16
3.4 IPCAs and Implications of Socio-Cultural Context for Project	16
3.5 Land Requirements	17
3.6 Assets and Infrastructure.....	20
3.7 Cultural Heritage Sites.....	20
4.0 Kantobo-Kaiam Consultation and Disclosure.....	23
4.1 Regional Issues and Resettlement Concerns	23
4.2 Summary of Issues by Communities.....	23
5.0 Project Impacts.....	25
6.0 Eligibility and Entitlements.....	29
7.0 Livelihood Restoration Program	32
8.0 GRIEVANCE MANAGEMENT FRAMEWORK.....	33
9.0 ORGANIZATIONAL ROLES AND RESPONSIBILITIES	34
10.0 MONITORING AND EVALUATION	35
11.0 CRP IMPLEMENTATION SCHEDULE	36
12.0 COST AND BUDGET ESTIMATE.....	37

FIGURES

Figure 1-1: Kantobo-Kaiam ROW	9
Figure 3-1: Gobe Area Clan Territories as construed by the 1 st LTC (Weiner 2005)	15
Figure 3-2: Gobe Area Clan Territories as construed by the 2nd LTC (Weiner 2005)	15
Figure 3-3: Active gardens along KP 153 - 173	19
Figure 5-1: Social Sites KP 153 – 173	27
Figure 5-2: Social Sites KP 173 - 190	27
Figure 5-3: Social Sites KP 190 - 226	28
Figure 5-4: Social Sites Gobe	28

TABLES

Table 3-1: Project Impact Area Households, Population, Incorporated Land Groups (ILG) and Survey Status	13
Table 3-2: Kantobo-Kaiam ROW Principal Clans	16
Table 3-3: Status of IPCAs	17
Table 3-4: Land Requirements per PLAF	17
Table 3-5: Privately owned gardens and trees along the ROW	18
Table 3-6: Summary of active gardens along the ROW	18
Table 3-7: Assets along the ROW	20
Table 3-8: Cultural Heritage	21
Table 4-1: Summary of Kantobo-Kaiam Consultation Interactions for Affected Communities	23
Table 4-2: Summary of Issues by Communities	23
Table 5-1: Principal Impacts likely to be experienced by Kantobo-Kaiam landowners	25
Table 6-1: Eligibility and Entitlements for Kantobo-Kaiam Landowners	29
Table 11-1: CRP Implementation Schedule	36

ACRONYMS

Acronym	Definition
APPL	Applied Petroleum Prospecting License
CRP	Communal Resource Plan
EIS	Environmental Impact Statement
ELC	Environmental Law Centre
FRV	Full Replacement Value
HGCP	Hides Gas Conditioning Plant
HDD	Horizontal Directional Drilling
IFC	International Finance Corporation
ILG	Incorporated Land Group
IPCA	In-Principle Compensation Agreement
KP	Km point (Hides to landfall at Omati)
Lanco	Landowner Company
LNG	Liquefied Natural Gas
LTC	Land Titles Commission
M&E	Monitoring and Evaluation
O&GA	Oil and Gas Act
OSL	Oil Search Limited
PCS	Pre-Construction Survey
PLAF	Preliminary Land Access Form
PNG	Papua New Guinea
PNG LNG	Papua New Guinea Liquefied Natural Gas Project
PDL	Petroleum Development License
PPL	Petroleum Prospecting License
PS	Performance Standard
RAP	Resettlement Action Plan
RIT	Resettlement Implementation Team
ROW	Right of Way
RPF	Resettlement Policy Framework
RTC	Resettlement Team Coordinator
SHP	Southern Highlands Province
SIA	Social Impact Assessment
SMLI	Social Mapping and Landowner Identification

EXECUTIVE SUMMARY

Introduction

Esso Highlands Limited (Company) proposes to develop the Papua New Guinea Liquefied Natural Gas (PNG LNG) Project (Project) to commercialize gas reserves within the Papua New Guinea Southern Highlands and Western Provinces. This Communal Resource Plan (CRP) focuses on economic displacement, there being no physical resettlement, resulting from:

- Pipeline construction between Km Point (KP) 226 (Kaiam) and KP 153 (past Kantobo at KP 160); and
- Construction of a landfill, spurline and laydown area in Gobe.

The Kantobo to Kaiam¹ pipeline is part of the southernmost part of the Project pipeline right-of-way (30 m ROW)² that extends from Hides to Moro for 294 km. There are three associated interventions with the proposed pipeline ROW:

- To extend an existing landfill currently used by Oil Search Limited (OSL) at Gobe;
- To utilize a laydown area at Gobe to assist construction; and
- The construction of a Gobe spurline.

The length of the pipeline ROW required for the Kantobo to Kaiam pipeline section is 73 km.

The pipeline ROW will cross the Mubi River by means of Horizontal Directional Drilling (HDD), and requires additional workspace for a HDD platform, bentonite pits and lay down yards.

The landscape and topography of the ROW karst terrain displays moderate to high degrees of undulation with numerous limestone pinnacles, valleys, dolines and gullies. Soils coverage consists of only a thin layer of organic material overlying the limestone substratum.

Resettlement Goal

The Project's overall resettlement goal is to design and implement resettlement in a manner that gives physically and economically displaced persons the opportunity to at least restore their livelihoods and standards of living. This Kantobo-Kaiam CRP is consistent with goals, principles, and processes described in the Project's October 2009 Resettlement Policy Framework (RPF).

Only the loss of communal forest resources (economic displacement) on clan land and four gardens is expected at the time this CPR was prepared. Protocols defined in this CRP will be applied should additional gardens or structures be affected.

Institutional and Legal Framework

The resettlement process complies with legal requirements and criteria, such as those specified in the PNG Oil and Gas Act (O&GA), key PNG National Government institution guidelines, legislation governing both provincial and local governments, and the International Finance Corporation's (IFC) Performance Standards (PS) on Social and Environmental Sustainability.

¹ The land area and population of Kaiam #1 and #2 were described in the Kaiam-Omati CRP.

² Typically, the nominal ROW width of 30 m is required for the pipeline construction spread including storage areas (topsoil, subsoil, and trench spoil), vehicular access/running track and work area for stringing, welding and pipeline installation.

Social, Economic and Cultural Environment

The Kantobo-Kaiam section of the Project pipeline traverses the following licenses: Petroleum Prospecting License (PPL)319, PPL190, PRL9, Petroleum Development License (PDL) 3, APPL326, PPL219, and PPL287.

There are three language groups in the Gobe environs:

- Ikobi/Kasere – Ikobi villages include Siawiti and Baina, Kasere of Kaiam 1;
- (Lower) Foe – Kantobo village; and
- Sau (includes Polopa people now amalgamated into Sau language and culture) – Polopa/Foraba speakers of Kaiam 2.³

Sweet potato cultivation dominates the Samberigi Valley (Sau area of the pipeline), supplemented by bananas (the next most frequently eaten cultivar), manioc and taro. Other crops commonly grown include sugar cane, a variety of green vegetables, and cucumbers. Gardens in the other areas along the pipeline are dominated by sago followed by banana, Chinese taro, sweet potato, taro and yam.

The social and cultural history of this area south of Kantobo is extremely fragmentary with long-term population flux and inter-ethnic marriage. Lacking the in-depth ethnographic information available for the northern pipeline sections, land ownership and settlement landscape is both complex and contested.

There were two Land Titles Commission (LTC) hearings, in 1995 and 1999, which attempted to settle claims about petroleum ROW clan boundaries. The boundaries arrived at by both LTC findings have not been accepted by local landowners. They continue to be subject to legal contestation.

Notwithstanding these issues, landowning entities have agreed to allow Project work to continue. They understand that disputed compensation will be held in escrow until the parties resolve their differences.

To date In-Principle Compensation Agreements (IPCAs) have been signed by landowners for Km points (KP) 160-230, and Land Access Agreements from 160-225 km. These agreements cover the Preliminary Land Access Form (PLAF) 3, 5, and 6 Project areas.

Consultation and Disclosure

Initial resettlement public consultations were conducted in Kaiam 1 and Kaiam 2, Baina, Siawaiti and Kantobo between 22-28 November 2010. Communications included oral presentations, flip charts, booklets and flyers in English, Pidgin and Motu.

The Project Land and Community Affairs (L&CA) team conducted land access consultations and IPCAs with affected landowners in October 2009. A process of disclosure of documents is in place and will include public dissemination and distribution of the Kantobo-Kaiam CRP.

Project Impacts

The ROW, extension of landfill, laydown area at Gobe and construction of the spurline are expected to result in the following impacts and mitigation measures:

- Communal forested land within the pipeline and Gobe infrastructure areas, of which 123 ha of the 246 ha, will be permanently damaged. This includes 266 large trees identified during surveys. Compensation will be paid according to IPCA

³ The majority of Sau-speaking Samberigi people are located in villages to the north east of the Gobe Main oil field.

negotiated rates escalated to full replacement values (FRV). No physical resettlement is expected;

- Approximately 44 cultural heritage sites will be impacted. These will be moved or compensated according to culturally acceptable practices;
- Four temporary gardens, as well as two privately owned fruit trees situated within the ROW will be compensated at FRV;
- No businesses or employment is lost as a result of the Project;
- Infrastructure owned and operated by OSL exists in much of the ROW survey area. They include the Gobe Production Facility, a crude oil export pipeline and associated facilities. ROW villages have already sustained long-term impact from existing petroleum activities. These landowners will have incremental increase in cash benefits (royalty and equity, seed capital) and business opportunities as pipeline license landowners;
- No anticipated development or increase in population influx expected as pipeline villages have been stable for the last 30 years. Squatter settlements will be difficult to establish in this area and most of the Gobe population of landowners live northeast of the Gobe camp; and
- The ROW generally follows the existing OSL oil pipeline ROW and existing Mubi River Road, which run adjacent to the existing CCJV Kantobo camp and quarry located at KP 164.0 and KP 166.4, respectively. These are areas of previous and ongoing disturbance. As such, this section supports mainly secondary regrowth forest and grassy sections. The anticipated further loss of land will not adversely impact ongoing livelihoods or subsistence activities.

