



# Resettlement Framework

DRAFT

RESETTLEMENT POLICY FRAMEWORK  
(RPF)

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## Table of Contents-

1	Introduction .....	1
2	Project Description.....	1
3	Environmental and Social Risks of the Project.....	3
4	Justification of for the Development of a Resettlement Policy Framework (RPF) .....	4
5	Involuntary Resettlement Principles and Objectives.....	4
6	Estimate of Potentially Displaced Population.....	5
7	Procedure for Screening for Land Acquisition .....	6
8	Eligibility Criteria for Categories of Affected Persons.....	7
8.1	Planning and Implementation-Affected Persons Census and Cut-off Date.....	9
9	Preparation of a Resettlement Action Plan (RAP) or Abbreviated Resettlement Action Plan (ARAP) .	9
9.1	Resettlement Action Plan .....	9
9.2	Abbreviated Resettlement Action Plan.....	13
9.3	Compensation Activities .....	13
9.4	Linking Resettlement to Civil Works-Compensation Payments.....	15
10	Grievance Redress Mechanism.....	15
10.1	First Level of Redress .....	16
10.2	Second Level of Redress.....	18
10.3	Third Level of Redress .....	18
10.4	World Bank Grievance Redressal Service (GRS).....	19
10.5	Addressing Gender-Based Violence.....	<b>Error! Bookmark not defined.</b>
10.6	Grievance Redress Mechanism Budget .....	19
10.7	Building Grievance Redress Mechanism Awareness .....	19
10.8	Monitoring and Reporting .....	20
10.9	Periodic Review by Grievance Redress Committee .....	20
11	Arrangements for Funding Resettlement .....	20
11.1	Payments made prior to development.....	20
11.2	Source of funds and budget items to be included.....	20
11.3	Resettlement and Related Assistance.....	21
11.4	Delivering payment.....	22
12	Stakeholder Consultation Procedures .....	22
12.1	Notification Procedure.....	22
12.2	Public Consultation .....	23

12.2.1	Mobilization .....	23
12.2.2	Preparation and Planning of Activities.....	23
12.2.3	Implementation/Execution of Activities Requiring Resettlement .....	23
12.2.4	Monitoring and Evaluation .....	23
12.2.5	Mechanisms for Public Consultation and Participation.....	23
12.2.6	Kalinago Community .....	24
13	Monitoring, Reporting and Evaluation .....	24
13.1	Internal Monitoring.....	25
13.2	External Monitoring .....	25
14	National Legal and Institutional Context for Resettlement .....	26
14.1	The Commonwealth of Dominica .....	26
14.1.1	Legal Framework.....	26
14.1.2	Gap Analysis- National Laws and ESS5.....	27
14.1.3	Methods of Valuating Assets- Commonwealth of Dominica .....	29
14.1.4	Institutional Roles for the Implementation of the RPF-Commonwealth of Dominica .....	32
14.2	Grenada.....	33
14.2.1	Legal Framework.....	33
14.2.2	Gap Analysis-National Laws and ESS5.....	34
14.2.3	Methods of Valuating Assets- Grenada .....	36
14.2.4	Institutional Roles for the Implementation of the RPF- Grenada.....	38
14.3	Saint Lucia .....	39
14.3.1	Legal Framework.....	39
14.3.2	Gap Analysis- National Laws and ESS5.....	40
14.3.3	Methods of Valuating Assets-Saint Lucia .....	42
14.3.4	Institutional Roles for Implementing RPF- Saint Lucia.....	44
14.4	Saint Vincent and the Grenadines .....	45
14.4.1	Legal Framework.....	45
14.4.2	Gap Analysis- National Laws and ESS5.....	46
14.4.3	Methods of Valuating Assets- Saint Vincent and the Grenadines .....	48
14.4.4	Institutional Roles for Implementing the RPF- Saint Vincent and the Grenadines.....	50
	Annex 1- Grievance Information Form .....	52
	Annex 2- Grievance Acknowledgement Form (GAF) .....	54
	Annex 3- Grievance Redressal Registration Monitoring Sheet.....	55

Annex 4- Meeting Record Form ..... 56  
Annex 5- Disclosure/Release Form ..... 57

# 1 Introduction

This document represents the Resettlement Policy Framework (RPF) to be used under the Caribbean Digital Transformation Program (P171528) (CARDTP). The RPF provides guidance to the Eastern Caribbean Central Bank (ECCB) and the national governments of the Commonwealth of Dominica, Grenada, Saint Lucia and Saint Vincent and the Grenadines regarding resettlement objectives, principles of resettlement, organizational arrangements and criteria for designing any resettlement plans to be applied to activities implemented under CARDTP. The RPF will be implemented on a national scale and will rely on legal and institutional arrangements and mechanisms already in place within each of the four OECS states participating in the project. The RPF has been developed in accordance with the criteria outlined in Environmental and Social Standard 5 (ESS5)- Land Acquisition, Restrictions on Land Use and Involuntary Settlement of the World Bank’s Environmental and Social Framework (ESF).

The scope of this RPF is focused on compulsory land acquisition occurring within the framework of national Land Acquisition Acts and involuntary resettlement resulting from public purchase or use of lands for public good. This RPF does not make provisions for compensation or resettlement associated with land acquired by private interests for private purposes. However, resettlement occurring on privately owned lands developed for private benefit are expected to be addressed by means of an environmental impact assessment.

## 2 Project Description

The project adopts a regional approach to strengthening the foundations of the digital economy. The project is expected to contribute to increased digital connectivity, digital public services and the creation of technology enabled businesses and jobs across the participating countries. It is intended to build on the progress made by the Caribbean Regional Communications Infrastructure Program (CARCIP). The project will be implemented across four countries within the Organization of the Eastern Caribbean States (OECS)- the Commonwealth of Dominica, Grenada, Saint Lucia and Saint Vincent and the Grenadines.

The project consists of four components. The description of the components and whether they may require land acquisition and/or resettlement is outlined in Table 2.1.

Table 2.1: Project components and whether they may require land acquisition

Project Component	Specific Activities	Component may require land acquisition
<p><b><u>Component 1: Digital Enabling Environment:</u></b> This component will support the development of a positive enabling environment for the region’s digital economy that drives competition, investment and innovation while promoting trust and security of online transactions.</p>	<ul style="list-style-type: none"> <li>• <b>Subcomponent 1.1: Telecommunications: Legal and Regulatory Environment, Institutions and Capacity</b> - This sub-component aims to support greater telecoms sector competition, investment, affordability and service quality across the region as well as enhancing resilience and emergency response capabilities for critical communications infrastructure.</li> <li>• <b>Subcomponent 1.2: Digital Financial Services (DFS): Legal and Regulatory Environment, Institutions and Capacity</b> - This sub-component aims to spur greater innovation, investment and adoption of digital financial services across the region.</li> <li>• <b>Subcomponent 1.3: Cybersecurity, Data Protection and Privacy: Legal and Regulatory Environment, Institutions and Capacity</b> - This sub-component aims to build trust in online transactions and strengthen the security of sensitive data and critical network infrastructure.</li> </ul>	<p><b>No works foreseen, consulting services only</b></p>
<p><b><u>Component 2: Digital Government Infrastructure, Platforms and Services:</u></b> This component will support public sector modernization, resilience and delivery of digital public services to individuals and businesses. Digitization of government services and operations is expected to help drive a wider digital transformation across the region.</p>	<ul style="list-style-type: none"> <li>• <b>Subcomponent 2.1: Cross-Cutting Enablers of Digital Government Operations and Services</b> - This subcomponent will support the development of key enablers of digital government services and operations, in line with regionally harmonized standards and frameworks.</li> <li>• <b>Subcomponent 2.2: Government Productivity Platforms and Citizen-Centric Digital Services</b> - This sub-component supports development of priority government productivity platforms and citizen-centric digital public services.</li> </ul>	<p><b>Currently this project’s component does not foresee any implication for ESS5.</b></p>
<p><b><u>Component 3: Digital Skills and Technology Adoption</u></b></p>	<ul style="list-style-type: none"> <li>• <b>Public-Private Subcomponent 3.1: Workforce-Ready Digital Skills</b> - This sub-component aims to identify the digital skills (technical and soft skills) in demand regionally and globally and to create a clear pathway of</li> </ul>	<p><b>Currently this project’s component does not</b></p>

Project Component	Specific Activities	Component may require land acquisition
<p>This component aims to better equip individuals and businesses across the region for the jobs and economy of the future and to spur innovation and job creation.</p>	<p>support from training to work opportunity identification in digitally enabled professions.</p> <ul style="list-style-type: none"> <li>• <b>Subcomponent 3.2: Technology Adoption</b> - This sub-component seeks to increase adoption of digital platforms and technologies by businesses across the region.</li> <li>• Some participant countries (e.g. SVG), at appraisal stage, it may be determined that data centers could be constructed as part of the project. This construction may require minor land acquisition and/or economic displacement. An example of the latter is the effect the construction of the data centers may have on street vendors whose economic activities could be temporarily or permanently disrupted</li> </ul>	<p><b>foresee any implication for ESS5.</b></p>
<p><b><u>Component 4: Project Implementation Support:</u></b></p>	<p>The project can support capacity building initiatives, as well as PIU staffing through hiring of expert consultants for key areas such as project management, technical advisory and implementation support, procurement, financial management, environment and social safeguards, monitoring and evaluation and strategic communications. It will also support capacity development of participating regional institutions and regional knowledge sharing events and forums.</p>	<p><b>Currently this project's component does not foresee any implication for ESS5.</b></p>

### 3 Environmental and Social Risks of the Project

The environmental risk classification for the project is Moderate under the World Bank’s Environmental and Social Framework (ESF) since most of the project activities will involve small-scale works. There will be no laying of fiber optic cables and very limited rehabilitation of existing infrastructure – possible in a total of two (2) locations (one in Saint Lucia and one in Saint Vincent and the Grenadines). Some of the anticipated potential impacts may include: (i) limited vegetation and soil loss a government data center is constructed; (ii) generation of solid waste from residual construction materials; (iii) nuisance related to dust generation, vibration and noise; and (iv) occupational health and safety hazards for the workforce. The scale and intensity of these impacts will depend on the extent of construction works to develop a datacenter, and if existing government structures can be utilized through minor in-building rehabilitation works. It is expected that these risks and impacts will be site specific, short-term and reversible because every effort will be made to use existing infrastructure (existing government buildings).

The Social risk of the project is expected to be moderate because the project will be implemented in a context where social exclusion patterns exist, and where processes of community consultation and

grassroots participation seems to be weak as well as the capacity for the management of the World Bank's Environmental and Social Framework. Inequitable distribution of project benefits is a risk, whose effect would produce a disproportionate impact on the most vulnerable and disadvantaged: The poor, women, young girls, youth at risks, disables, the Kalinago indigenous territory of Dominica, among others. Project's activities may also require physical or economic displacement (in a small number of cases, if any) that would lead to loss of income sources or other means of livelihood or both.

## 4 Justification of for the Development of a Resettlement Policy Framework (RPF)

The purpose of the resettlement framework is to clarify resettlement principles, organizational arrangements and design criteria which will be applied to project components and/or subprojects that will be prepared during project implementation (see ESS5, para. 25). Currently, while project components do not include civil works, for some participant countries (e.g. SVG), at appraisal stage, it may be determined that data centers could be constructed as part of the project. This construction may require minor land acquisition and/or economic displacement. An example of the latter is the effect the construction of the data centers may have on street vendors whose economic activities could be temporarily or permanently disrupted. As a result of this, coupled with the fact that the exact locations of these potential new buildings have not yet been determined, the Borrower has prepared a Resettlement Planning Framework (RPF).

Consequently, following the guidance issued under ESS5, an RPF is the appropriate resettlement instrument to be developed at this point in the project cycle. During implementation, once the subprojects and/or project components are designed and specific information becomes available, the RPF will be expanded into a specific plan which is proportionate to the potential risks and impacts applicable to the activities requiring resettlement. The expanded plan may either be a Resettlement Action Plan (RAP) or an Abbreviated Resettlement Action Plan (ARAP), depending on the extent of the impacts and the number of persons impacted. Any project activities that are expected to cause physical and/or economic displacement will not commence until the specific plans are finalized and approved by the World Bank.

## 5 Involuntary Resettlement Principles and Objectives

ESS5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project-related land acquisition<sup>1</sup> or restrictions on land use<sup>2</sup> may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets (example of street vendor) , leading to loss of income sources or other means of livelihood), or both. The term "involuntary resettlement" refers to these impacts. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

The principal objectives of the RPF are to:

1. To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
2. To avoid forced eviction.
3. To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by a) providing timely compensation for loss of assets at replacement cost, and b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
4. To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
5. To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
6. To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Therefore, the principles for addressing the adverse effects of involuntary resettlement are:

1. Avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives;
2. Avoid forced eviction;
3. Mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by:
  - i. providing timely compensation for loss of assets at replacement cost; and,
  - ii. assisting DPs in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher;
4. Improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities and security of tenure;
5. Conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable DPs to benefit directly from the project, as the nature of the project may warrant; and,
6. Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and informed participation of PAPs.

## 6 Estimate of Potentially Displaced Population

The project may include the construction of data centers in some participating countries e.g. SVG. The location of these centers is yet to be determined, but they are likely to be constructed on government land. Notwithstanding, at this point there would be the potential for the resettlement and/or economic displacement of informal users. However, the uncertainty of locations makes it difficult to provide an estimate of the potentially displaced population. If the construction activities were to take place, an exhaustive list of displaced persons will be provided in the associated ARAP/RAP. Additionally, it should be noted that activities implemented by the regional PIU do not include any potential physical works, hence will not be required to undertake any resettlement actions. The only implications are at the national level, specifically in SVG and St. Lucia – to be confirmed at appraisal.

