

# Dispossession and Impoverishment in Timor-Leste: Potential Impacts of the Suai Supply Base



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## Introduction

Expropriation of land removes the main foundation upon which people's productive systems, commercial activities, and livelihoods are constructed. This is the principal form of de-capitalization and pauperization of displaced people, as they lose both natural and man-made capital. (Cernea 2000:13)

In Timor-Leste over 75 per cent of the population depends on land for food production. Land is the most fundamental economic asset available to most households; it is crucial not only to food and market production but also non-commodity resources such as housing, firewood, grazing and medicine. With 41 per cent of the population living below the poverty line of US\$0.88 per day and only 36 per cent of Timorese households considered food secure, many households live in what can be classed as extreme vulnerability (World Bank 2012). In this context and with few formal employment opportunities, land supports a subsistence economy which feeds most of the population.

This Discussion Paper anticipates the potential impacts and impoverishment risks of the Suai Supply Base Project in Timor-Leste, paying particular attention to the project's likely gendered impacts and the evolving tensions between the state's powers to expropriate land and customary land access. In doing so it draws on Cernea's framework for identifying the impoverishment risks of large-scale land acquisitions (Cernea 1997, 2000) and Behrman et al.'s (2012) analysis of the gender implications of large-scale land deals. The first section describes patterns of land access and the vulnerability and dependency of local communities on land. The second section details the politics

of the Suai Supply Base and the process of land acquisition. This is followed by discussion of some of the potential impacts that the land acquisition may have on local communities in Suai.

In land-dependent societies, research suggests that land alienation and evictions can have serious and negative impacts on communities. Michael Cernea (2000) includes among these risks landlessness, joblessness, homelessness, marginalisation, food insecurity, increased morbidity and mortality, loss of access to common property and services, and social disarticulation. He states that 'the most widespread effect of involuntary displacement is the impoverishment of considerable numbers of people' (ibid.:2).

Behrman et al. (2012) state that an in-depth understanding of the local context (including production roles and responsibilities, and access to and control of land) is a necessary starting point for understanding how any large-scale land appropriation will likely affect local women and men. The authors state, 'of utmost importance is the issue of who in the community has land rights and how gender, age, marital status, ethnicity, or other distinguishing factors may influence these rights' (2012:4). They argue that this analysis must include a nuanced understanding of land use patterns (including important cultural and spiritual uses), gendered agricultural roles, statutory and customary land access and rights, state and non-state decision-making over land, and the types of available human capital.

Timor-Leste's highly ambitious Strategic Development Plan 2011–2030 (RDTL 2011) is focused around the petroleum industry. The US\$1.3 billion Tasi Mane South Coast Development Project, which includes three large-scale developments in Suai,



Betano and Viqueque, is the cornerstone of this Strategic Development Plan. The Tasi Mane mega-project — which includes a supply base, industrial estate, airport and new town at Suai; a refinery, petrochemical plant and new city 'Nova Betano' at Betano; a liquefied natural gas plant, airport and new town at Beacu; and a 155-kilometre highway linking all three sites — will require significant expropriation of land along the south coast.

This paper is based on a literature review; analysis of project documents, media releases and social media; discussions with civil society groups; and limited fieldwork and participant observation during 2015. As such it cannot provide a complete analysis of the impacts of the project but attempts to sketch the broad impacts and suggests avenues for further research.

### Vulnerable Access and Rights to Land in Timor-Leste

#### Dependency on Land

In Timor-Leste sociality, family, community and other social networks are heavily place based and dependent on connections with the land. Timorese social identity is constructed around the notion of origin (Fitzpatrick et al. 2012; Fox 1993; Fox and Sather 1996; McWilliam 2003, 2007a, 2007b; Reuter 2007), with the physical construction of the *uma lulik* (sacred house) and social construct of the *uma lisan* (house of origin) as fundamental units of identity. The significance of these house structures throughout Timor-Leste is evidenced by various studies: among the Mambai of Aileu (Traube 1986), the Makasai of Baucau (Forman 1980), the Kemak of Bobonaro (Renard-Clamagirand 1982) and the Naueti of Viqueque (Barnes 2011).

Daniel Fitzpatrick estimates that 97 per cent of land in Timor-Leste is governed by customary mechanisms (Fitzpatrick 2002). Within these origin groups land is fundamental to social identity and the local worldview. Do Amaral de Carvalho (n.d.) suggests that in Timor-Leste land has seven dimensions: 'land gives us our identity, it has social and cultural dimensions and is important for sharing resources amongst families. Land is the basis of our local economy and of our ecology, it gives life and shelter to us all.'

Land is also the most fundamental economic asset available to the vast majority of households along the south coast. Access to these place-based social networks that are embedded in land is fundamental to the livelihoods and identity of both men and women, and acts as a safety net in times of hardship. Development processes which do not develop either a deeper understanding of customary land issues or an understanding of how customary institutions may in some respects be protecting vulnerable men's and women's access to land run the risk of further impoverishing and increasing the vulnerability of local communities (Behrman et al. 2012).