Eligibility and Entitlements

Those individual households subject to economic displacement due to loss of economic trees or gardens are eligible to receive damage and deprivation compensation as well as livelihood restoration (if required). Landowners will also be entitled to once off and rental payments for damage and deprivation, including loss of access to traditional hunting grounds. This will be paid out through clan representatives as per IPCA agreements.

Livelihood Restoration Program

Loss of the four individual gardens is not significant along this section of the pipeline as landowners have other subsistence garden areas. No other loss of livelihoods is expected within the Kantobo-Kaiam Project area, but should this circumstance arise then the livelihoods restoration program will be implemented for affected landowners as per the protocols defined in the CRP.

Grievance Management Framework

A Project Grievance Mechanism has been implemented to receive, respond and address any grievances made to the Project.

Organizational Roles and Responsibilities

The Project is responsible for planning, implementation, and monitoring of economic displacement rests. L&CA is responsible for these activities.

Monitoring and Evaluation (M&E)

Monitoring and evaluation will provide information on whether clan and individual compensation (if required), resettlement and development investments are providing positive inputs. They indicate the need for corrective actions that may be required to achieve Project goals.

Resettlement Implementation Schedule

A schedule of tasks has been developed to plan and implement the major components of CRP implementation over the first half of 2011.

Cost and Budget Estimate

The cost of the Kantobo-Kaiam CRP is estimated at approximately US\$ 0.7 million, including IPCA clan payments. In addition the landowning clans will receive an annual rental of K321 for landowners in PLAF 3 and PLAF 5 (KP173 – 226), and K400/ha for landowners in PLAF 6 (KP 153 -173).

1.0 INTRODUCTION

This CRP focuses on economic displacement resulting from construction of the following:

- 73 km ROW section of LNG pipeline between KP 226, Kaiam, and KP 153, just past Kantobo at KP 160 (218 ha land access corridor, 109 ha works area); and
- A Gobe laydown area; Gobe landfill area, and spurline (28 ha buffer, 14 ha works area required).

Total land needed is 246 ha required for construction activities, and 123 ha for permanent Project infrastructure.

This 73 km section is part of the Project's 292 km pipeline ROW extending from Hides to Moro. It bypasses the Kutubu Central Processing Facility and runs adjacent to the Kutubu Crude Oil Export Pipeline easement and associated roads (10 m width).

The 30 m pipeline ROW is constituted as 15 m either side of a notional centre pipeline. The ROW allows for construction including equipment, storage of trench spoil and vehicle traffic.

The ROW survey area consisted largely of karst landscapes with undulating terrain. The low-lying areas in proximity to the Kikori River, between KP 216 and KP 196, are subject to severe flooding during periods of high rainfall. Riverine influence is also evidenced by water levels in dolines and pools, which rise and fall with changes in Kikori River levels. The vegetation of the karst plains in the ROW survey area is typically lowland open forest, with medium-crowned, lowland hill forest on polygonal karst.

The proposed Gobe landfill will be sited at an existing landfill pit that is presently owned and operated by OSL. The Gobe laydown area similarly is unoccupied and not subject to any subsistence activity.

Figure 1-1 depicts the overall impacted area from Kaiam past Kantobo to KP 153.

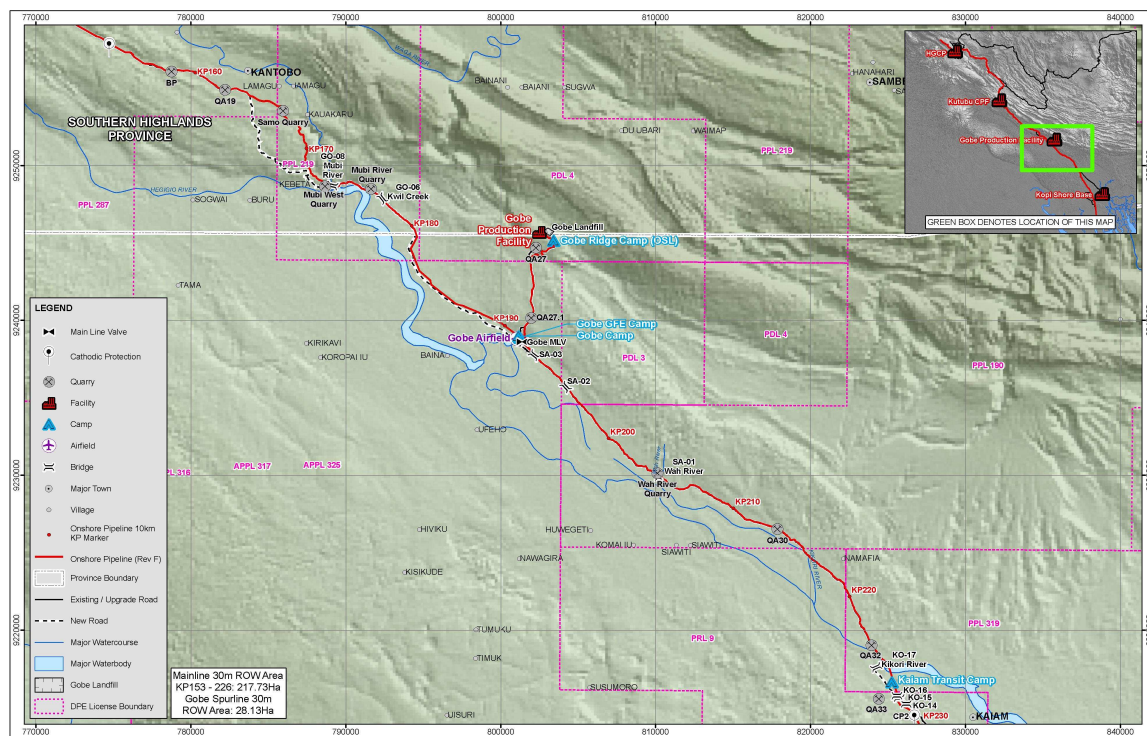


Figure 1-1: Kantobo-Kaiam ROW

This CRP outlines measures that will be undertaken to address impacts on individual and communal resources.

1.1 Resettlement Goal

The Project's overall resettlement goal is to design and implement resettlement in a manner that gives physically and economically displaced persons the opportunity to at least restore their livelihoods and standards of living. This CRP (referred to as the Kantobo-Kaiam CRP) is consistent with the goals, principles and processes set out in the RPF developed for the Project (October 2009), as relates particularly to economic displacement.

1.2 Sources of Information

Key sources of CRP information include:

- IFC PS 5 Land Acquisition and Involuntary Resettlement, PS 4 Community Health and Safety and Security, and PS 7 Indigenous People;
- Papua New Guinea Liquefied Natural Gas Project Environmental Impact Statement (EIS) and Social Impact Assessment (EIS SIA Appendix 26) (2009);
- Pre-construction surveys (PCS) for the affected area;
- Social Mapping and Landowner Identification studies (SMLIs), and Kaiam-Omati CRP;
- National Content Plan (outlines workforce development, local business development, investment in strategic community programs); and
- Company Corporate Elements (Best Practices in External Affairs, Company Land Use Standard, Community Awareness element of Operations Integrity Management System on Property Rights and Resettlement, the Company's Policy on Human Rights).

1.3 Site Selection and Avoiding/Minimizing Resettlement

The Kantobo-Kaiam pipeline section has been aligned to avoid any villages, houses or gardens and for the most part follows the alignment of an existing petroleum pipeline ROW and existing road (Figure 1-1).

2.0 INSTITUTIONAL AND LEGAL FRAMEWORK

The principal PNG legislation relating to land and compensation are the 1996 Land Act and 1998 Oil & Gas Act. PNG has no formal resettlement policy or statute.

The resource planning process will comply with all legal requirements and criteria, such as those specified in the O&GA, key PNG National Government institution guidelines, legislation governing both provincial and local governments and the IFC PS on Social and Environmental Sustainability.⁴

⁴ Further details are available in Section 2 of the Esso Highlands Limited PNG LNG Project Komo Airstrip Resettlement Action Plan, November 2009 (revised November 2010).

3.0 SOCIAL, ECONOMIC AND CULTURAL ENVIRONMENT

The Kantobo-Kaiam pipeline section straddles both the Southern Highlands Province (SHP) and Gulf Provinces. The pipeline traverses the following licenses: PPL319, PPL190, PRL9, PDL3, APPL326, PPL219, and PPL287.

3.1 Population

There are three language groups in the Gobe environs:

1. Ikobi/Kasere – Ikobi villages include Siawiti and Baina; Kasere are resident in Kaiam 1. The Kasere (or Kaser, as the villagers say) speaking people of Baina, Siawiti and Kaiam 1 recognize four groupings of clans-- people of Kaiam 2 say there are five, adding the Pera-speaking clans of that village.⁵
2. (Lower) Foe – Kantobo. The territory of the Foe is largely coterminous with the course of the Mubi Valley. It can be considered to end where the Mubi River empties into the Kikori (though some Kantobo clans own land on Kibirowi Island in the middle of the Kikori River).
3. Sau (includes Polopa people now amalgamated into Sau language and culture) – Polopa/Foraba speakers of Kaiam 2. The majority of Sau-speaking Samberigi people are located in villages to the north east of the Gobe Main oil field.