## 7 Procedure for Screening for Land Acquisition

Four broad steps are needed to undertake a screening procedure for land acquisition and resettlement in order to determine whether a resettlement plan or abbreviated resettlement plan is required. The steps are as follows:

- Step 1. The Social Specialist (also known as social safeguard specialist) screens any future sub-projects associated with project implementation for potential social risks and impacts, including the need for land acquisition and resettlement.
- Step 2. An assessment report recommends whether the social impacts merit the preparation of social safeguards documents in compliance with this RPF.
- Step 3. The project sites identified during this screening process are reviewed for ESS5 requirements.
- Step 4. If the assessment confirms that land acquisition or resettlement will be required, then project resettlement action plans or abbreviated resettlement action plans are developed in compliance with the principles and procedures laid out in this RPF and submitted to the World Bank for approval.

Further details are provided in Table 7.1<sup>1</sup>

*Table 7.1: Detailed steps for screening for land acquisition/ resettlement*

Action	Activity
Identification of project sites	Site visit, review site records (building records, land use records,) review maps, determine land ownership
Site assessment and interviews	Visual on-site inspection of property and adjoining properties. Inspect boundaries and project lines. Document situation with land acquisition. Maintain a photograph log of project site and site maps, the approximate locations from where photographs were taken. Do soil analysis; note the topographic conditions of the project site. Interview past and present owners and occupants. Identify whether or not site is near to protected areas or indigenous settlement (case of Dominica). Use a screening tool to determine existing land use(s) and commitments.
Sketch site map	Identify the project area, any on site structures, drainages, roads, and the adjoining property.
Land acquisition	Screen for land acquisition. If land acquisition is required, diligent enquiry shall be made to verify ownership, quantities, compensation. Once PAP's are identified, PAP's shall be informed of method of valuation used to assess their assets and provided with an opportunity to negotiate the final compensation amount.

<sup>1</sup> Steps and table adopted from screening tool included in the RPF prepared for the World Bank's Regional Disaster Vulnerability Reduction Project.

Action	Activity
	Determine Land Acquisition Negotiation/Alternative option for project activity. Use surveys plans, designs concepts and in collaboration with Chief Surveyor, Project Engineer and project stakeholders discuss the implication of the new designs, reconstruction or rehabilitation.
Reporting	Meet with the Project Steering Committee and prepare written report to the responsible international financial institution.
Implementation	Project approval and design implementation.

## 8 Eligibility Criteria for Categories of Affected Persons

Individuals, households or communities<sup>2</sup> affected by CARDTP-related project activities may be eligible for compensation for loss of land or structures and for other resettlement assistance depending on land tenure status.<sup>3</sup>

Project Affected Persons (PAPs) who experience displacement as a result of CARDTP-related project activities are comprised of three groups: PAPs with Legal Rights, PAPS with no formal legal rights and PAPs with no recognizable legal rights<sup>4</sup>. Table 8.1 describe each of these three groups, the type of compensation to which each group is entitled under the RPF, and evidence required to substantiate a PAP’s claim to compensation under each category.

Table 8.1: Categories of PAPs and eligible compensation

PAP Category	Definition	Recommended Compensation	Required Evidence
Legal rights	Persons who have formal documentation under national law to prove their rights, or are specifically recognized in national law as not requiring documentation. In the simplest case, an area is registered in the name of individuals or communities. In other cases, persons may have a lease on the land and therefore have legal rights.	Compensation for land and assets lost, and other resettlement assistance, in accordance with the RPF.	Proof of legal ownership, documented in written form such as land registers, deeds, mortgages, lease agreements, tenancy agreements or rent receipts.
No formal legal rights	Persons who do not have formal rights to land or assets, but who have a recognized or recognizable claim under national law can fall into a number of groups. They may have been using the land for	Compensation for land and assets lost, and other resettlement assistance, in	Criteria for establishing non-formal, undocumented or unrecognized claims to eligibility shall be

<sup>2</sup> Under the Kalinago Territory Act, land within the Territory rests solely in the hands of the Kalinago Council.

<sup>3</sup> Structures include buildings (residential, commercial or institutional) or other constructions such as foundations, fences, latrines, storage sheds or platforms for water storage tanks

<sup>4</sup> ESS5 para.10

PAP Category	Definition	Recommended Compensation	Required Evidence
	generations without formal documentation under customary or traditional tenure arrangements that are accepted by the community and recognized by national law. In other cases, they may have never been provided formal title or their documents may be incomplete or lost. They may have a claim for adverse possession if they have occupied land for a certain period of time as defined by national law, without the formal owner contesting the occupation. In such cases, national law often has legal procedures by which such claims can become recognized.	accordance with the RPF.	established on a case by case basis.  Proof of eligibility may take the form of an affidavit signed by the owner/occupant and witnessed by a reputable member of society.
No recognizable legal rights	These persons can be seasonal resource users, such as herders, grazers, fishers, or hunters (although if the rights of such users are recognized by national law, they may fall into category (a) or (b)). They can also be persons occupying land in violation of applicable laws. Affected persons in these groups are not eligible for compensation for land, but are eligible for resettlement and livelihood assistance and compensation for assets.	No compensation provided for land. Compensation provided for loss of structures or agricultural assets and resettlement assistance in lieu of compensation for the land occupied or used.	Occupants identified during the baseline census, but lacking any evidence of ownership, or legal claim under national laws.

Table 8.2 further details the type of compensation to which PAPs would be entitled depending on the nature of their loss.

Table 8.2: Nature of loss and related compensation details

Nature of Loss	Type of Compensation
Loss of land or structures (or losing access to those assets) and/or having to physically relocate due to loss of livelihood or losing access to income sources or means of livelihood	Compensation shall be made for loss of affected land, structures, and economic assets on the land at full replacement value.  Resettlement assistance in line with the World Bank policy requirements shall be provided for them.

Temporary loss of land or temporarily losing access to these assets or access to income sources or means of livelihood.	Generally, all Lease agreements will be negotiated between the government and landowners for temporary land take. In effect, displacement assistance in line with the World Bank policy requirements shall be provided.
PAPs losing rental/leased land	Will be assisted with finding alternative land to rent/lease. Transitional assistance may be necessary to ensure that livelihoods are not affected.
PAPs losing crops/economic trees	Affected persons losing crops shall be allowed to harvest any crops planted prior to the date that land is taken. If land must be taken before the crops are ready for harvest, crop compensation shall be determined by the ministry with responsibility for agriculture in each project country, with participation of the PAP, and paid for by the project.

**8.1 Planning and Implementation-Affected Persons Census and Cut-off Date**

The project will conduct a census to identify the persons who may be affected by its activities, establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance and to discourage ineligible persons such as opportunistic settlers, from claiming benefits. This assessment will also address the claims of communities or groups, who for valid reasons, may not be present in the project area during the time of the census e.g. seasonal resource users.

The project countries in conjunction with the census, will establish a cut-off date for compensation eligibility. Information regarding this date will be disseminated throughout the project area at regular intervals in written and if appropriate, non-written forms. Persons settling in the project area after the cut-off date, who have not been identified as having a legitimate reason to not have been present during the census or who can demonstrate that the census failed to identify them, will not be eligible for compensation.

**9 Preparation of a Resettlement Action Plan (RAP) or Abbreviated Resettlement Action Plan (ARAP)**

For project activities involving land acquisition or loss of assets, provisions for compensation, relocation and other resettlement assistance required for relocation must be made prior to displacement. Funding for compensation and entitlements associated with acquisition and resettlement must be approved prior to the commencement of any works on properties identified for acquisition or resettlement. Either a RAP or an ARAP will guide the activity.

**9.1 Resettlement Action Plan**

The scope and level of detail of the resettlement action plan will vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about: (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. Table 9.1 details the elements that should be included in the RAP,

as relevant. When any element is not relevant to project circumstances, it should be noted in the resettlement plan.

Table 9.1: Elements to be included in RAP

Element	Description
Project Description	Potential impacts, including a) the project component or activities that give rise to resettlement; b) the zone of impact of such component or activities; c) the alternatives considered to avoid or minimize resettlement; and (d) the mechanisms established to minimize resettlement, to the extent possible, during project implementation.
Objectives	The main objectives of the resettlement action program.
Socio-economic Studies	<p>The findings of socioeconomic studies to be conducted in the early stages of project preparation and with the involvement of potentially displaced people, including (a) the results of a census survey covering: (i) current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance; (ii) standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population; (iii) the magnitude of the expected loss--total or partial--of assets, and the extent of displacement, physical or economic; (iv) information on vulnerable groups or persons, for whom special provisions may have to be made; and (v) provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.</p> <ul style="list-style-type: none"> <li>• Other studies describing the following: (i) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area; (ii) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; (iii) public infrastructure and social services that will be affected; and (iv) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.</li> </ul>
Legal framework	The findings of an analysis of the legal framework, covering (a) the scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment; (b) the applicable legal and administrative procedures, including a

Element	Description
	description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the project; (c) relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights; customary personal law related to displacement; and environmental laws and social welfare legislation; (d) laws and regulations relating to the agencies responsible for implementing resettlement activities; (e) gaps, if any, between local laws covering eminent domain and resettlement and the Bank's resettlement policy, and the mechanisms to bridge such gaps; and (f) any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land--including claims that derive from customary law and traditional usage.
Institutional Framework	The findings of an analysis of the institutional framework covering (a) the identification of agencies responsible for resettlement activities and NGOs that may have a role in project implementation; (b) an assessment of the institutional capacity of such agencies and NGOs; and (c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.
Eligibility	Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.
Valuation of and compensation for losses	The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation under local law and such supplementary measures as are necessary to achieve replacement cost for lost assets.
Resettlement measures	A description of the packages of compensation and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of the policy. In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons and prepared in consultation with them.
Site selection, site preparation, and relocation	Alternative relocation sites considered and explanation of those selected, covering: (a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources; (b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites; (c) procedures for physical relocation under the project, including timetables for site preparation and transfer; and (d) legal arrangements for regularizing tenure and transferring titles to resettlers.

Element	Description
Housing, infrastructure, and social services	Plans to provide (or to finance resettlers' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities.
Environmental protection and management	A description of the boundaries of the relocation area; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).
Community participation	Involvement of resettlers and host communities: (a) a description of the strategy for consultation with and participation of resettlers and hosts in the design and implementation of the resettlement activities;(b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan;(c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individuals families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and (d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.
Integration with host populations (If relevant).	Measures to mitigate the impact of resettlement on any host communities, including: (a) consultations with host communities and local governments; (b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers;(c) arrangements for addressing any conflict that may arise between resettlers and host communities; and (d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to make them at least comparable to services available to resettlers.
Grievance procedures	Such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
Organizational responsibilities	The organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

Element	Description
Implementation schedule	An implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected benefits to resettlers and hosts and terminating the various forms of assistance.
Costs and budget	Tables showing itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies
Monitoring and evaluation	Arrangements for monitoring of resettlement activities by the implementing agency, performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

The resettlement action plan should be prepared in compliance with the policy principles, entitlements, and eligibility criteria, organisational arrangements, arrangements for monitoring and evaluation, the framework for participation, and mechanisms for grievance redress outlined in this RPF.

### 9.2 Abbreviated Resettlement Action Plan

The ARAP must include the following minimum elements:

- Census survey of displaced persons and valuation of assets;
- Description of compensation and other resettlement assistance to be provided;
- Consultations with displaced people about acceptable alternatives;
- Institutional responsibility for implementation and procedures for grievance redress;
- Arrangements for monitoring and implementation; and,
- Timetable and budget.

The abbreviated resettlement action plan should be prepared in compliance with the policy principles, entitlements, and eligibility criteria, organisational arrangements, arrangements for monitoring and evaluation, the framework for participation, and mechanisms for grievance redress outlined in this RPF.

### 9.3 Compensation Activities

Once affected communities have been identified, an implementation schedule should be designed by the PIU, in consultation with the Social Safeguards Specialist and PAPs. The schedule should include these key milestone dates:

- Target dates for conducting the census and survey of assets;
- Target dates for commencement and completion of works;
- Target dates for payment of all compensation to PAPs; and,

- Dates of possession of land or structures that PAPs are to occupy (note that this date must be after the date for completion of civil works).

A full timeframe to be established for implementing resettlement activities should consider all of the following key steps:

1. Convening consultations with PAPs and communities: Consultation begins before project boundaries have been formally delineated and continue through to monitoring and evaluation. It should be noted that great care will be taken in organizing any face to face meetings especially within the current global climate as it relates to the precautions that should be taken to prevent the spread of Covid-19.
2. Establishment of boundaries of all project activity.
3. Establishment of the cut-off date: The cut-off date is either the date the census begins, or the date project boundary was delineated in advance of the census. Effective public consultation will be required to disseminate information about the project boundaries. The agreed upon cut-off date will establish eligibility for compensation, with persons moving into the project affected areas following this date not considered for compensation
4. Carry out of a census to identify PAPs. A census shall be carried out to identify persons who will be affected by the project to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance. The census will collect general household data such as: family size, gender and age information; education; occupation; land ownership; average income/ source of income.
5. Conduct a more detailed baseline socio-economic survey to generate information about the PAPs, their entitlements regarding compensation, resettlement and rehabilitation assistance as required. Additional surveys will provide an estimate of the extent to which affected persons will experience loss of assets, including access to resources, infrastructure and social services. Gender issues will arise in the context of compensation for lost property and business assets, and resettlement, particularly with regards female-headed households and businesses, and these issues should be anticipated through the design of the baseline survey.
6. Review and disclose valuation methods to PAPs: To ensure transparency of procedures, PAPs shall be informed of method of valuation used to assess their assets. All payments of compensation, resettlement assistance and rehabilitation assistance shall be made in the presence of PAPs in question and the local community leaders or church leaders. Approval of new pieces of land to be used for resettlement shall be sought from the government in consultation with local communities and affected individuals.
7. Determine resettlement requirements: The census and baseline socioeconomic survey will serve as the basis for determining eligibility criteria in accordance with this RPF, and for estimating resettlement costs. The survey will also establish baseline data for monitoring and evaluation. A critical task will be to identify new land for those PAPs who will lose their land.
8. Prepare an action plan with a budget for provision of compensation, resettlement and other required assistance based on the census and inventory of assets, and in consultation with the PAPs. The action plan will include a schedule for payment of compensation based on land surveys and valuation of land and crop surveys and valuation of crops.
9. Sign agreements/contracts and disbursement of the compensations to PAPs.
10. Monitor and evaluate implementation of the resettlement plan in relation to implementation of works.

