

SAO TOME AND PRINCIPE
ADAPTATION TO CLIMATE CHANGE
RESETTLEMENT POLICY FRAMEWORK

MINISTERIO DE OBRAS PUBLICAS, RECURSOS NATURAIS E AMBIENTE
Sao Tome

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EXECUTIVE SUMMARY

The Adjustment to Climate Change (ACC) project will assist the Government of Sao Tome and Principe (STP) to increase the capacity of vulnerable coastal communities to adapt to the adverse impacts of increasing climatic variability and severity. ACC project investments are concentrated in two main areas, as well as a project management component: i) a coastal early warning system for safety at sea; and, ii) coastal and riverine protection for vulnerable communities. Both investment components form integral parts of a larger, multi-donor set of interventions that target building STP's Hydromet capacity and providing protection against increased river flooding, maritime storms and coastal erosion.

The ACC project will specifically support:

- (i) Development of a functional weather and climate monitoring program, including an operational Early Warning System for coastal fishermen that transmits reliable weather information on a 12-hour basis;
- (ii) Adoption of safety-at-sea practices by the islands' artisanal fishermen, with a significant reduction of loss of lives due to extreme weather;
- (iii) Implementation of coastal adaptation measures in place in highly vulnerable communities in order to reduce their exposure to climate risks, with assistance to the STP government to develop a menu of adaptations for future action; and,
- (iv) Initiation of a process of coastal spatial planning so that vulnerable communities grow in areas away from the most exposed coastal and riverine areas.

2. Project Impacts Related to Resettlement

ACC is presently designed to limit the extent of involuntary resettlement to the fullest extent possible. The program earlier contemplated relocating to higher ground entire neighborhoods that are regularly flooded by sea surges and/or river overflows. It was subsequently recognized that, while low-lying coastal neighborhoods are located in sub-optimal areas in that they flood periodically, the residents have adapted to current conditions, and their houses for the most part are not vulnerable to flooding in the near term. ACC therefore now focuses on building barriers to marine and riverine flooding, rather than moving families out of vulnerable areas.

The improved project design notwithstanding, ACC may require involuntary resettlement in that some houses may have to be relocated and/or some land may need to be acquired for public purposes. There are potentially three situations where involuntary resettlement might occur. One, in coastal communities, houses fronting on the sea may have to be relocated farther from the water if a sea wall is to be built or raised. Two, in-land, some houses or outlying structures may be built on or over strategic drains that are now no longer functional or that need to be built anew. Also, there is the possibility that houses near the river could be damaged during construction of protective works there. Three, construction of protective sheds for fishing boats will also require land. Unoccupied State or community lands will be used for this purpose wherever possible. However, it may be the case that in some localities, appropriate land for these facilities is not available from government lands.

3. Justification for a Resettlement Policy Framework

While the possibility of involuntary resettlement is recognized at this time, it is not possible to determine precisely the exact location and number of structures that will in the event have to be acquired. For that reason, this Resettlement Policy Framework (RPF) is presented by the Government of Sao Tome e Principe (STP) in order to define the principles that will guide the development of any Resettlement Action Plans (RAPs) that may be required in the future .

C. PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS

The process for preparing and approving resettlement plans involves three steps. First, once the final technical engineering plans for a community investment in protective works are available, the Community Development Committee will complete an Environmental and Social Screening Checklist (ESSC) to certify whether or not there is any land acquisition required. If so, the CDC, in consultation with the project staff and community members, will develop a Resettlement Action Plan. Finally, the project proposal, together with the RAP, will be submitted to the Project Management Unit (PMU) for the review and submission to the World Bank.

D. ESTIMATED POPULATION DISPLACEMENT AND LIKELY CATEGORIES OF DISPLACED PERSONS

The ACC project has three components: i) Safety at Sea; ii) Coastal Area Protection; and iii) Project Management. The Safety at Sea component entails very little land acquisition: one Doppler radar tower (30x30m area), and, up to 10 sheds to be built in communities that lack adequate beach area for storing fishing canoes safely.

Depending on the locality, the Coastal Area Protection component may involve building or heightening sea walls for protection from the ocean and/or constructing river levees for protection from riverine flooding in the rainy season. It is unlikely – but not impossible—that building or heightening seawalls or river levees will require removal of any residences. It is more likely that there could be some damage during construction (e.g., from the vibrations caused by heavy machinery). The number of residences is therefore here estimated at 21 structures, affecting slightly more than 100 people, although these numbers may change marginally once the final engineering designs are available.

In the longer term, the Coastal Area Protection planning activity could lead to relocation of residences, if lower-lying areas are reserved as buffer zones to the ocean or river. Although implementing any coastal planning program is not an immediate direct activity of ACC, local authorities may want to begin planning of such a local land-use program. In such instances, the present RPF will provide a framework for guiding the relocation program.

E ELIGIBILITY CRITERIA AND CATEGORIES OF DISPLACED PERSONS

The cut-off date for eligibility will be set by each community project as the date when the Community Development Committee, in collaboration with the assisting NGO or other project agency, completes the census of people occupying the land to be acquired and the inventory of their assets (land, built structures, and other infrastructure such as wells, latrines, fences).

Under this Policy Framework, any individual who loses land or other assets or whose livelihood is adversely affected by land acquisition or changed land use by the ACC Project is eligible for indemnification and/or assistance. The nature and extent of indemnification and assistance depends on: i) on the rights that individual has to the land or asset taken; and, ii) on the nature and extent of the impact. (Please see following illustrative matrix.)

**Illustrative Matrix of Compensation Packages
By Type of Asset Lost and Ownership Right**

IMPACT	RIGHT	COMPENSATION
Land	Formal title or customary title	Replace with plot of similar size and location for residence or similar size and characteristics soil, water) for agriculture; possibility of cash compensation under carefully specified conditions. Indemnification of all administrative fees (e.g., registry fees)
	Renter or Leasee	No payment for land, but compensation for improvements to land and assets on the land; assistance to identify and rent a replacement plot of similar size and characteristics
	Squatter	No payment for land; as above, assistance to <u>locate and acquire a replacement plot</u>
	Holder of an agricultural concession	No payment for land; assistance in locating and acquiring land of similar value, or, if such is the preference of the affected people, cash compensation for standing crops and assistance in re-establishing livelihoods.
House or Business Premise (including all infrastructure such as wells, fences, outdoor kitchens, chicken coops and the like)	Owner	Replace with structure of at least same size, materials and infrastructure; any cash compensation at new (i.e., undepreciated) unit values. Indemnification of all administrative fees (e.g., registry fees).
	Renter	Reimburse any advance rental payments. Provide assistance to locate new rental property; provide at least three months rent (as disturbance fee).
	Squatter	Provide assistance to locate new rental property; provide at least three months rent (as disturbance fee). Assistance to acquire houseplot, with all administrative fees paid, recommended. Compensation for improvements made to the land and allowed to recuperate/reuse the materials used in addition to compensation.
Crops	Owner/farmer	Compensate for lost production (yield) at average price between harvests of crop lost
Trees	Owner	Provide seedlings as productive part replacement. Value of lumber or of fruit lost until seedlings come into production
Business	Owner	Compensate monthly profits foregone during period of relocation. Pay employee salaries during period of relocation
	Renter	Compensate profits and employees for wages.as above, plus assistance to acquire new locale (as for all renters)

F LEGAL FRAMEWORK

1. National Legislation

Law 3/91 on Landed Property defines the categories of land holding through which State land can be allocated to private parties for different uses. When land is required by the State for the public good, the procedure is for the originating agency to prepare a requisition for the Prime Minister's office, which then publishes the Declaration of Public Utility in the official gazette. At or about the same time, the originating agency informs the land owner or occupant of the State's intention to acquire the property and initiates negotiations. Further, although there are in the law formal procedures for valuing land, these have yet to be instituted. The usual procedure under these circumstances is for the State representatives and the owner/occupant to come to an informal agreement, which, for residents and small agricultural holders, usually entails State allocation of a replacement plot of land of acceptable size and characteristics and replacement or compensation of any other assets lost.

2. World Bank Standards for Involuntary Resettlement

OP 4.12 mandates full community information and participation, with particular emphasis on including the poor, vulnerable and/or marginalized populations in a community. In terms of eminent domain and asset acquisition, OP 4.12 stresses the importance of full (i.e., at new market value) and timely compensation for all assets lost due to land acquisition for a Bank-financed development projects. The other major policy requirement of OP 4.12 is to at least restore and preferably to improve the standards of living of the PAPs. The basic premise is to ensure that those who give up most for the project (e.g., their land, their homes, their businesses) are assisted to the fullest extent possible to restore their livelihoods so that they can maintain or improve their standards of living. In the terms of the Bank policy, resettlement operations are to be undertaken in the context of a development process. In order to ensure that indemnification and economic rehabilitation take place as planned, OP 4.12 also mandates a monitoring and evaluation program to track project progress.

3. Differences in National Legislation and International Standards, and Their Reconciliation

In view of these differences, this RPF follows both the requirements of STP national legislation and of the World Bank in a complementary manner in order to ensure the objectives of a successful resettlement operation. Inasmuch as ACC is financed under Bank auspices, it will be necessary to follow the prescriptions of Bank regulations. For that reason, wherever there are differences between the two standards, the higher of the two will prevail since the other standard is met ipso facto.

G. METHODS OF VALUING AFFECTED ASSETS

Law 3/91 establishes clearly the right to compensation for property that is acquired for the public good. Further, Government recognizes both formal and customary land tenure. Lei 3/91 does provide guidelines for the valuation of property that will be sold at public auction: location, present and future use are the factors taken into consideration (Article 26). However these legally mandated principles have yet to be formalized. This RPF therefore provides guidance on valuation methods.

H. ORGANIZATIONAL PROCEDURES FOR DELIVERY OF ENTITLEMENTS

The delivery of entitlements will be either the responsibility of the local community through the CDC or directly of the project, depending upon what type of asset or assistance is being provided.

Where land is required, the community will proceed to identify plots of similar size and quality that can be offered for the PAP's consideration. Where assets other than land are affected (e.g., buildings, other infrastructure, annual crops taken before harvest, economic trees), the unit value of each asset in the

local area will be determined, and the total cost of such compensation (including land if it is not to be replaced in kind) will be included in the RAP. These funds will be released to the PAPs as soon as the project is approved.

I. IMPLEMENTATION PROCESS

The overall coordinating agency is the Inter-Ministerial Coordinating Committee, which will oversee project management and monitor implementation of the two substantive components of the program. Daily operations will be managed by a Project Management Unit (PMU), in the Ministerio de Obras Publicas. The PMU will engage an NGO or other qualified agency to assist in the implementation of specific investments and, in particular, in the development and implementation of any required Resettlement Action Plan. The Community Development Committee will be the agency immediately responsible for the development and implementation of the RAP at the local level.

Once the RAP is approved, the CDC will implement the program as proposed. Replacement land will be allocated to the PAPs by the Government officers responsible. The PMU will transfer the funds for replacing or compensating for other lost assets. The NGO collaborating in the program will assist the CDC in implementing the resettlement operation in full consultation with the PAPs and the community in general in a timely manner. No construction will be started until the resettlement operation has been certified by the PMU as successfully completed.

J. GRIEVANCE REDRESS MECHANISMS

What land acquisition is undertaken in STP is essentially done on a 'consensual' basis, that is, the Government agent negotiates an acceptable compensation package with each person affected. Nonetheless, there could be isolated grievances – an asset that is overlooked, misattributed, or undervalued; dissatisfaction with the location of replacement plots or the quality of new housing construction.

A grievance redress system will be put in place to resolve such instances as speedily and as amicably as possible. Should any person have a complaint, a representative from the collaborating NGO will explain the grievance redress system to the complainant, and will assist the aggrieved party to complete the complaint form and formally register his or her complaint with the CDC. The CDC will investigate the complaint, with the assistance of the NGO, and deliver a judgement within two weeks.

If the complainant is dissatisfied with the determination of the CDC, the issue will be referred to the Project Management Unit, which may refer the issue to the Inter-Ministerial Coordinating Committee for guidance. Should the complainant continue to pursue the matter, he or she has recourse to the courts for redress. It must be recognized, however, that judicial consideration of such matters can be lengthy and costly. It is, therefore, much preferable to find an acceptable solution at the community or, if necessary, the project level.

K. ARRANGEMENTS FOR FUNDING RESETTLEMENT

The arrangements for funding any resettlement under ACC are relatively straightforward. If agricultural land is taken, the State will replace the parcel(s) required by allocating a plot of similar characteristics in the surrounding area that is under State ownership. If a residential plot is taken, district officials will allocate a replacement plot in that community to the PAP. If a physical asset other than land is taken, the ACC project will provide the funds from its project budget. The funds will be paid by the PMU directly to the contractor engaged to build the replacement structure(s). If the PAP opts to receive the payment him or herself, by check or in cash, and the VCC will monitor that the PAP replaces

his or her assets, as expected. If payment is by check, the collaborating NGO will assist the PAP to open a bank account or cash the check, as appropriate.