#### The Lords of the Land

Closely dependant on rainfall and the fertility of the soil for the continued viability of their economically marginal existence, those who inhabit the districts of East Timor believe strongly in the need to maintain excellent relations with, to act in accordance with the wishes of, and to appease where necessary — their ancestors. (Hohe and Nixon 2003:11)

Despite almost 500 years of colonialism and 24 years of occupation and military rule by Indonesia, the importance of the *rai nain* (variously translated as ancestors, landowners or 'lords of the land') to Timorese life should not be underestimated. The entire 'social-cosmos' (Hohe and Nixon 2003:10) can only be examined in relation to the supremacy of a mythical ancestor who opened the land and is seen as the most significant element of the social order. It is the *uma lisan* of this apical ancestor that retains spiritual and ritual authority over the land. According to Fitzpatrick et al. this authority is sustained by their 'cultural knowledge of the history of the founding ancestors, the establishment of sacred houses, and land allocations and alliances involving subsequent settler and neighbouring groups' (2012:32–33).

Today the term *rai nain* has multiple legal, physical and spiritual meanings. In its simplest literal form it means the landholder or owner but the conflation of this with western meanings of 'freehold landowner' has confused discourse and hidden the deeper meanings. *Rai nain* more importantly refers to the descendants or entire clan

who are descendant from an apical ancestor. In a more abstract sense the *rai nain* is the mythological ancestor who must be consulted by the ritual elders on (preferably before) any decisions regarding the land and the people. In dealings over land this concept is rarely truly taken on board by national-level or international actors who find it difficult to conceive of a dead ancestor who has agency and potent power to make decisions over their lives.

In this sense the western-imbued notion of *rai nain* (as freehold owner) is ontologically opposed to the spirit notion of *rai nain*. Where land is formally sold to an outsider he will never become a *rai nain* in the spiritual sense. He may be allowed to use the land for long periods of time, perhaps even permanently, but he will always be subject to the whims of the real *rai nain* and his continuing access depends on his spiritual relationships, his ability to appease the real *rai nain* and maintain social relationships with the descendants of the *rai nain*.

This does not mean that reaching accommodations over land use is impossible. Multiple examples show the great flexibility of these social structures to accommodate various land use arrangements, be it through marriage (Barnes 2011; Fitzpatrick et al. 2012; Sahlin 1985), adoption, stranger king mythologies (Fitzpatrick et al. 2012; Hagerdal 2012; Pannell 2006), *juramentu* (oaths) (Do Amaral de Carvalho 2011; Fitzpatrick and Barnes 2010; Fitzpatrick et al. n.d.) and temporary decisions (Thu 2012).

Society is held together by complex networks of alliance, formed and solidified by marriage. The majority of the ethno-linguistic groupings across the country are patrilineal, with the exceptions of the matrilineal Bunak-speaking groups in the south-west, Tetum–Terik-speaking groups along the central south coast and central highlands and Galoli-speaking groups of Manatuto on the north coast. Social identity and exchange patterns are defined through the relationships of *Umane* (wife giving houses) and *Feto-saa(n)* (wife taking houses). These two types are seen to play mutually enforcing roles, pledged to provide security and fertility to each other.

While these concepts are fundamental to the spiritual balance and identity of an origin group,

in the more concrete world of land expropriation, livelihoods and cash flow the still living ‘*rai nain*’ or representatives of the ancestral *rai nain* have significant power over land and decision-making at the local level. Within the hierarchical local structure it can be very difficult if not dangerous to question the *rai nain* or other traditional leaders. Furthermore, within patrilineal kinship structures it is very difficult for the *Feto-saa(n)* to criticise or speak out against their *Umane*. Facing expropriation or sale of land, these structures can leave certain groups and individuals within the family and community in particularly vulnerable positions.

### Gender Aspects of Land Vulnerability

While Suai is home to the predominantly matrilineal Bunak and Tetum Terik ethno-linguistic groups it should not be understood that women necessarily have stronger rights to land than men. In policy arenas it is often reductively presented that ‘women have rights to land in Suai’ or, even more problematically, that Suai social groups are matriarchal and therefore women make all decisions regarding land. Neither contention reflects reality, as Thu et al. (2007:242) point out ‘there is a need to destabilise the conception that “patrilineal” and “matrilineal” societies are opposite ends of the spectrum when it comes to accessing land’. This they argue ‘will make visible the vast array of descent principles that truly exist, which otherwise would be marginalised and ignored’.

Thu et al. (2007) find that both patrilineal and matrilineal land tenure systems in Timor-Leste exhibit a high degree of flexibility and that both men and women acquire land rights under many different circumstances. In the absence of coherent state welfare or support to vulnerable households this flexibility has essentially provided social support structures that operate across much of Timor-Leste. While in Bunak-speaking groups men predominantly ‘marry in’ and move to the woman’s family land, on the ground the issue is complicated by adaptations to modern land pressures, flexible marriage arrangements and a complex history of colonialism, occupation and displacement. Analysis of the Suai Supply Base project and other land-intensive mega-projects suggests that the flexible accommodations described by Thu et al. (2007)

are coming under significant strain due to the expropriation of community land for state-driven large-scale development programs and may in many cases be aggravating social vulnerability.