## 9.4 Linking Resettlement to Civil Works-Compensation Payments

Compensation payments for acquired land and affected assets and resettlement of households, must be completed as a condition for land acquisition and before commencement of the civil works under the project.

PAPs must confirm that resettlement plans contain acceptable measures that link resettlement activity to civil works, in compliance with this document. Strategic timing and coordination of civil works shall ensure that no affected persons will be displaced either economically or physically due to civil works activity, before compensation is paid and before any project activity can begin.

The following are key considerations regarding linking resettlement implementation to the civil works:

- Civil works shall commence only after all compensation has been agreed to, payment is received in full by the PAPs and the sites taken over by the responsible ministry.
- Contractors will be instructed to mobilise to commence civil works only after PAPs confirm that compensation has been received and that they shall not be affected or displaced due to the scheduled works.
- Any unresolved issues shall be submitted through Grievance Redress Mechanism and must be resolved prior to commencement of the civil works by the contractor.

## 10 Grievance Redress Mechanism

The project will establish a grievance redress mechanism (GRM) that is in alignment with the requirements of ESS10-Stakeholder Engagement. This GRM will be established early in project development to ensure that all complaints are adequately recorded and responded to. The project Stakeholder Engagement Plan (SEP) details the grievance procedure that has been established for the project. While the RPF utilizes the same GRM as the project's, any complaints filed by Project Affected Persons (PAPs) in relation to resettlement, shall be logged and filed differently to those received from other project stakeholders. The basic steps involved in the project GRM are outlined in Figure 10.1.

<b>Level One</b>	<ol style="list-style-type: none"><li>1. Receive grievance</li><li>2. Acknowledge grievance</li><li>3. Register/Log</li><li>4. Screen</li><li>5. Investigate</li><li>6. Resolution</li></ol>
<b>Level Two</b>	Grievance Redress Committee (GRC)
<b>Level Three</b>	Local Courts

Figure 10.1: Project GRM

## 10.1 First Level of Redress

### Receive Grievance

All complaints should be received by the Project Manager at each implementing PIU. This includes the project contact personnel in each of the participating countries. Through the consultation process in each participating country, stakeholders will be formed of various avenues through which the mechanism can be accessed. Complaints can be made in person, writing, verbally over the phone, by fax, emails or any other media. The point of receipt of complaints is listed below. While a contact person for the regional PIU is listed, the activities implemented by the regional PIU will not include any physical works, resultantly any resettlement action.

**Contact information of the social specialist in each PIU will be updated upon establishment and staffing of the PIUs. Given below are contact details of the line ministries where each PIU will be housed.**

Contact	Dominica	Grenada	St. Lucia	SVG	ECCB
Name	Jermaine Jean-Pierre	Rhonda Jones (Ms.)	Marlon Narcisse (Mr.)	Recardo Frederick Mr.	Imran Williams (Mr.)
Title	Director of ICT Unit	Permanent Secretary for Public Administration	Director of Public Service Modernization, Ministry of Public Service, Information, and Broadcasting	Deputy Director of Planning Ministry of Finance, Economic Planning, Sustainable Development, and Information Technology	Project Officer, Projects and Technical Assistance Unit (GIO)
Telephone	(767) 266 3524	473) 440-2255	(758) 468-2285	(784) 457-1746	869) 465 2537
Email address	jeanpierrej@dominica.gov.dm	pmsec@gov.gd	marlon.narcisse@govt.lc	medwards-john@svgcpd.com	Imran.Williams@eccb-centralbank.org
Physical Addresses	1st Floor, Government Headquarters, Kennedy Avenue, Roseau, Dominica	Ministerial Complex, 6 <sup>th</sup> Floor, Botanical Gardens, St. George's, Grenada	2nd Floor, Greaaham Louisy Building, Waterfront, Castries, St. Lucia	1 <sup>st</sup> Floor, Financial Complex, Kingstown, St. Vincent and the Grenadines	Bird Rock, Basseterre, St. Kitts and Nevis

**All grievances received by the established points of contact within the individual nations should be forwarded to the Project Manager within 24 hours of receipt.**

### **Modes of Receiving Grievances**

Complaints can be made in person, writing, verbally over the phone, by fax, emails or any other media. The person receiving the complaint will try to obtain relevant information regarding the grievance and the complainant and will immediately inform the Project Manager (PM) at each PIU in the format – Grievance Information Form (GIF) as given in Annex 1.

### **Acknowledge Grievance**

All grievances will be acknowledged by telephone or in writing by the PM using the Grievance Acknowledgment Form (Annex 2) within 48 hours of receipt and the complainant informed of the approximate timeline for addressing the complaint, if it can't be addressed immediately. The PM will work with the Country Ministries or contractors to ensure the speedy resolution of the grievance. If the complaint cannot be resolved at this level it is taken to the next level.

### **Register/Log Grievance**

After receiving and recording the grievance on the GIF, it will be registered in the Grievance Redressal Registration and Monitoring Sheet (GRRMS) (Annex 3).

### **Screen**

The concerned PM reviews the complaint and assign a grievance owner. The complaint will be forwarded to the grievance owner who will be responsible investigating the claim and liaising with both the aggrieved party and project staff in order to come to a mutually acceptable resolution. The grievant owner will be given a specific timeline for resolving the claim. Meetings with grievant/complainant will be held, if necessary, in an attempt to resolve the matter.

### **Investigate**

The grievance owner will investigate the complaint. This investigation will include, but is not limited to, meetings with the grievant/complainant, site visits, meetings/interviews with project staff and collection of relevant documentation and other forms of evidence. For meetings, the deliberations and decision will be recorded on the Meeting Record Form included as Annex 4. Community representatives or representatives of the complainant will be allowed to sit in on these meetings.

### **Resolution**

The resolution at the first tier should normally be completed within 15 working days of receipt of grievance and notified to the concerned party through the Disclosure Form (Annex 5). If the grievance is not resolved within this period, it can be referred to the next level of the Grievance Redressal system. However, once it is determined that progress is being made towards a resolution, the grievance will be retained at this first level. The complainant will be informed of this decision and an estimated time for the resolution of the matter will be given either verbally or in writing. If the issue cannot be resolved within 25 working days, it will be transferred to the next level. Once a resolution has been agreed and accepted, the complainant's acceptance will be obtained on the Disclosure Form included as Annex 5. If the proposed resolution is not accepted the grievance will be escalated to level 2.

**NB The complainant may request that the issue be transferred to the next level if he or she does not feel that the grievance is being adequately addressed by the PM.**

## 10.2 Second Level of Redress

A Grievance Redressal Committee (GRC) will be formed in each implementing entity that will consist of members of their respective Project Steering Committees, civic leaders and relevant representatives. The GRC will be called into place when a first-tier resolution is not found, but it could also meet on a quarterly basis to evaluate the performance of the project level GRM. From this perspective it is a standing body.

This committee will be chaired by the representative of the implementing line ministry/agency in the corresponding Project Steering Committee. The permanent secretaries of the participant ministries will assign their respective representative to the GRC. The way in which the representative of the civil society will be defined is still TBD, but line ministry or the PIU can invite active NGOs to nominate a representative.

### **Terms of Reference for GRC:**

The functions of the GRC are as follows are to:

1. Provide relief and support to the affected persons in a timely manner;
2. Prioritize grievances and resolve them at the earliest reasonable time;
3. Provide information to PIUs on serious cases at the earliest plausible time;
4. Coordinate the process of the Affected Persons getting proper and timely information on the solution worked out for his/her grievance;
5. Study the normally occurring grievances and advise the PM as to their scale and scope.

The PM will coordinate the convening of the meetings of the GRC. He / She is also responsible for briefing the GRC on the deliberations of the first level of Redressal and on the views of both parties. (Complainant and the Project).

The GRC will hold the necessary meetings with the affected party / complainant and the concerned officers and attempt to find a solution acceptable at all levels. GRC will record the minutes of the meeting in the format using the same format detailed in Annex 4. The decisions of the GRC will be communicated to the complainant formally and if she/he accepts the resolutions, the complainant's acceptance will be obtained on the disclosure format as in Annex 5.

If the complainant does not accept the solution offered by the GRC, then the complaint is passed on to the next level / or the complainant can activate the next level. It is expected that the complaint will be resolved at this level within 35 working days of receipt of the original complaint. However, if both parties agree that meaningful progress is being made to resolve the matter may be retained at this level for a maximum of 60 working days.

## 10.3 Third Level of Redress

If the affected party / complainant does not agree with the resolution at the 2nd level, or there is a time delay of more than 60 working days in resolving the issue, the complainant can opt to consider taking it to the third level. This level involves the complainant taking legal recourse within the local courts. Please note however, that a complaint usually would arise during the construction phase, and it doesn't mean that work should stopped -it will depend on the gravity of each situation/claim/resolution on claim; nor its solution is a necessary condition for work to begin. In any way the borrower will proceed, in accordance to the requirement of national laws, consistent with ESS2.

## World Bank Grievance Redressal Service (GRS)

The complainant has the option of approaching the World Bank, if they find the established GRM cannot resolve the issue. **It must be noted that this GRS should ideally only be accessed once the project's grievance mechanism has first been utilized without an acceptable resolution.** World Bank Procedures requires the complainant to express their grievances in writing to World Bank office in Washington DC by completing the bank's [GRS complaint form](http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service#5) which can be found at the following URL link: <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service#5>. Completed forms will be accepted by email, fax, letter, and by hand delivery to the GRS at the World Bank Headquarters in Washington or World Bank Country Offices.

**Email:** [grievances@worldbank.org](mailto:grievances@worldbank.org)  
**Fax:** +1-202-614-7313  
**By letter:** The World Bank  
Grievance Redress Service (GRS)  
MSN MC 10-1018 NW,  
Washington, DC 20433, USA

### 10.4 Grievance Redress Mechanism Budget

All amount under the project, including cost for compensation, cost to facilitate meetings, charges and expenses for the project will be paid out of the Consolidated Fund.

Item	Cost (US\$)
Meetings of GRC (100 meetings @USD 1000)	100,000.00
Information Production and Dissemination (500 collateral materials @USD100)	50,000.00

### 10.5 Building Grievance Redress Mechanism Awareness

The ESS will initially brief all staff of the project office, the Project Steering Committee (PSC), the sub-projects including consultants and contractors, and the staff of the individual country Ministries on the Grievance Redressal Mechanism of the Project and explain to them the procedures and formats to be used including the reporting procedures.

The ESS will brief the all project stakeholders on the Grievance Redressal Mechanism of the Project and explain the procedures and formats to be used including the reporting procedures.

Awareness campaigns would be conducted targeting project stakeholders to inform them on the availability of the mechanism; various mediums will be used- as detailed in previous sections of the SEP. The GRM will also be published on the ECCB website, responsible Ministries in each participating country's website and the project website or Facebook page if there is one. A project site board will be erected on the sites of sub-projects indicating the existence of the mechanism and a phone number, email and address for further information. The GRM will be translated into local and colloquial expressions if determined to be needed.

## 10.6 Monitoring and Reporting

The Environmental Safeguards Specialist and/or Social Specialist/s will prepare the Quarterly Reports on the Grievance Redress issues of the project, if there are no grievances then a report stating no grievance will be submitted.

## 10.7 Periodic Review by Grievance Redress Committee

The Grievance Redressal Committee may review the nature of grievances that have been represented and if grievances are repeated, recommend suitable changes in implementation procedures and forward these to the PSC for implementation.

# 11 Arrangements for Funding Resettlement

Ensuring that compensation and associated resettlement activities are provided in advance of development activities requires a degree of certainty around sources of funding and mechanisms for ensuring the efficient flow of funding. The procedures spelt out in this section offer guidance to ensure compliance with the World Bank's ESF.

This RPF offers guidance to ensure that resettlement plans associated with CARDTP elements projects include the preparation of budgets and work plans that comply with ESS5.

The scope of this RPF is focused on compulsory land acquisition occurring within the framework of national Land Acquisition Acts, and involuntary resettlement resulting from public purchase or use of lands for public good. This RPF does not make provision for compensation or resettlement associated with land acquired by private interests for private purposes, which is not the project's situation.

## 11.1 Payments made prior to development

The PIU will ensure that all payments made to PAPs will be made prior to development of acquired lands or resettlement to alternate sites and adhering to the process outlined in the Land Acquisition Act and referred to in this RPF, specifically with respect to Sections 8, 9.3, and 9.4 .

## 11.2 Source of funds and budget items to be included

Funds for land acquisition compensation and resettlement will be budgeted for in advance of the commencement of project works. A budget to cover acquisition of land for public purposes and associated compensation for lost assets and resettlement of PAPs will come from national government Consolidated Funds.

The client will fund any land acquisition or resettlement costs through the establishment of a compensation fund. This fund will be established in trust in advance of the related project activities. Where appropriate, these costs will be identified as part of an environmental impact assessment prepared in advance of development approval.

