

**Governments of Saint Vincent and the  
Grenadines, Grenada, Saint Lucia**

**OECS Regional Tourism Competitiveness Project**

**World Bank**

**Regional Resettlement Policy Framework  
(RPF)**

**May 12, 2016**

# Table of Contents

<b>1. Introduction and Objective of RPF</b>	<b>4</b>
<b>2. Description of Project</b>	<b>4</b>
<b>2.1 Project components</b>	<b>5</b>
<b>2.2 Project financing</b>	<b>10</b>
<b>2.3 Project implementation arrangements</b>	<b>11</b>
<b>3. Components for which land acquisition and resettlement are required</b>	<b>12</b>
<b>4. Principles and objectives governing resettlement preparation and implementation</b>	<b>12</b>
<b>5. Procedures for screening for land acquisition, preparing and approving Resettlement Plans</b>	<b>13</b>
<b>6. Estimated population displacement and likely categories of displaced persons</b>	<b>14</b>
<b>7. Eligibility criteria for defining various categories of displaced persons</b>	<b>14</b>
<b>8. Legal framework: fit between borrower laws and World Bank policy requirements, and measures proposed to bridge gaps</b>	<b>16</b>
<b>8.1 Relevant Legislation</b>	<b>16</b>
<b>8.2 Fit between the World Bank and Borrowers Laws</b>	<b>17</b>
8.2.1 Grenada	17
8.2.2 Saint Vincent and the Grenadines	19
8.2.3. Saint Lucia	20
<b>9. Methods of valuing affected assets</b>	<b>21</b>
<b>10. Institutional Roles and Responsibilities</b>	<b>22</b>
<b>10.1 Saint Lucia</b>	<b>22</b>
<b>10.2 Saint Vincent and the Grenadines</b>	<b>22</b>
<b>10.3 Grenada</b>	<b>23</b>
<b>11. Implementation process, linking resettlement implementation to civil works</b>	<b>23</b>
<b>11.1 Timeframes</b>	<b>23</b>
<b>11.2 Linking resettlement implementation to Civil works</b>	<b>24</b>
<b>12. Description of grievance redress mechanisms (GRMs)</b>	<b>24</b>
<b>12.1 Grenada</b>	<b>24</b>
12.1.1 Procedures for Grievance Redress	25

12.1.2	Grievance Appeal Committee Role.....	26
<b>12.2</b>	<b>Saint Lucia.....</b>	<b>27</b>
<b>12.3</b>	<b>Saint Vincent and the Grenadines.....</b>	<b>27</b>
12.3.1	The Foundation of an Effective Grievance Procedure .....	27
12.3.2	Structure of Grievance Redress .....	28
12.3.3	Guidelines for processing grievance .....	28
12.3.4	Notification to the Public .....	28
12.3.5	The procedure for handling grievances .....	29
12.3.6	Grievance diagram .....	29
12.3.7	Review and monitoring of Grievance Redress Mechanism .....	30
12.3.8	Best practice.....	30
<b>13.</b>	<b>Description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements .....</b>	<b>31</b>
<b>13.1</b>	<b>Grenada.....</b>	<b>31</b>
<b>13.2</b>	<b>Saint Lucia.....</b>	<b>31</b>
<b>13.3</b>	<b>Saint Vincent and the Grenadines.....</b>	<b>32</b>
13.3.1	Arrangement for funding .....	32
13.3.2	Source of funding.....	32
<b>14.</b>	<b>Description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring.....</b>	<b>33</b>
<b>14.1</b>	<b>Notification Procedure .....</b>	<b>33</b>
<b>14.2</b>	<b>Public Consultation Mechanism .....</b>	<b>33</b>
<b>15.</b>	<b>Arrangements for monitoring by the implementing agency.....</b>	<b>34</b>
<b>15.1</b>	<b>Internal Monitoring.....</b>	<b>34</b>
<b>15.2</b>	<b>External Monitoring and Evaluation .....</b>	<b>34</b>
<b>ANNEX 1: Checklists for Supervision of Resettlement Preparation and Implementation</b>		<b>36</b>
<b>ANNEX 2: Form for the Registration of a Grievance.....</b>		<b>46</b>

## 1. Introduction and Objective of RPF

The World Bank is providing a Credit in the amount of US\$26M to the Governments of Saint Lucia (GoSL), Saint Vincent and the Grenadines (GOSVG), and Grenada (GOG) towards the Regional Tourism Competitiveness Project.

In the process of the preparing the OECS Regional Tourism Competitiveness Project, World Bank screening concluded that under Operational Policy 4.12 (OP 4.12) [Involuntary Resettlement], planned physical infrastructure works (e.g. rehabilitation and improvement to selected tourism sites) might involve either physical resettlement or land acquisition and subsequently impact beneficiary assets or access to assets.

The objective of this Resettlement Policy Framework (RPF) is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to sub-projects to be prepared during project implementation of the OECS Competitiveness Project (see OP 4.12, paras. 26-28). Sub-project resettlement plans consistent with the policy framework subsequently will be submitted to the Bank for approval after specific planning information becomes available (see OP4.12, para.29).

Under the OECS Competitiveness project the RPF will assist the Governments of Grenada, Saint Lucia, and Saint Vincent and the Grenadines in:

- i) screening all subprojects for land acquisition and physical and/or livelihood displacement resulting from such land acquisition;
- ii) identifying documentation and preparation requirements for compliance with World Bank Safeguards Policy.

In the event that a sub-project leads to land acquisition and/or resettlement, Abbreviated Resettlement Plans (ARPs) and/or Resettlement Action Plans (RAPs), as may be applicable, will be prepared for specific sub-projects in accordance with the project's RPF. The RPF will form part of the project's Operations Manual and be referenced in the project's Legal Agreements.

## 2. Description of Project

The Development Objectives of the OECS Regional Tourism Competitiveness Project are to: (i) facilitate the movement of tourists within the region using ferries; (ii) improve selected touristic sites; and (iii) strengthen implementation capacity for regional tourism market development.

The Project will support the tourism competitiveness of the OECS as a region and in each participating member country. It will directly benefit entrepreneurs, people working in (and potential employees of) the tourism industry (hotels, travel agencies, taxi drivers, tourism guides), and people working in (and potential employees of) sectors related to tourism (training providers, ferry operators, small producers of artisanal souvenirs, agricultural producers). The project is also expected to create job opportunities and other income generating activities as a result of increased number of tourists, increased tourism spending and improved connectivity between the islands. The government ministries, departments and agencies, as well as the tourists visiting the OECS region are also key project stakeholders

The Project objectives will be achieved through the following four components

## 2.1 Project components

### Component 1: Facilitation of the Movement of People (US\$ 2,670,000)

▪ This component aims to strengthen regional integration and facilitate the movement of people in the region through: (i) support for the development of a single regional space for immigration and customs entry of international tourists; (ii) development of a pilot ferry system through technical assistance, IT and small infrastructure improvements.

#### *Sub-Component 1.1 (country-specific and regional): Development of a single regional space for Immigration and Customs entry of international tourists (US\$ 1,410,000)*

- At national level, this sub-component will provide:
  - (i) infrastructure investment (works) to turn domestic terminals into international ones<sup>1</sup>;
  - (ii) Provision of goods: scanners and other IT needs for immigration and customs clearance
- At regional level, this sub-component will provide
  - (i) TA to support:
    - a. review of the existing regional immigration system (CARISEC);
    - b. review of existing OECS Treaty for the creation of a single economic space and identification of potential regulatory and institutional gaps on the free movement of people and goods, including port charges;
    - c. develop a plan for the implementation of a Schengen Style single space.
  - (ii) TA to transition the region to a common customs and immigration clearance platform for persons, by supporting the region in identifying and agreeing on a common platform<sup>2</sup>.

#### *Sub-Component 1.2 (regional): Development of a pilot regional ferry corridor (US\$ 1,260,000)*

This component will provide:

- (i) Gap financing for the operation of the ferries;
- (j) IT support for information technology software and hardware required for a centralized ferry scheduling system;
- (k) TA to review technical standards and enforcement for water transport, including safety standards; and
- (l) TA to support the dialogue between the governments and the ferry operators.

### Component 2: Pilot Tourism Investments (US\$ 18,540,000)

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<sup>1</sup> This includes small refurbishing investments in the passenger ferry terminals and the addition of simple facilities including small customs and immigration booth/building and security screening equipment and infrastructure.

<sup>2</sup> The implementation of the common platform, including any hardware and software that may be required could be implemented through additional financing under this Project.

▪ The planned investment in signature attractions for each OECS islands is an essential step in the strengthening of the competitiveness of tourism in the region. These signature attractions will serve as anchor attractions that will have two main effects:

- 1) Increase the attractiveness of OECS islands among existing markets (in particular, cruise passengers and all-inclusives) and generate increased spending within them.
- 2) Trigger the development of more local attractions by local tourism operators that build on or link to the anchor attraction that can ultimately attract new market segments.

▪ The selected pilot tourism products for each country are: (i) the rehabilitation of Fort George, as part of the development of a tourism product around the Carenage area in Grenada; (ii) reinforcement of the marine-based tourism product offering in St. Vincent and the Grenadines, and rehabilitation of Fort Charlotte on the mainland; and (iii) enhancement and beautification of Castries City waterfront in St. Lucia<sup>3</sup>.

▪ As a first step, this country-specific component will finance a number of technical assistance interventions to support the anchor tourism products, including feasibility studies, technical, engineering, social and environmental assessments, as well as rehabilitation designs; and marketing, business, commercialization and management plans for investments identified.