L. CONSULTATIONS WITH, AND PARTICIPATION OF, DISPLACED PERSONS

Resettlement operations work best when they use a participatory approach to identifying and designing interventions. When a community is considering its options for environmental protection, they will, with the guidance of the NGO and project engineers, take into account the possible environmental and social (in particular, resettlement) implications. If land is required and no suitable, unoccupied community land is available, the CDC will consult individually with potential PAPs. Ideally, the potential PAPs will accede to the need for their lands (or assets), and they will be offered appropriate compensation, as defined in this RPF. If a PAP does not agree to a reallocation of land or to the other compensation offered, the community will to seek an alternative designs for the intervention, if possible, in order to avoid the delays inherent in a grievance process. At every stage of this process, full and complete information about the prospective project, its land requirements, and the implications of that need will be available to all parties, in public meetings, in the reports of those discussions, as well as through individual consultations with those directly impacted.

M. MONITORING

The extent of involuntary resettlement under the ACC will be quite limited in scope – some property owners of beach land may lose small plots for canoe sheds and some other residential property owners may have to relocate either because of higher risk after the works or because of construction damage during construction. In no case will the livelihoods or incomes of the PAPs be affected by the investment.

In view of the probable nature of these impacts, the monitoring system needs to ensure that PAPs: i) replace their property in a timely manner (land and other physical structures); and ii) are satisfied with the information (completeness of explanations, availability of information), consultation (number of public meetings, of private consultations; relevance of the information provided), negotiation (flexibility and understanding of the Government negotiator) and indemnification (timely payment of the agreed upon amounts and completion of replacement structures) processes. This work will be undertaken by the NGO or other agency engaged by the PMU to assist in the resettlement operation.

Upon completion of the resettlement operation, the contracted agency will conduct a satisfaction survey among the PAPs in order to assess the extent of the information, the usefulness of the consultations, the timeliness or indemnification, and the overall satisfaction of the PAPs with the process. This resettlement completion survey in each community will help inform future operations in other communities, ultimately leading to a refined approach to resettlement.

GOVERNO DE SÃO TOMÉ E PRÍNCIPE

Quadro de Política de Reassentamento Involuntário

Sumário Executivo

O Projecto de Adaptação às Alterações Climáticas (AAC) vai apoiar o Governo de São Tomé e Príncipe (STP) a aumentar a capacidade das comunidades costeiras vulneráveis a se adaptarem aos impactos adversos da crescente variabilidade e gravidade climáticas. Os investimentos do Projeto de AAC estão concentrados em duas áreas principais, além de uma componente de gestão do projeto: i) um sistema de aviso prévio costeiro para a segurança no mar e, ii) protecção das zonas costeiras e ribeirinhas para as comunidades vulneráveis. Ambas as componentes de investimento fazem parte integrante de um conjunto maior e multi-doador de intervenções que visam o reforço da capacidade de previsão meteorológica e hidrométrica de STP e de fornecimento de protecção contra o aumento das cheias dos rios, as tempestades marítimas e a erosão costeira.

O projecto AAC irá apoiar especificamente:

- (i) Desenvolvimento de um programa funcional de monitoramento do tempo e do clima, incluindo Sistema de Aviso Prévio para os pescadores costeiros que transmita informações meteorológicas confiáveis numa base de 12 horas;
- (ii) Adopção de práticas de segurança no mar pelos pescadores artesanais das ilhas, com uma redução significativa da perda de vidas devido a condições climáticas extremas;
- (iii) Implementação de medidas de adaptação costeira em comunidades altamente vulneráveis, a fim de reduzir a sua exposição aos riscos climáticos, com apoio ao governo de STP para desenvolver um menu de adaptações para a acção futura; e,
- (iv) Início de um processo de ordenamento territorial costeiro de modo que as comunidades vulneráveis cresçam em áreas longe das áreas costeiras e fluviais mais expostas.

2. Impactos do Projecto Relacionados com o Assentamento

O AAC é actualmente destinado a limitar a extensão do reassentamento involuntário para o máximo possível. O programa anteriormente contemplava a transferência para áreas mais elevadas, de bairros inteiros que são periodicamente inundados por marés e/ou transbordamento de rios. Posteriormente, foi reconhecido que, embora os bairros costeiros da orla marítima estejam localizados em áreas inadequadas em que são periodicamente inundadas, os moradores se adaptaram às condições actuais e as suas casas, na sua maioria, não são vulneráveis a inundações no curto prazo. O AAC, portanto, agora se concentra na construção de protecções contra as inundações marinhas e fluviais, em vez da transferência das famílias das áreas vulneráveis.

Não obstante o desenho melhorado do projecto, o AAC poderá eventualmente exigir o reassentamento involuntário, em que algumas casas podem ter que ser transferidas e/ou alguns terrenos podem precisar ser adquiridos para fins públicos.

A princípio, existem 3 situações onde, eventualmente, o reassentamento involuntário pode ser necessário: a) Nas casas mais próximas ao mar, nas comunidades costeiras, onde eventualmente possa ser necessária a construção de muro de protecção ou a ampliação da protecção existente; b) Nas obras de protecção das margens dos rios (com muros de protecção) ou na recuperação/implementação de drenagem secundária nas comunidades. Existe também a possibilidade de que as obras de protecção possam

danificar algumas casa próximas às obras; e c) Construção de galpões de proteção para barcos de pesca, onde pode ser necessária a aquisição de terras. A princípio, terras devolutas do Estado ou da comunidade serão utilizados para este fim, sempre que possível. No entanto, pode ser o caso que, em algumas localidades, as terras apropriadas para estas instalações não estejam disponíveis a partir de terras do governo.

3. *Justificação para Quadro da Política de Reassentamento*

Embora a possibilidade de reassentamento involuntário seja reconhecida, neste momento não é possível determinar com precisão a localização exacta e o número de estruturas que, nessa eventualidade, necessitem ser relocadas ou adquiridas. Por essa razão, este Quadro da Política de Reassentamento (QPR), é apresentado pelo Governo de São Tomé e Príncipe (STP), com o objetivo de definir os princípios que nortearão o desenvolvimento de quaisquer Planos de Acção de Reassentamento (PARs) que possam ser exigidos no futuro.

C. PROCESSO DE ELABORAÇÃO E APROVAÇÃO DOS PLANOS DE REASSENTAMENTO

O processo de elaboração e aprovação dos planos de reassentamento envolve três etapas. Em primeiro lugar, uma vez que os desenhos técnicos e finais de engenharia, para investimento comunitário em obras de protecção estiverem disponíveis, o Comité de Desenvolvimento Comunitário irá preencher uma Lista de Verificação de Análise Ambiental e Social (LVAAS) para certificar se existe alguma necessidade de aquisição de terra /ou relocação de residências. Se assim for, o CDC, em consulta com os membros da equipe do projecto e da comunidade, deverá desenvolver um Plano de Acção de Reassentamento. Finalmente, o projecto proposto, juntamente com o PAR, serão submetidos à Unidade de Gestão do Projeto (UGP) para a análise e apresentação ao Banco Mundial.

D. ESTIMATIVA DA POPULAÇÃO DESLOCADA E PROVÁVEIS CATEGORIAS DAS PESSOAS DESLOCADAS

O projecto AAC tem três componentes: i) Segurança no Mar; ii) Protecção da Área Costeira; e iii) Gestão de Projetos. A componente de Segurança no Mar envolve muito pouca aquisição de terra: uma torre de radar Doppler (área de 30x30m), e até 10 galpões a serem construídos nas comunidades que não possuem área de praia adequada para armazenar das canoas de pesca de forma segura.

Dependendo da localidade, a componente de Protecção da Área Costeira pode envolver a construção ou o aumento das paredes de protecção contra o avanço do mar e/ou construção de diques nas margens dos rios para a protecção contra as inundações fluviais no período de chuvas intensas. É pouco provável - mas não é impossível - que a construção ou aumento da altura das protecções ou diques dos rios exija a remoção de residências. É mais provável que possa haver algum dano durante a construção (por exemplo, a partir das vibrações causadas por máquinas pesadas). Estima-se um número de 21 residências que possam ser afectadas envolvendo um pouco mais de 100 pessoas, embora esses números possam mudar ligeiramente assim que os projetos finais de engenharia estiverem concluídos e disponíveis.

A longo prazo, a actividade de planificação de Protecção da Área Costeira pode levar à relocação o das residências, se as areas de menor altitude estiverem reservadas como zonas-tampão para o mar ou rio. Embora a implementação de qualquer programa de ordenamento costeiro não seja uma actividade imediata direta da AAC, as autoridades locais podem querer iniciar a planificação de um programa local

de uso da terra. Em tais casos, o presente QPR irá fornecer uma estrutura para orientar o programa de relocação..

E CRITÉRIOS DE ELEGIBILIDADE E CATEGORIAS DAS PESSOAS DESLOCADAS

A data-limite de elegibilidade será definida por cada projecto comunitário assim como a data em que o Comité de Desenvolvimento Comunitário, em colaboração com a ONG de apoio ou outra agência do projeto, concluir o censo das pessoas que ocupam a terra a ser adquirida e o inventário dos seus bens (terrenos, estruturas erguidas e outras infra-estruturas, tais como poços, latrinas, cercas).

No âmbito deste Quadro da Política, qualquer indivíduo que perde a terra ou outros bens ou cujo meio de subsistência é negativamente afectado pela aquisição ou mudança do uso da terra pelo Projeto AAC é elegível para a indemnização e/ou assistência. A natureza e a extensão da indenização e da assistência depende : i) dos direitos que o indivíduo tem sobre a terra ou bem adquirido, e, ii) da natureza e extensão do impacto. (Por favor, ver a seguir a matriz ilustrativa.)

Matriz Ilustrativa do Pacote de Indeminizações Por Tipo de Bem Perdido ou Direito de Propriedade

IMPACTO	DIREITO	INDEMNIZAÇÃO
Terra	Título formal ou título tradicional	Substituir, no caso de residências, com terrenos de tamanho e localização semelhante; no caso de agricultura, com terrenos de tamanho, localização e características do solo e água semelhantes.; possibilidade de de indemnização em dinheiro sob condições cuidadosamente especificadas. Indemnização de todas as taxas administrativas (por exemplo, taxa de registo)
	Locatario ou Locador	Nenhum pagamento pela terra; apoio na identificação e arrendamento de um terreno de tamanho e características semelhantes
	Posseiro	Nenhum pagamento pela terra; conforme acima, assistência para localizar e adquirir um terreno de substituição
	Beneficiário de uma concessão agrícola	Nenhum pagamento pela terra; assistência para localizar e adquirir um terreno de valor semelhante , ou, se tal é a preferência das pessoas afetadas , indemnização em dinheiro pelas culturas existentes e assistência a restabelecer meios de subsistência .
Casa ou Recinto de Empresa (incluindo todas as infra-estruturas tais como poços, vedações, cozinhas externas, galinheiros e similares)	Proprietário	Substituir por uma estrutura de, pelo menos, mesmo tamanho, materiais e infra-estrutura; qualquer compensação em dinheiro a novos valores unitários (isto é, não depreciados). Indemnização de todas as taxas administrativas (por exemplo: taxa de registo).
	Locatário	Reembolsar quaisquer pagamentos de renda adiantada. Fornecer assistência para localizar uma nova propriedade de arrendamento; fornecer pelo menos três meses de renda (como taxa de perturbação).
	Posseiro	Fornecer assistência para localizar uma nova propriedade de arrendamento; fornecer pelo menos três meses de

		renda (como taxa de distúrbio). Assistência para adquirir terreno de habitação, com todas as taxas administrativas pagas, é recomendada. Compensação por melhorias feitas no terreno e permitir a recuperação / reutilização dos materiais utilizados, além de compensação.
Culturas	Proprietário/Agricultor	Compensar pela produção perdida (produção) a preço médio entre colheitas das culturas perdidas
Árvores	Proprietário	Fornecer sementes como parte produtiva da substituição. Valor da lenha ou dos frutos perdidos até as mudas começarem a produzir
Negócio	Proprietário	Compensar os lucros mensais perdidos durante o período de transferência. Pagar os funcionários durante o período de transferência
	Locatário	Compensar os lucros e os salários dos funcionários conforme acima, além da assistência para aquisição de novos locais (tal como para todos os locatários)

F QUADRO LEGAL

1. *Legislação Nacional*

A Lei 3/91 sobre Propriedade Fundiária define as categorias de posse de terras por meio das quais a terra do Estado pode ser atribuída à particulares para diferentes usos. Quando a terra é exigida pelo Estado para o bem público, o procedimento adotado é de que a agência de origem deve elaborar uma requisição para o gabinete do Primeiro-ministro, que, em seguida, publica a Declaração de Utilidade Pública no Diário Oficial da República. No momento, ou ao mesmo tempo, a agência de origem informa ao proprietário, ou ocupante da terra, da intenção do Estado em adquirir a propriedade e inicia as negociações. Embora existam na lei procedimentos formais para a definição do valor da terra, estes ainda têm de ser instituídos. O procedimento habitual nestas circunstâncias é que os representantes do Estado e o proprietário/ocupante cheguem a um acordo informal, que, para os residentes e pequenos proprietários agrícolas, geralmente implica a atribuição pelo Estado de um terreno de reposição de tamanho e características aceitáveis e de substituição ou ressarcimento de quaisquer outros bens perdidos.

2. *Padrões do Banco Mundial Para o Reassentamento Involuntário*

A OP 4.12 exige a informação e participação completa da comunidade, com particular ênfase sobre a inclusão das populações pobres, vulneráveis e/ou marginalizadas numa comunidade. Em termos de desapropriação e aquisição de activos, a OP 4.12 salienta a importância da plena (ou seja, no novo valor do mercado), e em tempo hábil, compensação por todos os bens perdidos devido à aquisição da terra para projetos de desenvolvimento financiados pelo Banco.

