



Government of Saint Vincent and the Grenadines

Regional Disaster Vulnerability Reduction Project

WORLD BANK RESETTLEMENT POLICY FRAMEWORK

January 2014

Central Planning Division, Ministry of Finance and Economic Planning

1st Floor, Administrative Centre, Bay Street, Kingstown,

St. Vincent and the Grenadines

Tel.: 784-457-1746 • Fax: 784-456-2430 • E-mail: cenplan@svgcpd.com

Resettlement Policy Framework St. Vincent and the Grenadines Disaster Vulnerability Reduction project

Table of Contents

Acronyms and Abbreviations	iv
Definition of Terms.....	v
1. General Background	1
1.1 Description of Project: Disaster vulnerability nature of St. Vincent and the Grenadines.....	1
1.2 Rationale for Preparation of the Resettlement Policy Framework.....	1
1.3 Objectives of the Resettlement Framework	4
1.4 Adverse Social Impacts.....	5
1.5 Project Description and Components.....	8
2. Principles and objectives governing resettlement preparation and implementation	18
3. The process for preparing and approving resettlement plans.....	19
4. Procedure for land acquisition	19
5. Estimated population displacement.....	20
6. Eligibility criteria for defining various categories of displaced persons.....	20
7. Legal Framework	21
7.1 Categorizes of persons	21
7.2 Comparison of SVG Laws for compensation and the OP4.12	22
7.3 Eligibility matrix based on possible impact.....	23
7.4 Laws of St. Vincent and the Grenadines governing resettlement	24
8. Methods of valuing affected assets	26
9. Screening Procedure:	27
10. Compensation	28
10.1. Rules of assessment of compensation:.....	29
10.2 Conveyancing	30
10.3. Payment of Compensation:	30

Resettlement Policy Framework St. Vincent and the Grenadines Disaster Vulnerability Reduction project

11.	Organizational procedures	33
11.1	Project Organizational Framework	33
11.2	Monitoring	34
11.3	Implementation process, linking resettlement implementation to civil works.....	34
12.	Grievance Redress Mechanisms.....	36
12.1	Structure of Grievance Redress:	36
12.2	Guidelines for processing grievance:	36
12.3	The procedure for handling grievances.....	38
12.4	Grievance diagram	39
12.5	Review and monitoring of Grievance Redress Mechanism.....	39
12.6	Best practice:.....	40
13.	Source of funding.....	40
14.	Consultation and participation process	41
15.	Monitoring and evaluation arrangements.....	42
15.1.	Monitoring Principles	42
15.2	Internal Monitoring.....	42
15.3.	External Monitoring and Evaluation.....	43
Appendix:	A
Action and Activities for screening and Land acquisition		A
Screening tool		A
Contractual arrangement.....		D

Resettlement Policy Framework St. Vincent and the Grenadines Disaster Vulnerability Reduction project

Acronyms and Abbreviations

Central Planning Department	CPD
Regional Disaster Vulnerability Reduction Project	RDVRP
Environmental Assessment	EA
Eastern Caribbean Dollar	XCD
Grievance Redress Mechanism	GRM
International Development Assistance	IDA
Ministry of Transport and Works	MOTW
National Emergency Management Organization	NEMO
Non-Governmental Organization	NGO
Not – Applicable	NA
Operational Policy	OP
Persons affected by the Project	PAP
Project Steering Committee	PSC
Public Sector Investment Programme Monitoring Unit	PSIPMU
Resettlement Action Plan	RAP
Resettlement Policy Framework	RPF
St. Vincent and the Grenadines	SVG
To Be Determined	TBD
United Nations Framework Convention on Climate Change	UNFCCC

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

Definition of Terms

Compensation: The payment in kind, cash or other assets given in exchange for the taking of land, or loss of other assets, including fixed assets thereon, in part or whole.

Persons affected by the project (PAPs): Persons who, for reason of involuntary taking or voluntary contribution of their land and other assets under the project, result in direct economic and or social adverse impacts, regardless of whether or not the said Persons affected by the project physically relocate.

Involuntary: Actions that may be taken without the displaced person's informed consent or power of choice

Land Acquisition: The process whereby a person is compelled by a public agency to alienate all or part of the land he/she owns or possesses, to the ownership and possession of that agency, for public purpose in return for a consideration.

Resettlement: All the measures taken to mitigate any and all adverse impacts of the Project on PAP's property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation.

1. General Background

1.1 Description of Project: Disaster vulnerability nature of St. Vincent and the Grenadines

In 2006, the World Bank classified St. Vincent and the Grenadines (SVG) as one of the top five (5) most vulnerable countries in the world to natural disasters, such as earthquakes, hurricanes, landslides, rain and drought. These hazards have caused significant and recurrent damage to national infrastructure, including housing, road networks, schools, hospitals and utilities. This significantly affects human welfare, national economic activities, property, and natural resources. The effects of climate change are already evident in many parts of the country, with rising sea levels and storm activity adversely impacting exposed coastlines and development. The situation is likely to exacerbate, as SVG is highly vulnerable to the effects of global warming and climate change.

Over the last decade, SVG began its risk reduction activities, with the development of disaster preparedness and response investments. During this period, several of the activities in disaster risk reduction focused on the development of national disaster plans, setting up the disaster management agency, and promoting public education and awareness. Despite these efforts, SVG continues to face high levels of risk to its economic stability and national welfare. Accordingly, post-disaster rehabilitation of damaged infrastructure is a major contributor to the national economic risk profile.

Studies have documented that aging public infrastructure presents very high levels of vulnerability, particularly in critical sectors such as health, education, water, and roads. Moreover, the annual hurricane season, combined with the cumulative effects of climate change, will continue to threaten island economies. Without intervention, this will likely increase the future need to divert limited financial resources away from economic growth activities into repairs and reconstruction as a result of disaster and climate change events. While work continues in preparedness and response, the logical next step is reduction in exposure to natural disasters.

1.2 Rationale for Preparation of the Resettlement Policy Framework

In the process of project preparation, World Bank screening concluded that under Operational Policy 4.12 (OP 4.12) [Involuntary Resettlement] some of the investments might involve either physical resettlement or land acquisition.

A Resettlement Policy Framework (RPF) establishes the resettlement and compensation

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

principles, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the project (PAP's). Additionally, the World Bank policy requires "screening" of all projects proposed for financing to help ensure that they are environmentally and socially sound and sustainable. It is prepared according to the standards of the Government of SVG policy on resettlement and compensation and the policy of the World Bank, OP 4.12.

Accordingly, the Government of SVG has designed this Resettlement Framework for the "Regional Disaster Vulnerability Reduction Project" in SVG. When specific planning information becomes available and the land areas are identified, components resettlement and compensation plans will be prepared, consistent with this policy framework, and will be submitted to the Bank for approval before any land acquisition, compensation, resettlement, or any other impact on livelihood occurs.

The guidelines stipulate the need to involve communities in the planning and implementation of interventions that result from these policies and in most cases this implies the need for a conflict resolution mechanism.

OP 4.12 states "...particular attention is paid to the needs of vulnerable groups ... especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples and ethnic minorities."

Another reason that the RPF is required is because of the risk of involuntary resettlement and land acquisition. This project operates in areas that have been severely affected from torrential rains and inadequate drainages that have caused: destabilization of land; destabilization of ancient structures that are not equipped to mitigate the cumulative effects of climate change; and coastal degradation.

As it regards World Bank Safeguard Operational Policy 4.12 on involuntary resettlement: Bank¹, experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risk. Among these are: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the

¹"Bank" includes IBRD and IDA; "loans" includes IDA credits and IDA grants, guarantees, Project Preparation Facility (PPF) advances and grants; and "projects" includes projects under (a) adaptable program lending; (b) learning and innovation loans; (c) PPFs and Institutional Development Funds (IDFs), if they include investment activities; (d) grants under the Global Environment Facility and Montreal Protocol, for which the Bank is the implementing/executing agency; and (e) grants or loans provided by other donors that are administered by the Bank. The term "project" does not include programs under development policy lending operations. "Borrower" also includes, wherever the context requires, the guarantor or the project implementing agency.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy framework includes safeguards to address and mitigate these impoverishment risks.

Initial social screening of the project acknowledged the presence of Garifuna descendants in some project areas, however, while these communities (Sandy Bay and Fancy) self identify (and are also identified by others) as being distinct indigenous communities and while they do occupy specific geographical locations, they do not have distinctive customary cultural, economic, social or political institutions that are separate from the dominant society and culture, nor do they have an indigenous language different from the official language (English) of SVG. Therefore, while it was agreed that extra due diligence is required in consulting these communities, as part of the project's social assessment, the Bank's policy on Indigenous Peoples is not triggered.

The 2008 Country Poverty Assessment indicated that these communities are highly vulnerable with a poverty headcount from Georgetown to Sandy Bay of 55.6 percent – the highest of any census division in SVG. For the purposes of this project it has been concluded that the project design should incorporate special considerations. In particular the project should make special efforts, if the communities are included in the project area, to conduct specific and targeted consultations with these communities to seek their support and endorsement of any proposed actions which would affect them or where their participation is required during implementation. These targeted consultations will take place in the context of the project social assessment.