▪ The second step would include the following works and technical assistance:

(i) **St. Lucia** - The strengthening of a Castries City Tourism product including:

*Infrastructure and institutional support for improved urban mobility in Castries* through technical assistance, civil works and provision of goods, including

- works in reconstruction of the intersection of Jeremie Street and Compton Highway;
- works to support the organization of pedestrian and taxi movements near La Place Carenage;
- works to support improvements of sidewalks in other key parts of town; works and goods to support replacement of all other traffic lights and improvements of junction; and
- TA for institutional strengthening.

*Urban and tourism development, including of sites and attractions in Castries*, including for:

- works related to the upgrading the market and surrounding area;
- works and goods for improving visitor experience walking through downtown Castries and Boulevard area (signage, strategically located maps, interactive visitor kiosks with information on events, historic relevance, tours, interpretation facilities, benches, rest areas, cleanliness including additional waste bins and recycling, safety and security upgrades including additional lighting);
- Façade improvement programme;
- Works related to the upgrading of the botanical gardens (landscaping, fence repair, lighting, benches, trash cans);
- TA for the vendors in the market regarding how to showcase goods, alternate

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<sup>3</sup> For reasons why these sites were selected, please see background paper titled “World Bank OECS Regional Tourism Competitiveness Project: Tourism Site Development and PPP Options”.

goods to consider, etc.

*Improving the business environment through:*

- Improving the process of starting the business through TA for supporting regulatory changes and IT support for implementing a system of unique identifier;
- Improving the process of obtaining construction permits through TA for creating a single window for construction permits and IT support for implementing a single window;
- Strengthening the protection of minority shareholders through TA for supporting the drafting of legislation;
- Improving the process of registering property through TA for supporting the modernization of the land registry, including associated regulatory reforms, and IT support for implementing a modern property registry;
- Linking the relevant registries: TA to support the linking of the relevant registries, including associated regulatory reforms (e.g. collateral registry, business registry, motor vehicle registry, etc.), and IT support for the linking of the relevant registries; and
- Populating the new registries with data from the previously existing registries through TA to support the transfer the data (including the collateral registry, new property registry, business registry).

(ii) **Grenada** - rehabilitation of *Fort George historic site* (repairs and cleanup of Eastern barracks and adjacent building of the Fort, development of an interactive interpretation center, coffee and gift shops, signage, vending booths, parking lot, washrooms)<sup>4</sup>:

i. Support for infrastructure and works:

<b>Investments and Works</b>
➤ East Barracks building roof
➤ Ground floor stone work and masonry
➤ First floor and internal timber frame of building
➤ Windows, doors (wooden) and furnishings
➤ Displays
➤ Railings
➤ Interpretation center and sound and light production
➤ Gift shop
➤ Coffee shop
➤ General cleanup, de-bushing and repairs to ramparts
➤ Parking and arrival lay by

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<sup>4</sup> It is critical to ensure that the Police Headquarters is moved out of the Fort before the rehabilitation work could start. A government policy to move the Police HQ has already been approved by the Cabinet and a location to move the HQ identified. The government expects to support this move with financing from the Caribbean Development Bank.

➤ Signage and walkways around the entire fort
➤ Creative designer / curator

- ii. TA to craftsmen on selection and display of products that they offer to tourists.

(iii) **St. Vincent and the Grenadines –**

*Improve the competitiveness of its flagship Marine-Based Tourism sector through:*

- i. Development and implementation of a Marine Tourism Festival;
- ii. Upgrading anchorage site infrastructure: Investments include safety and security, waste collection and management, facilities, equipment, boats and training (for Police, coast guard, rangers and guards), upgrades to walkways, signage, in pilot sites in SVG;
- iii. Technical assistance by supporting preparatory studies for the SVG Marine Training Institute, STWC training<sup>5</sup>.

*Limited rehabilitation of Fort Charlotte* (roof and general repairs and cleanup of the Fort, development of a cafeteria, car park, buggies, a local craft village setting, and interactive interpretation center) as well as the bridge leading to the Fort:

- support for infrastructure investment and goods:

<b>Investments and Works</b>
➤ Interpretation center
➤ Roof repair
➤ Cafeteria (replica furniture)
➤ 5 vending cells / workshops
➤ General cleanup/repairs to ramparts and outer walls
➤ Car park
➤ Access
➤ Buggies
➤ Creative designer / curator to do the work
➤ Bridge

- TA to craftsmen on selection and display of products that they offer to tourists.

**Component 3: Market Development and Promotion Capacity-Building (US\$2,790,000)**

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<sup>5</sup> The implementation of this study could be supported through additional financing under this Project.



- This component aims to: (i) At country level, support the refinement and operationalization of tourism plans of OECS countries, for a coherent and sustainable tourism that takes into account new market opportunities and emerging tourism trends and; (ii) At regional level, develop a strong regional market development effort—through regional collaboration and the use of digital channels—to position the countries participating in this Project as one travel destination offering opportunities for distinct experiences across multiple country visits.

***Sub-Component 3.1 (country specific): Tourism development plans and their implementation (US\$1,200,000)***

- This country-specific sub-component will provide Technical Assistance (TA) and goods to support preparing, refining, and/or deepening sustainable tourism development plans and policies, and their implementation within the Ministries of Tourism and Tourism Authorities in each participating country.
  - The technical assistance would include building capacity at a country level to carry out market segmentation; prepare projections of financial and economic impact; carry out environmental planning and management of the tourism sector; and prepare monitoring and evaluation framework to monitor progress.
  - The provision of goods includes IT support to strengthen the virtual (website, social media presence of each country and what they offer.

***Sub-Component 3.2 (regional): Preparation and implementation of a regional tourism market development programme (US\$1,590,000)***

2. This regional sub-component will provide TA, operating support and goods to develop and implement a regional market development programme with the underlying goal of attracting new markets:
  1. The technical assistance includes building capacity so the three participating countries could work together to identify new markets as one destination; developing a common approach and marketing strategy as one; negotiating with airlines from a new destination as one; and receiving training and collaborating with the private sector to prepare promotional material for representation in trade fairs.
  2. The operating support includes supporting the borrowing countries in participating in four joint trade fairs as one destination.
  3. The provision of goods includes IT support through the development and implementation of a common digital/social e-tourism communication strategy and IT platform that would drive the participating countries' joint travel marketing.

**Component 4: Project Implementation Support (US\$2 million)**

3. This country-specific component aims to support the overall implementation of the project. It will provide TA, training and logistical support (as the case may be, office equipment and/or software) to support: (i) capacity-building/staffing of the existing Project Coordination Units (PCUs) on project management, procurement, financial management, safeguards, Monitoring and Evaluation (M&E) and technical expertise in each OECS member country as needed, during the execution of the project; (ii) M&E of project's results, including performance indicators; (iii) consulting services for project audit in each country; (iv) other operating costs that would be defined prior to Appraisal.

## 2.2 Project financing

1. **The total cost of the project is estimated at US\$26 million, supported by the WB through an Investment Project Financing (IPF). The borrowing per country is spelled out in Table 4 below.**
2. **While the current project will include the three countries indicated above, there is an ongoing dialogue with Antigua and Barbuda, Dominica and St. Kitts and Nevis regarding their participation in a possible second phase of the project. An assessment of their readiness will be carried out at a later stage.**

**Table 1: Project Cost and Financing (US\$26 million)**

<b>Project Components</b>	<b>St. Lucia</b>	<b>Grenada</b>	<b>St. Vincent and the Grenadines</b>	<b>TOTAL</b>
<b>1. Facilitation of the Movement of People</b>	<b>\$720,000</b>	<b>\$830,000</b>	<b>\$1,120,000</b>	<b>\$2,670,000</b>
1.1 TA and goods to support the development of a single regional space for Immigration and Customs entry of international tourists ( <i>Country and Regional Levels</i> )	\$300,000	\$410,000	\$700,000	\$1,410,000
1.2 TA, goods, and small infrastructure investments for the development of a pilot regional ferry corridor ( <i>Country and Regional Levels</i> )	\$420,000	\$420,000	\$420,000	\$1,260,000
<b>2. Pilot Tourism Investments (<i>Country Level</i>)</b>	<b>\$12,350,000</b>	<b>\$3,740,000</b>	<b>\$2,450,000</b>	<b>\$18,540,000</b>
<b>3. Market Development and Promotion Capacity Building</b>	<b>\$930,000</b>	<b>\$930,000</b>	<b>\$930,000</b>	<b>\$2,790,000</b>
3.1 TA and equipment to support tourism development plans ( <i>Country Level</i> )	\$400,000	\$400,000	\$400,000	\$1,200,000

3.2 TA and equipment to support regional marketing programme ( <i>Regional Level</i> )	\$530,000	\$530,000	\$530,000	\$1,590,000
<b>4. Project Implementation Support (<i>Country Level</i>)</b>	<b>\$1 million</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$2 million</b>
<b>Total Cost</b>	<b>\$15 million (all IDA)</b>	<b>\$6 million (all IBRD)</b>	<b>\$5 million (all IDA)</b>	<b>\$26 million (\$20 million IDA+ 6 million IBRD)</b>

## 2.3 Project implementation arrangements

At the national level, the overall responsibility for management and coordination of each project will rest within the countries' existing Project Coordination Units (PCUs) located in the Ministries of Finance (in the case of Grenada and St. Lucia), and the Ministry of Economic Planning in the case of St. Vincent and the Grenadines. All three countries have existing PCUs that have been executing WB financed operations for a number of years.

