



NRPB
NATIONAL RECOVERY
PROGRAM BUREAU

SINT MAARTEN EMERGENCY DEBRIS MANAGEMENT PROJECT

PROJECT ID P167347
GRANT NO. TF 0A9261

RESETTLEMENT ACTION PLAN

Resettlement of the community
living in the Resettlement Area of
Impact next to Municipal Solid Waste
Disposal Site

DEVELOPED BY
RINA Consulting Inc. and
NATIONAL RECOVERY PROGRAM BUREAU
25th of May 2022



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Abbreviations and Acronyms

Table 1: Abbreviations and Acronyms

Acronym	Details
CIFSEF	Caribbean Institute for Social Education Foundation
Dol	Declaration of Intent
ESIA	Environmental and Social Impacts Assessment
EDMP	Emergency Debris Management Project
ESS	Environmental and Social Standards (ESS)
FGD	Focus group discussions
GC	Grievance Committee
GDP	Gross Domestic Product
GRM	Grievance Redress Mechanism
IDS	Irma Debris Site
LR	Livelihood restoration
LRP	Livelihoods Restoration Plan
MHF	Mental Health Foundation
MSW	Municipal Solid Waste
NRPB	National Recovery Program Bureau
OELs	Occupational exposure levels
OPs	Operational Policies
PAP	Project-affected person
PPE	Personal protective equipment
RAI	Resettlement Area of Impact
RAP	Resettlement Action Plan
RCR	Resettlement Completion Report
SEP	Stakeholder Engagement Plan
SMHDF	St. Maarten Housing Development Foundation
TEVET	Technical Education Vocational & Entrepreneurship Training
VROMI ¹	St. Maarten Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure
VSA ²	Ministry of Public Health, Social Development, and Labor
WB	World Bank
WIFOL	Workers Institute for Organised Labour

¹ Dutch acronym of the authority's name

² Dutch acronym of the authority's name

Definitions

Table 2: Definitions

Term	Meaning and comments
Replacement Housing	Compensation in kind for residential housing, or housing sites, for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site ³
Allowance	An allowance is a type of assistance, such as that paid to displaced persons to assist them with moving costs (a moving allowance).
Assistance	A range of actions taken to ensure that displaced persons are supported to meet the requirements of the World Bank' involuntary Resettlement Policy (OP 4.12).
Resettlement Area of Impact (RAI)	Delineated project area directly impacted by the project which requires involuntary resettlement, as defined by OP 4.12.
Compensation	<p>Payment in cash or in-kind for the loss of an immovable asset that is acquired or affected by the project at full replacement cost. It is typically understood to include all forms of compensation, including the provision of replacement land and housing</p> <p>For better clarity, compensation is used only in the context of the loss of an immovable asset. It does not include allowances or assistance paid, nor does it include livelihood-restoration allowances or activities.</p>
Displaced Person	<p>A displaced person refers to persons who are affected in any of the ways described in para. 3 of the O.P. 4.12 policy which covers direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by:</p> <p>(a) the involuntary taking of land resulting in</p> <p>(i) relocation or loss of shelter.</p> <p>(ii) loss of assets or access to assets; or</p> <p>(iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or</p>

³ The alternative assets are provided with adequate tenure arrangements. The cost of alternative residential housing, housing sites, business premises, and agricultural sites to be provided can be set off against all or part of the compensation payable for the corresponding asset lost.

Term	Meaning and comments
	<p>(b) the involuntary restriction of access⁹ to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons</p> <p>The term “displaced person” is synonymous with “project affected persons” and is not limited to those subjected to physical displacement⁴.</p>
Economic Displacement	The involuntary taking of land which results in the loss of income sources or means of livelihood, whether or not the affected persons must move to another location
Physical Displacement	<p>The involuntary taking of land resulting in:</p> <ul style="list-style-type: none"> • relocation or loss of shelter. • loss of assets or access to assets. <p>which requires the affected person to move to another location.</p>
Project-Affected Person	<ul style="list-style-type: none"> • See definition of ‘displaced person’
Replacement Cost	<p>Is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. It is based on market value plus transactional costs.</p> <p>Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard. Such additional assistance is distinct from resettlement assistance to be provided under other clauses of the Banks Operational Policy 4.12 para. 6.</p> <p>For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.</p>
Household	One person or a group of persons who share a dwelling unit and for a group share at least one meal a day. A dwelling unit is a house, an apartment, a mobile home, a group of rooms, or a

⁴ Involuntary Resettlement Sourcebook Planning and Implementation in Development Projects, page 5

Term	Meaning and comments
	single room in which the occupants live and eat separately from other persons in the building and which has direct access from the outside of the building or through a common hall. A household does not necessarily correspond to a family and may consist of a single-family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living and cooking arrangements.
Informal Rights Holder	Person or group of persons recognized by custom, unwritten rules, or other socially accepted processes as holding certain ownership or usufruct rights over an asset or resource, although these usufruct rights are neither formalized in a legal document such as a title nor officially registered.
Involuntary Resettlement	<p>"Involuntary" means actions that may be taken without the displaced person's informed consent or power of choice.</p> <p>Resettlement," in Bank terminology, covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. When, in a Bank-financed project, land is acquired through the application of state powers, such as eminent domain, the acquisition is involuntary</p> <p>Resettlement is not restricted to its usual meaning—physical relocation. Resettlement can, depending on the case, include (a) acquisition of land and physical structures on the land, including businesses; (b) physical relocation; and (c) economic rehabilitation of displaced persons (DPs), to improve (or at least restore) incomes and living standards</p>
Land Acquisition	<p>"Land acquisition" refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include:</p> <p>(a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible.</p>
Livelihood	<p>Livelihood means securing the necessities of life. A livelihood comprises the capabilities, assets (including both material and social resources) and activities required for a means of living. A livelihood is sustainable when it can cope with and recover from stress and shocks and maintain or enhance its capabilities and assets both now and in the future, while not undermining the natural resource base. Livelihoods in the developing world are often based on complex combinations of activities, that often reflect the experience and a willingness to minimize risk and potential hardship. A rural household may engage throughout the</p>

Term	Meaning and comments
	<p>year in subsistence agriculture to grow its own food; in cash crops to provide a cash complement and cater for needs such as schooling fees, clothing, or health care; in fishing or hunting in the period where no agricultural activities are required; in some periodic petty trading; and so forth. Not all household members will engage in all these activities, and there may be gender aspects in the way they are distributed among the different household members. For example, cash crops could be a female responsibility, whereas growing the family food is a male one. A comprehensive understanding of livelihoods and the impact thereupon of land acquisition is critical to proper planning of compensation, resettlement, and livelihood restoration. Intrahousehold gender aspects (the gender distribution of tasks, income sources, and activities) is also essential to understand who will lose most and what livelihood-restoration activities need to target which household members. This typically requires a combination of quantitative and qualitative socio-economic investigations in the affected area. Chambers and Conway, 1991, quoted by UNDP-Guidance Note on Livelihoods, 2010.</p>
Livelihood Improvement and Restoration	<p>Specific allowances or activities intended to support displaced people's efforts to improve or at least restore their livelihoods to pre-project levels. Livelihood restoration should be distinguished from compensation. Livelihood-restoration measures typically include a combination of cash or other allowances and support activities such as training, agricultural assistance, or business enhancement.</p>
Livelihood Restoration Plan / Program (LRP)	<p>The aim of the LRP is to ensure that the livelihoods of people affected by the project are at least improved – both in terms of sustainability and standard. The aim is also to ensure that the standard of living is improved for the poor and vulnerable. In case economic displacement affecting livelihoods is associated to economic displacement, livelihood restoration planning is incorporated in the resettlement Action Plan</p>
Resettlement Action Plan (RAP)	<p>A resettlement instrument developed as a strategy for achieving the objectives of the Operational Policy 4.12 on Involuntary Resettlement and covers all aspects of the proposed resettlement.</p>
Security of Tenure	<p>Security⁵ of tenure means that resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.</p>

⁵ Clear title to assets, assurances of long-term access to resources, and guaranteed periods of employment

Term	Meaning and comments
Transition Period	A reasonable estimate of the time likely to be needed to restore PAPs' livelihood and standards of living
Unit	One person or a group of persons who comprise a single residential dwelling, mixed residential/commercial structure, or commercial business.
Vulnerable	Vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, undocumented immigrants, or other displaced persons who may not be protected through national land compensation legislation

Executive Summary

Project Background

Following the devastation caused by Hurricanes Irma and Maria in 2017, the Government of Sint Maarten embarked on a large-scale recovery and reconstruction. As part of this, the Netherlands made available 550 million Euro, a large portion of which would be placed in a Single Donor Trust Fund to be managed by the World Bank (WB). The Government of Sint Maarten has developed four emergency projects in cooperation with the WB, which will be implemented by the National Recovery Program Bureau (NRPB). The NRPB was established by the Government in 2018 and is responsible for the preparation, coordination, execution and evaluation of the projects that will be financed through the WB Trust Fund.

As part of this process, the NRPB is implementing an Emergency Debris Management Project (EDMP or “the Project”) that is supporting the country’s recovery through clearance and management of debris from the hurricane and reconstruction activities. The EDMP focuses on the Municipal Solid Waste (MSW) facility and the Irma Debris Site (IDS), which are located in the north portion of Pond Island (directly north of the capital Philipsburg) and together cover 18.7 hectares.

The Project comprises three components in which only the first one will require resettlement activities, as follows:

Component 1. Debris Clearance and Management, including the following activities:

1. Collection of debris
2. Fire suppression, reorganizing, rehabilitating and upgrading of the debris storage and municipal waste disposal sites
3. Debris processing and disposal
4. Vessel recovery and salvaging
5. Debris clearance

Component 2. Technical Assistance

Component 3. Project Management and Implementation Support, including development and strengthening of the institutional capacity of VROMI⁶ (the Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure).

The close proximity of the residential and commercial community to the MSW and IDS is a risk for this population due to the impacts from stormwater runoff, leachate, dust, superficial and internal fumes, in addition to the day-to-day landfilling activities. As a result, both residential and commercial units located in this area will need to be permanently resettled.

The Resettlement Area of Impact (RAI) (see Figure 1 below) was delineated based on the potential risk of slope collapse, general health and safety risks due to waste management activities and need for additional land for landfill operations. Based on the updated findings on health and safety hazards presented by the landfill sites on Pond Island show that the following risks exist in the RAI:

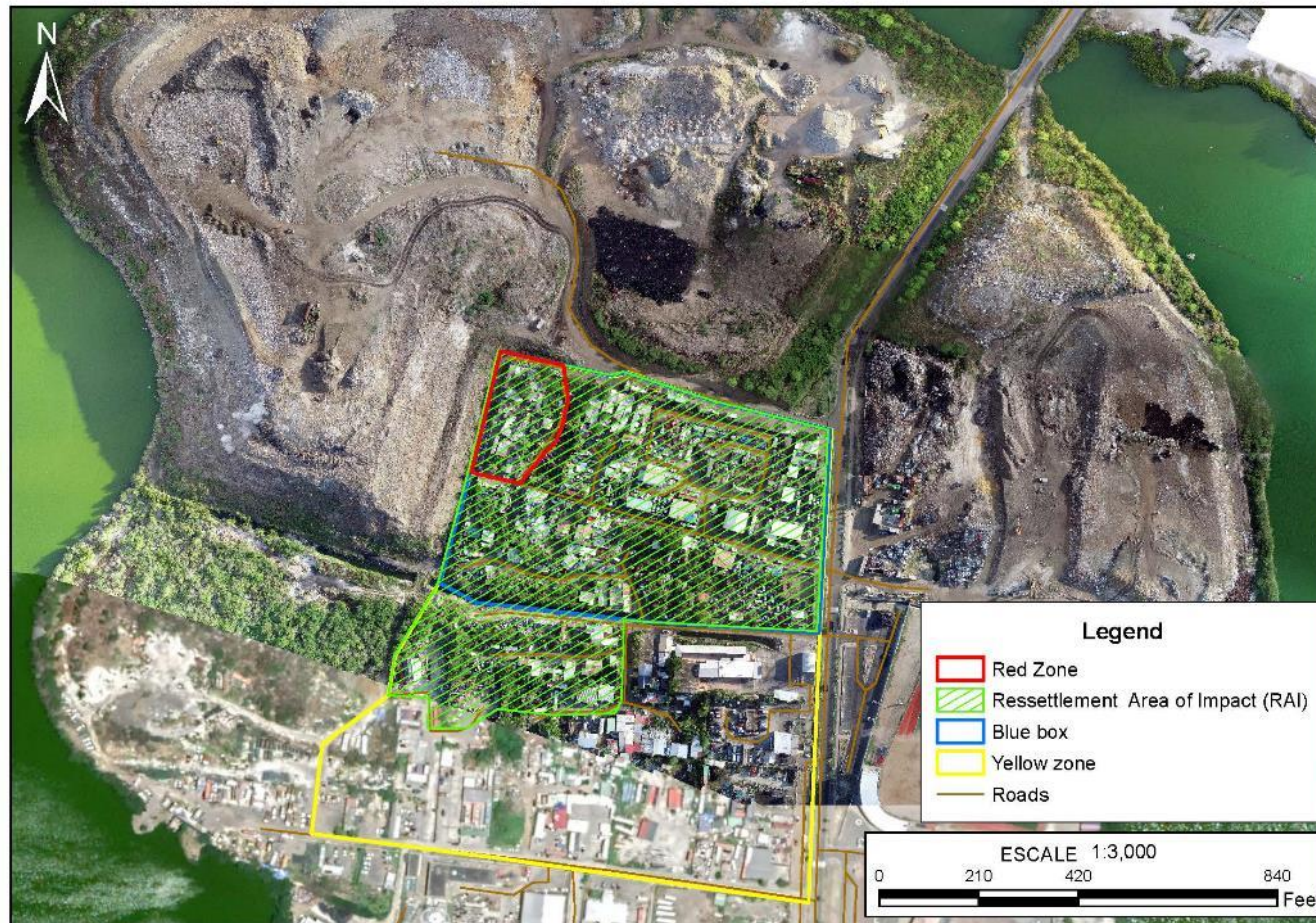
- Risks for nearby human settlements due to:
 - Underground fires associated to emergency debris disposal at Pond Island landfill site

⁶ Dutch acronym of the authority’s name

- Waste slopes instability, associated with municipal waste disposal
- Soil quality conditions
- Health impacts that air quality conditions and soil quality conditions impose
- Space required for rehabilitation/upgrade of debris storage and municipal waste disposal sites
- Prevention of further risks related to community health and safety

NRPB is seeking to assess the full scope of impacts associated with the RAI, to inform and engage the affected persons, reach a negotiated settlement with the affected persons and households and provide the in-kind or the cash compensation which observes WB OP 4.12 requirements.

Figure 1: Resettlement Area of Impact (RAI)



Source: RINA based on information provided by NRPB, August 2020

The NRPB is the institution responsible for the implementation of the resettlement process. The NRPB has engaged RINA as a Resettlement Consultant, with a scope of work including development of the Resettlement Action Plan (RAP) to plan for and guide the planning and implementation of the resettlement process. This RAP is a living document which will be reviewed, if deemed necessary and updated throughout the resettlement process.

Objectives & Scope

This RAP has been developed to ensure that the resettlement process complies with the social safeguards policies of the World Bank (WB) Operational Policy (OP) 4.12 on Involuntary Resettlement,⁷ and warrants that no harm will come to communities within the project area.

It is envisaged that full resettlement implementation may take up to 12 months (see section 14 for the full RAP implementation schedule).

While this RAP encompasses the resettlement principles, valuation and compensation rates, and consultation mechanisms to be used for the entirety of the resettlement process, specific provisions will need to be updated accordingly based on changes to circumstances. This includes the implementation schedule, which will be updated once the schedule for development of the permanent resettlement site has been confirmed.

As specified by the WB OP 4.12, the RAP will cover not only cases of physical displacement of populations but also economic displacement when peoples' livelihoods are affected by the Project.

Waste Pickers

The socio-economic survey and census in November 2020 and subsequent field work during May 2021 and July-September 2021 focused on persons residing in the RAI, however because project activities will impact waste pickers who are not residing in the RAI an additional census was conducted in October 2021⁸. During the time the census was being conducted VROMI informed the NRPB that access to waste collection on the two sites was being terminated due to safety concerns. VROMI informed NRPB on October 28, 2021, there were several recent accidents and/or near misses that caused them to close access to the site. This has caused some economic impacts to those who derive income from waste picking activities. The census conducted during October 2021 suggested that the waste pickers do not derive all of their income from these activities, and this is a supplement to other income they may already have. Nonetheless, economic displacement has occurred since the waste pickers are no longer allowed access to the site to collect recycling materials on the MSW and IDS sites. The NRPB has held several meetings with VROMI, to communicate that these actions are in contradiction to World Bank policy in order to get them to re-instate access however VROMI has cited several near misses and accidents as the reason for

⁷ OP 4.12 covers direct economic and social impacts that result from Bank-assisted investment projects and are caused by (a) the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) lost of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or (b) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

⁸ The Census for the waste pickers living outside of the RAI is complete and is final. This census was in addition to the census conducted for the RAI. The census is different to the socio-economic survey for the out of RAI waste pickers, which will be completed in quarter 1 of 2022.

disallowing access to the site. NRPB provided a proposal on access and safety protocols for waste pickers, however VROMI did not safely re-open access to waste pickers.

The number of waste pickers may increase if other waste pickers come forward for inclusion in the census, although the cut-off date is established as November 1st 2021, since the restrictions from VROMI warrant a more flexible approach to accept additional cases.

This RAP documents the compensation amounts for all waste pickers and livelihood restoration assistance for waste pickers living inside and outside of the RAI.

Resettlement Impact

The information provided in this report in terms of resettlement impact has taken into account all affected households and businesses. There are 215⁹ people living in the RAI (96 are women and 119 are men). A summary of this population is in the table below:

Table 3. Overview of RAI population and businesses

#	Item	Number
Affected populations		
1	Individuals	215
1a	- <i>Adults</i>	179
1b	- <i>Children</i>	36
2	Households	123
2a	- <i>Residential</i>	97
2b	- <i>Residential and commercial (mixed)</i>	26
3	Vulnerable households	47
Affected businesses & income		
4	Commercial units	32
4a	- <i>Businesses</i>	6
4b	- <i>Residential and commercial (mixed)</i>	26
5	Employees	13
6	Off-site landlords	12
7	Individuals with landfill-related income	34

⁹ See Annex I for list of PAPs who will be signing agreements for compensation.

The table below describes the Project Affected Persons categories as identified in the Resettlement Area of Impact.

Table 4. PAP categories description

PAP category¹⁰	Description
Homeowner	A Project Affected Person who owns a structure or structures in the RAI. The structure/structures are occupied individually by the PAP or by the members of the PAP's household/family
Businessowner	A Project Affected Person who owns and practices a business in the RAI. The business is practiced in an owned structure or a rented land/structure
Tenant	A Project Affected Person who rents a structure or structures in the RAI for living (individually or with the members of the PAP's household/family) and/or for doing a business in the RAI
Resident landlord	A Project Affected Person who owns structures in the RAI. A part of the structures is occupied individually by the PAP or by the members of the PAP's household/family, other structures are rented out to tenants
Off-site landlord	A Project Affected Person who owns structures in the RAI, but the PAP resides outside the RAI. The structures are rented out to tenants
Waste picker ¹¹	A Project Affected Person who uses the MSWDS and/or IDS as a source of income
Employee	A Project Affected Person who works for a business ¹² affected by the project

¹⁰ A PAP may also be a combination of all categories listed in the table, as example: a PAP may be a homeowner who also is doing a business in the RAI or a tenant who is doing a business in the RAI, or another combination

¹¹ Waste pickers inside the RAI are also tenants or homeowners or residential landlords

¹² PAP category - businessowner

The table below includes a summary of the individuals and business within the RAI (includes waste pickers inside the RAI and outside the RAI) and their compensation preference.

Table 5. Project Affected Persons in the RAI and their compensation preference

PAPs who will be signing agreements for compensation	Number of PAPs	Cash compensation	In-Kind Compensation	Livelihood Restoration Assistance
Homeowner	38	29	8	17 ¹³
Homeowner and businessowner	5	4	1	5 ¹⁴
Businessowner	6 ¹⁵	4	1	5
Tenant	59	59	0	12 ¹⁶
Tenant and businessowner	10	10	0	10
Homeowner, businessowner and resident landlord ¹⁷	1	1	0	1 ¹⁸
Resident landlord	10	10	0	10 ¹⁹
Businessowner and off-site landlord ²⁰	1	1	0	1
Off-site landlord	11	11	0	

¹³ Eligible as women headed PAPs (households)

¹⁴ 2 PAPs out of 5 are also women headed PAPs (households)

¹⁵ 1 businessowner is GEBE which has a storage yard in the RAI. This is a state owned company and the resettlement will be done by Sint Maarten Government, there is no compensation in this case

¹⁶ Eligible as women headed PAPs (households)

¹⁷ In the tables and data in the document, this "Homeowner, businessowner and resident landlord" is accounted for in "resident landlord" category. Total number of resident landlords is 11

¹⁸ Eligible also as a woman headed PAP (household)

¹⁹ 5 PAPs out of 10 are also women headed PAPs (households)

²⁰ In the tables and data in the document, this "Businessowner and off-site landlord" is accounted for in "off-site landlord" category. Total number of off-site landlords is 12

Total	141²¹	129²²	10	61
<i>Waste picker outside RAI</i>	<i>7</i>	<i>7</i>	<i>0</i>	<i>7</i>
<i>Employees²³</i>	<i>13</i>	<i>13</i>	<i>0</i>	<i>13</i>

Entitlement Matrix

World Bank OP 4.12 requires PAPs to have resettlement options and be informed of those options. PAPs affected by the project will have two resettlement options and livelihood assistance: (1) cash compensation; (2) in-kind compensation - resettled in a house purchased on the open Sint Maarten housing market by the Government of Sint Maarten.

- (1) Cash compensation: the Project Affected Person will be getting monetary compensation for affected assets and resettlement assistance;
- (2) In-kind compensation – the Project Affected Person will be resettled in a flat/house purchased in the housing market by the Government of Sint Maarten and resettlement assistance will be provided in cash;

In addition to resettlement options and assistance, PAPs will also be entitled to livelihood restoration activities detailed below.

In addition, the PAP must be registered in the official census conducted as part of the socioeconomic survey. See table below for a full entitlement matrix.

²¹ The total number of PAPs includes 2 Project Affected Persons who passed away; see Annex H for details

²² This number excludes GEBE

²³ Exact number of affected employees will be determined during resettlement implementation

Table 6. Entitlement Matrix

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
Loss of land	1	Loss of parcels of land (government land)	Landowner	m ²	Since Government owns the land, and there is no leasehold agreement in place, all of the residents are squatters. Based on current laws and WB OP 4.12, Government only has a legal obligation toward residents to reimburse for value of immovable property on Government land.	<ul style="list-style-type: none"> • Transversal program for the process of formulation, implementation, monitoring and evaluation of the RAP. • The program will inform about the eminent domain of the government land and support the negotiation of the alternatives with each household. • Support from the government: legal procedure to declare eminent domain.
Loss of structures – permanent	2	Loss of dwellings, buildings and other immovable assets owned and/or used	Homeowner; Non-titled / informal user	m ² and quantity in numbers	<p>The loss of dwellings, buildings, and other immovable assets will be compensated for the full replacement cost. The compensation will be paid in kind with a replacement home (new or used) or in cash at replacement value.</p> <p>The owner of rented dwellings, buildings, and other immovable assets who does not reside in the resettlement area of impact (squatter landlord) will be compensated in cash (only) for the full replacement cost.</p> <p>Financial support (cash allowance) with logistical arrangements will be provided by</p>	<ul style="list-style-type: none"> • Provision of affordable housing, business buildings, and rental spaces. • Support from the government: affordable housing program in the resettlement site for PAPs experiencing permanent loss of dwelling • Payment of any transaction costs required to acquire new housing, such as legal and administrative fees

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
					NRPB to coordinate the dismantling, relocation and reinstallation of assets.	
	3	Loss of rented home (tenants)	Tenant	Households	<p>Tenants are entitled to rental allowance as described below:</p> <ul style="list-style-type: none"> - For tenants with a rental contract/agreement²⁴ of at least one year: Equivalent monetary value of rental allowance of two-year rent. - For tenants with a rental contract/agreement¹⁹ duration of one year or less: Equivalent monetary value of rental allowance of one-year rent. <p>All tenants will receive prior notice of minimum two months and financial support (cash allowance) to relocate and secure new housing</p> <p>Financial support (cash allowance) with logistical arrangements will be provided by NRPB to coordinate the dismantling, relocation and reinstallation of assets.</p>	
	4	Loss of rented space or structures affixed to land used for business (tenants)	Business owners/operators (formal and informal) who rent	Businesses	<p>Tenants are entitled to rental allowance as described below::</p> <ul style="list-style-type: none"> - For tenants with a rental contract/agreement¹⁹ of at least one year: Equivalent monetary value of rental allowance of two-year rent. 	

²⁴ All tenants have either a contract or an informal agreement. This term reflects contracts and informal agreements between tenants and residential/off-site landlords as identified during census

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
					<p>- For tenants with a rental contract/agreement¹⁹ duration of one year or less: Equivalent monetary value of rental allowance of one-year rent.</p> <p>In addition, the PAPs will be provided financial support (cash allowance) to relocate.</p> <p>For business owners which leased land for their business, and which choose to re-establish their business, in case land is required to re-establish the business, cash compensation to cover for 6 months' rent for a similar land plot (to be determined on an individual basis)</p> <p>Financial support (cash allowance) with logistical arrangements will be provided by NRPB to coordinate the dismantling, relocation and reinstallation of assets.</p>	
Loss of income and livelihoods	5	Loss of formal and informal businesses (income)	Business owner/operator (formal and informal)	Businesses	<p>The loss of business income will be compensated in cash for the cost of identifying a viable alternative location; for re-establishing commercial activities and for lost net income during the period of transition of 6 months or longer the until the business re-establishes the previous level of profitability; and for re-establishing commercial activities.</p> <p>Additionally, business owners will obtain specialized support to reinstall their businesses.</p>	<p>Livelihood Restoration program:</p> <ul style="list-style-type: none"> • Business, economic activities and employment. <p>Support from the government:</p> <ul style="list-style-type: none"> • programs to restart and strengthen economic activities (automotive mechanics; beauty, shops, car wash, recycling materials etc.), and employment programs.

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
					<p>If the business owner does not want to re-establish the activity, they will be given the option of receiving a one-time compensation amount for the value of the business, to be determined per the precise value of the commercial assets, investments, customer base and future revenues. Business owners that make this decision will also be eligible for livelihood restoration programs to develop alternative economic activities.</p> <p>The income for informal business will be determined by comparing the average monthly incomes of businesses registered in the census (which will be weighed considering size and type of business operation)</p>	<ul style="list-style-type: none"> Support to formalize and register business for informal business owners/operators (if desired)
	6	Loss of income from rent	Residential landlord	Persons / households	The loss of income from rent will be compensated in cash with a monthly payment rent for 6 months. This is not applicable to squatter landlords (off-site landlords).	
	7	Permanent closure of informal income-generating activities dependent on the Project Area	Informal workers dependent on resettlement area for income	Persons	Businesses that are not formally licensed/registered will obtain support to formalize income-generating activities. PAP affected by loss of access to landfill for all or part of their livelihood activities will be compensated in cash for loss of income derived from the use of the landfill, be provided livelihood support, and be eligible for livelihood restoration programs to obtain alternative employment	

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
					opportunities until their income is restored to pre impact levels	
	8	Loss of formal and informal employment income due to the permanent closure or relocation of productive activities	Employees or hired laborers with income dependent on resettlement area (formal and informal)	Employees	Affected employees will receive assistance in cash for six (6) months of loss of wages and, eligible for assistance in identifying alternative employment opportunities and skill training until their income is restored to preimpact levels through the livelihood restoration programs described in this RAP.	Affected employees will be eligible for livelihood restoration support and assistance in identifying alternative employment opportunities and skill training.
Re-establishment costs	9	Costs and disruptions associated with dismantling, transportation and rebuilding of structures and assets	Relocated PAPs (residents and business owner/operator s)	Households and businesses	The PAP will receive in-kind and in-cash allowances to dismantle their homes and/or businesses, transport and reinstallation of the movable assets such as plant, machinery, or other equipment. Support with logistical arrangements will be provided by NRPB to coordinate the dismantling, relocation and reinstallation of assets.	Confirm if PAP qualifies for a social support program offered by Government authorities or NGOs on Sint Maarten and enrol on programs if qualifies Confirm if PAP qualifies for support from the government: specialized programs for vulnerable people and enrol on programs if qualifies
Undocumented legal status	10	Visibilization of illegality in immigration status	Undocumented PAPs	Persons	Offer legal support to inform affected persons on residency application procedures and to identify eligibility for a residence permit. Offer legal and administrative support during the residency permit application phase.	Social/psychosocial support for disruptions to lives caused by relocation
Access to services	11	Disruption of access to local/familiar educational resources	Relocated PAPs (residents)	Persons	Social support e.g. Transport to school and health centres during transitional period, if they are not located within reasonable walking distance from the temporary accommodation.	Monitoring of socioeconomic conditions for one year after the permanent move

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
	12	Alteration of social networks	Relocated PAPs (residents)	Persons	Social support e.g. Optional paid membership for elderly PAPs at a local recreational center for the elderly	to verify restoration of livelihoods and/or living conditions
	13	Disrupted access to local/familiar health services	Relocated PAPs (residents)	Persons	Health support e.g. Transport to health centres during transitional period, if they are not located within reasonable walking distance from the temporary accommodation.	
Impacts on vulnerable PAPs	14	Risk of increased vulnerability	Vulnerable PAPs ²⁵	Persons / households	<p>Special measures for vulnerable people will include prioritisation in selection of livelihood restoration activities, prioritisation in selection of replacement dwellings (dwellings for PAPs with mobility challenges will consider universal access), and access to mental health counselling support according to their necessities.</p> <p>Households with disabled members, elderly head of household, women head of household will be offered assistance physically moving and assistance in physical displacement</p> <p>Illiterate PAPs will obtain information verbally and, if requested by the PAP, in the presence of a trustee (the person the PAP trusts)</p>	<p>Vulnerable people program</p> <p>Support from the government: specialized programs for vulnerable people</p> <p>Vocational skills training (women headed households)</p>

²⁵ Vulnerable groups include people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more diversely affected by displacement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits – households with disabled members, elderly head of household, women head of household, illiterate households

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
Loss of housing	15	Temporary resettlement (if necessary)	PAPs who opt for in-kind compensation who will be temporarily relocated (to be confirmed in preparation and implementation)	Households	Due to the debris emergency, it will be necessary to relocate PAP as soon as possible with a temporary resettlement. These PAP will receive allowances in cash and in-kind to cover for housing, feeding, and other necessities during this period while the permanent resettlement arrangement is in place.	<p>Temporary resettlement program.</p> <p>Support from the government: agreements with the touristic sector to identify alternatives for temporary resettlement.</p> <p>Payment of any transaction costs required to acquire new housing, such as legal and administrative fees</p>

Livelihood Restoration Plan

32 PAPs as businesses, 41 individuals (waste pickers inside the RAI - 34 and outside the RAI - 7), 13 employees of 32 affected PAPs as businesses and 37 women headed households are eligible for the main types of livelihood restoration support. Through various measures as shown below, the affected people will be assisted to restore and improve their sources of income or livelihoods.

Table 7. Livelihood Restoration activities

LRP activities	Eligibility	# of eligible PAPs
Training in business management and marketing	<ul style="list-style-type: none"> Employees and owners of affected businesses 	<ul style="list-style-type: none"> 32 business owners 13 employees
Vocational skills training in subjects of interest	<ul style="list-style-type: none"> Residents who gain part or all of income from recycling landfill materials (waste pickers inside and outside the RAI) Employees of affected businesses 	<ul style="list-style-type: none"> 41 individuals (waste pickers inside and outside the RAI) 13 employees 37²⁶ women headed households
Additional general support		
Business licencing and registration (optional)	<ul style="list-style-type: none"> Owners of informal businesses 	<ul style="list-style-type: none"> 8 informal business owners
Basic financial management education	<ul style="list-style-type: none"> All PAPs who are interested 	<ul style="list-style-type: none"> 140²⁷ PAPs
Support to regularize immigration status	<ul style="list-style-type: none"> PAPs without legal residency status in Sint Maarten 	<ul style="list-style-type: none"> To be identified in resettlement implementation phase

Budget

Some budget costs are currently indicative (RAP implementation consultancy services, structures demolition costs) actual costs will be known once bids have been submitted. The cost estimate for the RAP implementation is provided in detail in chapter 13 of this RAP and includes:

- Cost of the compensation, livelihood restoration and resettlement processes
- Cost for independent auditing of RAP implementation
 - Estimated at 1% of total cost of compensation and livelihood restoration support.
 - The independent audit consultant will prepare the technical and financial proposals for bidding.

²⁶ Since 10 out of 34 waste pickers inside the RAI are women headed PAPs; and women headed PAPs are all eligible in this category of livelihood restoration assistance, they will be eligible to participate in one vocational skills training in subjects of interest

²⁷ Excluded GEBE which is a stated owned company and does not qualify for livelihood assistance

- Contingency
 - The rate for contingency will be set at 10% of the total cost of compensation and livelihood restoration support. The contingency will be used in cases of adjusted compensation rates due to inflation, or any adjustments during implementation of the approved RAP.

The RAP budget excludes the cost for ongoing resettlement management including internal monitoring, stakeholder engagement and management of the grievance mechanism, as these costs are included in NRPB's operational budget.

Table 8. Resettlement Action Plan Budget

Item	Cost (USD)
Compensation for structures	3,960,276
Compensation for additional structures/assets ²⁸	658,147
Compensation for trees	36,232
Compensation for business income	224,544
Compensation for employee income	149,760
Compensation for additional support	9,785
Compensation for housing rent	1,062,000
Compensation for business rent	269,186
Compensation for waste picker (inside and outside RAI) income	192,864
Subtotal: Compensation packages	6,562,795
Temporary resettlement	228,000
In-Kind Compensation provision (buying homes and businesses for resettlement)	2,000,000
Livelihood restoration program	151,000
RAP implementation audit	89,418
10% contingency	894,179
RAP consultancy services contract	1,500,000 ²⁹
RAI structures demolition works	1,000,000 ³⁰
Total	12,425,392

²⁸ additional structures in this line refer to fences, walls, containers/structures used for storage, etc.

²⁹ tentative

³⁰ tentative

Part A. RAP Requirements and Scope

1 Introduction

RINA Consulting (RINA) was retained by Sint Maarten's National Recovery Program Bureau (NRPB) to provide technical and practical support for implementation of the Emergency Debris Management Project (the Project). RINA's scope of work includes development of a Resettlement Action Plan (RAP) for the Resettlement Area of Impact (RAI), and a Stakeholder Engagement Plan (SEP) to plan for and guide the engagement and consultation needed for the planning and implementation of the RAP. This document comprises the RAP.

1.1 Overview of RAP Scope

This RAP has been developed to ensure that the resettlement process complies with the social safeguards policies of the World Bank (WB) Operational Policy (OP) 4.12 on Involuntary Resettlement and warrants that no harm will come to communities within the project area.

There are 141³¹ Project Affected Persons with whom the NRPB will sign compensation agreements for losses related to resettlement. In total there are 215 individuals to be resettled (96 are women and 119 are men) residing in the Resettlement Area of Impact. There are an additional 7 waste pickers (2 are women and 5 are men) residing outside the Resettlement Area of Impact. It is envisaged that full resettlement implementation may take up to 12 months, starting with the first phase of resettlement commencing in Quarter 3 of 2022. This RAP encompasses the resettlement principles, valuation and compensation rates, and consultation mechanisms to be used for the entirety of the resettlement process, however specific provisions will be updated based on changes to circumstances.

As specified by the WB OP 4.12, the RAP will cover not only physical displacement of populations but also economic displacement when peoples' livelihoods are significantly affected by project impacts.

³¹ See Annex I for PAP list table. There will be an agreement signed with the PAP GEBE, which is a stated owned company, however no compensation provision is envisaged in this case; resettlement will be done by Sint Maarten Government

2 Project Description

2.1 Background

In September 2017, Sint Maarten was hit by category 5 Hurricane Irma and category 4 Hurricane Maria which inflicted significant damage to the country's infrastructure. To address the devastation caused by the hurricanes, the Netherlands made available \$550 million (USD), a large portion of which would be placed in a Single Donor Trust Fund to be managed by the World Bank (WB). The Government of Sint Maarten has developed four emergency projects in cooperation with the WB, which will be implemented by the National Recovery Program Bureau (NRPB). The NRPB was established by the Government in 2018 and is responsible for the preparation, coordination, execution and evaluation of the projects that will be financed through the WB Trust Fund.

One of the emergency projects prepared is the Emergency Debris Management Project (EDMP, hereafter referred to as the Project), which will support the country's recovery through clearance and management of debris from the hurricane and reconstruction activities.

2.1.1 Project Objectives & Components

The objectives of the Project are to manage debris from the hurricane and reconstruction activities to facilitate recovery and reduce risks, improve solid waste management capacities and improve waste disposal operations on Pond Island. These objectives will be met through three components in which only the first one will require resettlement activities, as follows:

Component 1. Debris Clearance and Management, including the following activities:

1. Collection and clearance of debris
2. Reducing risks of operation, reorganization, rehabilitation, and upgrading of debris storage and municipal disposal sites
3. Debris processing and disposal
4. Vessel recovery and salvaging

Component 2. Technical Assistance

Component 3. Project Management and Implementation Support, including development and strengthening of the institutional capacity of VROMI (the Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure).

2.1.2 Need for Resettlement

Since 2018, multiple studies³² as detailed in the 2020 Environmental and Social Impact Assessment (ESIA)³³ have identified risks to the neighbouring community in the RAI. The identified risks include: a potentially unstable slope representing a potential collapse hazard; surface and

³² Conducted by organizations including Hammer Consulting and EE&G Disaster Response, LLC (EE&G) and its sub-consultants SCS Engineers (SCS) and Gallager Basett Services (GBS)

³³ Ministry of Health, Labor, and Social Affairs Government of St. Maarten, Dr. Rhoda Arrindell, Resettlement Action Plan. Red Zone, Philipsburg Landfill. February 19, 2019.

subsurface fires in the IDS and MSW; air emissions from fissures in the IDS and MSW; particulate and smoke fumes exceeding occupational exposure levels (OELs). Based on these findings, in July 2018 Hammer Consulting recommended the urgent evacuation of the community located in the Red Zone (within a radius of 300 feet from subsurface fires) prior to the commencement of works to address slope and/or fires due to the imminent risk posed by the MSW slope. At the same time, the Yellow Zone within a radius of 1,000 feet was established as a “notification zone” where community would be notified of the fire suppression activities and prepared for evacuation in case conditions deteriorated.

In June 2019, the need to expand the area of resettlement was identified³⁴ due to observation of air emission levels of locations located downwind or crosswind of surface or subsurface fires. The Blue Box area was established for this purpose.

Subsequently, VROMI conducted re-contouring on the southeast slope of MSW (previously part of Red Zone) and conducted fire suppression activities at the MSW and IDS. Although limited information was provided regarding methods, engineering, safeguards or monitoring implemented during the completion of these interim works, they resulted in significant change to the conditions at the landfill sites.

EE&G and Hammer Consulting conducted a site visit in January 2020 to assess current conditions of the landfill sites, which concluded that the subsurface fires status has evolved from an emergency situation warranting immediate response, to an operational situation in which fire mitigation during the course of regular operations should be sufficient to mitigate remaining fires.

According to the 2020 ESIA, fire suppression and re-grading activities conducted by VROMI in 2018 and 2019 resulted in a reduction in the number of subsurface fires, however SWM experts later advised that the approach taken could have substantially increased health and environmental risks through oxygen fueling the subsurface fires, increasing leachate into the adjacent water way, and possible lateral movement of water which could exacerbate already unstable slopes in the landfill.³⁵ The slope stability still does not meet industry-accepted design criteria and continues to pose significant life safety concern. As a result, EE&G recommended prioritizing relocation of residents adjacent to the south-eastern slope of the MSW.

The updated Resettlement Area of Impact (RAI) was delineated based on the potential risk of slope collapse, general health and safety risks due to waste management activities and need for additional land for landfill operations. This prioritizes the resettlement of the area within 100 meters of the MSW slope as the risk of slope collapse presents the greatest risk for people living and working within this area.

Since there is a community adjacent to the municipal waste disposal site located in a risk-prone area, the land required to prevent/manage fire and pollution risks and develop landfill management activities will lead to displacement of households and businesses located at the Pond Island, as well as loss of livelihoods dependent on the collection and recycling of landfill materials.

The Project requires population displacement and resettlement as justified by the following considerations:

- Risks for nearby human settlements due to:

³⁴ Through position statement of EE&G, a US-based environmental consultancy.

³⁵ Disclosable-Restructuring-Paper-Sint-Maarten-Emergency-Debris-Management-Project-P167347 – paragraph 8
Fire suppression at MSW

- Waste slopes instability and related risk of collapse of unstable landfill slopes, associated with municipal waste disposal
- Underground fires associated to emergency debris disposal at Pond Island landfill site
- Soil quality conditions and potential contamination of soil
- Health impacts that air quality conditions and soil quality conditions impose
- Space required for rehabilitation/upgrade of debris storage and municipal waste disposal sites
- Prevention of further risks related to community health and safety in the context of residing adjacent to landfills.

Given the health and safety risks inherent to residing and working in a settlement near the landfill site, no feasible alternatives to displacement are considered to be available.

2.2 Project Location

Sint Maarten is a high-income constituent territory of the Kingdom of the Netherlands in the Caribbean. It occupies the southern half of an island shared with the French Overseas Collectivity of Saint Martin. It is the most densely populated territory in the Caribbean, with a population of roughly 40,000 and a per capita Gross Domestic Product (GDP) of US\$25,381.

Pond Island is a man-made island located on the southeast side of Great Salt Pond (in south-central St. Maarten, north of the capital Philipsburg) measuring approximately 48 hectares.

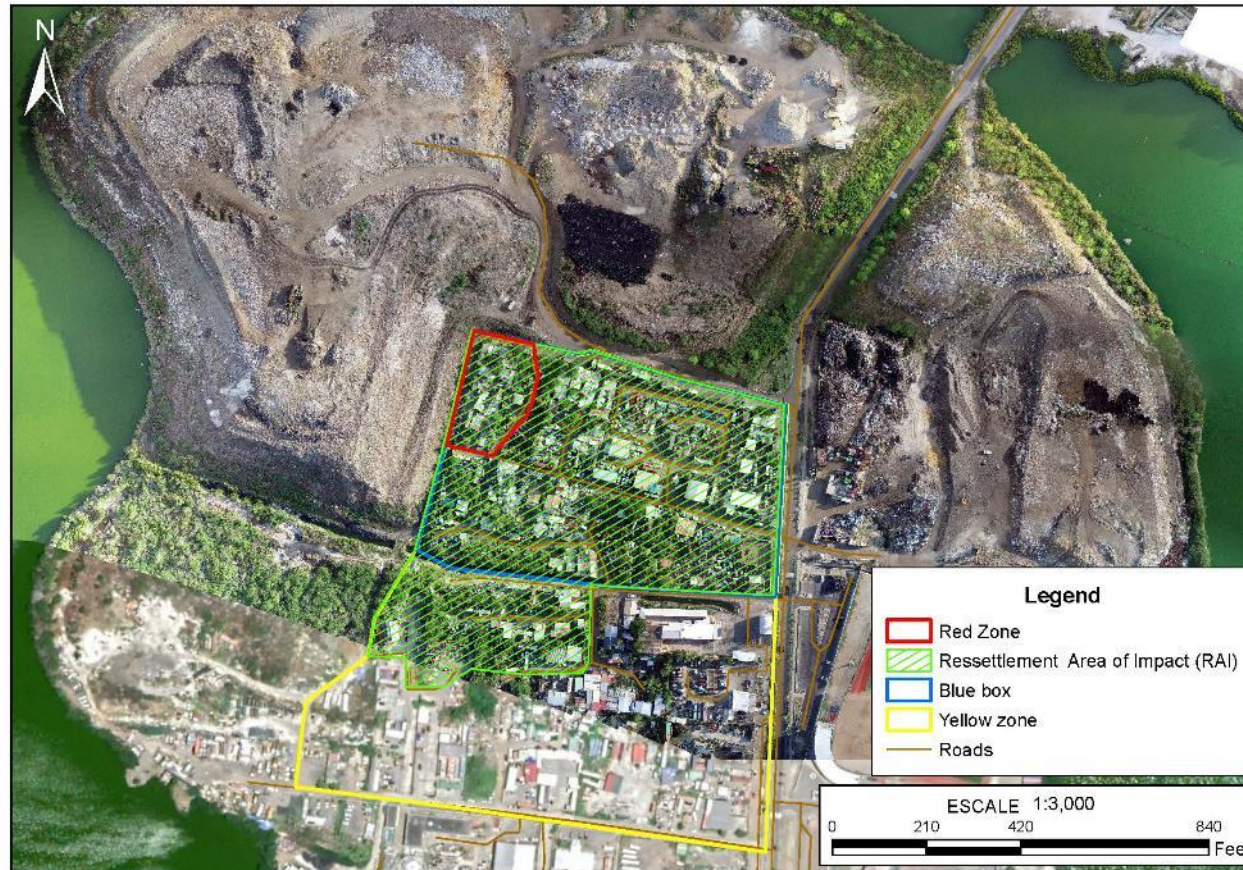
The 14.9-hectare MSW facility is located in the northwest portion of the island and is intended for municipal and non-hazardous waste from industrial operations of the country. The 3.8 hectare IDS is located adjacent to the MSW, to the east of Soualiga Road. The IDS was established on top of a pre-existing dumpsite and was initially intended for use as temporary storage for debris from Hurricane Irma. The IDS has evolved into an extension of the pre-existing dumpsite, and both sites have received waste mixed with hurricane debris during the recovery activities.