The project will not detrimentally affect the livelihoods of the Garifuna descendent populations. Rather the project seeks to improve their standard of living. World Bank screening also concluded that an environmental assessment (EA) was necessary under Operational Policy (OP) 4.01 (Environmental Assessment). In accordance with the World Bank safeguard policies, the RDVRP has been classified as a category B project, requiring an environmental assessment. The Government of SVG has elected to complete this assessment using internal resources.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

1.3 Objectives of the Resettlement Framework

The purpose of the policy framework is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects to be prepared during project implementation (see OP 4.12, paras. 26-28). Subproject resettlement plans consistent with the policy framework subsequently will be submitted to the Bank for approval after specific planning information becomes available (see OP 4.12, para. 29).

The framework is valid for all subproject operations executed under the RDVRP in SVG.

The objectives of the World Bank's policy on involuntary resettlement are:

- Involuntary resettlement and land acquisition should be avoided where feasible, or minimized, exploring all viable alternatives project designs.
- Where it is not feasible to avoid resettlement, 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 project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior the beginning of project implementation, whichever is higher.
- Impacts covered in accordance with World Bank Affected people, according to the Bank policy, refer to people who are directly affected socially and economically by Bank-assisted investment projects caused by:
 - Relocation or loss shelter;
 - Loss of assets or access to assets: or
 - Loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
 - The involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

The RPF implies that PAPs should be compensated for loss of wages; compensated for loss of assets at replacement costs; given opportunities to share project benefits and be assisted in case of relocation or resettlement. The policy applies to all affected persons regardless of the total number affected, the severity of the impact and whether or not they have legal title to the land. The paramount purpose is to restore the income earning capacity of the project-affected persons. The aim is to improve or at least sustain the living conditions of the PAPs prior to project operations or to resettlement.

1.4 Adverse Social Impacts

The project would seek to measurably decrease the vulnerability of people and the national economy in SVG to climate change and natural hazards. The development objectives of the project would be to:

- (i) integrate disaster vulnerability reduction and climate resilience in national development strategies and management of public infrastructure;
- (ii) improve SVG'S access to and benefit from regional collaboration and support structures for hazard monitoring and risk assessments, and
- (iii) reduce the risk of loss of human life due to natural hazard induced structural failure of critical public infrastructure.

These project components are unlikely to induce substantial and immediate adverse social impact.

Some potential activities have been identified to involve land acquisition and resettlement. These include, drain improvement, coastal and river defence; and slope stabilization (table 1). Some of the activities will result in the restriction of direct access to common properties which may have direct effect on income earning and livelihood, (slope stabilization, coastal defense). Other aspects may include the resettlement of persons to less vulnerable areas, thereby disrupting livelihoods, for example in the case of the Dark View-Rose Bank areas. However, the number of people and magnitude of adverse effects would only be known once the final design is completed during the detailed design stage of the RDVRP implementation.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

Resettlement Safeguard (OP/BP 4.12) has been triggered. Activities potentially involving land acquisition are included in Table 1.

The Table provides a brief description of the project. The categories of displaced persons and the estimated population, displacement would be determined on the completion of technical designs.

A social assessment is being conducted to solicit stakeholder perspectives on the proposed project activities. This will help to inform the design and implementation of the project.

Table: 1 Summary of project activities

Activity	Description	Land Acquisition	Land acquisition involving relocation	Estimated affected population	Categories of affected persons *
Emergency Communications	Installation of nine (9) VHF/HF radios with solar power at all the satellite warehouse	No	No	No	No
Drainage Improvement	Drainage improvements work in Kingstown and Arnos Vale (design and civil works).	TBD	No	TBD	Business Owners Home-owners Others
Relocation of the Milton Cato Memorial Hospital	Feasibility studies	NA	N/A	N/A	N/A
Strengthening of institutions for the enforcement of the Building codes etc.	Training	NA	NA	NA	NA
Coastal and River Defence	River and coastal Protection of coastal areas and river defences including lining drainage channels	Study			Farmers Fisherfolks Vulnerable groups Others TBD
Public Education and Awareness	Public education on hazards and reducing risks to the school	NA	NA	NA	NA

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

Activity	Description	Land Acquisition	Land acquisition involving relocation	Estimated affected population	Categories of affected persons *
Roads and bridges	This activity will undertake design and construction of a bypass road.	Yes	Yes	TBD	Farmers Homeowners Others NTBD
Retrofitting of Emergency Shelters	Emergency shelters requiring total or partial retrofit	No	No	No	No
Slope Stabilization	Landslide prone communities in which intervention measures can be implemented.	Yes	No	TBD	TBD
Search and rescue (land and sea)	Capacitate to perform land and sea rescue operation.	NA	NA	NA	NA
Retrofitting/reconstruction of government buildings	The upgrading of buildings such as clinics and police stations.	TBD (Colonarie)	No	TBD	TBD
Upgrade of disaster management agencies	Activity included the provision of equipment and internal training	NA	NA	NA	NA
Training	National Disaster Training Programme	N/A	NA	NA	NA
Institutional strengthening	Involves the establishment of mechanisms for the monitoring disasters	N/A	NA	NA	NA
Satellite Warehouse for communities	Construct and equip nine satellite warehouses for communities	TBD	TBD	TBD	TBD
Villa beach restoration	Study of reefs and the pollution levels.	TBD	TBD	TBD	TBD

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

1.5 Project Description and Components

The objective of the project is to reduce disaster related vulnerabilities as well as other social vulnerabilities. It entails a wide range of studies, training and, civil works which would either be reconstruction, rehabilitation and new constructions standardize to building codes to reduce natural hazards vulnerability.

Project Components

The project will finance disaster vulnerability reduction comprised primarily of four components:

Component 1: Prevention and adaptation

This component is designed to reduce physical vulnerability and limit the fiscal shock caused by adverse natural events through the piloting of adaptive measures to build resilience to current and future climatic changes. It includes a broad set of civil works activities, such as drainage improvement, rehabilitation, reconstruction, and retrofitting of bridges and roads, retrofitting of critical public buildings (including schools and emergency shelters), investments in satellite emergency centers and adaptive watershed to reef system measures. Civil works would be executed to include construction and rehabilitation of existing infrastructure in order to reduce their vulnerability to natural hazards and climate change. Works would focus on priority public infrastructure, including, transportation systems, educational facilities, and public utilities, and would include rehabilitation or construction of emergency shelters, re-enforcement of river and coastal defences that protect key infrastructure and realignment, and rehabilitation of bridges. In Arnos Vale and Georgetown watershed to reef systems, civil works would be complemented by technical assistance activities designed to comprehensively build resilience throughout the identified systems.

Included under works is the potential for the design, development, and preparation of priority works construction projects, such as, a new hospital complex to assist the Government in engaging construction financing available from other donors in the region. Other infrastructure works would include construction of two Satellite

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

Community Warehouses in identified sites and stockpiling of gabion baskets in order to ensure a reliable stock in case of further river and/or coastal defence malfunction.

The project would fund supporting studies required for the development of works and soft activity packages such as hydrologic/hydraulic investigations, geotechnical investigations, and associated pre-engineering and engineering activities required to support engineering design and safeguard compliance. During the execution of the identified activities, comprehensive measures would include the integration of building code requirements and land use planning according to coastal and river contours in the project development process, and would introduce hazard/risk analysis and climate change impact analysis to assist in the design and construction of resilient systems.

Sub-Component 1.1 – Disaster Risk Mitigation Infrastructure Investments

Aging and unmaintained infrastructure coupled with changing climatic conditions has facilitated the deterioration of existing public infrastructure, resulting in high levels of vulnerability to natural hazards. Historically, designs did not take into account impacts from anticipated changes in future land use and climate changes, and were based on a limited analysis of past hazard events. Additionally, existing vulnerabilities related to land slip, rock fall, and flooding, left unattended, will continue to exacerbate the iterative deterioration of critical infrastructure. Under this sub-component, the community emergency shelters of Kingstown and Dorsetshire Hill Government School would be retrofitted and satellite warehouses for Rose Hall and Sandy Bay would be constructed to improve community resilience and increase localized capacity to disaster and climate change events.

The majority of the proposed works are relatively small in nature and the project would support the technical studies required to produce engineering designs that integrate risk reduction and climate change effects in order to improve the long-term performance of the selected structures. Additionally, this sub-component would provide the necessary studies to support the relocation of the Milton Cato Memorial Hospital to a safer location. Specific activities identified under this sub- component are summarized in the following table:

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

1.1 Retrofitting/Rehabilitation of Public Buildings

Background:

The Government has identified critical, life-line structures in need of immediate retrofitting to improve disaster resilience. These structures include public shelters and emergency response support structures such as satellite warehouses. Under this sub-component, the project would support the analysis and evaluation of site-specific building performance with respect to expected hazards and retrofit the structures accordingly.

Satellite warehouses would be designed, constructed, and equipped under this sub-component. A total of two (2) community satellite warehouses would be established under the project at Rose Hall and Sandy Bay to store emergency equipment and supplies in close proximity to the respective communities. These facilities serve as community coordination centres and afford the opportunity to pre-position disaster response equipment at the local level.