A outra importante exigência da política do OP 4.12 é, no mínimo, restaurar e, preferencialmente, melhorar os padrões de vida das PAPs (população ou pessoa afetada pelo projeto). A premissa básica é garantir que aqueles que cedem a maior parte para o projecto (por exemplo, suas terras, suas casas, suas empresas) sejam atendidas em toda a extensão possível para restaurar a sua subsistência e para que possam manter ou melhorar seu padrão de vida. Nos termos da política do Banco, as operações de reassentamento devem ser desenvolvidas no âmbito de um processo de desenvolvimento.

A fim de assegurar que a indenização e reabilitação económicas aconteçam como planejado, a OP 4.12 também demanda a um programa de monitoramento e avaliação para acompanhar o progresso do projeto e do processo de reassentamento.

3. Diferenças na Legislação Nacional e Padrões Internacionais, e a Sua Reconciliação

Tendo em conta estas diferenças, este QPR segue tanto as exigências da legislação nacional de STP quanto do Banco Mundial de forma complementar, a fim de garantir os objectivos de uma operação de reassentamento de sucesso. Na medida em que o AAC é financiado sob os auspícios do Banco Mundial, será necessário seguir as prescrições dos regulamentos do Banco. Por esse motivo, sempre que existam diferenças entre os dois padrões, o maior dos dois vai prevalecer visto que o outro padrão é satisfeito ipso facto.

G. MÉTODOS DE VALORIZAÇÃO DOS BENS AFECTADOS

A Lei 3/91 estabelece claramente o direito à indemnização pela propriedade que é adquirida para o bem público. Além disso, o Governo reconhece tanto o título formal e tradicional de propriedade de terra. A Lei 3/91 prevê directrizes para a avaliação dos bens que serão vendidos em hasta pública: a localização, o uso actual e futuro são os factores tidos em consideração (Artigo 26). No entanto, esses princípios legalmente previstos ainda precisam ser legalmente formalizados. Este QPR, portanto, fornece orientação sobre os métodos de avaliação a serem adotados.

H. PROCEDIMENTO ORGANIZACIONAL PARA ENTREGA DOS DIREITOS

A entrega dos direitos será da responsabilidade quer da comunidade local, através do CDC ou directamente do projecto, dependendo de que tipo de bens ou de assistência está sendo fornecida.

Quando a aquisição de terra for necessária, a comunidade vai proceder à identificação de terrenos de tamanho e qualidade semelhante que possam ser oferecidos para a consideração do PAP. Quando os bens diferentes da terra forem afectados (por exemplo, residências, outras infra-estruturas, culturas anuais tiradas antes da colheita, as árvores económicas), o valor unitário de cada bem será determinado, e o custo total dessa compensação (incluindo a terra se não for para ser substituída em espécie) serão incluídos no PAR. Esses recursos serão liberados para os PAPs logo que o projecto seja aprovado.

I. PROCESSO DE IMPLEMENTAÇÃO

A agência de coordenação geral é a Comissão Inter-Ministerial de Coordenação, que irá supervisionar a gestão do projeto e monitorar a implementação das duas componentes substanciais do programa. As operações diárias serão geridas por uma Unidade de Gestão de Projetos (UGP), no Ministério das Obras Públicas. A UGP irá envolver uma ONG ou outra agência qualificada para ajudar na implementação de investimentos específicos e, em particular, no desenvolvimento e implementação de qualquer Plano de Acção de Reassentamento necessários. O Comité de Desenvolvimento Comunitário será a agência imediatamente responsável pelo desenvolvimento e implementação do PAR, a nível local.

Uma vez que o PAR for aprovado, o CDC irá implementar o programa conforme proposto. A terra de substituição será atribuída ao PAP pelos oficiais do Governo responsáveis. A UGP irá transferir os fundos para a substituição ou indemnização por outros bens perdidos. A ONG que colabora no programa ajudará o CDC na implementação da operação de reassentamento em plena consulta com os PAPs e a comunidade em geral, em tempo hábil. Nenhuma construção será iniciada até que a operação de reassentamento tenha sido certificada pela UGP como concluída com êxito.

J. MECANISMO DE RESOLUÇÃO DE RECLAMAÇÕES

A aquisição de terras realizada em São Tomé e Príncipe é essencialmente feita numa base “consensual”, ou seja, o agente do Governo negocia um pacote de indemnização aceitável com cada pessoa afectada.

No entanto, podem haver reclamações isoladas - um bem que é negligenciado, mal atribuído ou subvalorizado; insatisfação com a localização dos terrenos de substituição ou a qualidade da construção de novas habitações.

Um sistema de resolução de reclamações será posto em prática para resolver casos da forma mais rápida e amigável possível. Se qualquer pessoa tiver uma reclamação, um representante da ONG de colaboração irá explicar o sistema de resolução de reclamações ao autor da denúncia, e irá ajudar a parte lesada a preencher o formulário de queixa e registar formalmente a sua queixa ao CDC. O CDC irá investigar a denúncia, com o apoio da ONG, e proferir a sentença dentro de duas semanas.

Se o queixoso não estiver satisfeito com a determinação do CDC, a questão será submetida à Unidade de Gestão do Projecto, que poderá remeter a questão à Comissão Inter-Ministerial de Coordenadora para a orientação. Caso o queixoso continue a insistir no assunto, ele ou ela tem de recorrer aos tribunais para a reparação. É preciso reconhecer, no entanto, que a consideração judicial de tais questões pode ser demorada e dispendiosa. É, portanto, muito melhor encontrar uma solução aceitável na comunidade ou, se necessário, a nível do projecto.

K. CONDIÇÕES PARA FINANCIAMENTO DO REASSENTAMENTO

As modalidades de financiamento do reassentamento no âmbito da AAC são relativamente simples. Se for adquirida uma terra agrícola, o Estado vai substituir a parcela(s) exigida atribuindo um terreno de características semelhantes na zona circunvizinha que esteja sob posse do Estado. Se for tomado um terreno residencial, os oficiais do distrito irão atribuir uma parcela de substituição nessa comunidade ao PAP. Se um ativo físico diferente de terras é adquirido, o projeto AAC irá fornecer os fundos do seu orçamento do projeto. Os recursos serão pagos pela UGP directamente ao empreiteiro contratado para construir a estrutura de substituição. Se o PAP optar por receber o pagamento pessoalmente, por cheque ou em dinheiro, então o VCC irá monitorar que o PAP substitua os seus bens, conforme o esperado. Se o pagamento for em cheque, a ONG vai ajudar o PAP a abrir uma conta bancária ou descontar o cheque, conforme o caso.

L. CONSULTAS, E PARTICIPAÇÃO DAS PESSOAS DESLOCADAS

As operações de Reassentamento funcionam melhor quando elas usam uma abordagem participativa para a identificação e concepção das intervenções. Quando uma comunidade está a considerar as suas opções para a protecção do ambiente, ela irá, com a orientação dos coordenadores de ONGs e engenheiros de projectos, ter em conta as possíveis implicações ambientais e sociais (no reassentamento, em particular). Se a aquisição de terra for necessária e não houver terra adequada desocupada na comunidade, o CDC vai consultar individualmente os potenciais PAPs. Idealmente, os

potenciais PAPs serão comunicados sobre a necessidade das suas terras (ou bens), e serão oferecidos uma compensação adequada, conforme definido neste QPR. Se um PAP não concordar com uma redistribuição de terras ou com outras compensações oferecidas, a comunidade irá procurar desenhos alternativos para intervenção, se possível, a fim de evitar os atrasos inerentes a um processo de reclamação. Em todas as fases deste processo, informações completas sobre o projecto proposto, os seus requisitos de terra, e as implicações dessa necessidade estarão disponíveis para todas as partes, nas reuniões públicas, nos relatórios desses debates, bem como através de consultas individuais com as pessoas directamente afectadas.

M. MONITORIA

A extensão do reassentamento involuntário no âmbito da AAC será bastante limitada - alguns proprietários de terrenos de praia poderão perder pequenas parcelas para galpões de canoa e alguns outros proprietários de imóveis residenciais poderão ter que ser transferidos, quer por causa de um maior risco após as obras, ou por causa de danos durante a construção. Em nenhum caso, os meios de subsistência ou os rendimentos dos PAPs serão afectados pelo investimento.

Tendo em vista a natureza provável destes impactos, o sistema de monitoramento deve garantir que os PAP: i) substituam a sua propriedade em tempo hábil (terra e outras estruturas físicas); e ii) estejam satisfeitas com a informação (plenitude dos esclarecimentos, a disponibilidade de informação), a consulta (número de reuniões públicas, consultas privadas; relevância das informações prestadas), negociação (flexibilidade e compreensão do negociador do Governo) e processos de indemnização (pagamento atempado dos montantes acordados e conclusão das estruturas de substituição). Este trabalho será realizado pela ONG ou outra agência contratada pela UGP para auxiliar na operação de reassentamento.

Após a conclusão da operação de reassentamento, a agência contratada irá realizar uma pesquisa de satisfação entre os PAPs, a fim de avaliar a extensão da informação, a utilidade das consultas, a actualidade ou indemnização e, a satisfação geral dos PAPs com o processo. Esta pesquisa de conclusão de reassentamento em cada comunidade vai ajudar a informar as operações futuras em outras comunidades, conduzindo por fim a uma abordagem refinada de reassentamento.

**ADAPTATION TO CLIMATE CHANGE
SAO TOME E PRINCIPE
RESETTLEMENT POLICY FRAMEWORK**

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ACRONYMS

ACC	Adaptation to Climate Change project
CDC	Community Development Committee
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
ESSC	Environmental and Social Safeguards Checklist
IMCC	Inter-Ministerial Coordinating Committee (ACC)
NAPA	National Adaptation Plan of Action
NGO	Non-Governmental Organization
OP	Operational Policy (World Bank)
PAP	Project Affected Person (or People)
PMU	Project Management Unit
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
STP	Sao Tome e Principe

**SAO TOME AND PRINCIPE
ADAPTATION TO CLIMATE CHANGE
RESETTLEMENT POLICY FRAMEWORK**

A. PROJECT DESCRIPTION

1. Project Description

The development objective of the Adjustment to Climate Change (ACC) project is to assist the Government of Sao Tome and Principe (STP) to increase the capacity of vulnerable coastal communities to adapt to the adverse impacts of increasing climatic variability and severity. ACC project investments are concentrated in two main areas – i) a coastal early warning system for safety at sea; and, ii) coastal and riverine protection for vulnerable communities—as well as a project management component. Both investment components are integral parts of a larger, multi-donor set of interventions that target building STP’s Hydromet capacity and providing protection against increased river flooding, maritime storms and coastal erosion.

The ACC project will specifically support:

- (i) Development of a functional weather and climate monitoring program, including an operational Early Warning System for coastal fishermen that transmits reliable weather information on a 12-hour basis;
- (ii) Adoption of safety-at-sea practices by the islands’ artisanal fishermen, with a significant reduction of loss of lives due to extreme weather;
- (iii) Implementation of coastal adaptation measures in place in highly vulnerable communities in order to reduce their exposure to climate risks, with assistance to the STP government to develop a menu of adaptations for future action; and,
- (iv) Initiation of a process of coastal spatial planning so that vulnerable communities grow in areas away from the most exposed coastal and riverine areas.

More specifically, the project activities under Components 1 and 2 are as follows:

Component 1. *Coastal Early Warning and Safety at Sea: STP NAPA priorities 1, 2 and 15* (LDCF: US\$1.80 million; Co-Financing: US\$2.41 million)

This component supports the establishment of a functional early warning system, installation and distribution of safety equipment, training on safety at sea, and coastal emergency preparedness for artisanal fishermen. In an environment of shifting seasonal patterns and ever more extreme weather events, introducing an early warning system and making safety equipment available to artisanal fishermen—neither of which is available in STP today—will fill a critical gap in fisher communities’ capacity to adapt to and survive changing climate conditions, when their traditional visual navigation practices are no longer reliable. Further, the component will support the island’s nascent coastal emergency preparedness program.

In particular, this component comprises:

- (i) *Establishment of an early warning system for coastal communities and near-shore fisheries* (LDCF US \$1.5 million, Co-financing US \$0.7 million)
- a. Creating national capacity to conduct real-time weather observations through the acquisition and installation of Coastal Early Warning System equipment, including a meteorological marine station, a Doppler weather radar, servers, computers, and data links as well as expanding the coverage of the existing STP GSM network.¹
 - b. Strengthening interagency coordination and capacity for producing, issuing, and disseminating 12-hour coastal weather forecasts and for providing early warning to coastal communities and fishermen:
 - i. Providing specialized training to the Institute of Meteorology, the Institute of Maritime and Port Authority and the media in marine meteorology and the preparation and dissemination of weather reports through multi-media channels.
 - ii. Operationalizing the STP Coastal Early Warning System, including development of an operation plan, protocol, and decree for its functioning, as well as effective monitoring. Co-financing from the STP Government will provide for continuous delivery of early warning bulletins, and for system rehabilitation and maintenance.
- (ii) *Improvement of safety at sea* (LDCF US \$0.33 million, Co-financing US \$1.12 million)
- a. Acquiring and installing safety-at-sea, search and rescue, and communication equipment, including compasses, life vests, emergency flares, waterproof mobile phone covers, GPS devices, radar reflectors, emergency phone line, GSM communication protocols, and computers.
 - b. Developing a public-private partnership to improve the availability and utilization of the safety-at-sea equipment by artisanal fishermen, including subsidizing its initial purchase and distribution.
 - c. Providing specialized technical assistance to the Department of Fisheries and the Coast Guard, including for the establishment of a monitoring system for safety-at-sea incidents.
 - d. Providing safety-at-sea training for about 200 artisanal fishermen leaders in S. Tome and Principe.
 - e. Providing community outreach and training in disaster preparedness and response for about 13 highly vulnerable coastal fishing communities (10 in S. Tome and 3 in Principe).