Irrespective of local land-inheritance customs, patriarchy is manifested in Timorese society in a number of ways. In general, women are not afforded the same access to and control over resources, agency and achievements as men. Moreover, women and girls suffer more from malnutrition than men and boys (World Food Programme 2006:66–68), women fall significantly behind men at all levels of education — especially secondary and tertiary levels (Ministry of Finance 2011:73), and rank significantly lower than men in literacy rates (World Bank 2008). A forthcoming Asia Foundation report states that ‘gender bias and economic vulnerability continue to result in structural barriers that: economically and socially “contain” women in the domestic sphere and limit their mobility while undermining women’s practical capacity to leave relationships where domestic violence is occurring’ (Grenfell et al. 2015:10). As such, Timorese women are land vulnerable both as women within male-dominated households and as members of vulnerable social classes and communities at risk of land alienation.

### Statutory Recognition of Land Rights

Thirteen years after independence, Timor-Leste has no land policy or legislation which clarifies the rights of landowners, communities or the powers of the state to alienate land. Successive donor-funded projects have failed to facilitate the creation of a functioning land administration. A fragile legal system and the lack of legal aid services have left many land claimants in highly vulnerable situations.

Article 54 of the Timor-Leste constitution contains a basic protection of private property and a vague article stating that property should not be used to the detriment of its social purpose (Article 54.2). While Article 54.3 clearly states that ‘expropriation of property for public purposes shall only take place following fair compensation in accordance with the law’, the government has frequently ignored this protection and increasingly carried out evictions with little or

no compensation, often citing national economic development as grounds for evictions and state land acquisition. The Timor-Leste constitution provides no protection to customary land other than Article 2.4 which stipulates that ‘the State shall recognise and value the norms and customs of East Timor that are not contrary to the Constitution and to any legislation dealing specifically with customary law’.

Drafting land legislation and balancing the many interests in land has always been a difficult act. The state has repeatedly attempted to both guarantee state access to large amounts of ‘private state land’ and to entrench strong state powers of expropriation. Many key state officials and Dili-based elites hold to the notion that ‘empty’ land is state land, and ignore the origin-based claims of customary land holders (Cryan 2015a).

A package of three draft laws<sup>1</sup> aiming to resolve recognition of ownership rights in Timor-Leste were prepared by the state in 2008 but have met with significant controversy and dissent (Cryan 2015c). While on one hand the laws have been criticised by civil society on human rights grounds for not recognising community land rights and giving strong powers to the state to alienate land without sufficient protections to communities, it is also likely that under pressure to acquire large amounts of land for economic development projects, the Government of Timor-Leste finds the compensation provisions of the laws too onerous (Cryan 2015b).

Without land legislation, the legal situation for communities remains highly unclear. In an effort to speed up the acquisition process for the Suai Supply Base project without resolving the broader issues of legal uncertainty, the state drafted specific legislation for the alienation of the land required for the supply base (Decree Law 36/2014 approved in December 2014). The use of this type of piecemeal, case-based legislation leaves communities in a situation of much uncertainty and affords significant power to the state.

### Land Administration, Titles and the National Cadastre

In 2008, the Government of Timor-Leste with support from USAID established the Ita Nia Rai (our land) program, aimed at creating a

functioning land administration that included dispute resolution mechanisms, the registration of 50,000 land claims and the drafting of a series of land laws that would lay down the hierarchy of landownership recognition. This process mapped claims to land in urban and peri-urban areas which did not include the land allocated for the Suai Supply Base.

In 2011, prior to any public consultation or information about the Suai Supply Base project, the National Directorate of Land, Property and Cadastral Services (Direcção Nacional de Terras, Propriedades e de Serviço Cadastrais), then Secretariat of State for Natural Resources and the national petroleum company Timor Gap carried out a separate survey of the land required for the project. This process was loosely based on the Ita Nia Rai processes but was largely unmonitored by civil society at the local level. It is unclear to what extent local people understood the implications of this survey process for compensation and negotiation. Yosef Nahak Kehik, Chefe Aldeia of Fatusin, Suco Kamanasa, is quoted by non-government organisation La'ò Hamutuk in late 2012 as stating 'So far, we don't yet know the results of the government's work to collect data about people's property which they will take' (La'ò Hamutuk 2015). During fieldwork in 2015 a number of households that had already received compensation were unsure of the size of their lands, suggesting that dissemination of information during the survey process was weak and that communities had little access to legal support and information during the compensation process.