A project involuntary resettlement budget will be prepared to include a component for the cost of compensation for property to be acquired temporarily or permanently from PAPs. Consistent with procedures laid out in RPF Sections 7, the acquisition budget shall include compensation for loss of the use of the land, loss of crops/trees and loss of revenue from agricultural production or land rent.

A budget for implementation of resettlement activities shall be derived using information obtained from relevant government governments and in consultation with PAPs.

The final compensation amount payable to each PAP shall be calculated based on eligibility criteria described in Section 8 and using procedures laid out in Sections 9.1 and 9.2.

While temporary acquisition is not covered under the Land Acquisition Act, it is covered by ESS5 therefore, the compensation to PAPs affected by temporary acquisition will be calculated in accordance with this RPF. For temporary acquisition, the PIU will conduct negotiations with PAPs, with assistance from the project Social Specialist.

Project budget estimates for acquisition and resettlement will also account for administrative expenses for implementation, monitoring and evaluation of resettlement activities.

### 11.3 Resettlement Related Assistance and Economic Displacement

In addition to compensation for acquired land and agricultural losses, compensation for resettlement and resettlement assistance will be made available to all PAPs included in a list prepared on the basis of a baseline census. Specific entitlements to be issued to each Project Affected Person will reflect eligibility criteria described in Section 8, and the analysis of socioeconomic surveys conducted as part of the resettlement planning process.

The following illustrates possible components of resettlement compensation and assistance to be incorporated into the resettlement plans, if required. This list is not meant to be comprehensive and must be modified based on the particular circumstances of each activity, and the results of consultation with PAPs and other project stakeholders.

- Cash compensation and moving allowances for homeowner relocation;
- Cash compensation and moving allowances for relocation of business assets, including compensation for loss of business assets, anticipated loss of business revenue, and cost of relocation;
- Transitional supports for affected businesses made available for a negotiated period of time beyond the point of resettlement/displacement to account for sustained loss of income, and additional transportation expenses;
- Cash compensation for employees displaced by relocation of employers' facilities, supplemented by skills training for viable re-employment;
- Advance notice provided to residential and commercial renters affected by acquisition and resettlement, with compensation in the form of a transitional rental allowance, assistance with securing alternative rental accommodation, and one-time relocation compensation to offset out-of-pocket relocation costs including moving allowance, and assistance with utility hook-ups; and,
- Compensation made available for PAPs offering to relocate to a community other than the site (s) identified.

## 11.4 Delivering payment

Payments for compensation associated with compulsory land acquisition intended for public benefit will be made through the government Treasury once agreement on valuation of property and final resettlement expenses is agreed upon by each national government and the PAPs, consistent with the procedures described in RPF Sections 3.1 and 3.2.

Each PIU will be directly responsible for implementing activities related to acquisition, resettlement and resettlement assistance.

## 12 Stakeholder Consultation Procedures

As described in the project SEP, active and early engagement of PAPs and communities in the design of project activities is central to achieving successful project outcomes.

Effective consultation and participation create opportunities for project sponsors and PAPs to consider alternative social mitigation measures and trade-offs and strengthen the design and implementation of project activities. Opportunities for informing PAPs and other stakeholders about the proposed project and eliciting PAP and stakeholder feedback includes engagement and participation in identifying the need for acquisition or resettlement, the preparation of compensation and assistance packages, and the design and implementation of monitoring, reporting and evaluation tools.

Transparency and successful engagement create a sense of shared project ownership and reduces the likelihood of conflict between and among PAPs and project sponsors.

### 12.1 Notification Procedure

The launch of any CARDTP-related activity involving either permanent or temporary land acquisition or resettlement shall be publicly announced in the media through print and digital newspapers, national television, and national radio.

Public notices shall make explicit reference to the following:

- Project sponsor's proposal to acquire land;
- The public purpose for which the land is needed;
- That the proposal or plan may be inspected during the notification period; and,
- That any person affected may object to the transaction through the GRM within a prescribed amount of time from the appearance of the notice.

Information shall be given to the media representatives for dissemination in both English and any local creole languages.

After completion of the census and any baseline socioeconomic survey of PAPs, notices shall be issued to the PAPs concerning eligibility criteria and cut-off dates, compensation entitlements, timetable for implementation, and grievance redress mechanisms.

Notification about known social impacts of CMSP-related projects and recommended mitigation measures will be broadcast through news releases to newspapers, radio and television stations, and relevant websites. Project information regarding compensation and resettlement shall also be disseminated through any affected communities using flyers posted on community information boards, through announcements made at community meetings and activities, and in places of worship.

## 12.2 Public Consultation

Stakeholder consultation, as outlined in the project SEP will be continuous throughout the project life cycle. With respect to land resettlement, the follow consultation methods will apply.

### 12.2.1 Mobilization

Stakeholder engagement begins with baseline data collection. Participation in the survey is intended to identify PAPs, followed by consultations with identified PAPs and other project stakeholders about the extent of the impact. PAPs will be consulted through meetings to discuss the social impacts of project operations and the mitigation measures suggested.

### 12.2.2 Preparation and Planning of Activities

PAPs will be consulted in order to understand the extent of social impacts to be caused by acquisition and resettlement, including their position on issues of employment, social networks and business activities. This feedback will be incorporated into resettlement plans.

### 12.2.3 Implementation/Execution of Activities Requiring Resettlement

PAPs will participate in the design and delivery of compensation and resettlement assistance arrangements. This will include the design of procedures for payments and the delivery of compensation packages.

### 12.2.4 Monitoring and Evaluation

In addition to their participation in the design of monitoring and reporting tools, consultation of PAPs in the context of project monitoring and evaluation will take the form of a household survey of PAPs designed to assess the impacts of project mitigation measures. Results of this survey will be compared to the results of the baseline survey conducted at project inception.

### 12.2.5 Mechanisms for Public Consultation and Participation

Public consultation and participation shall take place using any combination of the following mechanisms:

- Community meetings to disseminate information on resettlement plans and receive feedback from PAPs on resettlement alternatives;
- Meetings with affected households to disseminate information on resettlement plans and receive feedback from PAPs on resettlement alternatives;
- Public information campaigns to sensitise the members of the communities where the various subprojects will be implemented;

- Meetings with elected officials, representatives of community-based organisations, faith-based organisations, and the private sector active in the affected communities;
- Key informant interviews and focus groups;
- Information dissemination via mobile phones, including notifications and surveys;
- Stakeholder participation in committees established during the planning and implementation of the sub-project; and,
- Appropriate and accessible grievance redress mechanisms.

Given the current global climate, for face to face meetings, care will be taken to ensure the necessary precautions are put in place to prevent the spread of Covid-19 or any other public emergencies. Gender issues will arise in the context of compensation for property and business assets and resettlement, particularly with regards to female-headed households and businesses, and these issues should be anticipated through the design of consultation activities, and with the benefit of the analysis of project surveys.

#### 12.2.6 Kalinago Community

The only civil works that may be included in future project design will be in SVG. Therefore, there will be no resettlement or economic displacement within the Kalinago community.

## 13 Monitoring, Reporting and Evaluation

Monitoring, Reporting and Evaluation (MR&E) activities will take place throughout the project life cycle.

The MR&E system for the RPF will be incorporated into the overall project MR&E system. The RPF MR&E system will be developed at a national level by each country, with national level PIUs being responsible for gathering, analysing, reporting and disseminating the information obtained from the MR&E system.

Development of the MR&E system will rely on stakeholder engagement for defining indicators, establishing baseline measures and targets, identifying data collection sources, assessing capacity for ongoing monitoring and agreeing on roles and responsibilities for sustained monitoring and reporting.

If resettlement is required, the Social Specialist will have overall responsibility for developing a monitoring, reporting and evaluation plan related specifically to compensation and resettlement activities. The plan will describe:

- the internal monitoring process;
- key monitoring indicators;
- institutional and financial arrangements;
- frequency of reporting;
- process for integrating feedback from internal monitoring into implementation;
- financial arrangements for external monitoring and evaluation, including process for awarding and maintenance of contracts for the duration of resettlement;
- methodology for external monitoring;
- key indicators for external monitoring, focusing on outputs and impacts; and

- frequency of reporting and content for external monitoring and process for integrating feedback from external monitoring into implementation.

The MR&E plan will be developed in consultation with the participating country ministries and project stakeholders. PAPs will play a key role in both the internal and external monitoring processes. Resettlement monitoring, reporting and evaluation may include a range of activities that provide PAPs with opportunities to contribute to project improvement, such as public consultations, key informant interviews, socio economic surveys and grievance reporting.

### 13.1 Internal Monitoring

Internal monitoring, reporting and evaluation regarding the implementation of any future resettlement plans will be conducted by the PIU.

Regular project reports will include a section on progress made regarding land acquisition and resettlement and the implementation of any compensation and resettlement assistance measures. Information received by the PIU in the form of regular resettlement status reports will be used to improve the efficiency and effectiveness of resettlement actions and of monitoring procedures and the efficiency of the.

Monitoring reports will be prepared by the each PIU and submitted to the World Bank, and will include information about key resettlement indicators, such as:

- Payment of compensation to the various categories of PAP;
- Delivery of other forms of resettlement assistance;
- Delivery of income restoration and social support entitlements;
- Public information dissemination and consultation procedures;
- Attention given to the priorities of PAPs regarding the options offered;
- Coordination and completion of resettlement activities; and,
- Adherence to grievance procedures.

### 13.2 External Monitoring

External monitoring will be used to assess whether principles and policies included in the RPF and World Bank Environmental and Social Safeguards have been adhered to and will provide feedback necessary for making strategic changes.

External monitoring will be conducted in the context of World Bank supervision, relying on project monitoring missions and formal project evaluations that consider land acquisition, resettlement, and compensation and assistance measures.

An external consultant will be contracted prior to project conclusion to conduct an external evaluation of compensation and resettlement support activities. The evaluation report will be used to address any outstanding issues and recommend a post-project monitoring period to ensure PAP standards of living meet or exceed the baseline measured upon project inception.

The objectives of the external evaluation are as follows:

- Assess the compliance of resettlement activities with the laws and safeguard policies;
- Assess resettlement procedures as they have been implemented;
- Evaluate the impact of resettlement on the incomes and standard of living of the PAPs; and,
- Identify lessons learnt from the implementation of the RAP/ARAP.

## 14 National Legal and Institutional Context for Resettlement

This section describes the regulatory and institutional context of each of the participating countries and how well these fit with the ESS5.

### 14.1 The Commonwealth of Dominica

#### 14.1.1 Legal Framework

Provisions governing compensation to individuals for losses associated with compulsory acquisition of land for public purposes, and for losses associated with resettlement are contained in the Constitution and the Land Acquisition Act. Land acquisition legislation is similar across the OECS Territories, allowing national governments to exercise rights of compulsory purchase of property in the absence of successful negotiations with private landowners.

Additional guidance to prepare resettlement and compensation programs associated with the purchase and development of land for public or private benefit may be offered through national legislation enabling environmental impact assessments (EIAs).

National legislation relevant to land acquisition and resettlement in the Commonwealth of Dominica is summarised in Table 14.1.

*Table 14.1: Laws of the Commonwealth of Dominica governing land acquisition and resettlement*

Legislation	Description
Constitution of the Commonwealth of Dominica 1978	Section 6 provides protection from deprivation of property. 6(1) No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except where provision is made by a law applicable to that taking of possession or acquisition for the payment, within a reasonable time, of adequate compensation.
Dominica Land Acquisition Act, Chapter 53:02, 1946 (amended in 1986)	The Act deals with acquisition of land by the State and outlines procedures in acquiring land for public purposes. Responsibility for implementation rests with the Lands & Survey Division in the Ministry of Housing & Lands and the Property Valuation Unit within the Min. of Environment, Natural Resources, Physical Planning & Fisheries.
Squatter Regularisation Policy & State Lands Act No. 25, 1998	Provides for security of tenure to squatters who were in illegal occupation of State Lands without permission prior to Jan 1, 1998. Applicants for regularisation of tenure must have met all other legal requirements in accordance with the Act.

Legislation	Description
The Physical Planning Act, 2002	Provides for the orderly and progressive development of land in both rural and urban areas and enables permission to develop land and assert other powers of control over the use of land and provides for the regulation of the construction of buildings. The Act confers additional powers in respect of the acquisition and development of land for planning purposes and for other related matters.
The Physical Planning Act, 2002 - Environmental Impact Assessment (EIA)	The Physical Planning Act provides the framework for the integration of the EIA process into the planning system. Under Part IV S.23 (1) and (2) the Physical Planning Division may require an EIA for any development where it is of the opinion that any significant environmental harm could result.
The Kalinago Reserve Act of 1978, revised as the Kalinago Territory Act as of 2015	The Act gives the Kalinago Council the authority and responsibility for the management of the Kalinago Territory. Specifically, it gives various powers to the Kalinago Chief and the Kalinago Council who have sole powers over land distribution in the Territory. Under the Act, no individual can negotiate sale of property within the Territory. Land within the Territory rests solely in the hands of the Kalinago Council. For purposes of this Framework, any land acquisition must be made between the Government and the Kalinago Council.

14.1.2 Gap Analysis- National Laws and ESS5

Generally, the relevant national laws of the Commonwealth of Dominica are consistent with ESS5. The only inconsistency is the fact that ESS5 requires that land acquisition may only occur after compensation has been paid. Where resettlement is required, ESS5 also requires that resettlement sites and moving allowances be paid prior to the commencement of any development. By contrast, the National Land Acquisition Act allows the government to take possession of any needed land and development proceed prior to compensation being paid. In order to ensure compliance with ESS5, eligible PAPs must be compensated before any development is initiated (Table 14.2).