Component 2. Coastal Protection for Vulnerable Communities: STP NAPA priorities 3, 9, 10 (LDCF: 1.91 million; Co-Financing: US\$11.24 million)

Component 2 addresses coastal erosion and village inundation through participatory coastal adaptation measures and through heightened public awareness of improved coastal management policies. This program will be piloted in the vulnerable coastal communities of Ribeira Afonso, Malanza, and Sta.

¹ Parallel co-financing projects from the STP Government, Japan/UNDP, and EDF/AMEDS are funding, respectively, the acquisition of eight basic weather stations, rehabilitation of six river monitoring hydrological stations, and a new satellite reception station.

Catarina (S. Tome) and Sundy (Principe). These communities were identified in the National Adaptation Plan of Action (NAPA) as communities at very high risk of coastal erosion and residential flooding, findings that were subsequently prioritized during participatory consultations with the communities. The component introduces to STP a menu of soft and hard coastal adaptation practices, and establishes a basis for re-directing future community development away from high risk areas, as ever more frequent and severe flooding makes traditional community location and livelihood patterns less and less sustainable. Based on best international practices and participatory community feedback, the component chooses to protect and manage *in situ*, as well as offer incentives for the communities to gradually expand towards lower risk areas, rather than relocate them outright.

The component comprises:

- (i) *Community Preparedness* (LDCF US \$0.5 million, Co-financing US \$0.1 million)
 - a. Providing specialized technical assistance to the pilot municipalities in developing participatory climate-resilient development plans.
 - b. Expanding coastal geomorphological analysis to the pilot communities and assisting the respective Regional Governments in preparing flood-reduction design measures.
- (ii) *Coastal Protection for Vulnerable Communities* (LDCF US \$1.33 million, Co-financing US \$10.9 million)
 - a. Participatory implementation of priority hard (e.g., groins, off-shore breakwaters, composite beach revetments, embankments, dragging, and drainage) and soft (e.g., house elevation, beach restoration, and re-vegetation/reforestation) coastal adaptation measures, expected as follows:

	<i>Malanza</i>	<i>Ribeira Afonso</i>	<i>Sta. Catarina</i>	<i>Sundy</i>
Beach restoration and/or re-vegetation	√	√		√
House elevation	√	√	√	
Beach revetments and other shore/off-shore protection structures	√	√	√	
River bed dredging and embankment construction	√		√	
River bank revetments			√	
Larger drainages systems reconstruction	√		√	
Feeder drainages systems	√	√	√	√

In addition, co-financing will provide for river-bed dredging in the Sta.Catarina-Neves area, baseline coastal and river flood protection works in Ribeira Afonso, and coastal erosion control works for the the only access road to the communities on the northwest coast of Sao Tome, including Neves and Sta. Catarina

- b. Building community capacity and commitment towards climate resilience and response to extreme weather events, through small (<US\$20,000/each) community-executed coastal adaptation works . These are expected to include rehabilitation and maintenance of secondary drains, revegetation of erodible slopes and beaches, and, possibly, putting vulnerable houses on higher stilts.²

(iii) *Coastal Resilient Policies* (LDCF US \$0.06 million, Co-financing US \$0.07 million)

- a. Supporting cross-community and island-wide exchange and dissemination of lessons learned through study tours and joint practice sharing and assessment workshops. (This work will leverage the on-going adaptation capacity-building supported by the Japan/UNDP Africa Adaptation Program.)
- b. Providing technical assistance and workshops for the development of a national policy and legal framework for climate-resilient coastal spatial planning and resource management.

Component 3: Project Management

- (i) Supporting project implementation, communications, monitoring and evaluation. Incremental operating costs for the Project Management Unit, the National Technical Committee for Climate Change and the National Council for Prevention and Response in their support to the project’s monitoring and implementation. These are deemed to be critical for strengthening the climate risk management and adaptation capacity of the STP Government in the long term.

2. Project Impacts Related to Resettlement

ACC is presently designed to limit the extent of involuntary resettlement to the fullest extent possible. The program earlier contemplated relocating to higher ground entire neighborhoods that are regularly flooded by sea surges and/or river overflow. It was subsequently recognized that, while low-lying coastal neighborhoods are located in sub-optimal areas in that they flood periodically, the residents have adapted to current conditions, and their houses for the most part are not vulnerable to flooding in the near term. Put otherwise, the issue of low-lying coastal housing is a longer-term issue, as climate change raises sea levels and heavier rainstorms that cause rivers to overflow more frequently and with greater volume. For this reason, ACC will provide protective seaside and riverine works, but leave the existing communities in their present location. At the same time, the project will sponsor local land-use planning activities that identify and develop suitable residential areas for community expansion. The approach here will be to sponsor planning forums for local officials and representatives so they can share experiences and approaches. The aim will be to develop ‘poles of attraction,’ that is new neighborhood areas that offer basic public facilities (e.g., school, market, utilities) that attract residents to them. Over time, it is expected that people will opt to relocate on their own to these new

² All houses in coastal communities are built on stilts because of periodic sea and/or river flooding of the residential area. Houses are usually built on a platform that is at least just above usual flood levels. The risk of more severe flooding in the future may necessitate raising the elevated platform of some houses. Any work of this nature will be done on a strictly voluntary basis: the residents will petition the project to raise their house platform, and the project will undertake this work if the family petitioning qualifies for this assistance.

neighborhoods. The ACC project, however, does not support – and will not underwrite – any forced relocation of families from low-lying neighborhoods.



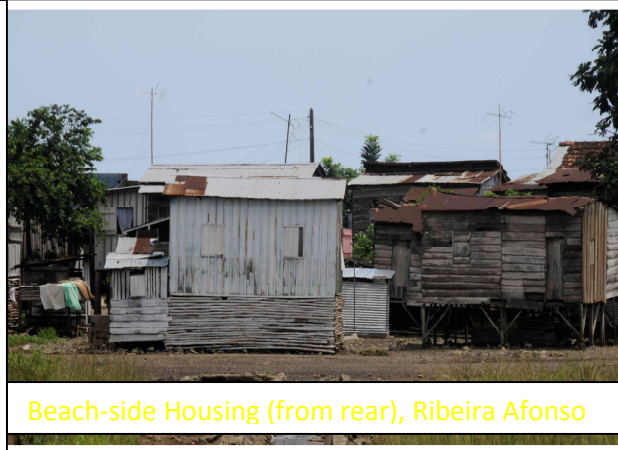
Beach area, road, Sta.



Housing, Sta. Catarina



River Riheira Afonso



Beach-side Housing (from rear), Ribeira Afonso



Beach and river area, Malanza



Beach-side Housing along road, Malanza

The improved project design notwithstanding, ACC may require involuntary resettlement in that some houses may have to be relocated and some land may need to be acquired for public purposes. There are potentially three situations where involuntary resettlement might occur.

One, in coastal communities, houses fronting on the sea may have to be relocated farther from the water if a sea wall is to be built or raised. Such relocation would require the State to forcibly relocate some residences for the safety of the occupants whatever the locational preferences of the owners

Two, in-land, some houses or outlying structures may be built on or over strategic drains that are now no longer functional or that need to be built anew. Rehabilitating these drains would require the removal of these houses or associated structures, and their relocation to immediately neighboring areas. Also, there is the possibility that houses near the river could be damaged during construction of protective works there.

Three, construction of protective sheds for fishing boats will also require land. Unoccupied State or community lands will be used for this purpose wherever possible. However, it may be the case that in some localities, appropriate land for these facilities is not available from government lands. In those cases, it will be necessary to forcibly acquire an area for the shed. (A similar situation might arise with the construction of the Doppler radar tower.)

3. *Justification for a Resettlement Policy Framework*

While the possibility of involuntary resettlement is recognized at this time, it is not possible to determine precisely the extent of potentially forcible land acquisition for several reasons.

In low-lying coastal communities, detailed hydrological and topographical information is required in order to determine precisely how far inland the rehabilitation and/or relocation program must extend. These studies are expected in mid-2011, and they, in concert with close local consultation, will facilitate the decision about exactly what works will be undertaken and which houses would either benefit from rehabilitation (i.e., have the housing platform raised) or need to be relocated.

As for the houses and other structures built on or over old drainage systems, the final technical designs for these works are not yet available, so while it is possible to estimate the extent of involuntary relocation, it is not possible to identify each of the individual structures that will be so affected. The possibility of construction damage in riverine areas poses the same consideration: while planning and budgeting for necessary relocation of these structures is appropriate at this time, whether any residences will have to be rebuilt or relocated cannot be known until the works are underway.

Similarly, for the fishing boat sheds, the intention is to use public lands wherever possible, but detailed studies need to be undertaken in order to identify eligible communities, appropriate locales in each locality, and the availability of unoccupied public land for these investments.

Finally, as noted above, ACC will pilot its activities in four coastal communities in order to determine how best to implement a local residential planning program. ACC will facilitate experience-sharing among participating communities, and local planning of local growth pole areas. While the project may facilitate relocation in a limited number of cases, the project neither supports nor will finance forced relocation. Unlike most resettlement projects which clear an area for a public investment, residential

relocation from low-lying coastal areas is in the personal interest of the families themselves. The families will be expected to request assistance in relocating and to collaborate in and contribute to the process. Whether there will be any voluntary relocation, as well as the terms and conditions of the residents' contribution, remain to be worked out during the initial phase in the four pilot communities.

Because it is not possible at this time to identify the structures and areas where there will be involuntary resettlement (or elevation of existing housing platforms), this Resettlement Policy Framework (RPF) is presented by the Government of Sao Tome e Principe in order to define the principles that will guide the development of any Resettlement Action Plans (RAPs) that may be required in the future .

B. PRINCIPLES AND OBJECTIVES GOVERNING RESETTLEMENT PREPARATION AND IMPLEMENTATION

The most effective measure for avoiding disruption of people's lives and livelihoods is to avoid taking land in the first place. Involuntary resettlement can often be avoided by exploring all viable alternative designs for an investment. It is therefore expected that when a project entails involuntary resettlement as defined in this policy, the community, with the assistance of project officers, will explore all possible configurations of the project and its possible location in order to avoid the need for taking any land or at least to minimize the extent of land take.³

Where land acquisition is unavoidable, a RAP is required. The RAP will specify the procedures for land acquisition, compensation and economic assistance of project-affected people (PAPs). The RAP will also take into account the following principles and objectives in order to at least restore, and preferably improve, the standards of living of the PAPs.

First, when land is required, the area taken will be the smallest area possible, so that the extent of physical and economic dislocation is reduced to the absolute unavoidable minimum. In such instances, it is usually less disruptive to take community land rather than private land, as long as it is not occupied or utilized by others, whether legally or through usufruct. Where suitable unused State land is unavailable, private land must be acquired.⁴

Second, PAPs will be afforded full and meaningful opportunity to participate and contribute to the design and implementation of the project. It is preferable, especially in small community projects, that the people affected concur fully with the necessity of the acquisition of their land; if not, other land should be considered. Further, even when people agree with the aims of the project, the compensation and other remedial measures will be discussed with and accepted by the PAPs, and they will have an important role in implementing the measures. Finally, the PAPs will play an important role in monitoring the resettlement operation, for their satisfaction with the operation is a significant project monitoring dimension.

³ This review of alternatives considered will be presented in the introductory section of the RAP, which describes the project and the alternatives considered to avoid, or at least minimize, land acquisition and resettlement.

⁴ The Screening Process [below, Section C] distinguishes between these situations because a RAP will be required only for the acquisition of community or state land that is occupied or used and for the acquisition of private land. In Sao Tome e Principe, 90 percent of all land is held legally held by the State.

Third, all PAPs will be compensated fully for the loss of any and all assets. This includes, but is not limited to: land, houses, business premises, other infrastructure (fences, wells, latrines, lost crops and economic trees), as well as, in the instance of businesses, employee wages and business profits for the period of disruption. In the case of land, compensation in-kind (that is, land-for-land) is preferred in rural areas. For other assets that are not replaced in kind, compensation values will be at new replacement cost, without depreciation, in order to assure that people can replace each asset. Also, payments will be effected in a timely manner so that the PAPs are not further inconvenienced.

Fourth, PAPs will be assisted in case of physical relocation or resettlement. Local officials and/or project officers will help PAPs identify and acquire a new residence or business locale, and will provide any other necessary ancillary support (e.g., purchase and/or transport of building materials, hiring building contractors, physical transfer and reinstallation).

Fifth, PAPs will be provided all reasonable and necessary assistance to restore their livelihoods, to the extent these are affected. This policy holds that where it is not feasible to avoid economic dislocation, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in the investment's benefits. Therefore, when incomes or livelihoods are affected, PAPs will be provided assistance 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.

These principles provide basic guidelines for developing a detailed and time-bound Resettlement Action Plan when a project requires land. The purpose of developing a RAP is to define not only the procedures for land acquisition but also the measures necessary to improve -- or at least maintain -- the standards of living of the project-affected people, and to do so prior to project implementation.