The remaining portions of Pond Island contain populated areas with residences, government buildings, a university, a softball/baseball field, a festival village, and various businesses. Specifically, there is a residential and commercial area³⁶ directly adjacent to the MSW to the southeast, referred to as the Resettlement Area of Impact (RAI) henceforth.

Figure 2 below displays the location of the Resettlement Area of Impact.

³⁶ Including car and heavy equipment storage, car repair businesses, and a GEBE power company storage yard

Figure 2: Resettlement Area of Impact (RAI)



Source: RINA based on information provided by NRPB, August 2020

3 Legal & Lender Requirements

Development and implementation of the Project's resettlement process will follow the national legislative requirements as well as applicable requirements of the WB Operational Policies (OP), in particular OP 4.12 on Involuntary Resettlement. These are summarized below.

3.1 National Legal Framework

Sint Maarten legislation contains a variety of laws and regulations related to land administration, eminent domain, expropriation, forced eviction and other topics relevant to this RAP. Entitlements for compensation payments are based on formalized land tenure/ownership.

Chapter 2 Article 15 of the Constitution of Sint Maarten states:

- Everyone is entitled to undisturbed enjoyment of his property, subject to such restrictions as may be imposed under or by virtue of national ordinance in the public interest.
- No one may have his property expropriated unless and until it has been confirmed under national ordinance that the expropriation serves the public interest, and in exchange for previously enjoyed or previously assured compensation, all this being in terms of conditions to be imposed under or by virtue of national ordinance.
- The requirement imposed in the preceding paragraph, for prior confirmation under national ordinance that the expropriation is required in the public interest, shall not arise if the expropriation is required immediately in emergency circumstances, nor shall the compensation be required to be enjoyed or assured in advance.
- In circumstances determined under national ordinance, there shall be a right to compensation or a contribution for the loss if the competent authority, in the public interest, nullifies ownership or renders it unusable or imposes restrictions on the exercise of the rights of ownership

The Government of Sint Maarten does not have an explicit legal framework to govern resettlement of informal settlements, meaningful consultation and participation of people to be displaced minimizing displacement, formulation of a RAP, restoration of affected livelihoods, census and assets inventory, resettlement cut-off date, compensation and assistance for possessors, compensation of lost properties at replacement cost, compensation for lost economic activities and income, provision of a transition allowance during relocation and re-establishment and provision of special assistance to the displaced vulnerable persons.

Article 96 of the Civil Code states that when a leasehold agreement exists, "ordinary charges and ordinary repairs shall be for the account of and performed by the emphyteutic holder (leaseholder)." Article 100 further states that "the emphyteutic holder (leaseholder) has a right of retention over the thing subject to the emphyteusis (leasehold) until he has been reimbursed for what is owing to him."

Article 99 of the Civil Code states that "after the emphyteusis (leasehold) has ended, the former emphyteutic holder (leaseholder) is entitled to be reimbursed for the value of the remaining buildings, works and plants which he or a legal predecessor constructed or grew, or which were taken over from the owner against reimbursement of the value." Had a leasehold agreement existed between Government and a resident, Government would have the right to retain all goods constructed on the land until due reimbursement has been made for legal charges to Government over the period of occupancy.

Since the Government owns the land, and there is no leasehold agreement in place, all of the residents are informal residents. Based on Article 99 of the Civil Code, the Government only has a legal obligation toward residents to reimburse for value of immovable property on Government land, as the local laws do not recognize rights for informal residents.

According to art. 105, the right of ownership of the land arises after 20 years of using the land and having it in possession, which is done through a legal process in Courts. However, based on cadastral records, none of the residents in the RAI have claimed ownership of the land they currently occupy, none of the PAPs indicated having initiated such a process and there were no records of any cases being opened in the cadastral registry. Furthermore, there has been no evidence presented to confirm the existence of a leasehold agreement between Government and any of the residents in the RAI, nor is there evidence of payment to Government by resident(s) for use of the land over the years. There is also no evidence of Government having issued an order for residents to vacate the land.

The Government's legal basis for reclaiming the land is the report by Hammer Consulting, in which it is established that the residents in the RAI are currently at risk due to potential collapse of the immediately adjacent landfill area within a 300 ft-radius (see section 2.1.2).

The Sint Maarten laws that are applicable for the land acquisition and eviction processes are listed below.

Table 9: Sint Maarten Laws on Land Acquisition

Law	Description
Civil Code – Leaseholds	
Article 96	When a leasehold agreement exists, “ordinary charges and ordinary repairs shall be for the account of and performed by the emphyteutic holder (leaseholder).”
Article 99	After the emphyteusis (leasehold) has ended, the former emphyteutic holder (leaseholder) is entitled to be reimbursed for the value of the remaining buildings, works and plants which he or a legal predecessor constructed or grew, or which were taken over from the owner against reimbursement of the value. Had a leasehold agreement existed between Government and a resident, Government would have the right to retain all goods constructed on the land until due reimbursement has been made for legal charges to Government over the period of occupancy.
Article 100	The emphyteutic holder (leaseholder) has a right of retention over the thing subject to the emphyteusis (leasehold) until he has been reimbursed for what is owing to him.
Article 3:111	When one has started to hold the land for the owner by virtue of a legal relationship, one continues with the same title, as long as it appears that this has not been changed, either as a result of an act of the owner or as a result of a contradiction of this law.
Means for Legal Eviction	
Article 38 of National Ordinance of Waste Water	The Minister is authorized to remove, evict, prevent, restore or perform anything that is or will be done, kept or omitted in violation of the provisions of the National Ordinance of Waste Water and the provisions

Law	Description
	based thereon, e.g. Article 3 that obliges everyone to take such care of the soil, groundwater, surface water and marine environment.
Article 112 of the Sint Maarten constitution & National Ordinance Administrative Enforcement	Sint Maarten can impose an order subject to a penalty (articles 22 - 33) or an administrative enforcement order (articles 34 - 45) to enforce public order and safety. The Country can argue that it is necessary to impose administrative enforcement penalties or orders because the Residents are disturbing the public order and safety by using the ground of the Country Sint Maarten illegally.
Article 5:2 Civil Code	Revindication is a legal action whereby one reclaims one's involuntary lost property from a third party. In addition, taking possession of another one's land is also seen as an unlawful act. As owner, the Government of Sint Maarten is authorized to claim the land from anyone who uses it without right. To that end Sint Maarten can start preliminary proceedings and request an authorization from the judge to evict the residents.
Article 3:59 Criminal Code	Anyone who, without being entitled to do so, is accessing the grounds of someone else or who lets livestock walk there, and whose access to the ground is prohibited by the owner in a manner apparent to him, shall be punished with a fine of the first category. The use of Criminal Law is therefore only possible if it was known to the Residents that access to the land of the Country was prohibited for them. Furthermore, Residents can only be punished with a fine.

3.2 Lender Requirements

According to Grant Agreement no. TF0A9261 NRPB it was agreed that WB OP 4.12 would be used as the reference framework for this Project. The World Bank (WB)'s Operational Policy on involuntary resettlement (OP 4.12) covers direct economic and social impacts resulting from Bank-assisted investment projects which require:

- The compulsory acquisition of land, that would give rise to the relocation or loss of shelter; loss of assets or access to assets; or loss of income sources or means of livelihood, whether or not the affected persons are required to move to another location.
- The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

The WB's OP 4.12 dictates that a Resettlement Action Plan must be developed that complies with the Bank's guidelines, whose overall objectives are as follows:³⁷

- All viable alternative project designs will be assessed to avoid where feasible or minimize the involuntary displacement of the population.
- 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.

³⁷ Through these objectives, the displacement process will ensure that no burdens will be placed on the PAPs that would make it difficult for them to participate or engage in the resettlement process.

- Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

3.3 Comparison of Sint Maarten Legislation and WB OP 4.12

The WB OP 4.12 fundamentally differs from national legislation in that the former states that affected persons are entitled to some form of compensation whether or not they have legal title, if they occupy the affected land by the established cut-off date. A strong underlying principle of the WB OP 4.12 is that public and private development projects do not generate or increase poverty levels, and, quite to the contrary, should become a development opportunity.

The gap analysis reveals that the national laws of Sint Maarten, primarily as prescribed in the Civil Code, fall short of providing guidance or operational instruments in several areas that are central to resettlement operations in Bank-financed projects. In the absence of national regulations or discrepancies between them and the World Bank safeguard policy, WB OP 4.12 takes precedence over the country regulations in resettlement matters. The national government, by virtue of signing a legal agreement with the World Bank for EDMP, has agreed to apply the Bank's OP 4.12.

The following table presents identified gaps of Sint Maarten's legal framework in comparison to WB OP 4.12 requirements.

Table 10: Gap Analysis between National Legal Framework and WB OP 4.12

Topic	WB OP 4.12 Requirements	Gaps in National Legislation (Civil Code of Sint Maarten)	How Gaps Have Been Addressed
Resettlement of involuntary displaced population	<p>WB OP 4.12 Section 2 (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.</p> <p>Section 6 (c) - Where necessary, compensation should also include measures to ensure that displaced persons are offered support after displacement for a transition period: The displaced persons should also be provided with development assistance such as land preparation, credit facilities, training, or job opportunities, in addition to the other compensation measures stipulated.</p>	<p>There is no existing legislation or policy document in Sint Maarten that addresses the following resettlement provisions:</p> <ul style="list-style-type: none"> • Restoration of livelihoods and living standards • Support for displacement and transition period • Development assistance. 	<p>In the absence of an explicit legal framework that governs resettlement, the WB OP 4.12 will govern the resettlement process.</p> <p>All project-affected persons (PAPs) should be eligible for full compensation benefits per WB requirements.</p>
Minimization of involuntary displacement	OP 4.12 requires evidence of efforts taken to minimize displacement where feasible.	There are no legal requirements in local law, apart from the possibility to legally object.	Options to minimize population displacement have been examined and deemed unfeasible due to involved risks for PAPs' health and lives.
Informed participation of project affected persons PAP	Public disclosure and meaningful consultation with affected persons are required throughout the resettlement process.	Limited legal basis to provide public disclosure and consultation with population affected by government actions.	The consultation process with the community and other affected persons will be initiated and ensured by NRPB.

Topic	WB OP 4.12 Requirements	Gaps in National Legislation (Civil Code of Sint Maarten)	How Gaps Have Been Addressed
			On behalf NRPB, RINA will carry out meaningful consultations with households and businesses affected by resettlement.
Consultations and compensation agreements with affected population	<p>The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are:</p> <ul style="list-style-type: none"> o informed about their options and rights pertaining to resettlement o consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives o provided prompt and effective compensation at full replacement cost¹¹ for losses of assets attributable directly to the project 	Existing legislation (i.e. Civil Code) does not explicitly oblige the government to consult compensation packages and agreements with the displaced people or their representatives.	<p>The RAP will provide a mechanism through which agreements will be consulted and negotiated between PAPs and NRPB. Compensation packages will be fully disclosed and consulted with PAPs and their agreements obtained prior to start of relocation.</p> <p>PAPs will receive a copy of the compensation package</p>
Survey of affected persons	OP 4.12 requires a census of displaced persons.	Applicable local legislation (as listed in Table 9) does not mandate baseline survey census of affected peoples and assets.	A socioeconomic baseline survey, census of displaced persons and asset inventory have been conducted as further detailed in this document.
Asset survey and property valuation	OP 4.12 requires asset inventory and property valuation; a methodology or a standard procedure for valuation of affected properties should be established.	Applicable local legislation (as listed in Table 9) does not mandate baseline survey census of affected peoples and assets.	Asset inventory has been conducted. Results and the methodology of evaluation is presented in this document

Topic	WB OP 4.12 Requirements	Gaps in National Legislation (Civil Code of Sint Maarten)	How Gaps Have Been Addressed
Need and guidance to develop a RAP and Livelihood Restoration Plan (LRP)	OP 4.12 requires preparation and execution of a Resettlement Plan for projects that involve involuntary displacement of populations.	There are no legal requirements for a RAP in local legislation.	This RAP has been developed in accordance with WB OP 4.12 requirements.
Eligibility and recognizable property rights subject to compensation (affected land, structures)	OP 4.12 requires recognition of ownership rights for all the displaced population, including those who do not have formally recognized title on the land to be taken.	If property rights are registered, the right holder is eligible to be compensated. Occupants with no formally recognized property title and squatters on public land are not considered for compensation or resettlement assistance.	The RAP recognizes the rights of all affected displaced persons to resettlement, compensation for losses and livelihood restoration assistance.
Grievance mechanism	Provisions for the displaced population to file a complaint is required, in addition to the timely and impartial management, response and resolution of complaints received.	While there is a route for legal objection, in practice this is not accessible to all affected persons (e.g. due to legal residency status or literacy level).	A resettlement Grievance Redress Mechanism (GRM) will be established that operates parallel to the formal routes (objection and appeal). The GRM will establish a grievance committee with representatives from Government, NRPB, community. Depending on the type of grievance, an independent expert on that subject may be invited to participate.
Eligibility cut-off date	A cut-off date must be established, which is generally the date when census of displaced persons enters completion phase or when the resettlement area of impact is delineated.	Applicable local legislation (as listed in Table 9) does not provide for a cut-off date.	The cut-off date was established for November 29, 2020, day of completion of the census survey and asset inventory.

Topic	WB OP 4.12 Requirements	Gaps in National Legislation (Civil Code of Sint Maarten)	How Gaps Have Been Addressed
Compensation for full replacement cost	Compensation at replacement value ³⁸ for affected assets is required.	Sint Maarten legislation does not prescribe the procedure for assessing and compensating for replacement value. Valuers do not need specific certification or registration.	Valuation methodologies used and calculation of compensation payments have taken into account replacement value. The principle of compensation at replacement values will be included in the compensation matrix of the RAP. The cost valuation methodology will be applied, and transaction costs will be added.
Preference for in-kind compensation over cash compensation	Preference should be given for in-kind compensation over cash compensation, especially for vulnerable populations.	Applicable local legislation (as listed in Table 9) does not prescribe in-kind compensation.	Preference for in-kind compensation over cash compensation will be included in the entitlement matrix.
Compensation for loss of economic activities and loss of income flow	All direct economic and social losses resulting from land taking and restriction of access will be compensated, which includes loss of business or income generating activity	Only people whose rights on economic activities are formally recognized can be compensated or provided assistance for the reestablishment of economic activities.	The RAP will provide compensation for income loss and assistance for livelihood reestablishment not only to those who have formally registered economic activities but to all people whose livelihoods have been displaced.
Allowances and socioeconomic	OP 4.12 requires assistance such as moving allowances and residential housing, support	Applicable local legislation (as listed in Table 9) does not prescribe	The RAP will include allowances and socioeconomic support during the

³⁸ Replacement cost is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account.

Topic	WB OP 4.12 Requirements	Gaps in National Legislation (Civil Code of Sint Maarten)	How Gaps Have Been Addressed
support during the relocation and transition period	after displacement for a transition period, and development assistance in addition to compensation measures, if incomes have been affected.	allowances and socioeconomic support during the relocation and transition period.	relocation and transition period for all PAPs, with additional support for vulnerable people.
Security of land and housing tenure	Security of tenure to replacement land and houses is encouraged in order to achieve the goal of improving living standards.	The Sint Maarten government has no legal obligation to ensure PAP's secure tenure to replaced land and houses.	In-kind housing provided will include permanent leasehold ownership over the property.
Restoration of livelihoods	OP 4.12 requires restoration of people's livelihoods affected by involuntary displacement.	Applicable local legislation (as listed in Table 9) has no provisions to ensure restoration of affected livelihoods.	A LRP has been developed as part of the RAP.
Special assistance for the most vulnerable population	OP 4.12 notes that particular attention and consideration must be paid to the needs of vulnerable groups among those displaced.	While legislation establishes vulnerability criteria and assistance, there is no provision for special assistance to be offered to vulnerable groups in resettlement programs.	The RAP will set vulnerability criteria, identify the most vulnerable groups among the displaced population and define a package for special assistance to prevent impoverishment, marginalization or exclusion of vulnerable groups and secure their participation in resettlement benefits.
Monitoring and evaluation	OP 4.12 requires monitoring of the resettlement program to begin at implementation and continue throughout the implementation phase.	There is no legal provision in national legislation in terms of monitoring and evaluation of resettlement activities.	The RAP will include operative provisions for monitoring and evaluation of resettlement operations.

Topic	WB OP 4.12 Requirements	Gaps in National Legislation (Civil Code of Sint Maarten)	How Gaps Have Been Addressed
RAP completion audit	OP 4.12 requires that an ex-post evaluation/audit of the resettlement plan and results to be conducted by a recognized resettlement specialist.	Local law has no provisions for completion audits of resettlement plans.	The RAP will include operative provisions for a Completion Audit.

Source: RINA, 2020

Part B: Resettlement and Livelihood Impact Assessment

4 Socioeconomic Baseline Survey

4.1 Overview

A total of 141³⁹ PAPs as households and businesses (which represent 215 individuals and 32 business) were surveyed for the socioeconomic survey conducted in November 2020 and subsequently during field work in May 2021 and July-September 2021. One PAP (off-site landlord) declined to participate, as he did not agree to the compensation package offered.

The objective of the socioeconomic survey was to obtain socioeconomic data at the household and business levels, identify how livelihoods would be affected and the types and value of livelihood restoration support for which the PAPs would be eligible. Property surveying was conducted to collect data on the structures and assets that will be displaced from the site. The census survey form used is included in Appendix B.

This section includes the following details:

- Description of the survey team and methodologies used
- The results of the census survey covering:
 - Standard characteristics of displaced households, including demographic overview and socioeconomic conditions such as employment, ethnicity, household size, and education levels;
 - Information on vulnerable groups or persons, for whom special provisions may have to be made;
 - Land tenure systems, including an inventory of common property natural resources from which PAPs derive their livelihoods and sustenance; and
 - The patterns of social interaction in the affected communities, including social networks and support systems, and formal and informal institutions of relevance.

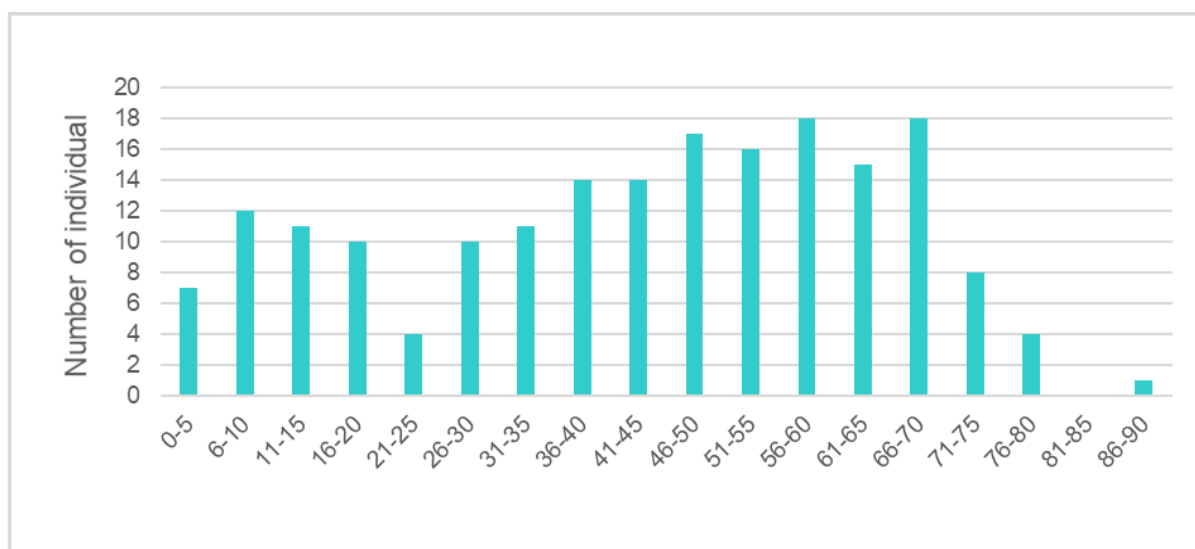
4.2 Demographic Overview

There are 141 Project Affected households and business (215 individuals, out of which 96 are women and 119 are men, among whom 36 are children aged 0 to 15). Among the PAPs, the size of families varies significantly, ranging from single-person families to nine people families. However, 38% of the surveyed comprise single-person families. The average family size is 2, slightly lower than the national average of 2.6⁴⁰. Nearly half (45%) of the individuals in the RAI are women. The population in the RAI generally consist of an adult population, with more than half over the age of 30, as seen in the figure below.

³⁹ See Annex I for PAP list table. There will be an agreement signed with the PAP GEBE, which is a stated owned company, however no compensation provision is envisaged in this case; resettlement will be done by Sint Maarten Government

⁴⁰ <https://dataxis.com/2020/average-households-size-sint-maarten/>

Figure 3: Age Range of PAPs



Source: RINA, Socioeconomic Survey 2020

The individuals in the RAI also have diverse religious beliefs and a range of nationalities – while almost half of the individuals identify as Roman Catholic, there are also Protestant, Evangelical, and other smaller religious identities represented. 62% are from the Dominican Republic and 22% are Dutch citizens. There are also Venezuelans, Colombians, and a small group from Suriname, Jamaica, France, Saint Kitts and Nevis, Spain, and Peru, as shown in the following figure. As a result, the most common native language is Spanish, followed by English (36.4%). Other mother tongues include Dutch and French.

This is largely in line with the demographic composition of Saint Maarten, which consists of diverse nationalities influenced by immigration, with most of the immigrant population coming from the Dominican Republic. There are no individuals or families in the RAI considered to be marginalized or vulnerable as a result of their ethnicity or religion, or that are considered to meet the World Bank OP 4.10 criteria to be classified as indigenous peoples⁴¹.

⁴¹ (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others, (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories, (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society or culture, (iv) an indigenous language, often different from the official language of the country or region.

Figure 4: Nationalities of PAPs

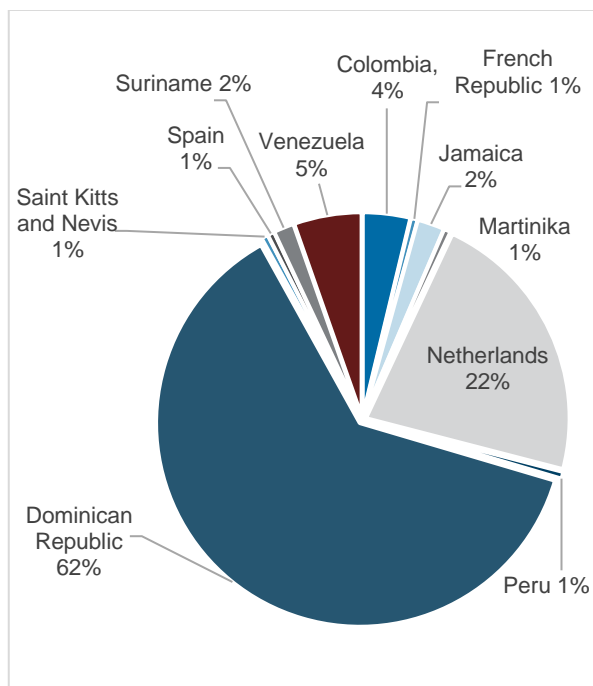
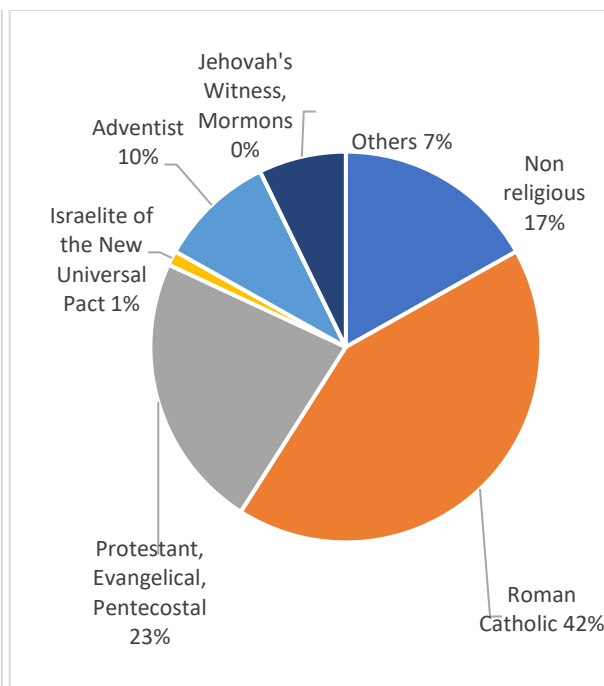


Figure 5: Religious Beliefs



Source: RINA, Socioeconomic Survey 2020

4.3 Data Collection Methodology

The primary social baseline data collection was based on a socioeconomic survey conducted from 17 to 29 November 2020, and three focus group discussions carried out from 5 to 6 February 2021.

4.3.1 Data Collection Team

The socioeconomic survey team comprised two male and four female social research staff, with prior specific experience in the RAI and socioeconomic data collection experience. The team is fluent in Spanish, French, Creole, and/or English, which are the main languages spoken in the RAI.

Table 11: Census Team

Role	Nationality	Language
Coordinator /Social Specialist (F)	Sint Maarten	English and Spanish
Census taker (F)	Sint Maarten	English and Spanish
Census taker (F)	Sint Maarten	English
Architect /Appraiser ⁴² (F)	Sint Maarten	English
Engineer/ Appraiser ⁴³ (F)	USA / Peru	Spanish and English

⁴² Local architect with experience in real estate valuations

⁴³ Civil engineer registered before the board of Professional Engineers in Washington, DC

Role	Nationality	Language
Social Specialist M)	USA / Haiti	French, Creole and English
E&S Specialist (F)	Peru	Spanish and English
Social Specialist (M)	Mexico	Spanish and English

Source: RINA, 2021

The focus group discussions were conducted by Rhoda Arrindell, the Coordinator of the census team, given her existing familiarity and connections with the affected people as well as a social researcher assistant.

4.3.2 Content of Socioeconomic Survey

The survey instruments were prepared in advance and approved by NRPB, as follows.

- Household Survey
- Inventory of Assets/Structure/Infrastructure
- Business Survey

The following socioeconomic information was collected:

- Demographic profile
 - a. Number of households' members including dependents (the PAPs).
 - b. The head of households by gender.
 - c. Characteristics in terms of age, gender, nationality, residency identification status, native language and religion.
- Employment and income sources
 - a. Number of households dependent on economic activities in the RAI and outside the RAI.
 - b. Number of working-age heads of household dependent on main activities related to the landfill.
 - c. Income from main activities.
 - d. Income from recycling from the landfill and rental of houses inside the RAI, permanent assets located on site.
- Business and employee livelihoods
 - Education and skills
 - Health
 - Housing, utilities and tenure
 - Gender disparities
 - Vulnerable affected people
 - Social organizations and structure

4.3.3 Focus Group Discussions (FGDs)

Three FGDS were conducted from 5 to 6 February 2021, with the following target groups: women, elderly residents, and young people between the ages of 19 and 23. A total of 18 people participated in the sessions. The sessions focused on obtaining additional, qualitative information on the residents' views on living in the RAI, daily routines and travel routes, and perceptions and concerns about the Project. Details on the subjects discussed in the FGDs are available in section 11.2.

A summary of the information collected through the census survey and FGDs is presented throughout the following baseline subsections.

4.3.4 Covid-19 Provisions

As these data collection activities were undertaken during the Covid-19 pandemic, a specific H&S site specific protocol was developed and implemented that included the use of personal protective equipment (PPE), social distancing and the use of a drone to obtain aerial photography for places that were considered unsafe to be surveyed.

4.4 Employment and Income Sources

4.4.1 Occupations & Income of Residents

Among the surveyed PAPs, the main occupations of 51% of them are based inside the RAI. 38% of these people who engage in a main occupation inside the RAI provide freelance professional services, such as metal/mechanic, financial aid and personal care, 32% engage in landfill recycling activities⁴⁴, 15% in rental of dwellings or business structures, 9% in non-specialized services (e.g. cleaning and babysitting), and 6% in local commerce and construction. Freelance professionals generate the highest average estimated monthly income with US\$1,553, followed by construction and commerce workers US\$1,200, non-specialized workers US\$563, recyclers US\$516 and landlords (rental services) US\$400.

Women who comprise 36% of the PAPs are primarily engaged in rental services, recycling, and freelance professional services. Further gender-disaggregated data is available in the following figure.

⁴⁴ This represents self-reported data by Project Affected Persons. In case of PAPs who engage in landfill recycling activities (waste pickers), the project collected self-reported data from PAPs again (during census on the landfill in October 2021); they reported that waste collecting is not a main activity and the incomes deriving from waste collection are supplementary

Figure 6: Main Occupations inside the RAI

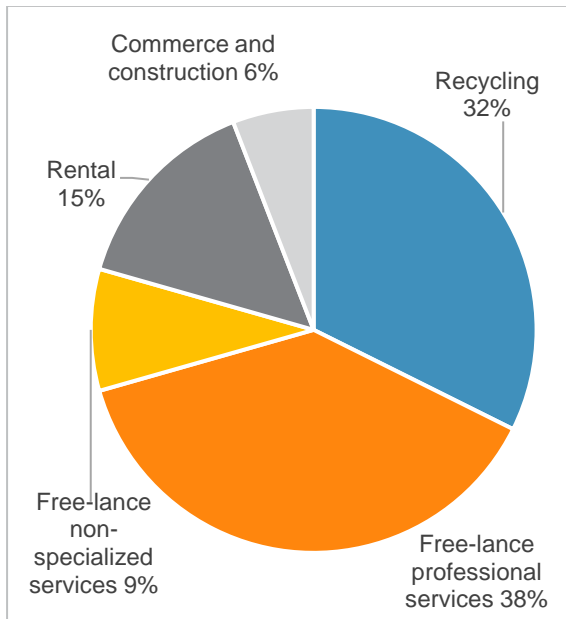
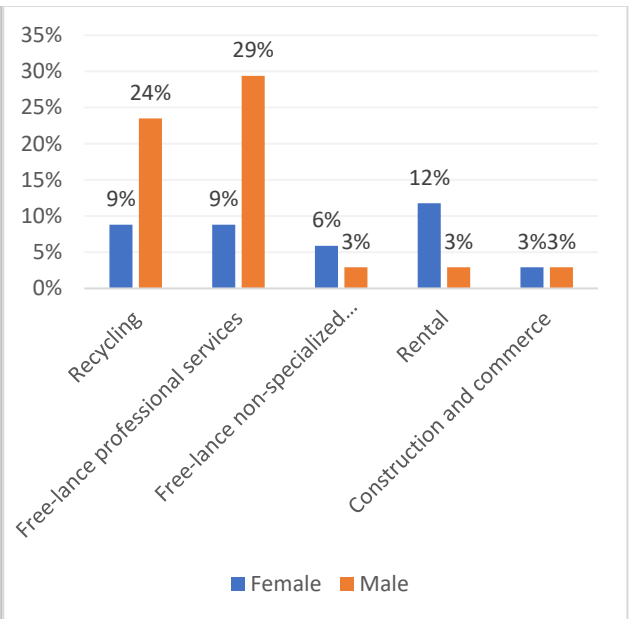


Figure 7: Disaggregation by Gender



Source: RINA, Socioeconomic Survey 2020

Nearly half of the PAPs (49%) declared a main occupation based outside the RAI. 42% of those whose livelihoods are located outside the RAI engage in freelance professional services like plumbing, carpentry, telecom fibre services, and others; 33% are builders (construction); and 21% engage in non-specialized services such as cooking, and 4% engage in recycling services. Among the PAPs whose occupations are based outside of the RAI, construction workers have an average monthly income of US\$ 1,185, freelance professionals US\$999, and non-specialized workers US\$558.

Figure 8: Main Occupations outside the RAI

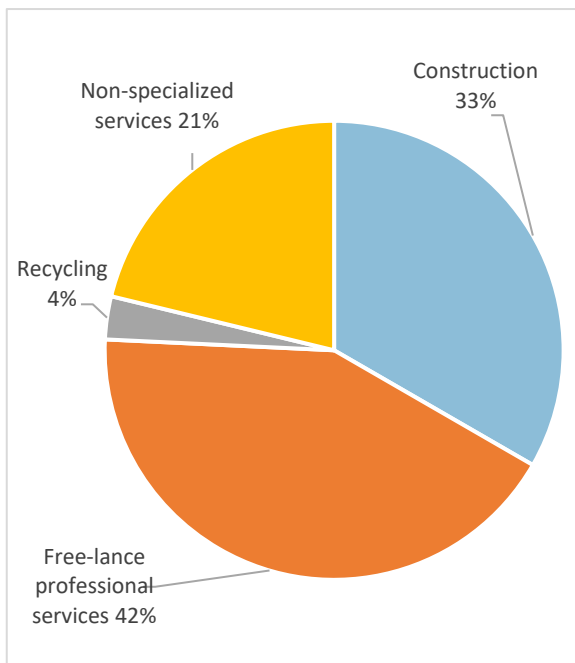
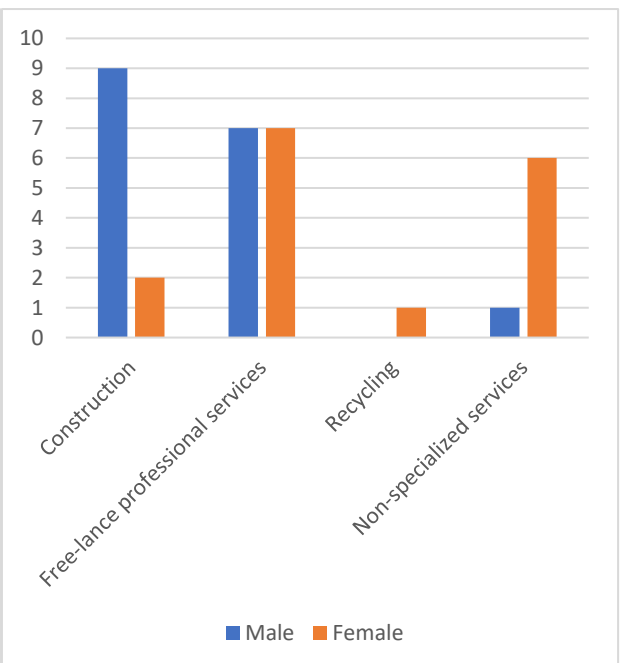


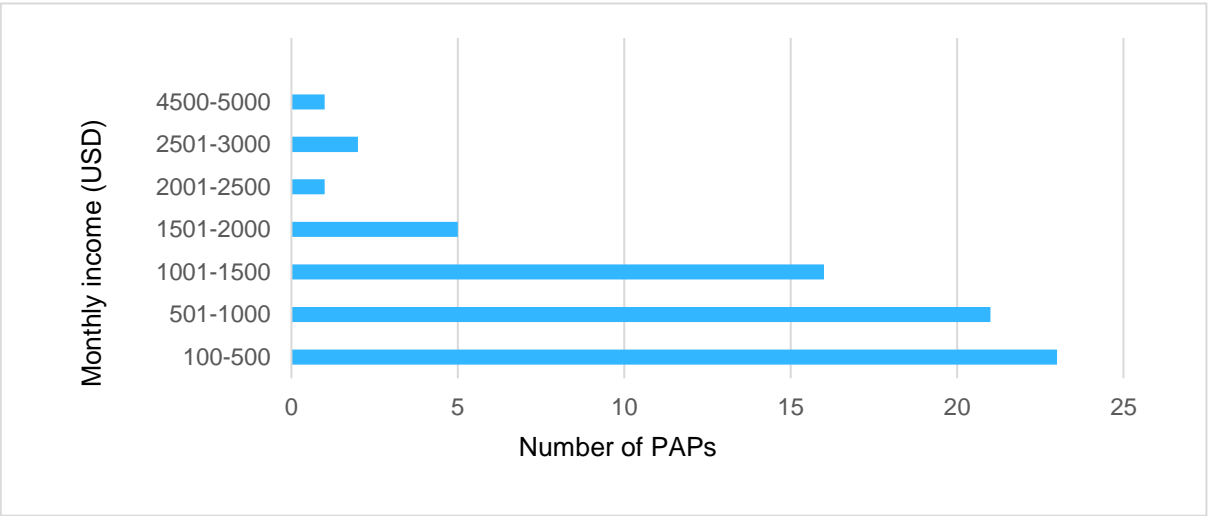
Figure 9: Disaggregation by Gender



Source: RINA, Socioeconomic Survey 2020

The three main activities that earn the highest average monthly incomes (inside and outside the RAI) are construction, freelance professional services (metal/mechanics, financial aid services, logistics, installation of optical fibre, plumbing, carpentry, painting), and recycling. There is a wide range of self-reported wages earned through these activities, although most earn between US\$400 to US\$5,000, as shown in the figure below.

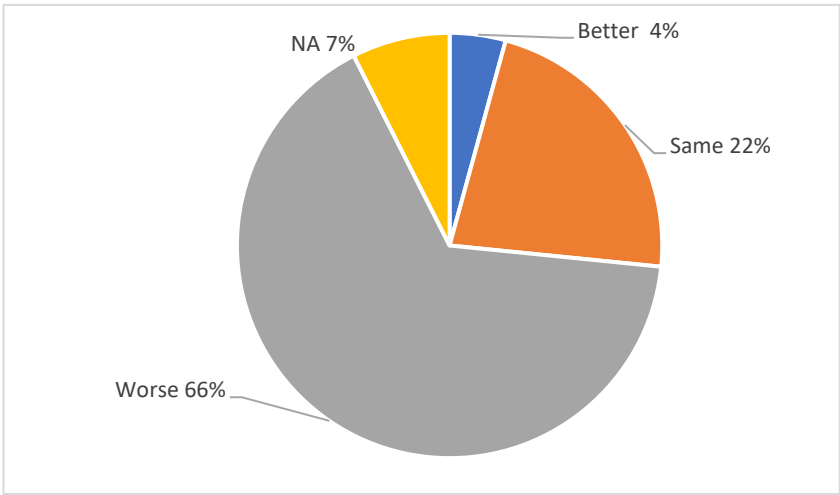
Figure 10: Self-Reported Monthly Income from Main Occupations in USD



Source: RINA, Socioeconomic Survey 2020

The PAPs surveyed indicated having experienced worsened financial wellbeing compared to in previous months, as shown in the figure below. This may be partly explained by the economic and financial impacts of the Covid-19 pandemic throughout 2020. In the last year, only 7% of the PAPs borrowed a loan or credit which were used to rebuild or improved their houses.

Figure 11: Self-Assessment of Household Financial Wellbeing (Compared to Earlier Months)



Source: RINA, Socioeconomic Survey 2020

4.4.2 Businesses in the RAI

Owners of the 32 businesses based in the RAI make use of properties on-site where they engage in commerce. 35% of the businesses have been operating from 0.4 to 5 years, 19% between 6 to 10 years, and 19% between 11 to 15 years. The 32 businesses are comprised of automotive mechanics (37%), room/structure rental (30%), and others such as shops and beauty salons, as shown in the figure below.

Figure 12: Economic Activities

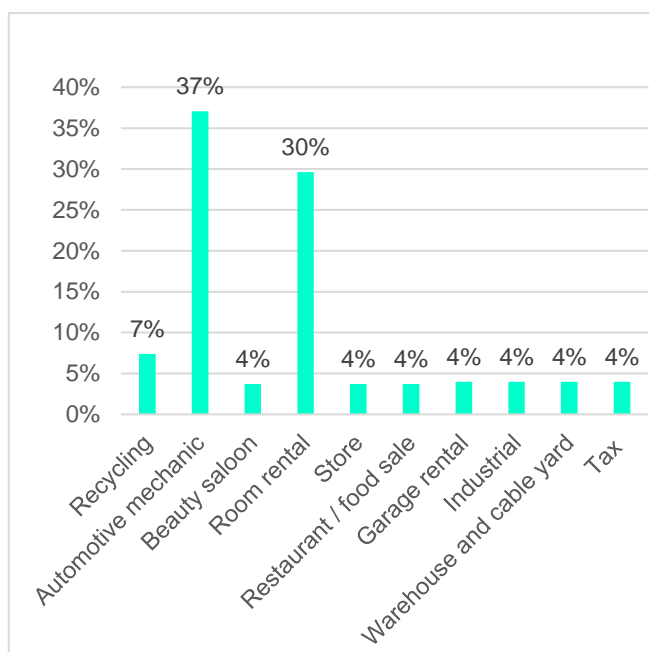
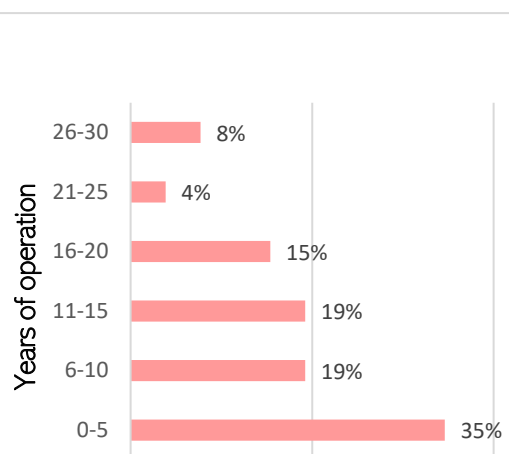


Figure 13: Range of Years of Operation



Source: RINA, Socioeconomic Survey 2020

Women comprise 25% of all business owners and primarily engage in restaurant/food supplier and room rental businesses. A total of 13 employees were registered during the survey, who work in 5 of the 32 businesses identified. 51% of these workers live inside the RAI.

