

Basic Education Strengthening and Transformation
(BEST)

ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK
(ESMF)

DRAFT

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The Government of Democratic Republic of Timor-Leste

Disclaimer

This ESMF is still in draft format and would be updated and revised following public consultation process.

ACRONYMS

ARAP	Abbreviated Resettlement Action Plan
BEST	Basic Education Strengthening and Transformation
CPF	Country Partnership Framework
DLCPS	Directorate of Land, Property, and Cadastral Survey
DNCPIA	National Directorate of Pollution Control and Environmental Impact
EA	Environmental Assessment
ECOP	Environmental Code of Practices
EHSG	Environmental Health and Safety Guidelines
EIA	Environmental Impact Assessment
ELL	Environmental Licensing Law
EMIS	Education Management Information Systems
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
FPIC	Free prior and informed consent
GOTL	Government of Timor Leste
GRM	Grievance Redress Mechanism
IA	Implementing Agency
IDA	International Development Association
IP	Indigenous Peoples
IPP	Indigenous Peoples Plan
LARAP	Land Acquisition and Resettlement Action Plan
LUA	Land Use Agreement
MOEYS	Ministry of Education, Youth and Sport
MOF	Ministry of Finance
MOJ	Ministry of Justice
NESP	National Education Sector Plan
OHS	Occupational Health and Safety
OP	Operational Policy of the World Bank (safeguards)
PIM	Project Implementation Manual
PIU	Project Implementation Unit
PMU	Project Management Unit
RPF	Resettlement Policy Framework
SA	Social Assessment
SOP	Standard Operating Procedures
TA	Technical Assistance
TLM	Teacher Learning Material
TLCLS	Timor Leste Standard of Living Survey
TOR	Term of Reference
VLDP	Voluntary Land Donation Protocol of the World Bank
WDR	World Development Report
WB	World Bank

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I. Introduction

A. Purpose and Scope of the ESMF

1. This Environment and Social Management Framework (ESMF) has been prepared for the Timor-Leste Basic Education Strengthening and Transformation. The ESMF has the following objectives:

- (i) To establish clear procedures and methodologies for the environmental and social planning, screening, review, approval and implementation of subprojects to be financed under the Project;
- (ii) To specify appropriate roles and responsibilities, and outline the necessary reporting procedures, for managing and monitoring environmental and social concerns, including those relating to gender and different sub-groups within the beneficiary communities, that will arise from the subprojects;
- (iii) To determine the training, capacity building and technical assistance needed to successfully implement the provisions of the ESMF;
- (iv) To establish the project funding required to implement the ESMF requirements; and
- (v) To provide safeguard tools and templates for implementing the ESMF.

2. The purpose of this ESMF is to guide the Implementing Agency (IA) and subproject proponents on the environmental and social screening and subsequent assessment of specific activities during project preparation, design and implementation.

3. The procedures outlined in the ESMF serve to ensure that potential adverse environmental and social impacts that may be generated as a result of each subproject activity are identified early, and appropriate safeguard instruments are prepared prior to implementation to avoid, minimize, mitigate and, in cases where there are residual impacts, offset or minimize adverse environmental and social impacts. The ESMF also contains safeguard instruments that may be triggered by certain activities, such as an Environmental Assessment (EA, OP4.01).

4. The scope of this ESMF includes a description of how safeguards issues will be dealt with by outlining:

- (i) Screening form to identify activities that will not be supported by the project (**Annex A**);
- (ii) Procedures for safeguard screening and assessment to determine early identification of potential safeguard issues;
- (iii) Project-specific safeguards instruments and procedures for activities that may trigger adverse environmental and/or social impacts; and
- (iv) Key responsibilities for ESMF implementation;
- (v) Institutional, monitoring arrangements and budgeting.

5. The ESMF will ensure a robust approach to consider environmental and social risks and impacts in line with World Bank safeguard policies¹, and to prepare appropriate good practice safeguard instruments for the actual mitigation and management measures identified in final activities plan/s. The document is structured as follows:

- **Section 1** provides introduction to the ESMF;

¹ The World Bank safeguard policies are available at www.worldbank.org/safeguards.

- **Section 2** summarizes of the project description and national context;
- **Section 3** summarizes regulatory setting in which the Project will take place, and the World Bank's Safeguard policies that apply to the Project;
- **Section 4** describes the potential environmental and social risks that may eventuate under the Project bearing in mind the project is demand-driven and some subprojects will only be identified during implementation and identifies safeguard strategies to mitigate potential environmental and social risks under the project as well as applicable safeguard instruments and overview of the safeguard procedures for minimizing adverse impacts.
- **Section 5** summarizes public consultation and participation with project stakeholders that has occurred to inform the project's design, and ongoing consultation and engagement activities.
- **Section 6** describes the institutional staffing, capacity, training requirements and responsibilities for implementing the ESMF.
- **Section 7** describes the budget provision for the implementation of the ESMF.

6. Appendices will consist of (i) screening form of project activities, (ii) Community Consultation Framework, (iii) Grievance Redress Mechanism, (iv) Resettlement Policy Framework including Voluntary Land Donation Protocol, (v) Environmental Code of Practices, (vi) e-waste disposal and management procedure.

II. Project Description

A. Local Context

7. **Timor-Leste has made important strides towards securing lasting peace and stability since 2002.** When Timor-Leste became the first new sovereign state of the 21st century in May 2002, public infrastructure, including schools, universities, hospitals, roads, ports and airports, water and sanitation systems, and other government facilities, was either non-existent, destroyed or severely dilapidated. Additionally, Timor-Leste's institutional frameworks were weak, extreme poverty and hunger the norm, and conflict and violence were ongoing threats. Shortages of human capital were equally severe. Few Timorese having government experience or the necessary skills and formal education for professional services or business. While there remain elevated internal and external risks that may yet thwart further development, Timor-Leste today is a more peaceful and democratic nation, having gone through two planned presidential elections since 2012.

8. **Timor-Leste is considered a lower middle-income country, with a non-oil per capita GDP of US\$ 1,618 in 2017.** Economic growth has been driven largely by the oil and gas sector, which accounted for about 61 percent of GDP in 2017², and represents almost 90 percent of government revenues and 99.5 percent of total exports (IMF, 2017). The non-oil and gas sector of the economy has grown about 10 percent annually since 2006, largely based on state capital expenditure. The construction sector has been driven by public infrastructure investment, and together with the public sector, local commerce, and agriculture and fisheries, dominates the non-oil and gas economy of Timor-Leste. Furthermore, declining oil production due to both external factors and decreasing oil reserves, have contributed to a fall in GNI from a peak of US\$4.6 billion in current prices in 2011 to US\$2.6 billion in 2017.

² This represents a steep decline from 2015 when the oil and gas sector accounted for 70 percent of GDP.

9. Poverty levels remain very high with more than 40 percent of the population lacking the minimum resources needed to satisfy basic needs. Based on the latest Survey of Living Standards (2014/15), 30 percent of the population live below the \$1.90 a day international poverty line. Various other surveys³ indicate that half of all children suffer from stunting due to a lack of adequate nutrition and calorie consumption.

10. **Over the last decade, Timor-Leste has been able to create jobs, but largely due to expansion of the public sector.** Job creation is a key priority for the government for accelerating growth and prosperity. The government's strategy is to take advantage of the demographic dividend and avoid the possible negative social impacts of a large and growing number of unemployed youth and adults. However, there is a recognition that it is important to control the continued expansion of the public sector, and instead put in place policies and strategies to support the growth of the private sector.

11. **Timor-Leste will need to foster a private sector that can create jobs for its fast-growing working age population.** The population of Timor-Leste has been growing steadily at an annual rate of over 2 percent since independence in 2002. According to the Census 2015, the total population of the country is 1,183,643 individuals, of which 50.8 percent are male and 49.2 percent female. The population under 15 years of age comprises 39.1 percent of the total, with 48.7 percent of the population under 18 years of age. This high proportion of the young population imposes enormous pressure on the education system and creates a major challenge in providing education services. At the same time, it also offers great potential for the development of the future workforce that, if properly qualified, could lead Timor-Leste toward a period of remarkable productivity and economic growth.

12. The development of public institutions that enable the private sector, provide public services, and are accountable is a long process that needs to be sustained over time. In Timor-Leste, a resource-rich country, there is a heightened risk that institutional development may become stalled by entrenched interest groups and rent-seeking. The 2017 World Development Report on Governance and the Law highlights the criticality of institutional development and how political economy concerns should be integrated into development programs, particularly for countries like Timor-Leste that seek to make the transition out of fragility.

B. Program Components

13. The project development objective of BEST is to improve cognitive, social-emotional, and physical well-being outcomes and improve use of data for planning, budgeting, and implementation of basic school programs.

14. The Basic Education Strengthening and Transformation (BEST) design is placed within the context of a framework from the 2018 World Development Report (WDR). The report emphasizes that there is a global learning crisis. A framework was developed based on extensive evidence to address this crisis, where learning is at the center and that the key ingredients to address learning include: (1) prepared learners, (2) effective teaching, (3) learning-focused inputs at the school level and (4) skilled management and governance.

³ For example, the Demographic Health Survey (2010)

15. BEST will finance the government's efforts to improve educational outcomes in Timor through transformational changes covering infrastructure, 21st Century Skills, teacher training, data systems, and management efficiency of the education sector. The BEST will comprise two main components.

16. **Component 1: Developing 21st Century Learning Spaces.** The development of 21st Century Learning Spaces requires a convergence of multiple inputs simultaneously to the classroom and students. Delivering quality education services to prepare globally competitive students with 21st Century Skills will require a focus on cognitive, and socio-emotional skills, and measures of physical well-being. Education outcomes in Timor-Leste continue to be poor due to a number of different factors. These include *inter alia*: i) **poor schooling infrastructure** with low quality of existing school facilities, classroom shortages, and the need for new schools particularly for the third cycle (grades 7-9)⁴; ii) **limited access to teaching and learning materials** including textbooks, workbooks, reading material, libraries, etc., and; iii) **poorly trained teachers** continue to be placed in front of students in classrooms, ill-prepared to teach the new curriculum, use antiquated teaching methods and approaches, have little knowledge of, and access to, digital resources, are subjected to poor service conditions, and work in a Strengthening where responsibilities and accountabilities are not well defined.

17. This component will support the ministry in transforming the manner by which schooling infrastructure investments are made. Schooling infrastructure as discussed here covers all aspects of infrastructure from better quality classrooms and schools, which adequately sized, ventilated, and lit. It also includes how these are married with the other vital aspects of schooling quality, viz., furniture, connectivity and digital resources, access to quality teaching and learning materials, play material and equipment, and well trained and high quality teachers. There are five sub-components covering improved infrastructure planning; rehabilitation and construction of classrooms; provision of non-academic infrastructure such as WASH facilities, electrical and digital connectivity; vital teaching and learning materials, digital resources and content material; and provision of teachers adequately trained in pedagogy, content knowledge, and digital resources and content.

18. **Sub component 1.1 Standards for 21st century schools.** This sub-component aims to improve MOEYS's ability to manage the planning, budgeting, designing, financing, construction and maintenance of basic school infrastructure projects. Given the enormous infrastructure deficits in education, this component will finance the development of a Strengthening to prioritize school infrastructure investments. The prioritization guidelines will be widely disseminated and discussed to ensure that they are well understood by all stakeholders. The National Education Sector Plan (NESP) 2011-2030 highlights the significant infrastructure gap in Timor-Leste's education system and identifies education infrastructure as a National Priority. Furthermore, the government's recent Education Sector Analysis (ESA 2018) also points out that the existing school infrastructure at the basic level is of low quality and unsafe, exposing students to significant physical risks (e.g., from earthquakes, floods, and cyclones). Overcrowding and lack of adequate number of classrooms, especially in urban areas, also limit improvements in learning outcomes by significantly reducing the number of student contact hours as students in many urban schools spend only 3 hours per day in class due to the need to accommodate three shifts per day. There are currently 2,100 public school

⁴ Schools are also required at the Secondary level though this is outside the scope of this project.

classrooms in basic education, and about 1,883 (or 87 percent) of these are in need of repairs and refurbishments. In addition, it estimated that basic education will need an additional 1,500 classrooms to accommodate current and growing levels of enrollment. At the post-basic level, the limited supply of school classrooms contributes to low transition and enrollment rates.

19. This sub-component will finance (i) capacity building of the MOEYS to systematically plan and budget the expansion of academic and non-academic school infrastructure, recognizing that rehabilitation and expansion of infrastructure will need to be a multi-year effort planned in phases; (ii) the development of an on-line school infrastructure management system or module (linked to the EMIS); (iii) the implementation of a school infrastructure census; (iv) the development of standardized school designs; and (v) the development of alternative financing mechanisms for school infrastructure investments. As part of the planning and budgeting process, MOEYS will assess grade-level student enrollment trends, and establish standards for schools, classrooms, classroom furniture, and WASH (e.g., physical size of classrooms for the different grades/levels, the number of students per classroom, the minimum quantity and quality of furniture, number of students per WASH block, etc.) to increase the effectiveness of infrastructure construction, rehabilitation and growth. The school infrastructure census will cover all schools in the nation, including both public and private pre-primary, basic and secondary schools.

20. The on-line school infrastructure management system will include regularly updated detailed information on the infrastructure conditions of each school; tools for generating a prioritized list of schools for infrastructure construction and maintenance based on the planning guidelines and prescribed standards; infrastructure monitoring data; and the status of maintenance requests submitted by each school. The development of standardized school designs will improve the cost-effectiveness and efficiency with which infrastructure expansion can take place. The pre-approved set of modular, school building/classroom designs will have to meet the safety, environmental, aesthetic and education standards established under this component. Under the concept of Maximizing Finance for Development (MFD), the identification of alternative financing mechanisms for school infrastructure development is critical given that dramatic increases in public educational outlays are unlikely and because most of the available resources for basic schooling are typically spent on teacher salaries. As part of this activity, the MOEYS will explore the use of financing mechanisms such as Social Impact Bonds, innovative financing from investments in the Petroleum Fund, and Public Private Partnership schemes⁵.

21. **Sub-Component 1.2: 21st Century Classrooms and Schools.** Based on the set of standards established, designs developed and prioritization approach identified under sub-component 1.1, this sub-component will finance the construction and rehabilitation of classrooms and schools along with the provision of necessary furniture. Under this sub-component, the MOEYS will focus on reaching standards in school infrastructure in a targeted manner so that investments will be more concentrated and deepened⁶, but with the aim of gradually covering all schools in the country. This standards-driven infrastructure development approach helps support the MOEYS's desire to build structurally sound, high quality infrastructure which can also potentially serve as vital pieces of public infrastructure in the event of emergencies or disasters. This will entail a number of different tasks -

⁵ For example, in the Philippines, Build Lease Transfer or Build Operate and Transfer, and Build and Transfer schemes are being used to support school infrastructure development.

⁶ Effective utilization of the infrastructure prioritization guidelines will enable the MOEYS to make more targeted investments.

identification of the schools and their needs; preparation of school lists which are prioritized and sequenced for further development; identification of the appropriate site-specific design(s) to be used depending on factors such as student numbers, urban/rural settings, student-contact hours, etc.; contracting out architectural and engineering tasks; contracting out and managing multiple, on-going site development and construction activities; and closely monitoring these activities. This sub-component will also support the building of critical capacity within the MOEYS to undertake these activities. All schools supported under this sub-component will meet three key goals: (i) given that Timor-Leste is vulnerable to seismic activities, flooding, cyclones and landslides, design and construct all classrooms and schools to increase building performance and reduce building vulnerability, (ii) ensure that all school facilities support inclusion and are differently abled friendly, and (iii) minimize the environmental and carbon footprint from the development of the overall properties (e.g. from the lighting and cooling systems used in the classrooms and schools), and have rain water harvest systems in place.

22. **Sub Component 1.3: Non-Academic Infrastructure.** A school is not simply a collection of classrooms and teachers' offices. Classrooms need to be coupled with other infrastructure like school grounds, sporting infrastructure, electric power, drainage or sewage systems, WASH infrastructure, safe drinking water, and infrastructure that helps students break the digital divide. This sub-component will finance the provision of these types of non-academic infrastructure to schools using the school infrastructure prioritization system developed under sub-component 1.1. It will ensure that a package of non-academic infrastructure will be made available for each school design and will be parceled together with the rehabilitation and construction of classrooms and schools. This will require support from other agencies of the GoTL such as the Water Department and the Ministry of Power. The proposed project will also try and use other Bank financed operations to support the provision of such non-academic infrastructure. For example, a proposed water project financed by the Bank is expected to make it a priority to support schools with water lines and thereby ensure that schools always have an adequate quantity of quality water available. It is most likely that each type of non-academic infrastructure or service for schools may need to be procured and packaged separately. The sub-component will also finance the building of critical capacity within the MOEYS to manage such transactions.

23. **Sub-Component 1.4: Teaching-Learning Material.** Teaching-learning materials (TLM) constitute an important input to a student's schooling experience and education. Merely putting in place the physical infrastructure, without providing other key inputs such as TLM, textbooks, high quality teachers and access to digital resources, will not lead to improved outcomes at the school level and newly constructed civil works will depreciate without any positive impacts on student outcomes. The MOEYS has spent a considerable time and effort on revising the school curriculum, providing students with textbooks and workbooks reflecting the latest curriculum, and ensuring their effective use in the classroom. Random visits to schools have, however, revealed that there are some lingering implementation challenges. Universal TLM coverage has been achieved for grades 1-4, and the MOEYS expects to achieve universal TLM coverage for grades 5-6 by 2020. An area that needs further support however is the preparation of revised TLM for the third cycle, and ensuring that this reaches all children in grades 7, 8 and 9 in a timely manner. There are other governance issues even in schools where textbooks and workbooks are available in large quantities, where these TLM are not being used by the students and/ or teachers either because teachers are unwilling to teach the revised curriculum or because they do not want students to spoil the books. While many schools have book corners or libraries, there is limited availability of age and grade-appropriate children literature for self-reading, and there is little time set aside during the school day for children to read these books on

their own. The children also have very little exposure to modern Education Technology (EdTech), which is becoming an increasingly important part of the 21st century teaching-learning environment across the globe.