The pre-contact history of the Gulf area suggests initial settlement in the region of between 2000–4000 years ago with perhaps migration from the northern Sepik region via the Enga. There were longstanding cultural ties between all the Gulf groups with extensive trading networks both north to the Foe and Fasu, west to the Bosavi people, and eastwards some 500 years ago with the *hiri* trade network to Port Moresby. Importantly, and even prior to contact in the late 1800's, this particular region saw high rates of cross-migration, intermarriage, inter-tribal trade, population shifts, and internecine warfare.

The people of Baina,⁶ Siawiti and Kaiam 1 villages say that they are all Kasere people. These people speak Kasermin, the 'Kaser (e) language,' although they assert that there are slight dialectical variations between the language spoken at Kaiam and that spoken at Baina-Siawiti. Within Kasere, there are four divisions: Ikobi, Kaibute, Kobere and Baregewa. Baina and Siawiti people are Ikobi and Kaibute respectively, while the people of Kaiam 1 village are Kobere and Baregewa. Kaiam 2 villagers by contrast are not Ikobi/Kasere but are probably Polopa/Foraba people by origin and indicate that they are of the same people as the Imawe Bogasi clan.

Traditionally most communities had long-houses (*dubu* in the Kewa language) often varying from 300–100 m in length where married men lived. These were surrounded by young men's houses and women's houses. The social organization of all these peoples was commonly based on patrilineal descent with a settlement pattern of villages divided into separate agnatic descent groups. Village leadership was generally ascribed and followed the principle of primogeniture, eldest descendant in the direct male line from the founder.

Table 3-1 summarizes demographic data for immediately impacted and surrounding villages within the catchment area covered by this CRP.

⁵ It is also said that Baina and Siawiti are Ikobi speaking villages, Kaiam 2 are Kasere speakers and Kaiam 1 are Pera speakers. Weiner (2005) believes that Kasere or Kaser is both a tribal and a language name and that it refers to different groupings. In each case the various dialects of Ikobi, Kasere and others are recognized as being cognate by the speakers themselves.

⁶ Baina Village came to its present location around 1960 when the Seventh Day Adventist Missionaries set up a mission station at Baina. Before that, they had been living at a location called Karobai, near the Kevi Creek (or Kebi, as they pronounce it).

Table 3-1: Project Impact Area Households, Population, Incorporated Land Groups (ILG) and Survey Status

No EIS SIA-Table 2.11	Ethnic Groups – Census Units	Pop. 1990 Gov Census	No. of HHS 1990 Census	Pop. 1994 Census Chevron Niugini	Pop. 2000 Gov Census	No. of HHS 2000 Census	No. of ILGs 2005	HHS Surveyed— SIA 1998–2007				
								1998	2001	2004	2005	2007/ 2008
KIKORI CATCHMENT												
	IKOBI (Kasere)/POLOPA											
1	Baina	156	38	305	211	50	14	12	13	-	16	25
2	Siawiti	73	13	154	44	11	13	3	6	-	3	7
5	Kaiam #1&2	183	45	345	245	41	26	14	15	-	16	48
	FOE											
72	Kantobo	-	-	132	110	22	4	-	-	-	16	77

3.2 Cultural Context

3.2.1 Social Organization of Clans

The complexity of social organization in Gobe has long challenged both developers and the PNG Lands Title Court, which deliberated for a decade on land disputes in and around the existing petroleum pipeline ROW.

In the Gobe area, the social structure is one of a congeries of clans of varying *de facto* links effected by physical proximity and perceived propinquity in relation to an apical ancestor. These ‘clan unit confederacies’ share land, and have an ideology of brotherhood between component clan sections.

Weiner in his SMLI (2005) explains that the usual way of referencing these confederacies is by the phrase ‘stock-clan’. The concept of the stock-clan was referred to by Justice Kanawi *et al.* in the 2000 LTC to refer to a ‘parent’ clan from which sub-clans have hived off. It neatly refers to the kind of clan confederacies encountered in the Gobe area, for example, the Luhaliyu, Sowolo Haporopake and Imawe Bogasi component descent groups.

Although descent groups such as local clans and lineages were the jural units in village society in this part of Papua New Guinea, families were the effective residential and settlement unit. ‘The functional social unit for the IKOBI-KAIRI Census Division appears to be the ‘family-extended family’ (F. Maynard, Patrol Report 1, 1966–67). The family is the unit of daily subsistence production and resource utilization throughout the southern portion of the Project area.

The society has two polar concepts of person and status: the ‘big men’ based on wealth, success, and the ‘little-men’— physically weak, socially reserved and ineffectual. The Sau/Kewa have no chiefs or hereditary statuses, but rather influence is built around big men and the cycle of exchange. All men achieve a degree of economic independence on maturity and marriage although inequalities continue in the political domain. Compared with other highlands societies, the Sau/Kewa have only mild fears of female pollution and today practice very little sexual separation.

3.2.2 The Emergence of 'Tribal Politics'

People have become more aware of and more regularly self-identify as 'Kasere' or 'Samberigi' or 'Foe' in different ways because of the petroleum development. Even before the advent of the petroleum project, contemporary organizations such as landowner associations emerged as villagers came to understand their place in a landscape of colonially defined Districts, Provinces and the Papua New Guinea nation.

At this time 'Tribal politics' was a term more suited to the larger conglomerates of the Western Highlanders. It was less suited to the smaller and more dispersed populations of the southern Highlands fringe. These longhouse communities recognized their common language, culture and ceremonial affinities but did not construe concrete political implications from these commonalities for the most part. Warfare and alliance tended to be at the local clan and longhouse community level, and Foe longhouses fought with each other as often as they did with neighboring Fasu groups.

With the cumulative project interventions, tribal identity has become a more focused image especially – as in Aboriginal Australia - when there is something important and valuable to protect from others. Whilst on the one hand such projects thus increase levels of inter-ethnic exchange, they also paradoxically increase the need for groups to maintain their ethnic separation.

3.2.3 Subsistence Patterns

Sweet potato cultivation dominates the Samberigi Valley (Sau area of the pipeline), supplemented by bananas (the next most frequently eaten cultivar), manioc and taro. Other crops commonly grown include sugar cane, a variety of green vegetables, and cucumbers. Citrus fruits, pineapples and pumpkins came into the area very early in the 20th century.

Due to the location of the villages on ridges, gardens are found along the high slopes of hills. Similar to the Foe and Daribi, Samberigi people are true swidden horticulturalists, but their gardens are unkempt and barely tended by Highlands's standards. Hunting was a regular activity, and sago was relished, although low-lying swampland suitable for sago cultivation was a great distance from the villages on top of the ridges.

Ikobi-Kasere villages have a more typically lowland economy dominated by sago cultivation. Before the era of nucleation into villages, families lived in independent homesteads on the man's territory, moving residences frequently between garden land and sago resources. Secondary crops cultivated include banana, Chinese taro, sweet potato, taro and yam.

3.2.4 Types of Land Rights

In the Gobe Project area, as in the Kutubu Project area, local clan holds underlying communal or 'allodial' title to clan land. Individuals within the clan exercise exclusive rights over land during their lifetimes and have the right to pass on such exclusive rights to their sons. If such a line of men ends, control of the land can pass to the closest agnatic relatives of that line. Although in theory there may be 'unallocated clan land' within a local clan's territory, in practice, most land is appropriated by individual men and their sons. These smaller lineages of men become the effective thread of transmission of rights in land over time.

Weiner (2005) inquired about the rules of land rights transmission and received several different views. One view supported the rights of women to pass on clan land in the absence of surviving men. Another view said that the men of territorially neighbouring sub-clans would take over the land, 'because they know the ground, they ate together with the men of that clan.' In such cases, the land can either be transferred outright or held indefinitely until the male constituency of the clan in question is reconstituted in some way.

3.3 Land Ownership

Weiner (2005) noted Patrol Officers in the 1950s remarked that Samberigi villages were located on top of the ridges and across them, rather than in the intervening valleys. Patrol Officer Brian Corrigan observed:

Both environment and history supply the reasons; hills and hillsides offer the only sites in the limestone country with perennial water supply; and fastness of hills and hillsides alone offered protection to the badly armed primitive Samberigi tribes (Erave Patrol 1955/56).

The land ownership and conflict history of this area is complex and extends over more than two decades. 'The enmity between these groups stemming from this history and the circumstances in which each group now finds itself, permeates all aspects of Samberigi life and Gobe politics' (Goldman 1997: 19).

Weiner (2005⁷) presents the best summation in his Social Mapping of Kantobo-Kaiam Pipeline Route and notes there were two Land Titles Commission (LTC) hearings, in 1995 and 1999, which attempted to settle the issue of clan boundaries. Boundaries arrived at by the 1995 and 1999 Land Titles Commission hearings (Figure 3-1 and Figure 3-2) have not been accepted by local landowners. They have been continuously and seriously contested since they were handed down; this circumstance was noted by all the pre-construction survey reports. The confused understanding of ownership in this region is due to decades of fighting between Kewa and Polopa peoples and the impact this had on group structures and land settlement.

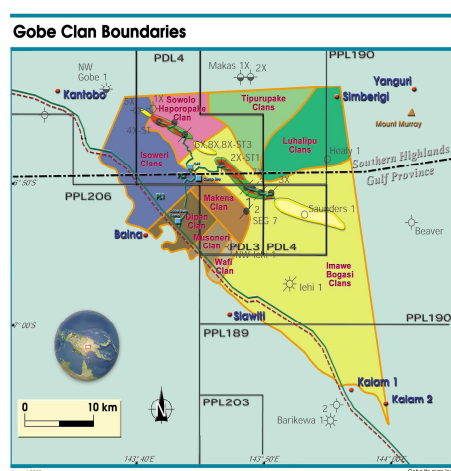


Figure 3-1: Gobe Area Clan Territories as construed by the 1st LTC (Weiner 2005)

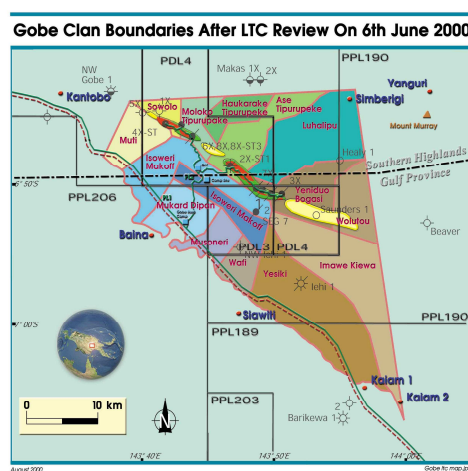


Figure 3-2: Gobe Area Clan Territories as construed by the 2nd LTC (Weiner 2005)

Notwithstanding these issues, Table 3-2 lists the principal clans along the Kantobo-Kaiam ROW according to village areas:

⁷ SMLI Kantobo-Kaiam PNG LNG Pipeline Route.