Figure 14: Business and Labor Force

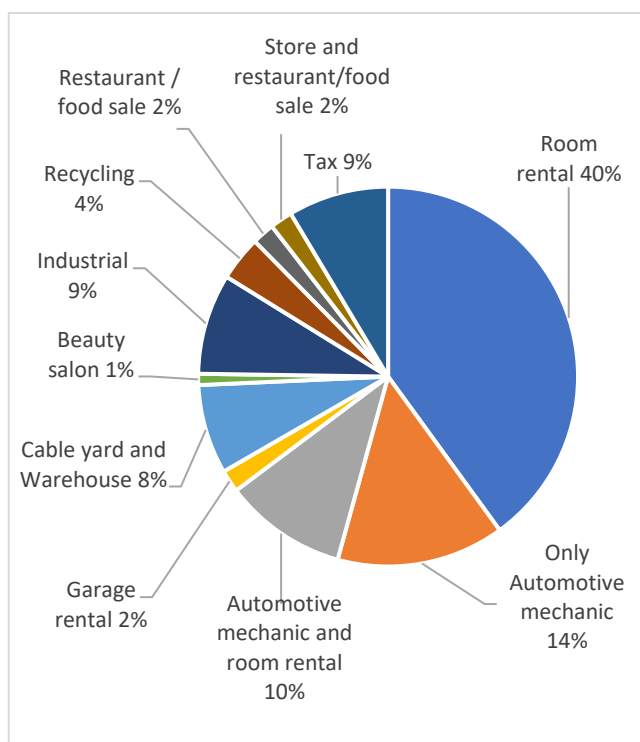
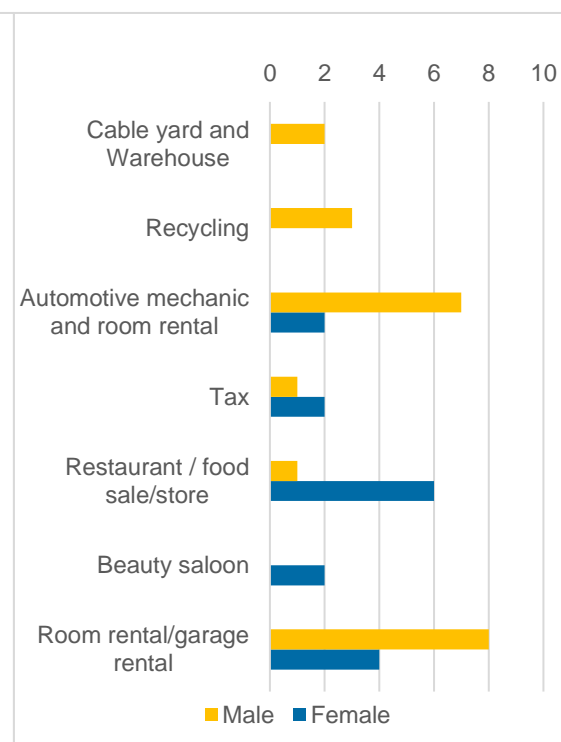


Figure 15: Gender Disaggregated Data

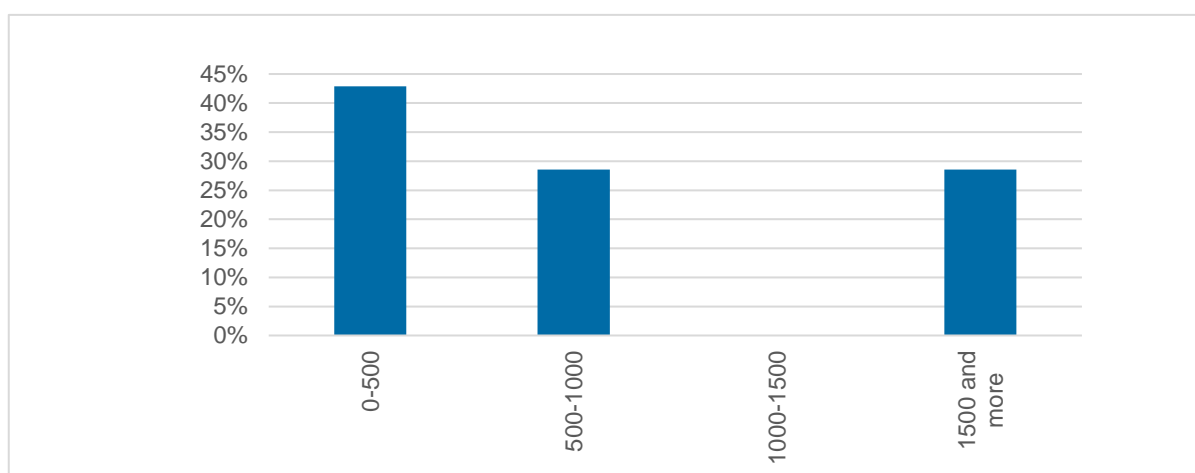


Source: RINA, Socioeconomic Survey 2020

Among the commercial units, some have more than one business function, such as those who operate automotive mechanic businesses as well as rent out structures for income within the RAI.

Employed persons earn a wide range of wages from business, with most estimated monthly incomes between US\$0 and US\$500. Most of the respondents reported a decreased income in the past three years (16 or 70%) and frequent fluctuations in revenue, largely attributed to the impacts of Hurricane Irma and the Covid-19 pandemic.

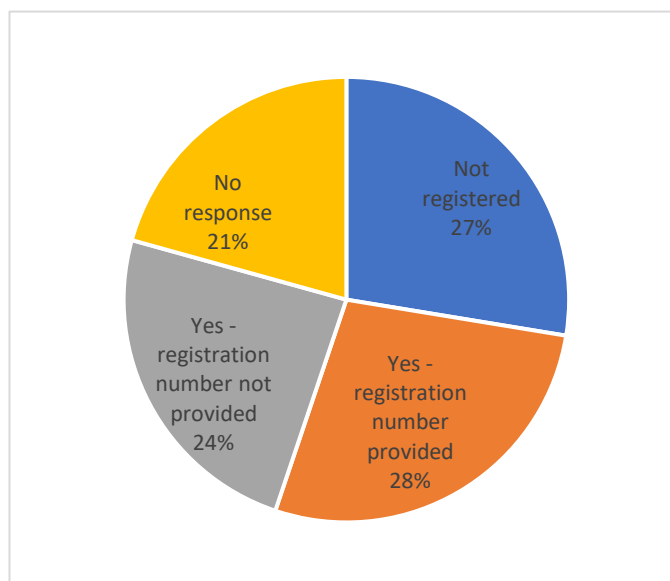
Figure 16: Estimated Monthly Incomes from Business



Source: RINA, Socioeconomic Survey 2020

Among the 32 businesses, as shown in the figure below, eight (27%) are not registered as formal business entities in St Maarten. 15 units (52%) indicate being formally registered, among which 8 provided proof of their registration while the other 7 did not. The remaining number of businesses declined to answer this question. Most automotive mechanics are registered (6 versus 2 that are unregistered or did not respond), while most room rental businesses are unregistered or did not respond (8 versus 2 that are registered).

Figure 17: Business Registration Status



Source: RINA, Socioeconomic Survey 2020

4.5 Education and Skills

Out of the 179 adults (aged 18 and above), 24% have attended primary school, 24% have attended secondary school as the highest level of education completed, and 14% have had at least some technical or university education (complete and incomplete). Less than 2% have not attended any educational institution. 93% of the adults can read and write and only 4% remained illiterate, however, gender disparities persist, women comprise 90% of the illiterate group. Most of the residents make use of the public transport buses or walk to reach their educational institutions. The average travel time to reach educational centers varies from 5 to 45 minutes, with most students currently attending the Oranje School, a public school in central Philipsburg located at approximately a 15-minute walk from the RAI (see Figure 18).

Figure 18: Location of Oranje School in relation to RAI



4.6 Health

The main morbidities in the RAI are cardiovascular diseases (30%) as shown in Figure 19. 14 individuals report having at least one disability, including motor and visual disabilities and hearing impairments, as shown in Figure 20.

54% of the individuals with disabilities reported receiving medical care for their conditions. The main means of transport to health centers are private transportation (personal car or taxicab) and

public transportation (bus), with an average of a 15-minute journey to reach the nearest medical facility.

The Social & Health Insurances (SZV) administers the national health and social insurance schemes, including insurance for general old-age, widow(ers), orphans, accident, health benefits, severance pay, and general insurance for exceptional long-term medical expenses⁴⁵.

Figure 19: Main Morbidities in the RAI

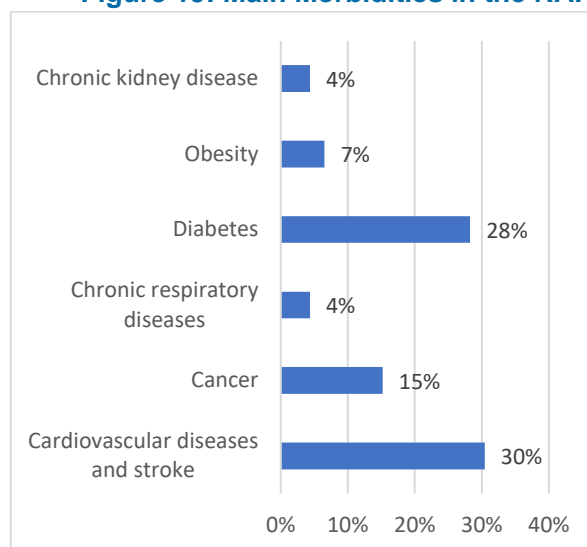
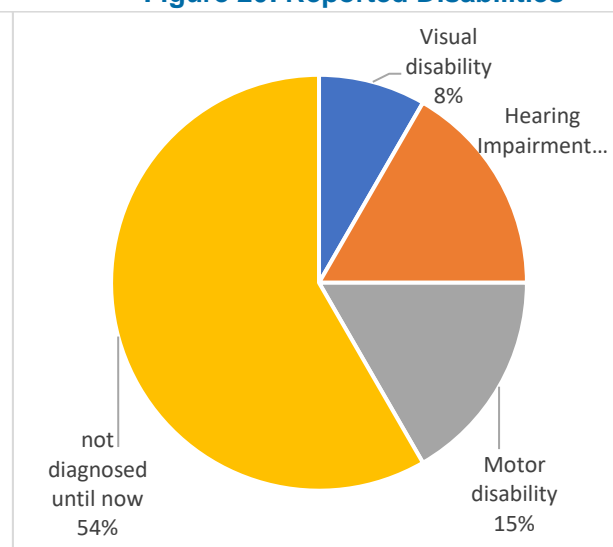


Figure 20: Reported Disabilities



Source: RINA, Socioeconomic Survey 2020

General practitioners in the vicinity include the following clinics:⁴⁶

- Midtown Medical Clinic (1km from the RAI)
- Great Bay Medical Clinic (1.1km)
- Madame Estate Healthcare Center (1.8km)
- Chemu Lagoon B.V. (2.2km)

4.7 Utilities and Housing

The RAI has general utility coverage, with 61% having a piped connection to the public water network and 90% owning septic tanks in houses. Electricity and electrical installations coverage are widespread, with 61% relying on the public network as a source of electricity and 64% having TV and cable installations, as shown in the following figures.

⁴⁵ <https://www.paho.org/salud-en-las-americanas-2017/?p=4304>

⁴⁶ <https://www.szv.sx/faq/healthcare-almanac/general-practitioners>

Figure 21: Electrical Installations

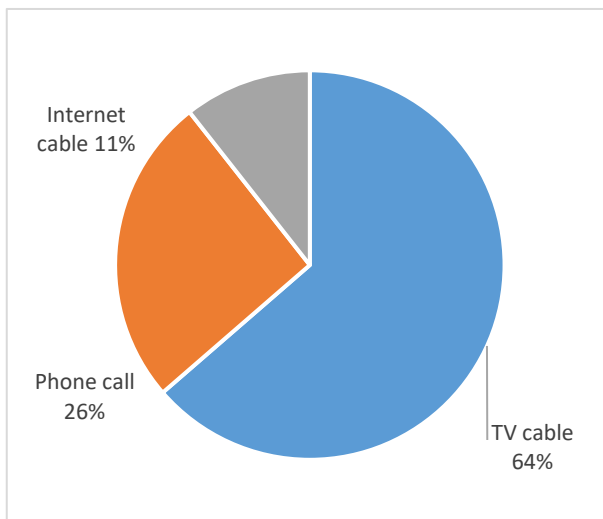


Figure 22: Electricity Source

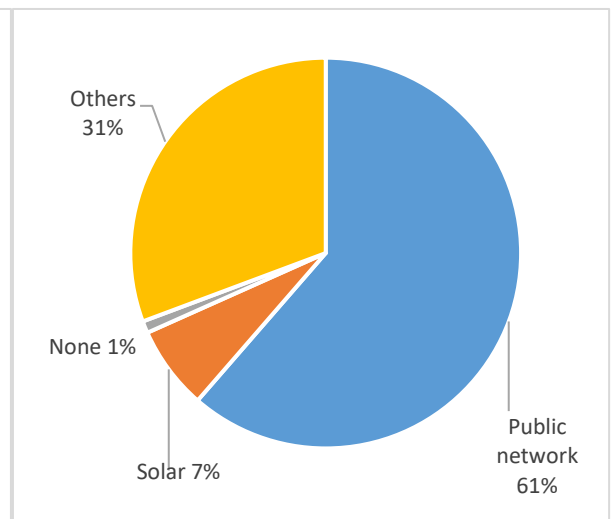


Figure 23: Water Source

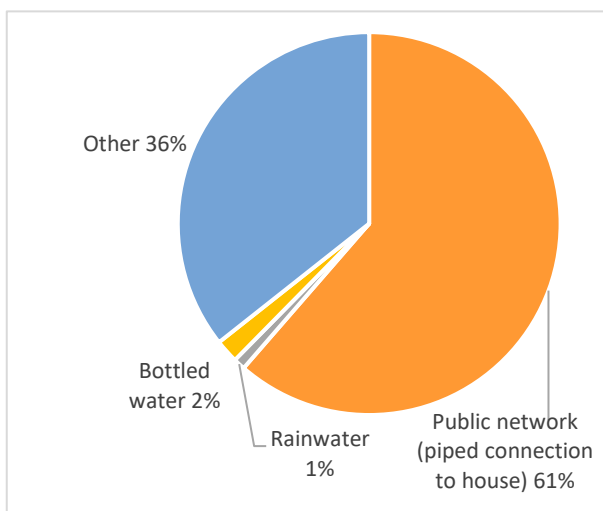
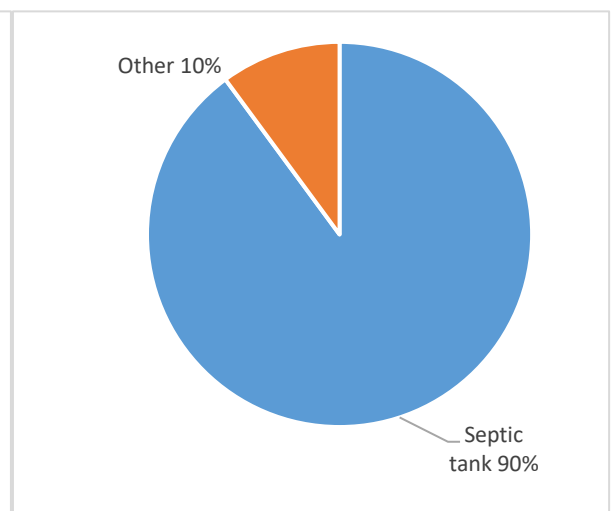


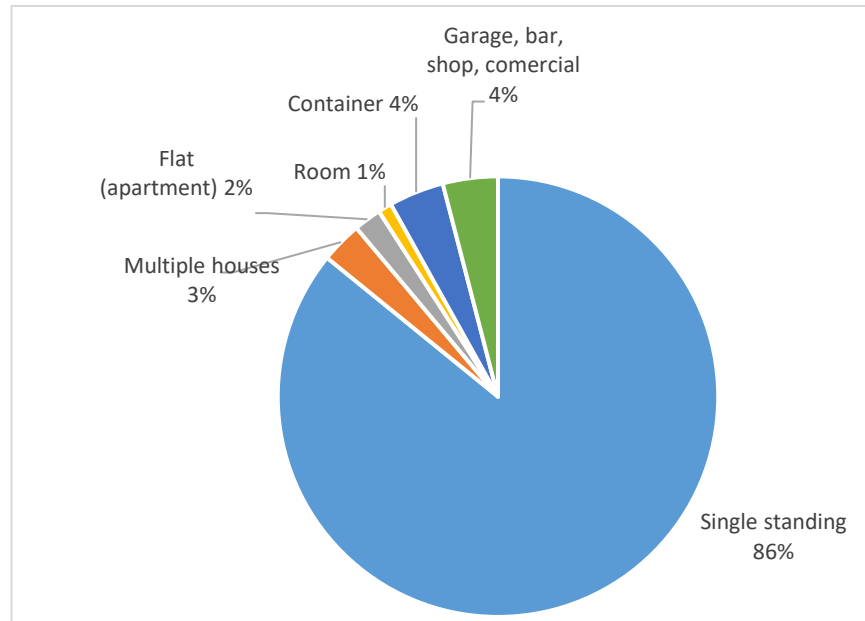
Figure 24: Sewage Disposal



Source: RINA, Socioeconomic Survey 2020

86% of Project Affected households in the RAI live in single stand-alone houses. Among the 123 residential or mixed units within the RAI, 89 report having the RAI as their primary residence, while others indicate having their main bases elsewhere in Sint Maarten such as St Peters and the Dutch Quarter.

Figure 25: Type of Dwelling



Source: RINA, Socioeconomic Survey 2020

4.8 Gender Disparities

Individual access to bank accounts reflects the extent of independence in income management and the inclusiveness of the banking system. 62% of those surveyed have bank accounts, among which 52% of the accounts are solely owned by the heads of households (32), 23% are jointly owned by the heads of household and their spouses (14), and 25% are other members of the family. Women comprise 31% (10) of the 32 heads of households with bank accounts.

Approximately 36% of the heads of households in the RAI are women and 50% of homeowners are women, as shown in the figures below. However, the average monthly income of affected women (US\$691) is lower than for their male counterparts (US\$1,070).

Women consulted who own joint bank accounts with their partners indicated that they both have equal access and make joint financial decisions.

Figure 26: Heads of Household

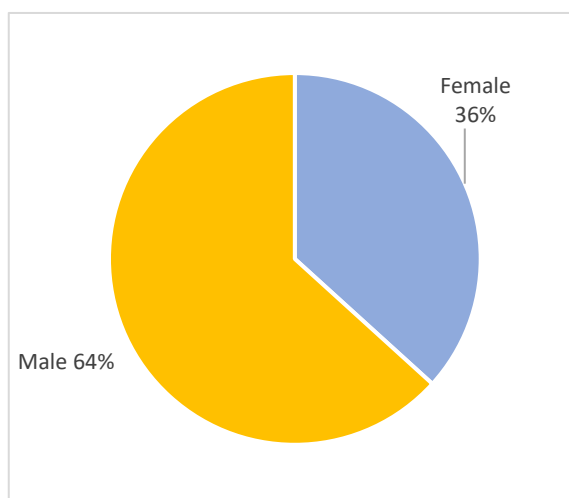
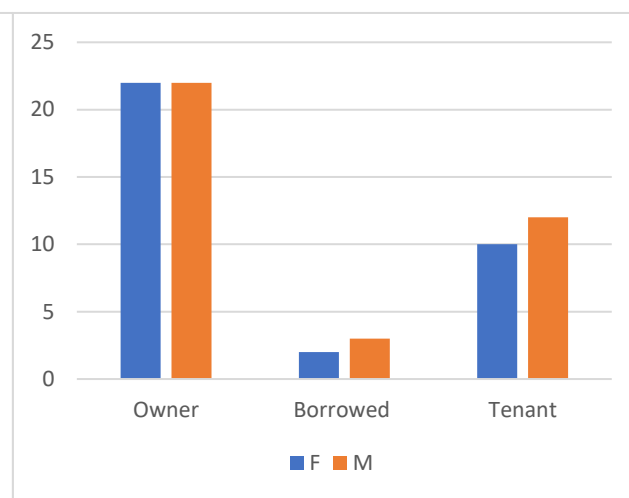


Figure 27: Status of Property Ownership



Source: RINA, Socioeconomic Survey 2020

4.9 Use of Natural Resources

The RAI is located in an urban centre, therefore PAPs are not involved in any primary activities such as agriculture, livestock, forestry, beekeeping, aquaculture, hunting or forestry. PAPs are engaged exclusively in tertiary activities (see Section 4.4).

The only ecosystem service that the PAPs benefit from is the shade and fruit (for self-consumption) of a few trees located on their properties and within common rest areas within the RAI. These trees have been accounted for and are included in the valuation and compensation methodology (see Section 6).

4.10 Vulnerable Affected People

Vulnerable groups include people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more diversely affected by displacement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits. In the context of this Project, several vulnerable groups have been identified as being relevant, as detailed below.

People with physical and/or mental disabilities may be disproportionately affected and have more difficulties in coping and adjusting to the effects of physical resettlement and economic displacement. The 14 Project Affected households with disabled members are thus considered to be vulnerable to the impacts of resettlement.

Approximately 65% (22) of the 34 elderly residents aged 65 and above have retirement incomes, among whom 27% (6) are women. The retirement income group's average monthly income is US\$286, at the lower range of the monthly incomes reported across the RAI. Given their restricted and limited income sources, lower general capacity to cope with change and greater likelihood of physical disabilities and conditions, elderly heads of households are considered to be vulnerable.

Women heads of households are generally considered to be less resilient to socioeconomic stressors, due to a range of factors such as less access to land, formal credit, education and other

assets, as well as traditional gender roles leaving women with an increased burden of domestic work and restricted mobility.⁴⁷ In Sint Maarten, there is equitable access to such resources but affected women reported monthly incomes are 35% lower than those of men. Thus women-headed households are considered vulnerable in the Project's context.

Across all PAPs, the average self-reported monthly income is US\$988 (or US\$33/day), with the lowest recorded monthly income being US\$110.

Migrants without legal documentation to reside in Sint Maarten have limited ability to access social services and government assistance, may avoid seeking help due to fear of deportation and may have less capacity to travel to and from their home countries. As a result, undocumented migrants are considered to be vulnerable. An estimated 113 out of the 215 individuals residing in the RAI are estimated to be currently undocumented. NRPB as the institution responsible for Resettlement Action Plan implementation will make sure that compensation provided in cash or in-kind will be offered and made available to all Project Affected Persons regardless of their migrant status. NRPB will also ensure their safety from potential administrative reprisals. How cash payments will be made to all PAPs is explained in more detail in section 10.

The vulnerability criteria and number of households considered to meet each criterion is shown below.

Table 12: Vulnerable Project Affected Households

Vulnerability criteria	# Households
Project Affected Household with disabled member(s)	14
Project Affected Household headed by elderly	20
Project Affected Household headed by women	37
Total meeting criteria (excluding double/triple counting in each category)	47

4.11 Organizational Structure and Social Networks

The average number of years that the PAPs have resided at their current addresses is ten years, with figures ranging from three months to 32 years. This indicates that most of the PAPs are long-term settlers on-site with established social networks. PAPs consulted through the Focus Group Discussions (FGDs) reported having strong social relations with their neighbors and fellow residents in the RAI, and the importance of these connections for their wellbeing, particularly for the immigrants whose extended families are not based in St. Maarten.

53% of the surveyed people do not belong to any volunteer or activity organizations. 42% belong to religious associations such as churches and congregations. Almost half of the PAPs have

⁴⁷ <https://www.oecd.org/dev/pgd/46982877.pdf>

relatives living on the island of Saint Maarten, and 29% have relatives living inside the RAI and 20% outside the RAI, as shown in the following figures.

Figure 28: Social Organizations

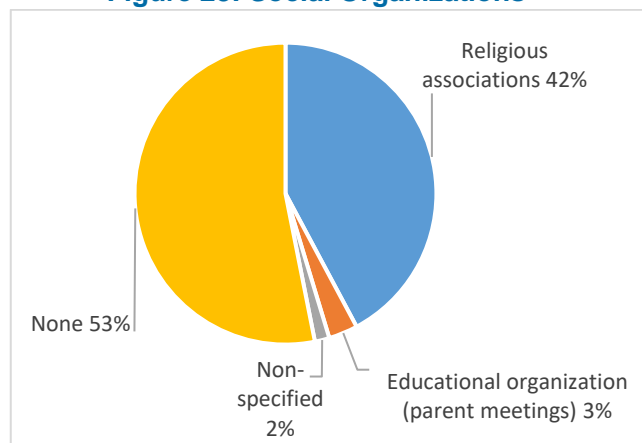
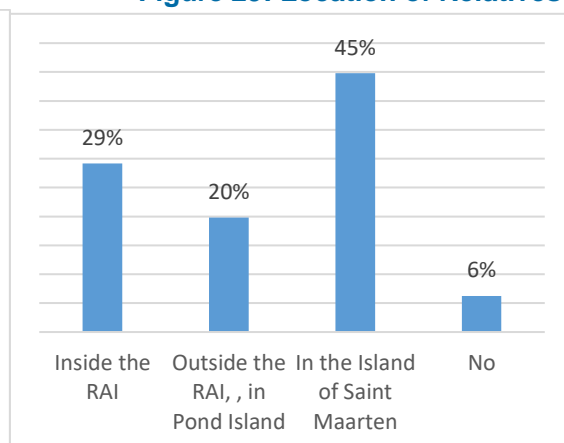


Figure 29: Location of Relatives

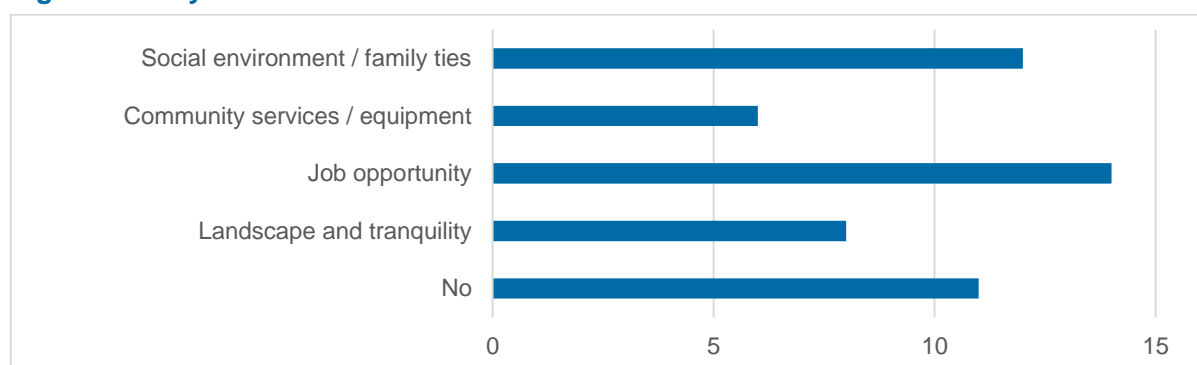


Source: RINA, Socioeconomic Survey 2020

4.12 Perceptions About the RAI and the Project

Most of the PAPs value job opportunities and a quiet social environment in the place where they live, while safety is the most important value when considering relocation of their businesses.

Figure 30: Key Factors for Residential & Business Locations



Source: RINA, Socioeconomic Survey 2020

According to the FGDs, women and elderly residents particularly value safety conditions (lack of violence and robbery) and their social network the most, while youth residents mainly value location and affordable rent. The most frequently reported disadvantages of living in the RAI are the presence of mud, mosquitoes and smoke from the constant landfill fires.

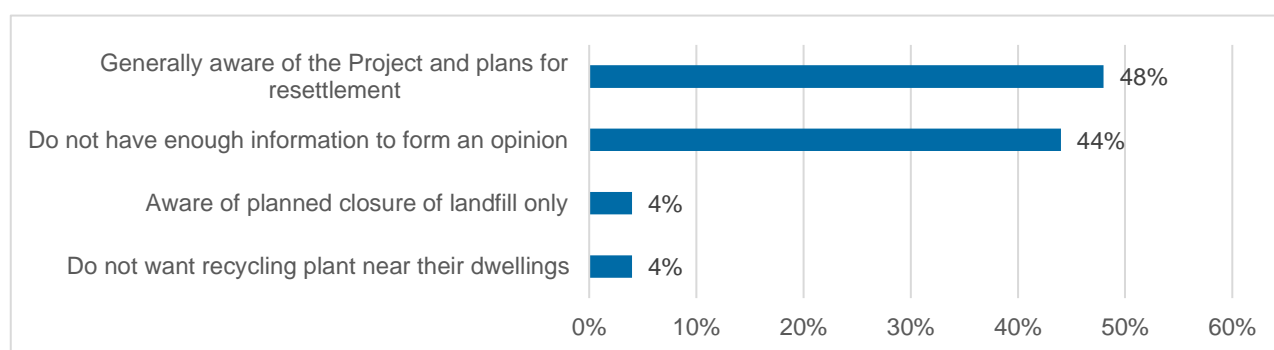
Table 13: Values About the RAI

	Women	Elderly	Youth
Advantages	<ul style="list-style-type: none"> No violence or assaults A social network, familiarity and companionship among neighbors Affordable rent 	<ul style="list-style-type: none"> Security (e.g. can sleep with unlocked doors) Social network, familiarity and companionship among neighbors Live close to relatives 	<ul style="list-style-type: none"> Affordable rent Proximity to city centre and good access to public transportation (bus stop) Live close to relatives Peaceful place Can have pets
Disadvantages	<ul style="list-style-type: none"> Mud and dust Mosquitoes Garbage Smoke from the new dump The constant burning (of metal) 	<ul style="list-style-type: none"> Smoke People take advantage of others with electricity and water 	<ul style="list-style-type: none"> Mosquitoes, rats Small houses Bumpy roads No safety against hurricanes Mud

Source: RINA, focus groups 2021

48% of the PAPs surveyed as part of the socioeconomic survey process in November 2020 indicated that they are generally aware of the project and the resettlement plans, 44% do not have enough information to form an opinion, 4% only heard about the planned closure of the landfill and the other 4% do not have enough information but they disagree with the location of the existing recycling location near their houses due to contamination.

Figure 31: Knowledge of the Project



Source: RINA, Socioeconomic Survey 2020

According to the FGDs, there are general sentiments of anxiety and uncertainty as the PAPs do not know where they will be resettled, or when. The women explicitly indicated that they do not want to be resettled to a temporary place before being relocated to permanent sites. Young people showed a greater predisposition to the idea of being resettled, while older adults expressed their fear of being more exposed to Covid-19 if they are resettled.

Table 14: Perceptions about the Project

	Women	Elderly	Youth
Perceptions	<ul style="list-style-type: none"> • They do not want to move to an interim, temporary location. 	<ul style="list-style-type: none"> • If you don't have a place for people, leave them where they are; help fix the housing here for the people • Proximity to garbage does not bother them. • Greater feeling of safety in RAI than outside regarding COVID. • They have anxiety and uncertainty because they do not know where they will be resettled. 	<ul style="list-style-type: none"> • Either get better or worse, no in-between; it would be the same. • As youngsters, "we get accustomed to things". • In the beginning, there may be an impact, but not for too long. • They have anxiety and uncertainty because they do not know where they will be resettled.
Recommendations	<p>Communications with PAPs should be done by:</p> <ul style="list-style-type: none"> • WhatsApp • Small groups • Meeting in a big location 	<p>The new relocation site should be:</p> <ul style="list-style-type: none"> • Comfortable • Safe and quiet • Affordable • Close to the places we commute to regularly. 	<ul style="list-style-type: none"> • Families should be kept together. • Bigger spaces. • The new site should be close to all key services and city centre.

5 Resettlement Impacts

5.1 Overview

The scope of physical and economic displacement that will take place as part of the resettlement process is detailed and quantified in this section. Resettlement will impact 215 individuals, 141⁴⁸ compensation agreements will need to be signed with household and business who are impacted within the RAI and 7 (seven) individuals living outside the RAI (these are the waste pickers who live outside the RAI). The entire RAI will be made inaccessible as a result of the Project; thus all impacts will be permanent. A summary of the displacement impact is shown in the below table while subsequent sections will elaborate on the impacts.

The NRPB has identified and reached out to 141 Project Affected Persons for the consultation/negotiation phase of the individual/household level compensation packages (compensation package amount and “declaration of intent” signing). Nevertheless, there are some outstanding cases where reconfirmation of assets was requested by PAPs, yet they are not on Sint Maarten to witness the reconfirmation process, or PAPs who left Sint Maarten for a period of time and are not yet back to sign the statement of intent. All of these cases are monitored by the NRPB by regular contact with PAPs via telephone, e-mail, WhatsApp; once PAPs are available the NRPB will close these cases.

Table 15: Displacement - Overview of compensation

PAPs who will be signing agreements for compensation	Number of PAPs
Homeowner	38
Homeowner and businessowner	5
Businessowner	6 ⁴⁹
Tenant	59
Tenant and businessowner	10
Homeowner, businessowner and resident landlord ⁵⁰	1
Resident landlord	10

⁴⁸ See Annex I for PAP list table. There will be an agreement signed with the PAP GEBE, which is a state owned company, however no compensation provision is envisaged in this case; resettlement will be done by Sint Maarten Government

⁴⁹ 1 businessowner is GEBE which has a storage yard in the RAI. This is a state owned company and the resettlement will be done by Sint Maarten Government, there is no compensation in this case

⁵⁰ In the tables and data in the document, this “Homeowner, businessowner and resident landlord” is accounted for in “resident landlord” category. Total number of resident landlords is 11

Businessowner and off-site landlord ⁵¹	1
Off-site landlord	11
Total	141
<i>Waste picker outside RAI</i>	7
<i>Employees</i>	13

A map showing the location of the PAPs is shown in Figure 41.

5.2 Land Losses

There are no PAPs with legal ownership of the land on which their private structure is situated. According to the official information obtained from the *Kadaster Openbare Registers* (public land register) dated March 4, 2021, the land known as Great Salt Pond belongs to the Government of Sint Maarten. As a result, no land losses have been identified for compensation under the resettlement policy

5.3 Structure Losses

The below table lists the number of each type of structure identified in the survey for the whole RAI.

Several PAPs requested an additional review of their structures. The requests were motivated by noticing that some assets/structures might have been missing in the compensation packages, some PAP requested their structures being re-measured and some PAPs claimed they do not agree to the replacement value rates in the compensation packages. NRPB responded to all requests by visiting each Project Affected Person individually to make a determination based on field findings. Where it was found necessary, the structures were re-measured and compensation package re-calculated⁵² to reflect actual field findings. Additional details can be found in section 11.4.

⁵¹ In the tables and data in the document, this “Businessowner and off-site landlord” is accounted for in “off-site landlord” category. Total number of off-site landlords is 12

⁵² PAPs signed revised compensation packages and declarations of intent

Table 16: Types of structures identified during the census⁵³

Main type of structures	Block ⁵⁴ A	B	C	D	E	F	G	Total
Containers ⁵⁵	12	6	10	3	3	1	4	39
Wooden structures	5	8	5	1	0	2	1	22
Concrete structures	1	3	4	0	1	2	2	13
Subtotal	18	17	19	4	4	5	7	74
Additional structures								
Containers	-	2	-	-	1	-	-	3
Wooden structures	12	5	8	2	1	-	2	30
Concrete structures	2	1	-	-	-	-	3	6
Subtotal	14	8	8	2	2	0	5	39
Total	32	25	27	6	6	5	12	113

Source: RINA (2021)

The following photos display some of the types of affected structures.

Figure 32: 40 feet containers



Source: RINA, 2020

⁵³ Date of census – November 2020, May 2021 and July-September 2021. Given the several historical modifications and additions that have been carried out to containers, altering their original size, drone footage was used to attempt to estimate the actual size of the structures.

⁵⁴ The Resettlement Area of Impact was divided into blocks numbered from A to G

⁵⁵ Standard shipping container sizes are 10', 20' and 40'. The existing containers that serve as dwellings varied in size. We have given the most approximate length based on aerial observations as measuring in the field was not feasible.

Figure 33: 20 feet container



Source: RINA, 2020

Figure 34: Wooden Structure



Source: RINA, 2020

Figure 35: Concrete structures



Source: RINA, 2020

5.4 Loss of Additional Assets

Several PAPs own additional structures or assets in addition to their main residential or commercial structure, as listed below. Some PAPs own more than one type of additional structure.

Table 17: Additional assets⁵⁶

Type of assets	Block A	B	C	D	E	F	G	Total
Fencing (metal, aluminium/ zinc, or mixed materials)	-	3	6	-	-	1	2	12
Garage	-	1	1	1	1	1	4	9
Cars/trucks/buses	-		4	1	-	1	-	6
Empty house (40 feet container)	-	-	-	-	-	1	1	2
Industrial tools/machinery	-	-	-	-	-	1	-	1
Structures (to be confirmed)	-	-	-	-	-	-	2	2
Total	0	4	11	2	1	5	9	32

Source: RINA, 2020/2021.

5.5 Loss of Residential and Business Rental Structures

Structures rented by tenants in the RAI include those owned by 12⁵⁷ off-site landlords (those who live outside of the RAI while renting out structures in the RAI), and 11⁵⁸ resident landlords (those who live within the RAI and also rent out other structures). The below table shows the breakdown of the renters of residential and mixed units, and the types of landlords leasing out structures within the RAI whose rental income will be lost due to resettlement.

Table 18: Rental Assets

Residential/mixed renters	# of renters	# of landlords
Resident landlords (accounted for in both household survey and asset census)	35	11
Off-site landlords (assets accounted for in asset survey)	34	12
Total	69	23

Source: RINA, 2020/2021.

5.6 Plants and Tree Losses

No agricultural land or crops are present at the RAI and no affected person derives income or uses fruit trees to ensure food security. However, numerous trees are in the RAI. Trees have recognized

⁵⁶ Items included in this table are immovable assets and these cannot be moved without causing irreparable change to their state of use

⁵⁷ The figure of 12 off-site landlords derives from 11 off-site landlords plus 1 businessowner and off-site landlord, see table 15

⁵⁸ The figure of 11 resident landlords derives from 10 resident landlords plus 1 homeowner, businessowner and resident landlord, see table 15

local market values depending upon the species and age. Based on the census conducted none of the trees have reached full maturity.

The trees located in the RAI are not cultivated to produce fruits for sale, used for fuel wood, construction wood or medicinal. The trees provide shade to PAPs and offer other limited environmental services such as air quality and aesthetics. Due to the location, topography and age, the existing trees do not provide soil erosion protection. The plants are cultivated to produce fruits for household consumption but are not used to ensure food security and provide shade, but are not used for fuel or construction.

A total of 13 species of trees comprising 127 individual plants were identified in the affected area, which belong to 27 households or commercial units. Species include mango, papaya, coconut, palm, almond, moringa, and decorative plants such as cactus, basil, aloe vera, and medicinal plants. The decorative plants were registered in 11 households, however as these are considered movable assets, they will not be affected or lost due to displacement. The trees' losses will be compensated in cash, see section 6.2.4 for details on valuation methodology.

Table 19: Affected trees and plants

No	Species	Number
1	Almond	17
2	Avocado	1
3	Coconut	7
4	Banana	8
5	Chasteberry	1
6	Citrus	1
7	Mango	5
8	Papaya	7
9	Moringa (drumstick)	4
10	Palm	2
11	Decorative/medicinal/cooking plants	72
12	Sugarcane	1
13	Noni	1
Total		127

The following figures shows the identified households and commercial units with trees within the RAI.

Figure 36: Households with trees within the RAI



Source: RINA, 2020

5.7 Business, Employment and Income Losses

A total of 32 businesses located in the RAI will be displaced, and a total of 13 employees are employed within 5 businesses. Table 20 below summarises the businesses identified through the socioeconomic surveys undertaken. In total, 11 general types of businesses were identified among which some operate multiple types of businesses within a single unit.

Table 20: Impacts on businesses and employees

Type	Number	Number of employees
Home/Structure Rental	10	-
Automotive/Mechanic/Garage/Car Body Shop	8	8
Repair shop (i.e., refrigerators, air conditioning)	3	1
Craft metal (recycling goods export)	1	2
Bar/Bodega	2	-
Beauty Salon	2	1
Copy services	1	1
Clothes vendor	1	-
Lottery vendor	2	-
Waste management	1	-

Type	Number	Number of employees
Container home fabrication	1	-
Total	32	13

Nearly half of the business owners reported that all of their income is obtained from this business, as shown in Figure 37, while more than half rely on supply chains within Sint Maarten from which to source their goods and materials as seen in Figure 38.

Figure 37: Reliance on income

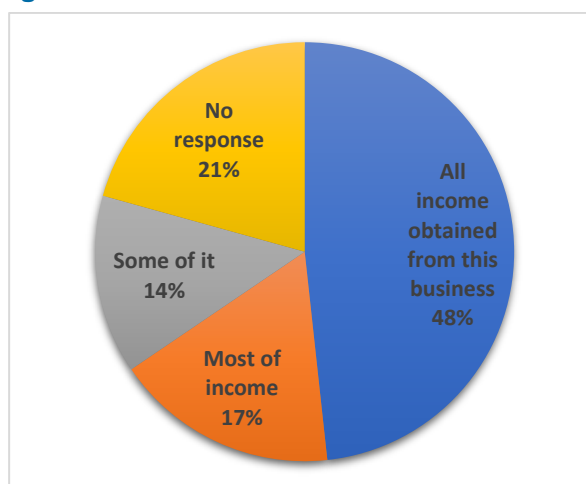
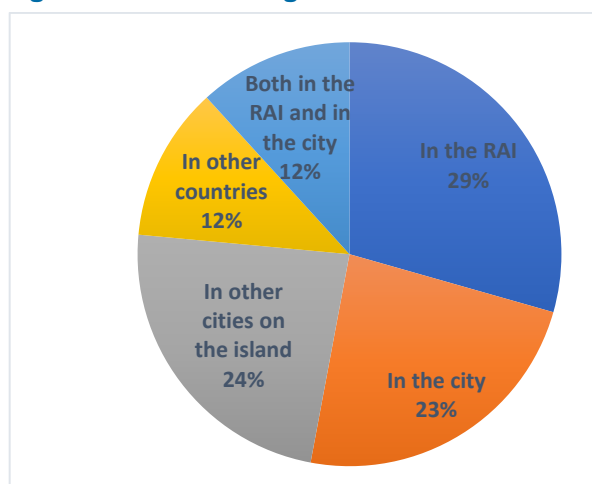


Figure 38: Source of goods/materials



5.7.1 Loss of Landfill Income

There are 34 individuals within the RAI who gain part of their income from recycling the landfill materials, they do not operate commercial businesses based on this activity. Among the 34, nine are homeowners, five are resident landlords, one is a households' member and the remaining 19 are tenants. They include retirees and unemployed people, and other employed individuals who rely on this as a source of supplementary income. Besides the 34 individuals within the RAI, there are 7 individuals outside the RAI who gain part of their income from recycling the landfill materials.

Currently the access to MSWDS and IDS is prohibited by VROMI due to safety concerns. VROMI informed NRPB on October 28, 2021 there were several recent accidents and/or near misses that caused them to close access to the site.

Therefore, economic displacement has occurred since the waste pickers are no longer allowed access to the site to collect recycling materials on the MSWDS and IDS.

The waste pickers (inside and outside the RAI) will be compensated for the loss of income and will be provided with livelihood restoration assistance which is described in chapter 7

5.8 Community Facility Losses

There is a communal area in the RAI that PAPs use for gatherings and shade that will be lost due to resettlement, located roughly in the middle of the RAI as shown below.

Figure 39: Recreation/rest/gathering area



Source: RINA, 2019 and 2020

Figure 40: Location of the recreation/rest/gathering area



Source: RINA, 2021

5.9 Impacts on Vulnerable People

As detailed in section 4.10, the following vulnerability criteria and number of corresponding PAPs have been identified in the context of the Project:

Table 21: PAPs meeting vulnerability criteria

Vulnerability criteria	# PAPs	#Undocumented PAPs ⁵⁹
Project Affected Household with disabled member(s)	14	4
Project Affected Household by elderly	20	2
Project Affected Household headed by women	37	12
Total meeting criteria (excluding double/triple counting in each category)	47	13

5.10 Summary of Resettlement Impact

The table below summarises the resettlement impact detailed within the previous subsections.

Table 22: Displacement - Overview of compensation

PAPs who will be signing agreements for compensation	Number of PAPs	Cash compensation	In-Kind Compensation ⁶⁰	Livelihood Restoration Assistance
Homeowner	38	29	8 ⁶¹	17 ⁶²
Homeowner and businessowner	5	4	1	5 ⁶³
Businessowner	6 ⁶⁴	4	1	5
Tenant	59	59	0	12 ⁶⁵

⁵⁹ PAPs with undocumented legal status

⁶⁰ Total 10 PAPs opted for in-kind compensation – 8 homeowners, 1 homeowner and businessowner and 1 businessowner

⁶¹ Revised number of PAPs who opted for in-kind compensation (previously 9 PAPs in this category opted for in-kind compensation, however 1 PAP has passed away since; PAP list in Annex H updated accordingly.

⁶² Eligible as women headed PAPs (households)

⁶³ 2 PAPs out of 5 are also women headed PAPs (households)

⁶⁴ 1 businessowner is GEBE which has a storage yard in the RAI. This is a state owned company and the resettlement will be done by Sint Maarten Government, there is no compensation in this case

⁶⁵ Eligible as women headed PAPs (households)

Tenant and businessowner	10	10	0	10
Homeowner, businessowner and resident landlord ⁶⁶	1	1	0	1 ⁶⁷
Resident landlord	10	10	0	10 ⁶⁸
Businessowner and off-site landlord ⁶⁹	1	1	0	1
Off-site landlord	11	11	0	
Total	141	129⁷⁰	10	61
<i>Waste picker outside RAI</i>	7	7	0	7
<i>Employees</i>	13	13	0	13

The below figure shows the location of all affected residential and commercial units. Appendix E includes maps per block for a closer look at the affected units.

⁶⁶ In the tables and data in the document, this “Homeowner, businessowner and resident landlord” is accounted for in “resident landlord” category. Total number of resident landlords is 11

⁶⁷ Eligible also as a woman headed PAP (household)

⁶⁸ 5 PAPs out of 10 are also women headed PAPs (households)

⁶⁹ In the tables and data in the document, this “Businessowner and off-site landlord” is accounted for in “off-site landlord” category. Total number of off-site landlords is 12

⁷⁰ This number excludes GEBE

Figure 41: Location of PAPs



Source: RINA, 2021

6 Valuation and Compensation

6.1 Introduction

This section presents the valuation methodology to calculate the compensation packages for the affected assets and for the loss of income.

A valuation methodology was first developed by RINA Consulting Inc. in the early stage of RAP development. At a later stage, during this document final preparation and review, NRPB hired the services a Sint Maarten valuator to confirm on valuation methodology. This revised valuation methodology and rates are presented in the sections below.