24. This sub-component will finance (i) the development of TLM standards for the third cycle, (ii) timely provision of a full package of TLMs for all students in the third cycle of basic education, (iii) development of capacity in the MOEYS to estimate the number of books to be printed each year, and the establishment of a feedback system to provide schools with updates on the status on their TLM needs, (iv) piloting and evaluation of EdTech solutions with built-in rigorous impact evaluations, and (iv) provision of a book corner/library with age and grade appropriate children's books in each classroom and orientation to teachers on the use of these books. The financing for the development, procurement and distribution of TLM for third cycle students will be provided on a declining basis so that these activities will be fully financed by the government through its state budget in an agreed upon time frame. To ensure timely receipt of textbooks and other TLMs by students and teachers at the beginning of the academic year, the MOEYS will introduce a book distribution day, inaugurated by the Prime Minister, at the beginning of every new school year when TLMs will be distributed to all students.

25. The last decade has seen a dramatic growth of EdTech across the globe. This sub-component will support a pilot on the use of adaptive EdTech solutions to facilitate teaching and learning, and the training of teachers in the use of EdTech-integrated teaching learning approaches. It will also include a process and impact evaluation of the pilot to generate learning to inform future expansion of EdTech in basic education. Finally, equipping selected primary schools with well-designed classroom libraries or book corners will provide additional reading materials so that children can participate in regular reading activities in school and at home. This will ensure that students interact more with books, spend more time reading, develop an interest in and habit of reading, exhibit more positive attitudes toward reading, and reach higher levels of reading achievement. The libraries/book corners will provide students with access to grade appropriate high-quality reading materials that they want to read and can read with success and will complement teacher-led instruction in literacy skills based on the current curriculum. At least one mandatory self-reading class will be held each week. Short 1 to 2 day orientations will be provided to all teachers and administrators on how to effectively utilize these libraries/book corners to help develop a reading culture among the students.

26. **Sub Component 1.5: Quality Teachers**. Teachers are the single most important input in terms of improving student outcomes. As Hanushek (2010) observes, "in a single academic year, a good teacher will get a gain of one and half grade-level equivalents, while a bad teacher will get a gain equivalent to just half a year". Supporting the development of 21st Century Learning Spaces without corresponding changes in the teaching quality, teaching methods and teacher content and pedagogical knowledge will not lead to improvements in learning outcomes. It is, therefore, imperative that the creation of 21st Century Learning Spaces is accompanied by a focus on developing teacher professional standards teachers properly trained in the effect use these 21st Century resources to deliver better learning outcomes. The sub-component will finance (i) development of teacher standards for basic education, (ii) the strengthening and delivery of in-service teacher training on the implementation of the new curriculum, and (iii) the establishment of a comprehensive system for teacher management. The standards will specify the competencies required of teachers teaching at the basic level. In-service training will be provided to: (i) Number of teachers exhibiting proficiency in the new curriculum; and (ii) Number of teachers trained.

27. **Component 2: Use of Data for Evidence Based Policy Making.** This component supports the MOEYS to use data more effectively in decision making. The MOEYS currently has a stand-alone Education Management Information System (EMIS) and a separate school management platform (currently being piloted) with a set of applications for sharing information and monitoring different aspects of education service delivery. This component focuses on strengthening these two systems and integrating them into a single user-friendly system.

28. **Sub-Component 2.1: Integrated Sistema de Gestion Escolar.** This sub-component will finance the development of the system core for an integrated education monitoring and data management system that builds upon the two existing systems at the MOEYS – the EMIS and the web-based school management platform referred to as the *System*. The *integrated system* will have a user-friendly interface that allows users to access all the applications, including EMIS, through a single dashboard. It will also have provisions for adding new applications as per the needs of MOEYS.

29. **Sub-Component 2.2: Strengthened EMIS.** The EMIS is currently partly paper-based and partly web-based, and uses outdated technology. Furthermore, there are concerns about the reliability of the existing EMIS data as independent verification of collected data have not yet been done. This sub-component will finance (i) updating of the EMIS software to bring it to current industry standards, (ii) the installation of the associated hardware, including servers, at the center (i.e., at MOEYS), (iii) the installation of relevant hardware and internet connectivity in district offices and schools, (iv) relevant training needed at the central, district, and school levels to operate the EMIS, and (v) implementation of an independent school census for EMIS data verification in year 1 and a follow-up independent verification survey in year 4 to enhance the reliability of EMIS data. The strengthened EMIS will allow for different levels of access at the ministry, district and school levels. Furthermore, it will not only include student-level information on initial enrollment and year-end enrollment, but will also support the recording and reporting of student attendance and performance. It will be important to establish regulations to ensure effective functioning and sustainable use of the strengthened EMIS.

30. **Sub-Component 2.3: Application Development and Use.** This sub-component finances the updating/development of a set of integrated applications which can be accessed through the *System* dashboard. While it will be possible to add more applications to the *System* as per the evolving needs of MOEYS, the following applications will be developed first:

- EMIS report application for schools: This application will provide information to schools based on the EMIS data they have reported. One of its key features will be the reporting of trends within individual schools and across schools.
- Electronic verification of student and teacher attendance: This application will track each individual's arrival in and departure from school with the help of a chip-embedded ID card or finger-print reader.
- School budgeting application: The application will provide a simple mechanism for schools to plan the use of their financial resources. It will provide schools with options to link their investments to student achievement.
- Communications application: This application will facilitate bilateral or group communication between schools, districts and the center: In particular, it will allow schools to establish direct contact with authorities, and report missing inputs in the education process.

- School performance application: This application will provide schools easy to understand information on the performance of their students on the national exam.
- Content sharing application: This application will support the sharing of the National Curriculum (which is scripted) and teaching tips for pedagogical purposes.
- On line teacher training application.
- Climate change training application.
- E-library application: This application will give access to freely available text (in particular, children's literature), images, audio, video, and interactive teaching-learning materials targeted towards students, teachers, and families

31. **Component 3: Project management and monitoring.** The component will finance the overall management of the project and put in place mechanisms for monitoring and evaluating the program. A Project Management Unit (PMU) will be created within the MOEYS to manage and coordinate the implementation of all activities financed under the project. Ideally, a unit within the MOEYS would coordinate all DP financed programs to minimize redundancy and ensure that the various inputs are well coordinated at the school level. The PMU will include staff seconded from the MOEYS as well as directly recruited staff.

III. Legal and Policy Framework and Regulatory Requirements

32. This section describes the applicable World Bank safeguard operational policies (OPs) and country specific policy, legal and administrative frameworks and rules and regulations applicable to the BEST. It also provides an overview of current gaps between Bank policies and existing country systems.

A. World Bank Safeguard Policies

33. The World Bank's safeguard policies (also referred to as operational policies) cover environmental, social and legal aspects of proposed projects. There are three safeguards policies that the project triggered i.e. OP 4.01 Environmental Assessment, OP 4.10 Indigenous People, and OP 4.12 Involuntary Resettlement.

34. **OP 4.01 Environmental Assessment.** OP 4.01 Environmental Assessment requires the conduct of an environmental assessment (EA⁷) of projects/programs proposed for Bank financing to help ensure that they are environmentally and socially sound and sustainable. This is the umbrella policy for the Bank's environmental and social safeguard policies. Under subcomponent 1.2 and 1.3 of the project, the activities will involve infrastructure/civil works (ie. School construction and rehabilitation) which expected to be small and medium scale; and are not envisaged to cause significant environmental and social impacts. Minor environmental impact and risks are expected occurs during construction-related activities which need some mitigation measures through OHS procedures, building codes, and community engagement guidelines. The project subcomponent 2.1: Integrated Sistema de Gestion Escolar will finance the development of system core for an integrated education monitoring and data management system; and sub component 2.2 :Strengthened EMIS will finance updating the EMIS software; installation of associated hardware (including server); installation of relevant hardware and internet connectivity in district office and school; conduct

⁷ Environmental assessment and environmental impact assessment are used interchangeably.

relevant training and implementation of school census for EMIS data verification. The sub component 2.3: Application Development and Use will cover updating/development of a set of integrated applications which can be accessed through the system dashboard. All activities under component 2 likely will involve some activities related to procurement of ICT software and hardware in the central and district and as well as school. However, the project is not expected to generate significantly more e-waste (electronic waste) than would be the case in absence of the project. The Project Implementation Manual (PIM) will include some simple technical guidelines (ECOP – Environmental and Social Code of Practice or SOP) on how to handle the unused electronic equipment which categorised as hazardous waste (if any) by recycling, trade in to the vendors or to dispose them properly. In the meantime, the type of constructions under the project will be the rehabilitation of existing schools that have designed to address building safety, new buildings with a 21st Century design, addition of rooms to be used as classroom space, and provisions of non-academic facilities such as WASH facilities, sports facilities, library etc. These facilities will benefit the local community as well as generate positive impacts to the environment.

35. **OP 4.10 Indigenous People.** This policy aims to design and implement projects in a way that fosters full respect for Indigenous Peoples' dignity, human rights, and cultural uniqueness and so that they: (a) receive culturally compatible social and economic benefits; and (b) do not suffer adverse effects during the development process if they reside in proximity to the project area. The World Bank recognizes that the identities and cultures of Indigenous People are inextricably linked to the lands on which they live and the natural resources on which they depend. In relation to Component 2, this may have implications on education of children of Indigenous Peoples through changes to education policy, teaching practices and learning materials. Indigenous People are defined under OP 4.10 as distinct, vulnerable, social and cultural groups possessing the following characteristics in varying degrees:

- Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture, and
- An indigenous language, often different from the official language of the country or region.

36. Social Analysis undertaken during the BEST preparation recommend that the community of Timor-Leste meeting the characteristics of OP 4.10. However, as most of the communities fulfil the characteristics of Indigenous Peoples, as a result, a separate Indigenous Peoples Plan/Policy Framework is not prepared, the aspects of an Indigenous People Plan have been integrated into project design.

37. **OP 4.12 Involuntary Resettlement.** Involuntary resettlement refers to management of adverse impacts of loss of, or damage to, land, assets or livelihoods, where the affected persons have no choice. This policy aims to avoid or minimize involuntary resettlement and, where this is not feasible, assist affected persons in improving or restoring their livelihoods and standards of living to levels prevailing prior to affected by the project. The project triggers OP 4.12 on Involuntary Resettlement as a precaution. The construction activities mainly will be limited to renovation of the existing school buildings, addition of classrooms to a new or an existing building, and the provisions of non-academic infrastructures such as WASH facilities, sports ground, as well as drainage and

sewerage systems. Activities will be conducted in school's or government's land however some schools have limited land sized and therefore may prompt the needs for additional land. Therefore, a resettlement policy framework (RPF) is included in this ESMF. A land donation may be envisaged, and a voluntary land donation protocol (and procedure on land use agreement – if applicable) is provided.

B. National Legislative and Regulatory Setting

38. **Decree Law No. 26/2016 Environmental Basic Law.** This regulation covers general provision, governing bodies, instruments and relations with other sectors, protection, conservation and sustainable use of environmental components, pollution and waste, financial measure and economic instrument, environmental information and education, inspection, emergency situation, civil liability insurance and guarantees, liability and judicial oversight and final & temporary provision. This sets the framework for other environmental legislation such as the Decree 05/2011 Environmental Licensing Law (ELL).

39. **Decree Law No. 5/2011 Environmental License (ELL).** This regulation covers general provision, environmental licensing system, information phase of the environmental assessment, procedure for the environmental impact assessment & for granting environment license, protection of traditional customs & rights, initial environmental examination & granting of environmental license, environmental license (type of environmental license, issuance of environmental license and duration and renewal of license) and alteration to the condition of environmental license.

40. The ELL implements a system of environmental impact assessment and licensing in Timor Leste. Under the ELL, proponents of projects or activities that may impact the environment are required to undertake a process of environmental assessment to determine the project category (Category A, B, or C) based on the requirements, type and scale of development. Environmental and social analysis and documentations for each categories according to the procedure established through the ELL must be submitted to the National Directorate of Pollution Control and Environmental Impact (DNCPIA). If the Minister determines to approve the project or activity, based on the recommendations of DNCPIA, the proponent is granted an environmental license by DNCPIA to conduct the project or activity.

41. **Law No. 4/2012 Labor Code.** The labor code of the Democratic Republic of Timor Leste was approved through UNTAET regulation No. 2002/05 of 1 May. Since then, labor relations in the country have been governed by such code.

42. The country's social and economic progress over the last decade requires the approval of a legislative instrument that responds to the current needs of the labor and entrepreneurial market in the country, there by enable investment in, and development of, entrepreneurial activities as well as the protection and professional development of workers in a harmonious manner. This law was cover employment contract, provision of work, remuneration, terminations of the employment contract, and special labor protection regimes such as protection of maternity & paternity, worker with a disability of chronic disease, working student, foreign worker, etc.

43. **The Constitution regarding land acquisition.** National policies and legislation concerning resettlement and land acquisition are enshrined in the Constitution which states that the ownership,

use and development of land are key factors for economic production and they shall be regulated by law. Section 54 of the Constitution covers the right to private property and provides that: (i) every individual has the right to private property and can transfer it during his or her lifetime or on death, in accordance with the law; (ii) private property should not be used to the detriment of its social purpose; (iii) requisitioning and expropriation of property for public purposes shall only take place following fair compensation in accordance with the law and (iv) only national citizens have the right to ownership of land.

44. The first land law of Timor-Leste was promulgated in March 2003 and was designed to serve as an umbrella law for the rest of the land and property regime. The law established by the Directorate of Land, Property and Cadastral Survey (DLPCS) as a legal entity and defined its jurisdiction, and articulated general rules concerning land tenure and property rights to be further developed by ensuing legislation. Moreover, this law established a one-year period for both nationals and non-nationals to register their land claims. Effectively Law No. 1/2003 vests all land that belonged to the Portuguese state, and all state property acquired or built by the Indonesian regime, in the new state of Timor-Leste.

45. A decree issued by the Government in February 2011 provides for granting compensation to relocate unlawful occupants of State property based on humanitarian considerations. The Ministry of Justice (MOJ) through Ministerial Decree, which is yet to be finalized, will establish the basis for calculating compensation. Another decree promulgated in July 2011 passed in June 2011 allows private property rights registration by landowners/persons in areas where cadastral surveys have been completed (following registration and verification of claims by the government) and confirmed that the claims to land are undisputed. Among the claims registered so far under the Ita Nia Rai program, which has been limited to urban areas, 92 percent of claims are undisputed.

46. The following three laws were passed by Parliament but returned by President in the past. These laws are being redrafted for resubmission to Parliament: (i) draft Land Law interprets who owns what land and in the case of conflicting claims, who has the strongest right to the land (ii) draft Expropriation Law determines the conditions and establishes the procedures under which the state can take land for "public good" and under which it will provide fair compensation and (iii) draft Real Estate Finance Fund provides compensation as determined under the other laws..

47. The draft Expropriation Law recognizes the right to private property and guarantee of fair compensation for expropriated land, as fundamental rights of citizens. Under the draft Expropriation Law the expropriation of property for public purposes will be only possible where it is not possible to acquire it amicably through private negotiations. The Council of Ministers, with advice of the Ministry of Justice, will be empowered to issue a notice of public purpose for expropriation.

C. Gap Analysis of GOTL Policies and WB Safeguard Requirements

48. **Environmental Assessment.** Table 1 outlines the differences between the World Bank and GOTL project categories.

Table 1 World Bank and National Requirements for EA/EIA

	World Bank	GoTL
Category A	<i>Category A</i> projects are those that have potential significant	Includes projects that may potentially cause significant

	<p>adverse environmental and social impacts that are:</p> <ul style="list-style-type: none"> (i) sensitive (i.e., a potential impact is considered sensitive if it may be irreversible); (ii) diverse, or unprecedented; and/or (iii) affecting an area broader than the sites or facilities subject to physical works (e.g., a dam that may affect downstream communities or road construction that may have induced impacts on nearby forests and natural habitats). 	<p>environmental impacts, and are subject to the procedure of Environmental Impact Assessment (EIA), this based on Impact Analysis and Environmental Management Plan (EMP) in accordance with the provisions in this law.</p>
Analysis and documentation required:	Environmental and Social Impact Assessment (ESIA)	Environmental Impact Statement (EIS)
Category B	Projects that have potential adverse environment and social impacts that are less adverse, site-specific, that can be readily addressed through mitigation measures; and few if any of the impacts are irreversible.	Includes projects that may cause environmental impacts, and are subject to the procedure of Initial Environmental Examination (IEE), this based on the Environmental Management Plan in accordance with the provisions of the Decree Law.
Analysis and documentation required:	Environmental and Social Impact Assessment (ESIA)	Initial Environmental Examination (IEE)
Category C	Projects that have minimal or no adverse environmental and social impacts. Although they may not require formal assessment, their implications need to be closely monitored	Includes projects where environmental impacts are negligible or nonexistent, and not subject to any procedure for Environmental Assessment in accordance with the provisions of this law
Analysis and documentation required:	Screening form	None

49. **Occupational health and safety (OHS).** Timor-Leste has not enacted laws or implemented regulations for working conditions, health and safety. UNTAET Regulation 2002/05, the Labour Code for Timor-Leste, is broadly relevant but it does not regulate health and safety. This Labour Code creates a National Labour Board with the mandate to provide independent advice on occupational safety and health matters as well as programs on vocational training and skills development, grant exemptions, set minimum wages and other related functions. However, the National Labour Board

has not yet been established. The Occupational Health and Safety Law was drafted in 2004 but has not yet been enacted. Therefore, during construction, the Project will conform to the Environmental, Health, and Safety General Guidelines published by World Bank unless the local legislation supersedes the international standards.