Table 3-2: Kantobo-Kaiam ROW Principal Clans

Clan	Village
Gobe; Iru	Gobe
GeGeno; Isabu; Muti; Yamaui	Kantobo
Isaweri; Daipan	Baina
Museneri; Wafi;	Siawiti
Imawe Bogasi	Pawabi
Irusukini; Siviri; Sou	Kaiam
Jiadobo; Agoturubi	Surawobo

3.3.1 Kantobo Village

Kuibirawi is the name the Lower Foe of Kandobo give to what is called ‘Kibirowi Island’ in the Kikori River. Most of the island is claimed by Kandobo and is the property of Muti and Isabu clans of that village. The land along the north side of the Kikori, before it splits to form Kibirowi Island, is the land of the Kandobo Gegeno clan, and the name of this place is *Kosari*. Gegeno clan also has land on the south side of the Kikori, which extends approximately to the current SHP/GP border. Finally, the Yomai and Isabu clans also own land between the Mubi and Giko Rivers in the karst country south of the pipeline.

3.3.2 Baina Village

Ballard observed the following in his EIS SIA (2009) report on archaeological sites and significant places along the proposed gas pipeline ROW:

Within Baina territory, the valley floor to the north and east of the Kikori, through which the oil pipeline currently passes, is divided between five clans: Isoweri Makof, Mukul Dipan, Makena, Musoneri and Wafi. None of the internal clan boundaries shown on the land maps at the Community Affairs office at Gobe Plant are precise and, in some cases, they appear to be grossly inaccurate—the result, most probably, of an unsatisfactory court ruling. Intimate knowledge of individual cultural heritage sites and their locations is often a better indication of land ownership than arbitrary claims to broad boundaries. Note that clan territories do not appear to cross the Kikori River, which is a major boundary.

3.3.3 Siawiti Village

Siawiti is a very small village, consisting of only a handful of families with links to Baina. The Kikori (or Giko as the local people term it, a name that is used by all local people from Kutubu to Kaiam) and the Turama River run parallel to each other. The people of Siawiti say that the border between themselves and Turama people is roughly halfway between these two rivers.

The border between Siawiti and Kaiam village territories is the southern tip of Iou Island in the Kikori. Musuner Island, the large island mislabeled as ‘Wabi’ Island on the 1:100,000 map is also part of Siawiti territory. The small, unnamed island south of it is Wafi Island. The border between Siawiti and Baina is the junction of the Kikori near Baina village, where the river splits to form Musuner Island.

3.4 **IPCA and Implications of Socio-Cultural Context for Project**

The objective of IPCAs was to obtain agreement with all clans, within a development area, on compensation payments that will be made for losses, damages or deprivations that may arise from Project development. Table 3-3 summarizes the status of IPCAs signed along the ROW, and Gobe infrastructure covered in this report.

Table 3-3: Status of IPCAs

Area	Ethnic groups/ clans
KP 153 – 173	An IPCA has been signed for the PLAF 6 survey area of the gas transmission pipeline ROW between KP153 and KP173.6. Nine clans claim ownership of land within the ROW survey area between KP 153 and KP 173.6.0, comprising Agoturubi, Isabu, Gobe, Iru, Isabu, Jiadobo, Gegeno, Yamaui and Muti clans. Current land boundary disputes between Jiadobo and Gobe, and between Isabu and Yamaui clans exist within the ROW survey area.
KP 173 – 190	A general IPCA has been signed for the PLAFs 5 and 6 (Mubi River - Gobe) that covers the approximate area of the pipeline corridor. The land within the ROW survey area between KP 173 and KP 90 is owned by three clans including Mukul Dipan, Isaweri and Muti clans. Isaweri clan contains two sub clans, Isaweri Makof and Isaweri Bupuku Kohu.
KP 190 – 226	A general IPCA has been signed for the PLAF 3 area (Kikori River - Gobe) that covers the approximate area of the pipeline corridor. The land within the ROW survey area between KP 190 and KP 225.6 is owned by five clans; Sorovoro Siviri, Wafi, Musineri, Muku Dipana and Imawe Bogasi.
Gobe Landfill	A general IPCA has been signed for PLAF 5 that includes the proposed area for the Gobe Landfill. It is anticipated that similar to the survey findings of the Gobe Spurline, land ownership within the survey area may be in dispute. Clans claiming ownership may include: Imawe Bogasi, Isaweri including sub-clans Isaweri Bupuku Kohu and Isaweri Markof, Magena and Mukul Dipan.
Gobe Spurline	A general IPCA has been signed for PLAF 5 that includes the Gobe Spurline Area. Land ownership within the Gobe Spurline survey area is currently disputed by four clans. Clans claiming ownership include Imawe Bogasi, Isaweri including sub-clans Isaweri Bupuku Kohu and Isaweri Markof, Magena and Mukul Dipan.
Gobe Laydown	A general IPCA has been signed for PLAF 5 that includes the Gobe Laydown Area. Land within the Gobe Laydown survey area is owned by the Mukul Dipan Clan.

3.5 Land Requirements

The area of land-take within each PLAF area is summarized in Table 3-4, together with garden areas that will be affected.

Table 3-4: Land Requirements per PLAF

Section	Area (ha)		
	30 m corridor	15 m works area	Garden area
KP 153 – 173	59.5	29.7	0.3
KP 173 – 190	50.7	25.3	0
KP 190 – 226	107.8	53.9	0
Gobe Landfill, Spurline and Laydown	28.1	14.1	0
TOTAL	246.1	123.0	0.3

Table 3-5 provides an overview of gardens and trees in the following areas: along the proposed pipeline ROW; Gobe Landfill; Gobe Laydown; and Gobe Spurline covered in this CRP, based on information obtained during the pre-construction surveys conducted for the area. From this table it can be seen that four gardens were identified within the pipeline corridor, and will require compensation (for economic loss) prior to construction.

Table 3-5: Privately owned gardens and trees along the ROW

Item	Gardens
KP 153 - 173	Four active temporary gardens were identified during the pre-construction survey. These were subsequently surveyed by the Resettlement Census and Survey team to determine the extent of crop loss to be compensated. The PCS identified 13 abandoned gardens that will be verified during implementation to establish if any compensation payments are due. In addition, two privately owned trees, a mango and sago palm, were identified.
KP 173 – 190	No gardens were identified within the ROW by this survey. Based on the information provided by the PCS 64 large trees are located within the ROW survey area. These trees appear not to be individually owned but will be verified.
KP 190 – 226	An abandoned garden (01-SO-001) the edge of Kikori River as well as several fruit trees and sago palms have been identified in the PCS, but these are unlikely to be affected by HDD activities. 123 large trees were identified in the PCS – not privately owned but will be verified.
Gobe Landfill	No gardens were identified within the ROW survey area. 6 large trees are located within the ROW - not privately owned but will be verified.
Gobe Spurline	No gardens were identified within the ROW survey area. 32 large trees are located within the ROW - not privately owned but will be verified.
Gobe Laydown	No gardens were identified within the ROW survey area. 15 large trees are located within the ROW not privately owned but will be verified.

The four active gardens located between KP 153 and KP 173 are used as supplementary subsistence food sources. Gardening is undertaken as a low-level activity in the area⁸ with partial bush clearing being undertaken, limited weed control and only one planting being made before fallowing. Table 3-6 provides a summary of these gardens:

Table 3-6: Summary of active gardens along the ROW

Feature ID	Description	Area (ha)
05-SO-015	Planted to corn, banana, taro, breadfruit, sugarcane, pumpkin & red pandanus (marita).	~0.14 ha
05-SO-032	Includes banana, sugarcane, pitpit, bamboo, taro and pandanus.	~0.09 ha
05-SO-033	Includes banana taro, and pandanus.	~0.023ha
05-SO-051	Includes sweet potato, taro, pawpaw, and aibica.	~0.02ha

Figure 3-3 illustrates the location of the four active gardens identified.