Two (2) emergency shelters would be retrofitted under the project – complementing the three (3) emergency shelters funded under the Hurricane Tomas Emergency Recovery Project. The project would fund the complete retrofitting of Dorsetshire Hill and Kingstown Government Schools with installation of emergency equipment, sanitary facilities, and improved drainage.

Additionally, under this sub-component, the project would support the required designs to relocate the existing, aging Milton Cato Memorial Hospital in Kingstown to a new hospital complex.

Satellite Warehouses

Sub-Project Rationale. SVG is a multi-island state, and due to its rugged topography, communities such as Sandy Bay and Rose Hall can easily become isolated in major disasters. The objective of this activity would therefore be to construct satellite warehouses in specific communities, to provide them with the capacity to respond to disasters at the community level.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

Proposed Investments. The satellite warehouses would include a small office and washroom that can be used for meetings and converted into a Community Emergency Operations Center, and a storage facility for critical disaster response equipment. The warehouses would be managed by the local or district disaster committees.

Sub-Project Beneficiaries. Direct beneficiaries of the proposed satellite warehouses would include the members of the communities in Sandy Bay and Rose Hall – particularly persons in sub-standard housing and persons with social or environmental vulnerability to disasters.

Retrofitting of Emergency Shelters

Sub-Project Rationale. The Government of SVG, under the auspices of the National Emergency Management Organization (NEMO), operates various emergency shelters throughout the main island of Saint Vincent and also select population centers in the Grenadines. Each year, NEMO, in collaboration with a host of partners, conducts a shelter inspection process aimed at identifying suitable structures (private and government-owned) to be used as emergency shelters. While there continues to be challenges, the need to have these buildings available and in good condition remains a top priority for NEMO. Accordingly, NEMO has designated a total of 141 emergency shelters throughout SVG as of October 2010, an average of 9 per constituency.

During and after the passage of Hurricane Tomas in October of 2010, for example, over 1,000 individuals were housed in these various shelters. A number of shelters were identified for retrofitting in an effort to make them better able to withstand natural disasters and better protect persons seeking refuge after a disaster event. Shelters would also be outfitted with generators as back-up power supply.

Proposed Investments. The retrofitting of the Dorsetshire Hill and Kingstown Government School emergency shelters would include the installation of emergency equipment, sanitary facilities, and drainage improvements. These works are limited to replacement, rehabilitation, and improved disaster resistance capabilities in already existing areas. Specifically for the Kingstown Government School, which serves the communities of Lodge Village and Redemption Sharpes, additional site-specific

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

proposed works include: repairs to the roof, replacement of doors and windows, and the installation of commercial-grade manual shutters, among other things. As for the Dorsetshire Hill Government School, the proposed retrofitting would include the refurbishment of a new roof, windows, doors, as well as upgrades to bathroom facilities (toilets and showers), kitchen facilities, and road access.

Sub-Project Beneficiaries. Direct beneficiaries of proposed interventions would include the school children and teachers of Dorsetshire Hill and Kingstown Government Schools (approximately 700 students), the communities of Dorsetshire and Kingstown (given that the buildings serve a dual purpose of primary school and community shelter), the Ministry of Education, and NEMO. It must be noted that the Dorsetshire Hill Government School is the only shelter available to the residents (approximately 1,064) in this community and is considered in less than disaster-ready condition.

Studies for the Relocation of the Milton Cato Memorial Hospital

Sub-Project Rationale. PAHO conducted a Safe Hospital study, which highlighted that the Milton Cato Memorial Hospital was structurally unsound (vulnerable to Category 1 Hurricanes, flooding, etc.) and that operational conditions were below accepted standards. The study underlined the dire structural inefficiencies of the building and operational conditions of the main General Hospital - the only one in the country. The study, therefore, recommended the building of a new hospital with higher construction standards at a new location.

Proposed Investments. Based on the number and scale of the issues uncovered in this study, the most feasible option appears to be the construction of a new hospital in a different location, with higher structural standards. Accordingly, the intervention has been proposed under the project which will undertake activities including the completion of feasibility studies, design, and other pre-construction activities for the new hospital.

Sub-Project Beneficiaries. The feasibility studies, design, and other pre-construction activities for the new hospital would eventually benefit the entire population of SVG.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

The mitigation works would also indirectly improve the quality of care for all future patients of the main population center's only hospital.

1.2. Rehabilitation and Risk Reduction of Transportation Infrastructure

Background. Under this sub-component, the actions would be aimed at the rehabilitation of bridges and landslide stabilization in order to reduce the vulnerability of existing infrastructure. Technical designs for interventions would take into account parameters related to the hydrological and geotechnical characteristics specific to each of the zones, taking into account best available information on changing hydrological patterns.

Identified critical infrastructure includes the rehabilitation of bridges at South River (Bridge Road), Fenton Road (Dauphine), and Fenton Road (Green Hill).

South River Bridge is located in the city of Kingstown within an area of commercial activity. Because of the intersection of two tributaries of the river just before the bridge, during the rainy season the river level and flow stream increase considerably, which has led to the weakening of the bridge. This bridge connects Long Lane Upper with South River Road and allows the pass of light and heavy vehicles, helping the mobility of people and the commercial activity.

Fenton Road has been selected by the Government as an essential route to improve mobility between Kingstown and Arnos Vale. This road has performed as a bypass to Kingstown on several occasions. The road has two bridges which have deteriorated to the degree that they have rendered the route unsafe for use. This project would seek to replace these bridges to improve the long-term performance of the selected structures.

Slope Stabilization: Dark View (Road Realignment and Coastal Defense)

Dark View landslides usually affect the Leeward Highway during the rainy season, disrupting traffic in the Northern communities such as Fitz-Hughes, Petit Bordel, and the town of Chateaubelair, which are only accessible by this route. In addition, there is evidence of coastal erosion that can affect the stability of the road.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

The rehabilitation of bridges and landslide risk mitigation are aimed at reducing the vulnerability of existing infrastructure in light of the increased amounts of water during the rainy season and as a result of hurricanes causing floods and landslides with increasing frequency and intensity. These interventions would improve population mobility and reduce socio-economic effects caused by traffic disruption or congestion.

Sub-Project Beneficiaries. The direct beneficiaries of these interventions would be the people and businesses in the Kingstown area (South River Road), Arnos Vale, and of the northern communities (rural fishing communities) on the Leeward coast such as Fitz-Hughes, Petit Bordel, Chateaubelair. Indirectly, these interventions would help the general population due to improved mobility between different areas of Kingstown and the rest of the island. Moreover, they would have implications on the ability of persons to evacuate the capital or access critical services in the event of a disaster.

Proposed Investments. The design for each intervention would be done by the Ministry of Transport and Works (MOTW). The improvement of the South River and Fenton bridge specifications should consider hydrological studies to define the design parameters in terms of maximum river level and flow stream. The proposed intervention for Dark View would address two issues: first, extensive coastal erosion that threatens the main road artery from the Northern communities; second, it would address a severely unstable upper embankment of this roadway and the roadway realignment. The proposed interventions would include the construction of a sea wall in the former case and terracing of the embankment in the latter. The Dark View landslide interventions would require previous geotechnical characterization studies (shear strength parameters) of rainfall levels and pluvial hydrology to determine appropriate engineering solutions. For all intervention sites, topographic surveys should be conducted and rainfall and earthquake conditions must be analyzed as instability triggers. According to information from the Ministry of Works, one house in Dark View would require land acquisition and compliance with the Bank resettlement safeguards.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

Component 2 - Regional Platform for Hazard and Risk Evaluation, and Applications for Improved Decision Making

SVG has disaster risk reduction and climate adaptation needs in all the seven priority areas identified by the Eastern Caribbean countries:

- (i) critical public infrastructure such as airports and hospitals;
- (ii) other public infrastructure such as transport and water grids;
- (iii) government buildings;
- (iv) watershed management;
- (v) urban flood mitigation;
- (vi) coastal protection; and
- (vii) landslide risk reduction

For the purpose of generating a change in the region to standards of public sector investments SVG has selected to pilot watershed management (Arnos Vale Watershed) and coastal protection (Georgetown). In collaboration with other countries from the region and the support of regional technical agencies, the MOTW and the Physical Planning Unit will take the lead on organizing the Eastern Caribbean regional knowledge sharing and learning process to develop and apply climate change adaptation measures for watershed management and coastal protection.

This project would generate an understanding of how to incorporate fact-based knowledge regarding natural hazards and climate change and their risks to and impacts on the society, economy, and infrastructure into local development planning, as well as mitigation and adaptation activities across the region. The project component contains a series of capacity-building interventions across a series of sectors and actors in collaboration with regional technical agencies and other countries in the region.

The lessons learned regarding watershed management, coastal protection and climate change adaptation in atolls will be captured and subsequently published with the participation of a regional technical agency effectively creating a blue-print for building climate resilience in the Eastern Caribbean. Besides the direct learning benefits to the Caribbean region as a whole, the Economic Union members would

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

benefit collectively from the physical investments, since these interventions would help mitigate the negative externalities associated with adverse affects of future natural hazard shocks on the Economic Union as a whole.