A high-level Project Steering Committee (PSC) will be set up and chaired by the Ministries hosting the PCU in each participating country for coordination purpose to include decision-makers from line Ministries including Finance, Tourism, Public Works, Immigration and other public sector bodies as needed. The OECS Commission, the private sector (in particular, the Hotel and Tourism Associations from each country) as well as the Caribbean Tourism Organization will serve as advisors to these steering committees. While the PCUs will take input from the PSCs into account, the final decision on all aspects rests with the Ministry hosting the PCUs.

For the purposes of decision-making on the regional components, the PSCs will meet virtually (through webex, video-conference, and telephone conference) as needed but no less than once a month in order to discuss the substance of the regional components. These meetings will be chaired by the Ministry responsible for the procurement of each of the sub-components. After input from the PSCs is received, the final decision on the regional components will be made on a consensus basis by the three Ministries hosting the PSCs. A Social Specialist should be employed to work along with the Project Management Team which should include the Project Coordinator and Officials from the respective Physical Planning Units (see ESMF Report). His/her primary responsibility would include, among other things, screening for land acquisition, developing RAPs, monitoring the implementation of both the RPF and the RAPs, evaluation and ensuring that appropriate actions are taken to address potential resettlement problems.

### 3. Components for which land acquisition and resettlement are required

The program of US\$26 million will finance physical infrastructure works at identified locations under Components 2, including improvement/ rehabilitation of: (i) Fort George historic site and access in Grenada; (ii) Fort Charlotte site and upgrades to anchorage site infrastructure to enhance competitiveness the Marine-based Tourism sector in St Vincent and the Grenadines; and (iii) Infrastructure for improved urban mobility and tourism development in Castries in St Lucia. In addition, under Component 1.1 the program will finance improvements/refurbishing in the existing passenger ferry terminals and/or jetties in Grenada and St. Vincent and the Grenadines.

The nature and extent of impacts will only become apparent once the final designs have been developed and associated social assessments conducted. In the absence of final designs, a preliminary screening of proposed works has been conducted at all sub-project sites to assess potential social risks and impacts associated with these works. These potential social impacts include: discrete amounts of land acquisition, resettlement, and economic displacement. In the event that any of these issues arise, they are likely to be primarily temporary in nature, and can be readily mitigated using standard measures (e.g. Resettlement Action Plan (RAP), Compensation Plan, Relocation Plan, etc.). Additional social issues that may become relevant include: ensuring adequate access to bathroom facilities in the event that works block access to public bathroom facilities; ensuring adequate safety measures for pedestrian/automobile traffic management during any road works and/or sidewalk improvement; and ensuring accessibility for physically disabled individuals via the installation of ramps and other measures as necessary, at sub-project sites undergoing infrastructure construction and upgrading.

**Table 2: Project components for which land acquisition/resettlement are required**

<b>Component</b>	<b>Grenada</b>	<b>Saint Lucia</b>	<b>Saint Vincent and the Grenadines</b>
<b>1. Facilitation of the Movement of People</b>	<b>TBD</b>	<b>TBD</b>	<b>TBD</b>
<b>2. Pilot Tourism Investments</b>	<b>TBD</b>	<b>TBD</b>	<b>TBD</b>
<b>3. Market Development and Promotion Capacity-Building</b>	<b>TBD</b>	<b>TBD</b>	<b>No</b>
<b>4. Project Implementation Support</b>	<b>TBD</b>	<b>TBD</b>	<b>No</b>

### 4. Principles and objectives governing resettlement preparation and implementation

In World Bank assisted projects, borrowers are expected to take necessary measures to mitigate adverse social impacts. The costs associated with mitigation of adverse social impacts on project affected people, such as involuntary resettlement of affected persons or restoration of livelihoods, will be met by the borrower. The general guidelines of this RPF are to be followed by all components under the Loan involving involuntary resettlement. Where involuntary resettlement is identified, resettlement plans (RAPS) will be prepared based on policies and procedures laid out in this framework.

Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank's policy on involuntary resettlement are the following:

(a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

(b) 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.

(c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

The principle objective of the RPF is to ensure that all Project Affected People (PAP) will be compensated for their losses and provided with rehabilitation measures to assist them to improve, or at least maintain, their pre-project living standards and income earning capacity.

The PAP include the persons to be identified by the baseline information collected whose assets or access to assets are in part or in total affected (permanently or temporarily) by the subprojects.

## **5. Procedures for screening for land acquisition, preparing and approving Resettlement Plans**

The procedure for screening for land acquisition, preparing and approving a resettlement action plan are as follows:

1. PCU Social Development Specialist screens the preliminary selected sub-projects for potential social risks and impacts (including but not limited to land acquisition) and determines social safeguards documents required according to relevant national legislation on resettlement and land acquisition (see Tables 6, 7, and 8) and World Bank Safeguards Policies. The World Bank will review the screening of sub-project sites for safeguards issues.

2. If land acquisition is required then sub-project resettlement plans consistent with this RPF are developed and submitted to the Bank for approval after specific planning information becomes available (see [OP4.12, para.29](#)).

For each component that may involve resettlement, the Bank requires a satisfactory resettlement plan or an abbreviated resettlement plan (ARP) that is consistent with the provision of the policy framework be submitted to the Bank for approval before the component is accepted for Bank financing. When the number of persons affected by the component exceeds 200, a resettlement plan shall be prepared. Where impacts on the entire affected population are minor, or fewer than 200 people are affected, an abbreviated resettlement plan may be agreed with the borrower. Impacts are considered “minor” if the affected people are not physically displaced and less than 10% of their productive assets are lost.

The ARP includes the following elements:

- a census survey of displaced persons and valuation of assets;
- description of compensation and other resettlement assistance to be provided;
- consultations with displaced people about acceptable alternatives;
- institutional responsibility for implementation and procedures for grievance redress;
- arrangements for monitoring and implementation; and
- timetable and budget.

The RP to be submitted thereafter needs not include the policy principles, entitlements and eligibility criteria, organizational arrangements, arrangements for monitoring and evaluation, the framework for participation, and mechanisms for grievance redress set forth in the resettlement policy framework. Please refer to Annex 1 for further guidance and details on screening for land acquisition, as well as on the preparation, implementation and supervision of resettlement. This Annex includes Checklist 1: Assessment of Resettlement Implementation and Outcomes; Checklist 2: Documentation of Land Acquisition and Resettlement Performance throughout the Project Cycle; Checklist 3: Examples of Information to be provided by the Borrower Prior to Resettlement Implementation Support Mission, and; Checklist 4: Overview of Resettlement Instrument Disclosure Requirements during Project Preparation and Implementation.

## 6. Estimated population displacement and likely categories of displaced persons

**Table 3: Likely categories of displaced persons**

<b>Grenada</b>	<b>Saint Lucia</b>	<b>Saint Vincent and the Grenadines</b>
Police Dwelling Quarters	Private landowners	Private landowners
TBD	Mobile vendors (downtown Castries)	Private business owners
TBD	Arcade vendors (downtown Castries)	TBD
TBD	Market Vendors (downtown Castries)	TBD

## 7. Eligibility criteria for defining various categories of displaced persons

Any individual, household or community affected by the Project Activities may very well be eligible for compensation and other resettlement assistance depending on land tenure status and nature of impact. Land tenure/settlements in the Islands within the project area are usually considered to be comprised of the following three categories similar to that of the World Bank: Formal, Semi-formal and Informal. The compensation recommended for each category is presented in Table 4.

**Table 4: Eligibility criteria of displaced persons and compensation recommended**

<b>Category</b>	<b>Definition</b>	<b>Compensation recommended</b>
Formal	Persons with formal rights to land (including customary and statutory rights of occupancy recognized under the Laws of each respective country)	Compensation for land and assets lost, and other assistance in accordance with the policy.
Semi-formal	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	Compensation for land and assets lost, and other assistance in accordance with the policy
Informal	Those who have no claim to land they are occupying or using	Resettlement assistance in lieu of compensation for the land they occupy or use and compensation for assets lost

**Table 5. Comparison of Local compensation laws and World Bank OP4.12**

<b>Category of PAPS/Type of Lost Assets</b>	<b>Compensation entitlement in Grenada, St. Vincent and the Grenadines and St. Lucia</b>	<b>World Bank OP 4.12</b>
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	Entitled to compensation based upon the amount of rights they hold upon land under relevant laws.  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 a person uses land for twelve (12) 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	Are entitled to some form of compensation whatever the legal recognition of their occupancy  Entitled to compensation for crops, may be entitled to replacement land and income must be restored to pre-project levels
Informal settlements Owners of Squatters “Non permanent” Buildings	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.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocating expenses, prior to displacement

## 8. Legal framework: fit between borrower laws and World Bank policy requirements, and measures proposed to bridge gaps

### 8.1 Relevant Legislation

There are several pieces of legislation in each of the three islands that have some relationship to Resettlement. However, the most relevant are the Land Acquisition Acts, The Land Settlement Act, Compensation and the Acts dealing with Land Development. The latter also includes provision for addressing most resettlement issues covered under the various other legislations. They are catered for in its wide ranging definition of Development being any activity in, on, over or under the land. Details of the most relevant pieces of legislation and their relationships to resettlement are presented in the following Tables.