50. **Environmental Guidelines.** In addition to the legal requirements DNCPIA also issues guidelines from time to time and refers to best international practice. Contractor will implement this UEMP by reference to DNCPIA guidelines and the World Bank Group's Environmental Health and Safety Guidelines (EHS) unless the local legislation supersedes the international standards.

51. **Resettlement and Land Acquisition.** Currently there are no specific laws on involuntary land acquisition and compensation, although the proposed Expropriation Law would be the most relevant one but still under the parliament for approval. Though no written policy yet, when any works required land in the past, the Government negotiated with the owners or users including informal settlers on a case by case basis. According to past practice, when land was required for project development, concerned parties under the direction of local authorities (district and sub-district Land and Property Units and village) negotiated and reached agreement on compensation rates, total compensation amount, and the procedures or mechanism for compensation and transfer. In addition to these laws, any land acquisition/resettlement activities under this project will follow the procedures outlined in the World Bank's OP 4.12 on Involuntary Resettlement.

52. The project has been designed to avoid to the greatest extent the need to use land other than school's or government owned land or land owned by substantial land owners with whom equitable negotiations towards either "willing buyer – willing seller" or "voluntary land donations" can be executed. It is also possible that involuntary land acquisition may be required if additional land is required and the landowner is not a beneficiary of the project and the pre-requisite for negotiated settlement are not satisfied (however, it is considered very unlikely), or where land acquisition is for some reason restricted and involuntary land acquisition processes need to be applied. With the absence of national regulation on involuntary land acquisition, A Resettlement Policy Framework (RPF) following the WB OP 4.12 on Involuntary Resettlement will provide an umbrella on involuntary land acquisition process for this project.

IV. Potential Environmental and Social Impacts and Risks and Mitigation Plans

53. This section describes the procedures in place to determine how potential impacts will be addressed through the selection of appropriate mitigation and management plans. Approved BEST activities must be consistent with these procedures.

A. Potential Environmental and Social Impacts and Risks

54. BEST aims to address the lack of school facilities needed to support basic education in Timor Leste by providing support for basic education planning, budgeting, and implementation. Because of the geographical limitation and the potential impact that is expected to be insignificant, the ESMF can be used as a safeguard instrument for projects with category B based on OP 4.01 Environmental Assessment. The overall social and environmental impact of the BEST is expected to be positive and it is unlikely for the minor works activities to result in *insignificant* risk or *irreversible* adverse environmental or social impacts if carried out in compliance with this ESMF. Potential investments and activities under BEST include the development of 21st century learning environment (Component

1), use of data for evidence-based policy making (Component 2), and project management and monitoring (Component 3).

55. Component 1 will promote better planning and budgeting of school infrastructures through the development of an investment prioritization system and support the improvement of learning conditions by financing minor constructions for academic and non academic infrastructures such as constructing new classrooms for primary and secondary schools, rehabilitation of existing classrooms, and provision of WASH facilities, sports facilities, electrical power, fire safety system, drainage and sewerage systems, etc. Constructions will be done in small scales and therefore, environmental risks are expected to be low and can be managed locally. These activities may cause impacts such as noise, dust, waste disposal, community and labor health and safety issues from construction activities, as well as potential generation of hazardous waste including from asbestos removal during deconstruction. Environmental risks during implementation/facility operation stage include water-borne disease due to poor construction and design of sanitation facilities, increased demand for water, building safety, etc. These potential risks can be readily managed through standard mitigation measures, occupational health and safety (OHS) measures prescribed within the standard good engineering designs and good practice in building constructions, safe and secure school designs, introduction of building safety measures. In addition, the following measures to receive attention are hygiene practices at school emphasising the importance of hand washing, regular maintenance/cleaning of the sanitation facilities, and provision of water (i.e. connection to the existing piped water to the target schools), installation of roof water catchment and tanks in locations where water is scarce as well as notices for water conservation.

56. Constructions done in Component 1 will need to consider the possibilities of natural disasters as Timor-Leste is vulnerable to strong winds, floods, tsunamis and landslides⁸. The country is affected by two sets of monsoonal conditions: The Northwest (wet monsoon) that brings storms and flooding, and the Southeast (dry monsoon) that brings strong winds to the south of the island. Monsoonal storms may lead to floods and landslides which has the potential to destroy schools, houses, water pipelines, or other infrastructures with weak structures. Considering these disaster related risks, there is a strong need for technical support to help improve planning, engineering designs, and the understanding of these risks to minimize infrastructure losses.

57. Undergoing school rehabilitations or constructions may have a few possible impacts to students and teachers, such as disruption to classroom activities caused by construction noises, discomfort from construction dust, and also safety risks especially for students. The significance of these impacts will depend on the scope of construction in each school, which will be determined during project implementation through the prioritization mechanism that is planned to be established under Component 1. Therefore, several mitigation strategies to address this issue may apply. Considering that construction will be done in small scales, it is expected that mitigations can be locally managed.

58. BEST is designed support the government's efforts to improve the quality of primary education across the nation, one of which includes financing small infrastructure works as stated in the project description. The MOEYS will focus on improving school infrastructure in a targeted

⁸ Natural Hazard Risk Assessment in Building Climate and Disaster Resilience in Communities along Dili-Ainaro and Linked Road Corridors Project dated May 2015

manner, but with the aim of gradually covering all schools in the country. This will be done through a prioritization mechanism that will be developed under Component 1 so therefore target schools are yet to be determined. It is possible that target schools will require additional lands to build new classrooms or other school facilities due to their limited land size. In this case, additional land may be needed.

59. The process of acquiring land during project implementation will unlikely affect any structures, cause any physical relocations nor loss of income. Since the project will only finance small scale infrastructures, therefore only a small area of land will be needed. However, nearby vegetations may be subjected to land clearance as trees or other plants will need to be removed or relocated to provide space.

60. Activities relevant to the development or strengthening of the Education Management Information System (EMIS) in Component 2 will involve investment in the provision of ICT (Information and Communication Technology) software and hardware (including computer desk top, laptop, tablet etc) and other electronic equipments supporting internet connectivity. Subsequently, the World Bank's Safeguards Policies OP 4.01 on environment assessment will be triggered due to its potential of electronic waste (e-waste). E-waste is any electronic items or equipment which no longer needed (whether still functioning or broken) and which intended to be discarded. This type of waste is categorized as hazardous waste due to its contains of various hazardous and toxic materials such as lead, mercury, arsenic, cadmium, selenium and chrome. Hazardous waste included e-waste is a specific waste which need special treatment. Without a proper disposal management, this e-waste can cause negative impact to the human health and environment.

61. Lack of people's participation in planning stage is one of risks that need to be addressed crucially, especially as most of the communities in Timor-Leste fulfill the characteristics of Indigenous Peoples (IP) that each of them has their own language. Failures in addressing this issue may cause impacts such as language mismatch in the provision of student workbooks, learning materials, etc. or the ineffectiveness of teacher performances in classes.

B. Mitigation Strategies and Applicable Safeguard Instruments

62. The ESMF includes environmental and social safeguard principles and strategies, with actions planned, to serve as guidelines for the PIUs, CPMU, consultants, as well as communities in both planning and implementing stage of BEST. The ESMF preparation involved assessing environmental and social consideration gaps between Bank Policy and GoTL regulations, stakeholder engagements, and undertaking a social assessment through desk study and consultations.

63. The safeguard mitigation approaches to environmental and social issues in BEST broadly include embedding environmental and social aspects into project planning and implementation as well as promoting social inclusion by improving the quality of public participation and public consultation in particular. Strategies includes:

- ESMF Socialization and consultation;
- Social Assessment in regards triggering OP. 4.10 on Indigenous People to find out any requirements to ensure the engagement of Indigenous Peoples in to the project and to ascertain a board community support;
- Development of Community Standard Operational Procedures (SOP) and Environmental Code of Practices (ECOP) for construction activities;

- Provision of E-waste disposal management procedure;
- Development of Resettlement Framework as a precaution for possible land acquisitions, including Voluntary Land Donation Protocol.
- Strengthening citizen engagement with the development of the Community Consultation Framework; and

64. Small scale constructions are planned to be executed with the combination of community-based constructions and national competitive bidding. With the two schemes, it is necessary to prepare a Standard Operational Procedure (SOP) for communities and an Environmental Code of Practices (ECOP) to be included in bidding documents to address Occupational, Health and Safety (OHS) for construction workers, community health and safety. The SOP and ECOP will provide guidance on the implementation best practices in construction projects and is attached in this ESMF as **Annex F** and **Annex G** respectively.

65. Construction activities envisage to cause negatively affect the learning process and therefore cause teaching inefficiencies. However, considering that each target schools may have varying scope of constructions with different levels of impact, several mitigation procedures may be needed to address the issue. Below are some possible mitigations:

- Provision of temporary building;
- Relocation of student to other school if safety risks are present; or
- Schedule adjustment between classes and renovation activities.

66. The BEST triggered s OP 4.12 Involuntary Resettlement as a precaution. A Resettlement Policy Framework following the OP 4.12 has been prepared in this ESMF, including the Voluntary Land Donation Protocol (VLD), both provided in **Annex D**. The project will finance small infrastructure works stated in the project description. It is possible the target schools will require additional lands to build new classrooms or other school facilities due to their limited land size. In this case, land acquisition may happen. Any affected vegetations will be compensated by either the school or MOEYS in accordance to the rates prescribed under the Ministry of Agriculture's law, unless the owners would like to donate.

67. The project has been designed to avoid to the greatest extent the need to use land other than school's or government owned land. If additional land is needed, the following approaches may be executed i.e. land owned by substantial land owners, with whom equitable negotiations towards either "willing buyer – willing seller" or "voluntary land donations". However, if additional land is required and the landowner is not a beneficiary of the project and the pre-requisite for negotiated settlement are not satisfactory (however, it is considered very unlikely), involuntary land acquisition processes need to be applied.

68. With the presence of Indigenous Peoples that might be affected by the Project, a social assessment was undertaken based on a Free, prior and informed consultations (FPIC), please SA mentioned above. The social assessment concluded that a separate IPP is not necessary since a majority of Timor-Leste population were identified as Indigenous Peoples. However, IP inclusion will be mainstreamed into BEST to ensure that the project will result culturally appropriate benefits and outputs.

69. On the issue of vulnerable groups, they are identified as project beneficiaries of the improving the basic education quality. In terms of project location, the project will include schools in remote areas. Women, teachers, and **children with disability** will be part of project beneficiaries.

70. There are no administrative data on education for students with special educational needs apart from small-scale studies which found access was low and conclude that there was a need for better training of teachers. The census in 2015 allows for the identification of approximately 1,381 children and youth (3-24 years) with disabilities who attend some level of schooling from pre-school to secondary school. Using 2016 EMIS data, it is possible to estimate that the number of children and young people with disabilities attending school represents 0.35 percent of all students enrolled in schools (public and private).

71. The data also indicate that of the 1,140 pupils with disabilities attending basic education, about 16 percent were in primary education and were between the ages of 12 and 24 years. 88 percent were in pre-secondary education and were between the ages of 18 and 24 years. In secondary education, all students with disabilities attending school were between the ages of 19 and 24.

72. The 2015 census reveals that about 0.47 percent of children and young people had some type of disability. Assuming that this group of children should be represented equally in the number of pupils, the exclusion rates are relatively high for children with disabilities. It is estimated that about 46 percent and 55 percent of children and young people with disabilities, respectively between the ages of 3 and 18 years and between 3 and 24 years, are not in school.

73. The BEST PMU will be responsible for the preparation of safeguard instruments prior to the commencement of activities, and application of safeguard instruments during the implementation/operations phase.

74. Table on possible environmental and social impacts and interventions are provided below.

Table 2 Environmental Impacts and Mitigation Measures

Subproject Action	Possible Environmental Impacts	Interventions
Construction	<ul style="list-style-type: none"> Noise and vibration Soil and water contamination Waste generation Traffic congestions Community and worker's safety. 	<p>The impacts shall be mitigated or minimized by applying good practices and management actions during construction.</p> <p>Contractors will be responsible for the implementation of these practices and will report to the PMU regularly.</p> <p>After the completion of construction activities, contractors must ensure that the site is entirely cleaned from construction materials and tools.</p> <p>Contractors should also consult</p>

		<p>the communities regarding these impacts as necessary.</p> <p>Detailed mitigation actions shall refer to the ECOPS provided in Annex G.</p>
Post Construction	<ul style="list-style-type: none"> • Generation of E-Waste and household waste • Possible water borne disease 	<p>During the post-construction of subprojects, the responsibilities for the possible environmental impacts will be taken by the MOEYS or school staffs.</p> <p>Future downstream impacts such as the generation of E-Waste from the provision of electronic hardwares and regular household waste must be addressed by implementing proper solid waste management procedures and the e-waste disposal procedure provided in Annex H.</p> <p>The possibility of the spreading of water borne diseases is likely to be caused by poor sanitation. Therefore, sanitation facilities must be maintained based on practices stated in the ECOPS (Annex G).</p>

Table 3 Social Impacts and Mitigation Measures

Social Impacts	Interventions
Land	It will use school or government land or applying negotiated settlement or VLD or applying RPF.
Vegetation: Removal of trees/vegetation privately owned to additional land.	Require consultation with the tree owner to obtain consent. If there is any demand for the compensation to remove the affected trees from the owner, school or MoEYS will provide compensation for the trees in accordance with rates prescribed under law (referring to rates issued by Ministry of Agriculture).
Structure	No impact to structure. The project will avoid any impact to structure.

75. Monitoring procedures, safeguard responsibilities, and the environmental and social mitigation strategies will be covered by the PIM in more detail.

C. Addressing OP 4.10 on Indigenous People and Social Assessment

76. BEST triggers OP 4.10 on Indigenous People as most of the communities in the provinces the project is targeting fulfill the characteristics of indigenous peoples as per paragraph 4 of OP 4.10 such as: (i) collective attachment to geographically distinct territories; and, (ii) descent from groups present in specific areas prior to the establishment of modern states and relative borders, due largely in respect of Timor-Leste being established as a sovereign nation in 2000. However, a social assessment undertaken indicated that no significant differences of cultural and social identity exist among the people who speak different languages, except for a small number of Muslims in an overwhelmingly Roman Catholic society. As a result, the Borrower will not prepare a separate Indigenous Peoples Plan/Indigenous Peoples Policy Framework. However, the following note explains how aspects of an Indigenous People Plan have been integrated into project design.

77. For the application of the OP 4.10 a social assessment (SA) is necessary to find out any requirements to ensure the engagement of Indigenous Peoples in to the project and to ascertain a board community support. The activity was conducted through a rapid review of available sources of information using secondary materials such as the Timor Leste Survey of Living Standards and the 2015 Timor Leste census publication, combined with field assessments, including conducting consultations in March 23, 2019 to describe the socio-cultural in which the project operates the consultations adequately represent the views of women, youth and other vulnerable community members. The consultation was conducted in two schools as sample i.e. the Matata School, District of Ermera and Bebonuk Primary School 02, District of Dili (please see **Annex I** for the minutes of meeting). As the project location has not determined yet, using the available secondary data, the SA was undertaken for 4 districts as a sample, i.e. district of Ermera, Bobonaro, Baucau, and Dili.

78. The Timor-Leste Standard of Living Survey (TLSLS) 2014/2015 shows a significant reduction in poverty in the country since 2007. At the national poverty line, which represents the cost of meeting basic needs in relation to food, shelter and non-food items in Timor-Leste, the proportion of Timorese living in poverty declined from 50.4 percent in 2007 to an estimated 41.8 percent in 2014. Among others, the 2014 TLSLS surveys include household education status as an item in the non-food component of the poverty line. The determination of household education status considers two indicators, namely years of schooling and child school attendance. Results from the survey indicates that in 2014 there was a decline in the percentage of household populations with at least one member that did not complete five years of schooling and children that did not attend schools as much as 25 percent and 5 percent respectively. This shows that there were significant improvements in Timor Leste's education sector.

79. BEST will support development of standards of school infrastructure in a total of 13 districts in Timor leste. These locations will be identified later during project implementation based on the school infrastructure survey. Studies show that the District of Ermera, Bobonaro, and Baucau were identified to have the highest needs for infrastructure investments and has a high potential to be included in BEST activities. Therefore, these three districts will be used as samples for the district level assessment, in addition to District of Dili.