Table 14.2: Commonwealth of Dominica- Land acquisition procedures based on Land Acquisition Act

Activity	Description/Tasks
1. Land Identification	<ul style="list-style-type: none"> <li>Identify properties to be acquired, with relevant details</li> <li>List property owners under Entitlement Categories A, B or C.</li> <li>Contact property owners to inform them of the need to acquire their property, reason and the amount required.</li> <li>Collection of legal documents to prove ownership of land.</li> <li>Collection of personal identification and banking information from property owners to facilitate transfer of funds.</li> </ul>
2. Survey & Valuation of Properties	<ul style="list-style-type: none"> <li>Survey affected property.</li> <li>Valuation of land to be acquired to determine replacement cost.</li> </ul>
3. Negotiation	<ul style="list-style-type: none"> <li>Negotiate price with property owners and prepare report with complete list of properties and final agreed price.</li> <li>Where an agreement on the value is not reached, the owner may provide a private assessment value for further negotiation.</li> </ul>

Activity	Description/Tasks
4. Approval of Acquisition	<ul style="list-style-type: none"> <li>Prepare and submit Cabinet Paper for approval of acquisition of property.</li> </ul>
5. Approval of Payment of Compensation	<ul style="list-style-type: none"> <li>Prepare and submit Cabinet Paper to approve payments to property owners.</li> </ul>
6. Transfer of Approved Payment	<ul style="list-style-type: none"> <li>Approved payment amount transferred to the Treasury Division or bank accounts of affected property owners.</li> </ul>
7. Declaration & Publication	<ul style="list-style-type: none"> <li>Declare acquisition served to landowners and publish in the Official Gazette.</li> </ul>
8. Compensation	<ul style="list-style-type: none"> <li>Pay compensation to affected property owners.</li> </ul>
9. Filing of Receipts	<ul style="list-style-type: none"> <li>Copies of receipts of payment to be filed at the Project Implementation Unit.</li> </ul>
10. Trust Account	<ul style="list-style-type: none"> <li>Establish trust account to hold any funds for compensation that do not get resolved in the timeframe needed to start the works.</li> </ul>
11. Acquisition and Commencement of Works	<ul style="list-style-type: none"> <li>Under the Land Acquisition Act, the State is entitled to initiate work once Compulsory Acquisition has been Gazetted. – <i>Non-compliant with ESS5. To become compliant payments will have to be made prior to any development.</i></li> </ul>

Table 14.3 identifies gaps between national legislation and ESS5 and offers measures to address these gaps. Of particular importance is accounting for land acquisition and the timing of compensation as a specific output of any future activities resulting from implementation of the CARDTP in order to satisfy the requirements of the World Bank ESF.

Table 14.3: Commonwealth of Dominica: Gaps between national legislation and ESS5

Conflict/Gap	World Bank Requirements	National Laws	Measures to Address Gap
1. Timing for payment of compensation and taking possession of acquired land	ESS5 Paragraph 15. Taking of land and related assets may occur only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons.	The Land Acquisition Act permits government to take possession of acquired land and to commence development before compensation is paid.	The implementing agency is required to submit an early request for land acquisition to the responsible authority to ensure this task is included in the annual work programme and that the relevant budgetary allocation is made; A representative of this authority is to be included on any Project Steering Committee; the project budget may provide for acquisition costs.

<b>Conflict/Gap</b>	<b>World Bank Requirements</b>	<b>National Laws</b>	<b>Measures to Address Gap</b>
2. Restoration of livelihoods and living standards to pre-project levels or higher	<p>ESS5 Paragraph 2: Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p> <p>ESS5 Paragraph 36: Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.</p>	There is no existing legislation or official policy document that specifically supports resettlement initiatives.	All PAPs should be eligible for full compensation benefits per World Bank ESF requirements
3. Opportunity to derive development benefits from project	ESS 5, Paragraph 14: The client will provide opportunities to displaced communities and persons to derive appropriate development benefits from the project.	Opportunities to derive development benefits are not generally part of local resettlement projects.	Government should seek to enter into agreements with contractors to give priority to the employment of workers originating from the target communities.

### 14.1.3 Methods of Valuating Assets- Commonwealth of Dominica<sup>5</sup>

Under Dominica’s Land Acquisition Act Chapter 53:02 property valuations are conducted by the Property Valuation Unit, Ministry of Housing and Lands. Crop valuation is conducted by Division of Agriculture

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<sup>5</sup> Content for this section was drawn from the RPF reports prepared by the Disaster Vulnerability Reduction Project for DOM (2014), GRE (2015), LCA (2016) and SVG (2016), the 2018 RPF report prepared for the Saint Lucia Geothermal Resources Development Project and the 2020 RPF report prepared for the Caribbean Regional Oceanscape Project.

within the Ministry of Agriculture, Food and Fisheries. State lands requiring valuation are submitted to the Valuation Unit by the Lands and Survey Division.

The Land Acquisition Act describes the methods of valuating lands acquired for public use for the purpose of assessment of compensation. The two valuation methods supported by ESS5 that can be applied to conducting the valuation of property and associated assets for PAPs are Replacement Cost and Compensation Value.

- **Replacement Cost:** This approach is based on the premise that the cost of replacing productive assets that have been lost or damaged because of project operations are taken as a minimum estimate of the value of measures that will reduce the damage or improve on-site management practices and thereby prevent damage. The approach involves direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement, net depreciation, moving expenses and other transaction costs.
- **Compensation Value:** Defined as an amount that is above the gross current replacement cost, including the costs for the inconvenience caused to the PAP by relocation, and enables the same PAP to build slightly better houses than what they currently occupy.

The replacement cost is usually applied in the case of loss of property or assets. Where property is leased from the state, the valuation considers the physical investment, plus the expected income streams up to the end of the life of the lease.

Methods for undertaking valuations for compulsory acquisition may also be guided by the codes of ethics and standards of the Royal Institute of Chartered Surveyors (RICS), International Valuations Standards Council, or national institutes of surveyors.<sup>6</sup>

To ensure transparency of procedures, the Project Implementation Unit representative, PAPs and a trusted community member (selected by PAPs) shall be present in all meetings to discuss the value of compensation, negotiation of final amount and final payment. Private owners are also given the right to provide their own assessments. Negotiations are allowed where there are differences in value. Special arrangements also should be made for vulnerable populations, for example, the elderly, and special needs individuals.

#### 14.1.3.1 *Valuation of Land*

The use of the open market value of land as the means of determining the value of compensation is consistent with ESS5. Methodologies used to determine open market value include the market approach, income approach and the investment method. The method most predominantly utilised is the market

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<sup>6</sup> The RICS Red Book contains mandatory rules and best practice guidance for undertaking asset valuations. See <https://www.rics.org/north-america/upholding-professional-standards/sector-standards/valuation/red-book/red-book-global/>.

approach. Key factors informing all open market valuation methodologies include location, topography, size, available services, tenure, land use and the presence or absence of natural hazards. Private owners are also given the right to provide their own assessments. Negotiations are allowed where there are differences in value.

#### 14.1.3.2 *Valuation of Crops and Economic Trees*

Crop values may be prepared as a range set by a committee of technical experts and based on factors such as species, location, production cost, market value, climate and environmental influences. In addition to the replacement cost of crops and economic trees, a determination should be made on the potential losses during the period of transition. The replacement cost that can be applied for agricultural land is the pre-project or pre- displacement (whichever is higher) market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of land preparation to levels similar to those of the affected land, any registration and transfer taxes.

#### 14.1.3.3 *Valuation of Structures*

In the absence of legislation to guide the valuation of buildings or structures such as foundations, fences, latrines, storage sheds or water storage tank platforms, methods for undertaking these valuations are guided by codes of ethics and standards of the Royal Institute of Chartered Surveyors (RICS) or national professional institutes of surveyors and valuers.

#### 14.1.3.4 *Relocation of Businesses*

If relocation of business becomes necessary, access to customers and suppliers will be taken into account. In addition, workers losing employment in the process of relocating should be entitled to transitional income support. In the case of temporary relocation, business owners should provide records of their income over a period of 6 months, in order to provide a standard for determining rate of compensation.

#### 14.1.3.5 *Loss due to Interruptions of Income Generating Activity*

PAPs whose livelihoods activities occur in project areas who are forced to relocate as a result of project activities will be compensated for the amount of income which they are likely to lose for the duration. Proof of income for similar periods should include receipts, financial statements or other forms of accounting records. Income loss relating to crop loss is integrated into the compensation formula by the responsible ministry.

#### 14.1.3.6 *Valuation of Lands Characterised by Semi-Formal Ownership*

Where the interest in the land is undefined or in dispute, the state facilitates the appointment of an administrator. A settlement is made based on the current estimated value, placed in trust until the beneficiaries have resolved their interest.

#### 14.1.3.7 *Valuation of Lands Occupied/Used Informally*

Lands where no legal claim to ownership relies on a valuation of the existing development, minus the land. Compensation is paid based on derived value including loss of income in case of business activity. As the goal of compensation is to ensure that PAPs end up in positions equal to or better than they were before project intervention, valuation should cover all elements adversely impacted.

#### 14.1.4 Institutional Roles for the Implementation of the RPF-Commonwealth of Dominica

This section describes organisational responsibilities for preparing land acquisition and resettlement activities in relation to future coastal protection or coastal development projects related to the implementation of the CARDTP.

Administrative responsibility for coordinating implementation of the Involuntary Resettlement Policy Framework during the life cycle of the project rests with the national level Project Implementing Unit (PIU).

The PIU will be responsible for coordinating the development, implementation and monitoring of any RPs or ARPs, with technical inputs from relevant government ministries as needed. The Social Specialist will be required to approve any resettlement plans.

A number of national departments and agencies are expected to participate in the preparation of RAP or ARAPs. The efforts of these national agencies/departments will be aligned with the RPF, with overall responsibility for coordinating and monitoring adherence to the RPF assumed by the and supported by the Social Specialist(s) attached to the and/or international financial institutions.

The national agencies and departments of government responsible for the various aspects of executing these activities are as follows:

- Land acquisition in Dominica is carried out through the Land Acquisition Act by the Lands & Surveys Department within the Ministry of Housing & Lands. Other departments with responsibilities related to this RPF include the Ministry of Finance, Ministry of Environment, Climate Resilience, Disaster Management and Urban Renewal; Ministry of Agriculture, Food and Fisheries; Physical Planning Department within the Ministry of Planning and Economic Development; and the Ministry of Public Works, Water Resource Management and Ports.
- A significant role is to be played by the Ministry of Kalinago Affairs and the Chief and Council of the Kalinago Territory. The Kalinago enjoy certain privileges of self-governance, led by a Chief and a Council elected every 5 years. The Chief and Council of the Kalinago Territory will participate in the design of compensation and resettlement activities should land acquisition and resettlement related to the implementation of the CARDTP occur within the Kalinago Territory. Legal and institutional mechanisms are described in the Indigenous Peoples Planning Framework for Kalinago Territory Dominica prepared for the project.

## 14.2 Grenada

### 14.2.1 Legal Framework

Provisions governing compensation to individuals for losses associated with compulsory acquisition of land for public purposes, and for losses associated with resettlement are contained in the Constitution and the Land Acquisition Act. Land acquisition legislation is similar across the OECS Territories, allowing national governments to exercise rights of compulsory purchase of property in the absence of successful negotiations with private landowners.

Additional guidance to prepare resettlement and compensation programs associated with the purchase and development of land for public or private benefit may be offered through national legislation enabling environmental impact assessments (EIAs).

National legislation relevant to land acquisition and resettlement for Grenada is summarised Table 14.4.

*Table 14.4: Laws of Grenada governing land acquisition and resettlement*

Legislation	Description
Constitution Order 1973	All compensation for compulsory land or other asset acquisition originates from Grenada's Constitution. Compensation is established as a fundamental right of every citizen whose property is compulsorily acquired by the state for public purposes. Every person, regardless of race, place of origin, political opinion, colour, creed or sex is entitled to: "Protection for the privacy of his home and other property and from deprivation of property without compensation" (Chapter 1, No. 1 (c) and for "...prompt payment of full compensation" (No. 6 (1)).
Land Acquisition Act (CAP 159), 1945 and Land Acquisition (Amendment) Act 16, 1991	Provides for the acquisition of land by the State for public benefit. Projects requiring resettlement are under the provision of this Act. See Appendix 3 for a detailed outline of the process of acquisition and other pertinent details of this Act.
The Land Settlement Act (CAP 161) of 1933	The Act states that the Governor may acquire land from private parties, voluntarily or compulsorily in compliance with the Land Acquisition Act, to create a land settlement area, used to establish smallholdings. The act lays out regulations for the tenants of a land settlement area. The Act Provides for the absolute proprietorship over land (exclusive rights). Such land can be acquired by the State under the Land Acquisition Act.
Physical Planning and Development Control Act, No 25, 2002	The Act requires that all lands intended for any development (resettlement or other) must first obtain planning and development approval.
Environmental Impact Assessment (EIA) Legislation	Provision for EIA is contained within the Physical Planning and Development Control Act, Part 4 Section 25. Section 25 (1) states that the Physical Planning and Development Control Authority (PPDA) must not grant permission for the development of land pursuant to an application to which this section applies unless it has first taken the report on the EIA into account. Schedule 2 lists 18 matters for which an EIA are normally required.

There is no existing legislation or official policy document that specifically supports resettlement initiatives in Grenada. Similarly, no prescribed legislation or formal policy for relocation of squatters exists in Grenada. Guidance on establishing procedures for resettlement may rely on established practice, but must comply with the principles and requirements laid out in this RPF.