**Table 6: Grenada's Relevant Resettlement Legislation**

<b>Relevant legislations</b>	<b>Functional Relationship to Resettlement</b>
The Land Acquisition Act of 1945 and the Land Acquisition (Amendment) Act 16 of 1991	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 Act (CAP 161) of 1933	Provides for the absolute proprietorship over land (exclusive rights). Such land can be acquired by the State under the Land Acquisition 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.
The Physical Planning and Development Control Act, No 25, of 2002	The Act requires that all lands intended for any development (resettlement or other) must first obtain planning and development approval.

**Table 7: Laws of St. Vincent and the Grenadines governing resettlement**

<b>Legal Framework</b>	<b>Functional Relationship to Resettlement</b>
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.
The Traffic Act Chapter Laws of St. Vincent and the Grenadines	The Act 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 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 Town Planning Act 1992,	The Act requires that all land intended for any development requires planning and development permission
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.

**Table 8: St. Lucia’s Relevant Resettlement Legislation**

<b>Relevant legislations</b>	<b>Functional Relationship to Resettlement</b>
Land Acquisition Act established in 1946	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.
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.
The Physical Planning and Development Act(revised December 31 2005)	The Act states that all land intended for any development (resettlement or other) requires planning and development permission.

## 8.2 Fit between the World Bank and Borrowers Laws

### 8.2.1 Grenada

**In the case of Grenada compliance with OP 4.12 has been met. Grenada constitution order 1973 states that all compensation for compulsory land or other asset acquisition originates and derives from Grenada’s constitutional order. Compensation is established as a fundamental right of every citizen whose property is**

compulsorily acquired by the state for public purposes. The constitution states that every person, regardless of race, place of origin, political opinion, colour, creed or sex is entitled to:

“Protection for the privacy of his home and other property and from deprivation of property without compensation” (Chapter 1, No. 1 (c) and for “...prompt payment of full compensation” (No. 6 (1), see Annex 3 for more details) and further states that; “Every person having an interest in or right over property which is compulsorily taken possession of or whose interest in or right over any property is compulsorily acquired shall have a right of direct access to the High Court for-

- a. the determination of his interest or right, the legality of the taking of possession or acquisition of the property, interest or right and the amount of any compensation to which he is entitled and
- b. the purpose of obtaining prompt payment of that compensation” :

In general terms **the provisions of the constitution are consistent with and typical of that enunciated by the World Bank’s policy on resettlement, especially where the bank’s policy calls for prompt compensation and recourse to redress where a dispute arises thereto.** More specifically, provisions are outlined in the Land Acquisition Act 1945 and Land Acquisition (Amendment) Act of 1991) “Compensation” means prompt and full compensation as provided for, by and under the constitution and “Land” includes freehold, leasehold and mortgage interest (Amendment Act of 1991) “And the Crown in accordance with the relevant provisions of the constitution and of this Act make prompt payment of such full compensation as may be due”

Authorized officer to treat with landowner

- (1) As soon as a declaration has been published in accordance with the provisions of section 3 (that is, acquisition of any land by the Governor General for public purpose, and a declaration published accordingly), the authorized officer shall, without delay, enter into negotiations (or further negotiations) for the purchase of the land to which the declaration relates upon the reasonable terms and conditions, and by voluntary agreement with the owner of the land.
- (2) Every notice of acquisition under this section shall –
  - (c) Require all persons interested, as soon as is reasonably practicable, either –
    - (i) to appear personally or by attorney or agent before the authorized officer to state the nature of their respective interests in the land and the amounts and full particulars of their claims to compensation in respect of those interests, distinguishing the amounts under separate heads and showing how the amount claimed under each head is calculated; or
    - (ii) to render to the authorized officer a statement in writing, signed by them or by their attorneys or agents, setting forth the like matters.

### **World Bank Procedures for Resettlement/ Rehabilitation (OP 4.12)**

The World Bank operational directive OP 4.12 states: “Where the specific resettlement needs of each subproject are not known in advance, the borrower would need to agree to resettlement policies, planning principles, institutional arrangements and design criteria that meet Bank policy and requirements as a condition of the loan. An estimate should be provided of total population to be displaced and overall resettlement costs, as well as an evaluation of proposed resettlement sites. Subprojects in sector investment loans should be screened by the implementing agency to ensure consistency with this directive, and approved individually by the Bank”.

The commitment of the MOF/PCU with respect to the **OECS Regional Competitiveness Tourism Project** to comply with the requirements of World Bank's operational directives is clear and incorporated in the credit agreement. Furthermore, the MOF/PCU will ensure, in the credit agreement, its commitment to addressing the adverse social impacts of project operations. It has expressed such commitment by its participation in some of the preliminary consultations already undertaken by the World Bank.

### 8.2.2 Saint Vincent and the Grenadines

In general, OP 4.12 is consistent with the laws of St. Vincent and the Grenadines. The table below provides a comparison between the OP 4.12 and the relevant laws of St. Vincent and the Grenadines as it relates to the treatment of different categories of PAPs and assets affected by the project.

<b>Category of PAPs</b>	<b>Laws of St. Vincent and the Grenadines</b>	<b>OP 4.12</b>
<b>Formal Settlements/Land Owners</b>	Cash compensation based upon market value. There is 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.
<b>Semi-Formal Land Tenants</b>  <b>Land Users</b>	Entitled to compensation based upon the amount of rights they hold under the relevant laws.  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. Use of land for 12 consecutive years without a dispute entitles him the right equivalent to ownership. In other cases where the land users are not entitled to compensation for land, they are entitled to compensation for crops and any other economic assets.	Are entitled to some form of compensation whatever the legal recognition of their occupancy.  Entitled to compensation for crops, may be entitles to replacement land and income must be restored to pre-project levels at least.
<b>Informal Settlements</b>	Cash compensation based on market value or entitled to new housing on authorized land under government (national or local) housing programmes.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocating expenses, prior to displacement.
<b>Owners of “permanent” buildings</b>	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.

<b>Perennial crops</b>	Cash compensation based upon market rates calculated as an average net agricultural income.	
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**8.2.3. Saint Lucia**

The national legal frame work provides the Government of Saint Lucia with instruments that entitle bearers of assets with rights of notification and fair compensation, which are compatible with the Bank’s involuntary resettlement policy. A court case precedent as well as interviews with different persons involved in the process (in the context of the Saint Lucia Disaster Management Project II), also offer some evidence to the fact that the customary application of this legal framework has usually favored land owners (in terms of negotiated compensation) vis-à-vis the State. Nevertheless, the laws of Saint Lucia vary from that of OP 4.12 for two reasons.

First, the chronology of events permitted under the Land Acquisition Act does not correspond with the timing of activities accepted by the Bank. According to World Bank policy, the land owners/occupants must be compensated **before** the works take place, while the Land Acquisition Act of Saint Lucia allows this payment to take place after the completion of the works. It is therefore fundamentally important that this order be reversed in order to proceed. *Hence, affected landowners must be compensated before any works can commence.*

Second, a project’s reliance on the State’s authority and ability to acquire land as long as it is in accordance with the Land Acquisition Ordinance has apparently resulted in the responsible parties neglecting to engage with the affected land owners as legitimate stakeholders through a transparent communication strategy. Therefore, compliance with Bank policy will depend on (i) the Government’s commitment to a transparent communication strategy based on the information and validation processes set out in Section 4 and including a clear grievance mechanism for the affected persons to voice their concerns.

Squatters (persons who have no recognizable legal right or claim to the land they are occupying) are considered displaced persons and therefore are provided compensation for loss of assets other than land (see OP 4.12 paras. 14 - 16).

In addition, Bank policy requires that, displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups (see OP 4.12 para. 13).

The GoSL shall establish and implement public information campaigns and consultations. The specific objectives of the campaigns and consultations would be to:

- (a) fully share information about the proposed project, its components and its activities;
- (b) solicit the community’s inputs in the resettlement process;
- (c) ensure transparency in all activities related to the relocation of the squatters.

The following mechanisms shall be employed:

- (d) Community or town hall meetings to disseminate information on resettlement plans and receive

feedback (ideas, concerns, and alternative suggestions) from affected persons on resettlement alternatives.

(e) Meetings with affected households to disseminate information on resettlement plans and receive feedback (ideas, concerns, and alternative suggestions) from affected persons on resettlement alternatives. This will provide an opportunity to assess women headed households and their particular concerns. Gender issues may occur in the titling of property to women and their access to resources.

(f) Public information campaigns to sensitize the members of the communities where the various sub-projects will be implemented.

(g) Meetings with the Parliamentary Representatives, representatives of Village and Town Councils, Development Committees/Rural Councils, Youth and Sports Groups, Faith-Based Organizations, and the Private Sector, and in the various sub-project areas.

(h) Key Informant Interviews and Focus Groups.

(i) Stakeholder participation in Committees established during the planning and implementation of the sub-project.

## **9. Methods of valuing affected assets**

The above mentioned Land Acquisition Acts in each of the recipient islands describe the methods of valuating lands acquired for public use. The process begins with the Governor General appointing the relevant authorized officer (the head of the Land Surveying Department or a competent officer who is involved in Land Valuation or other) to prepare the relevant instruments and guidance necessary for the state to acquire the specified property in accordance with the provisions of the Acts.

The authorized officer then conducts a formal valuation of the property based on current market value. In the case of loss of assets, the replacement cost is usually applied and where 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. Provisions are also made for engagement of affected persons, transparency and appeals.