⁸ Agricultural System Report No. 11, Subsystem No. 1 of 1. Province 7 Southern Highlands

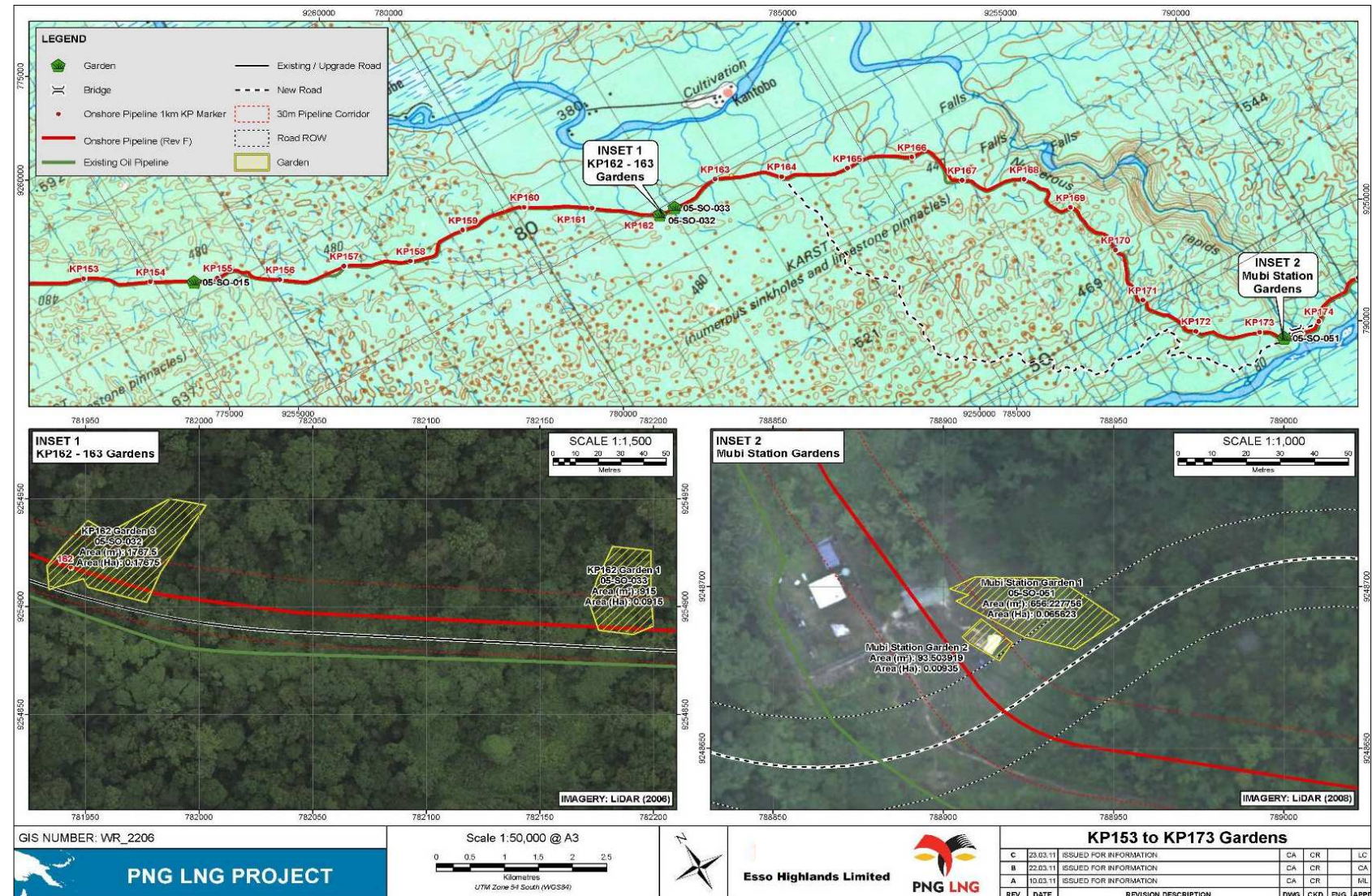


Figure 3-3: Active gardens along KP 153 - 173

3.6 Assets and Infrastructure

Table 3-7 summarizes Project-area assets and resources identified during pre-construction surveys. No privately owned assets or resources were identified.

Table 3-7: Assets along the ROW

Item	Community/ Individual resources/assets
KP 153 - 173	No dwellings or other privately owned resources were identified within this section of the pipeline ROW. The communal forested area includes four streams as well as 3 sinkholes. Consent has been granted to disturb these water features. The streams include fish and the forested area is used for hunting. Five access roads/ tracks cross the ROW. Alternatives will be provided during construction, where necessary.
KP 173 – 190	The survey identified several communal food trees including functional (building material) trees within the construction impact area of the ROW, with these used occasionally at the clan level and widespread in the area with numerous other areas of these resources accessible. Several watercourses including ephemeral streams and creeks that represent sources of drinking water, food source, fish and reptile habitat were identified in this survey. Reference should be made to the relevant mitigation measures within Company's Environmental Management Plans prior to constructing within these areas where construction activities have the potential to reduce water quality from increased suspended solids/turbidity and in-channel sedimentation that may result in a reduction in the suitability of water for drinking and or aquatic habitat. Consultation with local landowners should be undertaken prior to construction within these areas.
KP 190 – 226	The survey identified several communal food trees including functional (canoe building) trees within the construction impact area of the ROW (01-SO-006, 01-SO-007, 01-SO-03, 001-SO-032, and 01-SO-035). Several watercourses and ponds that represent potential sources of drinking water were identified in this survey. Reference should be made to Company's Water Management Plan (PGGP-EH-SPENV-000018-007) where construction activities have the potential to reduce water quality from increased suspended solids/turbidity and in-channel sedimentation. This may result in a reduction in the suitability of water for drinking and or aquatic habitat. Consultation with local landowners should be undertaken prior to construction within these areas.
Gobe Landfill	No privately owned resource/assets were identified during the survey. Construction material resources consisted of isolated flora. Infrastructure consisting of an existing landfill pit, owned and operated by the existing oil operator company (OSL) is located within the area proposed for the Gobe Landfill. No other infrastructure or resources were identified in the survey.
Gobe Spurline	Though no privately owned resource/assets were identified during the survey, the forest resources belong to the clans of the area. Infrastructure owned and operated by the existing oil operator company was evident through much of the ROW survey area, consists of the crude oil export pipeline and associated facilities including the Gobe Production Facility, and associated office buildings and guardhouses.
Gobe Laydown	Two communal trees were identified in the survey area, a palm (used in building) and an Okari tree. No physical social infrastructure or resources were identified within the survey area of the Gobe Laydown Area.

3.7 Cultural Heritage Sites

Project knowledge of cultural heritage in the Kantobo-Kaiam ROW is based on two sets of research data:

- The 2009 EIS SIA - Appendix 26 (see Figure 4-1); and
- The 2010 ROW Pre-construction Reports and fieldwork.

Sites fall into three broad categories: old settlements, burials and sites associated with spirits. The old settlement sites are identifiable on the ground through the abundant presence of flaked stone artifacts and debitage, a common feature of the Baina area which boasts stone sources of regional significance in streams to the west of Baina Village. Known

burial sites appear to occur in limestone caves and niches, this restricts their distribution to the slopes, at some distance from the pipeline.

Spirit sites are generally associated with spirits in animal form (including crocodiles, snakes, dogs, pigs and green tree frogs), and usually located in water features such as streams, pools or swamps. As most of the streams between the Mubi Junction and Kaiam are intersected by the pipeline and road, there is considerable scope for impact on these spirit sites, and reports have been received of substantial damage to streams caused by road and culvert construction.

Forty-four cultural heritage sites have been identified in the ROW area. Sites such as Bedebame Mountain will be avoided and access prohibited. For the few sites that cannot be avoided landowners have given their consent to destruction pursuant to Mitigation Measure M237 of Company's Cultural Heritage Management Plan, that Company shall consult with landowners/clan representatives to determine appropriate compensation for destruction.

Sites identified during preconstruction surveys for the current alignment and Gobe facilities are summarized in Table 3-8.

Table 3-8: Cultural Heritage

Item	Cultural Heritage/ Spiritual Sites
KP 153 - 173	Approximately 26 occurrences of spirits inhabiting the ROW survey area with 7 of these being sites including water features and the remainder being trees (mostly Ficus). Ceremonies have been undertaken at these sites allowing construction to continue. Two cultural sites were identified within the ROW survey area, these include a sacred waterway (small spring-fed creek) named Sibudenane; and a ritual area <i>Toge Fobo</i> a cleared area on a hilltop used as a ritual area for "sing sing" or for ritual preparations for war (consent has been granted to disturb these sites).
KP 173 – 190	No spiritual sites were identified. Landowners identified several cultural heritage sites though only one site (track used for hunting and gathering forest resources) was located within the construction impact area (ROW). This site also serves as the main access route to Kasamei (resting place/healing site) before reaching the Kameu cultural site about one day walk from Kasamei. Procedures to be adopted for the disruption of any cultural site should be in accordance with the process and measures defined in the Company's Cultural Heritage Management Plan.
KP 190 – 226	Three spiritual sites were identified within the ROW. The landowners must be consulted and the appropriate ceremonial/ compensation activities undertaken prior to commencement of construction. Landowners identified 10 cultural heritage sites within the construction impact area (ROW) and two sites located outside the ROW survey area (that must be protected against impacts). Local community consent to disturb sites within the construction footprint was sought and gained by the consultant/contractor. Procedures to be adopted for the disruption of any cultural site should be in accordance with the process and measures defined in the Company's Cultural Heritage Management Plan.
Gobe Landfill	No spiritual or cultural heritage sites were identified within the survey area.
Gobe Spurline	Arume Creek was identified as a ritual/spirit healing site that traverses the ROW survey area at 801435E, 9238633N. Verbal consent was provided for construction to proceed unhindered provided that Arume Creek be reinstated to its current condition after construction.
Gobe Laydown	No spirit sites were identified during this survey of the Gobe Laydown Area. A cultural heritage site (GB012 - ossuary cave) was identified in a previous survey but was found to be located in higher terrain northwest of the survey area.

The Project's cultural heritage programs and protocols have been developed to deal with both archaeological evidence and secondary burials and to ensure that, where appropriate, relocation of ritual items occurs in accordance with local custom. The Project's preferred management approach for known cultural heritage sites is avoidance. For sites that cannot

be avoided, appropriate management measures may include sample salvage-excavation and/or salvage through surface collections.

4.0 KANTOBO-KAIAM CONSULTATION AND DISCLOSURE

A Project specialist Resettlement team conducted initial resettlement public consultations along communities in the Kantobo-Kaiam ROW during November 2010. The Environmental Law Centre (ELC) played an active monitoring and review role as an impartial observer.