#### 14.2.2 Gap Analysis-National Laws and ESS5

Generally, the relevant national laws of Grenada are consistent with ESS5. The only inconsistency is the fact that ESS5 requires that land acquisition may only occur after compensation has been paid. Where resettlement is required, ESS5 also requires that resettlement sites and moving allowances be paid prior to the commencement of any development. By contrast, the National Land Acquisition Act allows the government to take possession of any needed land and development proceed prior to compensation being paid. In order to ensure compliance with ESS5, eligible PAPs must be compensated before any development is initiated (Table 14.5).

Table 14.5: Grenada- Land acquisition procedures based on Land Acquisition Act

Activity	Description/Task
1. Land Identification	<ul style="list-style-type: none"> <li>Identify properties to be acquired, with relevant details</li> <li>List property owners under Entitlement Categories A, B or C.</li> <li>Contact property owners to inform them of the need to acquire their property, reason and the amount required.</li> <li>Collection of legal documents to prove ownership of land.</li> <li>Collection of personal identification and banking information from property owners to facilitate transfer of funds.</li> </ul>
2. Survey & Valuation of Properties	<ul style="list-style-type: none"> <li>Survey affected property.</li> <li>Valuation of land to be acquired to determine replacement cost.</li> </ul>
3. Negotiation	<ul style="list-style-type: none"> <li>Negotiate price with property owners and prepare report with complete list of properties and final agreed price.</li> <li>Where an agreement on the value is not reached, the owner may provide a private assessment value for further negotiation.</li> </ul>
4. Approval of Acquisition	<ul style="list-style-type: none"> <li>Prepare and submit Cabinet Paper for approval of acquisition of property.</li> </ul>
5. Approval of Payment of Compensation	<ul style="list-style-type: none"> <li>Prepare and submit Cabinet Paper to approve payments to property owners.</li> </ul>
6. Transfer of Approved Payment	<ul style="list-style-type: none"> <li>Approved payment amount transferred to the Treasury Division or bank accounts of affected property owners.</li> </ul>
7. Declaration & Publication	<ul style="list-style-type: none"> <li>Declare acquisition served to landowners and publish in the Official Gazette.</li> </ul>
8. Compensation	<ul style="list-style-type: none"> <li>Pay compensation to affected property owners.</li> </ul>
9. Filing of Receipts	<ul style="list-style-type: none"> <li>Copies of receipts of payment to be filed at the Project Implementation Unit.</li> </ul>
10. Trust Account	<ul style="list-style-type: none"> <li>Establish trust account to hold any funds for compensation that do not get resolved in the timeframe needed to start the works.</li> </ul>
11. Acquisition and Commencement of Works	<ul style="list-style-type: none"> <li>Under the Land Acquisition Act, the State is entitled to initiate work once Compulsory Acquisition has been Gazetted. <i>Non-compliant with ESS5-compliance would require that compensation be paid before development</i></li> </ul>

Table 14.6 identifies gaps between national legislation and ESS5 and offers measures to address these gaps. Of particular importance is accounting for land acquisition and the timing of compensation as a specific output of any future activities resulting from implementation of the CARDTP in order to satisfy the requirements of the World Bank ESF. It must be noted that in a case where there is non-agreement between the national legislature and World Bank ESF, the more stringent condition is applied.

Table 14.6: Grenada: Gaps between national legislation and ESS5

Conflict/Gap	World Bank Requirements	National Laws	Measures to Address Gap
1. Timing for payment of compensation and taking possession of acquired land	ESS5 Paragraph 15: Taking of land and related assets may occur only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons.	The Land Acquisition Act permits government to take possession of acquired land and to commence development before compensation is paid.	The implementing agency is required to submit an early request for land acquisition to the responsible authority to ensure this task is included in the annual work programme and that the relevant budgetary allocation is made; A representative of this authority is to be included on any Project Steering Committee; the project budget may provide for acquisition costs.
2. Restoration of livelihoods and living standards to pre-project levels or higher	ESS 5, Paragraph 2: Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.  ESS5, Paragraph 36: Compensation should include measures to ensure that displaced persons are offered	There is no existing legislation or official policy document that specifically supports resettlement initiatives.	All PAPs should be eligible for full compensation benefits per World Bank ESF requirements.

Conflict/Gap	World Bank Requirements	National Laws	Measures to Address Gap
	support after displacement for a transition period necessary to restore their livelihood and standards of living.		
3. Opportunity to derive development benefits from project	ESS 5, Paragraph 14: The client will provide opportunities to displaced communities and persons to derive appropriate development benefits from the project.	Opportunities to derive development benefits are not generally part of local resettlement projects.	Government should seek to enter into agreements with contractors to give priority to the employment of workers originating from the target communities.

14.2.3 Methods of Valuating Assets- Grenada

Sections 19, 20 and 21 of Grenada’s Land Acquisition Act provide detailed methods of valuing affected assets. The overall land acquisition and valuation process is led by the Chief of the Land Surveying Department, following formal appointment by the Governor General.

The Land Acquisition Act describes the methods of valuating lands acquired for public use for the purpose of assessment of compensation. The two valuation methods supported by ESS5 that can be applied to conducting the valuation of property and associated assets for PAPs are Replacement Cost and Compensation Value.

- Replacement Cost: This approach is based on the premise that the cost of replacing productive assets that have been lost or damaged because of project operations are taken as a minimum estimate of the value of measures that will reduce the damage or improve on-site management practices and thereby prevent damage. The approach involves direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement, net depreciation, moving expenses and other transaction costs.
- Compensation Value: Defined as an amount that is above the gross current replacement cost, including the costs for the inconvenience caused to the PAP by relocation, and enables the same PAP to build slightly better houses than what they currently occupy.

The replacement cost is usually applied in the case of loss of property or assets. Where property is leased from the state, the valuation considers the physical investment, plus the expected income streams up to the end of the life of the lease.

Methods for undertaking valuations for compulsory acquisition may also be guided by the codes of ethics and standards of the Royal Institute of Chartered Surveyors (RICS), International Valuations Standards Council, or national institutes of surveyors.<sup>7</sup>

To ensure transparency of procedures, the Project Implementation Unit representative, PAPs and a trusted community member (selected by PAPs) shall be present in all meetings to discuss the value of compensation, negotiation of final amount and final payment. Private owners are also given the right to provide their own assessments. Negotiations are allowed where there are differences in value. Special arrangements also should be made for vulnerable populations, for example, the elderly and special needs individuals.

#### 14.2.3.1 *Valuation of Land*

The use of the open market value of land as the means of determining the value of compensation is consistent with ESS5. Methodologies used to determine open market value include the market approach, income approach and the investment method. The method most predominantly utilised is the market approach. Key factors informing all open market valuation methodologies include location, topography, size, available services, tenure, land use and the presence or absence of natural hazards. Private owners are also given the right to provide their own assessments. Negotiations are allowed where there are differences in value.

#### 14.2.3.2 *Valuation of Crops and Economic Trees*

Crop values may be prepared as a range set by a committee of technical experts and based on factors such as species, location, production cost, market value, climate and environmental influences. In addition to the replacement cost of crops and economic trees, a determination should be made on the potential losses during the period of transition. The replacement cost that can be applied for agricultural land is the pre-project or pre-displacement (whichever is higher) market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of land preparation to levels similar to those of the affected land, any registration and transfer taxes.

#### 14.2.3.3 *Valuation of Structures*

In the absence of legislation to guide the valuation of buildings or structures such as foundations, fences, latrines, storage sheds or water storage tank platforms, methods for undertaking these valuations are guided by codes of ethics and standards of the Royal Institute of Chartered Surveyors (RICS) or national professional institutes of surveyors and valuers.

#### 14.2.3.4 *Relocation of Businesses*

If relocation of business becomes necessary, access to customers and suppliers will be taken into account. In addition, workers losing employment in the process of relocating should be entitled to transitional income support. In the case of temporary relocation, business owners should provide records of their income over a period of 6 months, in order to provide a standard for determining rate of compensation.

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<sup>7</sup> The RICS Red Book contains mandatory rules and best practice guidance for undertaking asset valuations. See <https://www.rics.org/north-america/upholding-professional-standards/sector-standards/valuation/red-book/red-book-global/>.

#### 14.2.3.5 *Loss due to Interruptions of Income Generating Activity*

PAPs whose livelihoods activities occur in project areas who are forced to relocate as a result of project activities will be compensated for the amount of income which they are likely to lose for the duration. Proof of income for similar periods should include receipts, financial statements or other forms of accounting records. Income loss relating to crop loss is integrated into the compensation formula by the responsible ministry.

#### 14.2.3.6 *Valuation of Lands Characterised by Semi-formal ownership*

Where the interest in the land is undefined or in dispute, the state facilitates the appointment of an administrator. A settlement is made based on the current estimated value, placed in trust until the beneficiaries have resolved their interest.

#### 14.2.3.7 *Valuation of Lands Occupied/Used Informally*

Lands where no legal claim to ownership relies on a valuation of the existing development, minus the land. Compensation is paid based on derived value including loss of income in case of business activity. As the goal of compensation is to ensure that PAPs end up in positions equal to or better than they were before project intervention, valuation should cover all elements adversely impacted.

### 14.2.4 Institutional Roles for the Implementation of the RPF- Grenada

This section describes organisational responsibilities for preparing land acquisition and resettlement activities in relation to future coastal protection or coastal development projects related to the implementation of the CARDTP.

#### **Project Organizational Framework**

The Ministry of is the Government of Grenada's (GOG's) lead institution responsible for the implementation of the Project. The Government will establish a Project Steering Committee (PSC) with part of its responsibility being to coordinate Project Monitoring and Evaluation and Project Management activities.

The Project Steering Committee will be established under the auspices of the Ministry of Implementation and be comprised of representatives from beneficiary institutions which include the Ministry of Legal Affairs, Physical Planning Unit, Ministry of Education etc. It will be chaired by the Permanent Secretary of Ministry of Implementation or as designated by the Permanent Secretary of Ministry of Implementation. The Permanent Secretary of Ministry of Implementation can appoint additional members to the Steering Committee as deemed necessary. The PIU will also be represented.

#### **Executing Agencies**

The Ministry of Implementation will assist with technical and engineering support as well as the environmental and social safeguards aspect for the infrastructural component of the project. The principal responsibility for managing the operations of the project rests with the PIU. However, the Environmental and Social Specialist will have direct responsibility for resettlement issues that may arise.

### **Resettlement Planning Principles and Process**

The Ministry of Implementation in association with relevant ministries such as Ministry of Legal Affairs (MLA) will provide the general direction for the planning of the relocation/compensation process; ensure coordination between various stakeholders concerned with the Project including those directly connected with resettlement and monitor the implementation. At launching of each sub- project approved for bank financing, stakeholders will be consulted to establish planning principles and work arrangements aimed at identifying and mitigating adverse social impacts induced by the project’s activities. Baseline surveys, valuation of properties and payment of compensation will be effected ahead of the commencement of works. All PAPs will be consulted in the process with respect to the particular instance affecting them and requiring compensation; whether in the context of resettlement/compensation or in the context of mitigating other project related social impacts.

The MOF/PCU will be expected to make arrangements and incorporate the relevant line ministries such as Ministry of Ministry of Finance, Planning, Economic Development and Physical Development, Ministry of Legal Affairs, Ministry of Social Development, Housing and Community Empowerment or other private entity or NGO to conduct the survey and registration of PAPs and properties at Project sites, establish compensation arrangements in accordance with legal framework for doing so.

## **14.3 Saint Lucia**

### **14.3.1 Legal Framework**

Provisions governing compensation to individuals for losses associated with compulsory acquisition of land for public purposes, and for losses associated with resettlement are contained in the Constitution and the Land Acquisition Act. Land acquisition legislation is similar across the OECS Territories, allowing national governments to exercise rights of compulsory purchase of property in the absence of successful negotiations with private landowners.

Additional guidance to prepare resettlement and compensation programs associated with the purchase and development of land for public or private benefit may be offered through national legislation enabling environmental impact assessments (EIAs).

National legislation relevant to land acquisition and resettlement is summarised in Table 14.7.

*Table 14.7: National legislation of Saint Lucia governing land acquisition and resettlement*

<b>Legislation</b>	<b>Description</b>
Constitution of Saint Lucia, Cap 1.01, 1979	Chapter 1, Section 6 provides protection from deprivation of property rights and makes provision for the prompt payment of compensation, in cases of compulsory acquisition of property.
Land Acquisition Act, Cap 5.04, 1946	Contains guidelines and protocols pertaining to the acquisition of private land for public benefit. The Act provides detailed procedures enforced by the Government of Saint Lucia in matters pertaining to the acquisition of land for public purposes, including powers of access to the land, negotiations with landowners; established of an assessment board; and, rules for assessment of compensation.

Physical Planning and Development Act, 2005	The Act states that all land intended for any development (resettlement or other) requires planning and development permission.
Environmental Impact Assessment (EIA) Legislation	The Planning Act makes the provision of undertaking EIA for specific projects, which may likely affect the environment. Depending on the nature of the proposed development work and likely negative impact on the environment, an EIA report has to be submitted in order to evaluate the application and make decisions. The EIA has to be undertaken on agreed terms of reference and by a qualified professional.

There is no existing legislation or official policy document that specifically supports resettlement initiatives in Saint Lucia. Similarly, the Government of Saint Lucia does not have prescribed legislation or a formal policy for relocation of squatters. Guidance on establishing procedures for resettlement may rely on established practice, but must comply with the principles and requirements laid out in this RPF.

14.3.2 Gap Analysis- National Laws and ESS5

Generally, the relevant national laws of Saint Lucia are consistent with ESS5. The only inconsistency is the fact that ESS5 requires that land acquisition may only occur after compensation has been paid. Where resettlement is required, ESS5 also requires that resettlement sites and moving allowances be paid prior to the commencement of any development. By contrast, the National Land Acquisition Act allows the government to take possession of any needed land and development proceed prior to compensation being paid. In order to ensure compliance with ESS5, eligible PAPs must be compensated before any development is initiated Table 14.8.