80. Dili District is national capital of Timor-Leste and is located in the central region. The district spatially is the smallest district comprises 6 sub-districts and 31 villages (sukus). It is 364 km² in area with a population of 277,279 people based on the the country's census data in 2015. A total of 60,127 childrens between the age of 5-14 years old or 22 percent of the district's residence were identified in

the census. The average population density of Dili is 761.51 person per km² and has a male to female ratio as much as 107.54. Among other districts in Timor Leste, Dili is shown to be the most urbanized with 88 percent of it's people living in urban areas. Dili has a total of 42,485 households with the average size of 6.49. The mother tongue of 82 percent of Dili's population is Tetum Prasa, while 4 percent of the population speaks the Mambai language, and 14 percent speaks other languages. Youth literacy in is divided into several stages, which are those who do are able to speak, read, and write; speak and read; read only; and speak only. Children of the age of 5-14 in Dili are 94 percent literate in tetum with 16 percent can only speak, 2 percent can only read, 2 percent can speak and read, and 78 percent can speak, read, and write. In comparison with the population of children aged 5-14 years old across the nation, Dili have as much as 18 percent or 56,721 children who is literate in Tetum, which is higher than most districts.

81. Ermera District is located in the West of Timor Leste. It is 756.5 km² in area with a population of 125,203 people. The data indicates that 33,254 children were identified to reside in the district, or about 27 percent of the district population. The average population density of Ermera is 166.17 person per km² and has a male to female ratio as much as 102.27. The data shows that there are more people in Ermera district who are still living in rural areas compared to urban areas with percentages as much as 93 percent and 7 percent respectively. The district is divided into 5 subdistricts with a total of 20,670 households with the average size of 6.06. The mother tongue of 61 percent of Ermera's population is Mambai, while 15 percent of the population speaks the Kamak language, 19 percent speaks Tetum Prasa, and 5 percent speaks other languages. Children of the age of 5- 14 in Ermera are 88 percent literate in tetum with 38 percent can only speak, 3 percent can only read, 2 percent can speak and read, and 66 percent can speak, read, and write. In comparison with the population of children aged 5-14 years old in the whole country, Ermera have as much as 10 percent or 31,026 children who is literate in Tetum.

82. Bobonaro District is located in the West of Timor-Leste. It is 1,378 km² in area with a population of 97,762 people. As much as 27,272 people or 28 percent of the district's residence are children aged 5-14 years old. The average population density of Bobonaro is 70.94 person per km² and has a male to female ratio as much as 99.98. There are more people in Bobonaro district who are still living in rural areas compared to urban areas with percentages as much as 87 percent and 13 percent respectively. The district is divided into 6 subdistricts with a total of 17,635 households with the average size of 5.51. The mother tongue of 44 percent of Bobonaro's population is Kamak, while 25 percent of the population speaks the Bunak language, 25 percent speaks Tetum Prasa, and 6 percent speaks other languages. Children of the age of 5- 14 in Bobonaro are 89 percent literate in tetum with 30 percent can only speak, 3 percent can only read, 3 percent can speak and read, and 58 percent can speak, read, and write. In comparison with the population of children aged 5-14 years old in the whole country, Bobonaro have as much as 8 percent or 24,136 children who is literate in Tetum.

83. Baucau District is located in the eastern part of Timor-Leste. It is 1,504 km² in area with a population of 123,203 people. As much as 33,254 people or 27 percent of the district's residence are children aged 5-14 years old. The average population density of Baucau is 127.95 person per km² and has a male to female ratio as much as 100.74. There are more people in Baucau district who are still living in rural areas compared to urban areas with percentages as much as 86 percent and 14 percent respectively. The district is divided into 6 subdistricts with a total of 22,976 households with the average size of 5.34. The mother tongue of 60 percent of Baucau's population is Makasai, while 17 percent of the population speaks the Waima'a language, 13 percent speaks Tetum Prasa, and 4 percent

speaks other languages. Children of the age of 5- 14 in Baucau are 83 percent literate in tetum with 18 percent can only speak, 5 percent can only read, 2 percent can speak and read, and 66 percent can speak, read, and write. In comparison with the population of children aged 5-14 years old in the whole country, Baucau have as much as 9 percent or 27,577 children who is literate in Tetum.

84. The social assessment was also conducted on school levels to determine their baseline conditions on March 27-28, 2019, including the language used for learning processes, quality of school facilities, student municipalities and parent's economic conditions. Two schools in the Ermera and Dili districts were visited for this purpose, namely EBF Fatuhada and EBF 244 Matata.

85. EBF Fatuhada is located in Fatuha Village, Dom Alexo Sub district, and Dili Municipality. The school accommodates 1,410 students from two villages (Sukus), namely Fatuhada and Kampung Alor village. A majority of the students in the area are able to speak Tetum on a daily basis. However, classes use Tetum and Portuguese language. Most parents are economically active in agricultures, governments and private sectors. Around 99.5 percent of students are identified as Roman Catholic believers while 0.5 percent were Muslims. The people in this area are still attached to customary beliefs and cultures of their villages (sukus) and are identified as Indigenous Peoples. Proper waste bins are readily available in all classes. Several issues found in this school were none other than the poor and unsafe building qualities (cracks on walls and old structures), frequent floodings, and lack of water resources due to line blockage during rainy season.

86. EBF 244 Matata school located in Matata Village, Railaco Sub district, and Ermera Municipality was taken as part of a sample for the school level social assessment for this project. The school accommodates student from 6 villages (Sukus) which includes; Matata, Tokoluli, Leorema, Poetete, Talimoro and Ponilala village. The majority of students speak the Mambae language and Tetum in daily conversations and uses Tetum and Portuguese and Mambae for learning processes in school. Approximately 98 percent of parents are economically active in the agriculture sector while the other are government employees. A majority of students are Roman Catholic (around 97 percent) believers and 3 percent of them are Christian Protestant. The people in this area are still attached to customary beliefs and cultures of their villages (sukus) and are identified as Indigenous Peoples. In general, the condition of the school is green and clean, the facilities such as waste bins are available in every classroom, and the major problem in this school is the lack of water and toilets.

87. Since essentially a significant majority of the Timor-Leste population is considered indigenous, an Indigenous People's Plan (IPP) was not prepared. However, consistent with the requirements of OP 4.10, during project preparation free, prior, and informed consultation with the project beneficiaries and/or affected communities in the project locations carried out in Bebonuk Primary School 02 Dili District and Metata Primary School in Ermera District in March 23, 2019. These consultations confirmed broad community support for the project. All consultations found that the community broadly supports the rehabilitation of existing schools or additional room for class space.

88. The following aspects of an IP Plan have been integrated in design and preparation of the project:

- *Free, prior and informed consultation leading to broad community support took place during project preparation.* Consultations took place in Bebonuk Primary School 02 Dili District and Metata Primary School in Ermera District in March 23, 2019. The sites were chosen as they were representative of the project area. The consultations corroborated that there is in fact

broad community support for the project. Currently, school facilities in both districts were reported to be in low quality and could not fully support the student's learning process. Issues found in these schools include overcrowding (60-71 students/class), unsafe conditions (no fences), poor quality of WASH facilities, and insufficient teachers. With these conditions, local communities, especially parents felt the urgency of school rehabilitations and therefore support the project as they will benefit from improved schools facilities.

- *A framework for free, prior and informed consultation will be put in place during project implementation.* Detailed and continuous consultations will take place with communities in where the targeted school locations, once they are finalized. These consultations will ensure that there continues to be broad community support for the project and that local people get an opportunity to provide feedback to project design. If impacts as a result of the project are experienced, additional consultations will also take place to include people in the mitigation process.
- *Measures to ensure culturally-appropriate benefits are being included in the project.* The project is culturally-appropriate as it provides improved school infrastructures and learning materials and other facilities (school toilet, etc.) that is expected to increase the rate of student enrollment. These activities will also ensure the inclusion of local communities through the community based construction scheme. BEST will also support the provision of resources for literacy and numeracy classroom enrichment that is expected to help increase students interaction with books, positive attitudes toward reading, and levels of reading achievements. Consultation was undertaken to get inputs on learning materials to be used to ensure culturally appropriate (such as language) so that improving capacity of teachers and students in learning process.
- *Measures to ensure that adverse impacts are mitigated, including an appropriate grievance system, will be in place.* The proposed grievance system was discussed with local stakeholders, to ensure appropriate mechanisms are in place. This grievance system is based on existing traditional community structures in Timor-Leste. During the initial project consultations, stakeholders were informed of the grievance system in place, and will be reminded and re-informed of this process during consultations at the design stage.
- *Measures for disclosing key project documents are in place.* The ESMF will be translated into Tetum, shown to be a language widely spoken in the communities as noted in the social assessment. The ESMF publicly consulted ...when ...where.... The ESMF was publicly disclosed at available in the MOEYS Project Management Unit, the World Bank's Office in Dili and in the World Bank's Infoshop. Given low literacy levels in the country, 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.

D. Environmental and Social Safeguard Procedures

89. This section will provide explanations on the procedure to identify and assess safeguards impacts of project activities and mitigation measures.

90. **Screening.** Sub-projects included in BEST will be screened using the screening form provided in **Annex A**. The screening process is important to identify the eligibility of the sub-project as well as preliminarily identify potential environmental and social risks. The outputs of the screening will contribute to sub-project selection process and provide background information to the sub-project design proposals.

91. **Implementation.** The main strategy for mitigating potential impacts of activities financed under BEST is to include environmental and social aspects in subproject planning and implementation. This will require the preparation for necessary safeguard documents listed in the previous section. The implementation of the ESMF will occur as follows:

- MOEYS or the safeguards consultants will include environmental and social aspects into school rehabilitation proposals and DEDs which will be reviewed by the Bank;
- Sub-project planning must include consultations with relevant stakeholders that refers to the Community Consultation Guidelines provided in **Annex B**;
- No work will begin on site until land acquisition and resettlement (if any) has been completed;
- During construction, contractors or communities must refer to the SOP and ECOP attached in this ESMF as **Annex F** and **Annex G** to prevent or minimize any environmental pollution and possible accidents that may occur.

92. It is also important to note that during project implementation, activities that include criterias listed below are not eligible for funding:

- Activities that will cause significant and/or irreversible impacts to the environment;
- Located in vulnerable areas (subject to frequent flooding or storm surges, strong winds, steep slopes, etc);
- Construction of large-scale infrastructure such as new large schools;
- Purchase and use of dangerous chemicals; asbestos, asbestos removal and other investments detrimental to the environment;
- Purchase and use equipment contain ozone depleting substance (ODS);
- Activities that will adversely impact physical cultural resources;
- Production or activities involving harmful or exploitative forms of forced labour/harmful child labour;
- Purchase timber from unsustainable harvest or illegal logging operations.

E. Monitoring

93. MOEYS as the project management unit will report progress with a frequency agreed and as indicated in the loan agreement and Project Implementation Manual (PIM). In addition, specific activities to be monitored are inclusion of safeguard aspects in work plans and bidding documents. The detail of the monitoring arrangement will be provided in the PIM.

F. Documentation

94. All consultation sessions shall be documented and recorded by relevant project staff. All agreements made with landowners shall be verified but shall remain confidential and not for public disclosure.

V. Consultation, Participation and Information Disclosure

A. Consultation to date

95. Consultation for the project has been done on 23 March 2019 in Dili and Ermera Districts which was participated by 101 people in Dili and 59 peoples in Ermera, consisting of parents,

teachers and local authorities. Following the consultations, broad community support was obtained and communities' input was recorded in the ESMF (refer to **Annex I**).

B. Safeguards Consultation and Information Disclosure

96. The ESMF is subjected to public consultation prior to its finalization. Key stakeholder such as the Implementing Agency, government ministries, and other stakeholders with an interest in education will be invited to participate in meaningful discussions and contribute to the development of this ESMF.

97. Since OP 4.10 on Indigenous People is triggered for this project, consultation conducted by BEST must follow the key principles for free, prior, and informed consultation (FPIC) which include:

- **FREE** – Information should be transparent and free from coercion or bias and conducted in a manner that allows Indigenous Peoples to openly communicate their preferences or concerns without intimidation or trepidation;
- **PRIOR** – Consultation starts as early as possible in the project planning. This include giving Indigenous Peoples sufficient time to go through the traditional process of decision making, deliberation and consensus-building, such that the preferences or concerns raised by Indigenous Peoples communities may be considered before project design decisions or implementation arrangements are finalized;
- **INFORMED** – Indigenous Peoples must be given enough information, transparent about the project scale, and in such a way that allow them to understand fully the impacts being discussed with them and feed into the decision-making process where appropriate, and had sufficient opportunity to consider relevant information about the project;
- **CONSULTATION** – An inclusive process that allows Indigenous Peoples to participate meaningfully in decisions directly affecting them, including proposed management and mitigation measures and benefit sharing or distribution, through methods that enable concerns of women, the elderly, or others who customarily may not be expected or allowed to participate in community meetings to be considered.

98. Information disclosure is mandated by OP 4.01, OP 4.10, and the Bank's Disclosure Policy. Dedicated channels for information dissemination will be established to ensure consistent communication at national, sub-national and local levels throughout the Project. Safeguard instruments must be disclosed in a language and format accessible to people, communities and civil society who may be interested in, or affected by, Project activities to ensure sufficient understanding of the project activities, potential impacts and management arrangements, as well as the grievance redress mechanism. Translation of documents (or summary) in Tetum will be required.

99. Disclosure occurs through:

- Draft safeguard instruments or project concepts are disclosed during the preparation phase to gather feedback and input from local communities and other stakeholders on the proposed activities and safeguard measures.
- Assessment documents (e.g. SA) are disclosed during activities preparation and prior to their final review and approval.
- Final safeguard documents are disclosed to inform local communities of implementation measures and how their concerns have been considered.

100. With assistance from the World Bank, the MOEYS are responsible for managing information dissemination, overseeing public consultation and assuring compliance to guidelines and procedures set out by safeguard instruments and ensure relevant personnel are trained.

101. Disclosure will conform to the Public Communications Policy of the WB: Disclosure and Exchange of Information which requires that the ESMF document for WB projects be accessible to the interested parties and the general public. Prior to the appraisal, the ESMF document will be disclosed in the World Bank Infoshop and made available to the public from

C. Grievance Redress Mechanism

102. World Bank funded projects are required to implement a Grievance Redress Mechanism (GRM) to receive and facilitate resolution of affected peoples' concerns, complaints, and grievances about the project's performance, including concerning environmental and social impacts and issues.

103. A GRM will be developed for BEST to manage any project-related complaints and detailed in **Annex C**. The GRM is for people seeking satisfactory resolution of their complaints on any aspect of the project, including the environmental and social performance of the project. The Mechanism ensures that: (i) the basic rights and interests of every affected person by poor performance, including environmental performance or social management of the project, are protected; and (ii) their concerns arising from the poor performance of the project during the phases of design, construction and operation activities are effectively and timely addressed.

104. In the early stages of engagement, project stakeholders and affected communities must be made aware:

- (i) of how they can access the GRM;
- (ii) who to lodge a formal complaint too;
- (iii) timeframes for response;
- (iv) that the process must be confidential, responsive and transparent; and
- (v) alternative avenues where conflicts of interest occur.

105. The grievance process is based upon the premise that it imposes no cost to those raising the grievances (i.e., Complainants); that concerns arising from project implementation are adequately addressed in a timely manner; and that participation in the grievance process does not preclude pursuit of legal remedies under national law.

106. The GRM will be established in the national level as well as in target schools. Any grievances/complaints in the future that is related to schools construction can be submitted through a phone line that will be created specifically for this project which will allow community members and the general public to channel complaints and inquiries. In the case that complaints cannot be solved at the school levels, the MOEYS will facilitate the follow-up and dispute resolutions as necessary.

107. Target schools and the MOEYS will appoint a team or a focal point to receive and facilitate resolution of specific concerns of affected communities not only limited to environmental and social issues, but other issues related to the Project. The GRM will aim to resolve concerns promptly, in an impartial, understandable and transparent process tailored to the specific community, and at no cost or without retribution to the complainant/s.

VI. Institutional Capacity and Responsibilities

108. This section describes the institutional arrangements to implement the ESMF, from the screening of subprojects for environment and social issues, preparation of subproject safeguard instruments, and review and clearance of subprojects through to the monitoring of implementation. It also details specific tasks and responsibilities of key stakeholders involved in the BEST.

A. Capacity

109. The Ministry of Education, Youth and Sport (MOEYS) is the government department responsible for the design, implementation, coordination and evaluation of the policy, defined and approved by the Council of Ministers, for the sectors of education and qualification of all levels of education, except for tertiary education. The MOEYS has the authority to define the national curriculum at the various levels of education and the student evaluation regime and approve the teaching programs as well as the guidelines for their implementation. Under the Ministry of Education, Youth and Sport are: National Sports Commission (CND); Martial Arts Regulatory Commission (CRAM); National Institute of Training of Teachers and Education Professionals of (INFORDEPE).

110. The MOEYS have had experiences working with the World Bank in the past, specifically in the Education Support Sector Project in 2006. However, due to staff rotation and other reason, only few remaining staff in the MOEYS is familiar with the implementation of World Bank financed projects, in particular for the safeguard issue. No, specific division which responsible for environmental and social safeguards issues in the MOEYS. Nevertheless through the current project, the MOEYS is envisaged to have the capacity to develop, establish and enforce safeguard policies in respect to school rehabilitation and construction with the assistance of an individual safeguards consultant that will be hired by the PMU for this project as well as capacity building program that need to be arranged under the project. Cost for training arrangement should be budgeted under the component 3 of the project.