C. PROCESS FOR PREPARING AND APPROVING RESETTLEMENT PLANS

The process for preparing and approving resettlement plans involves three steps. First, once the final technical engineering plans for a community investment in protective works are available, the Community Development Committee (CDC) will complete an Environmental and Social Screening Checklist (ESSC) to ascertain whether or not there is any land acquisition required (see Annex A). If so, the CDC, in collaboration with the project staff and community members, will carry out a census of the affected population, an inventory of their fixed assets, and a socio-economic baseline survey (see Annex B) in order to develop a Resettlement Action Plan (see Annex C). Finally, the project proposal, together with the RAP, will be submitted to the Project Management Unit (PMU) for review and submission to the World Bank. These steps are detailed below.

1. *Certification of Whether or Not There is Resettlement: The Environmental and Social Safeguard Checklist*

This section describes the process for certifying that environmental and social concerns -- in particular here, resettlement issues -- are addressed early on and adequately throughout the project cycle. While designing the technical interventions, the project technicians and Community Development Committee will consult closely with all residents in the locality in order to eliminate, or at least reduce to the

minimum possible, the extent of involuntary resettlement. This process is formalized through a simple Environmental and Social Safeguard Checklist (ESSC; Annex A) of potential issues. The ESSC is forwarded to the Project Management Unit (PMU), and, if appropriate, to the World Bank, for final approval.

The screening exercise must be carried out by each community participating in the ACC project. With regard to involuntary resettlement, the ESSC certifies: i) whether land that is occupied or used will be required for the investment; and, ii) whether the mitigating measures that will be necessary before the construction begins have been defined in sufficient detail that they can be readily implemented.

The ESSC is designed to inform local communities and their leaders about critical issues and to make available to reviewers key information. The ESSC poses a series of questions about potential issues. The answer to each ESSC question is either 'Yes; or 'No'. If all of the answers are 'No,' the project poses no particular environmental or social concern, and can be forwarded to the PMU for field verification of the findings and final approval. .

When a critical environmental or social issue does arise, the CDC knows that mitigation measures will be necessary. These measures are to be defined by the CDC in close coordination with the project technicians and the community, in particular the community members directly affected by the investment.

If one or more of the answers are 'Yes,' there are three possible outcomes:

1. Some form of Environmental Management Plan (EMP)⁵ is required;
2. An Environmental Impact Assessment (EIA) is required; and/or
3. Resettlement Action Plan (RAP) is required⁶.

When one or more items indicate that further environmental or social (specifically, resettlement) investigation is required, the community, in consultation and collaboration with the PMU staff and its collaborating NGO, will develop the required plan, either an EMP, an EIA and/or a RAP (see Section C-2, immediately below).

The checklist constitutes a certification by the CDC that the project design has identified all relevant environmental and social issues, and includes all measures required to avoid or minimize adverse environmental and social impacts. When completed, the ESSC identifies the potential impacts of the project, describes the measures to address these impacts, includes the costs of the resettlement operation in the overall project budget, and annexes the completed checklist along with any additional planning reports.

2. COMMUNITY DEVELOPMENT OF A RAP AND PROJECT CERTIFICATION

When the initial ESSC indicates that there will be land acquisition and therefore involuntary resettlement as defined under this policy, the CDC, with the assistance of the PMU staff and their

⁵ Please refer to the project Procedural Manual (forthcoming) for the handling of EMPs and EIAs.

⁶ The ESSC contains a specific question (Annex A, Item C-1-6) that inquires whether any land is required, and, if so, whether it is occupied, seasonally or permanently, through formal law or customary right and what remedial measures are proposed (Annex A, Section D).

collaborating NGO, will develop a Resettlement Action Plan. The Bank’s policy requires a RAP for any project that involuntarily displaces people from land or productive resources, and the displacement results in: relocation, the loss of shelter, the loss of assets or access to assets important to production; the loss of income sources or means of livelihood; or the loss of access to natural resources.

The RAP should meet the requirements a project and be easy to use. The standard format for a RAP is (also see Annex C):

- a. Describe the project (and alternatives considered to minimize resettlement)
- b. Define the impacts (including those identified during the census and socio-economic survey)
- c. Census the population affected and undertake a baseline socio-economic survey
- d. Detail the type and extent of loss incurred by each PAP
- e. Specify whether compensation is in-kind for each loss or, for those assets whose indemnification is in cash, the unit compensation rates and overall cost for monetary compensation, including transport, administrative and other (e.g., contractor hiring) costs
- f. Determine and prepare the resettlement site, if any, including institutional arrangements
- g. Present any economic rehabilitation measures required
- h. Provide a timetable for resettlement and project activities
- i. Present a detailed budget, and identify the sources of funds.

(This outline accords with the guidance for a RAP when a RPF has been approved (OP 4.12, Annex A, paragraph 25⁷). The more elaborate instructions for a RAP (OP 4.12, Annex A, paragraphs 2 – 21) apply when a RPF has not been developed and approved. This RPF covers all of the topics that apply to all RAPs, so these matters need not be repeated when developing the specific project RAP.)

In practice, once the CDC, in consultation with the community, has determined that there will be land acquisition and involuntary resettlement, the CDC will conduct a census of the affected population and an inventory of the assets each PAP will lose. At the same time, the enumerators will record basic demographic and economic information, specifically, the name, age, marital status, number of dependents, primary and secondary occupations of each PAP household. The enumerators will also record the extent and type of impact and the importance of the area lost to each PAP family. (See Annex B for an example of a data collection sheet.) This work will be carried out with the assistance of the NGO engaged by the PMU to assist in this work.

⁷ “When a resettlement policy framework is the only document that needs to be submitted as a condition of the loan, the resettlement plan to be submitted as a condition of project financing need not include the policy principles, entitlements, and eligibility criteria, organizational arrangements, arrangements for monitoring and evaluation, the framework for participation, and mechanisms for grievance redress set forth in the resettlement policy framework. The project-specific resettlement plan needs to include baseline census and socioeconomic survey information; specific compensation rates and standards; policy entitlements related to any additional impacts identified through the census or survey; description of resettlement sites and programs for improvement or restoration of livelihoods and standards of living; implementation schedule for resettlement activities; and detailed cost estimate.” (OP 4.12, Annex A, Para 25).

Once it is determined how many people are affected and how severely, the CDC will consult with the PAPs on remedial measures. Ideally, all land lost will be replaced by land of the same size and of the same characteristics. Structures can be replaced in-kind by the project or by the PAP using his or her indemnification payment(s). Annual crops that are lost before harvest are to be compensated at the market rate for that production at the mid-point between harvests. And economic trees are either valued for their lumber (timber trees) or, in the case of fruit trees, valued at the amount of production lost for the period it takes a replacement seedling to come into production.

This information is compiled in the RAP, along with key information on institutional arrangements, timetable and cost. The CDC members will sign the RAP to indicate that they and the PAPs agree with the propositions and to certify that all of the information is complete and accurate. The project proposal, with the ESSC and RAP (as well as any environmental plan required) annexed -- and with the resettlement budget included as a line in the project budget -- may then be sent to the PMU for processing.

3. The Approval Process

The approval process involves three steps. First, as discussed above, the CDC will complete the ESSC. If there is no land acquisition or direct economic impacts because of the investment, the proposal and signed ESSC can be forwarded to the PMU for verification and approval. If a RAP is required, the CDC, with the assistance of the collaborating NGO, will prepare a RAP that identifies the impacts and their mitigation. The CDC then forwards both the ESSC and the RAP to the PMU.

Second, the PMU will review the submission, and carry out any field verification that may be warranted. The PMU will sign the ESSC and RAP to indicate that they are satisfied with the proposal and its annexes (e.g., ESSC, RAP and any required environmental planning documents). In the contrary case, the PMU, will specify what additional information is necessary before the RAP can be approved.

Third, the PMU will submit the RAP (and/or any required environmental plan) to the Project Inter-Ministerial Coordinating Committee (IMCC) for forwarding to the World Bank for review and acceptance, unless approval authority has previously been delegated by the Bank to the IMCC or the PMU. As soon as all the agencies involved – the CDC, the PMU, the IMCC⁸ and the World Bank – have approved the RAP, construction work on the physical investment can be started.

D. ESTIMATED POPULATION DISPLACEMENT AND PRELIMINARY BUDGET ESTIMATE

As mentioned above, the final configuration of ACC activities minimizes to the fullest extent possible – and may even eliminate – the need for involuntary resettlement, which, in the broad sense of OP 4.12, includes not only physical relocation but also economic dislocation. Nonetheless, it may be that a limited amount of involuntary resettlement proves unavoidable in the event. For that reason, an estimate of the total population of each locality, the number of houses, the number of houses affected by flooding either from the ocean or from a nearby river or both, and the number of affected houses

⁸ The IMCC can formally delegate authority for approval to the PMU, thus eliminating one step in the approval process.

that might be relocated within each village, as well as beach lots that may be acquisitioned, is provided here by project component (Table 1).

The ACC project has three components: i) Safety at Sea; ii) Coastal Area Protection; and iii) Project Management. The Safety at Sea component entails very little land acquisition. Essentially, one Doppler radar tower (30x30m area) may be built for the Early Warning System, but this will be built on secure (i.e., unoccupied) Government land. In addition, up to 10 sheds may be built in communities that lack adequate beach area for storing fishing canoes safely. These sheds have to be as near as possible to the tidal area for easier access to the ocean, and they should be located on available (i.e., unoccupied) community or State lands. Only in rare instances that State land is not available in the immediate coastal area would private land – but not housing – be acquired for these facilities.

In the short-term, that is, under the ACC project, the Coastal Area Protection component involves, depending on the locality, building or heightening sea walls for protection from the ocean and/or constructing river levees for protection from riverine flooding in the rainy season. It is unlikely – but not impossible—that building or heightening seawalls will require removal of any residences for the simple reason that houses are normally built beyond the tidal area. In those communities such as Malanza and Ribeira Afonso, where residences are now built right down to the limit of the habitable area, it is possible there could be some damage during construction (e.g., from the vibrations caused by heavy machinery). Similarly, it is most unlikely that any residences will have to be removed for the construction of river levees because there are few houses in these areas. Again, construction activities may damage houses that are at the edge of town and near the river. Alternatively, channelization of the river could, despite the best of intentions, increase the risks of flooding in certain areas, requiring the removal of any residences for the security of the occupants.

In the longer term, the Coastal Area Protection planning activity could lead to relocation of residences, if lower-lying areas are reserved as buffer zones to the ocean or river. Although implementing any coastal planning program is not an immediate direct activity of ACC, local authorities may want to begin implementation of such a local land-use planning program. In such instances, the present RPF provides a framework for guiding the relocation program.

Community training programs in safety at sea and in community protection will be provided at existing centers in each community; no new training centers will be built under ACC.

Finally, project management entails no involuntary resettlement.

Table 1 (below) presents a preliminary estimate of the number of properties that might be affected by each project activity. These estimates are based on preliminary assessments made by civil engineers of the number of properties in potentially affected areas.

Table 1:
Estimated Number of Households Affected by Investments, By Project Activity and Type of Loss

	NUMBER OF HOUSES/ HOUSEHOLDS (TOTAL POPULATION)	NUMBER OF HOUSES POTENTIALLY AFFECTED BY FLOODING	PROJECT INTERVENTIONS		TOTAL
			LAND ONLY	LAND AND STRUCTURE	
1. SAFETY AT SEA					
a. Early Warning System			(1) *	0	(1)
b. Safety at Sea			Up to 10 canoe sheds	0	0
Subtotals			1	0	
2. COASTAL PROTECTION					
a. Community Preparedness (Construction Planning)			0	0	0
b. Coastal Protection (Construction)					
i. Sta. Catarina	700 (est. 3,500)	est. 100	0	7	0
ii. Malanza	160 (est. 900)	est. 90	0	0	0
iii. Ribeira Afonso	900 (est. 4,500)	est. 300	0	2-3 (possible)	
iv. Sundy			?	?	?
c. Coastal Resilient Policies			t.b.d.	t.b.d.	t.b.d.
Subtotal			0	10	0
3. PROJECT MANAGEMENT	n. r.	n.r.	0	0	0
TOTALS			11	10	21

* A Doppler radar tower may be built; it would be located on secure and unoccupied government land.

Assuming that every canoe shed requires private land (with housing) and that every residence potentially affected by potential construction works must in fact be relocated, a total of 21 families may be affected by ACC activities. Since household size averages about 5 people, the total number of people affected could be slightly more than 100.

A preliminary budgetary allocation for relocation is given in Table 2. A residential plot, which would be the location and size necessary for a canoe shed, runs about 12 - 14,000,000 Dobra (\$480 - \$560 US at 25,000 D to the \$US), that is, \$5,600 US, total (excluding the Doppler radar tower). As for relocated housing, the lots would run a similar amount, that is, \$5,600 US (10 plots at \$560 US), plus the cost of a new house. Local cost estimates for new houses, not taking into account labor and some materials, run about \$400; contractor-built housing might run \$2,000 per house, which represents an additional \$20,000 US. The costs of social assistance (an NGO) and of monitoring would be borne by the overall project, as these tasks would be included in the terms-of-reference of the agencies contracted to collaborate in the endeavor.