### The Suai Supply Base

The Suai Supply Base, part of the larger Tasi Mane South Coast Development Project, is a logistics support base and port to be used to support offshore and onshore oil and gas exploration and production activities. Tasi Mane developments in Suai include a supply base, an industrial estate, airport, a new town called Nova Suai and the first phase of the 155-kilometre highway that will link the site to other petroleum development and processing sites in Betano and Beacu.

### The Petroleum Development Paradigm

The crucial context for the Suai Supply Base is the huge commitment of consecutive Timorese governments to petroleum-based development. Timor-Leste's highly ambitious Strategic Development Plan 2011–2030 envisages Timor-Leste becoming a middle-income country in 15 years' time with development highly focused around the petroleum industry. The [Tasi Mane South Coast Development Project](#) is the cornerstone of this Strategic Development Plan. As well as the developments in Suai, the US\$1.3 billion mega-project includes other large-scale developments in Betano and Viqueque, including a refinery, petrochemical plant and new city at Betano; a liquefied natural gas plant, airport and new town at Beacu; and a 155-kilometre highway linking all three sites.

Arguments in favour of the project centre on the need for national economic development. However, the promised economic benefits of this project are contested. For example, in its 2013 submission to parliament, La'ò Hamutuk states, 'frankly, we do not believe the high rates of return claimed for the Tasi Mane project' (La'ò Hamutuk 2013). Multiple La'ò Hamutuk reports argue that this is a dubious and highly risky investment in Timor-Leste's future (La'ò Hamutuk 2015).

Successive governments led by Xanana Gusmão have insisted that piping oil from the Timor Sea to Timor-Leste is the most economically beneficial option for Timor-Leste. This has become a divisive issue in Timor-Leste with those opposed to the Tasi Mane project being accused of being anti-nationalist, aligned with outside interests and of undermining the state for political or economic gain. Despite having resigned his position as prime minister, under the new Unity Government Xanana Gusmão has stepped into a new role as Minister for Planning and Strategic Investment and has essentially retained control over the strategic investment portfolio and thus the Tasi Mane project. As such we are unlikely to see any major policy changes relating to this development project.

Construction has already begun on the first phase of the project in Suai, which will occupy well in excess of 1113 hectares. Conservative estimates

suggest that the supply base will cost the state more than US\$781 million.

The first phase of this project has involved expropriation of land for both the airport and the first and second phases of the port and supply base. The only publicly available [maps](#) showing affected areas are from the environmental impact assessment carried out by WorleyParsons in 2012 (WorleyParsons 2012). Land survey maps produced by the Government of Timor-Leste and detailing the scale and location of land expropriations are not publicly available. However, field research in March 2015 confirmed that land acquired for the airport stretches further to the east and west than what is shown in the environmental impact assessment.

Land clearance and building work has commenced for the airport, which affects approximately 170 households. Contractors have cleared the land for the airport but have stopped short of clearing any houses in Holbelis (east of the airport) and Lohorai (west of the airport) as they are waiting for the government to finish building alternative housing for affected communities. Land needed for the first and second phases of the Suai Supply Base has been cleared. Phase one affects 144 parcels of land, mostly farming land but also some housing and field shelters. Phase two affects over 250 households.

The number of households affected by the highway remains unclear but the state has carried out an initial survey marking affected households with red spray paint. The road will run through the villages of Debos, Ogues, Labarai, Beco, Tashilin and Raimean before continuing on into Manufahi District.

### Process

Pressure to access land for petroleum development quickly and easily has led to a fast-paced acquisition process. A government press release celebrating the transfer of land for the project claims that the agreement 'comes after a long process of consultation with the local community over several years and bears testament to the commitment of the Government to balance their pro-business and investment policy with a genuine care for the welfare of the local people and their environment' (RDTL 2013). However, fieldwork

in 2015 suggests that few community members feel that they were consulted. Many see the process as characterised by a lack of consultation, misinformation and, at times, intimidation.

An inter-ministerial team began surveying land in Suai in 2011. The team carried out extensive surveying of land parcels including assessments of housing, land use, crops, vegetation and other livelihoods. While claiming to carry out extensive consultation the process did little to present the reality of the project and potential negative impacts to communities.

In April 2013 the state signed an agreement with local traditional leaders who agreed to hand over 1113 hectares of land to the state in return for 10 per cent of the profits of the supply base. The details of this agreement and its negotiation process have remained secret and are not available to community members and/or civil society. Nonetheless, the agreement is specifically referred to in the preamble of Law 36/2014. To date, community members remain unsure of their rights and of the nature of these agreements.