B. Responsibilities

111. The MOEYS has the overall responsibility for ensuring that environmental and social issues are adequately addressed throughout the project cycle. These responsibilities are highlighted in Table 4 below in particular for school infrastructure:

TBD...Task team to provide

Table 4 Key Responsibilities for Safeguards Implementation For School Infrastructure

	Tasks	Responsible party
Safeguard Preparation	Review and approval of ESMF	WB
	Disclose ESMF	MOEYS/ WB
	Confirm consultations are adequate	WB
Screening	Screen all proposed activities for adverse environmental and social impacts with Safeguard Screening Form	MOEYS
	Screening records filed for review	MOEYS
	Eliminate all sub-project activities ineligible for financing based on the Screening Form	MOEYS
	Review screening process	WB
Subproject Preparation and Design	Undertake field surveys to inform subproject design.	MOEYS/Target Schools
	Design subproject and activities in accordance with project guidelines	MOEYS/ Target Schools
	Approve subproject design	MOEYS
	Consult with relevant authority(ies) to obtain environment license ⁹ and/or building permit (if applicable, in particular for new building school) and/or other necessary administrative requirement, if any	MOEYS, NDCPIA
	Support review process and documentation	WB
	Establish grievance focal point and address grievances	MOEYS and Target Schools
	Undertake consultation with stakeholders and affected peoples as required	MOEYS and Target Schools
	Incorporate mitigation measures and stakeholder feedback into design	MOEYS

⁹ /Decree law no 12/2012 on Environmental Basic Law requires any program or project initiated by public or private institution that might affect environment, national territory, quality of life and health need to comply with environmental assessment and licensing system.

	Tasks	Responsible party
	Review and approval of design	MOEYS
	Prepare cost estimates	MOEYS
	Approve budget	MOEYS
	Review subproject proposals and confirm consultation process was adequate	WB
Subproject Implementation	Effective implementation of mitigation measures required in this ESMF	MOEYS
	Prepare progress reports and document the implementation of safeguard measures	MOEYS
	Periodic supervision of implementation process, safeguards and progress reports	WB

112. MOEYS with support from safeguard specialist will also responsible for monitoring other project activities (eg. Provision of support on ICT equipment's to MOEYS, districts and schools) which might affect to environment health and safety. This include to follow the guidelines developed under this ESMF on e-waste disposal management to prevent their impact to the environment. The Environment Code of Practice for disposal management of e-waste is available in the **Annex H**.

VII. Budget Provision

113. All of the requirements in the ESMF will fall within the usual business as usual operations of the school except for consultation, outreach and awareness activities and logistic cost to ensure supervision of the project compliance with the ESMF to be covered by MOEYS.

Annex A Safeguards Screening Form

This form is to be used by the Implementing Agency (IA) to screen potential environmental and social safeguards issues in subprojects, and determine which safeguard instrument/s is to be prepared prior to implementation. It may be modified for the purpose of the PIM, subject to Bank approval.

Questions	Answer		Actions Needed
	Yes	No	
Is the proposed subproject likely to have minimal or no adverse environmental impacts? ¹⁰ Please provide brief justification.			No action needed beyond screening
Will the proposed subproject activities include small to medium scale physical investments?			Refer to ECOP
Will the proposed subproject involve the procurement of digital hardwares that may lead to the generation of e-wastes?			Refer to TOR for E-waste
Will the proposed subproject include construction of large-scale infrastructure and significant land acquisition?			Not eligible for funding
Are there any use of dangerous chemicals such asbestos and/or other materials detrimental to the environment including the use of Ozone Depleting Substances (ODS) in certain equipments (e.g air conditioning) ?			Not eligible for funding
Will the proposed subproject involve the purchase of timber from unsustainable harvest practice operations?			Not eligible for funding

¹⁰ Examples of projects likely to have minimal or no adverse environmental impacts are supply of goods and services, technical assistance, simple repair of damaged structures, etc.

Questions	Answer		Actions Needed
	Yes	No	
Does the subproject need to acquire new land, involve involuntary land acquisition, loss of assets or access to assets, or loss of income sources or means of livelihood? Please provide brief justification			Refer to Land Access and Resettlement Policy Framework

Safeguards Instruments Required

The following safeguard instruments will be followed and/or prepared for the subproject:

Tick all that apply:

- ☐ Environmental Codes of Practice (ECOPs)
- ☐ Voluntary Land Donation Protocol (VLDP)
- ☐ Land Use Agreement (LUA)

Annex B Community Consultation Framework

World Bank safeguard policies require consultation with the stakeholders and communities throughout the life of the project. This section outlines a Consultation Strategy that meets national and World Bank requirements to be followed for the Project.

Purpose

The purpose of public consultation and community engagement is to inform stakeholders about the proposed activities, gather feedback on the design and how the proposal may affect the environment or themselves, provide notification prior to construction activities, and to gauge the effectiveness of mitigation measures once implemented.

Implementation

Consultations should occur at the following stages:

- when considering subproject concept, feasibility and alternatives;
- during the design phase to gather feedback on potential options;
- upon finalization of project design;
- to raise awareness of timing of construction activities; and
- subproject completion.

Schools and MOEYS have overall responsibility for ongoing community consultations. A transparent and well-planned engagement process will contribute to building broad community support for BEST activities, as long as stakeholder feel informed and their expectations are managed throughout the process regularly. Misguided and unplanned engagement is likely to lead to miscommunication, mistrust, raised community expectations and/or disputes, which could result in the eventual termination of activities. In order to achieve meaningful consultations, it is expected that the principles listed below are followed:

1. Using local languages;
2. Accessible venues;
3. Reasonable time arrangements;
4. Invitations are sent at least one week before the consultation;
5. Consultation process are well documented that includes informations such as when and where consultation was undertaken, attendees and participant list (gender disaggregation), discussion points and findings from consultation, and feedback and comments from consultation activities.

Reports summarizing consultation activities and meetings shall be submitted to the MOEYS.

Annex C Grievance Redress Mechanism Guidelines

This section provides guidance for complaints management for World Bank-funded projects being implemented by the MOEYS in Timor-Leste. The purpose is to provide a centralized ‘grievance redress Mechanism’ (GRM) for the Project which can also be applied to meet the Bank’s safeguard requirements.

The GRM outlines a process for documenting and addressing project grievances (complaints) that may be raised by affected persons or community members regarding specific project activities, environmental and social performance, the engagement process, and/or unanticipated social impacts resulting from project activities. It describes the scope and procedural steps and specifies roles and responsibilities of the parties involved. The GRM is subject to revision based on experience and feedback from stakeholders.

I. World Bank Requirements

The grievance process is based upon the premise that stakeholders are free to raise their concerns to relevant representatives at no cost or threat of any negative repercussions; that concerns arising from project implementation are adequately addressed in a timely and respectful manner; and that participation in the grievance process does not preclude pursuit of legal remedies under the laws of the country.

MOEYS will manage the GRM, utilizing formal, informal and traditional grievance procedures suitable to the Timorese context. Generally, complaints and disputes will be resolved at the community level as much as possible through the school grievance redress mechanism. If the issue cannot be resolved at this level, it will be raised to the next level and so on (Figure 1).

MOEYS will aim to address all complaints received, regardless of whether they arise from real or perceived issues. Any stakeholder who considers themselves affected by MOEYS’s activities will have access to this Procedure at no cost or threat of any negative repercussions. The statutory rights of the Complainant to undertake legal proceedings remain unaffected by participation in this process.

Limitations

The GRM does not deal with grievances relating to internal communication or disputes between the project team, Implementing Agency, other agencies; nor intra/inter-community conflicts that are not project-related.

Objectives

The GRM has the following objectives:

1. Establish a prompt, easy to understand, consistent and respectful Mechanism appropriate for the Timorese context to support MOEYS in receiving, investigating and responding to complaints from community stakeholders;
2. Ensure proper documentation of complaints and any corrective actions taken; and
3. Contribute to continuous improvement in performance through the analysis of trends and lessons learned.

II. Institutional Arrangements

The MOEYS will establish GRM channel into PMU. The responsibility of each personal in-charge will be detailed in the PIM.

III. Awareness of GRM

MOEYS will provide training on the GRM to relevant project teams, contractors and key agencies.

Communities and affected persons should be advised of the GRM in the early stages of engagement, and be made aware of:

- How they can access the GRM (i.e. key people and complaint forms);
- Who to speak to and lodge a formal complaint;
- The timeframes for each stage of the process;
- The GRM being confidential, responsive and transparent; and
- Alternative avenues of dispute resolution where conflicts of interest exist.

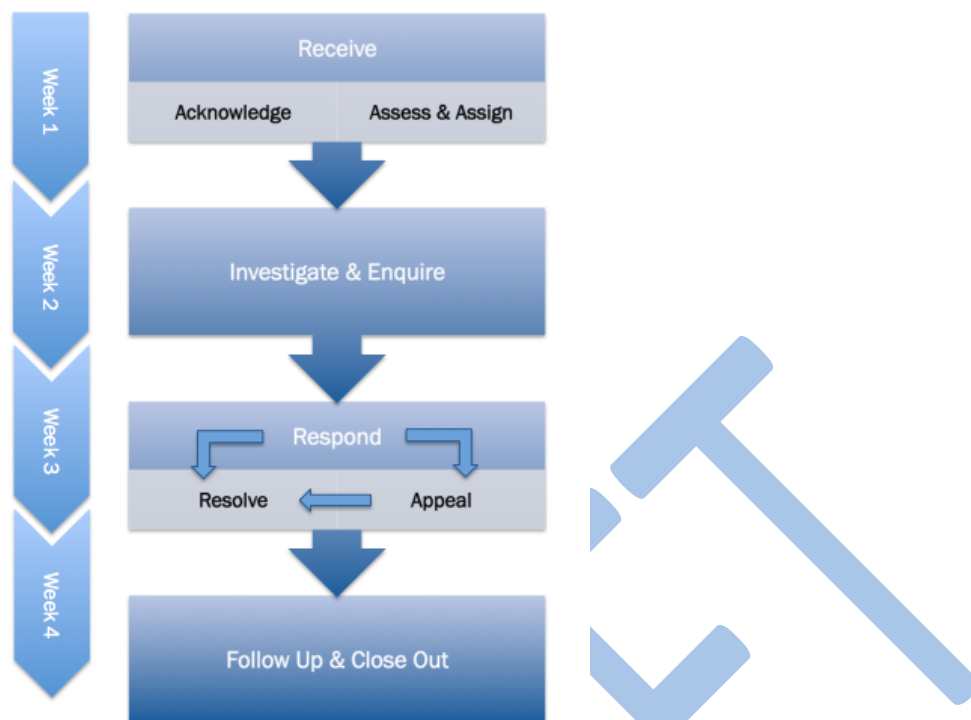
IV. Grievances Procedure

The grievance resolution process includes four key stages – (i) Receive; (ii) Investigate/Enquire; (iii) Respond and (iv) Follow up/Close Out as illustrated in Figure 1.

Relevant personnel will be required to accept formal grievances and ensure avenues for lodging grievances are accessible to the public and affected persons. This may be in verbal or written form. The grievance should be formally documented on the grievance form, assessed on its level of urgency/severity and assigned to the appropriate person who then acknowledges within two days to the Complainant, that the grievance has been received and is under review. Attachment 1 provides a template for lodging grievances.

The severity of each grievance and subsequent course of action shall be determined by MOEYS. If the issue is easily resolvable, the responsible party should endeavor to address the issue directly on site, and record the details for filing into the **Grievance database** managed by BEST PMU. If the grievance is a more complex issue, it may require additional meetings and further investigation. A formal response should be provided within a two-week timeframe or a timeframe that has been agreed to with the Complainant. If additional time is needed, the Complainant will be advised of this in advance.

Figure 1 Stages in the Grievance Resolution Process



Grievances should be closed out within 30 days (Table 1). The response should communicate findings of the investigation and resolution, and seek approval from the Complainant. The Complainant will either accept or appeal the outcome. If the Complainant is satisfied with the outcome then the grievance is closed out and they provide their signature (or fingerprint) on the grievance form as confirmation.

Table 1 below outlines the timeframes for each stage of the grievance process.

Table 1: Grievance timeframes

Timeframe	Stage
1 day	<ul style="list-style-type: none"> Grievance reported and referred to nominated person/project representative
2 days	<ul style="list-style-type: none"> Determine severity of grievance Acknowledge receipt of grievance to Complainant Resolve immediately if possible Grievance report sent to Schools/MOEYS and logged in database

14 days	<ul style="list-style-type: none"> • Meeting with relevant parties, etc • Confirm resolution with Complainant and seek their approval.
30 days	<ul style="list-style-type: none"> • Grievance closed out • Database updated

A grievance is closed out when no further action can be or needs to be taken. Closure status will be entered into the Grievance database as follows:

- *Resolved* – resolution has been agreed and implemented and signed documentation is evidence of this.
- *Unresolved* – it has not been possible to reach an agreed resolution and the case has been authorised for close out by the Minister.
- *Abandoned* – cases where the attempts to contact the Complainant have not been successful for two months following receipt of formal grievance.

GRIEVANCE REPORT FORM

Received by: _____

Date Received: _____

Reported by: _____

Database ID: _____

Responsible Agency: _____

Staff Name: _____

Location: _____

	Village	First Name, Last Name	Contact Details
Complainant(s)			
Suco Chief			

Acknowledged by: _____

Date Acknowledged: _____

Description of Concern:

.....

Category:

Compensation/Land Access/Inadequate Notification/Disruption to Property/Environmental
Damage/Construction Activities/Safety Risk /Traffic/Other

Proposed Resolution or Feedback:

.....

Complainant satisfied with process? Yes ☐ No ☐ Why not?.....

Complainant satisfied with outcome? Yes ☐ No ☐ Why not?

Print Name (Complainant): _____

Signed (Complainant): _____ Date: _____

Signed (MOEYS Officer): _____ Date: _____

Copied to: _____

Annex D Resettlement Policy Framework (RPF) including Voluntary Land Donation Protocol (VLD)

I. Background

The project has been designed to avoid to the greatest extent the need to use land other than schools or Government owned land or land owned by substantial land owners with whom equitable negotiations towards either “willing buyer – willing seller” or “voluntary land donation” can be executed. However, if additional land is required and the landowner is not a beneficiary of the project and the pre-requisite for negotiated settlement are not satisfied (however, it is considered very unlikely), involuntary land acquisition processes need to be applied. Involuntary Resettlement in Timor-Leste is extremely time consuming and can lead to social unrest and substantial project delays which is part of the reason the MoEYS has no intention of applying eminent domain for the purpose of land acquisition. Notwithstanding this, it is possible that involuntary land acquisition may be required and the requirements of this Resettlement Policy Framework (RPF) will need to be implemented.

The project will finance small infrastructure works stated in the project description. It is possible the target schools will require additional lands to build new classrooms or other school facilities due to their limited land size. In this case, land acquisition may happen. Project components have specifically been selected to minimize land acquisition issues. No structure affected, no physical relocation or loss of income is expected from the implementation of the project.

The land needed for the infrastructure works is expected to be either owned by the school or by the Government. In some instance however private or customary land may be traversed. In this rare circumstance, a negotiated arrangement culminating in a “willing buyer – willing seller” transaction or voluntary land donation (VLD) will be the mechanism. In most cases, the only private land traversed will be owned by the beneficiary households. Any VLD will follow guidance provided in the ESMF.

If involuntary land donation is unavoidable, a Resettlement Policy Framework (RPF) should be followed to prepare an abbreviated Land Acquisition and Resettlement Action Plan (LARAP).

II. Objective, Definitions and Key Principles

The guiding principles for the project are that involuntary resettlement is to be avoided or minimised. Affected people should be better off or at least as well off as before the project. All persons affected by the project are to be consulted throughout the project, have the opportunity to participate in planning, and to share in project benefits. The project should contribute to sustainable development. The principles entrain a process of early identification of stakeholders, and in particular of affected peoples; frank and effective public disclosure of any known impacts; consultation and participation to avoid or mitigate negative impacts identified, and to ensure that no person or impact is overlooked; fair, transparent and timely intervention to support affected peoples during implementation, land acquisition and livelihood restoration; and commitment where possible to improve upon the status quo, particularly for those who may be vulnerable by reason of poverty, ethnicity, gender, age, disability, or social status.

III. World Bank Policy

World Bank (WB) resettlement policy starts from the principle of restoration or improvement of livelihoods at replacement cost, rather than current value, recognizing not only financial and physical assets, but also the environmental, social, and cultural assets of an individual, irrespective of gender, ethnic or social status, in the resettlement context. The Involuntary Resettlement Policy (OP 4.12) enjoins avoidance and minimization of adverse impacts not only because it is less costly, but also because it avoids damage to the less tangible and hard-to-value aspects of livelihoods and cultures. WB resettlement policy has a positive objective of sustainable development, which particular regard for the vulnerable.

IV. Legal Gap Analysis

Currently there are no specific laws on involuntary land acquisition and compensation, although the proposed Expropriation Law would be the most relevant one but still under the parliament for approval. Though no written policy yet, when any works required land in the past, the Government negotiated with the owners or users including informal settlers on a case by case basis. According to past practice, when land was required for project development, concerned parties under the direction of local authorities (district and sub-district Land and Property Units and village) negotiated and reached agreement on compensation rates, total compensation amount, and the procedures or mechanism for compensation and transfer. In addition to these laws, any land acquisition/resettlement activities under this project will follow the procedures outlined in the World Bank's OP 4.12 on Involuntary Resettlement.

The project has been designed to avoid to the greatest extent the need to use land other than school's or government owned land or land owned by substantial land owners with whom equitable negotiations towards either "willing buyer – willing seller" or "voluntary land donations" can be executed. It is also possible that involuntary land acquisition may be required if additional land is required and the landowner is not a beneficiary of the project and the pre-requisite for negotiated settlement are not satisfies (however, it is considered very unlikely), or where land acquisition is for some reason restricted and involuntary land acquisition processes need to be applied. With the absence of national regulation on involuntary land acquisition, A Resettlement Policy Framework (RPF) following the WB OP 4.12 on Involuntary Resettlement will provide an umbrella on involuntary land acquisition process for this project.