PAP Categories

After the census and desktop review, the following categories of PAPs living in the RAI were defined to prepare compensation packages based on the loss and the type of impact, as summarized in the below table:

Table 23: PAP Category

Category of PAP	Assets*	Type of Impact Eligible for Compensation
Homeowner	Private structure used for residential dwelling	Full loss of structure and other immovable assets
Business owner	Private structure used for commercial purposes	Full loss of structure, immovable assets, and income from commercial activities (means of livelihood).
	Rented structure used for commercial purposes	Loss of rented structure ⁷¹ , immovable assets, and income from commercial activities (means of livelihood).
Homeowner and Business owner	Private structure used for both residential and commercial purposes	Full loss of structure and other immovable assets, income from commercial activities (means of livelihood).
Tenant	Loss of rented or borrowed structure	Loss of residence ⁷² .
Business employee	Loss of place of work	Loss of income
Resident landlord	Loss of structure	Loss of income of rental structure as well as loss of structure

⁷¹ To be compensated as rental allowance

⁷² To be compensated as rental allowance

Category of PAP	Assets*	Type of Impact Eligible for Compensation
Off-site landlord	Loss of structure	Loss of structure
Waste picker	Not applicable	Loss of livelihood
Employee	Not applicable	Loss of job (livelihood, income)

Source: SXM Compensation Restoration Framework (RINA, 2020). Note: *Includes Immovable assets

Off-site landlords are only eligible for compensation for loss of structures, and not for loss of rental income.

6.2 Valuation Methodology

This section describes the valuation methodology to be used in determining the full replacement cost⁷³ of affected properties/assets. While assessing and determining the value of affected assets, the principle of full replacement cost in valuing affected assets was applied. Replacement costs include any tangible assets. Administrative fees and provision for inflation if payment is delayed will be taken into account.

6.2.1 Land

The cadastral records were reviewed to ascertain the legal ownership of the land where the PAPs reside. According to the cadastral records, the land belongs to the Government of Sint Maarten and as such no PAP living in the RAI has legal ownership rights to the land.

6.2.2 Structures

Compensation for structures will be based on replacement value rates. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account.

Residential and Commercial

Based on the data collected through the census, the structures used for housing and business have been classified into six categories:

- Containers (10, 20, 40 feet)
- Container plus wooden structures
- Container plus concrete structure
- Wooden structure only

⁷³ The replacement value for an immovable property, as per OP 4.12, is the sum of all the expenses necessary to purchase or construct a similar (at least the same) immovable property with an area and quality similar to or better than those subject to appraisal. The depreciation of the immovable property being appraised shall not be taken into consideration. In addition, considering particular Resettlement Area of Impact conditions, replacement value for houses and other structures refer to the cost of purchasing or building a new structure, with an area and quality similar to or better than those of the affected structure, or of repairing a partially affected structure, including labour and contractors' fees and transaction costs such as registration and transfer taxes. The replacement cost for homes in impoverished areas such as the Project's Resettlement Area of Impact, located adjacent to landfill sites, is often not enough to re-establish standard of living to pre-project levels. Thus, replacement costs need to be supplemented to enable the project-affected people to obtain sufficient security of tenure.

- Concrete structure only
- Combination of the above

The following pictures are an illustration of some of the structures that will need to be compensated.

Figure 42: 40 feet containers



Source: RINA, 2020



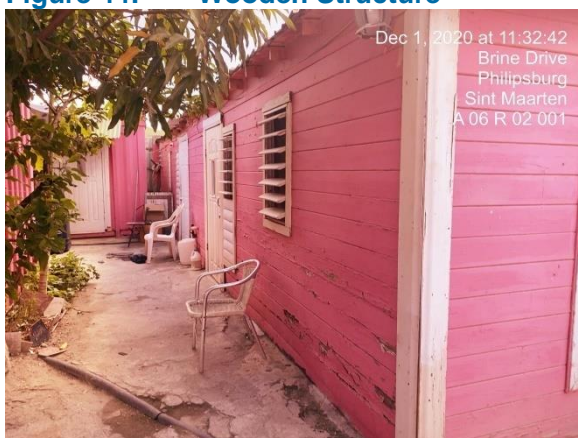
Figure 43: 20 feet container



Source: RINA, 2020



Figure 44: Wooden Structure



Source: RINA, 2020



Figure 45: Concrete structures



Source: RINA, 2020

The following table shows the replacement value for each category of building/structure according to the classification mentioned above based on square meter rates as specified. The replacement value for containers is based on the cost of adjustments and improvements to convert the containers into homes, such as installation of foundation, drainage, insulation, windows, doors, internal walls, flooring, and connection to utilities and other construction elements to observe Sint Maarten buildings standards.

The building replacement value represents that of standard building materials and finishes in St. Maarten that meet the approved standard building code⁷⁴ and the building codes and technical norms currently finalized by the Ministry of VROMI⁷⁵. Following the 2017 Hurricane Irma, the average building cost for a new masonry/concrete structure in St. Maarten now ranges from \$1,300.00 p/m² to \$2,000.00 p/m² depending on size, level of finishes and topography. Standard finishes range from \$1,300 p/m²- 1,400 p/m², Mid finishes \$1,500-\$1,600 and High-end finishes \$1,700 p/m²-\$2,000 p/m². For wooden structures the cost starts at \$1,000.00 for standard finishes.

The replacement value used for this valuation takes into account standard finishes to be utilized such as: tiled floors, tiled bathroom walls, standard bathroom fixtures, standard kitchen with Corian/tiled countertops and aluminium windows/ doors.

⁷⁴ The standard building code referred here observes the modern building standards currently applied in construction throughout Sint Maarten. These standards provide those buildings are resistant to natural disasters such as hurricanes or earthquakes

⁷⁵ The new building and environmental norms will be introduced after Governmental decision-making is finalized. In both cases the new norms will go into effect only after elaborate communication and trainings has taken place with the relevant stakeholders.

Table 24: Rates by structure category

No	Categories ⁷⁶	Replacement value, USD	
		Replacement value per container, USD	Replacement Value, per square meter
1	40 feet or 20 feet or 10 feet container	8,000.00 ⁷⁷	NA
2	Wooden structure	NA	1,050.00
3	Concrete structure	NA	1,350.00

The replacement value for wooden and concrete structures was calculated based on the present market rate for new masonry/concrete structures following the 2017 Hurricane Irma. The market rate starts at \$1,000.00 for such structures depending on size, level of finishes and topography. The average m² price is derived from data collected over the years from random contractors to determine the market rent for new construction. As stated in the socioeconomic baseline section, some of these structures are connected to a water and sewer system and have electricity.

Residential structure owners who choose cash compensation are expected to use this payment to independently search for and purchase their new residential houses. Any transaction costs such as legal and administrative fees required to secure the new housing will be covered by NRPB upon receipt of the invoice before transaction is signed to avoid posing a heavy financial burden on a socio-economically vulnerable population.

Residential structure owners who opt for in-kind compensation will be provided with replacement housing during both the transitional and permanent resettlement periods.

The standard for the in-kind housing will be that they are homes in residential areas, they meet the local building code, and legally connected to all services (such as electricity, sewer, and water). In terms of security of tenure, this will mean that they will be the title/deed holder for the home. Sint Maarten does not have a property tax, but there might condominium fees and other fees which the owner will need to pay on an annual basis. NRPB will determine in consultations with PAPs that these types of fees are sustainable in the long term. In case these fees are not sustainable, the NRPB will search for alternative housing units⁷⁸, see section 10 for more details.

6.2.2.1 Valuation of Rental Allowances

The rental allowance to be provided to affected tenants will be based on the higher end of the market rate, to take into account the fact that they will be required to pay higher rents than the standard rate within the RAI, see table 25 for rental rates.

⁷⁶ All categories in the table refer to containers and structures that are used as homes, as such the replacement value as per definition above shall be considered

⁷⁷ The revised container replacement rate is 8,000.00USD, confirmed by an independent valuator, see Annex I for the valuation report. Note: individual compensation packages were consulted and signed by PAPs (May-September 2021) at a replacement rate of 6,000.00USD per container; therefore, the individual compensation packages will be updated to include the revised container replacement value of 8,000.00USD, will be consulted and signed with PAPs during resettlement implementation phase

⁷⁸ Where condominium and other fees are sustainable in the long term

For residential spaces, within the middle to lower class areas the average cost for a 1-bedroom apartment in St. Maarten ranges between \$500 to \$750 per month, and for a two-bedroom apartment between \$800 to \$1000 per month, with prices varying depending on amenities and accommodations. In comparison, tenants within the RAI reported paying an average monthly rent of \$284. Given that this is considered to be below market rate, the rental compensation allowance to be paid to tenants will be in line with the market rates within the wider St. Maarten area.

For commercial spaces, the estimated market rent per square meter in Sint Maarten ranges from \$17 to \$60 per square meter based on location, amenities and type building.⁷⁹ Philipsburg, Cole Bay and Simpson Bay have the highest price per rentable square meter.

Table 25 below shows the rental compensation to be provided to the PAPs (tenants) as specified in the entitlement matrix (see section 8) and to the PAPs (who opted for in-kind compensation) on a quarterly basis during the temporary relocation period, with specific provisions further detailed in the entitlement matrix (see section 8). This is specific to the PAPs (who opted for in-kind compensation) who choose to receive cash compensation as rental allowance rather than in-kind compensation, i.e., replacement housing elsewhere in St. Maarten during the transitional period in which the housing unit is being purchased on Sint Maarten real estate market.

PAPs who opt for in-kind compensation instead will be directly provided with replacement housing during both the transitional and permanent resettlement periods, in lieu of cash compensation, and will not be required to search for and secure housing independently. The NRPB will hire services of real estate agents to identify replacement housing on Sint Maarten via the real estate market. The real estate agent and NRPB will negotiate the sale and purchase agreements and will convene on the method of payment for replacement housing and ownership transfer to PAPs.

Table 25: Valuation of monthly rental allowance

#	Residential	Value per rental structure (USD)	Business	Value per square meter (USD)
1	Residential tenant – household of two people maximum	750.00	Business tenant	60.00/m ²
2	Residential tenant – household of more than two people	1,000.00	Business tenant (for land) ⁸⁰	6.00/ m ²

Refer to section 6.3 for valuation of landlords' loss of rental income.

⁷⁹ Based on research and analysis of various commercial units on Front Street and Back Street over the previous year.

⁸⁰ For business owners which leased land from landlords for their business, and which choose to re-establish their business, in case land is required to re-establish the business, cash compensation to cover for 6 months' rent for a similar land plot (to be determined on an individual basis). Note that these landlords are not legal land owners and do not have formal ownership rights.

6.2.3 Additional Structures

Several PAPs own additional structures or assets in addition to their main residential or commercial structure, as listed below.

Table 26: Additional structures⁸¹

Additional structures	Replacement Value ⁸² (USD)
Garage	300.00 - 800.00/m ² ⁽⁸³⁾
Cars/trucks/buses	1,000.00 per car 1,200.00 per truck/bus
Fence - metal, aluminium/zinc	4.00 per 1 meter in length
Fence – concrete	50.00 per 1 meter in length
Fence – wood and concrete combined	50.00 per 1 meter in length
Empty container ⁸⁴	4,000.00 ⁸⁵
Unfinished concrete structures	270.00
Structure for storage	2,100

The rates provided are based on market values researched on internet and were agreed upon with the PAPs during the negotiation process for compensation packages undertaken from May to June 2021.

6.2.4 Trees

The RAI has various scattered trees, some of which are in areas considered as individually controlled yards. The total number of trees to be compensated for is 127. None of the trees are used for commercial purpose, some trees are fruiting and may occasionally be used by PAPS for eating or sharing fruits.

Valuation method for trees and plants is based on the replacement value. This includes yearly⁸⁶ yield in kg, years to production (time in years required for a seedling to start producing fruits), price⁸⁷ per kg of the fruit production loss; the market value of the seedling is added to the calculation as per formula below:

Compensation per tree = $Y \times T \times P + S$; where

⁸¹ Items included in this table are immovable assets and these cannot be moved without causing irreparable change to their state of use

⁸² Replacement value includes all required elements such as: cost of materials, labour, materials' transportation, installation

⁸³ Varying depending on the type, finishes, quality, conditions, etc.

⁸⁴ Assumed to be 40ft container.

⁸⁵ Based on market value of a 40ft container.

⁸⁶ Yearly yield takes considers that some species are producing 2-3 yields per year

⁸⁷ The price per kg or per piece is based on Sint Maarten supermarket prices

Y – yearly yield in kg,

T – time in years required for a seedling to come into production,

P – price per kg or per piece,

S – seedling cost.

Market⁸⁸ values of the seedlings were obtained from a local plant shop. Potted houseplants that can be transported are not considered to be affected, and thus are not reflected in the table. The table provides a replacement value matrix for affected fruit trees⁸⁹ in the RAI:

Table 27 Trees' replacement value

Tree type	Yearly yield, kg	Price per kg	Years to production	Seedling, USD	Compensation amount per tree, USD
mango ⁹⁰	120.00	2.50	4.00	75.00	1,275.00
banana ⁹¹	57.60	1.50	1.00	27.50	113.90
almond ⁹²	25.00	8.00	5.00	55.00	1,055.00
coconut ⁹³	44.00 ⁹⁴	3.00	6.00	45.00	837.00
avocado ⁹⁵	150.00 ⁹⁶	2.00	3.00	60.00	960.00
chasteberry ⁹⁷	NA	NA	NA	27.50	27.50
citrus ⁹⁸	50.00	4.00	3.00	55.00	655.00

⁸⁸ There are no Sint Maarten Government established rates for valuation of trees, plants, or other agricultural crops. The valuation methodology uses prices in the local stores. Note: prices in local stores are higher than prices that would be achieved through sale on agricultural markets

⁸⁹ Fruit trees were enumerated on areas considered as individually controlled yards by PAPs based on declaration by the PAPs

⁹⁰ https://www.researchgate.net/figure/Yield-of-mango-in-kilograms-per-tree-1990-2009_fig3_235966162; http://nhb.gov.in/report_files/mango/mango.htm

⁹¹ <https://www.rainforest-alliance.org/resource-item/bananas-from-bunch-to-breakfast/>; <https://www.agrifarming.in/banana-farming-project-report-cost-and-profit-details>

⁹² <https://wikifarmer.com/almond-tree-harvest-yields/>

⁹³ <https://www.plantationsinternational.com/coconuts/>

⁹⁴ This number does not refer to yield in kg, it represents the number of fruits per year

⁹⁵ <https://www.kalro.org/sites/default/files/avocado-production-cultivation.pdf>; <https://homeguides.sfgate.com/much-avocado-trees-yield-56000.html>

⁹⁶ This number does not refer to yield in kg, it represents the number of fruits per year

⁹⁷ Unable to determine its agro-economic reference values due to lack of data and information on Sint Maarten

⁹⁸ <https://agricoop.nic.in/sites/default/files/Citrus%20cultivation.pdf>; <https://www.daf.qld.gov.au/business-priorities/agriculture/plants/fruit-vegetable/fruit-vegetable-crops/citrus/harvesting.-yields-and-prices>

papaya⁹⁹	34.00	4.00	1.00	7.50	143.50
moringa¹⁰⁰	30.00	NA	1.00	17.50	17.50
palm¹⁰¹	NA	NA	NA	17.50	17.50
sugarcane¹⁰²	NA	NA	NA	25.00	25.00
noni¹⁰³	55.00	10	2.00	15.00	1,115.00

6.3 Valuation of Loss of Income

This section describes the valuation methodologies for loss of income through business ownership or employment, and use of the landfill. PAP eligibility for livelihood restoration measures is described separately in section 9.

6.3.1 Business Income

Income of the business will be interrupted to the extent that local business will not be able to function during the period of relocation.

Phasing of resettlement is expected to have no impact on businesses as PAPs are compensated and/or relocated to other areas of Sint Maarten. During the phasing of resettlement implementation, business incomes shall be monitored to determine if phasing resettlement implementation has an impact on business incomes, i.e. business loses customers due to relocation of PAPs. In the event that phasing of resettlement implementation has an impact on businesses' income before businesses get relocated, the compensation packages for the loss of income will be supplemented¹⁰⁴ to mitigate this impact.

As part of income restoration, two options will be provided for PAPs to choose from:

Option (1): Cash compensation for transition period and temporary business closure:

Compensation is to be paid to the business of these PAPs a total amount that is equivalent to 6 months' income. This will cushion them from the effects of the interruption to commercial activities and time to recover the initial revenue level. It is considered that over this period, the affected PAPs will have identified alternative sites outside the RAI and re-established their

⁹⁹ <https://www.agrifarming.in/papaya-farming-project-report-cost-and-profit>

¹⁰⁰ https://agritech.tnau.ac.in/horticulture/horti_vegetables_annualmoringa.html;
https://en.wikipedia.org/wiki/Moringa_oleifera#:~:text=and%20facilitate%20harvesting,-.Fruits,year%20three%20around%20400%E2%80%933500.

¹⁰¹ Unable to determine its agro-economic reference values due to lack of data and information on Sint Maarten

¹⁰² Unable to determine its agro-economic reference values due to lack of data and information on Sint Maarten

¹⁰³ https://www.ctahr.hawaii.edu/noni/harvesting_yields.asp; <https://miamifruit.org/products/noni-box>;
<https://www.palmaverde.nl/nl/morinda-citrifolia-nonifruit.html>

¹⁰⁴ Added to the compensation package for the business loss of income as per determination if income was affected by phasing of resettlement implementation

businesses. The business will be offered business management and marketing training opportunities as support to ensure PAPs re-establish their businesses.

If the transition period is anticipated to be longer due to changes to the relocation site availability or the business have yet to re-establish the previous level of profitability, additional compensation may be provided based on the expected completion timeframes available, to be reviewed every 3 months during the transition phase.

Option (2): Cash compensation for permanent business closure: For business owners who are not interested in re-establishing their business at another location and prefer to close them permanently, they will be given the option of receiving a one-time compensation amount for the value of the business, to be determined per the precise value of the commercial assets, investments, customer base and future revenues¹⁰⁵.

A total of 11 types of businesses were identified in the affected area, and their self-reported incomes¹⁰⁶ were used to determine the average monthly income per each type.

The valuation and compensation packages were discussed and agreed with all affected businesses during the field work carried out by NRPB in July-September 2021.

Table 28: Type of business

No	Type	Average monthly income (USD) ¹⁰⁷
1	Home/Structure Rental	as per table 29
2	Automotive/Mechanic/Garage/Car Body Shop	2,615
3	Repair shop (i.e., refrigerators, air conditioning)	1,180
4	Craft metal (recycling goods export)	3,000
5	Bar/Bodega	1,050
6	Beauty Salon	950
7	Copy services	2,500
8	Clothes vendor	200
9	Lottery tickets vendor	440

Source: RINA 2021

Home/Structure Rental is an income generation activity (business) for landlords who reside in the RAI (residential landlords). Residential landlords who rent their structures to individuals will be compensated as per table 29 rates, i.e. 300USD for each tenant for a duration of 6 months.

¹⁰⁵ For a period of 6 months

¹⁰⁶ Only 9 type of businesses reported incomes, that is why table 27 reflects data for 9 business types

¹⁰⁷ Based on field findings and proof of income provided by PAPs, however each compensation package is calculated individually based on the proof of income

Residential landlords who rent their structures to businesses will be compensated as per table 29 rates, i.e. 17.00USD/m² for the structures occupied by the business for a duration of 6 months.

Table 29: Valuation of monthly rental compensation (residential and commercial landlords)

#	Residential	Value per rental structure (USD)	Business	Value per square meter (USD)
1	Residential landlord	300.00	Commercial landlord	17.00/m ²

6.3.2 Employee Income

During the socioeconomic survey and asset census process, affected business owners were asked to confirm the wages paid to their employees to enable valuation of loss of employee income. The information provided however was inconsistent and missing for most workers. During the compensation package negotiation process, business owners were again requested to review the compensation for employees and highlight any cases where workers are paid higher than the minimum wage (and if yes, provide proof) – no such cases were identified. As a result, the compensation to be paid to the employees of the affected businesses will be according to the minimum wage established by law, which is USD 4.9 per hour, plus a markup of 140% to account for living costs in St. Maarten, which results in a sum of USD 12 per hour.¹⁰⁸ A total of 13 workers were registered during the census, who work in 5 of the 32 businesses identified. Employees also reviewed the compensation packages – all of them agreed to the compensation calculation methodology explained above. None of them claimed being paid higher.

Considering that workers will be compensated for a total loss of six months (160 hours of work per month), the compensation to be provided to each worker is USD 11,520.00¹⁰⁹. It should be noted that the number of employees present at the businesses is in flux throughout the year as they change depending on business conditions and impacts of the pandemic. All 13 workers will be compensated based on this valuation of 6 months' full-time work, despite the fact that some of them are part-time or seasonal employees. All employees will be eligible for livelihood restoration assistance as described in more detail in section 9.

6.3.3 Income from Landfill Materials

The income reported in socio-economic survey by individuals who derive part of their income on the landfill, is not entirely reliable, particularly as it is self-reported and the waste pickers do not keep track of the amount and type of collected recycled materials. As per the census of waste pickers in October 2021¹¹⁰, it was determined that the income for landfill materials is a supplementary income, people practice waste picking in their free time. Individuals who are practicing this activity do have other reliable sources of income, as example: providing cleaning

¹⁰⁸ The markup has been calculated based on inputs from a local subconsultant on the minimum income required for a reasonable quality of life in St. Maarten.

¹⁰⁹ 12 USD per hour times 40 hours per week, times 6 months.

¹¹⁰ the project collected self-reported data from PAPs and they reported that waste collecting is not a main activity and the incomes deriving from waste collection are supplementary

services outside RAI, construction services (or being construction workers), working for electrical equipment repair shops. Additionally, some PAPs make use of landfill materials for other purposes (e.g. salvaging parts from discarded electronic equipment for other uses) that are difficult to quantify.

As a result, the compensation to be paid to the individuals who rely on the landfill for all or part of their income will be standardized, according to the minimum wage of USD 4.9 per hour. Considering that the households will be compensated for a total loss of six months (160 hours of full-time work per month), the amount to be compensated per individual is USD 4704.00.

This compensation for six month is planned to cover the loss of supplementary incomes of these individuals. During this period of time they will be provided with the opportunity to participate in the livelihood restoration activities (vocational training) which will enable them to find other employment or job opportunities to cover for the loss of their supplementary income and restore their livelihood to pre-project level.

This compensation and livelihood support will be made available to waste pickers who are living inside and outside the RAI because of the impacts arising from restricted access to the dump site. Livelihood support is described in detail in section 9

6.4 Valuation of Transportation

NRPB will provide cash assistance to be included in the compensation package to cover transportation costs to affected PAPs. Rates will be considered for the cost of labor and transportation allowances. For each case the cost of a truck with a capacity of 40 m³ and the assistance of two workers has been considered for one trip.

Table 30: Rates of transportation according to the length

Nº	Alternative	Approximate cost (USD)
1	Assume worst case scenario (the longest distance in the island for transportation of household items)	+/- \$70 per trip

6.5 Valuation of Asset Dismantling, Transportation, Rebuilding and Storage

NRPB will provide cash allowance to affected households and businesses who have additional assets, for the dismantling, transport and reinstallation of movable assets such as storage units, trailers, fencing, water tanks, machinery, automobiles, or other equipment at the new locations. One trip to relocate these assets at 70 USD will be compensated for. Once the total number and types of assets to be relocated has been confirmed by each individual PAP, additional trips may be requested and/or compensated accordingly.

Rates will be considered for the cost of labor and transportation allowances. For each case the cost of a truck with a capacity of 40m³ and the assistance of two workers is considered.

Table 31: Rates of transportation of assets according to the length

Nº	Alternative	Approximate cost (USD)
1	Assume worst case scenario (the longest distance in the island for transportation of household items)	+/- \$70 per trip

Each PAP will also be given a storage allowance of \$600 per year for the duration of the temporary resettlement period, if this is needed while homes are being purchased, to store and secure their personal belongings.

6.6 Valuation of Registration and Transfer Taxes

The value of the property registration for permanent ownership to be provided to the PAPs is approximately 4-7.5% of the market value of the property. A title search is \$25.

Tax that PAPs would be required to pay for compensation that is taxable, such as cash compensation received by businesses, will also be compensated for to ensure that PAPs receive the full amount of the compensations that they are entitled to. This amount will be calculated following confirmation of the total compensation package that each PAP will receive.

Part C. Resettlement Policy, Entitlements, Livelihood Restoration and Resettlement Arrangements

7 Resettlement Policy

This section describes the key principles that will guide the development and implementation of the Project's resettlement process.

7.1 Minimization of Displacement

The physical and/or economic displacement of human populations will be avoided or minimized to the extent possible. Although in many cases it is possible to eliminate or reduce population displacement through small changes in project design without affecting a project's viability, in situations when human lives and livelihoods are in danger it becomes imperative to put safety first rather than minimizing population displacement and relocate residents and businesses into safer conditions. This is especially the case when there is a need to establish a buffer zone in which the population at risk should be removed and resettled to a safe area.

7.2 Right to Choose

When displacement of population is necessary and unavoidable, the borrower will formulate a RAP as an integral component of the project. In compliance with the second principle, this RAP has been designed to relocate affected people in ways that provide them opportunities to choose among alternatives to re-establish their livelihoods and maintain or improve their standards of living, including access to resources and services at least equivalent to those they had before the displacement.

World Bank OP 4.12 requires PAPs to have resettlement options and be informed of those options. PAPs affected by the project will have two resettlement options and livelihood assistance: (1) cash compensation; (2) in-kind compensation - resettled in a house purchased on the open Sint Maarten housing market by the Government of Sint Maarten.

Option 1. Cash compensation: the Project Affected Person will be getting monetary compensation for affected assets and resettlement assistance;

Option 2. In-kind compensation – the Project Affected Person will be resettled in a flat/house purchased in the housing market by the Government of Sint Maarten and resettlement assistance will be provided in cash;

In addition to resettlement options and assistance, PAPs will also be entitled to livelihood restoration activities detailed in section 9.

7.3 Special Assistance to the Most Vulnerable Population

The most vulnerable persons among those who must be resettled must be provided with special assistance tailored to their needs, capabilities, and constraints to secure meaningful improvements in their livelihoods and living standards.

7.4 Livelihood and Income Restoration

The aim of resettlement under OP 4.12 is that those affected are not worse-off after resettlement but the same or better off after the resettlement. Where the impact of the Project is such that PAPs are not able to restore their livelihoods, the project will aim at restoring the affected livelihoods or establish new livelihoods if restoration is not possible.

This applies not only to people who are physically displaced but to those who are economically displaced by the loss of income, jobs, and productive opportunities. Economically displaced people will be supported and monitored in the rehabilitation of their livelihood and compensation options considered based upon the loss of livelihood. Section 9 of this RAP provides details of the livelihood restoration activities, a separate Livelihood Resettlement Plan will be developed early in RAP implementation.

7.5 Preference for In-Kind Compensation over Cash Compensation for Housing

Where feasible and especially in the case of highly vulnerable populations, the RAP will offer compensation in kind and make every effort to instill the importance and preference for in kind compensation over cash compensation to secure full reestablishment/improvement of pre-project living conditions.

Cash compensation for loss of assets is normally not an acceptable substitute for asset replacement, due to various factors: first, PAPs are easily stripped of cash by former creditors such as moneylenders, merchants, and landowners; second, in many countries housing markets do not function adequately to permit PAPs to invest the cash in new homes; and third, PAPs may end up using the money for short-term purchases instead of investing in assets replacement.

7.6 Right to Consultations and Participation

The Operational Policy requires that displaced person shall be meaningfully consulted with, that they should have the opportunity to participate in the planning and implementation of the resettlement program, and that the resettlement plan include the measure to ensure there is consultations on the resettlement options.

As part of the RAP, a Stakeholder Engagement Plan (SEP) was prepared by RINA in 2020, currently being updated and will be updated as needed during implementation. The SEP was prepared to ensure active involvement of displaced people and host communities (as applicable). The SEP includes informative/consultative events on Project impacts, compensation and resettlement alternatives, available options for livelihood restoration and social assistance, grievance redress mechanisms and other issue of interest to the displaced families/individuals and businesspeople. Special efforts will be made to ensure that women and vulnerable groups are fully included in resettlement decision making.

In case displaced families are to be relocated within an existing community, i.e. the host community, NRPB will conduct informative/consultative events with the host community members to address arrangements for insertion of new families and access to school and other public services, while avoiding conflicts with or rejection of newcomers by the host community.

Given that much of the affected population speaks Spanish, the consultations were conducted both in Spanish and English, details are in section 11 and Annex D.

7.7 Compensation to be Provided at Replacement Cost

Compensation at full replacement cost for losses of assets attributable to the Project will be provided. Full replacement cost is defined as the rate of compensation for lost assets calculated at the current market value of the assets plus transaction costs. The replacement cost for houses and structures as business comprises the cost of purchasing or building a new structure, with an area and quality similar to or better than those of the affected structure, as well as the cost of labour and contractors' fees and any registration and transfer taxes.

8 Entitlement Framework

8.1 Eligibility Criteria

A PAP is an individual who as a result of displacement caused by the Project, sustains losses from the loss of land, loss of structure, loss of immovable assets and/or loss of livelihood incomes.

The eligibility criteria to be a PAP are the following¹¹¹:

- Residing in a private structure used for residential dwelling located in the RAI as of the cut-off date on November 29, 2020, either as an owner or tenant;
- Renting out a private structure used for residential dwelling located in the RAI for rental income;
- Operating or employed at a business located in the RAI; or
- Using the landfill to gain all or part of the household income, while being based in the RAI as the principal residence.
- Using the landfill to gain all or part of the household income, while being based outside the RAI, as of the cut-off date on November 01, 2021.

In addition, the PAP must be registered in the official census conducted as part of the socioeconomic survey during the field work in November 2020. However, there are some PAPs registered during the field work carried out in from May to September 2021. They were occupying structures in the RAI before November 2020, yet they were not present when the census was conducted (temporarily out of Sint Maarten, at work). To make sure they were occupying structures before the cut-off date on November 29, 2020, the neighbours were questioned and asked to provide a written confirmation of these facts.

Landlords who own structures in the RAI that are rented out to others, but do not reside in the RAI themselves, are not accounted for in the official socioeconomic survey since they are not residents. Instead, their compensations and entitlements are calculated based on information within the asset census.

Should any individual come forward following the cut-off date claiming eligibility for entitlements as a result of meeting one of the eligibility criteria listed above, an effort will be made to verify their claim through review of formal documentation proving ownership or tenancy, satellite imagery of the location of the given property, and statements from tenants and/or neighbours.

All PAPs will receive compensation calculated at replacement cost. Per WB OP 4.12, Replacement Cost addresses compensation for tangible assets, land, houses, other structures, trees, access to water, and improvement on the land. Replacement cost is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets are not to be taken into account.

¹¹¹ There are no community or government structures in the RAI (except a storage yard belonging and operated by GEBE – water and electricity provider, public or state-owned company). All RAI occupants do not have ownership or lease agreements documentation for land or assets (structures, containers, etc.). All land in RAI is publicly owned (belongs to Government) as per Kadaster records. All eligible groups identified in the RAI are accounted for in the entitlement matrix.

Project Affected Persons who own structures/buildings/houses or other immovable property and reside in the RAI may opt for in-kind or cash compensation for those assets. NRPB as the institution responsible for RAP implementation including compensation payment (cash) or compensation provision (in-kind) will ensure that all¹¹² PAPs eligible for in-kind or cash compensation will be paid accordingly.

In order to facilitate cash compensation there will be three options in order to receive it:

- (1) Cash compensation provided through a bank transfer to PAP's account
- (2) Cash compensation through a cheque to be cashed by the PAP
- (3) Cash compensation payment through a bank provided card with magnetic tape or other similar type card.

These options will facilitate cash compensation payment and make sure PAPs are not carrying with them large amount of cash.

Given the vulnerability of the PAPs who are often underbanked or do not have access to banking services, the NRPB will work with banks¹¹³ to identify solutions to open bank accounts or provide bank cards to all¹¹⁴ Project Affected Persons.

8.2 Cut-Off Date

The cut-off date was established as November 29, 2020, the day of completion of the socioeconomic census surveys and asset inventories. The date was communicated to the PAPs by means of flyers in English and Spanish (see Appendix A), oral communications, and via WhatsApp messages to previously identified PAPs to ensure sufficient public awareness.

For the public, NRPB installed a billboard next to the RAI on the main road passing by the RAI to inform about the upcoming resettlement activities and the cut-off date.

¹¹² all Project Affected Persons regardless of their migrant status

¹¹³ In first instance with Winward Islands Bank, which is the NRPB's banking partner

¹¹⁴ Based on banking regulations as reasonable to be able to achieve

Figure 46 Resettlement billboard



At the request of NRPB, three additional surveys of PAPs were conducted in the first week of January after the cut-off date as they were previously unavailable during the November 2020 survey process. Persons who occupy the RAI after the cut-off date will not be eligible for compensation and/or resettlement assistance. However, they will be given sufficient notice to vacate premises and dismantle affected structures prior to Project implementation. Their dismantled structures and materials will not be confiscated, and they will not pay any fine or suffer any sanctions. Similarly, fixed assets (such as built structures, trees, and the like) built or improved after the cut-off date will not be compensated.

The legitimacy of any claims to compensation that are identified following the cut-off date will be determined on a case-by-case basis. This includes households who were not present during the cut-off period but are long-term residents, for example as verified by neighbours, landlords or businesses.

8.3 Entitlement Matrix

An entitlement matrix was developed to detail the entitlements per identified category of PAP, as shown in Table 32 below. The matrix was developed to detail the two resettlement options: cash compensation; and in-kind compensation on open housing market. PAPs are also entitled to other forms of assistance such as relocation costs, income rehabilitation assistance, transfer assistance, income substitution, and relocation support to which depending on the type, degree, and nature of their losses. The various compensations and entitlements are meant to restore their social and

economic baseline status or improve it. The entitlement matrix was prepared based on the Sint Maarten's Resettlement Policy Framework developed as part of the RAP.

Table 32: Entitlement Matrix¹¹⁵

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
Loss of land	1	Loss of parcels of land (government land)	Landowner	m ²	Since Government owns the land, and there is no leasehold agreement in place, all of the residents are squatters. Based on current laws and WB OP 4.12, Government only has a legal obligation toward residents to reimburse for value of immovable property on Government land.	<ul style="list-style-type: none"> • Transversal program for the process of formulation, implementation, monitoring and evaluation of the RAP. • The program will inform about the eminent domain of the government land and support the negotiation of the alternatives with each household. • Support from the government: legal procedure to declare eminent domain.
Loss of structures – permanent	2	Loss of dwellings, buildings and other immovable assets owned and/or used	Homeowner; Non-titled / informal user	m ² and quantity in numbers	<p>The loss of dwellings, buildings, and other immovable assets will be compensated for the full replacement cost. The compensation will be paid in kind with a replacement home (new or used) or in cash at replacement value.</p> <p>The owner of rented dwellings, buildings, and other immovable assets who does not reside in the resettlement area of impact (squatter</p>	<ul style="list-style-type: none"> • Provision of affordable housing, business buildings, and rental spaces. • Support from the government: affordable housing program in the resettlement site for PAPs experiencing permanent loss of dwelling

¹¹⁵ Homeowners, tenants, business owners/operators, residential landlords, off-site landlords are all informal occupants since the land in the Resettlement Area of Impact is owned by the Government (public land)

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
					landlord) will be compensated in cash (only) for the full replacement cost. Financial support (cash allowance) with logistical arrangements will be provided by NRPB to coordinate the dismantling, relocation and reinstallation of assets.	<ul style="list-style-type: none"> Payment of any transaction costs required to acquire new housing, such as legal and administrative fees
	3	Loss of rented home (tenants)	Tenant	Households	<p>Tenants are entitled to rental allowance as described below:</p> <ul style="list-style-type: none"> For tenants with a rental contract/agreement¹¹⁶ of at least one year: Equivalent monetary value of rental allowance of two-year rent. For tenants with a rental contract/agreement¹⁰⁷ duration of one year or less: Equivalent monetary value of rental allowance of one-year rent. <p>All tenants will receive prior notice of minimum two months and financial support (cash allowance) to relocate and secure new housing</p>	

¹¹⁶ All tenants have either a contract or an informal agreement. This term reflects contracts and informal agreements between tenants and residential/off-site landlords as identified during census

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
					Financial support (cash allowance) with logistical arrangements will be provided by NRPB to coordinate the dismantling, relocation and reinstallation of assets.	
	4	Loss of rented space or structures affixed to land used for business (tenants)	Business owners/operators (formal and informal) who rent –	Businesses	<p>Tenants are entitled to rental allowance as described below:</p> <ul style="list-style-type: none"> - For tenants with a rental contract/agreement¹⁰⁷ of at least one year: Equivalent monetary value of rental allowance of two-year rent. - For tenants with a rental contract/agreement¹⁰⁷ duration of one year or less: Equivalent monetary value of rental allowance of one-year rent. <p>In addition, the PAPs will be provided financial support (cash allowance) to relocate.</p> <p>For business owners which leased land for their business, and which choose to re-establish their business, in case land is required to re-establish the business, cash compensation to cover for 6 months' rent for a similar land plot (to be determined on an individual basis)</p> <p>Financial support (cash allowance) with logistical arrangements will be provided by</p>	

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
					NRPB to coordinate the dismantling, relocation and reinstallation of assets.	
Loss of income and livelihoods	5	Loss of formal and informal businesses (income)	Business owner/operator (formal and informal)	Businesses	<p>The loss of business income will be compensated in cash for the cost of identifying a viable alternative location; for re-establishing commercial activities and for lost net income during the period of transition of 6 months or longer the until the business re-establishes the previous level of profitability; and for re-establishing commercial activities.</p> <p>Additionally, business owners will obtain specialized support to reinstall their businesses. If the business owner does not want to re-establish the activity, they will be given the option of receiving a one-time compensation amount for the value of the business, to be determined per the precise value of the commercial assets, investments, customer base and future revenues. Business owners that make this decision will also be eligible for livelihood restoration programs to develop alternative economic activities.</p> <p>The income for informal business will be determined by comparing the average monthly incomes of businesses registered in the census</p>	<p>Livelihood Restoration program:</p> <ul style="list-style-type: none"> • Business, economic activities and employment. <p>Support from the government:</p> <ul style="list-style-type: none"> • programs to restart and strengthen economic activities (automotive mechanics; beauty, shops, car wash, recycling materials etc.), and employment programs. • Support to formalize and register business for informal business owners/operators (if desired)

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
					(which will be weighed considering size and type of business operation)	
	6	Loss of income from rent	Residential landlord	Persons / households	The loss of income from rent will be compensated in cash with a monthly payment rent for 6 months. This is not applicable to squatter landlords (off-site landlords).	
	7	Permanent closure of informal income-generating activities dependent on the Project Area	Informal workers dependent on resettlement area for income	Persons	Businesses that are not formally licensed/registered will obtain support to formalize income-generating activities. PAP affected by loss of access to landfill for all or part of their livelihood activities will be compensated in cash for loss of income derived from the use of the landfill, be provided livelihood support, and be eligible for livelihood restoration programs to obtain alternative employment opportunities until their income is restored to pre impact levels	
	8	Loss of formal and informal employment income due to the permanent closure or relocation of productive activities	Employees or hired laborers with income dependent on resettlement area (formal and informal)	Employees	Affected employees will receive assistance in cash for six (6) months of loss of wages and, eligible for assistance in identifying alternative employment opportunities and skill training until their income is restored to preimpact levels through the livelihood restoration programs described in this RAP.	Affected employees will be eligible for livelihood restoration support and assistance in identifying alternative employment opportunities and skill training.

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
Re-establishment costs	9	Costs and disruptions associated with dismantling, transportation and rebuilding of structures and assets	Relocated PAPs (residents and business owner/operator s)	Households and businesses	The PAP will receive in-kind and in-cash allowances to dismantle their homes and/or businesses, transport and reinstallation of the movable assets such as plant, machinery, or other equipment. Support with logistical arrangements will be provided by NRPB to coordinate the dismantling, relocation and reinstallation of assets.	Confirm if PAP qualifies for a social support program offered by Government authorities or NGOs on Sint Maarten and enrol on programs if qualifies Confirm if PAP qualifies for support from the government: specialized programs for vulnerable people and enrol on programs if qualifies
Undocumented legal status	10	Visibilization of illegality in immigration status	Undocumented PAPs	Persons	Offer legal support to inform affected persons on residency application procedures and to identify eligibility for a residence permit. Offer legal and administrative support during the residency permit application phase.	Social/psychosocial support for disruptions to lives caused by relocation
Access to services	11	Disruption of access to local/familiar educational resources	Relocated PAPs (residents)	Persons	Social support e.g. Transport to school and health centres during transitional period, if they are not located within reasonable walking distance from the temporary accommodation.	Monitoring of socioeconomic conditions for one year after the permanent move to verify restoration of livelihoods and/or living conditions
	12	Alteration of social networks	Relocated PAPs (residents)	Persons	Social support e.g. Optional paid membership for elderly PAPs at a local recreational center for the elderly	
	13	Disrupted access to local/familiar health services	Relocated PAPs (residents)	Persons	Health support e.g. Transport to health centres during transitional period, if they are not located within reasonable walking distance from the temporary accommodation.	

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
Impacts on vulnerable PAPs	14	Risk of increased vulnerability	Vulnerable PAPs ¹¹⁷	Persons / households	<p>Special measures for vulnerable people will include prioritisation in selection of livelihood restoration activities, prioritisation in selection of replacement dwellings (dwellings for PAPs with mobility challenges will consider universal access), and access to mental health counselling support according to their necessities.</p> <p>Households with disabled members, elderly head of household, women head of household will be offered assistance physically moving and assistance in physical displacement</p> <p>Illiterate PAPs will obtain information verbally and, if requested by the PAP, in the presence of a trustee (the person the PAP trusts)</p>	<p>Vulnerable people program</p> <p>Support from the government: specialized programs for vulnerable people</p> <p>Vocational skills training (women headed households)</p>
Loss of housing	15	Temporary resettlement (if necessary)	PAPs who opt for in-kind compensation who will be temporarily	Households	Due to the debris emergency, it will be necessary to relocate PAP as soon as possible with a temporary resettlement. These PAP will receive allowances in cash and in-kind to cover for housing, feeding, and other necessities	<p>Temporary resettlement program.</p> <p>Support from the government: agreements with the touristic sector to</p>

¹¹⁷ Vulnerable groups include people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more diversely affected by displacement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits – households with disabled members, elderly head of household, women head of household, illiterate households

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures: Livelihood Restoration & Community Development Support
			relocated (to be confirmed in preparation and implementation)		during this period while the permanent resettlement arrangement is in place.	<p>identify alternatives for temporary resettlement.</p> <p>Payment of any transaction costs required to acquire new housing, such as legal and administrative fees</p>

Source: RINA, 2020

9 Income Support and Livelihood Restoration Measures

9.1 Overview

This section summarizes the measures to be implemented to support affected residents and businesses with restoration of livelihoods, to ensure that they are better off, or at minimum not worse off following displacement. A detailed livelihood restoration plan will be developed and submitted to the World Bank for approval in the third month of RAP implementation.

Employees and owners of businesses based in the RAI and those who gain part or all of their income from recycling landfill materials (living in the RAI and out of the RAI) have been identified as those who will experience adverse livelihood impact due. Landfill recycling activities are currently not permitted on the site (as of November 1st 2021) and described in detail in Annex G, and future access is not yet clear. Alternative livelihood support will be provided to those who have been relying on landfill materials for income. The support will include compensation for income loss as well as eligibility to alternative livelihood activities developed in the Detailed Livelihood Restoration Plan.

Through various measures, the affected people will be assisted to change or enhance their sources of income as detailed in this section. Cash compensation to be provided for loss of income is detailed separately within Section 6. Valuation and Compensation.

9.2 Eligibility for Livelihood Restoration Support

32 PAPs as businesses, 34 individuals (waste pickers inside the RAI), 13 employees (from the 32 affected businesses) and 37 women headed Project Affected Households are eligible for the main types of livelihood restoration support. Through various measures as shown below, the affected people will be assisted to restore and improve their sources of income or livelihoods.

In addition to the 34 individuals (waste pickers inside the RAI), there are 7 (seven) waste pickers living outside of the RAI who have recently been impacted by closure of access to the site for waste collection, so these individuals will be included in the livelihood restoration activities also. Non-residents who rent out structures in the RAI are not eligible and will only be provided financial compensation for the loss of structures. The livelihood impacts and eligibility of PAPs is displayed in Table 3333 below.