Despite the occurrence of minor issues in some instances, this method has been working well. Therefore there is no reason why it should not be used for the Project. The first step after the sub-project sites are identified, should be a review of the provisions in the Acts to determine their relevance to the specific situation. They should be compared with OP 4.12 and wherever necessary the appropriate guidelines should be applied.

The intention is to ensure that affected persons do not end up in a worse-off position than they were before the Project intervention. In which case, all the impact related elements should be valued and compensated for. In the case of an agricultural investment, crop farming for example, apart from the replacement cost (labor, planting materials etc.) a determination should be made on the potential losses during the period of transition. The agricultural department should be consulted for assistance with this issue.

The replacement cost that can be applied for agricultural land is the pre-project or pre-displacement (whichever is higher) market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of land preparation to levels similar to those of the affected land, any registration and transfer taxes.

For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.

## **10. Institutional Roles and Responsibilities**

The PCU will ensure that all project activities adhere to the requirements of the RPF, and the PCU Social Development Specialist oversees the implementation and monitoring of the framework. The World Bank Task Team will include a Social Specialist to provide periodic supervision of the RPF and to approve resettlement/studies/plans requiring clearance by the World Bank.

Prior to the submission of works activities for funding consideration under the OECS Regional Tourism Competitiveness Project, the PCU shall screen the sub-projects to assess whether or not land acquisition is entailed, along with any other social risks and impacts. In the event that a Resettlement Action Plan is required, the Social Development Specialist within the PCU will be responsible for the development and implementation of any RAPs, with technical inputs from relevant Government Ministries as needed.

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

### **10.1 Saint Lucia:**

- The Survey and Mapping Section, MOPD for acquiring the lands and, as such, is responsible for the following:
  - Seeking Cabinet's approval of notice of intention
  - Survey of lands and publication of the notification of intent to acquire the lands
  - Publication of the intention to acquire in the Gazette
  - Valuation of the lands to be acquired by the Chief Surveyor / Authorised Officer
- The Accounts Section of the MOPD for payment to affected persons – Permanent Acquisition
- The Crown Lands Section, MOPD for the land arrangements
- The Executing Implementing Agency for payment of affected persons – Temporary Acquisition
- The Cabinet of Ministers is responsible for the approval of acquisition and the related payment
- The Ministry of Finance is responsible for providing funding for the payment of compensation

### **10.2 Saint Vincent and the Grenadines:**

- The Office of the Chief Surveyor, by law, shall manage the land acquisition and relocation issues including determining ownership of property, negotiating with land owners and earmarking lands for relocation where necessary.

- The Office of the Chief Engineer within the Ministry of Transport and Works is the Government's authority on civil works. All civil works activities will be supervised by this office under the direction of the Chief Engineer.
- The Ministry of Agriculture will undertake the valuation of crops where necessary.
- The Physical Planning Unit;
- The Statistical Office will provide the socio-economic information on the affected communities

### **10.3 Grenada:**

- The Department of Lands in the Ministry of Agriculture is responsible for the following:
  - Obtains Cabinet's approval of the intention for acquiring lands.
  - Survey and value lands and publication of notification of intent to acquire lands.
  - Publication of the intent to acquire lands in the Gazette.
- The Cabinet of Ministers is responsible for the approval of land acquisition and the related payment.
- The Ministry of Finance is responsible for providing funding for the payment of compensation and resettlements.

## **11. Implementation process, linking resettlement implementation to civil works**

- Establishment of boundaries of all project activity.
- Establishment of the cutoff 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 community leaders or church leaders.

### **11.1 Timeframes**

The following key timeframes shall apply unless otherwise agreed between the executing agency and the PSC and the 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.

## **11.2 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 in conjunction with the PCU Social Specialist, and 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.

## **12. Description of grievance redress mechanisms (GRMs)**

### **12.1 Grenada**

PAPs will have opportunities to present complaints and grievances through the resettlement process as set out in the Land Acquisition Act (see paragraph 14, 17 [3] and 18 [3 and 4] of Section III above. It sets out the grievance redress process and who is responsible at various stages). The mechanisms for redressing the grievances of the affected populations will begin through consultation (i.e., meetings / consultation with any and all PAP to provide information and gauge expectations of compensation, interest in form or type of compensation, provide clarification on other forms of assistance...). Beyond the consultative process, the process by which grievances will be redressed, for each project site where PAP's are identified will be



in accordance with the Land Acquisition Act as indicated above. The Act also provides for representatives of PAP's on the Board presiding over the grievance.

**Table 9: Institutional Responsibility for Implementation**

Implementation Stages	Agency	Responsibility
Project Preparation	PCU/ Social Development Specialist	Facilitate and support all relevant project RAP actions.
	PCU/ Social Development Specialist	<ol style="list-style-type: none"> <li>1. Identify the affected persons consult and advise them on their rights as per OP/BP 4.12</li> <li>2. Follow up on all site issues and matters related to any complaint which may arise during the implementation process.</li> <li>3. Manage, monitor, and document in a GRM database the entire grievance redress process.</li> <li>4. Secure the necessary resettlement assistance required – not required in this sub project.</li> </ol>
Project Implementation	PCU/Social Development Specialist and Project Engineer	Overall monitoring
	PCU/ Social Development Specialist	<ol style="list-style-type: none"> <li>1. Assess and process PAP complaint(s)</li> <li>2. Manage, monitor, and document the grievance redress process in a GRM database</li> </ol>
	High Court of Grenada Lands Department (MOC DH)	Receive, assess and process and decide on /grievances complains related to sub project.

Should grievance remain unresolved beyond the Board review process, the Land Acquisition Act outlines the process for referral to a civil court to settle the grievance since the Act indicates that persons affected by land acquisition has the right to take their matter to the court when other grievance redress measures have failed (such as in cases where PAPs may refuse the compensation offered)

**12.1.1 Procedures for Grievance Redress**

Grievances are issues, concerns, problems, or claims (be it perceived or actual) that an individual or a community group wants a project promoter/owner to address or resolve.

The PCU Social Development Specialist's contact information (telephone, email address, PCU website, PCU address) must be included in signage at all sub-project sites.

**The grievance process to follow if a PAP feels aggrieved is as follow.**

- Step (i).** Verbally express grievance to the Social Development Specialist (SDS) who is located in the Project Coordination Unit (PCU) office at the Grenada Cocoa and Nutmeg Association (GCNA) Karani James Boulevard, St. George's.
- Step (ii).** Fill out and hand in the **Grievance Form** (see annex 2) which can be collected from the Social Development Specialist; or **call 443-0531/2 to express complain verbally which will be written down by the SDS; or e-mail to:pcu@gail.com; or mail in to PCU office at the Grenada Cocoa and Nutmeg Association (GCNA) Karani James Boulevard, St. George's.**
- Step (iii).** Social Development Specialist will submit form to head of Grievance Appeal Committee **no later than two (2) days after receiving complain(s) from PAPs**
- Step (iv).** The Head of the Grievance Appeal Committee **will convene a meeting no later than one (1) week after receiving complain** with the other members of the committee.
- Step (v).** A decision will be reached which will be final and filed in the Court or further research into the situation recommended by the head of the Grievance Appeal Committee. In such a case another meeting of the Grievance Appeal Committee will be convened appropriately and decisions taken.

The Committee will be chaired by the head of the PCU and therefore, the PCU will provide all the necessary support to enable the committee to assume its role including clerical work and budget support. The committee must be based in a location that lends for easy access to PAPs and other people who may raise any claims or complains during the implementation of the project. **The Grievance Appeal Committee is located at the Nutmeg Complex on the Karani James Boulevard. This will ensure that the PAPs with their grievances are not placed in a disadvantage position when their issues are discussed. This building is known for its publicness or easy access to the general public. These claims and complains will be received and processed to the Committee for thorough assessment and further required actions within one week of receiving them. The maximum time to solve a grievance or complaint is three (3) months.**

### **12.1.2 Grievance Appeal Committee Role**

- (i) The Committee through the Social Development Specialist will receive and register all appeals and complaints by consulting with the complainant. The Committee will response to all complains with a rational justification describing the process with which the complaint was considered and explaining the reason for the decision reached by the Committee.
- (ii) The Appeal Committee is the final forum for decisions on any claim for compensation of any sort.
- (iii) The Appeal Committee will meet as required to review complains which have been received.
- (iv) The committee may make call on witnesses, a facilitator or expert to provide additional information, testimony or opinion. These individuals act in an advisory capacity only and their input advice or opinion will not be binding on the Committee.

- (v) The Committee will consider each complaint on a case by case basis to determine whether the case constitutes a valid complaint, if a complaint is valid the Committee is required to find fair and just solution to the claim.
- (vi) The Grievance Appeal Committee comprise the following persons:-
  - (a) The head of the Project Coordinating Unit Ministry of Finance
  - (b) The head of the Physical Planning Unit Ministry Of Works
  - (c) The head of Lands department Ministry of Community Development
  - (d) The Controller of Inland Revenue Department Ministry of Finance and
  - (e) The Social Development Specialist (OECS Tourism Competitiveness Project)
  - (vii) All Committee deliberations and decisions must be properly documented and preserved for records.

## **12.2 Saint Lucia**

The Grievance Redress Mechanism will be developed and implemented by the PCU Social Development Specialist and will include:

- (i) A recording and reporting system, including grievances filed both verbally and in writing;
- (ii) The PCU Social Development Specialist’s contact information (telephone, email address, PCU website, PCU address) must be included on signage at all sub-project sites.
- (iii) Designated staff with responsibility at various levels of governments, and;
- (iii) A timeframe to address the filed grievances.