V. Approach to Land Acquisition

The RPF applies to the project. In most cases it is anticipated that the land required for project delivery will be obtained via Voluntary Land Donation (VLD) or negotiated arrangements – generally "willing buyer – willing seller", in which case specific requirement will apply. An abbreviated Land Acquisition and Resettlement Action Plan (LARAP) will only needed in the unlikely event of involuntary land acquisition being required for activities funded by the project. These approaches and their key characteristics are shown in table below.

Table 1. Land access arrangements and key characteristics

Land access arrangement	Key characteristics and documentation requirements
Voluntary Land Donation (VLD)	<ul style="list-style-type: none"> • Minor impacts <10% impact on any individual household or land user • Document to demonstrate compliance with VLD protocol (see appendix 1 of this RPF)

	<ul style="list-style-type: none"> ○ Establish informed consent of the person (s) donating the land. Power of choice is a fundamental foundation of VLD. ○ Land owner(s) donate the land for the purpose of the project which would benefit the community ○ Determine and document the appropriateness of VLD in the context of Project ○ Due diligence on owners and users of land donated ○ Full consultation and disclosure ○ Document the legal transfer of land donated ○ Grievance Redress Procedure and Mechanism
Negotiated arrangements generally “willing buyer – willing seller”	<ul style="list-style-type: none"> • Not significance impacts • Documentation to demonstrate: <ul style="list-style-type: none"> ○ Establish informed consent of the person selling the land ○ Land owner(s) provide a legally binding agreement for the provision ○ May be accompanied by one-off or ongoing payment or other compensation for the provision ○ Due diligence on owners and users of land to ensure correct parties are a part of the negotiated agreement ○ Full consultation and disclosure (possibly without financial terms) ○ Documentation of negotiated arrangement required ○ Grievance Redress Procedure and Mechanism
Involuntary Land Acquisition	<ul style="list-style-type: none"> • No projects supported by the Bank project will create significant resettlement (or environmental impacts) • Detailed abbreviated LARAP to be prepared which documents: <ul style="list-style-type: none"> ○ Description of the project activity causing involuntary resettlement and explanation of efforts to avoid or minimize involuntary resettlement associated with the project (alternative project designs considered) ○ Range and scope of potential adverse resettlement impacts ○ Census information on affected persons ○ Description of asset valuation procedures and specific compensation rated (or alternative measures) for all categories of affected assets ○ Other assistance measures, if any, necessary to provide opportunities for livelihood restoration for affected persons ○ Assistance to affected commercial enterprises ○ Eligibility criteria for compensation and all other forms of assistance ○ Land donation arrangements and documentation requirements, if relevant ○ Organizational arrangements for implementation ○ Consultation and disclosure requirements and arrangements

	<ul style="list-style-type: none"> ○ Resettlement implementation schedule ○ Cost and budget ○ Monitoring arrangements ○ Grievance procedure ○ Summary entitlement matrix
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VI. Preparing LARAP

If involuntary land acquisition is required for the project, a LARAP will be prepared to document the matters identified in above table. The LARAP(s) will be prepared having regard to the following: Responsibility for preparation, implementation and monitoring of LARAPs (including responsibility for meeting all associated costs with their implementation), in accordance with this RPF, rests with MOEYS. As necessary, MOEYS will coordinate actions with any other agencies involved to ensure timely and effective LARAP implementation.

Preparation of the LARAP begins as soon as it is determined that involuntary land acquisition is essential to complete any of the project activities and shall be finalized prior to the commencement of any works to carry out said project activities. PMU will carry out, or cause to be carried out, a census survey to identify and enumerate Affected Persons and to identify and inventory land and other assets to be required. The census must cover 100% of the affected persons. The census also establishes whether any affected persons are significantly affected by loss of productive land, whether any commercial enterprises are affected, or whether any households will be required to physically relocate.

The LARAP will be prepared in accordance with the policy, principles and planning and implementation arrangements set forth in this RPF. The LARAP is to be based on accurate baseline census information, and establishes appropriate mitigation measures (e.g., compensation at full replacement cost for loss assets, transitional assistance for relocation, and transitional assistance for livelihood restoration, and transitional assistance for commercial enterprises) for all relevant categories of adverse impacts.

VII. Communal Land Acquisition – Guiding Principles

Given the prevalence of customary (communal land) in Timor-Leste, the following guidance is provided for the preparation of LARAPs for this project:

- a) The World Bank's Voluntary Land Donation protocol (see Appendix 1) is to be applied in full where land donation anticipated to allow project delivery.
- b) Alternatives to land acquisition are considered. Especially where replacement land is scarce or non-existent, or where customary land tenure is deemed inalienable, negotiated agreements for long-term lease, even for alternative infrastructure siting, should be considered.
- c) Where communal land must be acquired, collective compensation may be appropriate. Under such conditions, compensation is used solely for appropriate community purposes, or is distributed equitably among community members. The LARAP describes arrangements for usage of collective compensation.
- d) Individual users and occupants of acquired communal land are identified in the census prepared for the LARAP and the LARAP describes mitigation measures or negotiated agreements providing for restoration of their livelihoods or living standards.

- e) Where replacement land does not exist, it will be impossible to establish a technical valuation for replacement cost. The LARAP will describe alternative means used for valuation. This may include negotiated agreement with affected communities.
- f) If relevant, the LARAP describes any changes that may occur regarding land use and tenurial arrangements for remaining communal land in project-affected areas.
- g) The LARAP describes a process by which conflicting claims to ownership or use rights will be addressed.

VIII. Entitlements

Eligibility of an individual entitlements under this RPF will relate to their:

- Loss of land, whether an owner, lessee or informal occupant.
- Loss of trees or other plants, whether on owned, leased or informally accessed land.
- Loss of land-based improvements – houses, shelters, business buildings, also irrespective of the ownership status of the land.
- Loss of access to commons and reserves, e.g. road reserves, whether or not legally encroached, and restricted areas.

Eligibility for loss of non-land assets, whether temporary or permanent, will be recognized for project-induced impacts on:

- An individual's business or income.
- Soil or water quality changes that impact the individual's livelihood activities in the direct or indirect impact area.
- Air, light or noise pollution, or restrictions on access to social or economic resources that impact property values and amenity.
- Access to resources due to quarrying operations.
- Any other assets or elements of livelihoods recognized in Timor-Leste law and in WB Operational Policy that may be discovered during disclosure and consultation.

Persons demonstrating that they will suffer losses from any of these causes as at the cut-off date for entitlements will be regarded as eligible for resettlement assistance. Losses from encroachments or activities commenced after the cut-off date for the respective projects will not be eligible. Table 2 summarizes eligibility and entitlements for AAPs.

Table 2: Entitlement Matrix

Type of Impact	Entitled Person(s)	Entitlements
Temporary use of land.	Legal/customary landowners/land users	Will only occur with agreement with landowners/APs. Affected landowners/APs will be paid rent on terms negotiated and agreed with them. The land will be returned to respective landowners/APs after its restoration.
Permanent acquisition of	Legal owner(s)/customary landowners Informal settlers (e.g. on land acquired	Landowners will be provided equivalent size and quality of land, or cash

land	for ROW) with no legalizable rights	compensation at replacement cost. APs will be provided compensation for their damaged non-land assets (e.g. crops, trees, and structures) on project- affected land.
Loss of crops and trees	All APs irrespective of their legal status	APs will be given notice to harvest crops and trees before site clearance or removal from required land. If APs are not able to harvest, they will be paid cash compensation at replacement cost. In case of perennial crops and trees, the compensation will also include loss of income for a period until new crops or trees produce an equivalent income
Loss of structures (only a few roadside markets are expected to be affected)	All APs (whether having legal title to land or not)	APs will be provided compensation at replacement cost without deductions for depreciation or salvaged materials and assistance in finding an alternative site. It will be ensured that replacement structures are ready to move before relocation of existing structures. In case business activities are disrupted, the business owners will be provided disruption allowance for the duration of business being disrupted.
Displacement of community structure (if any)	Community representatives identified by the social impact assessment	Affected structures will be restored in consultation with community or the affected community will be provided with cash compensation at replacement value without deductions for any materials salvaged. Community will be assisted in dismantling and relocating structure/property.
Impacts on vulnerable APs	Vulnerable AP households identified by social assessment.	Vulnerable households will receive (i) priority employment in project construction and maintenance works; and (ii) additional cash allowance to purchase foodstuffs during the period of income disruption. Amount to be confirmed in the RP for each road/bridge.
Unforeseen impacts	Concerned affected persons	These will be determined as per the principles of the RPF

IX. Implementation Arrangements

Implementation arrangements such as a time-bound implementation schedule of all activities relating to all land acquisition shall be included at the development of a LARAP. Finalization of land and asset transfer (as relevant) as well as any associated payments (such as where there is a “willing buyer-willing seller” arrangement etc.) should be completed at least one month prior to land acquisition. If there is a delay of one year or more between land or asset valuation and payment of compensation, compensation rates will be adjusted for inflation purposes.

X. Process for negotiation of Voluntary Land Donations (VLD)

Clear parameters are defined in the VLD protocol in Appendix 1. MOEYS will ensure that the requirements of the protocol are met for land is acquired via VLD. Where land is leased via negotiation, MOEYS will need to ensure the following matters are considered and documented:

- ☐ Establish informed consent of the person(s) donating the land. Power of choice is important
- ☐ Land owner(s) provide a legally binding agreement such as a lease or right of way over the land for the purposes of the project.
- ☐ May be accompanied by one-off or ongoing payment or other compensation for the provision
- ☐ Due diligence on owners and users of land to ensure correct parties are a part of the negotiated agreement
- ☐ Full consultation and disclosure (possibly without financial terms)
- ☐ Documentation of negotiated arrangement required.
- ☐ Grievance Redress Procedure and Mechanism.

XI. Budget and Costs

MOEYS bears responsibility for meeting all costs associated with involuntary land acquisition. Any LARAPs require a budget with estimated costs for all aspects of their implementation. All APs are entitled to compensation or other appropriate assistance and mitigation measures, regardless of whether these persons have been identified at the time of resettlement planning, and regardless of whether sufficient mitigation funds have been allocated. For this reason, and to meet any other unanticipated costs that may arise, the LARAP budget shall include contingency funds, i.e., at least 10% of estimated total costs. Compensation must be paid promptly and in full to the APs. No deductions from compensation will occur for any reason. The LARAP is to describe the procedures by which compensation funds will flow from MOEYS to the APs.

XII. Approval of LARAP(s) by the World Bank

All LARAPs will need to be submitted to the World Bank for its clearance and review – and full entitlements delivered - prior to any project works commencing on the land (or affecting any other aspect such as livelihoods) to which the LARAP applies

XIII. Disclosure and consultation on the RPF

Extensive consultation was carried out during the preparation of the project ESMF and RPF including discussion with key stakeholders including other government ministries, local administrators, and members of potential subproject communities in During these consultations, the various issues associated with accessing land for the purposes of project delivery – especially the focus on

identification and design of projects so that any land impacts would be avoided - were discussed. The ESMF including land aspects was formally submitted to and disclosed on the World Bank's InfoShop and on the MOEYS website in

This RPF will be made available on the WB InfoShop and MOEYS websites, and hard copies available at MOEYS (or other appropriate) offices in project areas.

XIV. Disclosure and consultation on the LARAP

To ensure that the projects contribute to the objective of sustainable development, MOEYS will adopt a comprehensive disclosure and consultation process that includes all stakeholders during project implementation. The consultation process with APs will reveal all foreseeable impacts, and will elicit AP concepts of how mitigation options and resettlement planning can contribute to their aspirations for sustainable restoration or improvement of their livelihoods. In the unlikely event of loss of land, and land-based assets, the aim will be to replace like for like, and if this is not possible, to compensate for lost land, assets and income, and meet the costs of relocation and restoration of livelihoods. Restoration includes not only physical assets, but also social and cultural assets. If there is a risk of disruption of these values, which are often disproportionately encountered by women, the APs will contribute to selection of mitigation and resettlement options to ensure policy objectives are met.

The LARAP must describe measures taken to consult with affected persons regarding proposed land acquisition, transitional assistance, relocation arrangements, and other arrangements, and summarizes results of those consultations. MOEYS will also be required to disclose the LARAP- both the draft and final versions – to the affected persons and the general public in the project area, in a language and location accessible to them. Disclosure of the draft LARAP should occur at least one month prior to Bank review. Disclosure of the final LARAP occurs following WB acceptance.

XV. Monitoring Arrangements

Monitoring arrangements will be established in the LARAP to assess the effectiveness of LARAP implementation in a timely manner. Monitoring includes review of progress in land acquisition, payment of compensation, provision of transitional assistance, and functioning of project grievance procedures. The LARAP should establish the frequency of monitoring activities. Monitoring should be conducted by an individual, firm, or community organization not directly affiliated with MOEYS. Any issues or problems associated with LARAP implementation that are observed in the monitoring process will be reported to MOEYS and the WB project team.

Prior to project completion, the monitoring process will assess whether livelihoods and living standards of affected persons have been improved, or at least restored. If these objectives have not been achieved, MOEYS identifies plans and implements supplemental measures necessary to achieve satisfactory outcomes.

XVI. Grievance Procedures

During the course of the project it is possible that affected persons or communities may have concerns with the project's social or environmental implementation occurring during construction and possibly during operation.

Any LARAP or other documentation prepared to meet the requirements of this RPF will include details of the specific GRM process applying to that activity. This GRM process will need to ensure

that any concerns are addressed quickly and transparently, and without retribution to the affected parties.

World Bank funded projects are required to implement a GRM to receive and facilitate resolution of affected peoples' concerns, complaints, and grievances about the project's performance, including concerning environmental and social impacts and issues. The mechanism ensures that: (i) the basic rights and interests of every affected person by poor environmental performance or social management of the project are protected; and their concerns arising from the poor performance of the project during the phases of design, construction and operation activities are effectively and timely addressed.

In the early stages of engagement, project stakeholders and affected communities must be made aware of:

- ☐ how they can access the GRM;
- ☐ who to lodge a formal complaint too;
- ☐ timeframes for response;
- ☐ that the process must be confidential, responsive and transparent; and
- ☐ alternative avenues where conflicts of interest occur.

The grievance process is based upon the premise that it imposes no cost to those raising the grievances; that concerns arising from project implementation are adequately addressed in a timely manner; and that participation in the grievance process does not preclude pursuit of legal remedies under national law. Local communities and other interested stakeholders may raise a grievance at any time to MOEYS or the World Bank's Inspection Panel.

Communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org

XVII. Voluntary Land Donation Protocol (VLD)

This Voluntary Land Donation Protocol (VLD) has been prepared by the World Bank for the purpose of due diligence. For cases where communities and/or individual landholders have offered to donate their land for the project because it is of benefit to the broader community, the World Bank's Voluntary Land Donation Protocol (VLD) should be followed. The project team is to exercise their best judgment where voluntary land is offered and conduct due diligence to avoid adverse impacts and reputational risks. Donations are based on the premise that the project benefit will offset or outweigh the loss of the land donated.

VLD is only suitable for community driven projects where the landowner and/or community wish to ‘gift’ land parcels or small areas for small-scale community infrastructure that will be of direct benefit to the donor’s community.

When VLD is Applicable

Voluntary donation of land by beneficiary households is acceptable where:

- It has been verified the donation did not result from any form of coercion or manipulation and is offered in good faith;
- The donation does not severely affect the living standards of the community and/or individual landholder responsible for the donation (i.e. impacts are marginal based on percentage of loss and minimum size of remaining assets);
- Alternatives and the viability of other locations or sites have been considered;
- The donation does not result in the displacement of households or cause loss of income or livelihood;
- The landholder/s making the donation will directly benefit from the project;
- Consultation has been conducted in an open and transparent manner and to a degree that the landholder/s can make an informed choice;
- The land is free from disputes regarding ownership or tenure;
- Land transactions are supported through the transfer of titles;
- Full and proper documentation of all consultations, meetings, grievances and actions taken to address grievances has been reviewed and made available;
- Where impacts are minor and other alternative sites are not viable.

When VLD is NOT Applicable

VLD is not applicable under the following scenarios:

- Medium/large-scale infrastructure particularly in cases where a government agency or entity that has a statutory obligation to provide the infrastructure and/or services for which the land is required
- Where inadequate consultation with donors results in lack of understanding about the terms and conditions of the donation;
- In lieu of formal procedures for land acquisition where these do not exist;
- Where donor property owners, landowners or customary rights holders do not support, or will not directly benefit from, the Project;
- Where conflicts over land exist, including customary collective ownership;
- Conflicting land titling that make it difficult to establish with certainty who has a right to own, donate and use a specific parcel of land;
- Where donors did not provide their informed consent and were subject to political or social pressure and coerced into making the donation.

Process for Voluntary Donation

This section provides guidance on the process for VLD, namely on how to:

- Determine and document the appropriateness of VLD in the project context;
- Verify the requirements of the donation and the formalization of the donation;

- Carry out due diligence on the owners and users of land donated;
- Ensure appropriate consultation and disclosure;
- Establish informed consent of the person donating the land; and
- Establish grievance redress mechanism.

This section outlines the process that should be followed once the threshold considerations set out in Section 1 have been considered, and it has been determined that it is appropriate for the land to be provided to the project by voluntary donation.

It is necessary to follow a clear process for the donation, and to prepare and maintain documents that demonstrate such process. Each step set out below should be addressed in the context of the specific project, and fully documented.