Table 33: Livelihood Impacts and Eligibility for Support

PAP category	# of PAPs	Livelihood impact	LR support?
Business Owners located in the RAI	32	Businesses will need to be permanently relocated from the RAI, and as a result may lose their current clientele and revenues. This includes homeowners based in the RAI who rent out the structures they own in the RAI, as households will no longer be allowed to live in this area. In addition impacts may be felt during the phased relocation of households and compensation for this impact will be included.	Yes
Employees of businesses located in the RAI	13	As businesses will need to be permanently relocated from the RAI, their employees will lose the associated source of income.	Yes

PAP category	# of PAPs	Livelihood impact	LR support?
Waste pickers living inside of the RAI	34	Most of these PAPs who derive part of their livelihoods from recycling materials from the landfill are unskilled, unemployed and/or retired, often relying on the recycling activities as supplementary income. They will permanently lose access to the landfill and related revenue.	Yes
Women headed households	37	Women headed households will require additional assistance to be able to restore their incomes and livelihood to pre-project levels	Yes
Waste pickers living outside of the RAI	7	Most of these PAPs who derive part of their livelihoods from recycling materials from the landfill are unskilled, unemployed and/or retired, often relying on the recycling activities as supplementary income. They will permanently lose access to the landfill and related revenue.	Yes

Both business owners who choose to keep their commercial activities following resettlement and those who opt to permanently shut down their business and receive cash compensation for the value of their business will be eligible for livelihood restoration support.

9.3 Livelihood Restoration Activities

Eligible PAPs will be able to participate in various Livelihood Restoration (LR) activities on a voluntary basis as summarised below in Table 344, and detailed in the following subsections.

The LR activities were identified for their relevance for the PAPs based on prior consultations with PAPs on their professional skills, knowledge and education levels, as well as with local NGOs and vocational institutions. The eligible PAPs will be further consulted during the RAP implementation phase to confirm their interest in participating in the activities.

The consultation with PAPs regarding livelihood restoration activities will be carried out on an individual basis. Once the Resettlement Action Plan is approved and resettlement begins, NRPB will organize individual meetings with all eligible PAPs to:

- Explain livelihood restoration activities and programs to the PAPs
- Seek PAPs' confirmation on what livelihood activities and programs are preferred
- Plan the implementation of livelihood restoration activities

Table 34: LR Activities

LR activities	Eligibility	# of eligible PAPs
Training in business management and marketing	<ul style="list-style-type: none"> • Employees and owners of affected businesses 	<ul style="list-style-type: none"> • 32 business owners • 13 employees
Vocational skills training	<ul style="list-style-type: none"> • Residents who gain part or all of income from recycling landfill materials (waste pickers inside and outside the RAI) • Employees of affected businesses • Women headed households 	<ul style="list-style-type: none"> • 41 (waste pickers inside and outside the RAI) individuals • 13 employees • 37 women headed households
Additional general support		

LR activities	Eligibility	# of eligible PAPs
Business licencing and registration (optional)	• Owners of informal businesses	• 8 business owners
Basic financial management education	• All PAPs who are interested	• 140 ¹¹⁸ PAPs
Support to regularize immigration status	• PAPs without legal residency status in Sint Maarten	• To be identified in resettlement implementation phase

9.3.1 Training in Business Management and Marketing

The displaced businesses will be offered the opportunity to participate in business management and marketing training sessions tailored for small-scale enterprises. These sessions will be aimed at supporting the re-establishment of commercial operations throughout the relocation and transition period, and helping to restore the amount of revenue and number of clientele to pre-resettlement levels. The specific contents of these sessions will be confirmed with CIFSAP, following confirmation of the businesses' preferences for training support, as well as confirmation of CIFSAP's capacity to deliver the training.

9.3.2 Vocational Skills Training

All individuals who rely on recycling landfill materials will be offered the opportunity to participate in a vocational training course or work placement of their choice from those offered by CIFSEF, to support them in re-establishing pre-resettlement income levels.

9.4 Delivery Partners

Based on consultations conducted with vocational institutions present in Sint Maarten (see section 11.2), the Caribbean Institute for Social Education Foundation (CIFSEF) has been identified as a viable delivery partner for implementation of vocational and small business management programmes which will be. CIFSEF is the training arm of the Workers Institute for Organised Labour (WIFOL), and delivers a range of training and placement opportunities focusing on the Hospitality and tourism sectors, including in retail/food/beverage, customer service, computer, and management certificates.

Currently all CIFSEF courses are provided in English, however courses in Spanish, French or Dutch may be provided depending on level of interest. The course duration is between 2 to 4 months, at the end of which all participants receive certification. The courses are organized in sessions (2 sessions per week) and a 6-week internship can also be made available if PAPs will express their interest.

The courses are organized as per the Technical Education Vocational & Entrepreneurship Training (TEVET) program approved by the Trinidad International Labor Organization. CIFSEF has prior experience of partnering with the Red Cross to organise group courses for hurricane-impacted residents.

CIFSEF has been identified as a viable partner based on the following selection criteria:

¹¹⁸ Excluded GEBE which is a stated owned company and does not qualify for livelihood assistance

- Prior experience in providing skills training to community members with low levels of formal education
- Prior experience in providing skills training to different population groups including women, elderly and disabled individuals
- Level of technical expertise in the relevant fields and qualifications
- Existing relationships with local and regional businesses, and experience in facilitating work placements
- Knowledge of and experience working in the affected community and/or the wider Sint Maarten

9.5 Additional Livelihood Restoration Support

9.5.1 Business Licencing and Registration

For informal businesses who are interested in formally registering their commercial operations, they will be provided support to obtain a business license and have their businesses registered. This process will be carried out in partnership with the Executive Council of the Island of St. Maarten and/or Chamber of Commerce and Industry. All applicable fees required to obtain the license and registration will be paid for through this program.

9.5.2 Basic Financial Management Education & Support with Bank Accounts

Given that the amount of compensation funds may be considerably higher than normal income levels in some cases, CIFSEF or another local NGO or organization, such as the Women's Desk with prior experience in providing financial literacy training to community members with low levels of formal education will be procured according to standard WB procurement practices to hold a financial management seminar series. Any interested PAPs will be encouraged to attend this series, with transport costs and provision of drinks¹¹⁹ to be covered by the Project. The aim of the seminar is to support PAPs with independent financial advice to help them use and invest their compensation in such a way as to improve their long-term well-being. This will enable them to avoid engaging in an erratic, unplanned spending pattern and plan household expenditures in a strategic manner.

Through the series, the 35 households who do not currently possess a bank account will also be provided information on the benefits of owning a bank account, and assistance to open and use an account if they wish to receive their compensation payments in this manner. All fees and charges associated with this will be paid by the Project. For those with foreign accounts, payments will be deposited directly in these accounts.

9.5.3 Additional Support for Vulnerable People

Additional support for vulnerable PAPs to ensure that their living standards are not adversely impacted by resettlement will include the following measures:

- Vulnerable PAPs will be given priority in selection of vocational training activities, to enable them to enrol in courses that are most relevant for their needs
- They will also be given priority given in selection of both temporary and permanent relocation dwellings, to ensure that their new living arrangements are appropriate
- Temporary and permanent houses will ensure universal access to PAPs with mobility challenges and/or elderly PAPs

¹¹⁹ If seminars are full-day, the project will also cover the meals costs

- Access to mental health counselling support through the Mental Health Foundation will be provided, if requested by the PAPs
- For elderly PAPs, they will be given the option of membership at the Gaston Boasman Helpdesk for Elderly to be paid by NRPB, a recreational center for the elderly (see section 12.1 for more details on the organization).

9.5.4 Support During Transitional Resettlement Period

For PAPs who are provided with in-kind replacement housing during the transitional resettlement phase, subsidies will be provided to facilitate transport to their regular schools and health centres, if they are not located within reasonable walking distance (850 meters radius) from the temporary accommodation. PAPs will mobility challenges and elderly PAPs will receive subsidies to facilitate transport to their regular health centres if they are not located within reasonable walking distance (200 meters radius) from the temporary accommodation.

PAPs who opt for cash compensation for loss of residence and obtain new housing will also be provided subsidies to facilitate transport to their regular schools and health centres for the duration of the transitional resettlement period, if these are not located within reasonable walking distance from their new homes.

9.5.5 Support to Regularize Immigration Status

Affected people without legal immigration status in Sint Maarten will be offered legal and administrative support during the residency permit application phase, if they wish to submit an application for a legal residence permit.

10 Resettlement Process

10.1 Overview

This section details the resettlement process that will be carried out. The resettlement implementation process will commence in the first quarter of 2022 and is expected to last for approximately 12 months from first quarter of 2022 onwards.

10.2 Resettlement Options

World Bank OP 4.12 requires PAPs to have resettlement options and be informed of those options. PAPs affected by the project will have two resettlement options:

Option 1. Cash compensation: the Project Affected Person will be getting monetary compensation for affected assets and resettlement assistance;

Option 2. In-kind compensation – the Project Affected Person will be resettled in a flat/house purchased in the housing market by the Government of Sint Maarten and resettlement assistance which will be provided in cash;

During RAP implementation the NRPB will develop a legal agreement to be signed by PAPs and NRPB. The legal agreement will confirm the resettlement option chosen by the PAP, cash, or in-kind compensation. The legal agreement will describe in detail the resettlement process, compensation package, how the compensation will be offered, and conditions on vacating the RAI. The legal agreement will be legally binding for both parties, the Project Affected Person and the NRPB.

The legal agreements will be consulted with PAPs to explain the content of the agreements, PAPs rights and obligations, processes to be followed, all terms and conditions so PAPs are clear to what they are signing. The legal agreement will be translated to Spanish, or other languages based on the language of the PAPs' preference, to facilitate the consultation process with Spanish speaking PAPs.

10.2.1 Cash Compensation

In order to facilitate cash compensation there will be three options in order to receive it:

- (1) Cash compensation provided through a bank transfer¹²⁰ to PAP's account
- (2) Cash compensation through a cheque to be cashed by the PAP
- (3) Cash compensation through a bank card with magnetic tape or other similar type card.

These options will facilitate cash compensation payment and make sure PAPs are not carrying with them large amount of cash.

In order to receive the cash compensation, the PAPs will sign a legal agreement as described above. The legal agreement, in case of cash compensation preference, will detail on how the PAP wants to receive the cash compensation payment: bank transfer, cheque or magnetic tape or other similar type card (card transfer).

¹²⁰ All transaction costs will be covered by NRPB

The RAP implementation Consultant and NRPB will collect ID data (and a copy of the ID or passport, whichever is available) and PAP's bank account details¹²¹ for bank transfer or card transfer. For a cheque to be issued, the PAP's ID data and copy of the ID or passport are sufficient. NRPB will assure that any PAP, regardless of the residency status (undocumented PAPs¹²²), will be able to receive the compensation.

Once PAP's ID data and banking details are processed by the NRPB, the bank transfer or card transfer is executed, or a cheque in the name of the PAP is issued. The PAP is informed by the RAP implementation Consultant and NRPB about the bank transfer or the card transfer or the cheque issuance. Once the money reaches the Project Affected Person account¹²³ or the PAP received the cheques, the compensation payment is considered done and the structure vacating period of 2 months starts.

10.2.2 In-kind compensation

In order to facilitate in-kind compensation provision, the project will source replacement housing on Sint Maarten real estate market. The timing for this is January to June 2023, as indicated in table 60 RAP implementation schedule.

The standard for the in-kind housing will be that they are homes in residential areas, they meet the local building code, and legally connected to all services (such as electricity, sewer, and water). Any accommodation will have to meet the World Bank standards and ensure long-term affordability. In terms of security of tenure, this will mean that they will be the title/deed holder for the home.

Sint Maarten does not have a property tax, but there might be condominium fees and other fees which the owner will need to pay on an annual basis. There are no condominium fees or other fees accruing in the Resettlement Area of Impact. However, the Project Affected Persons are paying for utilities (electricity and water) on a regular basis and provide for regular repairs and maintenance of their structures. To ensure sustainability and affordability of replacement housing, the NRPB will determine in consultations with PAPs that the total amount of fees including utilities are both affordable and sustainable for each PAP in the long term. The NRPB will conduct consultations with the PAPs to ensure that the costs associated with the replacement housing are affordable in the long-term.

The replacement housing sustainability will be individually assessed for each PAP. This will consist in screening incomes against costs and fees associated with replacement housing¹²⁴. The project will follow a cost-to-income ratio at a 30% affordability threshold, whereby housing is considered "affordable" if the Project Affected Persons do not spend more than 30% of their gross income on housing costs.

¹²¹ Bank accounts are not available for undocumented PAPs (illegal immigrants) in Sint Maarten banking system. For this category of PAPs, NRPB can issue a cheque (based on the PAP's ID or passport from the country of PAP's residence) or transfer the cash compensation to a bank account outside Sint Maarten with the condition that such an account is available.

¹²² PAPs with undocumented legal status

¹²³ Will be confirmed by the RAP implementation consultant with the PAPs

¹²⁴ OECD Affordable Housing Database – <http://oe.cd/ahd>. Expenditure-to-income ratios capture actual spending on housing at the individual household level. This means that they can be disaggregated (across different household and tenure types, income levels and regions) to identify the particular people and places that struggle to pay for housing.

1 PAP (business owner) opted for in-kind compensation as well. This is a craft metal business (recycling metals for export). This business is recycling metals collected on Sint Maarten and on MSWDS and IDS. The business owner wants to be relocated on piece of land adjacent to the MSWDS or IDS¹²⁵. Currently the business occupies around 500m² of land in the RAI, however the replacement land plot area is not the bottle neck in this situation, as the proximity to the IDS and MSWDS plays the major role in business sustainability as part of the recycling metal comes from MSWDS and IDS¹²⁶. NRPB is exploring the possibility to identify a space adjacent to MSWDS and IDS to be provided to the PAP as a resettlement option.

9 PAPs (8 homeowners and 1 homeowner and businessowner) opted for in-kind compensation option when they signed the compensation packages and the declarations of intent.

Table 35 PAPs (homeowners) who opted for in-kind compensation

PAP code	PAP category ¹²⁷	PAP's family members	Type of unit to be sourced ¹²⁸
A03R01001	Homeowner	1	1 bedroom unit
B01R01001	Homeowner	2	1 bedroom unit
C24R01001	Homeowner	5	3 bedrooms unit
C25R02001	Homeowner	1	1 bedroom unit
D04R01001	Homeowner	4	2 bedrooms unit
D05R01002	Homeowner	4	2 bedrooms unit
G06R01001	Homeowner	4	2 bedrooms unit

¹²⁵ Since Government owns the land, and there is no leasehold agreement in place, all of the residents are squatters. Based on current laws and WB OP 4.12, Government only has a legal obligation toward residents to reimburse for value of immovable property on Government land.

¹²⁶ NRPB does not have yet a solution for this case as the PAPs confirmation on compensation preference was communicated during a meeting the PAP on November 26, 2021. No land is being purchased by NRPB in this case

¹²⁷ None of these PAPs are off-site landlord who do not qualify for in-kind compensation

¹²⁸ Exact type and size of the replacement unit to be determined based on market research and availability during RAP implementation and in consultation with the Project Affected Persons

C17R01001	Homeowner	3	2 bedrooms unit
A10R02001	Homeowner	3	2 bedrooms unit

The process of identifying and agreeing to replacement housing

In order to initiate in-kind compensation provision, the PAPs will sign a legal agreement as described above. The legal agreement, in case of in-kind compensation preference, will detail also on how the project intends to identify housing options in Sint Maarten real estate market and provide it to the PAP.

During the RAP implementation phase, NRPB and the real estate agent will identify available units in the Sint Maarten real estate market based on type and criteria as per table 35. Each identified housing unit will be consulted¹²⁹ individually with the PAP. Once the PAP agrees with the housing unit identified by the project, the NRPB and the real estate agent will reserve the housing unit.

The sale and purchase agreements will be signed at a notary office in the presence of the PAP, the seller and the NRPB and the real estate agent. The sale and purchase agreement will be an agreement between 3 parties: the Seller, the PAP¹³⁰ (the Buyer) and the NRPB (the Payment Party). The ownership will be transferred to the Project Affected Person once the NRPB will pay for the housing unit according to the sale and purchase agreement.

10.2.3 Temporary resettlement

Project Affected Persons who are eligible and opted for in-kind compensation will be provided with temporary resettlement assistance, if necessary. NRPB expects to source the replacement housing on Sint Maarten real estate market in a timely manner, so PAPs do not have to relocate to a temporary resettlement site. However, if the identification of a suitable replacement house on Sint Maarten real estate market would take longer than required to clear a specific resettlement phase (usually longer than 2 months), then the Project Affected Persons will have to relocate to a temporary resettlement site and will be provided with temporary resettlement assistance. The temporary resettlement assistance will be provided over the period required to identify and secure the replacement housing.

Based on individual preferences, the temporary resettlement assistance will be provided in cash or in-kind.

For PAPs who choose to receive in-kind support during temporary resettlement, five hotels and apartments (including studio apartments, suites and rooms with kitchenettes) are currently in consideration by NRPB to be selected as their temporary residences. Factors being taken into consideration for selection of the accommodation include affordability, availability of sufficient number of rooms particularly for multiple-person households, cooking facilities, and location in

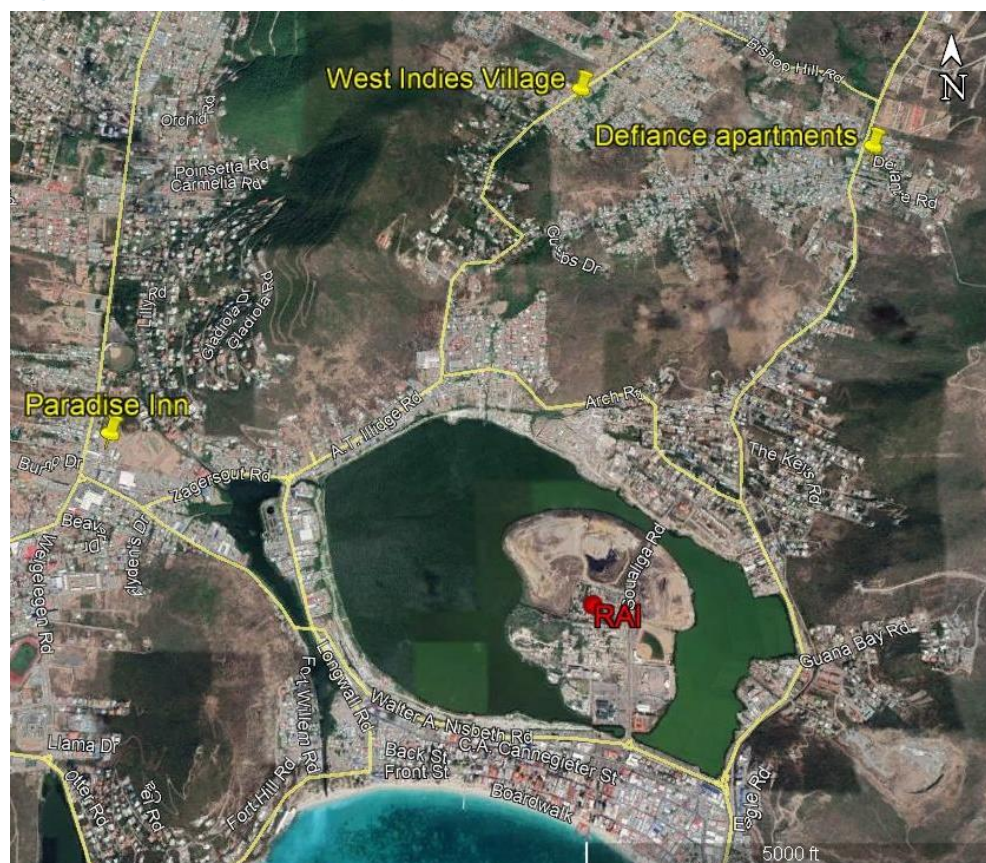
¹²⁹ Through individual discussions, meetings with real estate agent, visiting the identified housing unit

¹³⁰ Currently the 9 PAPs who opted for in-kind compensation are Sint Maarten resident; however, this process does not discriminate against illegal immigrants as the sale and purchase agreements can be signed against foreign ID data and passports

relation to the RAI and proximity to the Philipsburg city centre. This in-kind support will last for the duration while resettlement housing is being purchased on Sint Maarten real estate market.

Several facilities, as per table below, were contacted during March-April 2021. NRPB confirmed with these facilities potential housing arrangements for Project Affected Persons based on actual occupancy during the temporary resettlement.

Figure 47: Potential temporary resettlement options



Source: RINA, 2021

PAPs who choose to receive cash compensation will be provided a rental allowance in line with market prices monthly, while resettlement housing is being purchased on Sint Maarten real estate market. The rental allowance rates are described in section 6.2.2.1.

Currently only 9 PAPs opted for in-kind compensation, they are the ones who may require temporary resettlement. The temporary resettlement sites identified by the project fully cover the temporary resettlement demand. For the PAPs who will opt to source a temporary resettlement site by themselves and receive a cash compensation as a rental allowance, NRPB prior to disbursement of funds will visit each location as being identified by the PAPs to confirm on rental arrangements. NRPB will keep records and monitor these locations on a quarterly basis before disbursing rental allowances.

Table 36: Potential temporary resettlement sites

Hotel	Type of room	# of available rooms	Monthly rate, USD
Defiance Apartments	3 rooms	1	1,100.00
	2 rooms	1	950.00
	1 room	3	800.00

Hotel	Type of room	# of available rooms	Monthly rate, USD
Paradise Inn	Studio	37	1,215.00
Horizon View Hotel	Studio	20	1,800.00
	Suite	5	2,500.00
	Penthouse	5	3,500.00
Simpson Bay Suites	Studio/Suite	30	2,250.00

Throughout the temporary resettlement period, NRPB will maintain ongoing, regular contact with the PAPs who have moved into temporary accommodation to monitor living conditions, provide updates on the housing purchasing process and progress, and receive and manage any grievances, through phone conversations, the grievance mechanism and in-person visits as needed (at least bi-weekly).

10.3 PAP folders and resettlement database

NRPB is keeping paper based and electronic versions of PAP folders. These folders consist of: PAP consent to collect information through socio-economic questionnaire, socio-economic questionnaire, asset inventory, compensation packages and declaration of intent. From case to case, the PAP folders may consist of additional documentation depending on specific peculiarities (proof of income, copy of ID, pictures, assets re-measurement file, etc.). The electronic PAP folders are a mirror copy of paper-based documentation in PDF format.

During RAP implementation the PAP folders will be continuously updated to keep track of all the changes, edits or additions made to PAP files. Supplementary documentation will be added and scanned such as: final compensation package, final legal compensation agreement, copies of cheques, copies of bank transfers, confirmations of payment and other applicable documentation.

Based on PAP folders, NRPB is working to develop a web-based database. The database will be linked to the scanned version of documentation located in the PAP folders and will be updated systematically during RAP implementation phase.

NRPB will provide the World Bank with the access to the database to monitor resettlement implementation progress. As RAP implementation processes the NRPB will provide the World Bank with compensation payment confirmations, and on a request-basis, will share with the World Bank the electronic version of PAP folders. Paper-based PAP folders will be made available during the World Bank field missions to Sint Maarten.

11 Consultation, Disclosure and Grievance Procedures

11.1 Objectives

Consultation, participation and disclosure for people affected by resettlement activities is a key component of the RAP preparation and implementation processes. Objectives of the Project's information disclosure and public consultation include:

- To provide accurate information on project activities, potential impacts, resettlement strategy, and other information of relevant importance for people to be displaced and resettled;
- To foster affected people's active participation in activities related to resettlement planning, implementation and restoration of incomes and living standards; and
- To establish effective and fast communication channels to respond in an ongoing manner to community concerns.

All consultations, disclosure and grievance procedures and associated printed materials were designed and provided in English and Spanish languages. The upcoming consultation process and activities during the resettlement implementation phase and associated printed materials will be designed and provided in English and Spanish languages.¹³¹

11.2 Consultations – RAP Preparation Phase

11.2.1 Previous Consultations with Affected People – Red Zone

Consultations with PAPs located within the Red Zone have been ongoing since December 2018 to February 2019, before the need to expand the area of resettlement beyond the Red Zone was identified in June 2019. A team, comprising the World Bank (as observers) and VSA social safeguards consultants, an inspector from the Ministry of Public Works and Environment, a University of Sint Maarten support staff, and an architect visited the community to conduct socioeconomic survey, asset inventory and consultations.

In February 2019, an additional round of meetings was held with residents to further discuss their resettlement preferences and to give them opportunities to ask additional questions. They were also informed of their right to have counsel present during the next round of consultations when the resettlement options are to be presented.

The following table shows the consultation activities carried out, as well as their main results.

Table 37: Consultation activities

Date	Stakeholder Consulted	Result/Outcome
December 10, 2018	Red Zone occupants	VSA consultant, accompanied by the World Bank representative, went into the Red Zone to hand out flyers in English and Spanish, announcing the start of socioeconomic assessment the following day. An article was also sent to the local media announcing the visit, and a hotline was set up for residents to call if they had any questions.

¹³¹ Both, RINA and NRPB, include Spanish speaking staff to accommodate consultations activities in Spanish

Date	Stakeholder Consulted	Result/Outcome
December 11, 2018	Red Zone occupants	The survey team visited the targeted community to conduct the survey.
December 12, 2018	Red Zone Occupants	A second flyer was circulated among residents, informing them of the December 21 cut-off date to supply information and contact details. One resident who was absent during the first walk-through and another two persons claiming to be landlords came forward to be interviewed.
December 13 2018-14 January 2019	Red Zone Occupants	Surveys conducted or meetings arranged to conduct surveys for several additional structures and households.
December 18, 2018	VROMI and Red Zone Occupants	Meeting with VROMI to request overview of available land and social housing. Information was given regarding potential areas to resettle the Red Zone community. At this time there is hardly any available land in Sint Maarten.
February 2019	Red Zone Occupants	Meetings with various PAPs to find out preferences for resettlement locations and compensation methods.
May 15, 2019	Red Zone Occupants	Consultation at VSA with all Red Zone occupants to provide update on resettlement process.
May 31-June 2, 2019 June 26-July 2, 2019	Yellow Zone Occupants	<p>Socioeconomic census surveys with occupants.</p> <p>Issues raised:</p> <p>The main characteristics of the Yellow Zone valued by inhabitants include the social environment/family ties, and peace and tranquility. There is no cohesive, central social organization or leadership structure that represents the views of the community.</p> <p>The majority of households (82% of 98 families) indicated that they would be willing to be relocated.</p>
June 25-26 2019	RAI Occupants	<p>Public consultation on ESIA and RAP process.</p> <p>Issues raised</p> <ul style="list-style-type: none"> • Various concerns and anxieties expressed about logistics of evacuation, resettlement, relocation of residents and businesses including timeframes, locations, and compensation amounts. • Importance of giving plenty of notice before relocation/evacuation to enable residents to plan their moves • Concerns about impacts of air pollution and emissions from fire suppression activities on the community, especially for those who work at the landfills • Some residents expressed that they have lived in that area their whole lives and did not wish to leave. • Scepticism about Government efforts to address the health and safety issues associated with the landfills • Comments raised about the long term plans for waste management and whether or not there would be an

Date	Stakeholder Consulted	Result/Outcome
		alternative to landfills, and waste separation and recycling facilities.
November 17-29 2020	RAI occupants	<p>Socioeconomic surveys and asset census</p> <p>Issues raised:</p> <ul style="list-style-type: none"> Concerns about relocation timeframes and locations, adverse impact of relocation especially on elderly and vulnerable community members, importance of being near family and social networks, and compensation to be offered
February 5-6 2021	RAI occupants	<p>Focus group discussions with randomly selected groups of women, youths, and elderly and/or disabled residents</p> <p>Issues raised:</p> <ul style="list-style-type: none"> Insecurity and uncertainty of not knowing when and where they will be relocated is a constant stressor Residents have no interest in temporary relocation as that would create additional disruptions and stress in their lives. The RAI consists of a close-knit community, where households look after and take care of one another. This is particularly the case for elderly residents. Overall, there is a strong attachment to the current site and no desire to move. Challenges experienced in the RAI include housing structures that are inadequate as residences and/or are too small for their families, as well as lack of protection from impacts of flooding and hurricanes.
June 2021	FOGA site – host community members	<p>Surveys on living conditions in the FOGA¹³² site, social organization/structure within the community, and suggestions for facilities to improve the site.</p> <p>Issues raised:</p> <ul style="list-style-type: none"> Titling and ownership: Some residents have lived in the area for more than a decade, renting from SMHDF. They would now like to become owners of the structures they are renting Maintenance: Residents claim that SMHDF has not carried out maintenance in a long time, even though the rent fee includes maintenance cost Infrastructure: Part of the community road and yards in the vicinity get flooded when it rains

Through these consultations and survey work, a socioeconomic baseline report and resettlement action plan for the Red Zone were developed. Following these meetings, the residents were informed of the need to expand the resettlement area of impact (as detailed in section 2.1.2) and the resulting delays to the displacement process.

¹³² FOGA site was part of the consultation process as it was considered the only option for resettlement during the time when consultations took place

11.2.2 Socioeconomic Surveys & Asset Census

As detailed in the baseline and valuation methodologies (sections 4.2 and 6.2), the socioeconomic surveys and asset census were conducted in November 2020 with the cut-off date being communicated throughout the RAI through various means. A total of 198 individuals at 80 residential households, 20 mixed (residential and commercial) units and 9 businesses participated.

11.2.3 Key Informant Interviews - Government

As the governmental body responsible for implementation of the resettlement process, NRPB has directly conducted consultations with various governmental authorities to disclose key updates in the resettlement planning process and discuss a range of resettlement matters, as listed below.

Table 38: Consultation activities with government authorities

Date	Stakeholder Consulted	Key issues discussed
December 10, 2018	VROMI	The Inspector General at the Ministry of VROMI; assumption all land belongs to Government
November 13, 2020	Council of Ministers, Sint Maarten	Presentation delivered on resettlement activities
December 03, 2020	VROMI	Resettlement and availability of FOGA ¹³³ site for permanent relocation; Preliminary numbers / findings on resettlement
January 20, 2021	Council of Ministers Focal Points	Resettlement Policy Framework ¹³⁴ presentation
January 21, 2021	Council of Ministers, Sint Maarten	EDMP and resettlement activities; Resettlement Policy Framework
March 09, 2021	Minister of Tourism, Economic Affairs, Transportation and Telecommunications (TEATT)	Support to formalize and register business for informal business owners/operators
March 12, 2021	VSA	Potential governmental support for PAPs and eligibility: Affordable housing program in the resettlement site for PAPs experiencing permanent loss of dwelling; Programs to restart and strengthen economic activities; Social support programs for vulnerable people
March 15, 2021	Ministry of Finance	Overall progress with resettlement activities; compensation framework and eligibility criteria; how Tax Inspectorate's taxation laws would be applied to the compensations provided under NRPB resettlement activities

¹³³ FOGA site was part of the consultation process as it was considered the only option for resettlement during the time when consultations took place

¹³⁴ The NRPB drafted a RPF for its own portfolio. This draft document is not a World Bank cleared document but it informed the development of this RAP.

Date	Stakeholder Consulted	Key issues discussed
March 17, 2021	VROMI	Potential social housing programs for PAPs
March 23, 2021	Ministry of General Affairs	Overall progress with resettlement activities; compensation framework and eligibility criteria; migration and residential status; FOGA ¹³⁵ site commitment; communication strategy

11.2.4 Key Informant Interviews – NGOs

Meetings were held with vocational institutes and NGOs based in Sint Maarten, to find out further information on the following matters, to support development of appropriate resettlement and livelihood restoration interventions:

- Major economic opportunities in the local area and the types of training that would be beneficial for the local community members
- Potential vocational and work placement opportunities
- Existing employment programs, strategies, and/or wider regional development planning
- Support programs for vulnerable populations such as the elderly, and key mental health risks to be taken into consideration within the resettlement process
- Governmental support programmes available for vulnerable people E.g. Social security/welfare, health insurance support, psychosocial support, and affordable housing programs

Table 39: Consultation activities with Vocational Institutes & NGOs

Date	Stakeholders Consulted	Key topics discussed	RAP Implementation Involvement
April 2021	National Institute for Professional Advancement (NIPA)	Vocational programs offered and eligibility: Only residents of Sint Maarten can apply. The study year starts in September and the one-year courses are provided considering 4 levels skills assessment, from Level 1 (basic) to level 4 (certified professional).	-
April 2021	Caribbean Institute for Social Education Foundation (CIFSEF)	Vocational training courses offered and eligibility: Currently all 2-4 month courses are provided in English, however courses in other languages may be provided. The courses are organized in sessions (2 sessions per week) with certification at the end. A 6-week internship may be made available.	Viable delivery partner for implementation of livelihood restoration programmes, particularly the vocational training activities
April 2021	Mental Health Foundation (MHF)	Overview of services provided by the Foundation, including therapy and treatment: MHF is a subsidized non-government organization which	Potential partner for delivery of counselling services for vulnerable

¹³⁵ FOGA site was part of the consultation process as it was considered the only option for resettlement during the time when consultations took place

Date	Stakeholders Consulted	Key topics discussed	RAP Implementation Involvement
		provides psychiatric care. They are currently dealing with almost 500 psychiatric crisis cases every year	PAPs during relocation process
April 2021	Gaston Boasman Helpdesk for Elderly	This is a recreational center for elderly and as they recommend its' programs are tailored for 50years+ population. They meet twice a week for recreational activities at the center (games, singing, dancing, etc.) and the participants are served with breakfast and lunch. To become a member, an application needs to be submitted and a monthly fee of 20 USD paid.	Potential partner for membership to be provided to elderly PAPs who are interested, for further psychosocial support during relocation process
April 2021	Women's Desk	A unit managed by the Ministry of VSA whose scope is to strengthen the socioeconomic position of women. They have experience in providing assistance and guidance in terms of: <ul style="list-style-type: none"> • Financial literacy training • Women empowerment • Sexual and reproductive health • Parental skills, and others. The unit tailors their programs based on the demographics of the target population. Currently, their financial resources are scarce and require financial assistance to implement such programs.	Potential partner for delivery of services such as financial literacy training for PAPs
April 2021	Sint Maarten Housing Development Foundation (SMHDF)	SMHDF possesses in long lease land parcel on Sint Maarten and develops social housing (structures of various types and use) which is rented out to applicants. Only Sint Maarten residents can apply for social housing. Currently, after Hurricane Irma, there are almost 3,000 persons on the waiting list.	Permanent relocation site owner

11.2.5 Focus Group Discussions (FGDs)

From 5 to 6 February 2021, three focus group discussions were separately conducted with five women, six youths, and seven elderly and/or disabled residents of the RAI, respectively. The participants were randomly selected based on the socioeconomic surveys previously conducted.

The key objective of the FGDs was to obtain qualitative information on the residents' views and feelings about life in the RAI in general, concerns about the resettlement process, specific challenges experienced and priorities concerning access to social networks and employment, and communication preferences. In this manner, the FGDs aimed to complement the quantitative

baseline data gathered through the socioeconomic surveys, while facilitating a group environment with peers with similar life experiences to ensure that participants felt at ease to discuss these topics freely, and ensure that views of residents who were not consulted directly during the socioeconomic surveys are captured.

Given the various nationalities and language capabilities of the residents, the sessions were either conducted in English, or in Spanish with an English interpreter attending.

Figure 48: FGD session on 5 February



Figure 49: FGD session on 6 February



Figure 50: FGD session on 5 February



Source: RINA, 2020

Key aspects that were raised by participants are shown below. The meeting minutes from the sessions with further details are included in Appendix C.

Table 40: FGD Summary

Topic	Key aspects discussed
RAI community	<ul style="list-style-type: none"> • The RAI consists of a close-knit community, where households look after and take care of one another. This is particularly the case for elderly residents. • Overall, there is a strong attachment to the current site and no desire to move. • Challenges experienced in the RAI include housing structures that are inadequate as residences and/or are too small for their families, as well as lack of protection from impacts of flooding and hurricanes.
Key locations	<ul style="list-style-type: none"> • Church (Illidge Road); Church (Cole Bay, Zagersgut) • Shopping; walking in town/boardwalk • Doctor (Marigot, Cay Hill, town) • Supermarket (Sang's, Afoo in town) • Support provided by Mental Health Foundation
Relocation process	<ul style="list-style-type: none"> • Insecurity and uncertainty of not knowing when and where they will be relocated is a constant stressor. • Comfort, central location, peace, safety and affordability are key aspects that they enjoy in the RAI and want to maintain in any new location. • Residents have no interest in temporary relocation as that would create additional disruptions and stress in their lives.
Decision-making	<ul style="list-style-type: none"> • For married women, key household decisions are made jointly with their partners, and both partners have access to the joint bank accounts.

11.2.6 WhatsApp Broadcast

Based on feedback received during the February 2021 FGDs, residents were overwhelmingly supportive of the use of WhatsApp as an accessible method to provide them with updates on the resettlement process, while reducing the need for group meetings. A WhatsApp broadcast list was created by NRPB in response in February 2021, which enables NRPB to communicate key

updates to the PAPs without disclosing their personal contact details to the others. Given that not all PAPs will have access to smartphones or WhatsApp, other channels of communication as elaborated within this section have been used in tandem.

11.2.7 Consultations on Entitlement Matrix & Compensation Packages

From 5 May to 2 June 2021, a site visit was conducted by RINA's community engagement team on the Project comprising four individuals who were part of the November 2020 survey team, with the objectives of disclosing the entitlement matrix to the PAPs and conducting individual meetings with PAPs to disclose and explain their compensation packages.

The RAI community was informed about this consultation process through various methods, including the WhatsApp broadcast group (as per section 11.2.6) and in-person visits to the community and households.

The group and individual consultations took place at the University of St. Martin within a conference room rented from the campus, an approximately 5-minute walk from the RAI. PAPs were invited through WhatsApp messages or personally by RINA's community engagement team to attend these sessions and were also given the option of having the individual meetings at the respective place of residence or business within the RAI.

A point of contact was arranged at the University of St. Martin to enable PAPs to receive additional information and/or clarifications about the process and compensation types and packages at their convenience. This room was made available for the public to access on Tuesdays and Thursdays from 2pm to 8pm and Saturdays and Sundays from 9am to 6pm, from 8 to 30 May 2021.

Group Consultations

As part of this round of consultations, group presentations were delivered to the PAPs from 8 to 9 May 2021 on key updates on the resettlement process, including:

- General findings of the socioeconomic and asset surveys conducted in 2020
- Entitlement matrix, including types of compensation available (cash and in-kind options availability) and eligibility for each one
- Asset valuation methodology for affected structures and assets, and how the values and rates were calculated for loss of structures, rental cost, additional assets, immovable plants, business income, employee income, income related to the landfill.
- Valuation methodology for cost of transport, asset dismantling, registration and taxes
- Livelihood restoration program, eligibility criteria and types of support to be provided identified tentatively
- Next steps: individual meetings to be held to discuss compensation packages and updates to be provided on the relocation process, including the new relocation site and LRP

To accommodate COVID-19 restrictions on group gatherings, three presentation sessions were held each day with up to 25 participants in Spanish and English, as shown below.

Table 41: May 2021 Consultation Attendance

Date	Time	Number of attendees
2021-05-08	10:00	11
	15:00	7
	17:00	10
2021-05-09	10:00	3
	15:00	5

Date	Time	Number of attendees
	19:00	16
	Total	52

Consultations on Compensation Packages

All PAPs living in the RAI have been presented with proposed compensation packages, and requested to sign the compensation packages and the Declarations of Intent (DOI) to help the NRPB with planning and costing the resettlement. These DOI are not legally binding on either the NRPB or the signer. These declarations are also subject to increases as the valuation methodology is adjusted during RAP finalization or during implementation of the RAP. There will be no decrease in the amount stated in the DOI arising from any change in valuation methodology.

Private, individual compensation consultations were conducted from 10 May to 2 June, either at the dedicated meeting room at the University of St. Martin campus, or at the PAPs' respective homes or businesses. A RINA team member was assigned to provide the compensation package amount in the first meeting and schedule a second meeting to answer any queries and concerns that the recipients may have after having reviewed the document. Continuous consultations on compensation packages were carried out by NRPB during July, August and September 2021. The compensation packages included a financial (monetary) itemization of all affected assets and proposed compensation, resettlement assistance and mitigation measures.

Project Affected Persons were explained that ones who own structures/buildings/houses or other immovable property and reside in the RAI may opt for in-kind or cash compensation. Project Affected Persons were explained that ones who would opt for in-kind compensation will be offered with replacement housing (flats/apartments) and the project will source replacement housing on Sint Maarten real estate market. They were also explained that the project will transfer the replacement housing ownership to them to secure the tenure. Project Affected Persons were informed that NRPB as the institution responsible for RAP implementation including compensation payment (cash) or compensation provision (in-kind) will ensure that all 141¹³⁶ PAP eligible for in-kind or cash compensation will be paid accordingly.

Cash compensation will be provided through a bank transfer to PAP's account or through a cheque to be cashed in by the PAP. As an alternative to cheques, on a case by cases basis NRPB may opt to implement, supported by banks, a payment system based on magnetic tape or other types of cards. In this case the compensation funds will be transferred on the card. This is to facilitate cash compensation payment and make sure PAPs are not carrying with them large amount of cash.

During this second meeting, many attendees requested that their package be reviewed to account for structures and assets that had been unreported or unidentified. The RINA team verified the claims and updated the packages as applicable, with the final version of the compensation package being provided to the PAPs and their Declaration of Interest (see template in Appendix F) to participate in the resettlement process being signed off.

All queries and concerns raised by PAPS will be recorded and tracked. Main queries and concerns presented by PAPs during these meetings are listed below.

¹³⁶ All Project Affected Persons regardless of their migrant status

Table 42: Main Queries & Concerns of PAPs – May-June 2021

Theme	Queries & concerns	Responses provided / actions taken
Timeframes & resettlement process	<ul style="list-style-type: none"> • When exactly will the whole relocation process start? • Is it possible not to move until the properties we will be given are ready? • There is too much uncertainty about how/when we would receive the proposed compensation. • Who do we have to talk to at NRPB? 	<ul style="list-style-type: none"> • The resettlement implementation process will commence in September 2021 and last for approximately 24 months¹³⁷ • Cash compensation payments will be provided immediately upon start of the implementation process • Relocation will not take place until after the temporary relocation sites are ready for move-in • NRPB's focal point contact details were given
Justification for resettlement	<ul style="list-style-type: none"> • I have lived here all my life and raised my children here. They have grown up healthy. Why are we now being told it is a health hazard and we have to leave? • How can you kick me out of the place where I have lived all my life? 	<ul style="list-style-type: none"> • The health and safety issues that require all residents to move out of the RAI were explained, as elaborated within section 2.1.2
Eligibility	<ul style="list-style-type: none"> • I am not included in the PAP list and I have a piece of land with a business in the RAI, how can I be added? • During the November 2020 census, I did not provide correct information because I was afraid of how the government would use my information • I did not participate in last year's census because I did not know what it was about, can I be included now? • My adult son recently moved in with me, will he be included in the compensation? 	<ul style="list-style-type: none"> • The claims were individually assessed and new cases added to the list of eligible PAPs as applicable
Temporary relocation process	<ul style="list-style-type: none"> • Where will the temporary relocation site be situated? What hotels are available? • Can I rent a place on my own and have the cost covered by NRPB? • How do I deal with my animals? They are not accepted in hotels • Who assures us that after we moved to a hotel they don't leave us there without paying and kick us out of the hotel? 	<ul style="list-style-type: none"> • Details on the hotels being considered for temporary relocation were provided as described in section 10.2. Specific circumstances such as those with pets and business machinery will be assessed during the implementation phase • In-kind compensation is available for those who wish to rent a place of their own

¹³⁷ Based on information and plans available when consultation took place

Theme	Queries & concerns	Responses provided / actions taken
	<ul style="list-style-type: none"> Where is the FOGA¹³⁸ permanent relocation site? I won't sign any documents until I see a housing option to consider. The money offered is little compared to my investments 	
Compensation on payments	<ul style="list-style-type: none"> Will the compensation be paid in one lump sum or parts, e.g. monthly? I don't have a bank account; are you going to help me open an account? 	<ul style="list-style-type: none"> The payment schedule was explained (as per the implementation schedule shown in section 14). Support for PAPs in opening bank accounts will be provided in the implementation process

Subsequently, PAPs were given one week to review and consult on their individual compensation packages, and submit their signed Declarations of Intent (Dols) if they agree to the terms of this package. The RINA team remained available through this time to answer any other additional questions or concerns. An NRPB representative was also on site throughout this period, to validate the process and respond to any questions.

Discussions with PAPs are ongoing to obtain all signed Dols as of the date of this report. The following table shows the status of the DOI:

Table 43: Status of Declaration of Intent (DOI)

Status	Number of PAPs
DOI signed	128
DOI delivered and under review by PAP	1
DOI to be delivered	8
Delivered, refuses to cooperate	1
DOI not applicable ¹³⁹	1
DOI to be developed	2
Total	141

To date 128 PAPs have specified a preference for the type of compensation they wish to receive, among which 118 have opted for cash compensation, and 10¹⁴⁰ for in-kind compensation.