Component 3 – Natural Disaster Response Investments

Due to the high risk of a catastrophic event in SVG, a provisional component would be added under this project that would allow for rapid reallocation of the loan during an emergency, under streamlined procurement and disbursement procedures. The emergency mechanism component would be triggered, following an adverse natural event, by the official Government of SVG declaration of a “disaster for the State” in accordance with Section 32 of the National Emergency and Disaster Management Act, 2006. In accordance with the National Emergency and Disaster Management Act, 2006, the Minster has authority to declare that a “disaster for the state” has occurred in SVG via a Disaster Notification Service, a broadcast or a formal announcement when he is satisfied that supplies and service essential to the life of the community are likely to be endangered. Following this declaration, the Government could officially request reconstruction/rehabilitation financing under this component through a letter to the Country Director. In addition, the Government would be required to submit a recovery action plan indicating reconstruction/rehabilitation needs. The recovery action plan would outline the requested re-categorized financing or additional financing to cover early recovery and rehabilitation costs.

In the event of a declaration of a national emergency by the Prime Minister under the National Emergency and Disaster Management Act, 2006, the emergency mechanism component would be implemented following the rapid response procedures governed by OP/BP 8.00. Once triggered, OP/BP 8.00 facilitates rapid utilization of loan proceeds by minimizing the number of processing steps and modifying fiduciary and safeguard requirements so as to support rapid implementation. Disbursements are expected to be in the form of two types of expenditures, namely 1) critical imports, and 2) rehabilitation/reconstruction activities - including civil works and related goods and services. Disbursements would be made against a positive list of eligible critical imports or the procurement of goods, works, and consultant services needed for the recipient’s economic recovery. The final arrangements would be part of the written

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

agreement between the recipient and the Bank that is a condition for disbursement of this loan component. In addition to reallocation of funds from other components in this project, the contingent component may also serve as a conduit for additional financing from IDA in the event of an emergency.

Below is a list of critical imports eligible under the component:

- Construction materials
- Water, land and air transport equipment, including spare parts.
- Agricultural equipment and inputs (excluding pesticides).
- School supplies and equipment.
- Medical supplies and equipment.
- Petroleum and fuel products.
- Construction equipment and industrial machinery.
- Communications equipment.
- Seeds and fertilizer.
- Food and water containers and any other items which may be acceptable to the Bank and agreed to by the Borrower and the Bank.

Component 4 - Project Management and Implementation Support

Activities under this component relate to the institutional support and capacity development for project management and execution. Activities would include training, staffing, and development activities associated with project execution such as consulting services and support for:

- a. Preparation of designs and tender documents for execution and supervision of works, purchase of goods, and contracting of training activities;
- b. Preparation of project reporting;
- c. Processing of contracts including the evaluation of tenders, preparation of evaluation reports, selection of contractors, and negotiation and supervision of contracts;
- d. Liaison activities among the participating line ministries during project execution;
- e. Supervision of the quality of works;

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

- f. Specific training of staff in project management and execution;
- g. Capacity building for accreditation to the UNFCCC Climate Adaptation Fund; and
- h. Other activities, as required, to provide support to the CPD.

2. Principles and objectives governing resettlement preparation and implementation

The principles outlined in the World Bank's Operational Policy OP/BP 4.12 (Involuntary Resettlement), being generally consistent with the basic objectives of the Laws of Saint Vincent and the Grenadines, have been adopted in preparing the Policy Framework. These principles, and the resettlement measures stemming from them, will apply to all sub-projects of the DVRP, whether or not the scale and complexity of resettlement issues require preparation of a Resettlement Action Plan (RAP).

- (a) Resettlement and land acquisition will be minimized as much as possible. Where land acquisition is unavoidable, the project will be designed to minimize adverse impact on the most vulnerable.
- (b) Persons to be resettled will be compensated, relocated and rehabilitated, if required, so as to improve their standard of living, income earning capacity and production capacity, or at least to restore them to pre-Project levels.
- (c) All resettlement cases residing in, or having rights over resources within the Project area as of the date of the assessment are entitled to compensation for their losses and/or income rehabilitation. Lack of legal rights or title to the asset(s) taken for the project will not bar the resettlement cases from receiving compensation, rehabilitation and relocation measures to achieve the objectives set forth under paragraph (b) of this section.
- (d) The PSIPMU will provide the general direction for the planning of the relocation/compensation process, ensure coordination between various stakeholders and monitor the implementation. At the launching of each sub-project, stakeholders will be consulted to establish planning principles and work arrangements aimed at identifying and mitigating adverse social impacts induced by subprojects operations.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

- (e) Baseline surveys, valuation of properties and payment of compensation will be affected ahead of the commencement of works, on the subproject involved.

3. The process for preparing and approving resettlement plans

This document presents the general practise for addressing involuntary resettlement of persons in SVG. The intention is to clarify the protocol that would be followed whenever displacement of people and/or involuntary taking or restriction of access to assets is unavoidable during the implementation of the disaster vulnerability reduction project.

The laws of SVG make provision for the involuntary acquisition of land for a public purpose. The Land Acquisition Act of 1947, Section 3(1) of the said act states:

“If the Governor General considers that any land should be acquired for a public purpose he may cause a declaration to that effect to be made in the manner provided by this section and the declaration shall be conclusive evidence that the land to which it relates is required for a public purpose.”

4. Procedure for land acquisition

In accordance to the Land Acquisition Act of 1947 Act 322 Government of SVG, the procedure for land acquisition is as follows:

- Owner of land selected for public purpose shall be notified as soon as possible.
- The notification of intention shall be published in two ordinary issues of the gazette, and shall be posted in the district , the declaration would state
 - (a) The parish or district in which the land is situate
 - (b) A description of the land, giving the approximate area and other particulars necessary for identifying the land.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

(c) If the designs are prepared, the place where, and the time when a plan of the land can be inspected.

(d) The public purpose for which the land is required.

- After notification, preliminary survey, and other investigation of the land,
- Negotiation with owner, discussion of options, compensation and willingness to sell.

5. Estimated population displacement

Estimated population affected/displaced and likely categories of affected persons.

At this stage in the project, it is difficult to estimate the number or likelihood of persons being negatively impacted by the project, as the exact parameters are not yet determined. Therefore, the purpose of the RPF is to establish the mechanisms by which the appropriate tools, screening checklists and RAPs, will be implemented to mitigate potential resettlement impacts once subprojects have been identified.

Generally, the investments made under the RDVRP are individually not expected to result in major negative impacts of people, land, property, including people's access to natural and other economic resources. Notwithstanding, land acquisition, compensation and resettlements of people may be necessary for some of the project activities.

6. Eligibility criteria for defining various categories of displaced persons

The likely displaced persons are referred to as affected individuals or households and these individuals or household can be categorized by their type of settlement:

- (i) Affected individuals/households – an individual or household who suffers loss of assets or investments, lands and property and /or access to natural and or economic resources as a result of project activities and to whom compensation is due. These include any member of the household or community – men, women, children, elderly, disabled, and other vulnerable people.

Affected indigenous communities – if the project affects the local culture of the community

Resettlement Policy Framework St. Vincent and the Grenadines Disaster Vulnerability Reduction project

7. Legal Framework

Settlements in SVG and the World Bank may be categorised as being one of the following: Formal, Semi-formal and Informal. The Laws of SVG are consistent with the spirit of OP BP 4.12 of the World Bank.

The Bank Policy and the Government of SVG Policy for compensation for loss of use of assets are compatible. In the event that differences arise the Bank policy would be followed.

7.1 Categorizes of persons

Categorizes	Definition	
	St. Vincent and the Grenadines	World Bank
Formal	Formal settlements are those in which properties are legitimately owned through freehold title. Classification may be defined in terms of owner (occupied or absentee), leasehold (private or state).	Those who have formal rights to land (including Customary and statutory rights of occupancy recognized under the Laws of each respective country)
Semi-formal	Semi-formal settlements are classified as those in which the interest in land was obtained through lawful inheritance bequeathed when the original owner dies intestate and there remains a non-settlement of the rights to the estate by the project affected persons	Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of each respective Country or become recognized through a process identified in the resettlement and compensation plan.
Informal	Informal settlements in the context of this policy may be either of two types: "squatter settlements" commonly referred or traditional seasonal livelihood. The former refers to a community of people developing and/or living on lands whether publicly or privately owned without legal tenure. The latter refers to persons who, through tradition or season, may make use of a plot of land particularly for economic purposes.	Those who have no claim to land they are occupying or using.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

7.2 Comparison of SVG Laws for compensation and the OP4.12

Category of PAPS/Type of Lost Assets	Laws of St. Vincent and the Grenadines	World Bank OP 4.12
Formal Settlements / Land owners	Cash compensation, based upon market value. No land –for land- compensation in legislation, but occurs in practice on a case by case basis	Recommends land –for –land compensation. Other compensation is at replacement cost.
Semi- Formal Land Tenants Land users	<p>Entitled to compensation based upon the amount of rights they hold upon land under relevant laws.</p> <p>Land users are provided with secure tenure under the land tenure law if the persons are using the land for personal income, and ownership is evident and permanent. Where is a person uses land for consecutive years without a dispute entitles him the right equivalent to ownership. In other cases land users not entitled to compensation for land, entitled to compensation for crops and any other economic assets</p>	<p>Are entitled to some form of compensation whatever the legal recognition of their occupancy</p> <p>Entitled to compensation for crops, may be entitled to replacement land and income must be restored to pre-project levels at least.</p>
Informal settlements	Cash compensation based on market value or entitled to new housing on authorized land under government (State or local) housing programs	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocating expenses, prior to displacement.
Owners of “permanent” buildings	Cash compensation is set by the tribunal, based on the total market value of the building. In some cases, other conventional compensations are allowed.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.
Perennial crops	Cash compensation based upon market rates calculated as an average net agricultural income.	