In signing an agreement with traditional leaders in this fashion the state drew on the legitimacy of traditional authority in order to access land. The preamble of the law validating the transmission of the land to the state proclaims that:

After several years of public consultations where the opportunities and various implications of the project were presented to members of the community, having already agreed to terms and conditions including the conservation of sacred sites or worship and cemeteries and having appointed one set of community leaders to represent the community the community decided to negotiate with the state in order to transmit their ownership and use of land for a period of one hundred and fifty years, according to local customary law. (RDTL Law 36/2014)

The preamble of this legislation and other statements evidenced in the media exemplify how discourses of development and good citizenship are used by the state to justify the project and to persuade communities to give up their land. Minister for Natural Resources Alfredo Pires stated,

'the community of Kamanasa are ready to give their land to the government for development, and that the government have committed not to forget the communities by giving them 10% of the profits' (*Timor Post* 12/4/2013). A local traditional leader, Jorge Alves, also claimed that 'the whole community agrees and accepts the project ... because we have heard that it will bring great benefits to our children and grandchildren' (*Timor Post* 12/4/2013). However, civil society monitoring suggests that to date many community members hold grave concerns about the project. In October 2012 Dili-based non-government organisation Luta Hamutuk (Struggle Together) stated in a press release that 'the Government has kept much information about the Suai Supply Base hidden from the community and that according to Luta Hamutuk communities had little information about the process, compensation or their involvement in the project' (*Jornal Nacional Diario* 19/10/2012). In September 2012 community members from Suku Matai (affected by the airport relocation) stated that 'until now the government has not yet carried out any consultation or coordination with our people about the planned airport. Until now all we have heard is rumours and we have no certainty' (Luta Hamutuk 2012). These debates indicate that there are serious questions as to the legitimacy of the process and the role of local leaders in representing their communities in complex land negotiations.

While these discourses suggesting that 'good citizens contribute to development' made it difficult for local people to speak out against the projects, discourses of development, citizenship and respect for customary authority were not the only means used to garner support for the project. At various points, key political figures were called in to persuade local communities of the benefits of the project. Local patronage networks, including veterans, have also been mobilised in support of the project, making it difficult for local communities to voice their opposition.

### Compensation and Resettlement Deals

The benefits and negative impacts experienced by local men and women will depend largely on the type of contract resulting from the negotiation

process and in particular the forms of compensation agreed upon. Theoretical frameworks suggest this may include outright sale of land; monetary compensation for use of land for a given time period; shares of profit or revenue from the land; and investments in local infrastructure, public goods and labour forces (Behrman et al. 2012). An area that Behrman and others highlight as often overlooked is the exact promises that are made in terms of the labour force agreements. They outline a number of potential scenarios, ranging from situations where the vast majority of workers for both unskilled and skilled labour are hired from the local population, to situations where the majority of the labour force is brought in externally.

In the Suai Supply Base case the state originally envisaged acquiring land through a long-term lease where communities were promised 10 per cent of the profits of the project. Due to civil society pressure and awareness raising on the risks of this approach the state eventually laid out a second option, offering communities US\$3 per square metre for an outright sale of their land.

### The 10 Per Cent of the Profits Deal

The original deal offers communities 10 per cent of the profits of the supply base in return for a 150-year lease of their land. Civil society organisations carried out a number of awareness raising processes with community members, warning them of the risks of this approach and the possibility that they might receive nothing if the supply base proves financially unviable. While the vast majority of the population have opted for a '\$3 per metre' deal (see discussion below) a number of individuals and households close to the state have opted to stick with the 10 per cent deal. In particular, veterans who have shown support for the project have maintained that this is the best option.

However, understanding of this deal appears severely limited. During fieldwork in early 2015 one community leader explained the deal stating that his land was worth US\$30,000 and so he would receive 10 per cent of this value every month from the government for the next 150 years. While it is easy to read his statement as a naive misunderstanding of the economics of the project, his comments reflect the high value placed on land by rural

Timorese. These divergences in expectations have the potential to cause serious conflict once the reality is more clearly understood. They also highlight the lack of legal assistance and advice provided to communities during the negotiation phase. Similar types of land deals in the Papua New Guinea highlands and on Bougainville have shown the potential for intergenerational tensions when local leaders sell land for long periods of time and leave future generations to feel the real impact of landlessness (Lewis 2007; Regan 1998).

### The '\$3 Per Metre' Deal

The '\$3 per metre' deal guarantees households US\$3 per square metre for an outright sale of their land to the government. Under this scheme those losing 1 hectare of land will receive US\$30,000. The state has refused to compensate communities for housing. Instead it has promised to relocate communities in state-built housing. Communities have been assured that this will be well-built 'red brick' housing rather than the same style as the infamous Millennium Development Goals housing projects.<sup>2</sup> To date, no agreements have been signed. The alternative housing is to be built on 20 × 25 metre plots in a suburban-style housing development. Building of these houses has just begun but in some cases land for these houses has not yet been negotiated. Communities are particularly worried about access to small garden plots and space for raising animals such as chickens and pigs, activities which are usually carried out close to the house. The new 20 × 25 metre plots are too small for these types of activities and it is unclear whether households resettled will be able to acquire additional land nearby.