Table 14.8: Saint Lucia- Land acquisition procedures based on Land Acquisition Act

Activity	Description/Task
1. Land Identification	<ul style="list-style-type: none"> <li>Identify properties to be acquired, with relevant details</li> <li>List property owners under Entitlement Categories A, B or C.</li> <li>Contact property owners to inform them of the need to acquire their property, reason and the amount required.</li> <li>Collection of legal documents to prove ownership of land.</li> <li>Collection of personal identification and banking information from property owners to facilitate transfer of funds.</li> </ul>
2. Survey & Valuation of Properties	<ul style="list-style-type: none"> <li>Survey affected property.</li> <li>Valuation of land to be acquired to determine replacement cost.</li> </ul>
3. Negotiation	<ul style="list-style-type: none"> <li>Negotiate price with property owners and prepare report with complete list of properties and final agreed price.</li> <li>Where an agreement on the value is not reached, the owner may provide a private assessment value for further negotiation</li> </ul>
4. Approval of Acquisition	<ul style="list-style-type: none"> <li>Prepare and submit Cabinet Paper for approval of acquisition of property.</li> </ul>
5. Approval of Payment of Compensation	<ul style="list-style-type: none"> <li>Prepare and submit Cabinet Paper to approve payments to property owners.</li> </ul>
6. Transfer of Approved Payment	<ul style="list-style-type: none"> <li>Approved payment amount transferred to the Treasury Division or bank accounts of affected property owners.</li> </ul>
7. Declaration & Publication	<ul style="list-style-type: none"> <li>Declare acquisition served to landowners and publish in the Official Gazette.</li> </ul>

Activity	Description/Task
8. Compensation	<ul style="list-style-type: none"> <li>Pay compensation to affected property owners.</li> </ul>
9. Filing of Receipts	<ul style="list-style-type: none"> <li>Copies of receipts of payment to be filed at the Project Implementation Unit.</li> </ul>
10. Trust Account	<ul style="list-style-type: none"> <li>Establish trust account to hold any funds for compensation that do not get resolved in the timeframe needed to start the works.</li> </ul>
11. Acquisition and Commencement of Works	<ul style="list-style-type: none"> <li>Under the Land Acquisition Act, the State is entitled to initiate work once Compulsory Acquisition has been Gazetted. <i>Non-compliant with ESS5- to become compliant, compensation would have to be paid before development.</i></li> </ul>

Table 14.9 identifies gaps between national legislation and ESS5 and offers measures to address these gaps. Of particular importance is accounting for land acquisition and the timing of compensation as a specific output of any future activities resulting from implementation of the CARDTP in order to satisfy the requirements of the World Bank ESF. It must be noted that in a case where there is non-agreement between the national legislature and World Bank ESF, the more stringent condition is applied.

Table 14.9: Saint Lucia: Gaps between national legislation and ESS5

Conflict/Gap	World Bank Requirements	National Laws	Measures to Address Gap
1. Timing for payment of compensation and taking possession of acquired land	ESS5, Paragraph 15: Taking of land and related assets may occur only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons.	The Land Acquisition Act permits government to take possession of acquired land and to commence development before compensation is paid.	The implementing agency is required to submit an early request for land acquisition to the responsible authority to ensure this task is included in the annual work programme and that the relevant budgetary allocation is made; A representative of this authority is to be included on any Project Steering Committee; the project budget may provide for acquisition costs.
2. Restoration of livelihoods and living standards to pre-project levels or higher	ESS5, Paragraph 2: Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to	There is no existing legislation or official policy document that specifically supports resettlement initiatives.	All PAPs should be eligible for full compensation benefits per World Bank ESF requirements.

Conflict/Gap	World Bank Requirements	National Laws	Measures to Address Gap
	<p>restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p> <p>ESS 5, Paragraph 36: Compensation should include measures to ensure that displaced persons are offered support after displacement for a transition period necessary to restore their livelihood and standards of living.</p>		
<p>3. Opportunity to derive development benefits from project</p>	<p>ESS 5, Paragraph 14: The client will provide opportunities to displaced communities and persons to derive appropriate development benefits from the project.</p>	<p>Opportunities to derive development benefits are not generally part of local resettlement projects.</p>	<p>Government should seek to enter into agreements with contractors to give priority to the employment of workers originating from the target communities.</p>

14.3.3 Methods of Valuating Assets-Saint Lucia

Under Saint Lucia’s Land Acquisition Act Chapter 5.04, the Governor General appoints the head of the Land Surveying Department to lead the Land Acquisition process, with property valuations prepared by the Land Valuation officer. Crop valuation falls under the purview of the Ministry of Agriculture, Fisheries, Natural Resources and Co-operatives.

The Land Acquisition Act describes the methods of valuating lands acquired for public use for the purpose of assessment of compensation. The two valuation methods supported by ESS5 that can be applied to conducting the valuation of property and associated assets for PAPs are Replacement Cost and Compensation Value.

- Replacement Cost: This approach is based on the premise that the cost of replacing productive assets that have been lost or damaged because of project operations are taken as a minimum estimate of the value of measures that will reduce the damage or improve on-site management

practices and thereby prevent damage. The approach involves direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement, net depreciation, moving expenses and other transaction costs.

- Compensation Value: Defined as an amount that is above the gross current replacement cost, including the costs for the inconvenience caused to the PAP by relocation, and enables the same PAP to build slightly better houses than what they currently occupy.

The replacement cost is usually applied in the case of loss of property or assets. Where property is leased from the state, the valuation considers the physical investment, plus the expected income streams up to the end of the life of the lease.

Methods for undertaking valuations for compulsory acquisition may also be guided by the codes of ethics and standards of the Royal Institute of Chartered Surveyors (RICS), International Valuations Standards Council, or national institutes of surveyors.<sup>8</sup>

To ensure transparency of procedures, the Project Implementation Unit representative, PAPs and a trusted community member (selected by PAPs) shall be present in all meetings to discuss the value of compensation, negotiation of final amount and final payment. Private owners are also given the right to provide their own assessments. Negotiations are allowed where there are differences in value. Special arrangements also should be made for vulnerable populations, for example the elderly, and special needs individuals.

#### 14.3.3.1 *Valuation of Land*

The use of the open market value of land as the means of determining the value of compensation is consistent with ESS5. Methodologies used to determine open market value include the market approach, income approach and the investment method. The method most predominantly utilised is the market approach. Key factors informing all open market valuation methodologies include location, topography, size, available services, tenure, land use and the presence or absence of natural hazards. Private owners are also given the right to provide their own assessments. Negotiations are allowed where there are differences in value.

#### 14.3.3.2 *Valuation of Crops and Economic Trees*

Crop values may be prepared as a range set by a committee of technical experts and based on factors such as species, location, production cost, market value, climate and environmental influences. In addition to the replacement cost of crops and economic trees, a determination should be made on the potential losses during the period of transition. The replacement cost that can be applied for agricultural land is the pre-project or pre-displacement (whichever is higher) market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of land preparation to levels similar to those of the affected land, any registration and transfer taxes.

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<sup>8</sup> The RICS Red Book contains mandatory rules and best practice guidance for undertaking asset valuations. See <https://www.rics.org/north-america/upholding-professional-standards/sector-standards/valuation/red-book/red-book-global/>.

#### 14.3.3.3 *Valuation of Structures*

In the absence of legislation to guide the valuation of buildings or structures such as foundations, fences, latrines, storage sheds or water storage tank platforms, methods for undertaking these valuations are guided by codes of ethics and standards of the Royal Institute of Chartered Surveyors (RICS) or national professional institutes of surveyors and valuers.

#### 14.3.3.4 *Relocation of Businesses*

If relocation of business becomes necessary, access to customers and suppliers will be taken into account. In addition, workers losing employment in the process of relocating should be entitled to transitional income support. In the case of temporary relocation, business owners should provide records of their income over a period of 6 months, in order to provide a standard for determining rate of compensation.

#### 14.3.3.5 *Loss due to Interruptions of Income Generating Activity*

PAPs whose livelihoods activities occur in project areas who are forced to relocate as a result of project activities will be compensated for the amount of income which they are likely to lose for the duration. Proof of income for similar periods should include receipts, financial statements or other forms of accounting records. Income loss relating to crop loss is integrated into the compensation formula by the responsible ministry.

### 14.3.4 Institutional Roles for Implementing RPF- Saint Lucia

This section describes organisational responsibilities for preparing land acquisition and resettlement activities in relation to future coastal protection or coastal development projects related to the implementation of the CARDTP.

Administrative responsibility for coordinating implementation of the Involuntary Resettlement Policy Framework during the life cycle of the project rests with the national level Project Implementing Unit (PIU).

The PIU will be responsible for coordinating the development, implementation and monitoring of any RPs or ARPs, with technical inputs from relevant government ministries as needed. The Social Specialist will be required to approve any resettlement plans.

A number of national departments and agencies are expected to participate in the preparation of RAP or ARAPs. The efforts of these national agencies/departments will be aligned with the RPF, with overall responsibility for coordinating and monitoring adherence to the RPF assumed by the Project Manager and supported by the Social Specialist attached to the international financial institutions.

The national agencies and departments of government responsible for the various aspects of executing these activities are as follows:

Land acquisition in Saint Lucia is carried out through the Land Acquisition Act (Cap 5.04) by the Chief Surveyor in the Survey and Mapping Section of the Department of Physical Planning within the Ministry of Agriculture, Fisheries, Natural Resources, Cooperatives and Physical Planning. Other departments with core responsibilities related to this RPF include the Acquisition Unit, Crown Lands, Land Registry and Physical Planning Sections in the Department of Physical Planning of the Ministry of Agriculture, Fisheries, Natural Resources, Cooperatives and Physical Planning. The Housing and Urban Renewal Department in the Ministry of Economic Development, Housing, Urban Renewal, Transport and Civil Aviation to address housing concerns, and utilities needs to be addressed by the Ministry of Infrastructure, Ports, Energy and Labour. The Ministry of Commerce, Industry, Investment, Enterprise Development and Consumer Affairs would be required to address concerns relating to established businesses.

## 14.4 Saint Vincent and the Grenadines

### 14.4.1 Legal Framework

Provisions governing compensation to individuals for losses associated with compulsory acquisition of land for public purposes, and for losses associated with resettlement are contained in the Constitution and the Land Acquisition Act. Land acquisition legislation is similar across the OECs Territories, allowing national governments to exercise rights of compulsory purchase of property in the absence of successful negotiations with private landowners.

Additional guidance to prepare resettlement and compensation programs associated with the purchase and development of land for public or private benefit may be offered through national legislation enabling environmental impact assessments (EIAs).

National legislation relevant to land acquisition and resettlement is summarised in Table 14.10.

*Table 14.10: National legislation of Saint Vincent and the Grenadines governing land acquisition and resettlement*

Legislation	Description
Saint Vincent Constitution Order 1979, Updated 2005	Section 6 provides protection from deprivation of property. 6. (1) No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except for a public purpose and except where provision is made by a law applicable to that taking of possession or acquisition for the payment, within a reasonable time, of adequate compensation.
Land Acquisition Act, CAP 322, 1947	Provides for the acquisition of land for public benefit. The government has the powers under this Act to acquire land for projects, which are intended to benefit the general public. Section 3(1) states: "If the Governor General considers that any land should be acquired for a public purpose he may cause a declaration to that effect to be made in the manner provided by this section and the declaration shall be conclusive evidence that the land to which it relates is required for a public purpose."
Land Settlement and Development Act, CAP 242, 2009	Provides for the absolute proprietorship over land (exclusive rights). Such land can be acquired by the State under the Land Acquisition Act in the project area.

Legislation	Description
Land Adjudication Act CAP 5:06, 1984	Provides for the ascertainment of interests prior to land registrations under the Land Settlement and Development Act.
Town & Country Planning Act No. 45, 1992	The Act requires that all land intended for any development requires planning and development permission.
Environmental Management Bill, 2009	The draft Act requires that special conditions be placed on coastal, industrial and hillside developments. The draft regulations associated with the draft legislation calls for Environmental Impact Assessments to be used to gauge the degree of risk associated with development in certain geographic areas.
Environmental Impact Assessment	Article 29 of the Town and Country Planning Act requires an EIA for environmentally sensitive projects or activities. The Physical Planning Unit has the legal authority for environmental management in general under this Act, including the evaluation of, the need for and level of EIA required. The scope of the EIA is determined through discussion with the PPU.

#### 14.4.2 Gap Analysis- National Laws and ESS5

Generally, the relevant national laws of Saint Vincent and the Grenadines are consistent with ESS5. The only inconsistency is the fact that ESS5 requires that land acquisition may only occur after compensation has been paid. Where resettlement is required, ESS5 also requires that resettlement sites and moving allowances be paid prior to the commencement of any development. By contrast, the National Land Acquisition Act allows the government to take possession of any needed land and development proceed prior to compensation being paid. In order to ensure compliance with ESS5, eligible PAPs must be compensated before any development is initiated (Table 14.11).