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

7.3 Eligibility matrix based on possible impact

Activity		Impact	Resettlement measures
Emergency Communications	Installation of nine (9) VHF/HF radios with solar power at all the satellite warehouse facilities,	Improved communication	Nil
Drainage Improvement	Drainage improvements work in Kingstown and Arnos Vale. Some of the activities include design and civil works.	Small plot	If land acquisition replace land and / pay compensation
Coastal and River Defence	Protection of coastal areas and river defences including lining drainage channels and potential relocation of individual residing along vulnerable coastal location	Limited lineal impact, along river or sea front	Replace land and / pay compensation
Roads and bridges	This activity will undertake design and construction of a bypass road.	Linear impact	Replace land and / pay compensation compensate for other assets
Slope Stabilization	Landslide prone communities in which intervention measures can be implemented to reduce the landslides and reduce the impact on infrastructure.	Housing Buildings other infrastructure	Replace land and / pay compensation compensate for other assets
Retrofitting\reconstruction of government buildings	The upgrading of buildings such as clinics and police stations.	Plot for building	Replace land and / pay compensation compensate for other assets
Satellite Warehouse for communities	Construct and equip nine satellite warehouses for communities	Plot for building	Replace land and / pay compensation compensate for other assets

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

7.4 Laws of St. Vincent and the Grenadines governing resettlement

Legal Framework	Functional Relationship to Resettlement
The Land Acquisition Act and Chapter 322 Laws of St. Vincent and the Grenadines	Provides for the acquisition of land for public benefit. The government has the powers under this Act to acquire land for projects, which are intended to benefit the general [public. The sub-projects requiring resettlement are under the provision of this Act.
The Land Settlement and Development Act Chapter 242 Laws of St. Vincent and the Grenadines	Provides for the absolute proprietorship over land (exclusive rights). Such land can be acquired by the State under the Land Acquisition Act in the project area.
The Land Adjudication Act Chapter Laws of St. Vincent and the Grenadines	Provides for the ascertainment of interests prior to land registrations under the Land Settlement and Development Act.
Compensation (land , rates of labour, buildings and structures, Sacred Sites, Horticultural, Floricultural and Fruit trees, crops,	A person interested in any land which, without any portion thereof being compulsorily acquired, has been injuriously affected by the erection or construction on land compulsorily acquired of any works in respect of which the land was acquired, shall be entitled to compensation in respect of such injurious affection.
Physical Planning Act No:	The Act requires that all land intended for any development requires planning and development permission.
The Environmental Management and Coordination Act	The Act requires Special conditions are also placed on coastal, industrial and hillside developments. Under the proposed policy it is recommended that the Environmental Impact Assessment be used to gauge the degree of risk associated with development in certain geographic areas.
The Local Government Chapter 257 Laws of St. Vincent and the Grenadines	Provides for making by-laws and institutions by Councils. By-laws can be made on the governance of a project under the provisions of this Act.
The Traffic Act Chapter Laws of St. Vincent and the Grenadines	The Act also prohibits encroachment on and damage to roads including land reserved for roads by any project or any human settlement or by an exercise of resettlement. The project is under the provision of the Act.
The Water Act Chapter Laws of St. Vincent and the Grenadines	The Act vests the water in the State and gives the provisions for the water management, including irrigation water, pollution, drainage, flood control and abstraction. It is the main legislation

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

	governing the use of water especially through water permit system where special provision for water may be made for settlements and resettlements areas.
The Wildlife Conservation and Management Act, Chapter 55 Laws of St. Vincent and the Grenadines	This Act provides for the protection, conservation and management of Wildlife in St. Vincent and the Grenadines. The provisions of this Act should be applied in the management of the project.
The Public Health Act Chapter 232 Laws of St. Vincent and the Grenadines	Provides for the securing of public health and recognizes the importance of water. It provides for prevention of water pollution by any development activity including resettlement by stakeholders.
The Forest Act Chapter 58 Laws of St. Vincent and the Grenadines	An Act to provide for the protection of forests.
The Agricultural Act	An Act to ensure that owner and occupancies of Agriculture land fulfil their obligations to the community by managing their lands in such a manner to prevent erosion and ruination of the soil and by cultivating all cultivatable land under their control.
The Town Planning Act 1992,	The Act requires that all land intended for any development requires planning and development permission
National Emergency and Disaster Management Act, 15 of 2006	This act provides for prevention, preparedness, response, mitigation and recovery in relation to hazards, disasters and emergencies. It regulates emergency operation centres and shelters, coordinates activities of persons involved in disaster management and designates especially vulnerable areas and other matters.
The Town and Country Planning Regulations 2000	Regulations made pursuant to the Town and Country Planning Act, 1992
Motor Vehicle and Road Traffic, Cap 355	The Act also prohibits encroachment on and damage to roads including land reserved for roads by any project or any human settlement or by an exercise of resettlement. The project is under the provision of the ACT.

8. Methods of valuing affected assets

Valuation of land used by the Public:

Once it becomes necessary to acquire a site for a public purpose, the relevant authorised officer appointed by the Governor General (usually the Chief Surveyor) is mandated under the Land Acquisition Act 1947, Section 3 and 4, to prepare the relevant instruments and guidance necessary for the state to acquire the specified property. This process has to be completed within the legally specified period of three months. The Land Valuation Officer would conduct a formal valuation of the site/property. In the event that the property is leased from the state, the physical investment plus the expected income streams up to the end of the life of the lease is valued. The same procedure obtains for private leases except that the owner is compensated for the land and loss of income.

- (a) Semi-formal: Where the interest in the land is undefined, that is, lawfully inherited from an intestate, the state would request or facilitate the appointment of an administrator. In any case, if the state must proceed, a settlement is made based on the current estimated value, placed in trust until the beneficiaries have resolved their interest.
- (b) Informal: Step 1 is a valuation of the existing development, minus the land. Next, compensation is paid based on derived value including loss of income in case of a business activity.

Methods to determine the cut-off dates.

The entitlement cut-off date refers to the time when the assessment of persons and their property of the different project activities are carried out, i.e the time when the boundaries of the project areas have been determined. On conducting the survey to determine the exact number of displaced persons, no new cases of affected people will be considered.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

9. Screening Procedure:

The screening process determines:

- Whether or not an EIA is required for the particular subproject.
- Whether or not and magnitude of land acquisition issues
- Possible project beneficiaries
- Possible Persons Affected by the project.

The procedure:

- Identification of possible project site
- Examination of the project site by site. Identify whether or not is near to protected or designated areas or within landscapes of special heritage value or indigenous settlement.
- Use screening tool, determine existing land use(s) and commitments;
- Use surveys plans, designs concepts and in collaboration with Chief Surveyor, Project Engineer and Project stakeholders discuss the implication of the new designs, reconstruction or rehabilitation. Screen for land acquisition.
- If land acquisition is required, diligent enquiry shall be made to verify ownership, quantities, compensation.
- Once PAP's are identified PAP's shall be informed of method of valuation used to assess their assets and provided with an opportunity to negotiate the final compensation amount. To ensure transparency of procedures, the project PSIPMU Social Development Specialist, a PIU representative, the PAPs and a trusted community member (selected by the PAP) shall be present in all meetings to discuss the value of compensation, negotiation of final amount and final payment.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

10. Compensation

Immediately following the publication of a declarations in accordance with the provisions of section 3 of Act 322, an authorised officer, (for the purpose of the RDVRP)- the Social Specialist with the guidance of the Chief Surveyor shall, enter into negotiation (or further negotiations) for the purchase of the land to which the declaration relates, by voluntary agreement with the owner.

It shall not be necessary for the authorised officer (Social Specialist and Chief Surveyor) to await the publication to enter into negotiation to ascertain from the owner the terms and conditions on which he is willing to sell his land; the negotiations are completed on the approval of the Governor General (as it regards the RDVRP – Project Steering Committee) of the conditions of sales and acquisition.

All questions and claims relating to the payment of compensation under Act 322 shall be submitted to the Board of Assessment, as it regards the RDVRP all questions shall be forwarded directly to the Project Steering Committee.

Project Coordinator,
Project Steering Committee
Regional Disaster Vulnerability Reduction Project
Central Planning Division
Administrative Building
Kingstown

or Telephone: 784-457-1746

All appeals shall lie against a decision of the Project Steering Committee to the Director of Planning or the Attorney General.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

10.1. Rules of assessment of compensation:

Subject to the provisions of Act 322, the following rules shall apply to the assessment and award of compensation by the Project Steering Committee for the compulsory acquisition of land.

(a) The value of the land shall be taken to be the amount to which the land, if sold in the open market by a willing seller, might have been expected to have realised at a date twelve months prior to the date of the publication.

Provided that this rule shall not affect the assessment of compensation for any damage sustained by the person interested by reason of severance, or by reason of the acquisition injuriously affecting his other property or his earning, or for disturbance, or any other matter not directly based on the value of the land.