Table 4-1: Summary of Kantobo-Kaiam Consultation Interactions for Affected Communities

Resettlement Awareness							
No.	Village	Date	Awareness Team*	Number of Attendees			
				Male	Female	Children	Total
1	Siawiti	25/11/2010	RIT, SE & L&CA	19	11	11	41
2	Baina	28/11/2010	RIT, SE & L&CA	20	12	16	48
3	Kantobo	26/11/2010	RIT, SE & L&CA	33	15	13	61
Kaiam-Omati CRP							
3	Kaiam # 1	22/11/2010	RIT, SE & L&CA	54	43	12	109
5	Kaiam # 2	24/11/2010	RIT, SE & L&CA	19	12	12	43
			Total Attendance:	142	93	64	302

RIT – Resettlement Implementation Team, SE – Stakeholder Engagement, L&CA – Land & Community Affairs.

4.1 Regional Issues and Resettlement Concerns

There are a number of Gulf region issues, which bear directly on development and thereby could affect resettlement activities in the Kantobo-Kaiam ROW:

- The community request that a training and employment strategy/program needs to be developed and resourced;
- Industrial Relations—how will the developer distribute labor recruiting among the various groups? Will non-disruption allowances be paid and if so how do will they be built into contracts? Will management fees be paid to Landowner Companies (Lancos)? Will the developer use Personal Training Records?; and
- At Kantobo, people expressed their dissatisfaction with receiving compensation for damaged land and resources on a clan-by-clan basis. They say that although the clan owns underlying title to land communally, individual men lay claims to specific parts of this land during their lifetimes and usually extending to the lives of their sons. By local custom, these men have the right to compensation for damage to their land just as they have control over who can and cannot do things on this land. They feel that compensation should be made on an individual-by-individual basis.

4.2 Summary of Issues by Communities

Concerns raised during resettlement consultation and disclosure sessions (Table 4-1) were generally related to government issues, such as those described above. These are summarized below:

Table 4-2: Summary of Issues by Communities

Main issue	Question	Answer	Further Action Required
Wa'a Creek - Siawiti Village, 25/11/2010 - 1600 hours			
Benefit of the Project	Prices for the royalty, will it be same as for the Gas?	No, the prices will vary depending on the world market. The good thing is that the price will be constant for the period of extracting the gas.	More awareness on the prices, and how much will be paid to the landowners.
Environment and Social	Will the place become desert after the construction of the pipeline?	Definitely not. The pipes will be laid under the ground about a meter. The top soil will be put back and the re-growth will eventually occur.	The womenfolk were scared about it but now it is very clear.

Main issue	Question	Answer	Further Action Required
Kantobo Camp - Mubi River, 26/11/2010 10.00- 1230 hours			
Social and Environment	Will the RIT team spend the whole day and night going through the flipchart and ask questions?	Unfortunately, we cannot spend the night, but we can plan, arrange all the hamlets and spend the day at the village.	Advised them that we will meet early in the morning and go through each chart and answering questions as we go through each chart.
Environment (Comment)	What is more important? Money or Land. The company is extracting gas from our land. The government is not worried about our environment.	Definitely, the Company worries about your land. It tries to minimize the impact to the land and pay you compensation to the damage that it causes during the construction. It is also guided by our Laws, the RPF and its own operating policies and guidelines.	Consistent with the answer to other community asking the same question.
Social	Will the company have some education scheme for the landowners' children?	There are some programs under the Rapid Implementation Program. Will follow up and inform you accordingly.	L&CA to give the community feedback on the RIP and CDS programs.
Baina Village, 28/11/2010 1300 - 1400 hours			
Social	Why is the pipeline not straight?	The pipe is not straight so it will not disturb people's livelihood such as sacred sites, gardens and households. The Company tries its best to minimize impact to the environment, sacred sites and people's livelihood.	No further action, however consistent information to other areas within the ROW.
Environment	Where will the waste extracted from the gas be disposed?	The raw gas mined will be separated (oil, gas, water). Gas and oil will flow through the separate pipes to the condensation plant and Kutubu respectively. Water and other particles will be pumped back into the ground where it came from.	No further action, however consistent information to other areas within the ROW.
Social (Safety)	What will happen to the environment and the people if there is a leakage in the pipes and the gas come out?	The pipes will be pressure tested before operations. Specialist welders will be engaged to weld the pipes. In addition, there will also be mechanical and safety checks for leaks in the pipes.	No further action, however consistent information to other areas within the ROW.
Benefits	We understand that there are two types of payment – cash and in-kind. Will the Company be fair with those people living outside the ROW in forms of community support programs?	Under the Rapid Implementation Program, they will also have access to the community projects. It is the responsibility of the community to appreciate, take ownership and look after the community projects for communal use.	L&CA will inform their management so that the Community Development team can visit the community soon.
Benefits	Some individuals are claiming ownership over community services provided for communal use such as teacher's health worker's houses. Who will they report the matter to?	Report the matter to the police and Oil Search.	L&CA will follow up on these issues and advise the community.

5.0 PROJECT IMPACTS

Most villages in the Kantobo-Kaiam environs have been stable over a number of decades. The majority of Samberigi people live away from the pipeline ROW to the north and in the hills. The ROW is situated for the most part in unoccupied rural land of marginal subsistence or residential potential for local populations.

Table 5-1 summarizes principal impacts likely to be experienced by Kantobo-Kaiam area landowners.

Table 5-1: Principal Impacts likely to be experienced by Kantobo-Kaiam landowners

Impact	Scale	Mitigation – Project Responses
Residential, business or other structures affected	None	None
Loss of trees and crops	Four active gardens; 2 privately owned trees	As per O&GA section 118 and Eligibility Matrix landowners are entitled to one-off damage compensation payments, should losses arise. Owners of active gardens and trees will be compensated for loss of crops and trees at full replacements value. All fallow/abandoned gardens (13 identified) will be verified to ensure that they are not active.
Loss of forest/other natural resources	Communal forest resources will be lost along the 73 km ROW, and at the Gobe laydown, landfill and spurline sites. This includes 266 large trees. (As per O&GA section 118 and Eligibility Matrix these affected landowners are entitled to temporary loss (K1,287/ha), damage (K2,575/ha) as well as deprivation compensation (K321/ha p.a. rental). All currently negotiated rates will be verified against market rates These payments are made to the respective landowning groups (i.e. clans or clan segments) and have to be shared out amongst the respective members in accordance with custom. In the event of disputes, the money is held in escrow until the dispute has been resolved either formally through the court system or informally.
Disruption in social networks	No physical relocation. Some impact from contractors' workers operating in the area.	Minimal
Impacts on business/employment	No existing business	No loss of employment anticipated and there are no businesses, which require relocation or compensation. Village residents feel the development activity will be beneficial for start-up businesses in the area.
Community services/facilities	Access tracks	Where access tracks will be temporarily impacted, alternative tracks will be cut. Alternative tracks will consist of temporary means for locals to cross the pipeline ROW safely at locations away from active work areas. Access along the original track will be reinstated as part of the pipeline reclamation process.

Impact	Scale	Mitigation – Project Responses
	Drinking and bathing water supplies	Where water supplies are permanently impacted, replacements structures will be provided, similar to those provided in Hides and Komo areas. In areas in which the ROW intersects watercourses utilized for drinking or bathing, means to provide alternative access to water shall be provided until such time that the original water course is reinstated following completion of pipeline installation activities. Alternative access shall mean temporary reroutes of water courses, or other means for impacted villagers to access water until restoration is completed.
	Fishing and hunting grounds	Impacts will be temporary. Compensation is included in the damage and deprivation payments for communal resources.
Cultural sites	Approximately 48 identified	Compensation schedules for range of cultural heritage sites. Where feasible sites to be avoided. Where not feasible, compensation/mitigation to be agreed with landowning clans. Skeletal material to be handled by PNG National Museum. Appropriate rituals to be undertaken by local landowners and caretakers of sites. Sacred stones and artifacts to be relocated by people themselves. Other material to be lodged with National Museum and overseen by archaeologists.
Influx of migrants	Most unlikely along the pipeline ROW or associated facilities	Squatter settlements will be difficult to establish in this area, as most of the land is verdant, brackish mangrove swamp. Pipeline ROW is not close to community hubs of Kopi and Kikori. No villages through which it traverses.

The location of various social sites along the ROW, including active and fallow gardens, water sources, access routes and hunting grounds, are illustrated in the following four figures, Figure 5-1: Social Sites KP153-173, Figure 5-2: KP173-190, Figure 5-3: KP190-226 and Figure 5-4: Gobe.