This mechanism will be detailed in the sub-project safeguards documents. The functioning of the grievance redress mechanism will be regularly monitored and evaluated by the PCU during project implementation. See Annex 2 for Form for Registration of Grievances.

## **12.3 Saint Vincent and the Grenadines**

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.

### **12.3.1 The Foundation of an Effective Grievance Procedure**

The GRM is an integral part of the development process for the GOSVG. 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 opportunities to voice complaints or concerns about the project activity.

### 12.3.2 Structure of Grievance Redress

- I. Public grievances are received by the Attorney General Office on behalf of the GOSVG.
- II. During the life cycle of the project, all grievances pertaining to the OECS Regional Competitiveness Project 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 Project Steering Committee (PSC) meetings.

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

### 12.3.4 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  
Ministry of Economic Planning, Sustainable Development,  
Industry, Information and Labour  
Administrative Building  
Kingstown  
Telephone: 784-457-1746  
email: [cenplan@svgcpd.com](mailto: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.

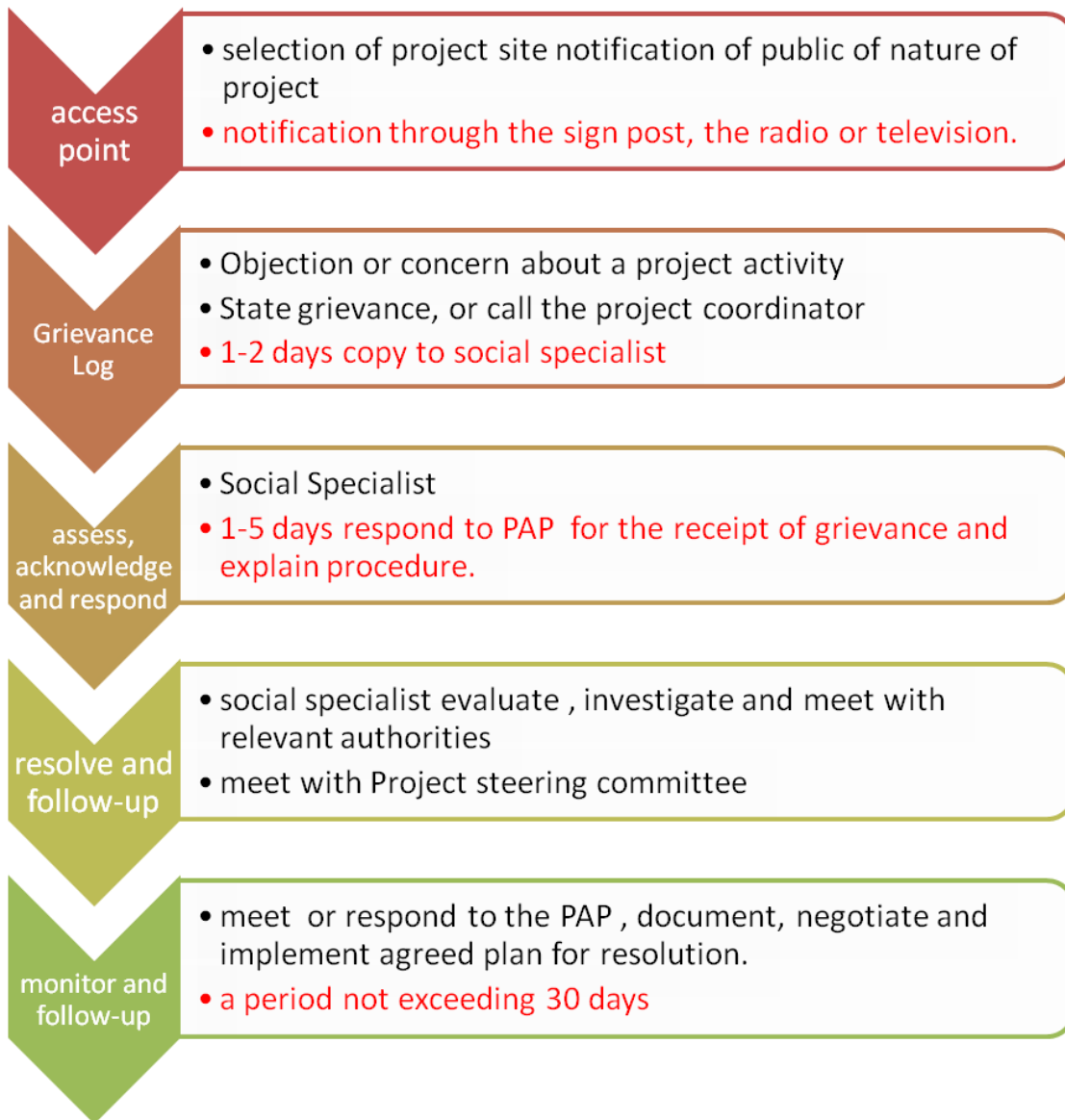
- 4) If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time he/she can lodge his/her grievance to the Director of Public Prosecution.
- 5) No grievance is to be rejected without having been independently examined, issued a reason and a reply.
- 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.
- 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 Economic Planning, Sustainable Development, Industry, Information and Labour, 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.

#### **12.3.5 The procedure for handling grievances**

The procedure 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.

#### **12.3.6 Grievance diagram**



### 12.3.7 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.

### 12.3.8 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 scheduled 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 PSC, 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. Description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements**

#### **13.1 Grenada**

There is no special provision or funds set aside for funding resettlements and land acquisition. Arrangements for funding will be determined on a case by case basis by the Ministry of Finance (MOF), through the Annual Estimates of Revenue and Expenditures. The cost will be determined, in the case of lands by the Department of lands and in the case of buildings the Ministry of Works is responsible for carrying out structural assessments and preparing cost estimates. Once the amount is determined, a request for provision is made to the Ministry of Finance for inclusion in the Annual Estimates of Revenue and Expenditures which will be appropriated by the relevant expenditure warrant.

#### **13.2 Saint Lucia**

The cost of land acquisition and associated administrative and logistical costs will be provided for by the Ministry of Physical Development in its Budget since Land Acquisition forms part of the Planning Programme of the Ministry. The exact costs will be determined according to the Land Acquisition Act, and payments must be made *before* the works begin.

While temporary acquisition is not covered under the Land Acquisition Act of Saint Lucia, it is covered by WB OP4.12 and, as such, the compensation to the aggrieved party will have to be done in accordance with this policy. Therefore, any unauthorised access / trespassing and rental of property would be paid for by the Executing Implementing Agency. For temporary acquisition, the Executing Implementing Agency is

expected to conduct negotiations with assistance from the Physical Development Officer, the Community Development Officer and the PCU.

### **13.3 Saint Vincent and the Grenadines**

#### **13.3.1 Arrangement for funding**

Immediately following the publication of a declaration in accordance with the provisions of section 3 of The Land Acquisition Act and Chapter 322 of the Laws of St. Vincent and the Grenadines, an authorised officer, (for the purpose of the OECS Regional Tourism Competitiveness Project) - 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 with the guidance of the 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 OECS Regional Tourism Competitiveness Project – Project Steering Committee (PSC)) of the conditions of sales and acquisition.

All questions and claims relating to the payment of compensation under Chapter 322 of the Land Acquisition Act shall be submitted to the Board of Assessment, as it regards the OECS Regional Tourism Competitiveness Project, all questions shall be forwarded directly to the Project Steering Committee:

Project Coordinator,  
Project Steering Committee  
Regional Disaster Vulnerability Reduction Project  
Ministry of Economic Planning, Sustainable Development,  
Industry, Information and Labour  
Administrative Building  
Kingstown  
or Telephone: 784-457-1746

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

#### **13.3.2 Source of funding**

This relates to expropriation and compensation costs for loss of properties for resettlement under the OECS Regional Tourism Competitiveness Project. All amounts which have been awarded by way of compensation under the OECS Regional Tourism Competitiveness Project, including interest and costs to be facilitated by the Social Specialist, and all other costs, charges and expenses which shall be incurred under the OECS Regional Tourism Competitiveness Project 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.



## **14. Description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring**

### **14.1 Notification Procedure**

The resettlement and compensation, like other components of the project, will be implemented through a participation and consultation process. In order to facilitate this the Project shall by public notice, and publicly announced in the media (Daily newspapers, National Television, National Broadcasting Radios), notify the public of its intention to acquire land earmarked for the project.

The notice shall state:

- a) government's proposal to acquire the land;
- b) the public purpose for which the land is needed;
- c) that the proposal or plan may be inspected during working hours;
- d) that any person affected may, by written notice, object to the transaction giving reasons for doing so, to the Project Management Committee and copied to the relevant authority within 14 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.

### **14.2 Public Consultation Mechanism**

Public consultation and participation provide opportunities for informing the PAPs and other stakeholders about the proposed project and eliciting PAP and stakeholder feedback. They also provide opportunities for people to present their views and values and for allowing consideration and discussion of sensitive social mitigation measures and trade-offs, as well as affording PAPs with opportunities to contribute to both the design and implementation of the program activities, while at the same time creating a sense of ownership for the project. In so doing, the likelihood of conflicts between and among the affected and with the management committees will be reduced.

Particular attention shall therefore be paid to public consultation with PAPs, households and homesteads (including host communities) when resettlement and compensation concerns are involved. As a matter of strategy, public consultation shall be an on-going activity taking place during the:

- project inception and planning
- screening process
- feasibility study,
- preparation of project designs
- resettlement and compensation planning
- drafting and reading/signing of the compensation contracts.
- payment of compensations
- resettlement activities and
- implementation of post-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.