(b) The special suitability or adaptability of the land for any purpose shall not be taken into account if that purpose is a purpose to which the land could be applied only in pursuance of statutory powers, or for which there is no market apart from the special needs of a particular purchaser or the requirements of any Government department.

(c) Where the value of the land is increased by reason of the use thereof, or of any premises thereon, the amount of that increase shall not be taken into account.

(d) Where land is, and but for the compulsory acquisition would continue to be devoted to a purpose of such a nature that there is no general demand or market for the land for that purpose, the compensation may, if the Board is satisfied that re-instatement in some other place is bona fide intended, be assessed on the basis of the reasonable cost of equivalent re-instatement.

(e) No allowance shall be made on account of: -

(i) The acquisition being compulsory or the degree of urgency or necessity which has led to the acquisition.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

- (ii) Any disinclination of the person interested to part with the land acquired.
- (iii) Any damage sustained by the person interested which, if caused by a private person, would not render such person liable to an action.
- (iv) Any damage, not being in the nature of deprivation of or interference with an easement or legal right, which, after the time of awarding compensation, is likely to be caused by, or in consequence of, the use to which the land acquired will be put:
- (v) Any increase in the value of the land acquired likely to accrue from the use to which the land acquired will be put,
- (vi) Any outlay or improvement of such land which shall have been made commenced or effected within twelve months before the publication of the declaration under Section 3 Act 322 with the intention of enhancing the compensation to be awarded therefor in the event of such land being acquired for public purposes.

10.2 Conveyancing

All reasonable costs, charges, and expenses incurred by the owners of the lands or persons interested therein for conveyances and assurances of any lands purchases or acquired, and of any outstanding terms of interest therein, and of deducing, evidencing, and producing title to such lands, terms of interest, and of making out such abstracts and attested copies as the authorised officer may require, as it regards the RDVRP, shall be paid by the Project Steering Committee.

10.3. Payment of Compensation:

All amounts which have been awarded by way of compensation under this Act, including interest and costs to be paid by the authorised officer, and all other costs, charges and expenses which shall be incurred under the RDVRP Land Acquisition issues shall be paid out of the Consolidated Fund on the warrant of the Governor-General.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

a. Individual and Household

Individual and household compensation will be made in kind and or in cash. Although the type of compensation may be an individual's choice, compensation in kind will be preferred, if the loss amounts to more than 20% of the total loss of assets. For cash payments, compensation will be calculated in Eastern Caribbean Dollar (XCD) adjusted for inflation. For compensation in kind, items such as land, houses, other building materials, seedlings, agricultural inputs and financial credits for equipment may be included. Assistance may include moving allowance, transportation and labour.

b. Compensation for land

Compensation for land is aimed at providing for loss of crops and the labour used to prepare the land and cultivate the crop. The term "land" refers to an area or homestead in cultivation, or cultivated during the last agricultural season. This definition recognizes that the biggest investment a farmers makes in producing a crop is his or her labour. As a result, compensation relating to land will cover the rates for labour invested, as well as the replacement cost of the crop lost.

c. Land Measurement

The unit of measurement for land will be that which is used and understood by the affected persons. If a traditional unit of measurement exists in the rural areas, that unit shall be used. Understanding the unit of measurement ensures that the affected person is able to verify his/her own size of land that is being lost. This maintains transparency in the process and avoids subsequent accusations for wrong measurements or miscalculation of land areas.

d. Determination of Crop Compensation Rates

Both cash and consumption crops are valued at the market price mid-way between harvest peaks. Prevailing prices for cash crops will have to be determined with the assistance of the Ministry of Agriculture. Rate schedule must be verified for accuracy. Each type of crop is to be compensated for, using the same rate. Calculating compensation using one rate guarantees uniformity and allows anyone to measure the area of land for which compensation is due and to multiply the area by one rate known to all.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

e. Compensation Rates for Labour

The value of labour invested in preparing agricultural land will be compensated for at the average wage in the community for the same period of time. The labour cost for preparing replacement land is based on costs for clearing the land and ploughing.

f. Compensation for Buildings and Structures

Compensation for buildings and structures will be paid by replacing huts, houses, farm outbuildings, latrines, fences and other impacted structures. Any homes lost will be rebuilt on the acquired replacement land. However, cash compensation will be available as a preferred option for structures, such as, extra buildings lost, that are not the main house or house in which someone is living. The applicable replacement costs for construction materials, as well as associated labour costs needed to build replacement structure, will be used to calculate the values.

Compensation will be made for structures that are abandoned because of relocation, or resettlement of an individual or household, or structures that are damaged directly by construction activities.

g. Compensation for sacred Sites

Compensation for sacred sites (e.g., proprietary rites and reconstruction) is determined through negotiation with the appropriate parties.

Sacred sites include, but are not restricted to: altars, initiation centres, ritual sites, tombs and cemeteries.

h. Compensation for Horticultural, Floricultural and Fruit trees

Replacement or compensation for lost of trees that are important source of:

- Subsistence food for families (coconut, cashew, guava or mango) based on production yields. Cash payments to farmers will be aimed at replacing income derived from the sale of fruit production yearly.
- Crops that contributes to the local and export economy
- Traditional medicinal value

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

11. Organizational procedures

11.1 Project Organizational Framework

It was agreed that the Central Planning Division (CPD) of the Ministry of Finance and Economic Planning will take the lead in preparing and managing the project. The CPD has the fiduciary capacity (in accordance with World Bank procurement and financial management standards) and policy coordination experience, with strong capacity to handle both the World Bank project as well as the donor-funded program.

Project Steering Committee: At the programme and coordination level, the PSIPMU within the Central Planning Division will ensure that there is coordination of activities and projects among the implementation agencies.

There is an Inter-ministerial Technical Committee which will ensure collaboration and harmonization of the interventions. Each sub-component of the project will have representation from a member of the ministry involved. Each representative will function to coordinate ministry level activities necessary for the implementation. At the implementation level, the lead agency will be the Ministry of Transportation and Works.

The compensation process will involve several steps and would be in accordance with the individual project activity.

The public would be notified during a community consultation about the project activities and possible parameters. This would ensure that no affected individual/household is simply “notified” one day that they are affected in this way. Instead, this process seeks their involvement and wishes to inform communities in a participatory approach.

Notification of land resource holders - the users would be informed through both a formal notification in writing and in consultation.

The documented survey of the disaster vulnerability of the communities would be published to build community awareness and help in the disaster management plans.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

11.2 Monitoring

The PSIPMU have overall responsibility for developing monitoring indicators. The PSIPMU would evaluate and report to the Bank on the activities that are being carried out in compliance with the project design and contracts. The evaluation will rely on both qualitative and quantitative criteria using Bank Guidelines, "Monitoring and Evaluation of Program Impacts."

11.3 Implementation process, linking resettlement implementation to civil works

Implementation

- Establishment of boundaries of all project activity.
- Establishment of the cut off date and carrying out of the census to identify PAPs:
- Census will generate information about the PAPs, their entitlements regarding compensation, resettlement and rehabilitation assistance as required:
- Unforeseen changes in scope that may result in further compensation, especially those affecting income-earning activities, shall be properly recorded for the sake of compensation as asset replacement.
- Based on the census and inventory of losses, and in consultation with the PAPs, a time phased action plan with a budget for provision of compensation, resettlement, and other assistance as required, shall be prepared.

In case of involuntary resettlement, approval of the new pieces of land to be used for resettlement shall be sought from the Government in consultation with local communities and affected individuals.

To ensure transparency of procedures, PAPs shall be informed of method of valuation used to assess their assets. All payments of compensation, resettlement assistance and rehabilitation assistance, as the case may be, shall be made in the presence of PAPs in question and the local leaders.

Timeframes

The following key timeframes shall apply unless otherwise agreed between the executing agency and Resettlement Specialist, the Resettlement Committee and the

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

PAPs; provided however, that no agreement to waive the timeframes shall adversely affect the rights or interests of PAPs, under the Framework:

- The inventory shall be completed at most two months prior to the commencement of work:
- Civil works shall commence after compensation, resettlement and rehabilitation activities have been concluded.

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

Linking resettlement implementation to Civil works

For the activities involving land acquisition or loss, denial or restriction to access of resources, it is required that provisions be made, for compensation and for other assistance required for relocation prior to displacement. The assistance includes provision and preparation of resettlements sites with adequate facilities.

An implementation schedule should be designed by the project steering committee it must include:

- Target dates for commencement and completion of civil works,
- Timetables for transfers of completed civil works to PAPs,
- Dates of possession of land that PAPs occupy (this date must be after transfer date for completed civil works to PAPS and for payments of all compensation)

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

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

12. Grievance Redress Mechanisms

The Grievance Redress Mechanism (GRM) effectively addresses grievances from the people impacted by the World Bank projects. It can be an effective tool for early identification, assessment and resolution of complaints on projects.

The Foundation of an Effective Grievance Procedure

The GRM is an integral part of the development process for the Government of SVG. In the country's National Economic and Social Development Plan 2013-2025 Goal 3, outcome 3.3 under the promoting good governance, provision is made for public awareness about their legal rights and avenues for redress.

The grievance procedure is intended to provide residents with an opportunity to voice complaints or concerns about the project activity.