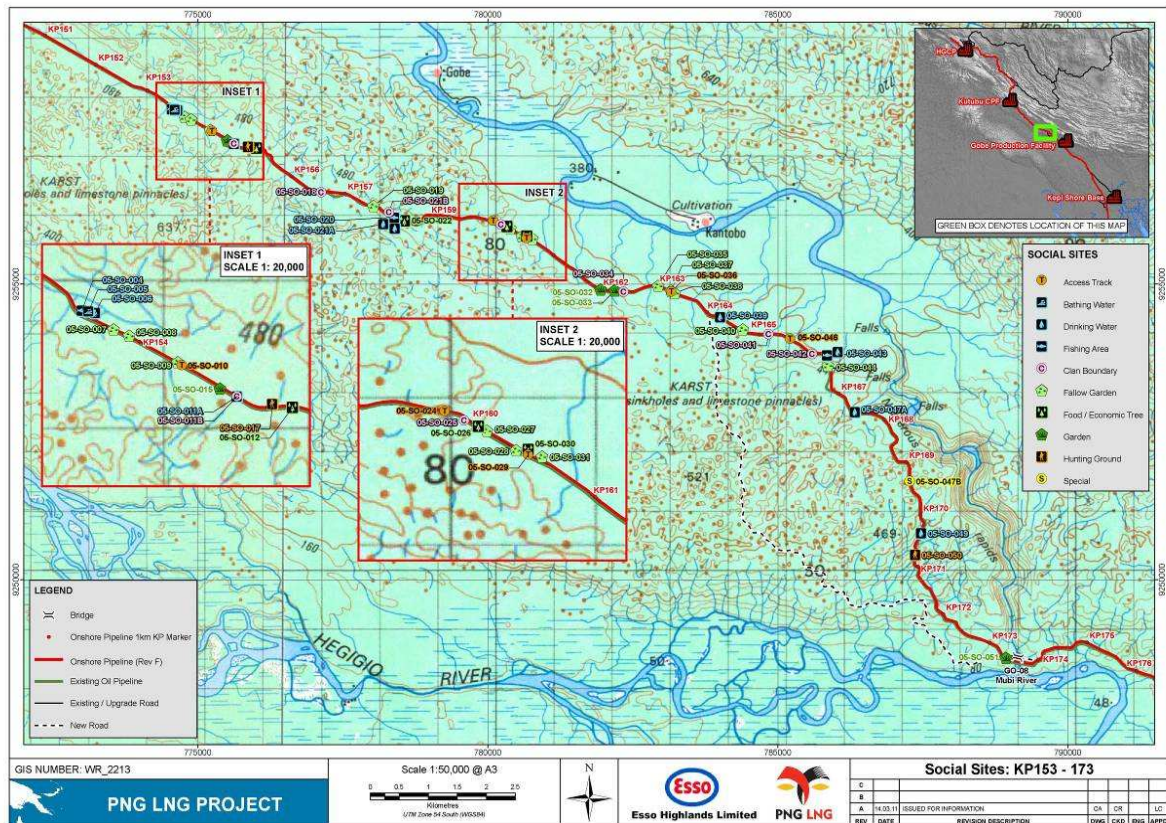


Figure 5-1: Social Sites KP153-173

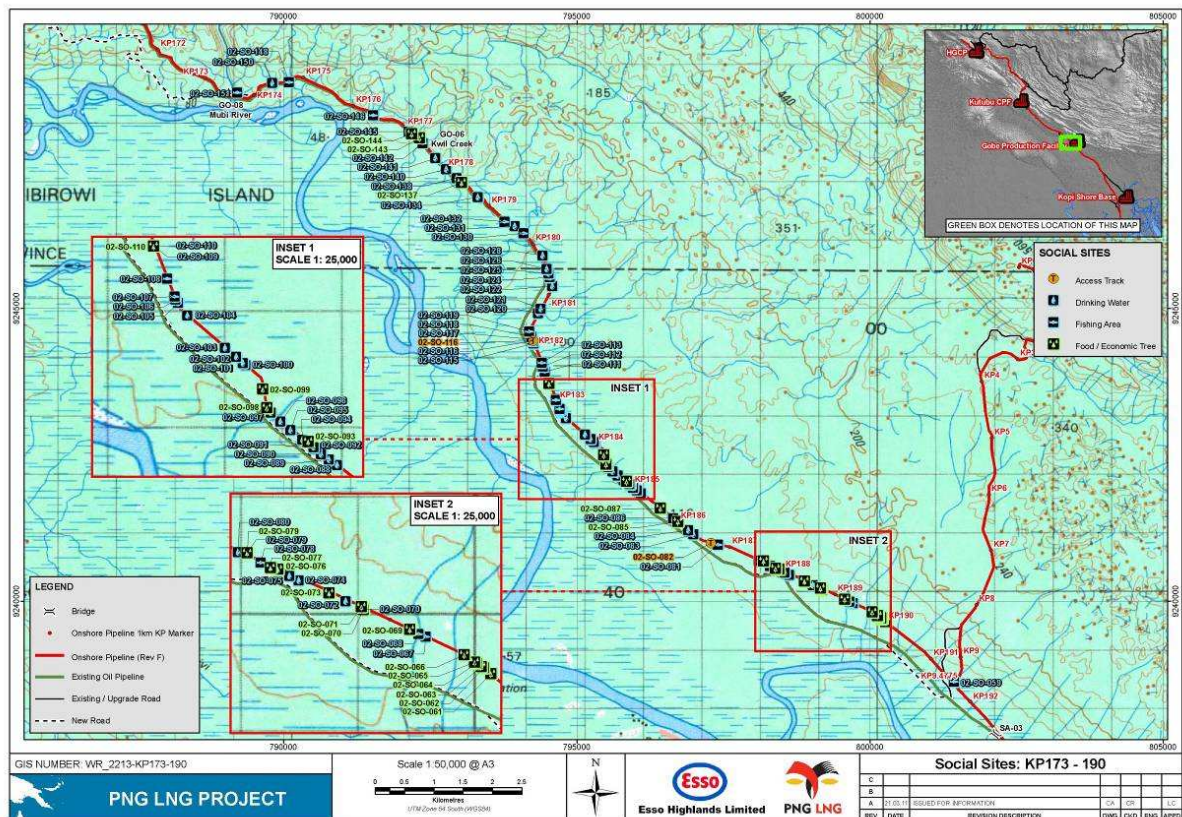


Figure 5-2: Social Sites KP173 - 190

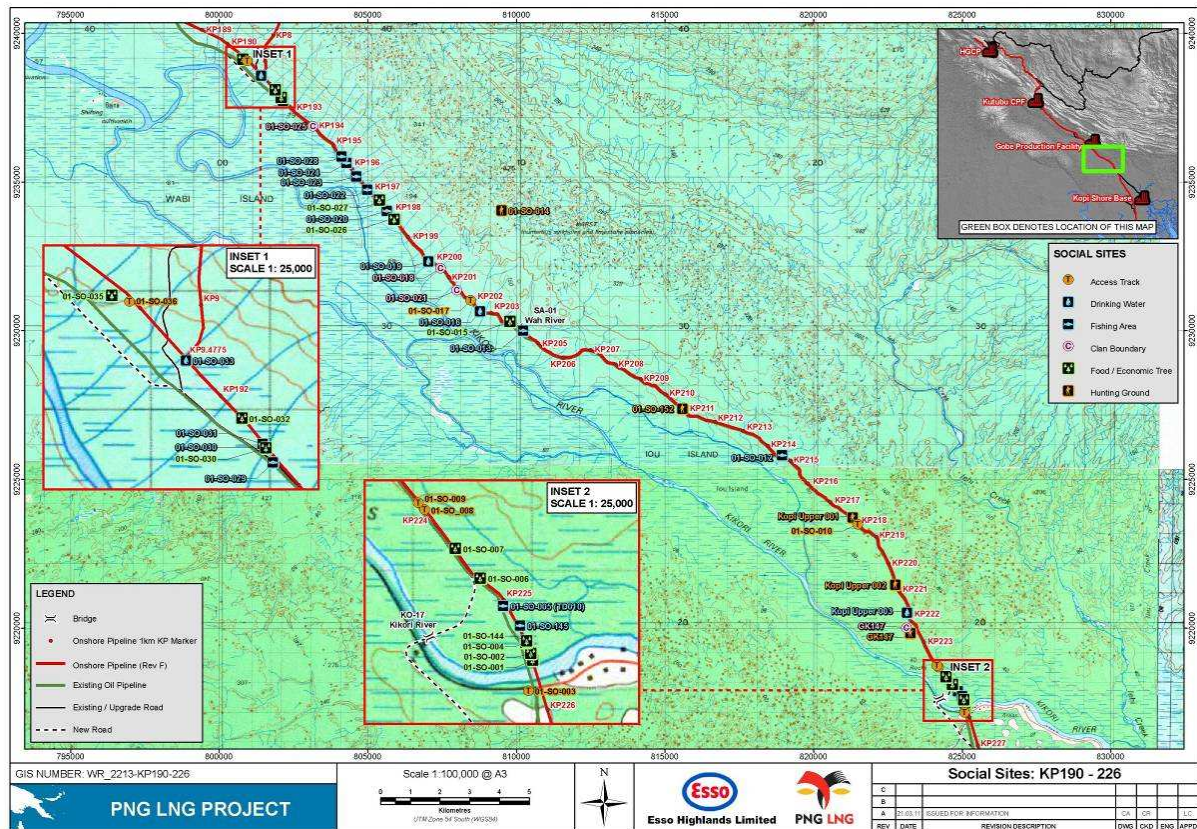


Figure 5-3: Social Sites KP 190 - 226

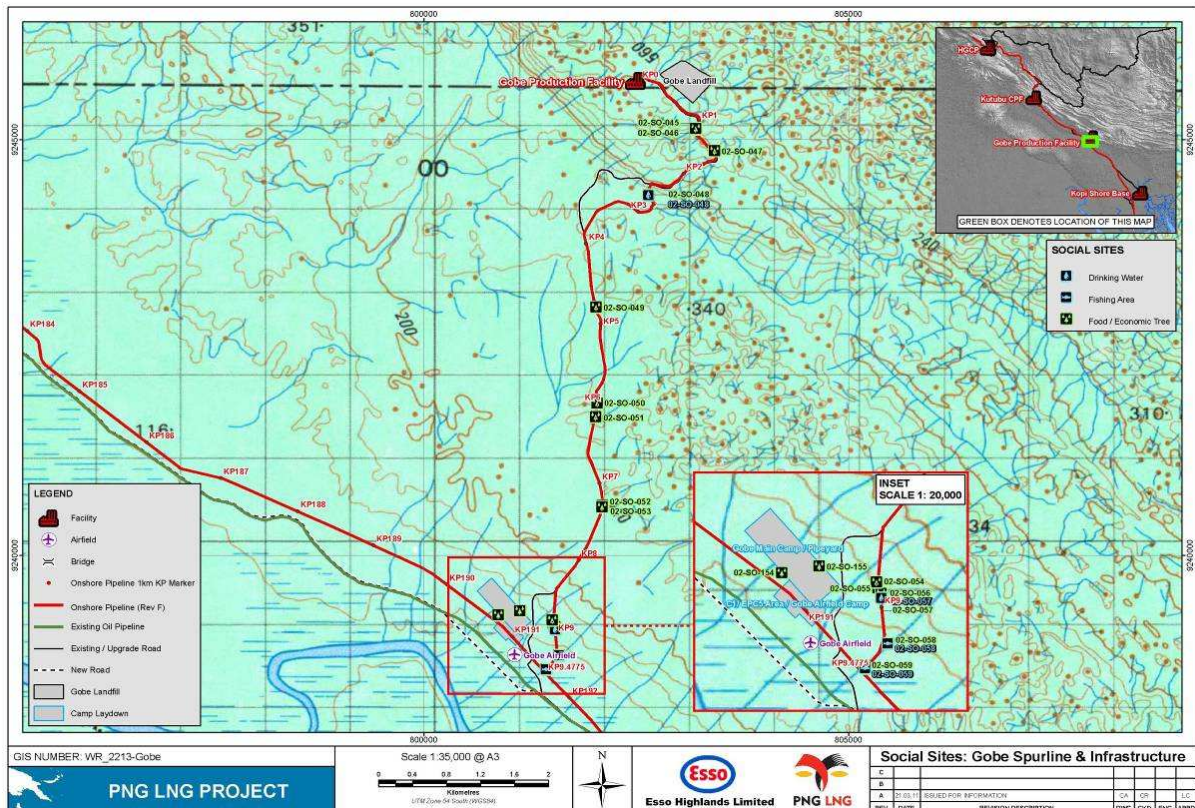


Figure 5-4: Social Sites Gobe

6.0 ELIGIBILITY AND ENTITLEMENTS

The RPF provides a full schedule of eligibility criteria for compensation and entitlements that will be adopted for the Project. Table 6-1 summarizes eligibility and entitlements relevant to Kantobo-Kaiam communities for statutory damage and deprivation compensation.⁹ Damage and deprivation payments will have regard for the customary classification of landowners, landholders and land users with respect to their tenurial status and portfolio of land rights and responsibilities.

No physical resettlement is expected along this ROW but should this arise then the same principles and procedures that have been adopted for other Project areas, such as the Hides Gas Conditioning Plant (HGCP) Resettlement Action Plan (RAP), will apply.

Table 6-1: Eligibility and Entitlements for Kantobo-Kaiam Landowners

Eligibility	Affected Category	Assistance / Compensation	Considerations for Implementation
1. Land Deprivation			
Recognized landowners	Clans or other groups (e.g. ILOs) with rightful recognized claim to communal land	Payment will be made to clans within the final ROW as provided in Table 3-3. Payment for land deprivation as per guidelines set out in the IPCAs and summarized below:	<ul style="list-style-type: none"> Clearly inform affected group authorities about site development and land allocation schedules and regulations. Compensation paid at agreed intervals directly and publicly to landowner.
		1. Compensation for the use and enjoyment of the surface of the land (264 ha).	<ul style="list-style-type: none"> The Company will pay landowners at a rate per year at equivalent market rates (currently negotiated at K321 for landowners in PLAF 3 and PLAF 5 (KP173 – 226), and K400/ha for landowners in PLAF 6 (KP 153 -173), to be verified against market rates) for each hectare of land occupied (but not otherwise damaged) by the Company for depriving Landowner(s) of the use of the surface of the land, for cutting Landowner(s) off from other parts of their land, and for any loss or restriction of rights of way, in compliance with Section 118(2).
		2. Compensation for land surface damage (123 ha).	<ul style="list-style-type: none"> If the surface of any land of the Landowner(s) is damaged by the Company, the Company will make a one-off compensation payment at equivalent market (currently negotiated at K2,575, to be verified against market rates) rates to the Landowner(s) for each hectare of the land surface which is damaged by the Company.

⁹ This excludes royalties paid by the government to communities along the pipeline.

Eligibility	Affected Category	Assistance / Compensation	Considerations for Implementation
		3. Compensation for initial damage to naturally occurring bush, vegetation, birds, animals or fish (264 ha).	<ul style="list-style-type: none"> The Company will make a single payment to the Landowner(s) for any damage on their land to the natural bush, birds, and fish at equivalent market rates (currently negotiated at K1,287 for landowners in PLAF 3 and PLAF 5 (KP173 – 226), and K1,287.50 /ha for landowners in PLAF 6 (KP 153 - 173), to be verified against market rates) for each hectare of land on which the Company damages the natural bush.
	Individual/ household landowners for garden land	Payment for land deprivation as per above (if land privately owned).	Clearly inform about site development. Compensation paid at agreed intervals directly and publicly to landowner
2. Damage to Trees and Crops			
Recognized land and resource users and owners	Clans or other groups (e.g. ILOs) with rightful recognized claim to communal land	Cash compensation based FRV for trees naturally seeded in affected area as identified in the IPA, as included above for Land Deprivation.	Clearly inform community about site development. One-off compensation to community (landowners group) directly and publicly to landowner.
	Individual/ household landowners for garden land	Cash or in-kind compensation FRV for affected area for crops and trees planted by individuals (excluding mature crops). Compensation for garden infrastructure improvements (including garden fences and trenches). Assistance to restore livelihoods through economic restoration programs.	Clearly inform community about site development. Cash compensation at FRV. Once-off compensation or at agreed intervals to individual/household owners directly and publicly.
3. Reduced access to Land and Resources			