## **15. Arrangements for monitoring by the implementing agency**

The respective countries' PCUs have overall responsibility for developing monitoring indicators. The PCUs will 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 on "Monitoring and Evaluation of Program Impacts."

The PCUs will continuously review expropriation/compensation reports and discuss their outcomes in its technical meetings. The PCUs will also review project activities, including social mitigation measures, and provide guidance.

A monitoring and evaluation plan of the mitigation measures will be established by the PCUs. The scope of these plans 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.

### **15.1 Internal Monitoring**

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

### **15.2 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 respective PCUs 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 project operations.

# **ANNEX 1: Checklists for Supervision of Resettlement Preparation and Implementation**

## **Checklist 1 – Assessment of Resettlement Implementation and Outcomes**

### **Thematic Checklist**

1. Impact inventory and census updating and delivery of compensation
  - ✓ What is the status of engineering design? Are construction drawings completed? Are there any changes in the types and quantities of permanent or temporary impacts? Have the impact inventory and census of the affected population been updated accordingly?
  - ✓ Have the project RAP cost and financing plans been updated accordingly? Have people been informed accordingly?
  - ✓ Have compensation amounts been delivered in a timely way and in full amount, as agreed and scheduled in the RAP (e.g.: before start-up of the works and meeting full replacement costs including fees, transaction costs, etc.)?
  - ✓ How many cases are pending compensation? For what reasons (absentee owners, etc.)?
  - ✓ Are there any outstanding issues related to compensation payments (rates, amounts and timing)? What is the general feedback from the affected population?
2. Resettlement housing and relocation (where applicable)
  - ✓ Have the affected people moved to the new resettlement sites as planned?
  - ✓ Are there any changes in the relocation plan? What are the reasons for these changes? Are these changes justified in line with the RAP principles and objectives?
  - ✓ Have the project office and the Bank reviewed and agreed to these changes?
  - ✓ Have the resettlement housing, site development and related infrastructure and services been completed?
  - ✓ Have people moved into the new houses? If not, why? Where are they? How and when will this be resolved?
  - ✓ Have people been able to access new services? If not, why? How and when will this be resolved?
  - ✓ What are the issues and feedback from the relocated households?
  - ✓ What is the general feedback from the host communities?
3. Income and/or livelihood restoration measures (where applicable)
  - ✓ Have the planned income and/or livelihood restoration measures been implemented?
  - ✓ Are there changes or adjustments to the planned livelihood restoration measures?
  - ✓ How are livelihood restoration measures performing to date?
  - ✓ Is there a need to adjust or propose additional livelihood restoration measures?
  - ✓ What is the feedback from affected communities on livelihood restoration measures?
4. Assistance to vulnerable groups or persons (where applicable)
  - ✓ Who are the vulnerable groups or persons affected by resettlement?
  - ✓ Have vulnerable groups or persons benefited from specific assistance and support as planned in the RAP?
  - ✓ How have these specific measures performed to date?
  - ✓ What is the general feedback from affected vulnerable groups or persons?

#### 5. Consultations and participation

- ✓ Who are the stakeholders during project and RAP implementation?
- ✓ Are public consultation meetings continuing during the project implementation phase?
- ✓ What are the activities planned, implemented and to be implemented for public consultation and participation?
- ✓ Do consultations specifically target affected women and vulnerable groups and persons?
- ✓ Do affected persons have a voice in the evaluation of resettlement outcomes?
- ✓ Is there a record of public consultation and participation meetings?
- ✓ What is the general feedback and key messages from stakeholders during consultation and participation meetings?
- ✓ What are areas for improvement of consultation and participation?

#### 6. Borrower institutions and capacity

- ✓ Are the resettlement institutions set up as planned in the RAP? Are there any changes or delays? Are they affecting RAP implementation?
- ✓ Are the institutions staffed up as planned in the RAP? What is the assessment of staff qualifications?
- ✓ Is the division of labor and responsibilities for RAP implementation clearly understood?
- ✓ What is the assessment of institutional performance?
- ✓ Are there any measures necessary to strengthen the institutions?

#### 7. Monitoring and evaluation

- ✓ Is a monitoring and evaluation system established and functional?
- ✓ Is organization and staffing of M&E system up to expected standards?
- ✓ Are the approach, methodology and reporting arrangements appropriate and sufficient?
- ✓ What is the assessment of reporting quality?
- ✓ Is engagement and interaction with the project office appropriate and adequate? Are monitoring findings feeding back into RAP implementation?
- ✓ Are there any suggestions for improvement?

#### 8. Grievance redress system

- ✓ Is a grievance redress system set up and functioning as planned in the RAP?
- ✓ Is there a record system on grievances received and redressed? Are there minutes of each grievance redress committee meeting?
- ✓ Is the grievance redress system effective in resolving grievances?
- ✓ What are the key grievances received and how have they been resolved?
- ✓ What is the feedback from affected communities on the functioning of the grievance redress system?

### **Suggestions for Resettlement Supervision Field Visits**

- ✓ Document potential and actual impacts using photography, video, and or audio.
- ✓ If possible, during field visits interview a random sample of affected people in open-ended discussions to assess their knowledge and concerns regarding the resettlement process, their entitlements and rehabilitation measures.
- ✓ Observe public consultations with affected people at the village or town level.
- ✓ Use field visits (and separate meetings) to provide technical advice to the Borrower on corrective actions, as needed.
- ✓ Writing field notes may be useful to help record a wide range of issues and reactions that feed into your contribution to the mission Aide Memoire.
- ✓ Share findings of field visits with TTL and inform him/her of key messages you would like to be shared with the Borrower.
- ✓ Share findings of mission with the Borrower through separate meetings on safeguards or at mission wrap-up meeting.
- ✓ Incorporate a safeguards annex (both environment and social) with specific mission findings into the Aide Memoire.
- ✓ Fill out appropriate sections of Tracking Social Performance (TSP) database following mission and share with TTL.

## Checklist 2: Documentation of Land Acquisition and Resettlement Performance throughout the Project Cycle

### Roles and responsibilities:

- A. *Borrower's Role:* The Borrowers are responsible for managing the social risks and impacts associated to land acquisition and resettlement of their projects to meet the OP 4.12 safeguard requirements, including assessments, preparation and implementation of mitigation plans (e.g. RAPs), engagement with project-affected peoples and other stakeholders, monitoring and ex-post evaluations. The Borrower must systematically document evidence of its activities and outcomes and provide information to the Bank team as needed.
- B. *Role of the Social Development Specialist:* a) assist clients in the process of identification and management of risks and impacts, as well as opportunities, in line with OP 4.01 requirements; b) supervise the client's performance throughout the life of the project; and c) validate the information provided by the client and ensure that it is adequately documented for internal reporting purposes. All activities and findings should be documented in the corresponding project cycle documents (e.g. ISDS, PAD, aide-memoir, ISR, etc) and in the Tracking Social Performance System (TSP). General progress should be reported upon and progress against the performance indicators for RAPs should be mentioned explicitly in the ISRs and aide-memoires, and TSP. BTORs for safeguards only mission: File them in the operations portal and ensure that the findings are incorporated in the next Aide Memoire. The Social Development Specialists advises project management regarding necessary improvements in the implementation of the RAP, if any.

	<b>What needs to be documented?</b>
<b>Concept Stage</b>	<ul style="list-style-type: none"> <li>• Knowledge of OP 4.12 impacts. (Yes/No/Maybe)</li> <li>• If we don't know that there will OP 4.12 impacts, indicate when we will know.</li> <li>• If yes, describe: where OP 4.12 impacts will occur and type and scale of impacts (number of people impacted (families, individuals, business), amount of land required (in hectares), significant risks, etc.).</li> <li>• Instrument that should be prepared (RAP/RPF) with a description of particular areas of focus – e.g. livelihood restoration, vulnerable groups, etc.</li> <li>• Capacity of the implementing agency to mitigate OP 4.12 impacts. (May be very general at this stage.)</li> <li>• Capacity building needs and how they could be met. (May be general at this stage.)</li> </ul>
<b>Project Preparation</b>	<ul style="list-style-type: none"> <li>• Knowledge of OP 4.12 impacts. (Yes/No)</li> <li>• If yes, what instruments are being prepared and if necessary, areas of particular focus (livelihood restoration, vulnerable groups, etc.).</li> <li>• Type and scale of impacts (number of people impacted (i.e. families, individuals, business), amount of land required (in hectares), significant risks, etc.).</li> <li>• Confirm that instruments are being prepared in compliance with OP 4.12 (with specific attention to requirements on consultation and disclosure, as required for an RPF or for a RAP). Identify shortcomings and corrective measures.</li> </ul>