Table 2:
Estimated Budgetary Requirements

	Number of Lots			Number of New Residences			Total (\$US)
	Number	Unit Price (\$US)	Total (\$US)	Number	Unit Price (\$US)	Total (\$US)	
Canoe Sheds *	10	\$ 560	\$ 5,600				\$ 5,600
Residential Lots	10	\$ 560	\$ 5,600	10	\$ 2,000	\$ 20,000	\$ 25,600
Social Assistance (NGO)							Included in ACC General Budget
Monitoring							Included in ACC General Budget
Totals	20	\$ 560	\$11,200	10	\$ 2,000	\$ 20,000	\$ 31,200

* The cost of building the canoe sheds is not included here as this is a project-financed intervention for the benefit of the fisher community.

E ELIGIBILITY CRITERIA AND CATEGORIES OF DISPLACED PERSONS

1. Eligibility Cut-off Date

The cut-off date for eligibility will be set by each project as the date when the Community Development Committee, in collaboration with the assisting NGO or other project agency, completes the census of people occupying the land to be acquired and the inventory of their assets (land, built structures, and other infrastructure such as wells, latrines, fences).

It is important to note that the final technical (engineering) designs must be available before the census of affected people and the inventory of the assets (land, structures, other infrastructure, crops and/or trees) can be done with any precision.

Normally, the resettlement plan is developed shortly after the population census and asset inventory have been completed. Once the Resettlement Plan is approved, it may be implemented, and once the resettlement operation is certified as completed to the fullest extent possible, the physical construction works can begin. If, however, the works are delayed for any reason for more than one year, it is necessary to redo the census and asset inventory because there are likely to have been demographic and tenurial changes, despite the official ban on sales and construction. In such instances, which are not foreseen in the present ACC project, the updated census and asset inventory constitutes the baseline information for determining eligibility for project indemnification.

2. Eligibility Criteria, Categories of Affected People, and Recommended Compensation Packages

OP 4.12 on Involuntary Resettlement defines as eligible for indemnification all those who either have formal legal rights to land (including customary and traditional rights recognized under the laws of the country), those who do not have legal rights but have a claim to land or assets under national legal processes that could be adjudicated over time, and those who have no recognizable legal right or claim to the land they are occupying. For this last category, the policy provides for resettlement assistance as necessary to achieve the objectives set out in the policy (i.e., replacement of lost assets, and, more pertinently, restoration – and preferably improvement -- of incomes and standards of living). The only caveat is that eligible people must be recognized as having occupied the project area or had rights to its resources prior to the project- established cut-off date.

Thus, under this Policy Framework, any individual who loses land or other assets (e.g., residence, business premise, crops or economic trees) or whose livelihood is adversely affected by land acquisition or changed land use by the ACC Project is eligible for indemnification and/or assistance. The nature and extent of indemnification and assistance depends i) on the rights that individual has to the land or asset taken and ii) on the nature and extent of the impact (Table 3).

Further, in some instances, it may not be necessary to acquire the entire plot. If the remaining area is no longer viable, the entire plot will be acquired. Where, however, sufficient area remains for the occupant to continue using the remaining area, land and any structures taken are compensated, and the structures lost are rebuilt on the remaining area by the owner, if he or she so wishes.

Temporary land-take should be relatively uncommon, and is generally treated as land rent (e.g., area for a construction depot), as the land is returned to the owner or occupant/user once the project need for the plot has ended.

Table 3 presents an illustrative matrix of property losses and their indemnification. While it is not expected that all of the cases included in this matrix will occur in fact under ACC, the matrix provides useful guidelines should resettlement be required by activities undertaken as a result of ACC.

**Table 3: Illustrative Matrix of Compensation Packages
By Type of Asset Lost and Ownership Right**

IMPACT	RIGHT	COMPENSATION
Land	Formal title or customary title	Replace with plot of similar size and location for residence or similar size and characteristics soil, water) for agriculture; possibility of cash compensation under carefully specified conditions. Indemnification of all administrative fees (e.g., registry fees)
	Renter or Leasee	No payment for land, but compensation for improvements to land and assets on the land; assistance to identify and rent a replacement plot of similar size and characteristics
	Squatter	No payment for land; as above, assistance to locate and acquire a replacement plot
	Holder of an agricultural concession	No payment for land; assistance in locating and acquiring land of similar value, or, if such is the preference of the affected people, cash compensation for standing crops and assistance in re-establishing livelihoods.
House or Business Premise (including all infrastructure such as wells, fences, outdoor kitchens, chicken coops and the like)	Owner	Replace with structure of at least same size, materials and infrastructure; any cash compensation at new (i.e., undepreciated) unit values. Indemnification of all administrative fees (e.g., registry fees).
	Renter	Reimburse any advance rental payments. Provide assistance to locate new rental property; provide at least three months rent (as disturbance fee).
	Squatter	Provide assistance to locate new rental property; provide at least three months rent (as disturbance fee). Assistance to acquire house plot, with all administrative fees paid, recommended. Compensation for improvements made to the land and allowed to recuperate/reuse the materials used in addition to compensation.
Crops	Owner/farmer	Compensate for lost production (yield) at average price between harvests of crop lost
Trees	Owner	Provide seedings as productive part replacement. Value of lumber or of fruit lost until seedlings come into production
Business	Owner	Compensate monthly profits foregone during period of relocation. Pay

		employee salaries during period of relocation
	Renter	Compensate profits and employees for wages.as above, plus assistance to acquire new locale (as for all renters)

F LEGAL FRAMEWORK

Land tenure in Sao Tome e Principe has undergone three major transformations. During the colonial period (c. 1500 – 1975), all arable was allocated to large plantations worked under, successively, slavery and indentured labor. At Independence, the socialist government nationalized the plantations, but did not invest in them, so that the State owned almost all land in the country, but agricultural production declined precipitously. As part of the adoption of free-market reforms in the 1990s, the STP legislature passed a new land law in 1991 (Lei 3/91) that allows private holdings of public land, usually under revocable title (*titulo precario*; Article 2, subsection 2).

1. National Legislation

The basic legislation for land tenure is Law 3/91 on Landed Property. This law distinguishes between land that is held by the State without possibility of alienation (e.g., river beds, military facilities) and land that may be allocated for other purposes by the State. Whether alienable State land is sold, rented, allocated as an agricultural or industrial concession or granted in usufruct, the beneficiary is required to develop the land within a stipulated period of time, in accordance with the requirements of the law, and to pay a land fee.

The law provides instruction on the establishment of land prices (Article 26). Specifically, the location of the land, its current utilization and its potential use are all taken into account in assessing land values. These assessments are to be legally formalized in an implementation regulation.⁹

Allocation of land for house plots can be done either by direct request to the appropriate State authority or, in the case of several interested parties, by public auction (Article 33)¹⁰.

All land that is allocated to private parties must be registered. (Article 39).

Essentially, Law 3/91 on Landed Property defines the categories of land holding through which State land can be allocated to private parties for different uses. When land is required by the State for the public good, the procedure is for the originating agency to prepare the requisition for presentation to the Prime Minister's office, which then publishes the Declaration of Public Utility in the official gazette. At or about the same time, the originating agency informs the land owner or occupant of the State's intention to acquire the property and initiates negotiations. Further, although there are in the law formal procedures for valuing land, these have yet to be instituted. The usual procedure under these circumstances is for the State representatives and the owner/occupant to come to an informal agreement, which, for residents and small agricultural holders, usually entails State allocation of a replacement plot of land of acceptable size and characteristics and replacement or compensation of any other assets lost.

⁹ “Os precos, foros e rendas a estabelecer cconsonante os contratos serao calculados segundo tabelas tixadas em regulamentacao complementar, tendo en atencao a localizacao, potencialidades de exploracao e utilizacao dos terrenos. Quando a disposicao dos terrenos deva ser feita por hasta ou concurso public, os montantes calculados nos termos do numero anterior constituirao a respective base de licitacao” (Article 26).

¹⁰ “A disposicao de terrenos destinados, exclusivament a construcao para habitacao sera feita mediante hasta publica ou ajuste directo por licitation sobre a importanque que tier sido fixada nos termose do artigo 26. A disposicao de terrenos nao compreendidos no muero anterior e que nao deva fazer-se por concurso public dopera fazer-se por ajuste directo, salvo se houver mais que um interessado ou dandidato, caso em que sera efectuada por hasta publica”. (Article 33; see Annex A for the complete text of this law).

2. World Bank Standards for Involuntary Resettlement

The World Bank Operational Policy on Involuntary Resettlement (OP 4.12) seeks to cover a multitudinous range of possible cases that can arise in countries around the world. The policy is therefore written in general terms, although its specifications can readily be defined for the individual country or case.

First, OP 4.12 mandates full community information and participation, with particular emphasis on including the poor, vulnerable and/or marginalized populations in a community. The premise here is not only that people have a right to know what investments and projects are being undertaken, they have a strong voice in making those choices. Further, since disadvantaged segments of a community may not feel confident enough to participate, special efforts must be made to involve the entire community, so that everyone understands the initiative.

In terms of eminent domain and asset acquisition, OP 4.12 stresses the importance of full (i.e., at new market value) and timely compensation for all assets lost due to land acquisition for a Bank-financed development projects. The premise here is simple: the people who make way for the project or investment should not also be forced to bear any part of the cost of the project. To do otherwise, not only likely further impoverishes the project-affected population, it contradicts the very principle of development, which is the economic betterment for all (rather than just the 'public good').

The other major policy requirement of OP 4.12 is to at least restore and preferably to improve the standards of living of the PAPs. The basic premise here is, again, to ensure that those who give up most for the project (e.g., their land, their homes, their businesses) are assisted to the fullest extent possible to restore their livelihoods so that they can maintain or improve their standards of living. In the terms of the Bank policy, resettlement operations are to be undertaken in the context of a development process.

In order to ensure that indemnification and economic rehabilitation take place as planned, OP 4.12 also mandates a monitoring and evaluation program to track project progress.

3. Differences in National Legislation and International Standards, and Their Reconciliation

National land legislation in STP defines the criteria for land attribution and, by implication, its forfeiture. Many aspects of land acquisition under eminent domain are not detailed in the law. Rather, they are subject to relatively informal processes in this small island nation. Government officers negotiate with land owners and occupants for needed parcels of land, offering State land in replacement and assisting homeowners to replace their structures, as recently happened in Santa Catarina where one house collapsed during a flood and local officials mobilized resources to rebuild it. In a fundamental sense, the basic difference between national legislation and international standards revolves around the extent of formalization of land-acquisition procedures. In STP, the procedures are relatively informal while OP 4.12 stipulates relatively general, formal criteria.

In addition, as is common in many countries, land-acquisition procedures in STP do not formally include issues that are stated expressly in OP 4.12. Public information and participation occur on an ad hoc basis in STP, given the manner in which land acquisition is carried out, but there is no specific

requirement for such. Indemnification of land and structures is usually in-kind, though the parties can agree to cash compensation. Where land acquisition affects people's incomes, economic rehabilitation is not an explicit consideration in STP, even though replacement lands will be provided. Similarly, there is no provision for monitoring the resettlement operation, although local officials will be fully aware of progress on an informal basis.

In view of these differences, this RPF follows both the requirements of STP national legislation and of the World Bank in a complementary manner in order to ensure the objectives of a successful resettlement operation. Inasmuch as ACC is financed under Bank auspices, it will be necessary to follow the prescriptions of Bank regulations. For that reason, wherever there are differences between the two standards, the higher of the two will prevail since the other standard is met ipso facto.

G. METHODS OF VALUING AFFECTED ASSETS

Law 3/91 establishes clearly the right to compensation for property that is acquired for the public good. Further, Government recognizes both formal and customary land tenure. In various instances, people who lost to a public investment land or property held under customary tenure have received the same indemnification as those few who had formal title. However, the specific procedures for valuing assets are not detailed in the law. Lei 3/91 does provide guidelines for the valuation of property that will be sold at public auction: location, present and future use are the factors taken into consideration (Article 26). However these legally mandated principles have yet to be implemented.

Under these circumstances, the following valuation procedures will be followed for any resettlement operation that takes place under this RPF.

Land:

House or Business Plots: Same size in nearby location, replaced in-kind. All administrative fees will be paid by the project. All public utilities will be provided as appropriate for the locality. For businesses, particular attention must be paid to clientele in the selection of a new location.

Agricultural Fields: Same size and with same soil type and water availability, replaced in kind. All administrative fees will be paid by the project. In the case of new agricultural lands, the costs of preparing the land for production will also be compensated. If no unoccupied land is available, the search for suitable replacement must be carefully documented, and, if accepted, compensation will be at the current rate for informal land sales over the past three years; the project will monitor that the PAP actually replaces the land.

Agriculture concessions (in private domain of the state)

No payment for land; assistance in locating and acquiring land of similar value, or, if such is the preference of the affected people, cash compensation for standing crops and assistance in re-establishing livelihoods.

Residential Structures

The valuation of losses will be determined at their new (i.e., undepreciated) replacement cost. Either replacement in-kind; or, at the option of the PAP, compensation calculated at the new cost of a building of the same size made of similar or better materials. Any administrative fees will be paid by the project. All public utilities will be provided as appropriate for the locality. Cost of physical transfer to new residence will be covered by the project.

Businesses Structures

As above (residential structures). In addition to land and structures, reimburse lost employee wages and business profit for the period of the relocation.

Infrastructure (e.g., fences, latrines, wells)

Replacement in-kind or compensation at current cost of replacing infrastructure .