11.2.8 Resettlement Focal Point

The NRPB identified and secured a room within the University of St. Martin campus to serve as the focal point to receive resettlement-related queries and comments from the PAPs and conduct meetings during the additional round of consultations conducted in May 2021 (see section 11.3 below). The location was selected for its proximity to the RAI and accessibility for all PAPs.

¹³⁸ FOGA site was part of the consultation process as it was considered the only option for resettlement during the time when consultations took place

¹³⁹ State-owned company, NV GEBE, no compensation will be provided by the project in this case.

¹⁴⁰ This number includes 8 homeowners, 1 homeowner and businessowner and 1 business owner. n

The NRPB will install a field kiosk near the Resettlement Area of Impact which will be available during RAP implementation as a focal point.

11.3 Consultations – RAP Implementation Phase

11.3.1 Consultations Going Forward¹⁴¹

During the RAP implementation phase, NRPB will undertake the following stakeholder engagement and consultation activities with the support of an external consultant:

- Disclose key details of the final RAP – explain the compensation provisions (cash and in-kind), phasing approach and resettlement processes.
- Obtain PAPs' inputs, questions and views, adjust where necessary and/or applicable;
- Disclose resettlement implementation phasing approach and obtain the PAPs feedback and views on the process and timeline
- Conduct meetings with the eligible PAPs regarding the livelihood support measures to be implemented, such as their interest in the activities and dates and location of the vocational training courses (refer to section 9.3 for details)
- Following identification and confirmation of housing options in the Sint Maarten real estate market, a meeting will be held with all PAPs who have chosen in-kind compensation in the form of replacement housing to provide and discuss the following information:
 - Resettlement options, including a clear explanation of the consequences of choosing each option
 - Request for PAPs confirm their choice of resettlement option
- Once the move-out date has been confirmed¹⁴², all PAPs will be notified of the date through WhatsApp, flyers, noticeboard and visits, with a one-month notice provided at minimum. Information will also be given on the logistics of relocation and assistance to be provided in accordance with the entitlements identified in this RAP
- The legal agreements will be consulted with PAPs to explain the content of the agreements, PAPs rights and obligations, processes to be followed, all terms and conditions so PAPs are clear to what they are signing. The legal agreement will be translated to Spanish to facilitate the consultation process with Spanish speaking PAPs.
- Facilitation of consultations needed for internal monitoring and external evaluation activities

These consultation tasks will be undertaken in accordance with the timeframes for RAP implementation activities as established in section 14.

During the consultations to disclose the phasing approach, the project Affected Persons feedback and views will be collected and examined. The PAPs' feedback and views will be incorporated into the process if found feasible and reasonable. The phasing approach will be re-designed and adjusted based on applicable suggestions from PAPs.

¹⁴¹ Currently NRPB reached out to all 141 Project Affected Persons and finalized the consultation/negotiation phase of individual compensation packages. Nevertheless, there are some outstanding cases where reconfirmation of assets was requested by PAPs, yet they are not on Sint Maarten to witness the reconfirmation process, or PAPs left Sint Maarten for a period of time and are not yet back to sign the compensation packages; all these cases are monitored by NRPB by regular contact with PAPs via telephone, e-mail, WhatsApp; once PAPs are available the NRPB will close these cases.

¹⁴² Move-out date will be 2 months after PAP received their compensation (cash compensation) or rent allowance/temporary accommodation (in-kind compensation) which will be described and agreed in a legal agreement to be signed during RAP implementation

The contents of the WhatsApp broadcast announcements will be maintained in an engagement log for the purpose of recording and tracking, with the dates, key issues and queries presented summarised within the table in both English and Spanish languages.

11.4 Grievances & Requests Received to Date

Following completion of the household surveys in November 2020, residents of the RAI have been in contact with NRPB representatives on an individual basis to present their queries and concerns. Five were submitted between December 2020 to April 2021 as shown below. During the start of the compensation negotiation process from May to June 2021, 42 additional grievances or requests were submitted, information about grievance resolution is provided in the table below.

Table 44: Grievances & Requests Received on Resettlement

Date	Claim received	Resolution
2020-12-16	<ul style="list-style-type: none"> Resident requested to be surveyed as they were in hospital at the time of the census 	<ul style="list-style-type: none"> Socioeconomic survey and asset inventory was duly conducted
2021-02-06	<ul style="list-style-type: none"> Resident claims to have been missed in the November 2020 census 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. The claim was confirmed, PAP added to the records
2021-02-06	<ul style="list-style-type: none"> Resident claims to have been missed in the November 2020 census 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. The claim was confirmed, PAP added to the records
2021-04-03	<ul style="list-style-type: none"> Resident is concerned about being made homeless after the government displaces them 	<ul style="list-style-type: none"> The upcoming resettlement processes were explained to the resident, with compensation, support and advance notice to be provided to all eligible residents
2021-04-09	<ul style="list-style-type: none"> Resident has requested to be registered as a PAP as he is the correct owner of affected assets and the wrong name was initially registered instead 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. Not confirmed
2021-05-08	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> The claimant was informed that they are not eligible for compensation given that they moved in following the cut-off date
2021-05-08	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> Field verification required to assess veracity of claim. The claim was confirmed, PAP added to the records
2021-05-08	<ul style="list-style-type: none"> Claim that half of the structure declared by another PAP belongs to him 	<ul style="list-style-type: none"> The structure was assessed to be co-owned based on the fact that the PAP had originally requested the other PAP to be added as co-owner of the structure
2021-05-09	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> The claimant was informed that they are not eligible for compensation given that she used

Date	Claim received	Resolution
		to live in the RAI before having to relocate due to the hurricane
2021-05-09	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> The claimant was informed that they are not eligible for compensation given that they moved in following the cut-off date
2021-05-09	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. The claim was confirmed, PAP added to the records
2021-05-09	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> Claim verified and compensation package was developed for PAP
2021-05-09	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. Not confirmed
2021-05-09	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> Claim verified and compensation package was developed for PAP
2021-05-09	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. The claim was confirmed, PAP added to the records
2021-05	<ul style="list-style-type: none"> Claim that the structures declared by another PAP belongs to him 	<ul style="list-style-type: none"> The claimant acknowledged having assigned the structures to the other PAP
2021-05	<ul style="list-style-type: none"> Request by 2 PAPs to be counted as two separate households since they live separately 	<ul style="list-style-type: none"> This information was confirmed by the landlord and the PAPs re-enumerated
2021-05	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> This information was confirmed by the landlord and the PAP is to be surveyed
2021-05	<ul style="list-style-type: none"> Request for compensation to be issued in his name since his daughter had moved out of the RAI 	<ul style="list-style-type: none"> This information was confirmed by the landlord
2021-05	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> This information was confirmed by the landlord and the PAP is to be surveyed
2021-05	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> This information was confirmed by the landlord and the PAP is to be surveyed
2021-05	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> This information was confirmed by the landlord and the PAP is to be surveyed
2021-05	<ul style="list-style-type: none"> Request for his name to be updated 	<ul style="list-style-type: none"> Information confirmed by surveyor
2021-05	<ul style="list-style-type: none"> Request for tenant to be registered as a PAP 	<ul style="list-style-type: none"> The compensation package was updated
2021-05	<ul style="list-style-type: none"> Request for her name to be updated 	<ul style="list-style-type: none"> Meeting with PAP needed to verify correct data. Currently the PAP is out of Sint Maarten, will be verified

Date	Claim received	Resolution
		once the PAP is back to Sint Maarten
2021-05	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> This information was confirmed by the landlord and the PAP was given a CP
2021-05	<ul style="list-style-type: none"> Request for measurements of structures to be revised 	<ul style="list-style-type: none"> CP updated and to be delivered to PAP
2021-05	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> Claim verified by surveyor, updated CP delivered
2021-05	<ul style="list-style-type: none"> Request to revise compensation package, claims is a landfill recycler 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. The claim was confirmed. Compensation package updated
2021-05	<ul style="list-style-type: none"> Request for information to be collected under one household member's name 	<ul style="list-style-type: none"> Updated CP delivered
2021-05	<ul style="list-style-type: none"> Request for CP to be issued in spouse's name and structures to be re-measured 	<ul style="list-style-type: none"> Field verification required to assess veracity of claim. The PAP is currently in prison, not possible to re-measure the structure. Once PAP nominates a representative, the re-measurement will be done
2021-05	<ul style="list-style-type: none"> Request for CP to be issued in her name 	<ul style="list-style-type: none"> Claim verified on November 2020 survey forms
2021-05	<ul style="list-style-type: none"> Request for measurements of structures to be updated, and additional business activities be added 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. The claim was confirmed. Compensation package updated
2021-05	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> This information was confirmed by the landlord and the PAP was given a CP
2021-05	<ul style="list-style-type: none"> Request for a container to be included in his assets 	<ul style="list-style-type: none"> The structure was identified as abandoned in November 2020 census, confirmed by neighbour
2021-05	<ul style="list-style-type: none"> Request to be registered as a PAP 	<ul style="list-style-type: none"> This information was confirmed by the landlord and the PAP was given a CP
2021-05	<ul style="list-style-type: none"> Request for measurements of structures to be re-done 	<ul style="list-style-type: none"> Measurements in 2020 forms confirmed to be accurate
2021-05	<ul style="list-style-type: none"> Request for CP to be issued in spouse's name 	<ul style="list-style-type: none"> Request recorded on November 2020 survey forms
2021-05	<ul style="list-style-type: none"> Request for measurements of structures to be updated 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. The claim was not confirmed.
2021-05	<ul style="list-style-type: none"> Request for two trees to be added in compensation package 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. The claim was not confirmed
2021-05	<ul style="list-style-type: none"> Request for clothing business to be added in CP 	<ul style="list-style-type: none"> Field verification was conducted to assess veracity of claim. The claim

Date	Claim received	Resolution
		was confirmed. Compensation package updated
2021-05	<ul style="list-style-type: none"> Request for compensation to be issued under names of both household members 	<ul style="list-style-type: none"> Request recorded on November 2020 survey forms
2021-05	<ul style="list-style-type: none"> Request for CP to be issued in spouse's name 	<ul style="list-style-type: none"> Request recorded on November 2020 survey forms
2021-05	<ul style="list-style-type: none"> Request for measurements of structures to be updated 	<ul style="list-style-type: none"> Measurements and CP updated
2021-06	<ul style="list-style-type: none"> Request to be compensated even though she has moved out of the RAI 	<ul style="list-style-type: none"> PAP to be informed of their ineligibility
2021-06	<ul style="list-style-type: none"> Concern about finding a new place to live and request for assistance 	<ul style="list-style-type: none"> Noted, and more information to be provided to PAP on relocation process and assistance to be provided closer to move-out date

11.5 Grievance Mechanism

The grievance mechanism is a system for recording, processing and addressing grievances from local communities regarding resettlement activities and serves as an accountability mechanism for the resettlement process. Although the NRPB has a grievance mechanism, it is necessary to establish a grievance process tailored to review, address and respond to complaints specifically related to the resettlement process. The grievance mechanism has the following purposes:

- Provide a means for the submission of grievances by individuals, communities, and other stakeholders related to the planning and implementation of the RAP in a transparent, constructive, timely, confidential, culturally appropriate, and accessible manner. Individuals who so wish can submit grievances anonymously. Anyone that feels adversely impacted by the resettlement of the RAI can submit a complaint. The NRPB strives to accommodate any specific needs such as language, literacy level or preference in relation to the gender of the grievance officer;
- Systematically record, categorize and prioritize all grievances (even those that are presented informally/verbally) to establish statistics about households concerns and if/how these can be addressed;
- Investigate the causes of the grievances to be able to provide an informed response. An appropriate investigation will allow the NRPB to provide appropriate resolutions; and
- Address complaints in a timely manner and provide prompt response to complainants. This does not mean that the NRPB will accept responsibility for every grievance presented or agree to carry out mitigation measures/compensation payments.

11.5.1 Disclosure of Grievance Mechanism

A banner was placed in the proximity of the RAI in the beginning of February 2021 with an attached grievance/suggestion mailbox. The community was informed about the banner and mailbox via WhatsApp. The grievance mechanism related to resettlement of the RAI was also communicated to the affected community during the additional round of consultations held in May 2021. Information including grievance redress procedures, modes of grievance submission, contact details of personnel responsible for the mechanism, and timeframes for response and resolution has been communicated in the following ways:

- Posted publicly on the public noticeboard in the RAI;

- Included in project information handouts/flyers;
- Posted on the NRPB public website;
- Posted on NRPB Facebook site;
- Discussed in group and individual interactions with PAPs during field work and subsequent engagements;
- Disseminated through WhatsApp.

11.5.2 Grievance Assessment Criteria

Grievances will be categorized by underlying issue of the grievance. During the RAP planning process, grievances of the following categories may arise:

1. Confusion or complaint related to RAI boundaries, area of impact
2. Unclear or lack of information, inadequate consultation
3. Conduct of staff
4. Outcomes of asset inventory and valuation
5. The negotiation process in individual cases, such as the offered compensation
6. Group grievances
7. Eligibility to be considered a PAP

Grievances will also be assessed for complexity and urgency, taking into account criteria such as health and safety risks, political sensitivity, media exposure and the need for involvement of law enforcement personnel, representatives of other government ministries or independent experts. The complaint will be assigned one of the following levels:

Level 1 - Complaints and concerns not involving immediate risk of harm to health or safety, not criminal in nature, and of low risk for political sensitivity, media exposure.

Level 2 - Complaints and concerns that do not involve immediate risk of harm to health or safety, not criminal in nature, but are deemed to be of medium to high risk for political sensitivity, media exposure, or that require involvement of parties external to NRPB for resolution.

Level 3 - Complaints and concerns involving allegations of immediate risk of harm to health and safety and/or criminal in nature that require investigation by law enforcement authorities.

11.5.3 Grievance Management Procedures

The following process is proposed for management of grievances related to resettlement. The procedure operates in accordance with the guiding principles and objectives of NRPB's general complaints procedure of providing fair, efficient and effective handling of concerns and complaints.

Identification of Complaint and Referral. Complaints can be communicated formally or informally to the NRPB via email, phone number, in-person meeting or grievance box will be recorded within the grievance register.

Submission. A grievance can be submitted by any stakeholder in writing or verbally to the NRPB and/or the resettlement implementation consultant, which will be responsible for recording and registering the grievance in the tracking system. Submission of grievances will not incur undue costs for the complainant, and grievances can be submitted anonymously. Complaints can also be submitted via a dedicated online form at the NRPB website, by phone to +1.721.553.2828, by email to landfillproject@nrpbxm.org, or via the grievance drop box located directly outside of the RAI. Grievances can also be written and mailed to:

National Recovery Program Bureau

#57 Walter A. Nisbeth Road

**Philipsburg
Sint Maarten**

+1.721.553.2828

Receipt and Registry. Upon receipt of the grievance, the NRPB's appointed Community Engagement/Grievance Officer will acknowledge receipt within five working days in the most appropriate medium for the complainant, preferably in writing. The Grievance Officer will log the details of the complaint into the dedicated grievance matrix and will document, at a minimum: name and contact details of complainant, date received, nature of grievance, and desired outcome.

Eligibility Screening and Assessment. Upon receipt, the Grievance Officer will screen the complaint to establish its eligibility using the following criteria: the nature of complaint is within the scope of RAP activities, the nature of the grievance is clear, and necessary information is given in order to respond to complaint. If the complaint is ineligible, the Grievance Officer will inform the complainant of the reason for ineligibility, request more information if necessary, or refer the complainant to the appropriate party for treatment of the issue.

If the complaint is eligible, the Grievance Officer will assess for the category and level of urgency. Complaints will be categorized and assigned a level of urgency using the criteria outlined above in section 11.5.2. If the complaint falls under the categories 1, 2, or 3 above, the Grievance Officer will proceed to investigate and respond. If the complaint falls under categories 4, 5, or 6 the Grievance Officer will escalate the grievance to the Tier 2 Grievance Committee.

Investigation and Response, Tier 1

If a grievance is designated as category 1, 2, or 3 and is assigned Level 1 for urgency, it will be attended to by the Grievance Officer. As necessary, the Grievance Officer will follow up with complainant and other relevant parties, seek necessary evidence for verification of complaint, and assess resolution against national law and WB OPs. The complainant will be informed of the outcome of the grievance investigation, any actions or remedies to be taken and justification of decisions made, and options for appeal or judicial/administrative remedies. The Grievance Officer should endeavor to provide response to complaints addressed at the Tier 1 level within ten working days of confirmation of receipt.

Investigation and Response, Tier 2

In cases of grievances of the categories 4, 5, or 6 or urgency level 2, a Tier 2 investigation and response will be carried out. The Grievance Officer will conduct the initial investigation of the complaint and presents the initial assessment and investigation to the Grievance Committee. Committee members will discuss and decide upon further investigation, if necessary, or a resolution and action/remedy. The complainant will be informed of the outcome of the grievance investigation, any actions or remedies to be taken and justification of decisions made, and options for appeal or judicial/administrative remedies. As needed, the Grievance Committee can include ad-hoc members such as community representatives, NRPB Program Manager, independent experts, representatives from the government ministries concerned by the contents of the grievance, or other individuals deemed necessary by the nature of the complaint or preference of the affected community.

Because investigation and response at the Tier 2 level requires involvement of the Grievance Committee which may require participation of individuals from relevant ministries on an ad-hoc basis, the aspirational timeline for response will be 10 days from the point it is received by the committee. Should investigation and response take longer than this timeframe, the complainant will be updated in writing on the status of the grievance.

Investigation and Response, Tier 3

Grievances designated as urgency level 3 for immediate risks to health and safety or involving criminal complaints will be immediately communicated to the Grievance Committee and then to the relevant authorities. The Grievance Officer will, if feasible, inform the complainant of the actions taken by the Grievance Committee and the authorities involved in investigating the complaint.

PAPs may also opt for alternative grievance redress mechanisms and may submit grievances through the Grievance Redress Service (GRS). The GSR is an avenue for individuals and communities to submit complaints directly to the World Bank if they believe that a World Bank project has or is likely to have adverse effects on them, their community, or their environment. The GRS enhances the World Bank's responsiveness and accountability to project-affected communities by ensuring that grievances are promptly reviewed and addressed.

Any individual or community who believes that a World Bank-supported project has or is likely to, adversely affect them can submit a complaint. Complaints must be in writing and addressed to the GRS. They can be sent

ONLINE – through the GRS website at www.worldbank.org/grs

BY EMAIL at grievances@worldbank.org

BY LETTER OR BY HAND delivery to any World Bank Country Office

BY LETTER to the World Bank Headquarters in Washington at The World Bank Grievance Redress Service (GRS) MSN MC 10-1018 1818 H St NW Washington DC 20433, USA

Resolution of Agreed Measures

The Grievance Officer will oversee the implementation of the remedy or actions agreed upon at either the Tier 1 or Tier 2 levels, and communication of this to the complainant. Details on actions taken will be recorded in the grievance matrix, including any outstanding items for follow up. If complainant is satisfied with the resolution proposed, they will sign a grievance close-out form.

If the complainant is not satisfied with the proposed resolution at the second tier, they are free to lodge a complaint through the formal judicial system of Saint Martin at any point.

Where feasible, the Grievance Officer will track the treatment of Tier 3 complaints to keep the Grievance Committee and complainant (if possible) apprised of progress, and actions taken to resolve the situation.

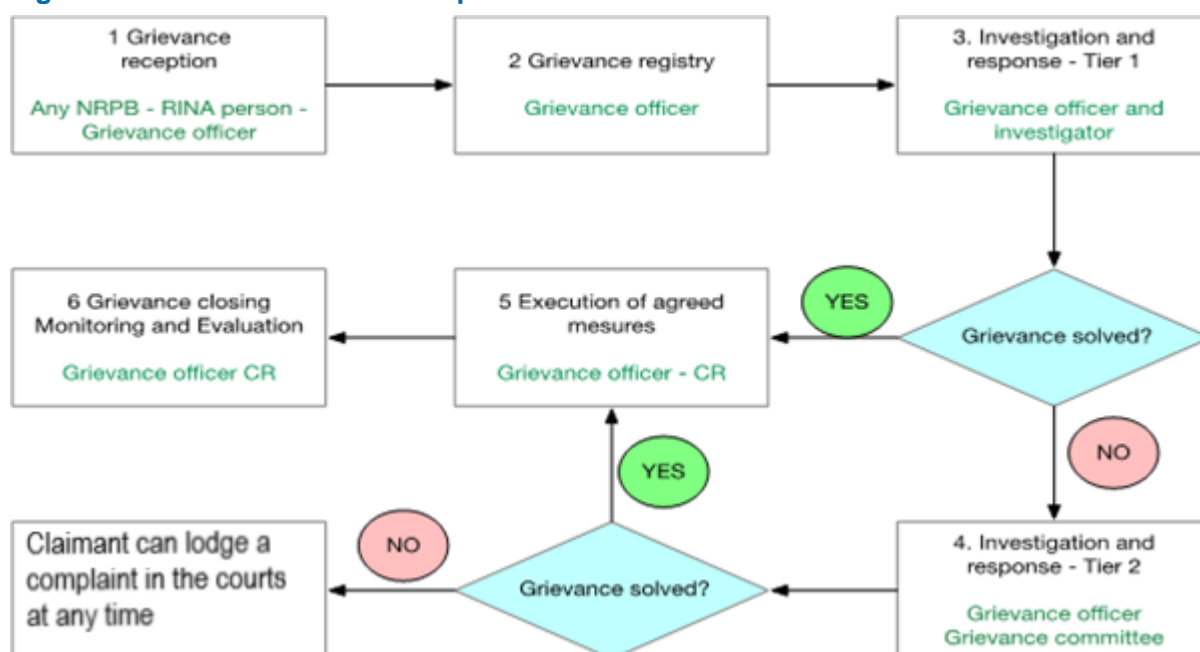
Grievance Monitoring

The Grievance Officer will make weekly grievance management reports to the Grievance Committee. The reports should highlight the information:

- Number of grievances received
- Summary of categories/types of grievances
- Number of outstanding grievances currently pending in each tier, and reason for non-resolution
- Number of resolved and closed out grievances
- Number of days taken to respond to and resolve grievances
- Number of grievances resolved outside of designated time frame
- How each grievance was addressed and resolved

Figure 55 below shows the process flow for implementation of the grievance mechanism.

Figure 51: Grievance mechanism process flow



Source: RINA 2020.

Refer to the SEP for the templates for the grievance submission and resolution forms.

11.5.4 Roles and Responsibilities

The following roles and responsibilities are envisioned for the implementation of the RAI resettlement grievance mechanism.

Table 45: Roles and responsibilities - Grievance mechanism

Roles	Responsibilities
Any NRPB representative (officer, contractor, sub-contractor, and employee) receiving a grievance related to resettlement	<ul style="list-style-type: none"> • Make note of contact information of complainant and refer complainant directly to grievance officer. • Contact the grievance officer via dedicated email address, notify him/her about the grievance, and provide gathered information. • Disclose grievance redress mechanism details such as procedures and contact information to complainant.
NRPB Grievance Officer	<ul style="list-style-type: none"> • Ensures grievance mechanism procedures and contact information are communicated and understood by PAPs. • Receives grievances directly from the complainant or from the NRPB person who received the grievance. • Centralizes all grievances in a single management tool (i.e., grievance matrix). • Manages grievances' resolution according to this procedure (coordinates investigations, keeps the Community Liaison Officer and Resettlement Project Manager informed and involved in the resolution/decision-making). • Manages weekly grievance reports for submission to Grievance Committee.

Roles	Responsibilities
	<ul style="list-style-type: none"> • Executes agreed upon resolution actions.
Grievance investigator	<ul style="list-style-type: none"> • Any NRPB officer designated by the Grievance Officer to investigate a specific grievance. • Participates in an investigation whenever the Grievance Officer deems necessary. This person is knowledgeable of a specific topic related to a grievance (e.g., environmental engineer when the grievance is related to the environment).
Grievance Committee (GC)	<ul style="list-style-type: none"> • Core GC Consists of the Resettlement Coordinator and NRPB Safeguards Specialist. • As needed, GC can include ad-hoc members such as community representatives, NRPB Program Manager, independent experts, representatives from the government ministries concerned by the contents of the grievance, or other individuals deemed necessary by the nature of the complaint or preference of the affected community. • Review (i) grievances unresolved at the Tier 1 level and (ii) grievances that, due to their complexity or sensitivity, may pose a risk to the continuity of the resettlement process.

Source: RINA, 2020

12 Institutional Arrangements

This section identifies organizations or agencies primarily responsible for resettlement implementation. It describes these entities' capacity for effective implementation by reference to links to authority, prior experience with resettlement, and number and training of personnel. This section also briefly describes the implementation timetable, establishing that key implementation measures precede adverse impacts.

12.1 Overview

The NRPB will have responsibility for executing the RAP and all its activities with the support from Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure (VROMI) and Ministry of Public Health, Social Development and Labour (VSA).

The Government of Sint Maarten has the institutional responsibility for implementation of the RAP. To facilitate collaboration with various resettlement stakeholders within the Government of Sint Maarten Council of Ministers (CoM), NRPB created the Resettlement Coordination Committee (RCC). RCC's main task is to coordinate stakeholders' efforts in the resettlement implementation activities. This committee is intended to be the place where NRPB shares information about resettlement activities with the Sint Maarten Government. The RCC intervenes, where necessary, and participates in the decision-making process under resettlement activities. The committee will also play a key role in the public communication on the resettlement process.

The NRPB is playing the main role in the RAP implementation activities and acting as owner of the resettlement process intends to hire the services of a RAP implementation Consultant to implement the RAP at the technical level.

The NRPB's resettlement team consist of a Resettlement Coordinator, Community Engagement Specialist and Valuation expert (under procurement, part time). The RAP implementation Consultant team will consist of a Team Leader, Community Engagement Expert, Valuation Expert (part time), Legal Expert (part time), Community Engagement/Grievance Resolution Specialist, and a Data Entry Officer. This is the core team to be involved in RAP implementation.

The main tasks¹⁴³ assigned to the RAP implementation Consultant are:

- complete all folders of confirmed PAPs and developing new folders for additional PAPs identified during the RAP implementation process (if the case may be)
- develop a Gender Plan subject of NRPB review and approval under which it will identify actions needed to ensure that both women and men have equal access to benefits during RAP implementation and there is active participation
- develop and submit compensation schedules for payment
- provide immigration requirements screening and assistance
- support the NRPB in provision of Compensation through bank accounts
- support and facilitate the NRPB's provision of compensation via check/cards
- facilitate provision of In-Kind Compensation
- assistance to ensuring of demolition of vacated structures
- assist in Grievance Redress Process

¹⁴³ Considering COVID-19 outbreak when organizing the RAP implementation activities, the RAP implementation Consultant will follow the recommendations of national authorities and other relevant stakeholders. NRPB will request from the RAP implementation Consultant what are the measures being taken to address the risks. These measures should include health and safety requirements, and requirements to implement, COVID-19 specific measures. The measures may be presented as a standalone COVID procedures plan.

- facilitating Livelihood Restoration activities
- data entry into the RAP Database
- mapping RAP implementation.

The table below lists governmental and other institutions and their responsibilities in the resettlement process.

Table 46: Roles & Responsibilities in the Resettlement Process

Stakeholders	Responsibilities
Governmental	
NRPB	<p>NRPB is in charge of implementing projects financed through a trust fund set up by The Netherlands and the World Bank (WB) for the recovery and reconstruction, following the devastation caused by hurricanes Irma and Maria. NRPB's roles and responsibilities within the resettlement process are:</p> <ul style="list-style-type: none"> • Execution of the Emergency Debris Management Project. • Overseeing planning of the resettlement process in accordance with WB policies. • Approval of the Resettlement Action Plan (RAP) and Livelihoods Restoration Plan (LRP) developed by consultant. • Implementation of the RAP and LRP and ongoing monitoring of implementation • Appoint external auditor to conduct evaluation of RAP implementation
Government of The Netherlands	<ul style="list-style-type: none"> • Donor of the Trust Fund • Contribution to the recovery of Sint Marten
Government of Sint Maarten Council of Ministers (CoM)	<ul style="list-style-type: none"> • Ultimate responsible party for securing compliance with the WB OP.4.12 in resettlement operations related to the Sint Maarten: Emergency Debris Management Project (P167347), specifically in the resettlement and livelihoods restoration of a community located in the Pond Island municipal waste disposal site.
Ministry of Finance	<ul style="list-style-type: none"> • Monitor distribution of resettlement-related fund
Ministry of Justice	<ul style="list-style-type: none"> • Managing applications for residence
Ministry of Public Health, Social Development and Labour (VSA)	<ul style="list-style-type: none"> • Provision of socioeconomic assistance to the displaced population, with focus on protection of and assistance to highly vulnerable clusters of the community located in the Pond Island municipal waste disposal site to be displaced and resettled.
Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure (VROMI)	<ul style="list-style-type: none"> • Definition of risk-prone zones, buffer zones of the Pond Island municipal waste disposal site. • Securement of health and safety conditions for residents of the Pond Island municipal waste disposal site. • Expropriation procedures and Eminent Domain (public utility) declaration. • Initiates Eminent Domain declaration • Land allocation/purchase for the permanent FOGA resettlement site
Parliament of Sint Maarten	<ul style="list-style-type: none"> • Adoption of national ordinance on Eminent Domain (public utility) declaration.

Stakeholders	Responsibilities
Resettlement Coordination Committee	<ul style="list-style-type: none"> • Since various high-level governmental institutions will intervene in project-induced resettlement operations, NRPB will establish a Resettlement Inter-institutional Coordination Committee to be conveyed for decision-making purposes at least on a quarterly basis.
NGOs & Vocational Institutes	
Caribbean Institute for Social Education Foundation (CIFSEF)	<ul style="list-style-type: none"> • Viable delivery partner for implementation of livelihood restoration programmes
Mental Health Foundation (MHF)	<ul style="list-style-type: none"> • A subsidized non-government organization which provides psychiatric care. • Potential partner for delivery of counselling services for vulnerable PAPs during relocation process
Gaston Boasman Helpdesk for Elderly	<ul style="list-style-type: none"> • A recreational center for elderly populations (50+ years). • Potential partner for membership to be provided to elderly PAPs who are interested, for further psychosocial support during relocation process
Women's Desk	<ul style="list-style-type: none"> • Unit managed by the Ministry of VSA to strengthen socioeconomic position of women. • Potential partner for delivery of services such as financial literacy training for PAPs
International institutions	
World Bank	<ul style="list-style-type: none"> • Financial support to the Sint Marten Emergency Recovery Program • Approval of the RAP and LRP • Monitoring of resettlement compliance

13 Budget and Funding Arrangements

13.1 Overview

This section includes a budget breakdown estimating all resettlement-related costs going forward including an allocation for contingencies. It also establishes the financial responsibilities for meeting resettlement commitments.

The costs related to additional relocation support and livelihood restoration programmes are currently indicative, and will be updated during the RAP implementation phase.

The cost estimate for the RAP implementation includes:

- Cost of the compensation, livelihood restoration and resettlement processes
- Cost for independent auditing of RAP implementation
 - Estimated at 1% of total cost of compensation and livelihood restoration support¹⁴⁴.
 - The independent audit consultant will prepare the technical and financial proposals for bidding. Actual cost will be decided through contract value for the selected consultant.
- Contingency
 - The rate for contingency will be set at 10% of the total cost of compensation and livelihood restoration support. The contingency will be used in cases of adjusted compensation rates due to inflation, or any adjustments during implementation of the approved RAP.

13.2 Budget

13.2.1 Compensation Packages per PAP Category

The below table shows the overall cost of compensation packages that have been confirmed to date. This data will be updated following completion of consultations and negotiations with all PAPs.

Table 47: Budget for Compensation Packages

PAP category	Compensation amount, USD
Business owner (formal and informal)	318,820
Business owner (formal and informal) Off-site landlord	150,890
Homeowner	1,344,639
Homeowner and businessowner	494,627
Homeowner and businessowner, Residential landlord	62,195
Off-site landlord	1,211,728
Waste pickers outside RAI	32,928
Residential landlord	871,105
Tenant	1,035,436
Tenant and businessowner	1,040,425
Total compensation	6,562,795

¹⁴⁴ Weightage based on international best practice on resettlement projects

For the remainder of the budget breakdowns below, they will be confirmed and finalized following completion of the ongoing process of consultations and negotiations with PAPs regarding their compensation packages.

The budget included above covers the compensation measures of the available options for PAPs, whose modalities have been consulted with them. However, during the RAP execution stage, it is possible that some additional PAPs will opt for in-kind compensation measures, which could have implications for the budget for resettlement. In that case, the NRPB will make adjustments to the budget as necessary, and allocate the necessary additional budget from the project as needed, to ensure that the resettlement compensation measures are managed in accordance with the agreements reached following the consultation activities that will precede the signing of the resettlement agreements, where PAPs will make the final determination of the compensation modality that they will select based on all the available information available until then.

13.2.2 Structures

Table 4849 below details the budget for compensation of affected structures. Refer to section 6.2.2 for details on the rates used to calculate the value of structures.

Table 48: Compensation Budget per structure type

No	Categories	Total Cost (USD)
1	Containers	374,000
2	Wooden structures	2,461,598.50
3	Concrete structures	1,124,677.50
Total		3,960,276

13.2.3 Rental Housing

Table 4950 below details the budget for compensation for loss of rental housing for tenants. Refer to section 6.2.2.1 for details on the rates used to calculate the rental values.

Table 49: Compensation for loss of rental housing for tenants

#	PAP	Number of PAPs	Total Cost (USD)
1	Tenant	59	942,000
2	Tenant and business owner	10	120,000
Total			1,062,000

13.2.4 Additional Assets and Structures¹⁴⁵

Table 5051 below details the budget for compensation for loss of additional structures and assets. Refer to section 6.2 for details on the rates used to calculate the values.

¹⁴⁵ Items included in this sections are immovable assets and these cannot be moved without causing irreparable change to their state of use

Table 50: Additional Assets and Structures Budget

Additional structures	Total	Cost (USD)
Fencing (concrete, metal, aluminium/zinc, or mixed materials)	12	20,160
Garage	7	187,467
Cars/trucks/buses	7	8,400
Empty house (40 feet container) ¹⁴⁶	7	28,000
Unfinished concrete structure	1	5,400
Structure for storage	1	2,100
Structures part of an affected business – singular case which was valued independently (foundation, backfilling, roofing, electrical, painting, septic tank)		406,620 ¹⁴⁷
Total	37	658,147

13.2.5 Trees

The table below details the budget for compensation for loss of immovable trees. Refer to section **Error! Reference source not found.** for details on the methodology used to calculate the values.

Table 51: Tree Compensation Budget

No	Species	Number	Cost (USD)
1	Almond	17	17,935
2	Avocado	1	960
3	Coconut	7	5,859
4	Banana	8	911
5	Chasteberry	1	28
6	Citrus	1	655
7	Mango	5	6,375
8	Papaya	7	1,005
9	Moringa (drumstick)	4	70
10	Palm	2	35
11	Decorative/medicinal/cooking plants	72	1,260
12	Sugarcane	1	25
13	Noni	1	1,115
Total		127	36,232

¹⁴⁶ Assumed to be 40ft container.

¹⁴⁷ The items being compensated for are listed in the row and relate to improvement made to the business site by the PAP who is operating a business there. The number includes a set of elements (structures and other assets) being compensated for. Foundation – 94,000USD, Back filling – 83,000USD, Blocking up second floor concrete – 124,210USD, septic tank – 23,850USD, roofing – 31,800USD, electrical and plumbing – 25,910USD.

13.2.6 Loss of Income

Compensation for loss of business income is described in Table 523 below.

Table 52: Business income compensation

Type	Compensation, USD
Home/Structure Rental	48,600
Automotive/Mechanic/Garage/Car Body Shop	91,158
Repair shop (i.e., refrigerators, air conditioning)	21,270
Craft metal (recycling goods export)	18,000
Bar/Bodega	12,612
Beauty Salon	11,400
Copy services	15,000
Clothes vendor	1,200
Lottery vendor	5,304
Total	224,544

Compensation for loss of employee income is described in Table 534 below. As indicated in section 6.3.1, the trucking/hauling business's monthly income will need to be confirmed in order for its eligible compensation amount to be calculated.

Table 53: Employee income compensation

Type	Number of employees	Compensation, USD
Home/Structure Rental	-	-
Automotive/Mechanic/Garage/Car Body Shop	8	92,160
Repair shop (i.e., refrigerators, air conditioning)	1	11,520
Craft metal (recycling goods export)	2	23,040
Bar/Bodega	-	-
Beauty Salon	1	11,520
Copy services	1	11,520
Clothes vendor	-	-
Lottery vendor	-	-
Total	13	149,760

13.2.7 Additional Support

The cost of additional support to be provided to affected people is estimated below.

Table 54: Additional support

No	Type	Cost (USD)
1	Transportation assistance	8,190
2	Asset dismantling, transport and rebuilding	420
3	Registration and transfer taxes	1,175
Total		9,785

13.2.8 Livelihood Restoration

The indicative cost for the vocational training programme is provided below, based on the cost of standard 6-week courses offered by CIFSEF, the implementation partner. Precise budgets for all proposed LR programmes will be determined during the RAP implementation phase, following confirmation of the number of PAPs who will be participating in each programme, and their specific needs. A Livelihood Restoration Plan will be developed early in RAP implementation.

Table 55: Livelihood Restoration Budget

#	Activity	Unit cost, USD	# participants	USD
1	Training in business management & marketing	580	45	26,100
2	Vocational skills training	600	76	47,400
3	Business licencing & registration	1000 ¹⁴⁸	8	8,000
4	Basic financial management education	500	139	69,500
	Total			151,000

13.3 Total Budget

The total estimated budget for implementation of this RAP is shown in the table below.

The costs related to additional relocation support and livelihood restoration programmes are currently indicative, and will be updated during the RAP implementation phase as they will be dependent on the number of PAPs who participate.

Table 56: Summary budget

Item	Cost (USD)
Compensation for structures	3,960,276
Compensation for additional structures/assets	658,147
Compensation for trees	36,232
Compensation for business income	224,544
Compensation for employee income	149,760
Compensation for additional support	9,785
Compensation for housing rent	1,062,000
Compensation for business rent	269,186
Compensation for waste picker (inside and outside RAI) income	192,864
Subtotal: Compensation packages	6,562,795
Temporary resettlement	228,000
In-Kind Compensation provision (buying homes and businesses for resettlement)	2,000,000
Livelihood restoration program	151,000
RAP implementation audit	89,418

¹⁴⁸ Tentative, to be confirmed during implementation

Item	Cost (USD)
10% contingency	894,179
RAP consultancy services contract	1,500,000 ¹⁴⁹
RAI structures demolition works	1,000,000 ¹⁵⁰
Total	12,425,392

Given that additional financing of EDMP has not yet been approved, this current budget also excludes the cost for ongoing resettlement management including the following:

- Administrative/legal costs including NRPB staffing, consultants, etc.
- Ongoing consultations and stakeholder engagement
- Management of the grievance mechanism
- Internal monitoring and external evaluation to be conducted

13.4 Phased RAP implementation approach and budget

As of the date when this RAP is submitted for approval, EDMP budget for resettlement activities is of 4.5 million USD, which momentarily is insufficient to complete in full the RAP implementation activities. The process to supplement EDMP budget with additional financing to cover the full RAP implementation costs is ongoing and is expected to be completed by end of June 2022, when additional financing will be made available for EDMP.

However, RAP implementation activities cannot be postponed until June 2022 due to risks described and explained at section 2.1.2. Considering the available amount of 4.5 million USD for resettlement activities in the EDMP budget, NRPB intends to initiate RAP implementation in phases (phasing approach) until the additional financing is made available.

The Resettlement Area of Impact is divided in 5 areas as per figure 56.

¹⁴⁹ tentative

¹⁵⁰ tentative

Figure 52 Resettlement Area of Impact areas for phased approach



RAP implementation will start in the area I and then area II since these are the closest areas located next to the MSWDS southeast slope. Subsequently, once relocation is completed in areas I and II, the project will continue implementation in areas III, IV and V in sequence.

Phased approach will not contribute to economic displacement for the remaining population as the approach gradually goes from one area to another without interrupting the relocation process.

Phasing areas description

Phase area I

26 PAPs – 10 homeowners (1 PAP opting for in-kind compensation), 4 off-site landlords, 3 resident landlords, and 9 tenants.

Phase area II

8 PAPs – all homeowners (1 PAP opting for in-kind compensation)

Phase area III

48 PAPs – 6 homeowners (2 PAPs opted for in-kind compensation), 2 off-site landlords, 6 resident landlords, and 34 tenants

Phase area IV

24 PAPs – 2 business owners (1 business owner opting for in-kind compensation), 1 business owner/off-site landlord, 12 homeowners (4 PAPs opting for in-kind compensation), 3 homeowners/business owners, 1 homeowner/business owner/residential landlord, 1 residential landlord, and 4 tenants

Phase area V

35 PAPs – 5 business owners, 2 homeowners (2 PAPs opting for in-kind compensation), 1 homeowner/business owner, 5 off-site landlords, 14 tenants, and 8 tenants/business owners

It is anticipated that additional financing for EDMP will be approved and made available by the end of June 2022, therefore the phasing approach will be based on the budget in table 58 below, which is developed to reflect the period between April 2022 and August 2023.

Table 57 Phasing approach budget

PHASING APPROACH BUDGET	
Item	Cost (USD)
Compensation packages	
Phase I	1,062,820
Phase II	189,692
Phase III	1,545,636
Phase IV	1,354,314
Phase V	2,410,333
Subtotal: Compensation packages	6,562,795
Livelihood restoration program	151,000
In-Kind Compensation provision (buying homes and businesses for resettlement)	2,000,000
Temporary resettlement	228,000
RAP implementation consultancy services contract	1,500,000
RAI structures demolition works	1,000,000
Total	11,441,795

This budget is anticipated to be deployed in August 2022 and the critical month is January 2023, when the available budget of 4.5 million USD will be disbursed. The table 59 below shows the anticipated timeline and cashflow in between April 2022 and August 2023.

Please note that cells highlighted in green represent when the activity is expected to be implemented and the cell containing figures represent the associated cost and when the associated expenditure will happen. The yellow highlight for the month of January 2023 represents the threshold or the critical month when the current EDMP budget for resettlement will be consumed.

Table 58 Phasing resettlement implementation timeline

RAP implementation timeline and cashflow, up to end of August 2022	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23
RAP implementation TOR approval																						
WB clearance of RAP																						
RAP implementation procurement type approval																						
RAP implementation procurement/contract negotiation																						
RAP implementation contract signing																						
RAP implementation mobilization																						
RAP implementation contract effective date																						
RAP implementation contract deliverables																						
Inception Report											\$150,000.00											
Monthly status report 1												\$22,500.00										
Quarterly status report 1													\$255,000.00									
Gender Plan													\$75,000.00									
Monthly status report 2														\$22,500.00								

Detailed Livelihood Restoration Plan														\$82,500.00										
Monthly status report 3															\$22,500.00									
Quarterly status report 2																\$255,000.00								
Monthly status report 4																	\$22,500.00							
Monthly status report 5																		\$22,500.00						
Quarterly status report 3																			\$255,000.00					
Monthly status report 6																				\$22,500.00				
Monthly status report 7																					\$22,500.00			
RAP progress report																						270000		
RAP implementation activities																								
Reconfirm/revise PAPs and update PAP list																								
Collect IDs, bank details, arrange for cash compensation																								
Sign legal agreements with PAPs																								
Provide livelihood restoration assistance																\$25,166.67	\$25,166.67	\$25,166.67	\$25,166.67	\$25,166.67	\$25,166.67	\$25,166.67		
Cash compensation payment																								

Phase I											\$531,409.90	\$531,409.90										
Temporary resettlement												\$25,333.33	\$25,333.33	\$25,333.33	\$25,333.33	\$25,333.33	\$25,333.33	\$25,333.33	\$25,333.33	\$25,333.33		
Phase II													\$189,691.50									
In-kind compensation provision															\$333,333.33	\$333,333.33	\$333,333.33	\$333,333.33	\$333,333.33	\$333,333.33		
Phase III														\$772,818.15	\$772,818.15							
Phase IV																\$677,157.22	\$677,157.22					
Phase V																		\$1,205,166.24	\$1,205,166.24			
Demolition of existing structures																						
Develop TOR for Resettlement demolition of existing structures																						
TOR for Resettlement demolition of existing structures approval																						
Procurement demolition of existing structures - bidding																						
Evaluation																						
Contract negotiation																						
Contract implementation and execution														\$166,666.67	\$166,666.67	\$166,666.67	\$166,666.67	\$166,666.67	\$166,666.67	\$166,666.67		
TOTAL											\$681,409.90	\$579,243.23	\$545,024.83	\$1,069,818.15	\$1,320,651.48	\$1,482,657.22	\$1,250,157.22	\$1,778,166.24	\$2,010,666.24	\$406,333.33	\$47,666.67	\$270,000.00
CUMULATIVE											\$681,409.90	\$1,260,653.13	\$1,805,677.97	\$2,875,496.12	\$4,196,147.60	\$5,678,804.82	\$6,928,962.04	\$8,707,128.28	\$10,717,794.52	\$11,124,127.85	\$11,171,794.52	\$11,441,794.52

14 Timeline and Execution Schedule

It is envisaged that full resettlement implementation will take up to 12 months, starting with cash compensation payments to be in effect immediately after implementation starts, and in-kind compensation to be offered once it is available. The below implementation schedule (Table 60) covers the periods of RAP preparation up until finalization of resettlement implementation.