	<ul style="list-style-type: none"> <li>• Location of impacts (lowest level administrative unit and names of villages/towns). Include maps if available.</li> <li>• Capacity of the implementing agency to implement RPF/RAP. (Reflect an assessment of capacity e.g. previous experience implementing Bank-financed or other MDB projects, number of staff with relevant qualifications, etc.)</li> <li>• Measures that need to be put in place to increase capacity prior to appraisal and/or during implementation. (Include timeline and details on available financing.)</li> <li>• Confirm financing for implementation of RPF/RAP. Where necessary confirm Borrower’s internal timelines and procedures for requesting financing for resettlement from parent Ministry and subsequently Ministry of Finance.</li> <li>• Person/position responsible for managing implementation of OP 4.12 and other social issues as necessary. Indicate if it is existing staff, new hire, consultant, etc.</li> </ul> <p>Land-related issues that require attention: Voluntary Land Donations (VLD)</p> <ul style="list-style-type: none"> <li>• Ensure that VLD is in compliance with the Bank’s policies (Sourcebook p. 22)</li> <li>• Requirements for VLD should be detailed in the Operations Manual together with a template for documentation. <b>(Note: All instances of VLD should be documented by Client and by Bank team in Aide-Memoires.)</b></li> </ul> <p>Due diligence on previously acquired land</p> <ul style="list-style-type: none"> <li>• Ensure that requirements for due diligence are understood.</li> <li>• Undertake and document all due diligence undertaken prior to Appraisal.</li> </ul>
<p><b>Appraisal Stage (Decision Meeting &amp; Appraisal Mission)</b></p>	<ul style="list-style-type: none"> <li>• Are there going to be any OP 4.12 impacts? (Yes, No). If no, explain why not.</li> <li>• If yes indicate: <ul style="list-style-type: none"> <li>○ The instrument that has been prepared (RPF/RAP).</li> <li>○ That the instrument complies with Bank policy. (Vis-à-vis mitigation measures, consultation requirements, costing, M&amp;E, etc.)</li> <li>○ The extent to which beneficiary concerns were integrated into the project design and/or the resettlement instrument. <b>Note: There is increasing focus on documentation of Borrower-led consultations. Ensure that reporting is thorough on substance and process (such as number of people attending, gender balance, etc.)</b></li> <li>○ Implementation risks – related to compliance with OP 4.12, e.g.: low capacity, lack of institutional interest, concerns about lack of money to finance implementation, media scrutiny, etc.</li> <li>○ Key legal gaps vis-à-vis OP 4.12 that need special measures to be bridged (e.g.: compensation at replacement cost)</li> <li>○ Disclosure dates - where, when, how, in which languages?</li> <li>○ The implementation agency unit that will be in charge of social issues, including implementation of the RAP/RPF, managing grievances, etc.</li> <li>○ Any capacity building measures that have been agreed upon with the Client (including timelines and financing for these activities).</li> </ul> </li> </ul>



<p><b>Implementation Support Missions</b></p>	<p>Monitor implementation of the RAP/RPF and document:</p> <ul style="list-style-type: none"> <li>• Hiring of staff/consultants as agreed at appraisal.</li> <li>• Agreed-upon training (date, attendance, issues addressed, evaluation results if any) of staff.</li> <li>• Any changes in staff and resulting changes in Client capacity.</li> <li>• RAP implementation – data: Aide-Memoires should track all aspects of implementation including preparation of RAPs (where RPFs were prepared prior to Appraisal), implementation start dates, amounts of compensation paid (total number &amp; amount), number of people benefiting from livelihood restoration activities, types of livelihood restoration activities, establishment of grievance redress mechanisms, grievances raised and resolved, etc.</li> <li>• Type and scale of impacts (number of people impacted (i.e. families, individuals, businesses), amounts of land required (in hectares), significant risks, etc.). Make sure to indicate any changes in type and scale of impacts when compared to previous Project stages).</li> <li>• RAP implementation – challenges: Aide-Memoires should track challenges and corrective measures. These may include late identification of need for resettlement, unavailability of funds for compensation payments, identification of additional PAPs, weaknesses in livelihood restoration measures, changes in staffing, weak implementation of grievance redress mechanisms, absence of consultations during implementation, community concerns, etc.</li> <li>• RAP implementation – innovations: Aide-Memoires should highlight any innovations that the Borrower has undertaken to enhance implementation of the RAP/RPF.</li> <li>• Rating of the implementation of OP 4.12.</li> </ul> <p><i>Implementation Support Missions Guidelines<sup>6</sup></i></p> <ul style="list-style-type: none"> <li>• Request progress report from the Borrower before mission to help structure mission activities and dialogue.<sup>7</sup></li> <li>• Undertake field visits, validate Borrower reporting (e.g.: Are instruments disclosed? What do communities know about the project and RAP-related issues? Are PAPs aware of grievance redress mechanisms? Are PAPs satisfied with the grievance redress mechanisms? What are community reactions to project implementation and RAP implementation? Are payments in line with RAP?, etc.).</li> <li>• Provide one-on-one technical support to the Borrower by collaboratively identifying challenges and solutions. As necessary, bring in international best practice to the discussion through dialogue and cost-effective means, such as sharing of resource materials, and audio-conferences and video conferences with other technical experts.</li> <li>• Take photographs as necessary to document issues such as cleared ROWs, destruction of assets/crops, areas to be impacted by project, etc.</li> <li>• In the field and in separate meetings, as necessary, provide technical advice to the Client on corrective actions, as needed.</li> </ul>
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<sup>6</sup> See Checklist 1 on *Assessment of Resettlement Implementation and Outcomes*

<sup>7</sup> See *Checklist 3 on Examples of Information to be provided by the Borrower Prior to Resettlement Implementation Support Mission*.

	<ul style="list-style-type: none"> <li>• It may be useful to prepare field notes that detail the findings of the field visit.</li> <li>• Share findings of field visits with TTL and inform him/her of key messages to be shared with Client.</li> <li>• Share findings of mission with the Client through a separate meeting on safeguards or at mission wrap-up meeting.</li> <li>• Incorporate a safeguards annex (both environment and social) with specific mission findings into the Aide Memoire.</li> <li>• Fill out appropriate sections of Tracking Social Performance (TSP) database following mission and share with TTL.</li> </ul>
<b>Project Closing</b>	<ul style="list-style-type: none"> <li>• Summarize the findings of the Client’s assessment of implementation of the resettlement instrument (OP 4.12 para 24) into the Implementation Completion Report (ICR).</li> <li>• Include an assessment of the implementation of the resettlement instrument in the ICR.</li> <li>• Ensure quality of the Resettlement Completion Report.</li> </ul>

**Checklist 3:  
Examples of Information to be provided by the Borrower  
Prior to Resettlement Implementation Support Mission**

The RAP establishes milestones against which resettlement implementation progress is measured. Below are examples of performance milestones. It is good practice to receive progress and monitoring and evaluation reports from the Borrower prior to the resettlement support implementation mission.

**Progress made on resettlement implementation planning**

- Census, assets inventories, assessments, and socioeconomic studies completed
- Number of public meetings held
- Updated numbers of PAPs – differentiated by types of impact (loss of land and other assets, physical displacement, and loss of income and/or livelihoods) and by gender
- Amount of land affected by the project (size in hectares and number of plots), number of residential structures, commercial establishments and agricultural units totally or partially affected.

**Status of resettlement implementation**

- Amount of compensation for each affected land plot
- Number of people physically relocated
- Amount of compensation for physically relocated people (disaggregated by structures, assets, transition allowances, etc.)
- Number of compensation payments disbursed and adequacy of timing
- Grievance redress procedures in place and functioning – number of grievances/number of grievances resolved
- Number of businesses relocated and compensated
- Status on the preparation and adequacy of resettlement sites
- Number of housing lots allocated for physically displaced people
- Number of housing and related infrastructure completed
- Number and amount of income restoration and development activities initiated/completed
- Number of trainings and other developmental inputs provided
- Measures undertaken to rehabilitate vulnerable groups (e.g.: women-headed households, children-headed households, disabled, elderly, Indigenous Peoples, etc.)
- Number of informal occupants and measures undertaken to compensate them

- Survey of the standards of living of the affected people (and of an unaffected control group where feasible) before and after implementation of resettlement to assess whether the standards of living of the affected people have improved or been maintained.

## **Checklist 4:**

### **Overview of Resettlement Instrument Disclosure Requirements during Project Preparation and Implementation**

#### **Disclosure during Project Preparation**

- Ensure that the Borrower has provided the Bank with a relevant draft resettlement instrument which is in compliance with OP 4.12, and has made it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them.
- Once the Bank has accepted this instrument as providing an adequate basis for project appraisal, ensure that it is made available to the public through the InfoShop.
- After the Bank has approved the final resettlement instrument, ensure that it has been disclosed by the Bank and the Borrower in the same manner.

#### **Disclosure during Project Implementation**

- For projects that prepared a Resettlement Policy Framework (RPF) at the appraisal stage, ensure that a satisfactory Resettlement Action Plan (RAP) or an Abbreviated Resettlement Action Plan (ARAP) that is consistent with the provisions of OP 4.12 is submitted to the Bank for approval before the subproject is accepted for Bank financing.
- Ensure that the resettlement plan or abbreviated resettlement plan is made available to the public through the InfoShop, and locally in the country at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them.
- For projects that prepared a RPF at the appraisal stage, but did not require land acquisition or physical displacement of people during project implementation, clearly note this in Aide-Memoires, ISRs and in the institutional social safeguards tracking system

## ANNEX 2: Form for the Registration of a Grievance

### REGISTRATION OF GRIEVANCE

Please use capital:

From: \_\_\_\_\_ Contact No: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Name of Project Site:

As per the Resettlement Policy Framework of the OECS Tourism Competitiveness 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)

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(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 may deem necessary.

Date: \_\_\_\_\_ (Signature of aggrieved person) \_\_\_\_\_

Name of recording Officer: \_\_\_\_\_ (Signature) \_\_\_\_\_

(Please print) List all documentation enclosed: (continue

overleaf)

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