Persons recognized as landowners of land to which access is reduced	Individual/ household landowners and land users with reduced access to land due to Project activities	Cash or in-kind compensation at agreed intervals until reduction in access ceases.	Clearly inform about site development. Cash compensation at FRV. “Lost production” compensation will be considered for compensation. This means that if there is interrupted access to land during construction for a short time then affected people will be eligible for compensation for lost production – i.e. what they could have grown or done with the land had they had access. One-off payment or compensation at agreed intervals to individual/household owner directly. This will be done publicly.

Eligibility	Affected Category	Assistance / Compensation	Considerations for Implementation
4. Houses and other Fixed Assets (Physical Relocation) - Resettlement Assistance Package			
Recognized owners of the assets and structures (none expected)	Isolated houses and structures affected by unexpected changes alignment during implementation.	The same conditions and compensation packages will apply as for linear RAPs.	As per linear resettlement site considerations

7.0 LIVELIHOOD RESTORATION PROGRAM

Garden owners will be compensated for crop losses at FRV. However, as all impacted gardens in this area are temporary/one-rotation gardens, and all households have alternative gardens and will be moving onto other areas as is their custom, the livelihoods restoration program is not applicable. Should significant impacts on livelihoods arise following Project changes, then a livelihoods restoration program will be implemented as detailed in the HGCP RAP (Section 8).¹⁰

¹⁰ Hides Gas Conditioning Plant Resettlement Action Plan, May 2010 Revised November 2010.

8.0 GRIEVANCE MANAGEMENT FRAMEWORK

The resettlement process for the Kantobo-Kaiam landowners will consider grievances through the Grievance Procedure, which will apply across all Project activities. The Grievance Procedure is available to people affected by displacement, other local populations residing in the Project impact area, and other stakeholders directly affected by the Project.

The Grievance Procedure to be adopted for the Kantobo-Kaiam area is defined in the RFP. The Project will disclose information about the Grievances Mechanism to the affected Kantobo-Kaiam communities, adjoining landowners and interested persons and organizations. The transparency and fairness of the process will be explained through both verbal (via regular stakeholder meetings) and written updates (such as newsletters, website and posters).

9.0 ORGANIZATIONAL ROLES AND RESPONSIBILITIES

The Company is responsible for overall resettlement planning, implementation, and monitoring as per the RPF. It is implemented by the Company's L&CA Team. Organizational details are described in the Komo RAP.

10.0 MONITORING AND EVALUATION

The Monitoring and Evaluation system (M&E) provides Project management, and directly affected persons, households and communities, with timely, concise, indicative information on whether compensation, resettlement and related development investments are on track and achieving Project goals. The Resettlement Team Coordinator (RTC), supported by the Field Implementation Coordinators, will coordinate M&E internal and external implementation.

Further details of the monitoring process to be implemented can be obtained from the Komo RAP.

11.0 CRP IMPLEMENTATION SCHEDULE

Table 11-1 sets out the tasks required in order to implement the CRP:

Table 11-1: CRP Implementation Schedule

Activity or Task	Actions	2011				
		M	A	M	J	J+
Planning	Completion of CRP					
Approvals	Internal EHL approval of the CRP					
	CRP Submission to Lenders					
	CRP Summary to community					
Land Issues	Confirm resettlement sites and any impacted water sources (provision)					
Confirm and finalize compensation agreements	Verify inventories of affected land and assets (incl. special valuations)					
	Finalize any entitlement contracts					
Compensation payments	IPCA payments and cash payments to individuals (provision – none expected)					
Graves, spiritual and other cultural sites	Relocate/recover (provision)					
Verification and monitoring	Design and implementation of monitoring and evaluation system (ending March 2013)					
	Local advocacy and compensation advisors					
	Internal monitoring					
	External evaluation (including completion audit)					

12.0 COST AND BUDGET ESTIMATE

Budget provision of US\$ 0.7 million is included for forest damage and deprivation costs to clans, as well as losses associated with individual gardens and trees and other social infrastructure, should these arise. The landowning clans will also receive an annual rental payment of K321/ha for landowners in PLAF 3 and PLAF 5 (KP173 – 226), and K400/ha for landowners in PLAF 6 (KP 153 -173).¹¹

¹¹ All IPCA payments will be reviewed to confirm equivalence to FRV.