(i) Determine and document that VLD is appropriate in the circumstances of the project.

The team should record the reasons why it thinks that the donation of land is appropriate for the project. In certain cases, only some of the land the project requires will be donated or alternatives to land donation exist. The project team should identify (in as much detail as possible):

- What the land will be used for;
- How much land the project will require on both a permanent and temporary basis;
- How much of the land will be donated;
- What alternatives to donation exist (e.g., right of use, right of way);
- The terms of the donation;
- The identities of the parties who intend to donate;
- The beneficiary of the donation; and
- Any details that are relevant to why donation may be appropriate.

(ii) Verify the requirements to transfer, and formalize the transfer of, the land

It is important to understand the process that should be followed to transfer the land, and appropriate ways to formalize the transfer so as to achieve certainty for both the transferee of the land and the project. In many countries this will require consideration of the legal and administrative requirements but also, particularly in the case of customary land, local and community processes. In some cases these will constitute two different but parallel (and overlapping) systems and a process will have to be established to ensure that the requirements of each system are satisfied. An important consideration will be how transparent the process and the decision making process actually is, and what can be done to enhance the process.

(iii) Conduct due diligence on who owns and uses the land

Given the specific issues surrounding land ownership and use in the PICs, it is important that the project team carries out careful due diligence to understand the type of land rights that exist in the project area, and to identify any particular issues relating to land ownership and use. Thereafter, a more specific due diligence must be conducted on each parcel of land proposed for donation to identify:

- The owner or owners of the land;

- The users of the land, or any parties that occupy the land (either physically or through ownership of an asset or conduct of livelihood or business activities on the land);
- Any competing claims of ownership or use;
- Structures and assets on the land;
- Any encumbrances on the land.

It is important to: (a) identify the right that is being transferred (an ownership right, a use right, a right of way, etc.); and (ii) check whether the transferee actually has the right s/he claims to have. In many circumstances where careful due diligence has not been carried out, significant conflict has arisen at a later stage when another party claims that they have the same or a competing right. In some circumstances – but not all – the transferee will have documentary evidence of such right. Where no such evidence exists, the due diligence can establish rights by speaking with local community officials and neighbors.

(iv) Disclosure and Consultation

The decision to donate must be taken on the basis of a full understanding of the project and the consequences of agreeing to donate the land. Accordingly, the parties that will be affected by the donation (the owners and users of the land) must be provided with accurate and accessible information regarding what the land will be used for, for how long, and the impact the donation will have on them and their families. It is important that prior written notification indicating the location and amount of land that is sought be provided and that its intended use for the project is disclosed.

Where the intention is to deprive the parties affected by the donation of the land permanently, or for a significant length of time, this must be made clear. It should be noted that in many communities the concept of alienation of land is uncommon and difficult to understand, and care needs to be taken to ensure that the implications of this are fully understood. It is also important to decide who else should be consulted about the proposed donation; for example, spouses and older children.

There should be a clear agreement as to which party will pay the costs associated with the donated land. This could include measurement costs, documentation and notarial fees, transfer taxes, registration fees. It should also include the costs of re-measuring/re-titling the transferee's remaining land and any new documentation relating to it.

(v) Establishing Informed Consent

It is crucial that the project team is confident that the decision to donate was taken in circumstances of *informed consent or power of choice*. As discussed earlier, this means being confident that the owner(s) or user(s) of the land understand:

- What the land is going to be used for, by whom and for how long;
- That they will be deprived of the ownership or right to use the land, and what this really means;
- That they have a right to refuse to donate the land;
- Whether there are alternatives to using this land;
- What they will need to do to donate the land (e.g., execute documents, get spousal consents, pay taxes);
- The effect of the donation on their family, and what they can do if they (or their family or heirs) want the land back.

- The exact demarcation of land boundary for the project's use;
- Whether there are proposals which would allow other land to be used;
- What they will need to do to donate the land;
- The intergenerational effect of the donation on their family, what they can do if they (or their family or heirs) want the land back

The terms and conditions of the land donation must be mutually agreed upon and detailing in a written agreement.

(vi) Documentation

It is necessary to distinguish between: (a) the agreement to donate the land; and (b) the document that carries out and evidences the legal transfer of the land. While it is important to have evidence of an intention and agreement to donate the land, it is equally important to ensure, where required and appropriate, that the land is legally transferred. While the process relating to the legal transfer of the land is frequently complicated and time consuming, it must be addressed. [In specific circumstances, for example where the land is being transferred to the community, it may not be necessary to legally transfer the land. However, experience indicates that lack of formal transfer can create significant uncertainty in the future, which impacts on the sustainability of the infrastructure and services, and can have a negative effect on community relations.]

To ensure that any land provided for the siting of subprojects is contributed voluntarily, in accordance with the requirements of the ESMF, two representatives of the landowners (family or clan) are asked to sign a Land Commitment Letter (see below). This certifies that the land is voluntarily donated for the purposes of the subproject and for the benefit of the community. The signature of the Letter is witnessed (as attested by their signature) by a suitable project representative.

The project team should:

- Identify the appropriate documentation, including the agreement to make the transfer and any legal documentation that may be required;
- Ensure that the agreement:
 - Refers to the consultation has taken place;
 - Sets out the terms of the transfer;
 - Confirms that the decision to transfer was freely made, and was not subject to coercion, manipulation, or any form of pressure;
 - Attaches an accurate map of the land being transferred (boundaries, coordinates);
 - Sets out who will bear the costs of the transfer (e.g., notarial fees, taxes, title issues) and documenting the residual land rights.
- Ensure that all necessary parties sign the documents, including obtaining consent from spouses and children over a certain age;
- Ensure that the transfer and title is registered or recorded; and
- Ensure that the land remaining after the donated land is excised is properly titled, registered or recorded.

It is also important to maintain a record of the process that has been followed. Such documents could include the following:

- The notification indicating the location and amount of land that is sought and its intended use for the project, with a record of when and where this was made public;
- Records of the consultations that were held and what was discussed;
- A copy of the due diligence that was conducted;
- Copies of each of the formal statements of donation, establishing informed consent as described above, and signed by each owner or user involved;
- Copies of all documents, registrations or records evidencing the legal transfer of the land; and
- A map, showing each parcel of land.

The Project implementing agency should maintain a record with documentation for each parcel of land donated. Such documentation must be available for World Bank review, and for review in relation to any grievances that may arise.

(vii) Grievance Arrangements

Grievances may be referred to customary conflict mediation arrangements where they are not directly affiliated with traditional leaders who are a party to the donation process. Refer to Grievance Redress Mechanism (GRM) in **Annex C** of the ESMF.

Attachment 1

REPORT FORMATS FOR LARAP

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1. Project Description
2. Census Survey of PAPs and assets lost
3. Compensation and resettlement assistance description
4. Consultation with PAPs about compensation alternative
5. Institutional responsibility for implementation and procedures for grievance redress
6. Arrangements for monitoring and implementation
7. Schedule and funding

Appendix

1. Relevant Minutes of Meetings
2. Documentation of socialization meeting
3. Flow chart of Procedure for Grievance
4. Form of monitoring report
5. Other supporting data

LAND DONATION COMMITMENT LETTER TEMPLATE

Date: _____

Village, Province: _____

I/We _____ [name(s)] acknowledge, I am/we are the rightful representative(s) of the land located at _____,

I/we confirm, I/we have the right under custom law, with agreement of community leaders, to *gift* this land for the purpose of _____ and sign this letter as a commitment of our voluntary donation that will benefit our whole community.

I/we declare that:

I/we have the right to transfer rights to use or access this land;

I/we understand that all residents will have access to this site and in order to maintain the asset/infrastructure;

I/we commit ourselves in upholding the contents and spirit of this agreement for so long as it remains in force;

I/we understand this donation is a gift that will benefit our whole community and understand no compensation payments will be made now or in the future;

I/we understand that dishonoring this agreement could result in project termination.

Details of the land (size in sqm, location in village, structures, Type – unused, bush, garden)

For the purpose of: (specify activity)

For the duration of: (specify commencement date and duration)

*Natural Resources Donation (optional) [This may require a separate agreement form depending on the context, quantity being donated, and number of resource owners]

I/We _____ are the rightful resource owner(s) of natural resources (e.g. sand, gravel, rocks, timber) located at _____ that are also being donated to the project.

I/We commit to donating _____ as a contribution for the project.

Signed:

Position	Signature	Name
Male Household head		
Female Household head		
Landowner^		
Clan or landowner representative (if applicable)		
Resource Owner (1)*		
Resource Owner (2)*		
Suco Chief		
Govt/Project Representative		
Witness		

^(append list of all custom owners if relevant)

XVIII. Land Use Agreement (LUA)

A Land Use Agreement (LUA) may be required where (i) subprojects or activities require access on a permanent or temporary basis to certain sites on customary land; (ii) no suitable alternative sites exist; (iii) customary landowners have agreed for the land to be used for a specific purpose for the benefit of the whole community; and/or (iv) any other situation where it may be deemed the most appropriate instrument for the local context.

The LUA does not apply when state- or privately-owned land will be utilized or needs to be acquired or leased (LARAP) or national process to be followed in these circumstances). However, where formal land use or leasing agreement are being delayed due to circumstances outside the MOEYS control, the LUA may provide a 'stop-gap' or temporary safeguard instrument, subject to approval by the Bank.

It is important that absentee landowners are engaged, and that a suitable witness (non-clan member) signs the agreement.

The process used to enter into the LUA is as follows:

- Share the rationale for the subproject and its proposed siting, and seek the granting of access of the necessary land by the landowning clan or household;
- Village representatives of the community organize a meeting with the representatives of the specific clan/s who have customary ownership of the proposed land or access-way;
- Any persons with fixed physical assets on the land/proposed site, but not considered a landowner, is involved in meetings and their rights are taken into consideration;
- The meeting would discuss the proposed subproject with the landowning clan or household to reach an understanding that the subproject is for the benefit of the whole community and access of land (either permanent or temporarily) is required;
- The payment of access fees should be discussed and agreed in writing (if applicable);
- The landowners would be clearly notified that the agreement to allow land access should be completely voluntary and the specific timeframe should be mutually agreed too;
- If agreement to proceed is reached, then a LUA will be entered into between the clan, the other clans and the leader of the community;
- The LUA should be endorsed by the Suco Chief or equivalent;
- The signed LUA will be submitted as part of the subproject proposal.
- The LUA is submitted to the local magistrate or equivalent for certification.

Exit Strategy and Grievances

If all landowner parties are in disagreement about the land or conditions of LUA, or if landowners are excluded from initial discussions then the subproject will not proceed and the grievance process must be followed where relevant.

LAND USE AGREEMENT TEMPLATE

Project: _____

District: _____

Location

Land

Parcel

.....

Land	Title	Reference	or	GPS	Coordinates
.....					

Dear Sir/Madam,

- 1) We, the undersigned being the representatives of the hereby acknowledge that..... have the right under the customary law to make decisions on the land known as for the purpose of with the rights to the receive the proceeds of any development or other conducted on the said land. We certify that all members of the village agree to the truth of this certificate and that we are the persons authorized to sign it.

-
- 2) We, the undersigned being the representatives of clan of

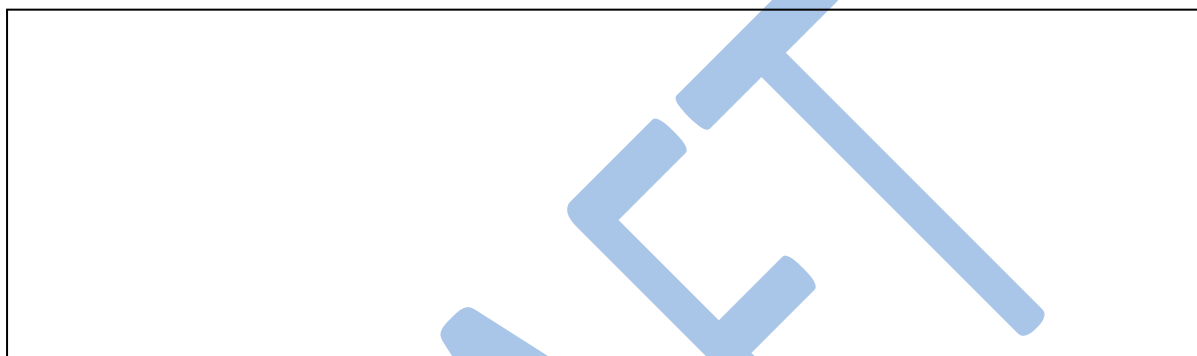
..... Village,

District, hereby declare that;

- (1) We have the right under customary law to allow access or use of the land for the purpose of (project name) and agree to allow access to to support this project (entity);
- (2) That we undertake not to interfere in any manner on any activities or developments undertaken by ouron the said parcel of land;
- (3) That we understand the use of natural resources located on the said land (edible or non edible plants/shrubs, sand, gravel, rocks, timber, water sources, bush materials and other organic matters) will be usedfor the purpose of the project;

- (4) That we understand rental payment of will be made by for right of access to the said parcel of land (put nil if no rent is expected);
- (5) We commit ourselves in upholding the contents and the spirit of this agreement for so long as it remains in force;
- (6) We will undertake efforts to convey the contents of this agreement to members of the village/s or clan/s and to ensure that they so honour it.

Sketch of land parcel (including assets, structures, crops, etc):



Infrastructure

Details of infrastructure *funded by Govt*:

.....

.....

Ongoing Maintenance

Responsibility of landowner (detail of specific infrastructure)

.....

.....

Responsibility of MOEYS (detail of specific infrastructure)

.....

.....

Timeframe/scheduling arrangements

.....

.....

3) SIGNATORIES

I/we hereby sign confirming that the above is true and correct:

Party	Name	Signature	Date
Landowner			
Suco Chief/Village Representative			
Project Representative			

4) WITNESSES

We, the undersigned being representatives of clan (who share the land boundary with clan) hereby declare that by Customary Law, we are rightful owners of the land known as “.....” located at Village District and that it has the right by customary law to transfer/ lease the said parcel of land.

Project Partner	Name	Organisation
PMU Representative		
District Officer		
Local Representative		

Made under our hands these agreements:

This _____ day of _____ 20__ at _____
village _____ District _____ in _____.

Submitted to:

On this _____ day of _____ 20__ at _____.

Annex E Terms of Reference for MOEYS Safeguards Specialist

BACKGROUND

ASSIGNMENT DESCRIPTION: Terms of Reference for Safeguards Specialist

Specific Tasks

Detailed duties include:

- i. The provision of guidance to MOEYS for the preparation and implementation of environmental and social safeguards in projects so that environmental and social considerations are effectively mainstreamed into the Project.
- ii. Carry-out awareness rising and capacity building within MOEYS and local planning and implementation agencies, on the World Bank's social safeguard requirements and procedures in general, and on the World Bank -supported activities in particular.
- iii. Provide guidance to and supervision of local planning and implementation agencies on implementation of social and environmental safeguard issues and requirements following the World Bank's and national policy frameworks.
- iv. Review documents to confirm that MOEYS has the required standards of safeguards reporting by staff and consultants.
- v. Assist MOEYS to prepare corrective measures in terms of compliance with safeguard requirements which may be identified by monitoring reports, mission findings and others sources.
- vi. Advising MOEYS when environmental and social impacts created by the project are not being effectively managed.
- vii. Prepare progress reports for MOEYS

The TOR will be detailed once the hiring process take place.

Annex F Standard Operational Procedure for Community Based Construction/Management

TBA – task team to provide

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Annex G Environmental Code of Practices

This Annex describes environmental codes of practices that are based on good environmental management practices. The BEST activities or sub-projects should use these practices to minimize negative environmental impacts. These good practices are provided as examples, but measures are not limited to the ones described here. Some measures will be locally specific and can be adapted using the best locally available technology.

- a. Environmental Duties of Contractors
 - Compliance with all relevant legislative requirements in Timor Leste
 - Implementation of this ECOP for the duration of the construction period
 - Report the monitoring records to PIU
 - Employ and train suitably qualified staff to take responsibility for the ECOP
- b. General Conditions
 - Use only legal timber for construction
 - No chainsaws should be used
 - Do not use any materials that contain asbestos
- c. Site Screening
 - Consider potential water pollution
 - Protect wetlands from infrastructure construction
 - Prevent pollution in nearby habitats
 - Respect protected areas
- d. Construction Site Management
 - Keep construction sites free of hazards
 - Reduce and control noise
 - Make efforts to control dust during construction
- e. Noise and Vibration
 - Contractor will be required to maintain all vehicle exhaust systems and noise generating equipment in good working order and maintained regularly;
 - Prohibition of any construction activities between 9pm and 6am;
 - Contractor will prepare a schedule of operations that will be approved by affected stakeholders. The schedule will establish the days, including identifying days on which there should be no work, and hours of work for each construction activity and identify the types of equipment to be used;
 - Workers will be provided with noise abatement equipment as may be required; and
 - Any complaints regarding noise will be dealt with by the School or PMU in the first instance through the redress grievance mechanism.
- f. Air Quality
 - Mask provision for students and school staffs
 - Prohibition of burning debris or waste materials in proximity to schools or nearby villages
 - Reduce dust generation through application of water where practical
 - Cover stockpiled materials and secure debris with tarpaulins

- Limit heavy vehicle movements and idling
 - Identify asbestos risk and hazardous materials to be handle only by qualified or appropriately trained persons
- g. Water Supply
- Always practice good watershed management
 - Protect and manage forested watersheds
 - Do not allow outsiders to clear large forest areas in hilly and mountain watersheds
 - Protect primary forest in watersheds
 - Protect water sources from pollution and contamination
 - Share scarce water sources between different users
 - Locate dug wells a safe distance from septic tanks
 - Always provide good drainage at public and yard taps
 - Construct proper drainage systems
 - Keep waste and hazardous materials away from water bodies and do not dispose of waste in creeks or rivers
 - Manage site safety to avoid contamination of drinking water from waste materials and pollutants
 - Wells should always be located upstream of any septic tank soak-away. Minimum 15 m distance from septic tank is recommended to avoid contamination
- h. Sanitation
- Build a complete septic tank system and make sure all parts of the system are working properly
 - Use septic tanks for wastewater treatment and disposal of effluent; properly pump out septic sludge periodically
 - Treat septic tank effluent before final disposal
 - Keep toilets clean
- i. Solid Waste Management
- Collect garbage; do not litter
 - Separate waste at source for recycling
 - Protocol of accidental spills is in place (emergency response)
- j. Erosion and Sediment Management
- Disturb as little ground area as possible and stabilize that area as quickly as possible.
 - Direct storm water around the work site using temporary drains.
 - Install sediment control structures where needed to slow or redirect runoff and trap sediment until vegetation is established. Sediment control structures include sediment catchment basins, straw bales, brush fences, and fabric silt fences.
 - In areas where construction activities have been completed and where no further disturbance will take place, re-vegetation should commence as soon as possible.
- k. Soil Contamination
- Complete construction works during dry season and avoid wet season
 - Re-plant trees and re-vegetate cleared areas immediately after construction

- Properly dispose used construction materials (such as paint, thinner, diesel, etc) to prevent soil contamination
1. Worker Health and Safety
 - The community/contractor must comply with all Timor Leste regulations for worker exposure
 - All staff/workers will be provided with suitable personal equipment for minimizing accidents.