Crops

Value of amount of production lost, priced at local market price at mid-point between harvests.

Trees

Timber trees: Value of lumber were tree to be sold and sawn, if not salvaged.

Fruit trees: Value of production lost during period while seedling comes into production; provide replacement seedlings.

(Please also refer to Table 3, above.)

A description of the proposed types and levels of compensation under the law or customary practice, and such supplementary measures as are necessary to achieve replacement cost for lost assets, will be provided in each RAP.

In order to ensure that during the project implementation any person displaced by land acquisition will be provided full replacement cost of lost structures and is able to rebuild or replace his or her house without difficulty, the Community Development Committee will ensure that estimated building compensation rates are based on full replacement cost without depreciation. The CDC will also be responsible for ensuring that (or arranging to provide) alternative residential plots are provided to the displaced persons. Once individual project impacts are identified and valuation of individual structures is

completed, detailed compensation rates for different structures will be included in the resettlement plan, and the plan will be submitted to, and reviewed for a no-objection by the World Bank or its designated representative prior to the start of any physical works.

H. ORGANIZATIONAL PROCEDURES FOR DELIVERY OF ENTITLEMENTS

The delivery of entitlements will be either the responsibility of the local community through the CDC or directly of the project, depending upon what type of asset or assistance is being provided.

Where land is required, the community will proceed to identify plots of similar size and quality that can be offered for the PAP's consideration. The identification and negotiation of plots will be carried out during the design phase of the resettlement operation. The RAP will include these arrangements in the chapter on compensation (See the RAP outline, Item E, in Section C-2, above; also Annex C) and will append the signed agreements with the PAPs. Once the project has been approved, the formal transfer of the land to the PAPs will be effected.

Where other assets are also affected (buildings, other infrastructure, annual crops taken before harvest, economic trees), the unit value of each asset in the local area will be determined, and the total cost of such compensation (including land if it is not to be replaced in kind) will be included in the RAP. (See Item E, Section C-2 above; also Annex A.) These funds will be released to the PAPs as soon as the project is approved.

I. IMPLEMENTATION PROCESS

Figure 1 (below) depicts the organizational structure for the implementation of the ACC project.

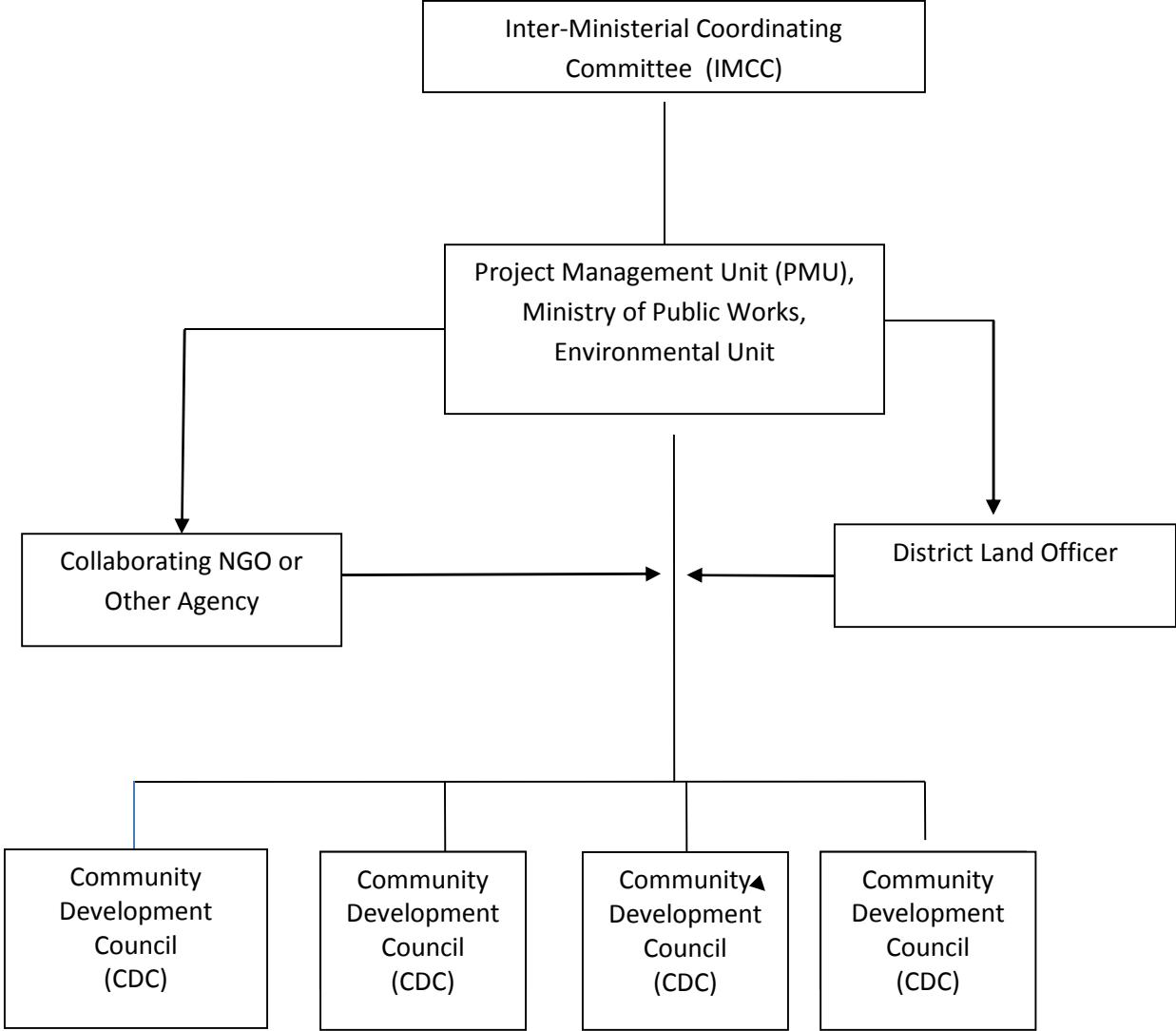
The overall coordinating agency is the Inter-Ministerial Coordinating Committee, which will oversee project management and monitor implementation of the two substantive components of the program.

Daily operations will be managed by a Project Management Unit (PMU), in the Ministerio de Obras Publicas. The PMU will coordinate with the District Governor, the highest-level administrative official in each area, for replacement land. For work at the local level, the PMU will engage an NGO or other qualified agency to assist in the implementation of specific investments and, in particular, in the development and implementation of any required Resettlement Action Plan.

At the local level, the Community Development Committee (CDC) will be the agency immediately responsible for the development and implementation of the RAP. Inasmuch as maritime communities have for historical reasons scant social organization, the CDC will be composed by the *vereador*, the administrative officer for the locality. The community representatives will be selected on the basis of their constituencies – women, youth, fishermen, other occupations – and neighborhood.

During the final technical design of the construction works, the CDC, in consultation with the PMU and collaborating NGO (or other agency), will make a preliminary estimate of the extent of resettlement required by each construction option. Once the technical design is finalized, the CDC, working with the NGO, will conduct the inventory of assets that will be lost to the investment and the census of the people affected. The CDC will, in consultation with the PAPs, identify replacement lands and value the replacement cost of all structures and other assets. These materials will be compiled into a RAP, which will be appended to the Environmental and Social Safeguard Checklist, and both documents (the ESSC and the RAP) will be forwarded to the PMU for processing.

**FIGURE 1:
ORGANIZATION OF THE IMPLEMENTATION PROCESS**



Once the RAP is approved, the CDC will implement the program as proposed. Replacement land will be allocated to the PAPs by the Government officers responsible. The PMU will transfer the funds for replacing or compensating for other lost assets. The NGO collaborating in the program will assist the CDC in implementing the resettlement operation in full consultation with the PAPs and the community in general in a timely manner.

The CDC, in collaboration with the project NGO, is also responsible for monitoring and reporting on the resettlement operation. (See Section M, below.) The PMU will certify when the resettlement operation has been completed successfully, with all replacement land formally transferred to the PAPs and all other assets lost compensated appropriately.

2. Completion of Resettlement Operation before Construction Begins

Before any construction activities can be authorized to start, all PAPs must be compensated in accordance with the resettlement policy framework and subsequent RAP. In particular, the taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to displaced persons.

J. GRIEVANCE REDRESS MECHANISMS

What land acquisition is undertaken in STP is essentially done on a ‘consensual’ basis, that is, the Government agent negotiates an acceptable compensation package with each person affected. Nonetheless, there could be isolated grievances – an asset that is overlooked, misattributed, or undervalued; dissatisfaction with the location of replacement plots or the quality of new housing construction.

A grievance redress system will be put in place to resolve such instances as speedily and as amicably as possible. The existence and operation of the grievance system will be presented in public meetings. Should any person have a complaint, a representative from the collaborating NGO will explain the grievance redress system to the complainant, and will assist the aggrieved party to complete the complaint form and formally register his or her complaint with the CDC. (See Annex D for a template of a grievance registration and handling form.) The CDC will investigate the complaint, with the assistance of the NGO, and deliver a judgement within two weeks.

If the complainant is dissatisfied with the determination of the CDC, the issue will be referred to the Project Management Unit, which may refer the issue to the Inter-Ministerial Coordinating Committee for guidance. The PMU will have responsibility for investigating the complaint and carrying out any field investigation that may be necessary. If the matter concerns indemnification, the PMU itself will take its decision based on the merits of the case. If the issue concerns land, the PMU will consult with district authorities in order to identify additional plots of land that meet the complainant’s legitimate concerns. In either case, the PMU will communicate its decision to the complainant, through the CDC, within two calendar weeks of receipt of the complaint.

Should the complainant continue to pursue the matter, he or she has recourse to the courts for redress. It must be recognized, however, that judicial consideration of such matters can be lengthy and costly. It is, therefore, much preferable to find an acceptable solution at the community or, if necessary, the project level.

K. ARRANGEMENTS FOR FUNDING RESETTLEMENT

The arrangements for funding any resettlement under ACC are relatively straightforward.

If agricultural land is taken, the State will replace the parcel(s) required by allocating a plot of similar characteristics in the surrounding area that is under State ownership. If a residential plot is taken, district officials will allocate a replacement plot in that community to the PAP.

If a physical asset other than land is taken, the ACC project will provide the funds from its project budget. The funds will be paid by the PMU directly to the contractor engaged to build the replacement structure(s). If the PAP opts to receive the payment him or herself, by check or in cash, the NGO will monitor that the PAP replaces his or her assets, as expected. If payment is by check, the collaborating NGO will assist the PAP to open a bank account or cash the check, as appropriate.

L. CONSULTATIONS WITH, AND PARTICIPATION OF, DISPLACED PERSONS

Resettlement operations work best when they use a participatory approach to identifying and designing interventions. When a community is considering its options for environmental protection, they will, with the guidance of the NGO and engineering technicians, take into account the possible environmental and social (in particular, resettlement) implications. If land is required and no suitable, unoccupied community land is available, the CDC will consult individually with potential PAPs. Ideally, the potential PAPs will accede to the need for their lands (or assets), and they will be offered the appropriate compensation, as defined in this RPF. If a PAP does not agree to a reallocation of land or to the compensation offer, the CDC will seek alternative designs for the intervention, if possible, in order to avoid the potential delays involved in a grievance process.

A critical factor to the success of the ACC initiative is its solid grounding in local participation and local processes. The level of transparency should be very high. At every stage of this process, full and complete information about the prospective project, its land requirements, and the implications of that need will be available to all parties, in public meetings, in the reports of those discussions, as well as through individual consultations with those directly impacted. Project information will be disseminated widely and public meetings will be held in Portuguese, which is universally spoken in STP, so local residents are fully aware of the proposed investments. Extensive private consultations will be held with affected individuals, to explain the need for their land, the process that will be followed to acquire that land and any fixed assets on it, their rights and obligations (e.g., the need to furnish proof of ownership or occupancy), the valuation methods, the negotiation process, the indemnification process and all other matters relevant to them in the resettlement operation.

If those adversely affected disagree with the public consensus, they have the right to bring up their points during the community meetings, and if not listened to, to pursue their issues with, respectively, local leaders and project staff. While no participatory process can ensure that everyone will always be in full and complete agreement, the constant use of local participation and consultation will go a long way towards ensuring that the investments proposed by and for the local community accord with the wishes of all of the villagers.

M. MONITORING

The extent of involuntary resettlement under the ACC will be quite limited in scope – some property owners of beach land may lose small plots for canoe sheds and some other residential property owners may have to relocate either because of higher risk after the works or because of construction damage during construction. In no case will the livelihoods or incomes of the PAPs be affected by the investment.

In view of the probable nature of these impacts, the monitoring system needs to ensure that PAPs: i) replace their property in a timely manner (land and other physical structures); and ii) are satisfied with the information (completeness of explanations, availability of information), consultation (number of public meetings, of private consultations; relevance of the information provided), negotiation (flexibility and understanding of the Government negotiator) and indemnification (timely payment of the agreed upon amounts and completion of replacement structures) processes. (See Annex E for a template of a periodic monitoring form to track resettlement progress and PAP satisfaction.)

This work will be undertaken by the NGO or other agency engaged by the PMU to assist in the resettlement operation. The NGO or agency will keep detailed records of all contacts, meetings and consultations. During the resettlement operation, the NGO or agency will report at least monthly to the PMU, so that any issues or complaints can be identified and dealt with efficaciously.