Table 14.11: Saint Vincent and the Grenadines- Land acquisition procedures based on Land Acquisition Act

Activity	Description/Task
1. Land Identification	<ul style="list-style-type: none"> <li>Identify properties to be acquired, with relevant details</li> <li>List property owners under Entitlement Categories A, B or C.</li> <li>Contact property owners to inform them of the need to acquire their property, reason and the amount required.</li> <li>Collection of legal documents to prove ownership of land.</li> <li>Collection of personal identification and banking information from property owners to facilitate transfer of funds.</li> </ul>
2. Survey & Valuation of Properties	<ul style="list-style-type: none"> <li>Survey affected property.</li> <li>Valuation of land to be acquired to determine replacement cost.</li> </ul>
3. Negotiation	<ul style="list-style-type: none"> <li>Negotiate price with property owners and prepare report with complete list of properties and final agreed price.</li> <li>Where an agreement on the value is not reached, the owner may provide a private assessment value for further negotiation</li> </ul>
4. Approval of Acquisition	<ul style="list-style-type: none"> <li>Prepare and submit Cabinet Paper for approval of acquisition of property.</li> </ul>
5. Approval of Payment of Compensation	<ul style="list-style-type: none"> <li>Prepare and submit Cabinet Paper to approve payments to property owners.</li> </ul>

Activity	Description/Task
6. Transfer of Approved Payment	<ul style="list-style-type: none"> <li>Approved payment amount transferred to the Treasury Division or bank accounts of affected property owners.</li> </ul>
7. Declaration & Publication	<ul style="list-style-type: none"> <li>Declare acquisition served to landowners and publish in the Official Gazette.</li> </ul>
8. Compensation	<ul style="list-style-type: none"> <li>Pay compensation to affected property owners.</li> </ul>
9. Filing of Receipts	<ul style="list-style-type: none"> <li>Copies of receipts of payment to be filed at the Project Implementation Unit.</li> </ul>
10. Trust Account	<ul style="list-style-type: none"> <li>Establish trust account to hold any funds for compensation that do not get resolved in the timeframe needed to start the works.</li> </ul>
11. Acquisition and Commencement of Works	<ul style="list-style-type: none"> <li>Under the Land Acquisition Act, the State is entitled to initiate work once Compulsory Acquisition has been Gazetted. Compliance with OP 4.12 would require that compensation occur in advance of works.</li> </ul>

Table 14.12 identifies gaps between national legislation and ESS5 and offers measures to address these gaps. Of particular importance is accounting for land acquisition and the timing of compensation as a specific output of any future activities resulting from implementation of the CARDTP in order to satisfy the requirements of the World Bank ESF. It must be noted that in a case where there is non-agreement between the national legislature and World Bank ESF, the more stringent condition is applied.

Table 14.12: Saint Vincent and the Grenadines: Gaps between national legislation and ESS5

Conflict/Gap	World Bank Requirements	National Laws	Measures to Address Gap
1. Timing for payment of compensation and taking possession of acquired land	ESS5, Paragraph 15: Taking of land and related assets may occur only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons.	The Land Acquisition Act permits government to take possession of acquired land and to commence development before compensation is paid.	The implementing agency is required to submit an early request for land acquisition to the responsible authority to ensure this task is included in the annual work programme and that the relevant budgetary allocation is made; A representative of this authority is to be included on any Project Steering Committee; the project budget may provide for acquisition costs.
2. Restoration of livelihoods and	ESS5, Paragraph 2: Displaced persons should	There is no existing legislation or official	All PAPs should be eligible for full

Conflict/Gap	World Bank Requirements	National Laws	Measures to Address Gap
living standards to pre-project levels or higher	<p>be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p> <p>ESS5, Paragraph 36: Compensation should include measures to ensure that displaced persons are offered support after displacement for a transition period necessary to restore their livelihood and standards of living.</p>	policy document that specifically supports resettlement initiatives.	compensation benefits per World Bank ESF requirements.
3. Opportunity to derive development benefits from project	ESS 5, Paragraph 14: The client will provide opportunities to displaced communities and persons to derive appropriate development benefits from the project.	Opportunities to derive development benefits are not generally part of local resettlement projects.	Government will advise contractors to give priority to the employment of workers originating from the target communities.

14.4.3 Methods of Valuating Assets- Saint Vincent and the Grenadines

Sections 3 and 4 of St. Vincent and the Grenadines’ Land Acquisition Act lay out the procedures for acquisition and compensation. Under the Act, the Governor General appoints the Chief Surveyor to prepare acquisition instruments, with the Land Valuation Officer conducting formal valuations.

The Land Acquisition Act describes the methods of valuating lands acquired for public use for the purpose of assessment of compensation. The two valuation methods supported by ESS5 that can be applied to conducting the valuation of property and associated assets for PAPs are Replacement Cost and Compensation Value.

- Replacement Cost: This approach is based on the premise that the cost of replacing productive assets that have been lost or damaged because of project operations are taken as a minimum

estimate of the value of measures that will reduce the damage or improve on-site management practices and thereby prevent damage. The approach involves direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement, net depreciation, moving expenses and other transaction costs.

- Compensation Value: Defined as an amount that is above the gross current replacement cost, including the costs for the inconvenience caused to the PAP by relocation, and enables the same PAP to build slightly better houses than what they currently occupy.

The replacement cost is usually applied in the case of loss of property or assets. Where property is leased from the state, the valuation considers the physical investment, plus the expected income streams up to the end of the life of the lease.

Methods for undertaking valuations for compulsory acquisition may also be guided by the codes of ethics and standards of the Royal Institute of Chartered Surveyors (RICS), International Valuations Standards Council, or national institutes of surveyors.<sup>9</sup>

To ensure transparency of procedures, the Project Implementation Unit representative, PAPs and a trusted community member (selected by PAPs) shall be present in all meetings to discuss the value of compensation, negotiation of final amount and final payment. Private owners are also given the right to provide their own assessments. Negotiations are allowed where there are differences in value. Special arrangements also should be made for vulnerable populations, for example, the elderly and special needs individuals.

#### 14.4.3.1 *Valuation of Land*

The use of the open market value of land as the means of determining the value of compensation is consistent with World Bank ESS5 Methodologies used to determine open market value include the market approach, income approach and the investment method. The method most predominantly utilised is the market approach. Key factors informing all open market valuation methodologies include location, topography, size, available services, tenure, land use and the presence or absence of natural hazards. Private owners are also given the right to provide their own assessments. Negotiations are allowed where there are differences in value.

#### 14.4.3.2 *Valuation of Crops and Economic Trees*

Crop values may be prepared as a range set by a committee of technical experts and based on factors such as species, location, production cost, market value, climate and environmental influences. In addition to the replacement cost of crops and economic trees, a determination should be made on the potential losses during the period of transition. The replacement cost that can be applied for agricultural land is the pre-project or pre-displacement (whichever is higher) market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of land preparation to levels similar to those of the affected land, any registration and transfer taxes.

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<sup>9</sup> The RICS Red Book contains mandatory rules and best practice guidance for undertaking asset valuations. See <https://www.rics.org/north-america/upholding-professional-standards/sector-standards/valuation/red-book/red-book-global/>.

#### 14.4.3.3 *Valuation of Structures*

In the absence of legislation to guide the valuation of buildings or structures such as foundations, fences, latrines, storage sheds or water storage tank platforms, methods for undertaking these valuations are guided by codes of ethics and standards of the Royal Institute of Chartered Surveyors (RICS) or national professional institutes of surveyors and valuers.

#### 14.4.3.4 *Relocation of Businesses*

If relocation of business becomes necessary, access to customers and suppliers will be taken into account. In addition, workers losing employment in the process of relocating should be entitled to transitional income support. In the case of temporary relocation, business owners should provide records of their income over a period of 6 months, in order to provide a standard for determining rate of compensation.

#### 14.4.3.5 *Loss due to Interruptions of Income Generating Activity*

PAPs whose livelihoods activities occur in project areas who are forced to relocate as a result of project activities will be compensated for the amount of income which they are likely to lose for the duration. Proof of income for similar periods should include receipts, financial statements or other forms of accounting records. Income loss relating to crop loss is integrated into the compensation formula by the responsible ministry.

#### 14.4.3.6 *Valuation of Lands Characterised by Semi-formal ownership*

Where the interest in the land is undefined or in dispute, the state facilitates the appointment of an administrator. A settlement is made based on the current estimated value, placed in trust until the beneficiaries have resolved their interest.

#### 14.4.3.7 *Valuation of Lands Occupied/Used Informally*

Lands where no legal claim to ownership relies on a valuation of the existing development, minus the land. Compensation is paid based on derived value including loss of income in case of business activity.

As the goal of compensation is to ensure that PAPs end up in positions equal to or better than they were before project intervention, valuation should cover all elements adversely impacted.

### 14.4.4 Institutional Roles for Implementing the RPF- Saint Vincent and the Grenadines

This section describes organisational responsibilities for preparing land acquisition and resettlement activities in relation to related to the implementation of the CARDTP.

Administrative responsibility for coordinating implementation of the Involuntary Resettlement Policy Framework during the life cycle of the project rests with the national level Project Implementing Unit (PIU).

The PIU will be responsible for coordinating the development, implementation and monitoring of any RPs or ARPs, with technical inputs from relevant government ministries as needed. The Social Specialist will be required to approve any resettlement plans.

A number of national departments and agencies are expected to participate in the preparation of RAP or ARAPs. The efforts of these national agencies/departments will be aligned with the RPF, with overall responsibility for coordinating and monitoring adherence to the RPF assumed by the and supported by the Social Specialist(s) attached to the and/or international financial institutions.

The national agencies and departments of government responsible for the various aspects of executing these activities are as follows:

- Land acquisition in St Vincent and the Grenadines is carried out through the Land Acquisition Act (1947) by the Land & Surveys Department within the Ministry of Housing, Informal Human Settlements, Land & Surveys and Physical Planning. Other departments with responsibilities related to this RPF include the Ministry of Finance, Economic Planning, Sustainable Development and Information Technology, the Ministry of National Security, Air and Sea Port Development, and the Ministry of Legal Affairs.

## Annex 1- Grievance Information Form

<b>Date/Time received:</b>	<b>Date: (dd-mm-yyyy)</b>	
	<b>Time:</b> <input type="checkbox"/> <b>am</b> <input type="checkbox"/> <b>pm</b>	
<b>Name of Grievant:</b>		<input type="checkbox"/> You can use my name, but do not use it in public. <input type="checkbox"/> You can use my name when talking about this concern in public. <input type="checkbox"/> You cannot use my name at all.
<b>Company (if applicable)</b>		<input type="checkbox"/> You can use my company name, but do not use it in public. <input type="checkbox"/> You can use my company name when talking about this concern in public. <input type="checkbox"/> You cannot use my company name at all
<b>Contact Information:</b>	<b>Phone:</b>  <b>Email address:</b>  <b>Address:</b>  (Kindly indicate the preferred method of communication)	
<b>Details of grievance:</b> (Who, what, when, where)	<input type="checkbox"/> One-time incident/complaint <input type="checkbox"/> Happened more than once (indicate how many times): _____ <input type="checkbox"/> Ongoing (a currently existing problem)	
<b>How would you like to see issue resolved?</b>		

<b>Attachments to the grievance/complaint:</b> (e.g. pictures, reports etc.)	List here:
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<b>Grievant/Complainant Signature (if applicable)</b>	<b>Date (dd-mm-yyyy)</b>

<b>Signature- Project personnel (to confirm receipt only)</b>	<b>Date (dd-mm-yyyy)</b>

**For PIU use only:**

**Grievance No:** \_\_\_\_\_

**Grievance Category:**

<input type="checkbox"/> Problems during material transport	<input type="checkbox"/> Smell
<input type="checkbox"/> Blocked road access	<input type="checkbox"/> Problem with project staff
<input type="checkbox"/> Dust	<input type="checkbox"/> Other (specify): _____
<input type="checkbox"/> Noise	

**Grievance Owner/ Department:** \_\_\_\_\_

## Annex 2- Grievance Acknowledgement Form (GAF)

The project acknowledges receipt of your complaint and will contact you within 10working days.

<b>Date of grievance/complaint:</b> (dd/mm/yyyy)	
<b>Name of Grievant/Complainant:</b>	
<b>Complainant's Address and Contact Information:</b>	
<b>Summary of Grievance/Complaint:</b> (Who, what, when, where)	
<b>Name of Project Staff Acknowledging Grievance:</b>	
<b>Signature:</b>	
<b>Date:</b> (dd/mm/yy)	

### Annex 3- Grievance Redressal Registration Monitoring Sheet

No.	Name of Grievant/Complainant	Date Received	Grievance Description	Name of Grievant Owner	Requires Further Intervention	Action(s) to be taken by PIU	Resolution Accepted or Not Accepted and Date of Acceptance/Non-acceptance
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							

## Annex 4- Meeting Record Form

**Date of the Meeting:** ..... **Grievance No:** .....

**Venue of meeting:** .....

**Details of Participants:**

Complainant	Project/Government/ECCB

**Summary of Grievance**.....  
 .....  
 .....  
 .....

**Meeting Notes:** .....  
 .....  
 .....  
 .....

**Decisions taken in the meeting / Recommendations of GRC**.....  
 .....  
 .....  
 .....

**Issue Resolved / Unresolved:** .....

**Signature of Chairperson of the meeting:** .....

**Name of Chairperson:** ..... **Date (DD/MM/YYYY):** .....

## Annex 5- Disclosure/Release Form

Result of Grievance Redressal

<b>Grievance No:</b>	
<b>Name of Grievant/Complainant:</b>	
<b>Date of Complaint:</b>	
<b>Summary of Complaint:</b>	
<b>Summary of Resolution:</b>	
<b>Resolved at:</b>	<input type="checkbox"/> First Level <input type="checkbox"/> Second Level <input type="checkbox"/> Third Level
<b>Date of grievance resolution (DD/MM/YYYY):</b>	

**Signature of Complainant in acceptance of the suggested grievance resolution:**

.....

**Name:** .....

**ID number:** ..... **Type of ID:** .....

**Date (DD/MM/YYYY):** .....

**Signature of Social Development Specialist and Project Coordinator:**

1..... 2.....

**1.Name**.....

**Place**.....

**Date:(dd –mm – yyyy):** .....

**2.Name:**.....

**Place:**.....

**Date:(dd –mm – yyyy):** .....