The vast majority of affected households seem to have opted for the '\$3 per metre' deal, which means that households losing 1 hectare of land receive a payment of US\$30,000 as well as compensation for any produce under cultivation on their plot. The lack of a social impact assessment and insufficient monitoring of the process and in particular the social and economic impacts of such large cash payments at the household level means that it is difficult for the state and other actors to develop a deep understanding of how benefits and negative impacts are experienced across a range of

situations. This paper suggests that various types of households are being impacted in very different ways and that this is likely to drive inequality in local communities.

While promises of employment (see discussion below) have been made by the government there has been little documentation of these promises and it is unclear what if any guarantees will be enforceable by the community.

### Cernea's Impoverishment Risks: How will Suai Shape Up?

Based on Cernea's impoverishment risks framework, the following section summarises the potential impacts that communities in Suai are likely to face given the current design and implementation of the project. It examines, in particular, the complex intersection between gender, class and power in the case of the Suai Supply Base. It attempts to illustrate the impacts that are felt by vulnerable households as well as highlighting how the experience of these impacts are highly gendered.

### Landlessness, Homelessness and Placelessness

Cernea states that landlessness is the principal form of decapitalisation and pauperisation of displaced people who lose both natural and man-made capital (Cernea 2000:18). For households highly dependent on land and agriculture, landlessness often includes the loss of access to common property, forests, water, grazing land, spiritual sites and places of burial. This loss can have huge impacts not only on the economy of communities but also on their cultural and spiritual identities.

Homelessness for those affected by resettlement can be a short-term temporary experience or a chronic situation which leads to living more permanently in inadequate shelter. In some cases affected communities who cannot afford the cost of rebuilding homes move into temporary shelter thus contributing to a downward spiral of marginalisation and vulnerability. According to Cernea, 'Resettlers' risk of worsening housing conditions increases if compensation for demolished dwellings is paid at assessed market value rather than replacement value' (Cernea 2000:25). As well as losing their homes, resettled



communities often lose access to local social networks and experience a profound and lasting sense of placelessness. Tensions around land for relocation can add to this feeling and make it difficult for communities to re-establish a sense of place.

In the case of the Suai Supply Base, analysis of the impacts of these deals must look closely at the status and livelihoods options of various types of affected families. Closer analysis suggests highly class differentiated outcomes and impacts. For example, families with access to large tracts of land accumulated during the Indonesian and/or Portuguese era stand to receive very large payments. These households are often already part of the local elite and have greater access to land, business opportunities and political connections. Their capacity to invest these payments into alternative livelihoods and business opportunities will be significantly greater than that of other households. Families with many small plots of land, some of which are affected and others which are not, will receive compensation for the plots that have been affected. This cash injection means they can potentially experiment with alternative livelihoods and/or invest in other assets without risking their food security. Families dependent on one small plot of agricultural land that is affected and a separate house that is not affected are in effect losing all of their cultivation and agricultural potential. The viability of these households depends on their being able to use the one-off cash payment to either buy alternative land for cultivation or invest in some sort of alternative non-agricultural livelihood.

Families losing their single medium-size plot of land which includes their house will be relocated to a new 20 × 25 metre plot with a government-built house and compensated for the remaining land that they lose (for example (50 m × 50 m) + house = (20 m × 25 m) + house + \$6000). The new plots are allocated in cramped housing estates with little free land on either side. While these families are being compensated for their housing and land they are being left in a highly unsustainable and food insecure situation where they will no longer have access to land for food production or raising animals. Most families, even those who do manage

to save the cash compensation will not be able to use the remaining cash to buy any decent land plot.

A final group of affected households includes those that have negotiated their access to land and housing in multiple informal ways through family and kinship connections. These households are highly vulnerable, as the monetisation of housing and land values has thrown their socially negotiated access to shelter and land into question. In one case, for example, a woman living with her six children in her uncle's house will lose everything because the compensation will go directly to her uncle who has said that he wants to live in the new government house. This woman will have to renegotiate some sort of solution with members of her family or surrounding community.

### Vulnerability

The vast majority of households affected by the Suai Supply Base are highly vulnerable due to their almost exclusive dependence on subsistence agriculture and, as a result, are likely to be significantly affected by the loss of land. These types of households will find it difficult to establish alternative livelihoods.

Women are more likely than men to rely entirely on agricultural income and have less access to alternative formal income generation. Women are more closely bounded to the domestic sphere and use the home and nearby gardens for income generation. Women generally have less mobility than men and therefore are more seriously affected by relocation to sites further away from their livelihoods, original community or family connections. Reduced living conditions, distance from water sources and other resources drastically increase women's workload within the home itself. Women's economic autonomy can be seriously affected by resettlement and the resultant loss of livelihoods, rendering many women more economically dependent on male relatives and spouses.

Married-in men in matrilineal areas may have less control over access to resources and may be less involved in decision-making processes and allocation of compensation. Men who are entirely dependent on agriculture, uneducated and/or unlikely to be able to retrain or have access to new

forms of livelihoods may suffer increased poverty and a perceived loss of authority and sense of self.