12.1 Structure of Grievance Redress:

- I. Public grievances are received by the Attorney General Office on behalf of the Government of SVG.
- II. During the life cycle of the project, all grievances pertaining to the RDVRP would be received by the Social Specialist. The Social Specialist identifies the problem area, then in collaboration with the PSC, guided by the Attorney General, evaluates and resolves the claims.
- III. The PSIPMU will continuously monitor all possible expropriation / reports and discuss outcomes in the PSC meetings.

12.2 Guidelines for processing grievance:

- 1) After the final demarcation of the project sites, a sign post would be erected to notify the public about the pre project development. Notification should be given on radio via the public service information about the project development. At the project site on the sign post a rectangular portion would be allocated with

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

information as to where to direct all grievances. The rectangular portion would state: -

Notification to the Public

All grievances relating to the development of this project are to be directed to:

Project Coordinator,

Project Steering Committee

Regional Disaster Vulnerability Development Project

Central Planning Division

Administrative Building

Kingstown

Telephone: 784-457-1746

email: cenplan@svgcpd.com

- 2) The affected persons should file his/her grievance in writing, to the PSC. The grievance note should be signed and dated by the aggrieved person.
- 3) The PSC should acknowledge within five (5) business days, the receipt of the documentation. The nature of the grievance would be directly addressed by the Social Specialist along with the other relevant concerned Ministry (e.g. Chief Surveyor – Land Acquisition issues). The relevant personnel would ascertain the period (not exceeding thirty (30) business days) necessary for the PSC to address the grievance and notification must be given to the aggrieved person.
- 4) If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time he/she can lodge his/her grievance to the Director of Public Prosecution.
- 5) No grievance is to be rejected without having been independently examined, issued a reason and a reply.
- 6) Complainants must be informed of the name, designation, office, and telephone number of the official who is processing the case. The time frame in which a final reply will be sent should also be indicated.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

- 7) All grievances concerning non-fulfilment of contracts, levels of compensation, or seizure of assets without compensation shall be made in writing, and addressed to the PSC. Copies of the complaint shall be sent to the Director of Planning, Ministry of Finance and Economic Planning, within 20 business days following communication to the PSC.
- 8) If an agreement cannot be reached the aggrieved party or parties shall raise their concerns to the PSC who shall refer them to the Director of Planning, within twenty (20) business days. Grievances that cannot be resolved with the Project Steering Committee shall be submitted to the Director of Public Prosecution and to the executing agencies. Should grievances remain unresolved at this level, they can be referred to the Court of Law.

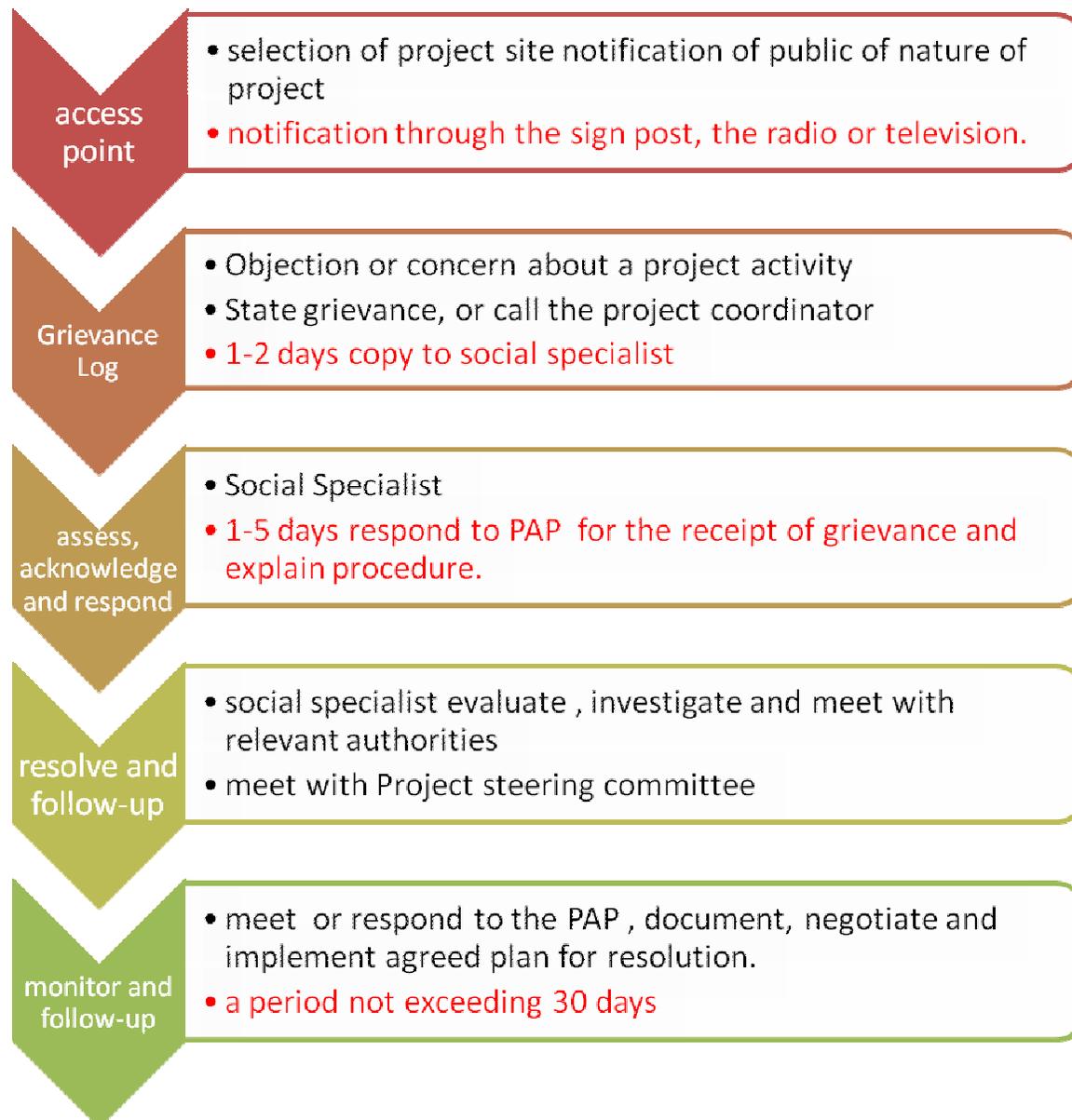
12.3 The procedure for handling grievances

should be as follows:

- All grievance representations received under the project, either by mail, fax, e-mail, are to be invariably routed to the Social Specialist for processing. A copy the complaint should be given to the aggrieved indicating receipt of Grievance.
- Grievance received by word of mouth should be recorded, re-read to the aggrieved person and signed by the aggrieved person in the presence of a witness and forwarded to the Social Specialist.
- The Social Specialist shall meet with the Project Steering Committee to discuss the gravity of the matter and decide whether it shall be dealt with immediately or should be forwarded directly to the Attorney General's Office for independent attention.
- The Social Specialist should monitor and follow up all grievances to enable timely attention.

Resettlement Policy Framework St. Vincent and the Grenadines Disaster Vulnerability Reduction project

12.4 Grievance diagram



12.5 Review and monitoring of Grievance Redress Mechanism

Ensure meaningful review of the performance of grievance redress process of the project. The project coordinator should ensure that all grievances are addressed within one month.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

12.6 Best practice:

- The better method to redress a grievance is not to allow the grievance to arise in the first instance:
- When project sites have been identified a consultation and information session will be schedule with residents to discuss the nature of the project and to note and address any concerns on the project development.
- Identify areas susceptible to grievance generation and identify possible opportunity or alternatives. Recommendations should be made and discussed with Project Steering Committee, if the grievance cannot be avoided, then compensation or alternate options should be communicated to the potential aggrieved individual.
- On the determination of the project site, screening should be conducted for boundaries, agriculture produce, and other assets subject to be affected by the project. When identified, discussion should be undertaken with the project steering committee to minimize grievance.
- Deal with every grievance in a fair, objective and just manner.
- Develop and issue booklets/pamphlets about the schemes/services available to the public indicating the procedure and manner in which the grievances can be availed and the right authority to be contacted for service for example the Project Coordinator, the Ministry of Agriculture for crops and the Lands and Surveys Department for land issues.

13. Source of funding

Expropriation and compensation costs for loss of properties for resettlement under the RDVRP. All amounts which have been awarded by way of compensation under the RDVRP, including interest and costs to be facilitated by the Social Specialist, and all other costs, charges and expenses which shall be incurred under the RDVRP Land Acquisition issues shall be paid out of the Consolidated Fund. IDA cannot be used to finance cash payments in resettlement cases nor the purchase of land.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

14. Consultation and participation process

Notification Procedure

The project (PSIPMU) shall be public notice, and publicly announced in the media (Weekly newspapers, National Television, National Broadcasting Radios), notify the public of its intention to acquire land earmarked for the project.

The notice shall state:

- i) government's proposal to acquire the land
- ii) the public purpose for which the land is needed
- iii) that the proposal or plan may be inspected during the period
- iv) that any person affected may, by written notice, object to the transaction giving reasons for doing so, to the Project Steering Committee with copies to Director of Planning in the Ministry of Finance within 20 days of the first public announcement or appearance of the notice. Assurances must be made that affected persons have actually received this information and notification.