Upon completion of the resettlement operation, the contracted agency will conduct a satisfaction survey among the PAPs in order to assess the extent of the information, the usefulness of the consultations, the timeliness or indemnification, and the overall satisfaction of the PAPs with the process. This resettlement completion survey in each community will help inform future operations in other communities, ultimately leading to a refined approach to resettlement.

ANNEX A:
ENVIRONMENTAL AND SOCIAL SCREENING CHECKLIST

ENVIRONMENTAL AND SOCIAL SCREENING CHECKLIST

A. NAME, DEPARTMENT, JOB TITLE, AND CONTACT DETAILS FOR THE PERSON WHO IS RESPONSIBLE FOR FILLING OUT THIS FORM:

Completed by (Name): _____

Contact details: _____

Date: _____

Signature: _____

B. PROJECT DESCRIPTION

Name of Project: _____

Name of Project Execution Organization: _____

Location of the Project: _____

Type and scale of the Project: _____

Approximate size of the Project in land area the location of the project.

Estimated Cost: _____

C. THE CHECKLIST

Please fill in the checklist below:

PROJECT SITING:

1. Are there any environmentally sensitive areas (intact natural forests, rivers or wetlands etc,) or threatened species (specify below) that could be adversely affected by the project?:

Yes _____ No _____

2. Does the project occur within/adjacent to any protected areas designated by government (national park, national reserve, etc.)?:

Yes _____ No _____

3. Based upon visual inspection or available literature, are there areas of possible geologic or soil instability (erosion prone, landslide prone, subsidence-prone)?:

Yes _____ No _____

4. Is the project located near to water sources used for domestic consumption such as boreholes, water wells or springs?:

Yes _____ No _____

5. Based on available sources, consultation with local authorities, local knowledge and/or observations, could the project alter any historical, archaeological or cultural heritage site?:

Yes _____ No _____

6. Will the project result in displacement, loss of assets, or access to assets?:

Yes _____ No _____

7. Will the project result in the permanent or temporary loss of crops, fruit trees and household infra-structure (such as granaries, outside toilets and kitchens, etc)?:

Yes _____ No _____

CONSTRUCTION RELATED ACTIVITIES

8. Will construction or operation of the Project use large amounts of local natural resources such as water, timber, gravel from river beds, stones especially any resources which are non-renewable or in short supply?:

Yes _____ No _____

9. Will the Project involve use, storage, transport or handling of substances or materials which could be harmful to human health or the

environment?:

Yes___ No_____

10. Will the Project produce solid wastes during construction or decommissioning?:

Yes___ No_____

11. Will construction require the use of heavy machinery or equipment?:

Yes___ No_____

OPERATIONAL PHASE

12. Will the Project result in the production of solid wastes during the operational phase?:

Yes___ No_____

13. Will the Project result in hazardous wastes during the operational phase?:

Yes___ No_____

14. Will the Project produce waste water that require drainage?:

Yes___ No_____

15. Will the Project require community management of the services?:

Yes___ No_____

E. RECOMMENDATION OF PMU COORDINATOR

Circle one of the following screening recommendations:

1. All answers to the questions in Section D above are “**No**,” and there is no need for further action, circle the ‘NO’ below and sign this form

NO

Signed: _____
PMU Coordinator

2. For all issues indicated by “**Yes**” answers to the questions in Section D above, the proponent has included adequate mitigation measures in the project design. While no further planning action is required, implementation of the mitigation measures will require supervision by the appropriate agency.

YES

Signed: _____
PMU Coordinator

3. For all checklist questions with “Yes” answers in Section D above (specify questions numbers), specify whether or not the proponent has provided adequate mitigation measures. Where measures are deemed inadequate, the proponent must **revise** the proposed project plan to provide adequate mitigation.

Also note whether specialist advice may be required in the following areas:

4. For all checklist questions with “Yes” answers in Section D above (specify question numbers), indicate whether or not the proponent must prepare an **environmental assessment** of the proposed project, and revise the project plan according to the results of that assessment.

Also note whether specialist advice will be required in the following areas:

Signature: _____
PMU Coordinator

Date : _____

ANNEX B :
SUMMARY SOCIO-ECONOMIC INFORMATION FORM
(ILLUSTRATIVE TEMPLATE)

RESETTLEMENT SUMMARY DATA SHEETS
POPULATION CENSUS, ASSET INVENTORY
AND SOCIO-ECONOMIC SURVEY

1. Number of families who live on the parcel of land to be taken : _____

CURRENT HOUSING

FAMILY	HOUSE PLOT SIZE (M ²)	HOUSE DIMENSIONS (M ²) ; (Number of Rooms)	CONSTRUCTION MATERIALS	OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)	OTHER OBSERVATIONS
PAP 1.					
PAP 2					
PAP 3					
...					

Observations on Housing :

PAP 1 : _____

PAP 2 : _____

PAP 3 : _____

REPLACEMENT HOUSING COST

FAMILY	HOUSE PLOT COMPENSATION (M ²)			HOUSE COMPENSATION			OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)			TOTAL
	Replace in-Kind	Cash Comp		m ²	Dobra/ m ² (same building materials)	Total	Item	Dobra/ per	Total	
		Dobra m ²	Total							
PAP 1										
PAP 2										
PAP 3										
...										
Totals										

2. Number of businesses on the parcel of land to be taken : _____

CURRENT BUSINESSES

BUSINESS TYPE (E.G., TAILOR, HARDWARE STORE, GRAIN SELLER)	PLOT SIZE (M ²)	BUSINESS DIMENSIONS (M ²) ; (Note whether structure, kiosk or table ; for structure, number of Rooms)	CONSTRUCTION MATERIALS	OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)	OTHER OBSERVATIONS (E.G., AMOUNT OF INVENTORY, NUMBER OF EMPLOYEES, MONTHLY PROFITS)
1.					
2.					
3.					
...					

Observations on Businesses :

- 1 : _____
- 2 : _____
- 3 : _____

REPLACEMENT COSTS

BUSINESS	PLOT COMPENSATION (M ²)			STRUCTURE COMPENSATION			OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)			LOST WAGES, PROFITS (PER MO.)		TOT
	Replace in-Kind	Cash Comp		m ²	Dobra/ m ² (same building materials)	Total	Item	Dobra / per	Tot	Employee		
	Dobra m ²	Tot	No.							Wa ge		
PAP 1												
PAP 2												
PAP 3												
...												
Totals												

3. Number of Agricultural Plots Taken : _____

FARMER PAP	LAND			CROPS			TREES					OTHER INFRASTRUCT.		TOT
	m ²	In-kind	Cash Total (and Dobra / m ²)	Crop (kg/ha)	Value (Dobra /ha)	Total (Prod ha x Dobra /ha)	Timber		Fruit			Item	Value	
							Spec ies	Value	Spe cies	Yield (Dobra /kg)	Value			
1.														
2.														
3.														
...														
Totals														

ANNEX C:
RAP TEMPLATE

OUTLINE FOR A RESETTLEMENT ACTION PLAN
(when a Resettlement Policy Framework has been approved)

Executive Summary

- Section A: Project description (and alternatives considered to minimize resettlement)
 - Section B: Project impacts regarding resettlement (including those identified during the census and socio-economic survey)
 - Section C: Population census, asset inventory and baseline socio-economic survey; including identification of vulnerable people (for instance disabled, elderly, widows, orphans etc.)
 - Section D: Type and extent of losses incurred by each PAP
 - Section E: Compensation for each loss, including valuation procedures
 - Section F: Resettlement site preparation (if any, including institutional arrangements for the physical transfer of relocatees)
 - Section G: Economic rehabilitation measures required (if any) including specific activities to assist any identified vulnerable groups (for instance disabled, elderly etc.)
 - Section H: Implementation timetable for resettlement and construction activities
 - Section I: Detailed budget, by activity, with sources of funds identified.
-
- Annex A: Matrix of losses
 - Annex B: Photographs of properties to be acquired (optional)
 - Annex C: Map of resettlement site (if any)
 - Annex D: Construction plan for replacement structures (if any)

Note: “OP 4.12, Annex A, Paragraph 25 states that: “ When a resettlement policy framework is the only document that needs to be submitted as a condition of the loan, the resettlement plan to be submitted as a condition of project financing need not include the policy principles, entitlements, and eligibility criteria, organizational arrangements, arrangements for monitoring and evaluation, the framework for participation, and mechanisms for grievance redress set forth in the resettlement policy framework. The project-specific resettlement plan needs to include baseline census and socioeconomic survey information; specific compensation rates and standards; policy entitlements related to any additional impacts identified through the census or survey; description of resettlement sites and programs for improvement or restoration of livelihoods and standards of living; implementation schedule for resettlement activities; and detailed cost estimate.”.

ANNEX D :
GRIEVANCE REGISTRATION FORM
(ILLUSTRATIVE TEMPLATE)

**GRIEVANCE REGISTRATION FORM
(ILLUSTRATIVE TEMPLATE)**

Plaintiff : _____

ID Number : _____

Contact Information : _____
(Village ; mobile phone)

Property Contested : _____
(Type, e.g., land, house)

Location : _____

Description of Property : _____

Nature of Complaint : _____

Record of Prior Contacts and Discussions of Issues to Date:

<u>Date</u>	<u>Individuals Contacted</u>	<u>Summary of Discussion</u>
_____	_____	_____ _____ _____
_____	_____	_____ _____ _____
_____	_____	_____ _____ _____
_____	_____	_____ _____ _____

Signed (Plaintiff) ; _____

Date : _____

Signed (Filer of Complaint) : _____

Name of Person Filing in Complaint : _____
(if different from Plaintiff)

Position or Relationship to Plaintiff : _____

Date : _____

Was agreement reached on the issues?: Yes No

If agreement was reached, detail the agreement below :

If agreement was not reached, specify the points of disagreement below :

Signed : _____
 Chairperson, CDC

Signed : _____
 Plaintiff

Signed : _____
 Member, CDC

Signed : _____
 Member, CDC

Signed : _____
 Member, CDC

Signed : _____
 Member, CDC

Signed : _____
 Member, CDC

Signed : _____
 Member, CDC

Date : _____

Was agreement reached on the issues?: Yes No

If agreement was reached, detail the agreement below :

If agreement was not reached, specify the points of disagreement below :

Signed : _____
PMU Coordinator

Signed : _____
Plaintiff

Signed : _____
PMU Member

Date : _____

ANNEX E

MONITORING REPORT FORM
(ILLUSTRATIVE TEMPLATE)

MONITORING FORMATS

The monthly (or periodic) field report from each village development group should recount the progress to date and in the immediately prior month. It is necessary to report only on those aspects of land and asset acquisition that are relevant in the specific project (i.e., land, houses, businesses, crops, and/or trees, whatever is in fact taken). In that context, the following summary tables should be of use in organizing the reporting of project information.

When the resettlement operation is completed, a PAP satisfaction survey (last matrix) should be added.

Village: _____ Region: _____

Project Name: _____

Month Covered: _____ PAP: (for satisfaction survey)

LAND

PAP	IN-KIND COMPENSATION (REPLACEMENT PLOT) [ENTER NUMBER OF CASES]				CASH COMPENSATION [ENTER NUMBER OF CASES]				
	IDENTIFIED	AGREED TO BY PAP	TITLE TRANSFERRED	IN PRODUCTON	COMPENSATION AGREEMENT	COMPENSATION PAID	NEW PLOT IDENTIFIED BY PAP	NEW PLOT ACQUIRED BY PAP	IN PRODUC TION
1									
2									
3									
...									
Total									

HOUSES/BUSINESS LOCALES: IN-KIND COMPENSATION

PAP	IN-KIND COMPENSATION				SUPPLEMENTARY PAYMENTS		
	HOUSE/SHOP UNDER CONSTRUCTION	HOUSE/SHOP READY	PAP RELOCATED	BUSINESS OPEN AGAIN	ITEM	PAID	RE-PLACED
1.							
2.							
3.							
...							
Totals							

HOUSES/BUSINESS LOCALES: CASH COMPENSATION

PAP	CASH COMPENSATION						SUPPLEMENTARY PAYMENTS				
	HOUSE/SHOP UNDER CONSTRUCTION	AMOUNT	PAID	FOUNDATION/WALLS UP	HOUSE/SHOP READY FOR OCCUPATION	PAP RELOCATED	BUSINESS OPEN AGAIN	ITEM	AMT	PAID	RE-PLACED
1.											
2.											
3.											
....											
Totals											

CROPS, TREES

PAP	CROP OR TREE SPECIES	VALUATION AMOUNT	PAID (AMOUNT)	TREE SEEDLINGS PROVIDED (Yes/No)
1.				
2.				
3				
.....				
Totals				

PAP SATISFACTION WITH RESETTLEMENT PROGRAM

	Fully Satisfied	Partly Satisfied	Partly Dissatisfied	Wholly Dissatisfied	Extent of Information Provided (1-5, where 5 represents fully informed)
Project information provided					
Usefulness of public meetings					
Individual consultations					
Individual negotiations					
Compensation amount					
Timeliness of compensation					
Handling of any grievance					

(Enumerator: Please inquire into the cause for any dissatisfaction):

Signed: _____

Position: _____
(Responsible Officer of Monitoring Agency)

Date: _____

Signed: _____

Position: PMU Coordinator

Date: _____

[NOTE: Report can include tables for last month, for month previous to last, and the comparison, which is progress last month. Table for last (i.e., most current full month) is also the table for progress to date.]