Evidence suggests that the '\$3 per metre' deal has substantially changed the local land market in Suai. Interviews with community members suggest that there is now an expectation that alternative land will be bought by displaced households for US\$3 per square metre as 'this is what the government gave you to buy new land'. This means that households would have little compensation money left over for re-establishing livelihoods and production or to cover the cost of resettlement.

During recent fieldwork there were many stories of families who had already spent all of their compensation money before moving from their land. Community leaders and civil society representatives observed that many people had gone out and bought motorbikes, cars and other 'luxury' items. As such there is a real risk that the money paid out in compensation will not be used to buy new land or establish alternative livelihoods, trapping families in a cycle of poverty.

Furthermore, in their research on the economic dimensions of domestic violence, Grenfell et al. (2015) find that decisions around household income and expenditure are highly gendered. They show that while women are responsible for much of the day-to-day expenditure on food and basic household items, it is men who have more control over larger purchases (such as motorbikes and cars). Given this analysis it is likely that decisions to purchase cars, motorbikes and other luxury goods are being taken by men and possible that the very existence of large amounts of unexpected cash is significantly and rapidly altering income and expenditure decision-making within the household.

### **Food Insecurity, Loss of Livelihoods and Joblessness**

Loss of land and resettlement increase the chances of food insecurity. During the resettlement process itself a reduction in food crops is almost certain. In many scenarios, however, this period of food insecurity extends well past the transitional phase. In these scenarios food insecurity can become a chronic problem. In Timor-Leste, food insecurity is already a significant problem. The Strategic Development Plan recognises that rural

households go on average 3.8 months of the year without sufficient rice or maize. In this context many households affected by the Suai Supply Base could be tipped into a highly vulnerable situation. For example, over 49 per cent of households in Camanasa are involved in crop production; over 70 per cent are involved in keeping pigs; and over 60 per cent in keeping chickens. Groups dependent on subsistence agriculture are highly dependent on land for food. Vulnerable households are also usually highly dependent on common resources such as forest products and wild foods.

The importance of land for food consumption does not appear to have been considered in detail by the government in the Suai Supply Base planning processes. To date there is no information to suggest that processes to monitor food insecurity and respond where necessary have been put in place. As such all hope is placed in the land compensation packages described above and the potential for local employment.

Women are often responsible for diversifying food crops and guaranteeing survival during the hungry season. Female-headed households in general seem to produce a higher than average number of food crops annually, but consume a lower than average number of food crops on a daily basis, and experience a longer than average hunger gap (van Dujin 2011:9–12).

In rural communities most of the labour force is involved in agricultural work. If the land basis for this type of work is lost it can result in vast unemployment. The Government of Timor-Leste has made ambitious promises of employment, and most of the arguments in favour of the project centre around the need for development and the need to provide employment for future generations. A government pamphlet circulated during the consultation processes suggests that the Suai Supply Base will provide direct employment to 300 people during the construction phase and 370 people during the operational phase; it also estimates that the project could indirectly provide up to 50,000 jobs (RD TL Secretary of State for Natural Resources 2011).

Jobs are most likely to be filled by those who have had access to education and training. To date communities in Suai have had little or no training

in relevant skills. During the construction phase most of the skilled work has gone to foreign workers, with local Timorese people mainly driving trucks and working as manual labourers. Going forwards the number of jobs created and the types of employment available are unlikely to offer sufficient or appropriate compensation for local communities' loss of agricultural work. Landless households will also be severely impacted by any inflation in local land and food prices. Corruption and collusion at the local level may result in more powerful and well-connected families having access to employment and contracts over vulnerable households. While we are yet to see a large increase in migration into Suai a number of incidents have occurred where disillusioned young men have been involved in violent outbursts of frustration at Indonesian company owners who they perceive as not honouring employment promises (Belun 2014).

Women in Timor-Leste have less access to formal employment than men and suffer pay-related discrimination. Research suggests that women who are employed for cash are more likely to report having experienced physical violence since age 15 than women who are unemployed or employed but not for cash (Ministry of Finance Timor-Leste 2010). A rapid shift in livelihoods that includes women working outside the home could potentially result in increased cases of violence against women, at least in the short term.

### **Marginalisation, Inequality and Social Disarticulation**

'Marginalization occurs when families lose economic power and spiral on a "downward mobility" path' (Cernea 2000:17). Marginalisation includes not only economic issues (Fernandes 2000) but also social, cultural and psychological marginalisation (Appell 1986). 'The coerciveness of displacement and the victimization of resettlers tend to depreciate resettlers' self-image, and they are often perceived by host communities as a socially degrading stigma' (Cernea 2000:17). These problems are compounded by losing access to education (Mahapatra 1998; Mathur 1998) and other public services.

Cernea describes forced displacement as 'tearing apart the existing social fabric, dispersing

and fragmenting communities, dismantling patterns of social organization and interpersonal ties' (Cernea 2000:19). The life-sustaining informal networks of reciprocal support are disrupted and there is a 'net loss of valuable "social capital," that compounds the loss of natural, physical, and human capital' (Cernea 2000:23). While the more concrete impacts of joblessness and landlessness are easier to see and to quantify, Cernea argues that despite its long-term consequences the social capital lost through social disarticulation is typically unperceived and uncompensated by the programs causing it.