Table 59: RAP Implementation Schedule¹⁵¹

#	Activity	2020		2021												2022												2023							
		11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8
1	RAP Development																																		
1.1	Announcement of cut-off date																																		
1.2	Census and socioeconomic surveys																																		
1.3	Consultation meetings and FGDs																																		
1.4	Valuation of structures, assets and trees																																		
1.5	Consultation and signing of compensation packages																																		
1.6	Preparation and completion of draft RAP																																		
1.7	Clearance of draft RAP by World Bank																																		
1.8	Consultations of draft RAP, updated entitlements and re-sign compensation packages where applicable																																		
1.9	Draft RAP disclosure and consultations with PAPs ¹⁵²																																		
1.10	Preparation and completion of final RAP																																		
2	RAP Implementation																																		
2.1	Socio-economic survey of waste pickers on MSWDS and IDS																																		
2.2	Public Final RAP disclosure																																		
2.3	Consultation and signing of compensation packages revised where necessary, and legal agreements signing																																		
2.4	Cash compensation payment																																		
2.6	Provision of in-kind compensation																																		
2.7	RAI vacated & PAPs relocated																																		
3	Livelihood Restoration																																		
3.1	Identify PAPs preference for livelihood restoration activity																																		
3.2	Develop detailed livelihood restoration plan																																		
3.3	Contract signed with delivery partner																																		
3.4	Implementation of LR programmes																																		
4	Monitoring & Evaluation																																		
4.1	Quarterly monitoring of PAPs’ post-resettlement status																																		
4.2	External midterm audit of RAP implementation																																		

¹⁵¹ The RAP implementation timeline will be updated with further details prior to the beginning of its implementation.

¹⁵² Consultations with the PAPs to provide them with an update on the timeline, information on the phasing approach, and updates on available compensation options (in-kind and cash), including the replacement housing

15 Monitoring and Evaluation Arrangements

15.1 Overview

This section describes arrangements for internal monitoring, and external evaluation to be conducted by a qualified and independent agency.

Considering COVID-19 outbreak when organizing the monitoring activities, the monitoring agency will follow the recommendations of national authorities and other relevant stakeholders. NRPB will request from monitoring agency what are the measures being taken to address the risks. These measures should include health and safety requirements, and requirements to implement, COVID-19 specific measures. The measures may be presented as a standalone COVID procedures plan.

15.2 Internal Monitoring

Monitoring is a management tool by which the RAP performance indicators are systematically tracked and reported for relevant stakeholders. The main objectives of internal monitoring of implementation of the RAP are to verify that:

- PAPs have been fully compensated for loss of structures and livelihoods in a timely manner;
- PAPs are satisfied with the resettlement process;
- Standards of living after resettlement are equal to or better than pre-Project;
- Emerging issues that are likely to affect the PAPs negatively are identified in a timely fashion and addressed; and
- Grievances related to resettlement are being resolved in a transparent and timely manner.

Additionally, monitoring provide feedback to NRPB and involved financial institutions on the RAP implementation and to identify problems and successes as early as possible, to allow timely adjustment of implementation arrangements.

The below table includes key indicators to be monitored throughout the resettlement implementation phase. Output indicators refer to the resettlement activities conducted and their immediate results, while the outcome indicators look at whether the desired resettlement objectives and commitments have been reached for the PAPs.

Table 60: Monitoring Indicators

No	Indicators	Monitoring frequency	Data collection method
Output Indicators			
1	Changes to number of affected people or households per category	Monthly	Census and grievance register
	<i>Consultations & grievances</i>		
2	Number of consultations held with PAPs via WhatsApp broadcasts and in-person meetings	Monthly	Stakeholder engagement register

No	Indicators	Monitoring frequency	Data collection method
3	Number of grievances received in total	Monthly	Grievance register
4	Number of grievances received concerning compensation payments	Monthly	Grievance register
5a	Number of grievances received concerning relocation process from PAPs	Monthly	Grievance register
5b	Number of grievances received concerning relocation process from host community members	Monthly	Grievance register
6	Number of grievances resolved within established timeframes	Monthly	Grievance register
7	Categories of grievances and any trends over time	Quarterly	Grievance register
Compensation packages			
8	Number of Dols signed	Monthly	PAP list
9	Number of compensation packages provided to PAPs	Monthly	PAP list
10	Number of individual compensation agreements signed	Monthly	PAP list
11	Percentage and number of compensation payments paid	Monthly	Data management system
12	Percentage of compensation payments paid in line with schedule established in the compensation agreements	Monthly	Data management system
Relocation process			
13	Average timeframes for advance notice provided to PAPs on move-out date	Quarterly	Stakeholder engagement register
14	Percentage of eligible PAPs who have accepted the proposed temporary housing option	Monthly (following confirmation of temporary housing options)	Data management system
15	Percentage of eligible PAPs provided with moving allowances as per terms of the compensation packages	Quarterly	Data management system
16	Percentage of eligible PAPs allocated temporary housing	Monthly	Data management system
Livelihood restoration			

No	Indicators	Monitoring frequency	Data collection method
17	Number of consultations conducted on livelihood restoration activities with eligible PAPs	Monthly	Stakeholder engagement register
18	Number of participants in livelihood restoration programmes	Quarterly	Attendance records
19	Number of sessions conducted within livelihood restoration programmes	Quarterly	Meeting records of implementation partners
20	Percentage of livelihood restoration programmes completed	Quarterly	Data management system
Outcome Indicators			
21	What have compensation payments been used for by PAPs? E.g. Savings, renovations, education, daily expenses	Quarterly	Monitoring surveys ¹⁵³
22	Do men and women in households have equitable access to and control of the compensation money?	Quarterly	Monitoring surveys
Relocation process			
23	PAPs' rate of satisfaction with allocated temporary housing and community facilities	Quarterly	Monitoring surveys
24	PAPs' rate of satisfaction with relocation process – allowances, logistical support, and advance notice provided	One month following completion of relocation process	Monitoring surveys
25	Changes to PAPs' access to community facilities (e.g. schools, health centres, markets) in terms of cost and duration of journey	One month following completion of relocation process	Monitoring surveys
26	Number of maintenance issues identified in temporary housing facilities, and percentage addressed in reasonable timeframe	Quarterly	Monitoring surveys
27	Number of H&S issues identified in temporary housing facilities, and percentage addressed in reasonable timeframe	Quarterly	Monitoring surveys
Consultations			

¹⁵³ To be conducted either via phone or in-person meetings, or through completion of anonymous survey forms

No	Indicators	Monitoring frequency	Data collection method
28	PAPs' rates of satisfaction with grievance mechanism and consultation processes	Quarterly	Monitoring surveys
29	PAPs' knowledge of resettlement process including key timeframes and upcoming steps	Quarterly	Monitoring surveys
	<i>Livelihood restoration</i>		
30	Changes to PAPs' income levels	Quarterly in first year of relocation; annual thereafter	Monitoring surveys
31	Changes to PAPs' employment levels	Quarterly in first year of relocation; annual thereafter	Monitoring surveys
32	Changes to PAPs' access to employment in terms of cost and duration of journey	One month following completion of relocation process	Monitoring surveys
33	Changes to PAPs' types and cost of expenditures e.g. Are groceries, utilities more expensive in the relocation area? Do they make use of different markets or types of meals?	One month following completion of relocation process	Monitoring surveys
34	Percentage of affected businesses who have re-established operations	Quarterly in first year of relocation; annual thereafter	Monitoring surveys
35	Changes in incomes of re-established businesses	Quarterly in first year of relocation; annual thereafter	Monitoring surveys
36	Changes in customer/client base of re-established businesses	Quarterly in first year of relocation; annual thereafter	Monitoring surveys
37	Employment status of affected employees – income levels, and place of employment	Quarterly in first year of relocation; annual thereafter	Monitoring surveys
38	Hardships identified e.g. decease of head of household, ill health etc.	Quarterly in first year of relocation; annual thereafter	Monitoring surveys

No	Indicators	Monitoring frequency	Data collection method
39	PAPs' overall views on changes to socioeconomic conditions post-resettlement	Quarterly in first year of relocation; annual thereafter	Monitoring surveys

As appropriate, the monitoring indicators will be revised and new ones added throughout the monitoring process. For instance, following the start of the temporary relocation process, new indicators will be added specific to relocation matters, e.g. Number of households who have been allocated new temporary housing, number of resettled houses that are sufficiently connected to utilities, etc. Internal monitoring will be the responsibility of NRPB, who will conduct monthly monitoring and submit monthly status reports on the progress made with resettlement implementation. A database of resettlement monitoring information will be established and updated monthly for this purpose. Where monitoring identifies issues, corrective actions will be developed and tracked for successful resolution of the issues.

Quarterly monitoring reports will also be prepared by the social safeguards specialist and submitted to NRPB, VROMI and the World Bank. The quarterly reports shall include the status of the following key indicators based on those listed in Table 60 above, among others:

- Payment of compensation to the various categories of PAPs, according to the compensation policy described in the RAP and schedule established in the compensation agreements
- Delivery of livelihood restoration programmes and social support entitlements
- Changes to socioeconomic status of PAPs compared to baseline, including income, access to essential services, and access to social networks
- Organization and coordination of the relocation process
- Public information dissemination and consultation procedures
- Adherence to grievance procedures and outstanding issues requiring escalation
- Attention given to the priorities of PAPs regarding the options offered
- Overall coordination and completion of resettlement activities

The indicators will be assessed through methods such as surveys to identify changes to living and socioeconomic standards of PAPs post-resettlement, polls to assess their satisfaction concerning the resettlement process and review of the grievance register for timely resolution of all grievances received.

The reports will include a corrective action plan to enable identification and tracking of actions needed to improve RAP implementation.

15.3 External Evaluation

Given that Project resettlement will be conducted through two separate tranches, temporary and permanent relocation, two external audits will be conducted independently of the internal monitoring activities:

- Midterm audit 6 months following completion of the first temporary resettlement process.
- Completion audit 1 year following completion of final, permanent resettlement process.

To that purpose, NRPB will engage the services of an experienced, independent entity or qualified resettlement specialist, to document and assess through the collection of auditable evidence, the results of the resettlement operation and overall compliance with WB OP 4.12. The ultimate objective of this external evaluation will be to determine whether NRPB's efforts to restore the living standards of the affected population have been properly conceived and executed. The audit should verify that all physical inputs committed in the RAP have been delivered and all services provided. The TORs for these external audits should be reviewed/approved by the Bank.

Midterm Audit

The midterm audit will aim to review implementation of the first temporary resettlement process, verifying the following indicators:

- The competence and effectiveness of the implementing agencies;
- The adequacy of compensation, livelihood restoration and transitional assistance packages provided for the PAPs;
- The ability of the project to meet the needs of all PAPs;
- Consultation and public disclosure of the RAP; and
- The effectiveness of the grievance redresses mechanism.

The auditor will issue a midterm audit report, detailing the findings and any corrective actions needed to ensure that the remainder of the implementation of the RAP will be conducted in line with WB OP 4.12 requirements.

Completion Audit

An external ex-post completion evaluation of the project will be designed and carried out. Such evaluation will assess resettlement activities and their impact on the standard of living of the resettled and the host populations (if applicable), and will be conducted one year after completion of all resettlement and livelihood restoration activities.

Based on the results of this evaluation, NRPB will present a Resettlement Completion Report (RCR) addressing the issue in adequate detail. The RCR will provide extensive quantitative information on the numbers of people affected, criteria and levels of compensation, the preparation and execution of the RAP and any outstanding issues relating to implementation of the resettlement plan that requires additional actions and follow up until the RAP can be fully closed.

Appendices

A. Public Notification of Socioeconomic Census & Cut-Off Date



Dear Resident,

We are a team from RINA and are working for the National Recovery Program Bureau (NRPB), which is executing the Emergency Debris Management Project on behalf of the Government of Sint Maarten. We have been tasked with completing a survey on all residents and businesses in the area.

Due to possible exposure risks, residents/businesses in an identified area near the dump need to be resettled to proceed with the project safely. This survey will go on **through NOVEMBER 29 (cut-off date)** and gather information on **ALL residents and businesses** to ensure that no one is left out of the process. Due to COVID 19, we will be wearing masks at all times and practice safe social distancing.

We thank you in advance for your cooperation!

For further information or suggestions/complaints please email landfillproject@nrpbxm.org or call:

+1 721 5532828

Estimado/a Residente,

Somos el equipo de la compañía RINA trabajando para el Bureau del Programa de Recuperación Nacional (NRPB por sus siglas en inglés). NRPB está ejecutando el Proyecto de Emergencia de Gestión de Residuos en nombre de el gobierno de Sint Maarten. Nos han dado la tarea de completar una encuesta de los residentes y negocios ubicados en el área.

Debido a los posibles riesgos, los residentes/negocios en el área identificada cerca del vertedero necesitan ser reubicados para proceder con el proyecto de una manera segura.

Esta encuesta se realizará hasta el **29 de Noviembre** (fecha de finalización) y recaudará información de todos los residentes y negocios para asegurarnos que ninguno quede fuera del proceso. Debido a la situación actual por COVID-19, el equipo de trabajo usará máscaras todo el tiempo y mantendrá distanciamiento social.



¡Gracias por su colaboración!


Para mayor información, sugerencias o quejas favor de enviarlas al siguiente correo:

landfillproject@nrpbstxm.org o llamar: **+1 721 5532828**

B. Survey Forms¹⁵⁴

B.1. Household Survey Form

Security  /CL/SENSITIVE

Household survey

Survey Number - - - -
Block Structure Use Quarter Household

SINT MAARTEN SURVEY: EMERGENCY DEBRIS MANAGEMENT PROJECT
INTRODUCTION & DISCLAIMER
 Good morning/afternoon. My name is (YOUR NAME), and I work for RINA. This company has been hired by the National Recovery Program Bureau, as the Project Implementation Unit of the Government of Sint Maarten to survey the communities located near the municipal landfill. It would be very important for us to have your data. All the information provided will be kept confidential, will only be used for the purpose of assessing who and what is located in the area, and will not be shared with other parties.
 Could you please confirm that you consent to your personal data being collected for this purpose? Y N

I. LOCATION

1. Community/neighborhood	2. Property Address		
3. Total number of household members in this dwelling	4. Have you already been included in the initial survey conducted by RINA?	(1) YES	(2) NO

INFORMANT *(Use the same ID consistent with Section III, Quest. 1)*

5. Person ID	6. Forename and surname	7. Age	8. Nationality

INTERVIEW SITE

1 Informant's dwelling	2 Other location (specify):	

II. DWELLING INFORMATION

1. Does your household own this land parcel?

1 Yes and the land title is available	
2 Yes but no land title: Specify	
3 No	
9 DK/NO (DONT READ)	

2. Do you own the land parcel with others, e.g. through multiple or communal ownership?

1 Yes and the land title is available	
2 Yes but no land title: Specify	
3 No	
9 DK/NO (DONT READ)	

3. Where is your primary home located (where you spend most of the time)?

1 In the RAI	
2a In other location (specify)	
2b District:	
2c Community:	
2d Country (if is not in Sint Maarten):	

4. Apart from that home/residence, do you have other homes?

1 No	
2a Yes	
2b How many?	
2c District:	
2d Community:	
2e Country:	

5. Your primary home is:

1 Owned	
2 Rented	
3 Borrowed	
2.3a Name of the owner	

2.3b Cellphone number of the owner:

2.3c Survey number of the owner (if applies):

--	--

4 Other (specify):

--	--

9 DK/NO (DONT READ)

6. Do you have a business in the RAI?

1A	Yes →	Business survey code:
2	No	
9	DK/NO (DONT READ)	

7. Your business is located in:

1 This dwelling	
2 Another part in the RAI	
3 Another part out of the RAI	
9 DK/NO (DONT READ)	

¹⁵⁴ All surveys, business or households, where signed by the PAPs who were interviewed

III. HOUSEHOLD MEMBER INFORMATION

1. Person ID	2. Forename and surname	3. Sex		4. Relationship with the head of the household <div> Head 1 Husband/wife 2 Son/daughter 3 Son/daughter in law 4 Grandson/granddaughter 5 Parent-in-law 6 Other relatives 7 Nonrelatives 8 </div>	5. Age (months only for children under one year)		6. Marital status (only for over 12 years) <div> First union 1 Married 2 Widowed/separated 3 Divorced 4 Separated 5 Single 6 </div>	7. ONLY FOR 6 YEARS AND OLDER: do you know how to read and write?		8. ONLY FOR 3 YEARS AND OLDER: In the last year, have you attended a study center?		9. ONLY FOR 3 YEARS AND OLDER: The last degree level approved <div> Kindergarten 1 Elementary school 2 Incomplete middle school 3 Complete middle school 4 Incomplete secondary school 5 Complete secondary school 6 Incomplete technical education 7 Complete technical education 8 Incomplete university 9 Complete university 10 </div>	10. How long have you lived in <div> Rural 1 Urban 2 </div>	11. ID Type <div> BI Card 1 Passport 2 Other 3 </div>	12. ID Number	13. Nationality (include only if not native)	14. Head of household (HoH)?	
		Yes	No		Yes	No		Yes	No									
a		1	2					1	2							1	2	
b		1	2					1	2	1	2					1	2	
c		1	2					1	2	1	2					1	2	
d		1	2					1	2	1	2					1	2	
e		1	2					1	2	1	2					1	2	
f		1	2					1	2	1	2					1	2	
g		1	2					1	2	1	2					1	2	
h		1	2					1	2	1	2					1	2	
i		1	2					1	2	1	2					1	2	
j		1	2					1	2	1	2					1	2	

Register summary

15. MEN

16. WOMEN

17. TOTAL

LANGUAGE: ONLY FOR PEOPLE OVER 3 YEARS OF AGE

Person order	18. Native language					19. Second language (accept more than one answer)				
	Spanish	English	Dutch	Other	NA	Spanish	English	Dutch	Other	NA
a	1	2	3	4	5	1	2	3	4	5
b	1	2	3	4	5	1	2	3	4	5
c	1	2	3	4	5	1	2	3	4	5
d	1	2	3	4	5	1	2	3	4	5
e	1	2	3	4	5	1	2	3	4	5
f	1	2	3	4	5	1	2	3	4	5
g	1	2	3	4	5	1	2	3	4	5
h	1	2	3	4	5	1	2	3	4	5
i	1	2	3	4	5	1	2	3	4	5
j	1	2	3	4	5	1	2	3	4	5

2

PARTICULAR CONDITIONS AND ACCESS TO HEALTH AND EDUCATION SERVICES FOR HOUSEHOLD MEMBERS.

Person order	1. Do you have any chronic noncommunicable disease - NCD?	2. If you have an NCD, which one do you have? <div> Cardiovascular diseases and stroke 1 Cancer 2 Chronic respiratory diseases 3 Diabetes 4 Obesity 5 Chronic kidney disease 6 Mental health 7 Seizures 8 Other, specify </div>	3. Do you receive regular medical care for the NCD?		4. Do you have any disability? i.e., any physical or mental condition that limits your ability to carry out normal daily activities?		5. If you have a disability, which one do you have? <div> Visual disability 1 Hearing impairment 2 Mental disability 3 Motor disability 4 Multiple disability, not diagnosed until now 5 NA 6 Other, specify </div>	6. Do you receive regular medical care for the disability?		7. If you receive medical care, how long does it take to get from your home to the medical center? (in minutes)	8. If you receive medical attention, what means of transportation do you use to get there? <div> Walking 1 Own car 2 Motorcycle 3 Bicycle 4 Taxicab 5 Bus 6 </div>	9. Do you have health insurance?		10. If you have health insurance, which plan do you have? NA(8) DKNO (9)
			Yes	No	Yes	No		Yes	No			Yes	No	
a	1	2	1	2	1	2	1	2			1	2		
b	1	2	1	2	1	2	1	2			1	2		
c	1	2	1	2	1	2	1	2			1	2		
d	1	2	1	2	1	2	1	2			1	2		
e	1	2	1	2	1	2	1	2			1	2		
f	1	2	1	2	1	2	1	2			1	2		
g	1	2	1	2	1	2	1	2			1	2		
h	1	2	1	2	1	2	1	2			1	2		
i	1	2	1	2	1	2	1	2			1	2		
j	1	2	1	2	1	2	1	2			1	2		

3

Person order	11.		12. If you are currently studying, in which educational institution are you studying? NA (8) DK/NO (9)	13. If you are currently studying, on average, how long does it take to get to school? (in minutes) NA (8) DK / NO (9)	14. If you are studying, what means of transportation do you use to get there?? <table border="1"> <tr><td>Walking</td><td>1</td></tr> <tr><td>Own car</td><td>2</td></tr> <tr><td>Motorcycle</td><td>3</td></tr> <tr><td>Bicycle</td><td>4</td></tr> <tr><td>Taxicab</td><td>5</td></tr> <tr><td>Bus</td><td>6</td></tr> </table>	Walking	1	Own car	2	Motorcycle	3	Bicycle	4	Taxicab	5	Bus	6
	Walking	1															
	Own car	2															
Motorcycle	3																
Bicycle	4																
Taxicab	5																
Bus	6																
Are you currently studying?																	
Yes	No																
a	1	2															
b	1	2															
c	1	2															
d	1	2															
e	1	2															
f	1	2															
g	1	2															
h	1	2															
i	1	2															
j	1	2															

IV. OCCUPATION OF HOUSEHOLD MEMBERS WORKING IN THE PUBLIC or PRIVATE SECTORS

MAIN OCCUPATION: The ordinal number must correspond to that of the household member registration table.

Person order	1.		2. Which was the last economic activity that you have spent MOST of YOUR TIME during the last year? <table border="1"> <tr><td>Recycling at the landfill</td><td>1</td></tr> <tr><td>Automotive mechanic</td><td>2</td></tr> <tr><td>Appliance repair</td><td>3</td></tr> <tr><td>Barber</td><td>4</td></tr> <tr><td>Farming</td><td>5</td></tr> <tr><td>Cattle raising</td><td>6</td></tr> <tr><td>Crafts</td><td>7</td></tr> <tr><td>Building</td><td>8</td></tr> <tr><td>Cosmetician</td><td>9</td></tr> <tr><td>Tourism</td><td>10</td></tr> <tr><td>Transport</td><td>11</td></tr> <tr><td>Education</td><td>12</td></tr> <tr><td>Other services</td><td>13</td></tr> <tr><td>Industry</td><td>14</td></tr> <tr><td>Other</td><td>15</td></tr> <tr><td>Retiree / pensioner</td><td>16</td></tr> <tr><td>Does not work</td><td>17</td></tr> <tr><td>DK</td><td>18</td></tr> </table>	Recycling at the landfill	1	Automotive mechanic	2	Appliance repair	3	Barber	4	Farming	5	Cattle raising	6	Crafts	7	Building	8	Cosmetician	9	Tourism	10	Transport	11	Education	12	Other services	13	Industry	14	Other	15	Retiree / pensioner	16	Does not work	17	DK	18	3. Was the work done in the public or private sector?		4. Was the work conducted inside the RAI?		5. Working as <table border="1"> <tr><td>Independent worker</td><td>1</td></tr> <tr><td>Employee</td><td>2</td></tr> <tr><td>Unpaid family worker</td><td>3</td></tr> <tr><td>NA</td><td>4</td></tr> </table>	Independent worker	1	Employee	2	Unpaid family worker	3	NA	4	6. Term of employment <table border="1"> <tr><td>Temporary</td><td>1</td></tr> <tr><td>Permanent</td><td>2</td></tr> <tr><td>NA</td><td>3</td></tr> </table>	Temporary	1	Permanent	2	NA	3	7. If you work as an employee, what is the name of the company where you work?	8. Is this company in the RAI?	
	Recycling at the landfill	1																																																												
	Automotive mechanic	2																																																												
Appliance repair	3																																																													
Barber	4																																																													
Farming	5																																																													
Cattle raising	6																																																													
Crafts	7																																																													
Building	8																																																													
Cosmetician	9																																																													
Tourism	10																																																													
Transport	11																																																													
Education	12																																																													
Other services	13																																																													
Industry	14																																																													
Other	15																																																													
Retiree / pensioner	16																																																													
Does not work	17																																																													
DK	18																																																													
Independent worker	1																																																													
Employee	2																																																													
Unpaid family worker	3																																																													
NA	4																																																													
Temporary	1																																																													
Permanent	2																																																													
NA	3																																																													
PUB	PRI	Yes	No	Yes	No																																																									
a	1	2			1	2			1	2																																																				
b	1	2			1	2			1	2																																																				
c	1	2			1	2			1	2																																																				
d	1	2			1	2			1	2																																																				
e	1	2			1	2			1	2																																																				
f	1	2			1	2			1	2																																																				
g	1	2			1	2			1	2																																																				
h	1	2			1	2			1	2																																																				
i	1	2			1	2			1	2																																																				
j	1	2			1	2			1	2																																																				

ECONOMIC ACTIVITIES ASSOCIATED WITH THE LANDFILL

Person order	9. Does any member of the household carry out any economic activity related to or dependent upon the landfill? (including providing services to other people who work there)		10. What activities do they carry out?	11. How long have they been doing these activities? (in years)	12. On average, how much has the monthly income been in USD for these activities in the last 3 months?	13. Is there a difference in income between dry and wet seasons?			14. In the last year, have you sold the materials and items recycled from the landfill?		15. If (13) yes, so where do you sell it? (CHECK ALL THAT APPLY)			
	Yes	No				Yes – more in dry season	Yes – more in wet season	No	Yes	No	Merchant	Associations	Directly	DK
a	1	2				1	2	3	1	2	1	2	3	4
b	1	2				1	2	3	1	2	1	2	3	4
c	1	2				1	2	3	1	2	1	2	3	4
d	1	2				1	2	3	1	2	1	2	3	4
e	1	2				1	2	3	1	2	1	2	3	4
f	1	2				1	2	3	1	2	1	2	3	4
g	1	2				1	2	3	1	2	1	2	3	4
h	1	2				1	2	3	1	2	1	2	3	4
i	1	2				1	2	3	1	2	1	2	3	4
j	1	2				1	2	3	1	2	1	2	3	4

V. HOUSEHOLD INCOME AND EXPENSES

1. Does this household have a bank account?	(1) YES	(2) NO	(9) DK/NO
2. Who has access to this bank account?	(1) HoH	(2) HoH and Spouse	(3) Other: Specify

INCOMES EARNED FROM ACTIVITY INSIDE THE RAI

Person ID	3. On average, how much is your monthly principal income?		4. On average, how much do you earn monthly in a secondary activity?		5. On average, how much do you earn monthly for selling materials and items recycled from the landfill?		6. On average, how much do you receive in rent payments of houses or land per month?		7. Other incomes per month NA (8) DK/NO (9)	8. TOTAL
	USD Amount	Activity	USD Amount	Activity	USD Amount	USD Amount	USD Amount	USD Amount		
a										
b										
c										
d										
e										
f										
g										
h										
i										
j										

INCOMES EARNED FROM ACTIVITY OUTSIDE THE RAI

Person ID	9. On average, how much is your monthly principal income?		10. On average, how much do you earn monthly in a secondary activity?		11. How much do you receive per month for pension or retirement?		12. On average, how much do you receive for rentals of houses or land outside the RAI per month?		13. How much did you receive from money transfers, help from relatives or others in the last year?		14. Other incomes		15. TOTAL
	NA (8) DK/NO (9)	USD Amount	NA (8) DK/NO (9)	USD Amount	NA (8) DK/NO (9)	USD Amount	NA (8) DK/NO (9)	USD Amount	NA (8) DK/NO (9)	USD Amount			
a													
b													
c													
d													
e													
f													
g													
h													
i													
j													

15. In the past three months, on average, how much has the family spent per month on?

Item	USD amount		
	USD	DK/NO	NA
a) Light or lighting (includes the purchase of candles or fuel)		(9)	(8)
b) Water		(9)	(8)
c) Telephone		(9)	(8)
d) Rent		(9)	(8)
e) Food		(9)	(8)
f) Education		(9)	(8)
g) Health/medical expenses		(9)	(8)
h) Housing rental		(9)	(8)
i) Transport		(9)	(8)
j) Gasoline		(9)	(8)
k) Money transfer abroad		(9)	(8)
l) Loans payment		(9)	(8)
m) Other (specify)			

16. In the last year, have you had access to any type of loan or credit?

1	No → GO TO QUEST. 19
2	Yes
9	DK/NO (DON'T READ)

17. Why did you apply for this/those loans? (CHECK ALL THAT APPLY)

1	Build or improve the house
2	Invest in economic activity in the dwelling
3	Invest in economic activity outside the dwelling
4	Educational expenses
5	Health expenses
6	Food expenses
7	Other (specify)
9	DK/NO (DON'T READ)

18. The loans or credits you had last year, you received in (check all that apply)

1	Cash
2	Species (products, inputs, materials, etc.)
9	DK/NO (DON'T READ)

19. Talking in general about the household financial situation, how is the family's financial situation compared months ago? You would say that now it is

1	Better
2	Same
3	Worse
9	DK/NO (DON'T READ)

20. And how do you think the household financial situation will be in 12 months? You would say that...

1	It will improve
2	It will be the same
3	It will be worse
9	DK/NO (DON'T READ)

VI. SOCIAL ORGANIZATION AND NETWORKS

1. Of the following voluntary and activity organizations, please tell me if you or any member of your family belongs to any of them. READ THE CHOICES, WAIT FOR AN ANSWER AND CHECK ALL THAT APPLY

WAIT FOR AN ANSWER AND CHECK ALL THAT APPLY		
1	Religious associations (for example, church or congregation)	
2	Educational organization (parent meetings)	
3	Syndicates, guilds, federations	
4	Committee or recyclers' association	
5	Popular dining room or mothers club	
6	Political organizations or movements	
7	Sports or recreation organizations	
8	Credit associations or revolving funds	
9	Other (specify):	
16	No. of none (DO NOT READ)	→ GO TO SECTION VII
99	NK/NO	

2. For you, what are the two most important associations or organizations? (WRITE TEXTUAL AND MARK THE CODE ACCORDING TO THE TABLE ABOVE)

1a		1b	
2a		2b	
9	DK/NO (DON'T READ)		

3. Do you have any relatives living:

1	Inside the RAI	Yes (1)	No (2)	(9) DK/NO
2	Outside the RAI, in Pond Island	Yes (1)	No (2)	(9) DK/NO
3	In the Island of Sint Maarten	Yes (1)	No (2)	(9) DK/NO

4. If you need help with a task, who do you call:

1	A friend, relative, neighbor, or colleague who lives inside the RAI	Yes (1)	No (2)	(9) DK/NO
2	A friend, relative, neighbor, or colleague who lives outside the RAI, in Pond Island	Yes (1)	No (2)	(9) DK/NO
3	A friend, relative, neighbor or colleague who lives in the Island of Sint Maarten	Yes (1)	No (2)	(9) DK/NO

VII. MIGRATION

1. Have you been absent from home for more than a month for work reason during the last year?

1	No
2	Yes → Where did you go? (specify)
	a) City:
	b) Country:

2. During the last year, has any member of your family been absent from home for more than a month for work reasons?

1	No
2	Yes → Where did he/she go? (specify)
	a) City:
	b) Country:

VIII. BELIEFS, VALUES, CUSTOMS

1. Do you belong, believe or identify yourself with any religion? (If the answer is "yes", which one? If the answer is "no", circle the "0")

0	No, I don't belong, I don't believe, I don't identify with any
1	Roman Catholic
2	Protestant, Evangelical, Pentecostal
3	Israelite of the New Universal Pact
4	Adventist
5	Jehovah's Witness, Mormons
6	Others (specify)
9	DK/NO (DON'T READ)

2. In the last TWO months, excluding weddings, baptisms and funerals, how often did you attend a religious ceremony in the church or temple?

1	More than once a week
2	Once a week
3	Two or three times a week
4	Once a month
5	Less than once a month
6	Has not attended in the last two months
9	NK/NO

IX. PREFERENCES AND FUTURE PLANS

1.	What do you value about the place where you live or have your business?	
1	Landscape	
2	Job opportunity	
3	Community services / equipment	
4	Social environment / family ties	
5	Others (specify)	
9	NK/NO	

2. What infrastructure and services does your community have? (check all that apply)

2.1	Hospitals or health center	(1) Yes	(2) No	(9) NK/NO
2.2	Community dining room	(1) Yes	(2) No	(9) NK/NO
2.3	Community Centre	(1) Yes	(2) No	(9) NK/NO
2.4	Children's and / or youth centers	(1) Yes	(2) No	(9) NK/NO
2.5	Parks	(1) Yes	(2) No	(9) NK/NO
2.6	Parkland	(1) Yes	(2) No	(9) NK/NO
2.7	Sports institutions	(1) Yes	(2) No	(9) NK/NO
2.8	Police stations	(1) Yes	(2) No	(9) NK/NO
2.9	Formal public transportation	(1) Yes	(2) No	(9) NK/NO
2.10	Informal public transportation	(1) Yes	(2) No	(9) NK/NO
2.11	School transportation for primary education	(1) Yes	(2) No	(9) NK/NO
2.12	School transportation for secondary education	(1) Yes	(2) No	(9) NK/NO
2.13	Food market	(1) Yes	(2) No	(9) NK/NO
2.14	Recreation centers	(1) Yes	(2) No	(9) NK/NO

3. What are the top priorities for you when considering moving your home?

1	Safety	
2	Affordability	
3	Size of available house/land	
4	Proximity to employment opportunities	
5	Proximity to services such as markets, schools, health centers, etc.	
6	Other: Specify	

4. What are the top priorities for you when considering moving your business?

1	Safety	
2	Affordability	
3	Size of available structure/land	
4	Proximity to customers	
5	Proximity to services such as markets, schools, health centers, etc.	
6	Other: Specify	

5. What do you know about the Emergency Debris Management Project? (describe)

How did you hear about it (newspaper, meeting, word of mouth, TV, community leaders, other)?

6. Influence on the project

1	Does not participate in social organizations	
2	Able to influence your family and other families	
3	Relations with local authorities	
4	Has the ability to call social organizations	
5	Relations with high-level authority and can mobilize social groups	
9	NK/NO	

X. INTERVIEWEE CONTACT DETAILS

1.	Cell phone number:		(8) N/A	(9) NK/NO
2.	E-mail:		(8) N/A	(9) NK/NO

XI. CONTROL DATA

QUESTIONS FOR THE INTERVIEWER:

1. Language in which the survey was conducted:

1	Spanish
2	English
3	English and Spanish

2. In addition to the informant, were there other adults present at the time of the survey?

1	No
2	Yes → Who were those people?

3. Name of the interviewer:

Code:

--	--

4. Sex of the interviewer:

1 Female

2 Male

4.1 Surveyor's Voluntary Observations:

--

I DECLARE THAT THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE INSTRUCTIONS RECEIVED AND THAT THE ANSWERS ARE AUTHENTIC.

Surveyor's Signature: _____

Respondent's Signature (or X): _____

DATE OF SURVEY:			2020
	Day	Month	

SURVEY END TIME		AM	PM
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B.2. Business Survey Form



Security **RINA** A/C/SENSITIVE

Business survey

Survey Number

- - - -

Digit Decade Unit Other Fraction

SINT MAARTEN SURVEY - EMERGENCY DEBRIS MANAGEMENT PROJECT

INTRODUCTION & DISCLAIMER

Good morning/afternoon. My name is (YOUR NAME) and I work for RINA, a company that has been hired by the National Recovery Program Bureau, as the Project Implementation Unit of the Government of Sint Maarten to survey the communities located near the municipal landfill and it would be very important for us to have your data. All the information provided will be kept confidential, will only be used for the purpose of assessing who and what is located in the area, and will not be shared with other parties.

Could you please confirm that you consent to your personal data being collected for this purpose? Y N

I. LOCATION

1. Community/neighborhood	2. Property Address		
3. Business name			
4. Business contacts	Website: Email address: Social media page:		
5. Business owner name	6. Business owner phone number 7. Email address 8. Preferred messaging app (e.g. WhatsApp, Viber, Telegram, Messenger, etc.)		
9. Business manager name (if not the owner)	10. Business manager phone number (if not the owner) 11. Email address 12. Preferred messaging app		
13. Have you already been included in the initial survey run out by RINA?		(1) YES	(2) NO

INFORMANT

14. Forename and surname	15. Age	16. Nationality
17. Position in the business		

INTERVIEW SITE

1 At the business site	2 Other location (specify):
------------------------	-----------------------------

II. INITIAL INFORMATION

1. What economic activities or business is conducted on the property?

1	Recycling of materials and elements of the landfill (with machinery to process)	
2	Recycling of materials and elements of the landfill (only selection of usable materials)	
3	Automotive mechanic	
4	Appliance repair	
5	Night club	
6	Beauty saloon	
7	Car wash	
8	Cleaning services	

9	Room rental	
10	Store	
11	Restaurant / food sale	
12	Other, which one?	
99	DK / NO (DO NOT READ)	

2. How long has it been since the business opened? (years)	(9) DK/NO
--	-----------

3. How long has this business been operating in this location? (years)	(9) DK/NO
--	-----------

4. Status of business

1	Open	
2	Temporarily closed	
3	Permanently closed	
9	DK / NO (DO NOT READ)	

5. Where is the business or economic activity located?

1	Inside the house	
2	Outside of the house	
3	Outside in public space	
9	DK / NO (DO NOT READ)	

Business survey

6. Type of business

1	Single owner	
2	Limited company	
3	(Other (specify):)	
9	DK / NO (DO NOT READ)	

7. Legal status of business

1	Formal (e.g. Licensed and registered with permits) (answer questions 1a, 1b and 1c)	
1a	What is the Chamber of Commerce/registration number?:	
1b	Pending license or permits:	
1c	Expired license/permits:	
2	Informal (answer question 2a)	
2a	Are you interested in getting your business licensed with permits? (1) Yes (2) No (9) DK/NO	
9	DK / NO (DO NOT READ)	

8. The location/structure of business operations is:

1	Owned (answer question 1a and 1b)	
1a	Do you have a formal land title?	
1b	What is the land registry number?	
2	Rented (answer questions 2a and 2b and 8)	
2a	Owner's Name:	
2b	Owner's cell phone number:	
5	Other (specify):	
9	DK / NO (DO NOT READ)	

9. If you are a tenant, how much do you pay monthly for the rent? (in USD)

1	Value in USD:	
8	NA	
9	DK / NO (DO NOT READ)	

10. If you are a tenant, what documentation do you have regarding your tenancy?

1	Lease agreement	
2	Payment slip/receipt	
9	DK / NO (DO NOT READ)	

11. If you are a tenant, how has the rent generally changed in the last 3 years?

1	Increased	
2	Decreased	
3	Roughly the same	
9	DK / NO (DO NOT READ)	

12. If the activity is commercial, where do you buy the goods you sell?

1	In the RAI	
2	In the city	
3	In other cities of the island	
4	In other countries	
9	DK / NO (DO NOT READ)	

13. If the activity is related to the production or marketing of goods or recycling, where do you sell your products?

1	In the neighborhood	
2	In the city	
3	In other cities of the island	
4	In other countries	
9	DK / NO (DO NOT READ)	

14. Do you own or operate any other business on Pond Island?

1	No	
2a	Yes	
2b	Name of business (s)	Location?
-		
-		
9	DK / NO (DO NOT READ)	

15. Is your business related to or dependent upon any resource from the landfill?

1	No	
2a	Yes	
2b	Which ones?	
-		
-		
-		
9	DK / NO (DO NOT READ)	

16. Average monthly and annual billing (of the business) (in USD)

1	Monthly billing USD:	
2	Annual billing USD:	
9	DK / NO (DO NOT READ)	

17. How has your billing generally changed in the last 3 years?

1	Increased	
2	Decreased	
3	Roughly the same	
9	DK / NO (DO NOT READ)	

18. Average monthly and annual expenses on salaries or wages for workers of the business (in USD) (if applicable)

1	Monthly expenses USD:	
2	Annual expenses USD:	
9	DK / NO (DO NOT READ)	

19. How have your expenses on wages changed in the last 3 years?

1	Increased	
2	Decreased	
3	Roughly the same	
9	DK / NO (DO NOT READ)	

20. Average monthly and annual expenses on other goods necessary to business activities (in USD)

1	Monthly expenses USD:	
2	Annual expenses USD:	
9	DK / NO (DO NOT READ)	

21. How have your expenses on these other goods changed in the last 3 years?

1	Increased	
2	Decreased	
3	Roughly the same	
9	DK / NO (DO NOT READ)	

22. Are there any business assets that can be moved?

1	Which ones?	
-		
-		
-		
9	DK / NO (DO NOT READ)	

23. Are there any business assets that CANNOT be moved?

1	Physical structure	
1a	Number	
1b	Size (m ²)	
1c	Description (e.g. metal sheeting roofing)	
2	Land	
2a	Size (m ²)	
2b	Use of land	
3	Crops	
3a	Size (m ²) of cropland	
3b	Types of crops	
4	Natural resources (e.g. water, wood)	
4a	Description	
5	Other: specify	
9	DK / NO (DO NOT READ)	

24. In the last year have you sold materials and items recovered from the landfill?

1	No -> GO TO QSTN 22	
2	Yes	
9	DK / NO (DO NOT READ)	

25. How do you sell it? (CHECK ALL THAT APPLY)

1	A merchant or broker comes to buy it	
2	Sell in cooperatives or associations of recyclers	
3	Sell directly	
	Other, specify how	
9	DK / NO (DO NOT READ)	

26. Does the establishment have a mortgage or guarantee that makes it difficult to operate freely or obtain financial assistance?

(1) Yes	(2) No	(9) DK/NO
---------	--------	-----------

27. The water supply in the business comes from:

1	Public drinking water network	
2	Cistern truck	
3	Rainwater	
4	Buying bottled water	
5	Public pump	
6	Other (specify):	
9	DK / NO (DO NOT READ)	

Business survey

28. Sewage disposal system:

1	Public network inside the business
2	Septic tank / latrine
3	Other (specify):
9	DK / NO (DO NOT READ)

29. Electricity access:

1	Connected
2	Nearby line but not connected
3	No line nearby and not connected
4	Other (specify):
9	DK / NO (DO NOT READ)

30. Including you, how many people work in the business regularly? (e.g. every day or every other day)	(9) DK/NO
31. How many of the workers reside inside the RAI?	(9) DK/NO
32. How many of the workers reside outside of the RAI?	(9) DK/NO

33. For you, how much of your total income is obtained from this business?

1	All of it
2	Most
3	Some
4	Other: Specify
9	DK / NO (DO NOT READ)

34. How far is your residence from the business?

1	Less than 100m
2	100m-500m
3	More than 500m
4	Other: Specify
9	DK / NO (DO NOT READ)

35. Would you like to receive training to formalize your business? (if applicable)

1	No
2a	Yes
2b	What type of training would you benefit from?
9	DK / NO (DO NOT READ)

36. What do you know about the Emergency Debris Management Project? (describe)
How did you hear about it (newspaper, meeting, word of mouth, TV, community leaders, other)

37. What is your overall attitude towards the Emergency Debris Management Project? Good, bad, neutral, don't know/not enough information, and give a reason for each answer.