Public Consultation Mechanism

Public consultation and participation will afford the PAPs an opportunity to contribute to the project. The public consultation would be an on-going activity taking place throughout the entire project cycle mainly project inception and planning; resettlement and compensation planning; drafting and reading/signing of the compensation contracts; payment of compensations; resettlement activities and implementation of after- project community support activities.

Public consultation and participation shall take place through local meetings, radio and television programmes, request for written proposals/comments, completion of questionnaires/application forms, public readings and explanations of the project ideas and requirements.

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

15. Monitoring and evaluation arrangements

Monitoring and evaluation will be a continuous process. The PSIPMU will continuously review expropriation / compensation reports and discuss their outcomes in its technical meetings. The Ministry of Finance and the Ministry of Housing and Physical Planning, the Ministry of Legal affairs will directly monitor compensation costs for loss of wages. The PSIPMU will review project activities, including social mitigation measures, and provide guidance.

15.1. Monitoring Principles

A monitoring and evaluation plan of the mitigation measures will be established by the PSIPMU. The scope of the plan will take into account the size of the social impacts to be mitigated while respecting the basic monitoring principles. The plans will describe:

- the internal monitoring process;
- key monitoring indicators (provide a list of monitoring indicators, which would be used for internal monitoring);
- institutional (including financial) arrangements;
- frequency of reporting and content for internal monitoring, process for integrating feedback from internal monitoring into implementation;
- financial arrangements for external monitoring and evaluation, including process for awarding and maintenance of contracts for the duration of resettlement;
- methodology for external monitoring;
- key indicators for external monitoring, focusing on outputs and impacts; and
- frequency of reporting and content for external monitoring and process for integrating feedback from external monitoring into implementation.

15.2 Internal Monitoring

Internal monitoring will be conducted by the PSIPMU, following the plan described. Likewise, the ministries under which the subproject will be administered will conduct their own monitoring. Quarterly PSIPMU progress reports will include a section on progress made regarding mitigation of adverse social impacts.

Resettlement Policy Framework St. Vincent and the Grenadines Disaster Vulnerability Reduction project

15.3. External Monitoring and Evaluation

External monitoring will be conducted through World Bank supervision missions to monitor progress in the mitigation of the adverse social impacts. This would ensure progress on the ground, strengthen analytical capacity, and safeguard proper documentation of operations executed.

Before closure of the process, the PSIPMU will consult with a local NGO to conduct an evaluation of the mitigation measures executed. The evaluation report will be used as a planning instrument to correct pending issues and suggest a post-project monitoring period with the aim of ensuring that PAPs have not been subject to impoverishment induced by RDVRP operations

Appendix:

Action and Activities for screening and Land acquisition

Action	Activity	Who is responsible
Identification of project site	Site interviews, site visit, review of site records (building records, land use records,) review maps. Land ownership determination	The Project Steering Committee. The Ministry responsible for the subproject activity
Interviews for the historical reference	Interview with past and present owners , occupants	Social Specialist, Project engineer, Environmental Specialist
Site visit survey, completed during the day when it is visible	Visual on-site inspection of property and adjoining properties Inspect boundaries and project lines. Document situation with land acquisition. Maintain a photograph log of project site and site maps, the approximate locations from where photographs were taken. Do soil analysis; note the topographic conditions of the project site (Ministry of Transport or Environment).	Land and surveys department, Ministry of Transport Ministry responsible for the Sub Project activity Ministry of Agriculture Ministry of Environment Social Specialist
Sketch site map	Identify the project area,(any on site structures, drainages, roads etc) the adjoining property	Ministry of Transport Surveys Department Social Specialist.
Land acquisition	Determination of Land Acquisition Negotiation/ Alternative option for project activity Compensation	Ministry of Transport Land and surveys Social Specialist
Reporting	Report on the Finding Meeting with the Project steering committee	All Assessment officials
Report	Written report to the World Bank	Project Coordinator
Implementation	Project approval, design implementation	Project Steering Committee

Screening tool

Screening tool to be completed by Social Specialist:

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

Project detail		
Description	Details	
Type of Project		
Project area and location		
Land Assessment		
Description	Details	
Location of the land required		
Total quantity of land required in acres		
Ownership of land	Government	
	Private	
	Other	
Land utility or land use details in the project area	Commercial	
	Housing	
	Agriculture	
	Others	
Determining the necessity for Land Acquisition		
Alternatives		
Assessment of Structures		
Description	Details	
Type of structures	Wall	
	Board	

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

	Makeshift	
Usage of structure	Residential	
	Commercial	
	Community	
	Other	
Socio –Economic Assessment		
Description	Details	
Name and number of localities in the project area		
Total population of project area (Number)	Male	
	Female	
Social groups	Community self help	
	Disaster Preparedness	
	Church groups	
	Farmers (fisherfolks, farms)	
Population of Project Affected Persons		
Vulnerable groups	Poverty level	
	Disability	
	Aged	
	Indigenous people	

Resettlement Policy Framework St. Vincent and the Grenadines Disaster Vulnerability Reduction project

Description	Yes	No	Comment
Do you have any information on the project site, the plot size			
Are the current occupants the owners?			
Is the land Government land? Is it an informal settlement (Squatters)?			
Is the present project site currently being use for agricultural production (food or livestock) If yes provide photograph, recommend in the report , agriculture census			
Will the project permanently or temporary adversely affect income flow or livelihoods as a result of the civil works? If so for what period? (Provide description)			
Will people permanently or temporarily loss access to facilities, services, or natural resources?			
Have measures been planned to mitigate temporary impacts including ease of access? Provide details			
Would it be necessary to occupy lands outside the perimeter of the project site			
Property use: are there presently structures on the proposed project site. If yes, provide photographs and brief description , include the number, ownership (squatters, or land owners)			
Is there evidence of ancient heritage buildings? If yes provide photograph			
Are any indigenous people affect			
Will the project include physical construction			
Does the project include rehabilitation of existing structure			

Contractual arrangement

MEMORANDUM OF UNDERSTANDING FOR THE TEMPORARY USE OF LAND OR OTHER FACILITIES DURING PROJECT CONSTRUCTION M

Resettlement Policy Framework St. Vincent and the Grenadines

Disaster Vulnerability Reduction project

The following agreement has been made on..... day of..... between.....resident of(the Owner) and(the Recipient).

1. That the Owner holds the transferable right of acres/square feet of land/structure/asset in.....
2. That the Owner testifies that the land/structure is free of squatters or encroachers and not subject to other claims.
3. That the Owner hereby grants to the Recipient this asset for the construction and development offor the benefit of the villagers and the public at large.
(Either, in case of donation:)
4. That the Owner will not claim any compensation against the grant of this asset.
(Or, in case of compensation:)
5. That the Owner will receive compensation against the grant of this asset as per the attached Schedule.
6. That the Recipient agrees to accept this grant of asset for the purposes mentioned.
7. That the Recipient shall construct and develop the.....and take all possible precautions to avoid damage to adjacent land/structure/other assets.
8. That both the parties agree that the.....so constructed/developed shall be public premises.
9. That the provisions of this agreement will come into force from the date of signing of this agreement.

Signature of the Owner

Signature of the Recipient

Witnesses:

1. _____

2. _____

(Signature, name and address)

Resettlement Policy Framework St. Vincent and the Grenadines Disaster Vulnerability Reduction project

Annex 1. TABLE OF CONSULTATIONS

Activity	Names	Titles	Institutions	When
Emergency Communications				
Drainage Improvement				
Relocation of the Milton Cato Memorial Hospital				
Strengthening of institutions for the enforcement of the Building codes etc.				
Coastal and River Defence				
Public Education and Awareness				
Roads and bridges				
Retrofitting of Emergency Shelters				
Slope Stabilization				
Search and rescue (land and sea)				
Retrofitting \reconstruction of government buildings				
Upgrade of disaster management agencies				
Training				
Institutional strengthening				
Satellite Warehouse for communities				
Villa beach restoration				

Resettlement Policy Framework St. Vincent and the Grenadines Disaster Vulnerability Reduction project

REGISTRATION OF GRIEVANCE

Please use capital:

From: _____ Contact No: _____ -
Name: _____
Address: _____

Name of Project Site:

As per the Resettlement Policy Framework of the Regional Disaster Vulnerability Project, Grievance Redressal, I register my grievance as detailed:

“Details of Grievance”

(a) Outline reasons why and how you are affected by the project. (overleaf if necessary)

(b) If land or other properties are being affected e.g. (agriculture) , include copies of relevant documentations you have to support your claim.

List documents: attach copies

(a) _____ (b) _____
(c) _____ (d) _____

Undertaking: I hereby certify that statements made in my Grievance and documentation enclosed are true and complete to the best of my knowledge. If at any time any part of the Grievance or the documentation is found to be false, I will be liable for any legal action that the Government of St. Vincent and the Grenadines may deem necessary.

Date: _____ (Signature of aggrieved person)_____

Name of recording Officer: _____ (Signature)_____

(Please print) List all documentation enclosed: (continue overleaf)

Resettlement Policy Framework St. Vincent and the Grenadines
Disaster Vulnerability Reduction project