While the environmental impact assessment of the Suai Supply Base contains some discussion of socioeconomic impacts, no detailed social risk analysis or social impact assessment has been carried out as part of this project design and there seem to be few if any plans to monitor the roll out of the project and its social, cultural and economic impacts. The environmental impact assessment carried out by WorleyParsons states that 'the socio-economic assessment did not include a social impact assessment (SIA) impact rating system due to the absence of detailed project information required to make such an impact rating system feasible' (WorleyParsons 2012:15-213).

There has been little discussion of inequality at the national level, with 'development' being presented only in a positive light. Rising land prices, distance from services and pre-existing vulnerabilities such as large household size or single parent families may be more severely affected by marginalisation. The different impacts of the project on different types of households will work to deepen inequality. In a post-conflict situation traumatised individuals and those who have been displaced many times due to Indonesian policies of transmigration (*transmigrasi*) or conflict will be more severely impacted by a sense of placelessness.

Women are often more reliant on proximity to these social structures than men. Research by the Centre on Housing Rights and Evictions shows that relocation can cut women off from sources of personal autonomy and social support networks and that the resulting social isolation can make women more vulnerable to domestic violence. On the other hand, a fall in men's perceived status can

aggravate violence in those already predisposed (COHRE 2010). Unmarried women, female-headed households, women who are not recognised as legal owners of land and/or are not included in negotiation processes, and women who are living in homes or accessing land through family or other socially negotiated processes will be more vulnerable to all of these negative impacts.

Evidence from fieldwork in early 2015 suggested that the resettlement and shift in land relations is already putting significant strain on community and kin relations. The Xefe Suku (village head) of a nearby village to be affected by the road project described how even in his village where information about the road was yet to be disseminated families and individuals had begun positioning themselves in order to benefit from compensation, leading to disputes over land and inheritance where before there had been none.

One potentially positive element is the decision to relocate communities affected by the project to a common site. This could work to maintain some of the social and familial connections. However, communities may lose their connections to those who remain behind, and relocation may compound already low social status among vulnerable households by relocating people away from their social support networks, moving them to more remote areas further away from services and employment. This will disproportionately affect the more vulnerable households losing their homes under the Suai project. Members of a more socially vulnerable class with less access to money are less likely to be able to absorb or mitigate these risks.

Host communities have also questioned the processes by which new communities will be moved to their lands. A mismanagement of this process or, for example, a lack of proper preparation could easily lead to tensions between these groups. Cernea (2000) discusses how displaced people whose access to common property resources is not protected often begin to encroach on the land and resources in the host community, which can lead to social conflict.

### Conclusion

This Discussion Paper suggests that local patterns of land access and control will significantly

affect how land appropriation is experienced by local men and women. Theoretical frameworks and numerous case studies suggest that land acquisition and development-based displacement carry wide-ranging risks which have not been considered in the design and implementation of the Suai Supply Base project. Even in cases where inclusive processes lead to the definition of mutually beneficial contracts and agreements, the enforcement, transparency and monitoring of the implementation of these agreements can prove challenging. The situation in this case is more severe given that consultation and negotiation processes surrounding the land acquisition for the Suai Supply Base have been marked by misinformation and a lack of transparency.

The project will have significant impacts on local communities, potentially increasing their social and economic vulnerability. With little return on promises of employment and the probability that households will not be able to either re-establish land-based livelihoods or establish afresh alternative non-land-based livelihoods, there is a real risk that the project will lead to marginalisation, social disarticulation and impoverishment.

There are few mechanisms in place to ensure that the terms of agreements with the state are followed and limited resources are available for local groups to monitor and document the complex processes that are rolled out as a result of agreements. A detailed, participatory and transparent social impact assessment and economic viability study should be carried out in order to properly assess the potentially negative effects of the project on local men and women. Identified risks and potentially negative impacts of the project will need to be mitigated through better consultation, management, compensation and resettlement schemes.

This research identifies and discusses the potential risks of the Suai Supply Base. However, continued research is needed in order to document and examine the long-term impacts of the project on local men and women with a particular focus on the livelihoods of vulnerable households and groups, changing gender roles, and perceptions of customary land access and ownership.

## Author Notes

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## Endnotes

- 1 The Special Regime for the Definition of Ownership of Real Estate (often referred to as the Transitional Land Law), the Compensation Fund Law and the Expropriation Law.
- 2 The Millennium Development Goals housing project is a Timor-Leste government funded program where the government committed to building five new houses in every *aldeia* (hamlet) in Timor-Leste. The building process was contracted out to an Indonesian firm and the resulting houses were extremely low quality. In many areas communities have refused to move to the houses which are often far from services and are built so close together that they allow no room for gardens.

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