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Annex H E-Waste Disposal Management Procedure

Electronic waste or what is known as E-Waste are electronic goods or electronic equipments that are no longer needed (both still functioning and damaged) and will be disposed of/destroyed. This type of waste is included in the category of hazardous waste because it contains various toxic and dangerous substances such as lead, mercury, arsenic, cadmium, selenium and chrome. Hazardous waste including electronic waste requires special handling. Without proper management in terms of disposal, electronic waste will have a negative impact on the environment and human health.

The following are some electronic goods and equipment that are usually related to ICT (Information and Communication Technology), on which if later are no longer needed and will be discarded, its waste must be handled through an electronic waste management procedure:

- Centralized data processing systems: mainframes, mini computers
- Personal computer equipment:
 - Personal computer (Central Processing Unit with input and output devices)
 - Laptop (Central Processing Unit with input and output devices)
 - Notebook computers
 - Notepad /tablet computers
- Printers, including cartridges
- Photocopy equipment
- Scanner
- UPS and Batteries (computers)
- Electronic typewriters
- User terminals and systems
- Fax machine
- Telephones (including mobile phones/smart phones)

The government needs to ensure that electronic waste (e-waste) is handled properly and all parties including the community and individuals need to participate in reducing, separating and carrying this waste to a specific dumping point (Dropping point) or Temporary Collection Facility and subsequently to be collected by certified waste handling companies.

The procedure for electronic waste disposal are as follows:

- Separate waste/electronic waste from other waste
- Place this electronic waste in a special container or other adequate container labeled E-Waste or Hazardous Waste.
- Place electronic waste in this container into the warehouse.
- Depending on the condition of the used goods/e-waste (especially computers/laptops) - the following steps can be carried out as follows:
 - Granting to certain institutions/non-profit organizations for further use; or
 - Bringing electronic waste to the Warehouse of the Department of Asset and Logistic (MOF) for further process (ie Auction and/or discarded)¹¹

¹¹ /There is one Australian Company which certified to handle hazardous waste (including e-waste) in Timor Leste

The following are procedures for the management of electronic waste from urban areas including those from schools:

- Option 1:
 - Separate waste/electronic waste from other waste
 - Place in special containers (DROPBOX) or other suitable containers
 - Bring waste in the container to a collection point (Dropping Point/Temporary Collection Facility) determined by the Government
- Option 2:
 - "Trade in". It needs to be agreed upon when the procurement transaction of the electronic equipment. The vendor/seller will pick up used equipment when installing new equipment. The vendor/seller will be responsible for the management of electronic waste.
- Option 3:
 - Collected by third parties/certified collection companies

Annex I Community Consultation Minutes and Documentations

Minutes of Meeting of Site Visit to EBF 639 Bebonuk,

District of Dili, on March 23, 2019

The meeting was started at 2:30 PM, with the welcoming guest by the coordinator of the school Mr. Tomas da C. Soares, and continues with the specks from the representative of ministry of education, youth and sport Madam Debbie Katzan, and then the introduction of the World Bank team by Madam Adelaida. In addition, the meeting was participated by parents and teachers with total participants 101 people.

Question and Recommendation:

1. Rosalina da Costa
 - There are several issues need to resolve immediately:
 - The lack of rooms at the schools, 60 students in one room.
 - Student with financial problem, if possible they need the support from World Bank.
2. Olinda Lopes
 - Lack of rooms, it resulted student only come to school 2 hours/day.
 - Unsafe building can be very danger to their children.
3. Graciano
 - Appreciate the program and he suggested this kind of program have to implement as national program (to all the school in Timor Leste) because it necessary to start the development in this country.
 - The learning process disturbing during raining because of flooding.
 - No library, limited rooms, wash facility was so poor, lack of teachers and some of them only volunteer.
 - No office for the teachers etc.
4. Tomas da Conceicao
 - The condition of the school was horrible, specially ceiling.
 - Lack of teacher, 25 teachers included the coordinator of the school.
 - Lack of rooms so there was one room with 71 students.
 - Second floor needs to rehabilitate.
 - Needs to build a new building at free space with 2 more rooms for student.
 - Total student for 2019 was 1175.
5. Rasalina
 - There is no problem for water, but the rehabilitation for toilet and water are required.
 - There are 7 Toilets, 3 for men and 4 for women.
 - Only one waste bin at school.
6. Tomas Pinto
 - The environment of the school has to change.
 - Soil identification must been done, so that if possible the new building will be build vertically.

- No fence to protect the schools.
- Temporary building required when the renovation is ongoing.
- Government has to provide more land to build the school.

Resume:

1. Parents were happy with the program in general.
2. Parents, teachers and local authority requested and suggested to renovate or to rebuild the school ASAP.
3. The school condition is unsafe to student and teachers.
4. Lack of room (60-71 students/room), it result negative impact to the students during learning process.
5. The wash facilities need to rehabilitate, a total 7 toilets, 3 for men and 4 for women, all in bad condition, water is available.
6. The parent requested to provide also library.
7. The parent also requested to provide playground facilities, to avoid student boring at classroom.
8. Limitation of the land, so parent requested to build school in vertical way.
9. The waste bin has been provided at school but waste management was inappropriate.
10. Parent requested financial support for some student.
11. For the learning process, they use Tetum and Portuguese, Tetum is for first year student and Portuguese start at second years/class 2.

Documentations:



Attendance List:

Lista Presença Inan / Aman			
Sabado : 23 de Março de 2019			
tuku : 2.30 to'o ----			
Kona ba: Planu banku mundial ba E.B.F. 639.			
No	Naran Enkarregados	No tlf	Assinatura
1.	Lidia Natalia F. Lelo Viegas	77101008	ful
2.	Lucia Pereira Doufel	77515604	Luis
3.	Meiviana de Jesus	75172109	Manu.
4.	ANBAI	77414127	Py
5.			
6.	Novazia dos Santos Branco	77202620	Nob.
7.	Sabina da Costa	75152172	Luc
8.	Fatima COIHO	75082182	Luc
9.	ROSITA Bran.		Luc
10.	Ursula de Sousa Pente	77121347	Luc
11.	estefania menezes		Luc
12.	Lindalva Vaz		Luc
13.	ALventina Fentus belo		Luc
14.	Filomena Madeira Martins	76655071	Fil
15.	ROSALINA ALVES	-	RWT
16.	Elisa Branco	-	Elisa
17.	Arminda da Costa	-	Luc
18.	Juliana da Silva Boavista	75545087	Ju
19.	Bernardete Martini Pereira	75501902	Bern
20.	Marito Gonçalves	75728417	Mar
21.	IVONIA DA COSTA G.		Luc
22.	CECILIA Tadeu estefania cmai	75852544	Cec
23.	Manuel Maia	77418721	Man
24.	Olimpia	-	Luc
25.	3 Candida de Jesus	75149478	Cand
26.	Lucia de deus	7748765	Luc
27.	Paula Sacramento	7748765	Paul
28.	Domingas Ximenes	77416155	Domi
29.	Guimar e Ximenes		Gu
30.	Ricarnina Pontes	73484844	Ric
31.	Nogueira MENDIS	72752638	Nogu
32.	Cezario A. Cain	75822420	Cez
33.	Elias Amos Lo silveir	75602120	Eli
34.	Vinilo Sene	77053399	Vin

35	Mufelis Calatui	77311959	Handwritten signature
36	Jacinto Guterres Da Costa	77888518	Handwritten signature
37	João Ximenes	77428653	Handwritten signature
38	JOSE COARES	77283224	Handwritten signature
39	MONICA SARMENTO	75163643	Handwritten signature
40	VITORIA GUTERRES		Handwritten signature
41	JOANINA TAVARES		Handwritten signature
42	João Ximenes Gayu	77271332	Handwritten signature
43	Sandra Barros Da C. Baptista	73181052	Handwritten signature
44	ALBERTA MARIA	78918321	Handwritten signature
45	Bolaina mentairo Dasilva	77450009	Handwritten signature
46	Umbelina Pereriy	76156269	Handwritten signature
47	Joana da Costa	75318832	Handwritten signature
48	Miguel Soares De Jesus	75980123	Handwritten signature
49	Mariana M. G. Xavier		Handwritten signature
50	ROSELYNA M.	77273460	Handwritten signature
51	JOSEFA C. LOPES	77289941	Handwritten signature
52	Marquilha dos Santos	77826121	Handwritten signature
53	Matilde Orleaux		Handwritten signature
54	Lora de Carvalho	77609870	Handwritten signature
55	Teodolinda Belo		Handwritten signature
56	João Soares		Handwritten signature
57	TERESA GAMA		Handwritten signature
58	Alexandra A. Da Costa		Handwritten signature
59	MARIA SOARES		Handwritten signature
60	Jacinta G. Rodrigues		Handwritten signature
61	Enx Correia	77693718	Handwritten signature
62	Leonarda Belo Da Rosa		Handwritten signature
63	Filomena dos Santos Pereira	77108918	Handwritten signature
64	Maria Cereza	78317091	Handwritten signature
65	Martim de Cereza		Handwritten signature
66	Dulce Bete Sarmento	77299563	Handwritten signature
67	Cesarina F. Da Costa	77438711	Handwritten signature
68	Olga Maria Maria Matiz		Handwritten signature
69	Movita Soares Sarmento	77278688	Handwritten signature
70	Maria do Carmo Soares da C.	75556352	Handwritten signature
71	Adriana Soares Lacerda	75055992	Handwritten signature
72	Fragolino Cabral Wain		Handwritten signature

73	Marcos Soares	78323415	
74	Martinho Francisco dos	77340618	
78	Ernesto Augusto	77004175	
79	Francisco		
80			
81	Francisco G.		
82	Monica da Costa		
83	Clementino P. Barboza		
84	Leocadio Pascoal do		
85	Honorio Freitas		
86	Madalena Pereira Ximenes		
87	Cecilia de Araujo		
88	MARCELINO SERAN		
89	Maria Uira		
90	Marta K. Clark		
91	Paulina dos		
92	Rita da Silva		
93	Marcelina Correia		
94	Aurora Pinto de Almeida	76027413	
95	XPTK LOPES DA CRUZ	7692239	
96	DIRCIA ROSA MARTINS	77834362	
97	Maria de Fatima da Costa	77297010	
98	EISA Maria ALVES Teronimo	-1-	
99	EISA bisenfi Soares da Costa		
100	Simiana M.	75299634	
101	celstivo NOVO DA SILVA	76059013	
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Minutes of Meeting

Site visit to the Matata school, Municipality of Ermera on March 23, 2019

The meeting was starting at 10 PM with the welcoming guess by coordinator/director of school Mr. Manuel Salsinha and followed by explanation of the objective of the program by Madam Debbie Katzman representative of the Ministry of Education, Youth and Sport, and self introduction from the team. A total of 59 people were participated in this meeting, such as parent, local authorities and teachers.

Questions and recommendation:

1. Amelia Babo:

- Need to build one junior high school in Matata, because the distance to junior high school in Railaku is too far the students have to walk 2-3 hours to school because no public transportation and the road condition is really bad.

2. Madalena

- No water at school because the installation was broken and water source is too far.

3. Erculano de Jesus (Aldeia Chief)

- No fence, animal was entre to school and destroy the garden.
- No water facilities, installation pipe was broken, it needs to improve.
- Need to build junior high school in Metata.

4. Osorio Nunes

- Needs to provide library, wash facilities, and fence.

5. Natalino de Jesus Trindade

- Appreciate to the program of World Bank.
- Learning process is really good, first year student/the beginner can read and understand all the subject very well.

Resume:

1. Local authorities, teachers and parent, requested ministry of education and World Bank to build a new junior high school in Matata, district of Ermera.
2. Land for the new schools is available (use the land around the school)
3. Wash facilities so poor, from 8 toilets only 2 still can be use, water source is too far (Minimum 2 Km) and the school was on the top of the hill and the water sources at downhill area so the installation is difficult.
4. The primary school required fence, library, and additional teachers.
5. Tetum and Portuguese are using for the learning process, but for explanation normally teachers use local language (MAMBAE), most of parents are happy because the children understand very well all the subjects.
6. People with disability are access to the school.
7. No violence from teachers and parents during the learning process.
8. Some children could not access to schools because of economic conditions especially orphan, they cannot effort to buy uniform, shoes and books etc.

Documentations:



Attendance List:

No	Data	Participante	Aldeia
1	23-03-2019	Dimis Dos Santos	Caisahe / Tocoma
2		Natalino de Jesus Trindade	Titi buti / mata
3		Annela Bobo	- 11 -
4		Maria de A	mau ani
5		Ana Beatriz de O.	colaco
6		ETELVINA MARTINS	mauana
7		Lurdes Trindade	- 11 -
8		Maria Exposto Babo	mauane
9	23-03-2019	APOLIA maia	colaco
10	23-03-2019	Felizarda Nunes Trindade	TITIBUTI
11	23-03-2019	Fernanda De Jesus	TITIBUTI
12	23-03-2019	Samuel De Jesus	Calmentun
13	23-03-2019	João castro Dos santos	Titi-butí
14	23-03-2019	Francisco Daconceição	Titi-butí
15	- 11 -	Tiago Martins	cai-sahe
17		Sinu Sou Sange	tu Sam
18		Eugenio Ximenes Trindade	men-ani
19	23-03-2019	Mario Daconceição	colaco
20	23-03-2019	Natalino Daconceição	colaco
21	23-03-2019	Osorio Nunes Cardoso	mau-ane
22	" " "	Januario Martins	TITIBUTI
23		Elvys Soares	TITIBUTI
24	23-03-2019	DINA DA COSTA	TARMAUSOKU
25	- 11 -	Anatolia. Maria	- 11 -
26	- 11 -	ROZITA MARTINS	KAISAHE
27	- 11 -	Esmeralda da C. Babo	colaco
28	- 11 -	Aurelia Nunes Salsinha	colaco
29	- 11 -	AGUSTA DOS SANTOS	colaco
30	- 11 -	Bendita COLO	- 11 -
31	- 11 -	Lurdes Daconceição	TARMAUSOKU
32	- 11 -	Domingas Babo	- 11 -
33	- 11 -	Agapito dos Santos	Kaisahe
34	- 11 -	Almeria Dos santos	Titi-butí
35	- 11 -	Lordis Fatima	Titi-butí
36	- 11 -	Albertina Soares Pereira	TARMAUSOKU
37	- 11 -	Bendita Salsinha	Titi-butí

NO	Data	Naran PartiBipasaun	
38	28-03-2019	Agusta Alaeck	Titi-butí
39	23-03-2019	Madakna Martins	+11-
40	23-03-2019	Olandina Menezes	-11-
41	23-03-2019	Lusiana Oliveira	-11-
42	23-03-2019	ARMANDA SOARES	-11-
43	23-03-2019	JOÃO GILBERTO	-11-
44	23-03-2019	Domingos Ximenes	-11-
45	23-03-2019	Domingos Trindade	-11-
46	23-03-2019	Francisco Ribeiro	Fatuneiru
47	23-03-2019	Paulo Soares Martins	Tititibuti
48	23-03-2019	Arsenio Soares da C.	Mau-Ane.
49	28-03-2019	Herculano de Jesus .m.	Titi-butí
50	2-11-	Marcelina N. Cardoso	-11-
51	-11-	Joana dos Santos	-11-
52	-11-	Joaquim de Jesus (Lain)	Tititibuti
53	-11-	Clemente Foxitas	Tititibuti
54	-11-	Augusta M. Trindade	-11-
55	-11-	Marquita Oliveira Soares	-11-
56	-11-	Marquita Oliveira Salsinha	-11-
57	-11-	Martinha Babo	-11-
58	-11-	Sundes Rangel Loucalva	-11-
59	-11-	Marmel Salsinha	-11-

Annex J ESMF Public Consultation Minutes and Documentations

A. Minutes

B. Attendance List

C. Documentation

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