38. In your opinion, what is the general perception of this project in the neighborhood?

39. What kind of assistance do you expect to receive from the project?

III. Future Plans

1. What do you hope to change or do about your business in the next 5 years?

1	Expand it
2	Change
2a	Change activities
2b	Describe
3	Close
3a	Close operations
3b	When would you close?

4	Formalize
5	Continue as is
9	DK/NO

IV. SURVEY OF OPINION

1. What do you value about your business location?

1	Landscape
2	Proximity to clients?
3	Proximity to Community services / equipment
4	Social environment / family ties
5	other (specify)
9	DK / NO (DO NOT READ)

2. Would you move your business to a place that provides greater security and better services?

1A	Yes→	1B ¿Where?
2	No	
3	N/A	
9	NK/NO	

Business survey

V. CONTACT DETAILS OF THE INTERVIEWEE

1. Cell phone number:

1	Number
9	DK/NO

2. E-mail

1	Email:
9	DK/NO

VI. CONTROL DATA

1. Language in which the survey was conducted

1	Spanish
2	English
3	Both

2. Name of the interviewer

CODE:

--	--

3. Sex of the interviewer

1	Female	2	Male
---	--------	---	------

Surveyor's Signature: _____

Respondent's Signature (or X): _____

DATE OF THE SURVEY			2020
	Day	Month	

SURVEY END TIME		AM	PM
-----------------	--	----	----

Business survey

VII. Workers Associated with BUSINESS															
Person ID	1. Forename and surname	2. Sex		3. Age	4. Type of contract Owner 1 Permanent employee 2 Temporary employee 3 Family worker 4	5. Can you read and write?		6. Do you live in the RAI area?		7. ID Type ID Card 1 Passport 2 Other 3	8. ID Number	9. Nationality (include only if not native to the island)	10. Highest level of education	11. Estimated monthly income	12. Contact details
		Male	Female			Yes	No	Yes	No						
a		1	2			1	2	1	2						
b		1	2			1	2	1	2						
c		1	2			1	2	1	2						
d		1	2			1	2	1	2						
e		1	2			1	2	1	2						
f		1	2			1	2	1	2						
g		1	2			1	2	1	2						
h		1	2			1	2	1	2						
i		1	2			1	2	1	2						
j		1	2			1	2	1	2						
k		1	2			1	2	1	2						
l		1	2			1	2	1	2						
m		1	2			1	2	1	2						
n		1	2			1	2	1	2						
o		1	2			1	2	1	2						
p		1	2			1	2	1	2						
q		1	2			1	2	1	2						
r		1	2			1	2	1	2						
s		1	2			1	2	1	2						
t		1	2			1	2	1	2						
u		1	2			1	2	1	2						
v		1	2			1	2	1	2						
w		1	2			1	2	1	2						
x		1	2			1	2	1	2						
y		1	2			1	2	1	2						
z		1	2			1	2	1	2						

B.3. Asset Census Form



Inventory of structures

Survey Number - - - -

Block Structure Use Owner Household/ Business

I. GENERAL INFORMATION

1. Owner's name	
2. Name of informant	
3. Date of survey	

II. IMMOVABLE ASSETS

ASSET #1 – MAIN DWELLING

Dwelling type						
1. Type of dwelling	a. Single standing	b. Multiple houses	c. Flat (apartment)	d. Room	e. Container: (Specify)	f. Other: (Specify)
2. Number of stories	a. One	b. Two	c. Three	d. Other: (Specify)		
3. Number of rooms	a. One	b. Two	c. Three	d. Other: (Specify)		
4. Number of private bedrooms	a. One	b. Two	c. Three	d. Other: (Specify)		
5. Number of private bathrooms	a. One	b. Two	c. Three	d. Other: (Specify)		
6. Basement included	a. Yes	b. None	c. Other: (Specify)			

BUILDING MATERIALS

Walls					
7. External walls material	a. Brick or concrete block	b. Wood	c. Other: (Specify)		
8. External walls structure/support	a. Wood	b. Metal	c. Other: (Specify)		
9. Internal walls material	a. Brick or concrete block	b. Wood	c. Other: (Specify)	d. None	
10. Where did you get the material to build the internal and external walls?					

Inventory of structures

Flooring					
15. Floor material	a. Cement	b. Metallic foil/zinc	b. None	c. Other: (Specify)	

Roof					
11. Roof material	a. Cement	b. Metallic foil/zinc	b. None	c. Other: (Specify)	
12. Structure/ support	a. Wood	b. Metal	c. None	d. Other: (Specify)	
13. Internal ceiling	a. Wood	b. Gypsum	c. Vinyl	d. Asbestos	e. Other: (Specify)
14. Where did you get the material to build the roof and internal ceiling?					

Doors					
16. Door material	a. Plastic	b. Wood	b. Metal	c. Other: (Specify)	

Windows					
17. Window frame material	a. Metallic	b. Wood	c. Aluminum	d. Other: (Specify)	

BUILDING CONDITIONS

Building materials conditions (visual inspection)					
18. External walls	a. Structural	b. Any visual damage – cracks, bulges, etc.: (Specify)	c. Water damage: (Specify)	d. Other: (Specify)	
19. Internal walls	a. Structural	b. Any visual damage – cracks, bulges, etc.: (Specify)	c. Water damage: (Specify)	d. Other: (Specify)	
20. Roof	a. Visual damage: Stains, rust, cracks, etc.: (Specify)	b. Uneven areas	c. Water damage: (Specify)	d. Other: (Specify)	
21. Flooring	a. Visual damage:	b. Uneven areas	c. Water damage: (Specify)	d. Other: (Specify)	
22. Doors	a. Visual damage:	b. Uneven areas	c. Water damage: (Specify)	d. Other: (Specify)	

Inventory of structures

23. Windows	a. Visual damage (cracks, etc):	Other: (Specify)
24. Painting	Visual description: (e.g. Cracks, chipping, peeling, water damage)	
25. Waterproofing	Visual description:	
26. Fireproofing	Visual description:	

INSTALLATIONS

27. Electricity source		
a	Public network	
b	Solar	
c	None	
d	Other (specify)	

28. Electrical installations		
a	TV cable	
b	Phone call	
c	Internet cable	

29. Water source		
a	Public network (piped connection to house)	
b	Cistern	
c	Rainwater	
d	Bottled water	
e	Other (specify)	

30. Ventilation system		
a	Draughts	
b	Vents	
c	Mechanical	
d	Others (Specify)	

31. Doors and windows		
a	N° of windows	
b	N° of doors	

32. Sewage disposal system		
a	Public sewage system	
b	Cesspit	
c	Septic tank	
d	Others (Specify)	

33. Type of lighting		
a	Electricity	
b	Kerosene, petroleum	
c	Candle	
d	Electric generator	
e	Other (specify):	
f	Does not use	

34. Fuel used (more than one option possible)		
a	Electricity	
b	Gas	
c	Kerosene, petroleum	
d	Coal	
e	Firewood	
f	Other (specify):	

Inventory of structures

35. Items owned		
a	Radio	
b	Television	
c	Stereo	
d	Cell phone	
e	DVD / Blu-ray	
f	Bicycle	
g	Motorcycle	
h	Car	
i	Refrigerator	
j	Sewing machine	

STRUCTURE DETAILS

36. Perimeter (lm)	
37. Area	

COMMENTS:

Sketch of the Internal layout of the Structure



Inventory of structures

ASSET #2 – ADJACENT BUILDING/CONSTRUCTION

Asset type											
1. Type of asset	a. Shed		b. Garage		c. Outside shower		d. Outside kitchen		e. Storage		f. Other: (Specify)
2. Number of stories	a. One		b. Two		c. Three		d. Other: (Specify)				
3. Number of rooms	a. One		b. Two		c. Three		d. Other: (Specify)				

BUILDING MATERIALS

Walls								
4. External walls material	a. Brick or concrete block			b. Wood		c. Other: (Specify)		
5. External walls structure/support	a. Wood			b. Metal		c. Other: (Specify)		
6. Internal walls material	a. Brick or concrete block			b. Wood		c. Other: (Specify)		d. None
7. Where did you get the material to build the internal and external walls?								

Roof									
8. Roof material	a. Cement		b. Metallic foil/zinc		b. None		c. Other: (Specify)		
9. Structure/ support	a. Wood		b. Metal		c. None		d. Other: (Specify)		
10. Internal ceiling	a. Wood		b. Gypsum		c. Vinyl		d. Asbestos		e. Other: (Specify)
11. Where did you get the material to build the roof and internal ceiling?									

Flooring								
12. Floor material	a. Cement		b. Metallic foil/zinc		c. None		d. Other: (Specify)	

Inventory of structures

Doors				
13. Door material	a. Plastic	b. Wood	c. Metal	d. Other: (Specify)

Windows				
14. Window frame material	a. Metallic	b. Wood	c. Aluminum	d. Other: (Specify)

BUILDING CONDITIONS

Building materials conditions (visual inspection)					
15. External walls	a.Structural		b.Any visual damage – cracks, bulges, etc.: (Specify)	c. Water damage: (Specify)	d. Other: (Specify)
16. Internal walls	a.Structural		b.Any visual damage – cracks, bulges, etc.: (Specify)	c. Water damage: (Specify)	d. Other: (Specify)
17. Roof	a.Visual damage: Stains, rust, cracks, etc.: (Specify)		b.Uneven areas	c. Water damage: (Specify)	d. Other: (Specify)
18. Flooring	a.Visual damage:		b.Uneven areas	c. Water damage: (Specify)	d. Other: (Specify)
19. Doors	a.Visual damage:		b.Uneven areas	c. Water damage: (Specify)	d. Other: (Specify)
20. Windows	a.Visual damage (cracks, etc):	Other: (Specify)			
21. Painting	Visual description: (e.g. Cracks, chipping, peeling, water damage)				
22. Waterproofing	Visual description:				
23. Fireproofing	Visual description:				

Inventory of structures

INSTALLATIONS

24. Electricity source	
a	Public network
b	Solar
c	None
d	Other (specify)

26. Water source	
a	Public network (piped connection to house)
b	Cistern
c	Rainwater
d	Bottled water
e	Other (specify)

28. Doors and windows	
a	N° of windows
b	N° of doors

30. Type of lighting	
a	Electricity
b	Kerosene, petroleum
c	Candle
d	Electric generator
e	Other (specify):
f	Does not use

25. Electrical installations	
a	TV cable
b	Phone call
c	Internet cable

27. Sewage disposal system	
a	Public sewage system
b	Cesspit
c	Septic tank
d	Others (Specify)

29. Fuel used (more than one option possible)	
a	Electricity
b	Gas
c	Kerosene, petroleum
d	Coal
e	Firewood
f	Other (specify):



Inventory of structures

STRUCTURE DETAILS

31. Perimeter (lm)	
32. Area	

COMMENTS:

Sketch of the Internal layout of the Structure

--

PIC 1: FRONT	PIC 2: BACK

ASSET #3 – GARDEN
CROPS, PLANTS & TREES

Perennial crops	
1. Quantity (m ²)	
2. Types of crops	
3. Kilogram of harvest per month	
4. Average cost of inputs per month	
5. Average production consumed per month	
6. Average production sold per month	

Annual crops	
7. Quantity (m ²)	
8. Types of crops	
9. Kilogram of harvest per season	
10. Average cost of inputs per season	
11. Average production consumed per season	
12. Average production sold per season	

Fruit trees	
13. Quantity (number)	
14. Types of trees	
15. Kilogram of harvest per season	
16. Average cost of inputs per season	
17. Average production consumed per season	
18. Average production sold per season	

Decorative plants/trees	
19. Quantity (number)	
20. Types of plants	
21. Average cost of inputs per season	

Additional plants	
22. Quantity (number)	
23. Types of plants	
24. Average cost of inputs per season	

Related improvements			
25. Watering system	a. Irrigation	b. Water harvesting	c. Other (Specify):

Pavement				
26. Material	a. Cement	b. Brick	c. Granite	d. Other: (Specify)

Inventory of structures
ASSET #4 – FENCING

Asset type				
27. Type of fencing	a. Chain link	b. Wood	c. Aluminum	d. Other: (Specify)
28. Condition	a. Visual damage	b. Breaks or gaps	c. Age	d. Other: (Specify)
29. Length				

INSTALLATIONS

30. Water source	
a	Public network (piped connection to house)
b	Cistern
c	Rainwater
d	Bottled water
e	Other (specify)

32. Sewage disposal system	
a	Public sewage system
b	Cesspit
c	Septic tank
d	Others (Specify)

34. Fuel used (more than one option possible)	
a	Electricity
b	Gas
c	Kerosene, petroleum
d	Coal
e	Firewood
f	Other (specify):

31. Main source of plants/seeds	
a	In the neighborhood
b	In the city
c	In other cities of the island
d	In other countries
e	Other (specify)

33. Type of lighting	
a	Electricity
b	Kerosene, petroleum
c	Candle
d	Electric generator
e	Other (specify):
f	Does not use



Inventory of structures

ASSET DETAILS

35. Perimeter (lm)	
36. Area	

COMMENTS:

Sketch of the Internal layout of the Structure

PIC 1: FRONT	PIC 2: BACK

III. MOVABLE ASSETS

ASSET #4 – LIVESTOCK

Chickens	
1. Quantity (number)	
2. Average cost of inputs per month	
3. Average production consumed per month	
4. Average production sold per month	

Pigs	
5. Quantity (number)	
6. Average cost of inputs per month	
7. Average production consumed per month	
8. Average production sold per month	

Cows	
9. Quantity (number)	
10. Average cost of inputs per month	
11. Average production consumed per month	
12. Average production sold per month	

Livestock maintenance				
13. Location of grazing area	a. In the RAI	b. District (Specify)	c. Community (Specify)	d. Other: (Specify)
14. Source of inputs	a. In the RAI	b. District (Specify)	c. Community (Specify)	d. Other: (Specify)

ASSET #5 - OTHER MOVEABLE ASSETS

Moveable structure	
15. Quantity (number)	
16. Type of structure	

Heavy equipment	
17. Quantity (number)	
18. Type of equipment	

Other assets	
19. Quantity (number)	
20. Type of assets	

ASSET DETAILS

21. Perimeter (lm)	
22. Area	

COMMENTS:

Sketch of the Internal layout of the Structure

PIC 1: FRONT	PIC 2: BACK

C. FGD Meeting Minutes

4. People take full responsibility for themselves 5. People don't get hungry; if you're hungry, someone will bring you something to eat 6. In the yard everyone is together	2. In the past reports were written showing only poverty and problems 3. People take advantage of others with electricity and water
---	--

ADDITIONAL COMMENTS

1. The dump is not for business.
2. If you don't have a place for people, leave them where they are; help fix the housing here for the people
3. The garbage is not bothering the people.
4. The virus is everywhere but here; the elders take care of the people.
5. We feel safer here than outside with COVID.
2. **Where do you travel to on a day to day basis? What places are important to you and where?**
 - a. Church (Cole Bay, Zagersgut)
 - b. Doctor (Marigot, Cay Hill, town)
 - c. Supermarket (Sang's, Afoo in town)
 - d. Walk on the boardwalk
3. **Daily activities (THIS QUESTION WAS NOT ON THE QUESTIONNAIRE AT THE TIME OF THE INTERVIEW; HOWEVER, THE INFORMATION WAS TAKEN FROM THE FORMAT AT HAND WHICH ASKED ABOUT SKILLS DEVELOPMENT)**
 - A. **Basic question: What do you spend your time doing?**
Brainstorm openly amongst the group and record answers. E.g. House chores; childcare; shopping; church; leisure activities; work; appointments? (what types?); others

Responses	Details e.g. frequency	Where? (e.g. in RAI?)
-----------	------------------------	-----------------------

Responses	Details e.g. frequency	Where? (e.g. in RAI?)
1. Fishing 2. Proselytizing/share the Bible 3. Wood work 4. Mechanic work; would like to continue	1. Sometimes	1. In town 2. Everywhere

4. Important Places & Relations (THIS QUESTION WAS NOT ON THE QUESTIONNAIRE AT THE TIME OF INTERVIEW)

A. Who are the most important people in your social network? How often do you interact with them? Where?

Ask participants to describe their key social contacts and relationships, their level of interaction and location of interactions. E.g. Partner, relatives, friends, colleagues, church members, etc.

Responses	Details

B. What kind of support do you receive with daily activities and health needs from outsiders? How often? Where?

Ask participants to describe their key sources of support and location. E.g. Government, charities, pharmacies, doctors, etc.

Responses	Details

GENERAL COMMENTS

3

- The blind resident has no insurance and therefore pays for the doctor's visits; she usually travels to Marigot ("French" side) to see the eye doctor; she will soon undergo another eye operation.
- One of the residents, who was not on the list for the interview, but lives in the block where the interview was conducted, receives support from the Mental Health Foundation (epileptic medication).
- During their responses to question 1, the group expressed strongly that residents in the area are more like one big family and very few of them have family members outside the RAI.

5. Project impacts

A. How do you think this project could change your personal day-to-day life, if your household is affected? E.g. Access to family and friends, public services, jobs, markets, etc.

Responses	Details
1. The project makes (him) sad inside, especially if they don't know where they are moving to. 2. Curious about where they are going, close to whom? 3. What about comfort and peace? 4. Price to live/affordability 5. One (resident) could move immediately if necessary.	

B. This project will need a lot of consultations and meetings with the affected people. Do you have any thoughts on how we can make sure everyone's views are taken into account during this process? E.g. committees with representatives chosen to represent households, notice boards, etc.

Responses	Details
1. Phone calls/WhatsApp	

4

COMMENTS

At this point in the interview, the NRPB representative (GS) informed the group that NRPB had put up a billboard (outside of the RAI) for the community to read and leave suggestions/ideas in the mailbox attached. See photos below.





1. Actividad de calentamiento

¿Qué te gusta de vivir en este barrio? ¿Qué te disgusta o te estresa?

😊	😞
<ol style="list-style-type: none"> Center to everything Familiarity—like one big family We all know each other; we all support each other An incredible family Low cost of living/price of rent Tranquility/peace There's no violence/robbery 	<ol style="list-style-type: none"> The mud when it rains, dust The garbage Mosquitos The smoke from the new dump The constant burning (of metal) The constant insecurity (when leaving)

ADDITIONAL COMMENTS: "We do not want to move."

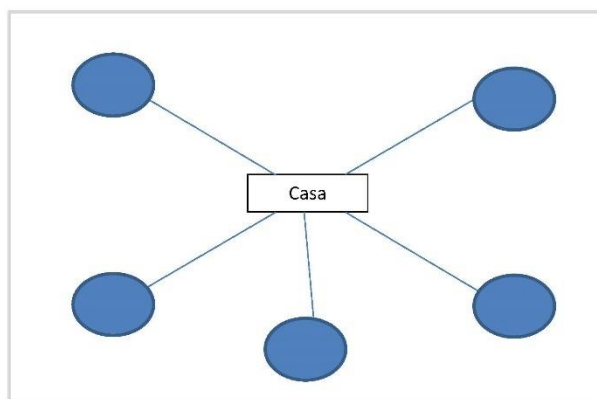
2. Actividades cotidianas y redes sociales

a) *¿En una semana normal, a dónde te desplazas? ¿Qué lugares son importantes para ti?*

Pida a los participantes que dibujen los lugares hacia donde se desplazan con más frecuencia. Pídales que en un afiche pongan su vivienda como punto central y que luego dibujen otros lugares unidos por líneas a la vivienda del centro. A lo largo de las líneas, pida a los participantes que escriban la distancia, el propósito y el modo de transporte de cada trayecto.

Por ejemplo: Trabajo, supermercado/mercado, casas de amigos/familiares, áreas comunales, establecimientos de salud, iglesias, lugares de eventos sociales, canchas deportivas, etc.

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Work (town)
Church (Illidge Road)
School (NIPA, Cay Hill)
Walk in town/boardwalk (very close)
Eat in the Chinese restaurants
Shopping in town

b) *¿Dónde está tu red social (amistades, familiares, compañeros de trabajo) en general? ¿Ellos viven en este barrio? ¿En SXM? ¿En el exterior?*

Respuestas
<ul style="list-style-type: none"> In the neighborhood In the church

8



3. Proceso de toma de decisiones

a) ¿En tu hogar, quién toma las decisiones concernientes a los siguientes asuntos?

Tema	Mujer	Hombre	Ambos	Otro
Empleo/medios de vida	2		3	
Vivienda/mudanza	2		3	
Gastos/compras				
Educación y Salud				
Limpieza y alimentación/cocina				
Crianza de los hijos				
Vida social/comunidad				
Otros				

GENERAL COMMENTS: Normally all decisions are made together for those that are not single heads of households.

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b) Para las mujeres que viven con pareja: ¿Tu pareja tiene una cuenta bancaria? ¿Es una cuenta común? ¿Quién controla/accede a esta cuenta? (Por ejemplo, ¿sólo tu pareja? ¿ambos?)

Respuestas
They all have joint bank accounts, and both have access. Only one woman said that she is the one who manages the money in the home.

c) Para las mujeres que son cabeza/jefa de hogar: ¿Tienes una cuenta bancaria? ¿Quién más controla/accede a esta cuenta?

Respuestas
Yes, and they are the only ones with access.

4. Empleo y desarrollo de habilidades (THIS QUESTION WAS NOT ON THE QUESTIONNAIRE AS THE PRINTER HAD RUN OUT OF PAPER AT THE PRINTING AND THE CHANGES TO THE NEW QUESTIONNAIRE WERE NOT NOTICED.)

5.

a) Pensando acerca del futuro, si pudieras cambiar de empleo y recibir capacitación, ¿qué tipos de trabajos estarías interesada en hacer? ¿Y tus amigas/familiares mujeres? Si, No, ¿por qué?

Ejemplos:

Permanecer en mi trabajo actual
Ninguna – Criar a mis hijos
Agricultora
Pescadora

Empleada administrativa
Gerente de oficina
Operadora de bote
Conductora de bus
Mesera

Carpintera
Limpiadora
Ensambladora de andamios
Trabajadora de construcción

Cocinera/Chef
Peluquera/estilista
Operadora de grúa
Electricista
Ingeniera

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Técnica de informática (IT)
Topógrafa
Pintora

Planificadora
Soldadora
Guardia de seguridad

Supervisora
Trabajadora forestal
Vigía de tráfico

Salón de belleza
Enfermera

Respuestas	Razones

b) ¿Existen condiciones que pudiesen facilitar tu/vuestra participación en los trabajos y capacitaciones? Por ejemplo: medio tiempo, trabajo nocturno, trabajo con horario flexible, guardería, ayuda económica, etc.

	Condiciones/ comentarios
Horario flexible	
Guardería	
Ayuda económica	
Otros	

GENERAL COMMENTS (see original surveys for additional details)

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6. Impactos del proyecto

C. ¿En qué aspectos consideras que este Proyecto podría cambiar tu vida cotidiana, si tu hogar fuese afectado? Por ejemplo, en cuanto al acceso a familiares y amistades, servicios públicos, escuelas, trabajos, supermercado, etc.

Respuestas	Detalles

D. Si tuviera la opción de elegir, ¿en qué áreas de Sint Maarten preferiría vivir? ¿En qué áreas estaría bien vivir temporalmente, si fuera necesario? Pida que los describa: ubicación, qué le gusta de ellos, qué recursos / infraestructura hay allí, etc.

Respuestas	Detalles
No.	If there is no housing, where are people going? We do not want to move temporarily.

E. Este Proyecto necesitará muchas consultas y reuniones con las personas afectadas. ¿Tienes alguna idea sobre cómo podemos asegurarnos de que se tengan en cuenta las opiniones de todos durante este proceso, evitando al mismo tiempo demasiadas reuniones que ocupan mucho tiempo de todos? Por ejemplo, comités con representantes elegidos para representar a los hogares, tableros de anuncios, etc. ¿Quién sería el mejor para representar a los hogares si fuera necesario?

Respuestas	Detalles
WhatsApp Small groups Maybe a big location	

Group 3: Youth

ID	Name	Gender	Relation to HoH	Age	Nationality	Household's phone number	Comments

12

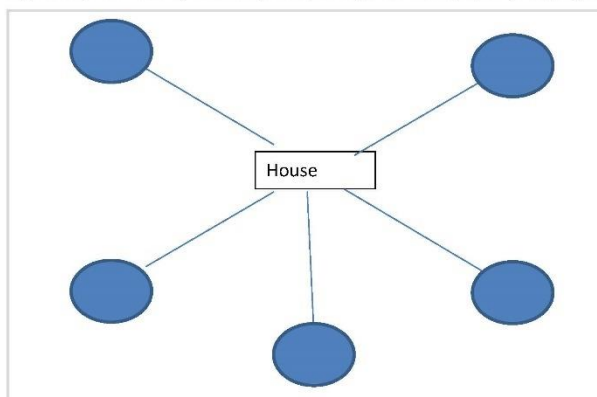


2. Important Places

C. Basic question: Where do you travel to? What places are important to you?

Ask participants to draw their most frequently made journeys. Have them put their dwelling as the centre point on a piece of poster paper and then draw on other locations joined by lines to the dwelling in the centre. Along the lines, get people to write distance, purpose and mode of transport.

E.g. School; house chores; childcare; work (what types of work?); sports; shopping; friends; church; leisure activities; others





1. Catch the bus on the corner to school. Friend's house
2. Walks to school; home on weekends or to orchestra classes in class
3. Get breakfast; work on the dump site (9:00 a.m. – 5:00 p.m.); go to town on weekends; sunbathes
4. Cook; organize house, works in a restaurant on the boardwalk (1:00 – 9:00 p.m.); also on Saturdays; on Sundays sometimes goes to the beach

3. Jobs and skills development

A. Thinking about the future, what types of jobs would you and your friends have an interest in? Yes, No, Why...?

Examples:

Farmer	Construction Worker	Welder/Fitter
Fisher	Cook/Chef	Beauty salon
Administration clerk	Hairdresser	Nursing
Office manager	Crane Operator	Security Guard
Boat Operator	Electrician	Supervisor
Bus driver	Engineer	Forestry worker
Food Server	IT technician	Traffic
Carpenter	Land Surveyor	None- raising family
Cleaner	Painter	
Scaffolder	Planner	

Responses	Reasons
1. Painter/musician	1. Good at it; writes songs/plays
2. Learn languages, maybe in Holland	2. Easier to speak Dutch
3. Specialize in beauty	3. Likes hospitality/beauty
4. Specialize in hospitality and tourism (wants son to get good opportunities)	4. Likes socializing and hospitality

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B. Are there any conditions that would make it easier for them to take part in jobs and training? E.g. part time, evening working, flexible working, child support etc.?

	Conditions / comments
Time/flexibility	All very flexible
Financial support	Definitely because currently making money from the dump
Other	

5. Project impacts

F. How do you think this project could change your day-to-day life, if your household is affected? E.g. Access to family and friends, public services, school, jobs etc.

Responses	Details
<ul style="list-style-type: none"> • Either get better or worse, no in-between; it would be the same • As youngsters, "we get accustomed to things" 	<ul style="list-style-type: none"> • The current stability might shift, too much uncertainly; nothing will change unless the family can be together; maybe get (her) own room • In the beginning there may be impact, but not for too long.

G. This project will need a lot of consultations and meetings with the affected people. Do you have any thoughts on how we can make sure everyone's views are taken into account during this process? E.g. committees with representatives chosen to represent households, notice boards, etc.

Responses	Details
1. St. Peters area	1. Closer to school/friends

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Responses	Details
2. Cupe Coy/Maho	2. Close to the beach/shops; can catch the bus straight to school.
3. Sucker Garden	3. Close to the dump; easy to catch a bus
4. Sucker Garden/town	4. Close to everything

CONSENT

While participants had been explained the process both on the telephone and at the start of the interview, at the end of the interview the participants in each group were given a consent form to sign, indicating they had consented to participate in the interview. All the sessions were video recorded, and all original documents are scanned and forwarded in addition to this report.

NOTE:

At the end of the interviews with the group of women, one woman, Eduvigis Sosa Maria, said that though she lives in the RAI (Block A), she had not been interviewed before. The neighbors present confirmed this. Another woman, Yuliza A. Mendez Feliz (Chula), said though she has lived in the RAI for 3 years, she has not been censored.

Prepared and submitted by: Rhoda Arrindell, PhD

February 9, 2021

D. May 2021 PAP Meetings – Presentation, Photos and Attendance Lists



RINA's team (May 10 - 21)

- Rhoda Arrindell
- Giovanna Durand
- Sergio Cesard
- Pedro Bastidas

+1 (721) 55328 -28

landfillproject@nrbsxm.org



Overview

This presentation will explain:

- The findings of the surveys conducted
- Who is eligible for what type of compensation and support
- How the value of your structures and assets was calculated
- Next steps

We will also ask for your thoughts on all these points

Survey findings

How did we collect the data?

- Mapping
- Field work (November 2020)
 - Household survey
 - Business survey
 - Inventory of infrastructure

Inventory of structures



Survey Number - - - - -

Box Section Use Owner Household Number

☐

The cut-off date was set for November 29, 2020, day of completion of the field work. This was communicated throughout the Resettlement Area of Impact (RAI).

Summary of findings from census survey

RAI $\sim 49,606.89 \text{ m}^2$ ($\sim 5 \text{ ha}$)

- **80 residential dwellings**
- **9 businesses**
- **20 commercial/
residential (mixed)**



Findings

- A total of **109 structures** (dwellings and business) identified in the RAI
- The structures have been classified into:
 - Container (40 feet, 20 feet and 10 feet)
 - Container plus wooden structure
 - Container plus concrete structure
 - Wooden shack only
 - Concrete structure only



Who is affected and eligible for compensation and/or support?

Eligibility criteria



Residing in a private structure used for residential dwelling located in the RAI as of the cut-off date, either as an owner or tenant;



Renting out a private structure located in the RAI for rental income;



Operating or employed at a business located in the RAI; or



Using the landfill to gain all or part of the household income.

And surveyed before the cut-off date, in most circumstances.

Categories of affected people

#	Categories	Type of loss
1	Homeowner	Structure and immovable assets
2	Business owner	Structure, immovable assets and income
3	Homeowner/Business owner (mixed)	Structure, immovable assets and income
4	Tenant or borrower	Residence
5	Business employee	Income
6	Residential landlord*	Structure & income from renting
7	Off-site landlord**	Structure & income from renting
8	People who use landfill as source of income	Income
9	Vulnerable people***	Social networks; increased vulnerability

*Residential landlords: People who live in the RAI and also rent out other structures in the RAI.

**Off-site landlords: People who live elsewhere and rent out structures in the RAI.

***Vulnerable people: Household with a disabled member; Elderly or woman head of household; Household below the poverty threshold

Entitlement Matrix

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures Livelihood Restoration & Community Development Support
Loss of land	1	Loss of parcels of land (government land)	Landowner	m ²	Since Government owns the land, and there is no leasehold agreement in place, all of the residents are squatters. Based on current laws and WB OP 4.12, Government only has a legal obligation toward residents to reimburse for value of immovable property on Government land.	<ul style="list-style-type: none"> Transversal program for the process of formulation, implementation, monitoring and evaluation of the RAP. The program will inform about the eminent domain of the government land and support the negotiation of the alternatives with each household. Support from the government: legal procedure to declare eminent domain.

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures Livelihood Restoration & Community Development Support
Loss of structures – permanent	2	Loss of dwellings, buildings and other immovable assets owned and/or used	Homeowner; Non-titled / informal user	m ² and quantity in numbers	<p>The loss of dwellings, buildings, and other immovable assets will be compensated for the full replacement cost. The compensation will be paid in kind with a replacement home (new or used) or in cash at replacement value.</p> <p>The owner of rented dwellings, buildings, and other immovable assets who does not reside in the resettlement area of impact (squatter landlord) will be compensated in cash (only) for the full replacement cost</p>	<ul style="list-style-type: none"> Provision of affordable housing, business buildings, and rental spaces. Support from the government: affordable housing program in the resettlement site for PAPs experiencing permanent loss of dwelling
	3	Loss of rented home	Tenant	Households	<p>The loss of home rented will be compensated in cash as per below:</p> <ul style="list-style-type: none"> - For tenants with a lease of at least one year: Equivalent value of two-year rent - For tenants whose assets/improvements made on the property exceed the value of the two-year rent: Value of the assets/improvements - For tenants with a lease duration of one year or less: Equivalent of one-year rent or value of assets/improvements, whichever one is greater <p>In addition, the PAPs will be provided social support to find another rental space.</p>	
	4	Loss of rented business	Business owner/operator – renters (formal and informal)	Businesses	<p>The loss of business rented will be compensated in cash as per below:</p> <ul style="list-style-type: none"> - For tenants with a lease of at least one year: Equivalent value of two-year rent - For tenants whose assets/improvements made on the property exceed the value of the two-year rent: Value of the assets/improvements - For tenants with a lease duration of one year or less: Equivalent of one-year rent or value of assets/improvements, whichever one is greater <p>In addition, the PAPs will be provided social support to find another rental space.</p>	

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures Livelihood Restoration & Community Development Support
Loss of income and livelihoods	5	Loss of formal and informal businesses (income)	Business owner/operator (formal and informal)	Businesses	The loss of business income will be compensated in cash for the cost of identifying a viable alternative location; for lost net income during the period of transition; and for reestablishing commercial activities. Additionally, business owners will obtain specialized support to reinstall their businesses.	Livelihood Restoration program: <ul style="list-style-type: none"> Business, economic activities and employment. Support from the government: <ul style="list-style-type: none"> programs to restart and strengthen economic activities (automotive mechanics; beauty, shops, car wash, recycling materials etc.), and employment programs. Support to formalize and register business for informal business owners/operators (if desired)
	6	Loss of income from lease	Landlord	Persons / households	The loss of income from rent will be compensated in cash with a monthly payment rent until the building for the rental is restored or a new income source is in place. This is not applicable to squatter landlords.	
	7	Permanent closure of informal income-generating activities dependent on the Project Area	Informal workers dependent on resettlement area for income	Persons	PAP affected by the prohibition of informal business activities (i.e. Businesses that are not formally licensed/registered)* to take effect as part of the Project will obtain support to formalize income-generating activities. PAP affected by loss of access to landfill for all or part of their livelihood activities will be compensated in cash for loss of income derived from the use of the landfill (for six months of loss of income), and be provided livelihood support to obtain alternative employment opportunities.	
	8	Loss of formal and informal employment income due to the permanent closure or relocation of productive activities	Employees or hired laborers with income dependent on resettlement area (formal and informal)	Employees	Affected employees will receive assistance in cash for six (6) months of loss of wages and, if necessary, assistance in identifying alternative employment opportunities and skill training.	

Category of Loss	#	Impacts	PAP Category	Unit	Resettlement Compensation Measures	Other Measures Livelihood Restoration & Community Development Support
Re-establishment costs	9	Costs and disruptions associated with dismantling, transportation and rebuilding of structures and assets	Relocated PAPs (residents and business owner/operators)	Households and businesses	The PAP will receive in-kind and in-cash allowances to dismantle their homes and/or businesses, transport and reinstallation of the movable assets such as plant, machinery, or other equipment.	Social support program Support from the government: specialized programs for vulnerable people Social/psychosocial support for disruptions to lives caused by relocation
Undocumented legal status	10	Visibility of illegality in immigration status	Undocumented PAPs	Persons	Offer legal support to inform affected persons on residency application procedures and to identify eligibility for a residence permit. Offer legal and administrative support during the residency permit application phase.	Monitoring of socioeconomic conditions for one year after the permanent move to verify restoration of livelihoods and/or living conditions
Access to services	11	Disruption of access to local/familiar educational resources	Relocated PAPs (residents)	Persons	Social support	
	12	Alteration of social networks	Relocated PAPs (residents)	Persons	Social support	
	13	Disrupted access to local/familiar health services	Relocated PAPs (residents)	Persons	Health support	
Impacts on vulnerable PAPs	14	Risk of increased vulnerability	Vulnerable PAPs (to be defined)	Persons / households	Special measures for vulnerable people will include financial support to obtain affordable housing, the security of income, health or education services, and social support, according to their necessities.	Vulnerable people program Support from the government: specialized programs for vulnerable people
Loss of housing	15	Temporary resettlement (if necessary)	PAPs (residents) to be temporarily relocated (to be confirmed)	Households	Due to the debris emergency, it will be necessary to relocate PAP as soon as possible with a temporary resettlement. These PAP will receive adequate allowances in cash and in-kind for housing, feeding, and other necessities during this period while the permanent resettlement arrangement is in place.	Temporary resettlement program. Support from the government: agreements with the touristic sector to identify alternatives for temporary resettlement.

Valuation of structures, assets and income

How did we calculate the value?

- Market rate + Replacement value(*) = **Full replacement cost**
- Replacement value (World Bank requirement):
 - Depreciation of the asset and the value of salvage materials are not taken into account
 - Cost of adjustments and improvements needed to convert structures into homes are included
- The highest value for each category has been considered for the unit rate, regardless of the current level of improvements, quality or age of each structure.

(*) Replacement cost is defined as the market value of the assets plus transaction costs.



Valuation of structures

#	Categories	Local Market Value (USD)	Replacement Value (USD)– Lump Sum	Total Value (USD)
1	40 feet container	4,000 (lump sum)	2,000	6,000
2	20 feet container	2,500 (lump sum) 2,830 (lump sum)	2,000	4,500 4,830
3	10 feet container	Not available	2,000	Not available
4	Wooden structure	1,000 /m ²	2,000	1,000/m ² + 2,000
5	Concrete structure	1,300 /m ²	2,000	1,300/m ² + 2,000

Given that the structures have varying sizes due to previous modifications and additions made by the Persons Affected by the Project (PAPs), the mixed structures will be valued as 40ft containers.

Valuation of monthly rental compensation (for landlords and tenants)

#	Residential	Value per rental structure (USD)	Business	Value per square meter (USD)
1	Residential landlord (*)	300	Residential landlord (*)	17/m ²
2	Residential tenant – household of two people maximum	750	Business tenant	60/m ²
3	Residential tenant – household of more than two people	1,000		

Applicable only for those who choose to receive cash compensation rather than in-kind compensation (replacement housing elsewhere in St. Maarten during the transitional period, while the permanent relocation site is being prepared) – (*) Residential landlord: Landlords who live in the RAI.

Valuation of additional assets (to be confirmed)

- These rates are based on assumed market values and will need to be confirmed and agreed with each household/ business during the individual consultations.

#	Additional structures	Valuation rate(USD)
1	Garage	700.00 - 1,000.00/m2
2	Storage	700.00 - 1,000.00/m2
3	Cars/trucks/buses	1,000.00 per car 1,200.00 per truck/bus
4	Industrial tools/machinery	TBD
5	Fencing	4.00 (for length of 100 ft x height 48 inch)
6	Water tank	200.00
7	Trailer	TBD
8	Empty house	4,000.00
9	Industrial buildings - multiple	TBD

Valuation of immovable trees

#	Species	Market Value (USD) of average tree
1	Mango	75.0
2	Papaya	7.50
3	Oregano	4.50
4	Soursop	17.50
5	Almond	55.00
6	Coconut	45.00
7	Citrus	55.00
8	Moringa (drumstick)	17.50
9	Banana	27.50
10	Kanipe	27.50
11	Maman	75.00
12	Palm	17.50
13	Grenade	27.50
14	Decorative/medicinal/cooking plants*	17.50

These rates are based on assumed market values and will need to be confirmed and agreed with each household/ business during negotiations





Valuation of business income

Types of businesses in the RAI:

- Automotive/Mechanic/Garage/Car Body Shop
- Trucking/Hauling service
- Bar/Bodega
- Beauty Salon
- Business storage
- Craft metal (recycling goods export)
- Copy services
- Repair shop (i.e., refrigerators, air conditioning)



Valuation of business income

Two types of cash compensation options for businesses:

- Temporary business closure Compensation amount equivalent to 6 months' income during transition period.
 - If the transition period is anticipated to be longer, additional compensation to be provided based on the expected completion timeframes available.
- Permanent business closure A one-time compensation amount for the value of the business.

Information on average monthly income will be requested during compensation negotiations to calculate this compensation.

Valuation of employee income


- A total of 16 workers were registered during the census, who work in 11 of the 29 businesses identified.
- Workers will be compensated for a 6 -month loss of income (160 hours of work/month).
- USD 4.9/hour (minimum wage) x 140% markup (to account for living costs in St. Maarten) = USD 12/hour.
- Compensation per worker: USD 12/hour x 160 hours/month x 6 months = USD 11,520




Valuation of landfill income

- 13 residential households gain part of their income from recycling landfill materials.
- Each will be compensated for a 6-month loss of income (160 hours of work/month).
- USD 4.9/hour (minimum wage) x 160 hours/month x 6 months = USD 4,704





Valuation of additional support



Valuation of transportation & asset dismantling

- All households and businesses will be provided with compensation for the cost of moving and dismantling and reinstallation of assets.
- Cost of a truck with a capacity of 40 m³ and the assistance of two workers is considered, for USD 70 per trip
- Exact cost to be confirmed closer to moving date



Valuation of registration & taxes

- Property registration at the new properties will be compensated for.
- Tax for taxable compensation (like cash compensation received by businesses) will be compensated for
- Amounts to be calculated following confirmation of compensation package



Livelihood Restoration Programme (LRP)



What is livelihood restoration support?

Support for people whose livelihoods/ sources of income are reduced or lost due to having to move from the RAI.

Who is eligible for livelihood restoration support?

Category	#	Livelihood impact	LR support?
Businesses and their employees	29	Businesses will need to be permanently relocated from the RAI, and may lose their current clientele and revenues.	Yes
People who gain income from landfill recycling	13	They will permanently lose access to the landfill and revenue from recycling materials.	Yes
People whose livelihoods are based outside of RAI	67	Most RAI residents are employed as skilled and semi-skilled employees of businesses in Philipsburg. Livelihoods can be retained after relocation and will not be affected.	No



What type of support?

Potential areas of support:

- Vocational training
- Small business management/ marketing training
- Financial management training

Eligible households and businesses will be consulted during compensation negotiations about their preferences and interests.

What's next?



Next steps



Within the next few days, individual meetings will be held with each household / business to explain the compensation package calculated for them



You will be given one week to review this document



We are available during this week to answer any questions

Afterwards...



You will be provided updates on an ongoing basis on the relocation process and schedule



You will be consulted about the new relocation site



Advance notice will be given before the moving date



People eligible for the LRP will be updated once programs are confirmed

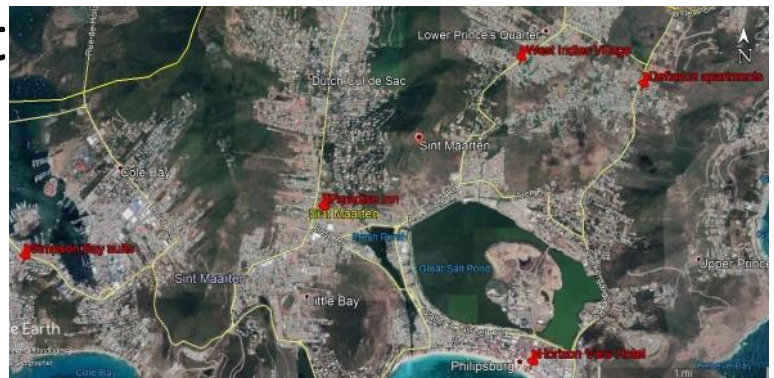
Your thoughts, feedback and concerns are essential for this process!

Relocation sites

Temporary resettlement

Two options available:

- Hotels
 - Defiance apartments
 - Paradise Inn
 - Horizon View Hotel
 - Simpson Baysuits
 - West Indies Village
- Cash compensation



Permanent resettlement: FOGA site



- The FOGA site development will depend on the number of cases for in kind compensation.
- Since the available land is limited, vertical development (multi-stories apartment buildings) is being considered.
- The Project will provide apartments as inkind compensation (1-2-3 rooms apartments, depending on the resettled family size and affected structures size). This will be determined during RAP implementation. PAPs will be continuously informed by NRPB about the process and progress.

Contact



+1 (721) 55328-28



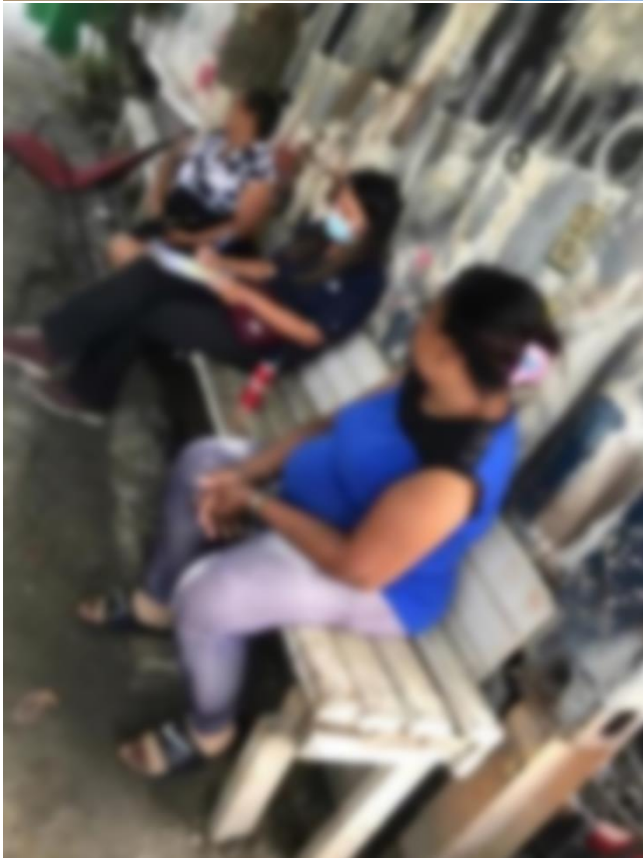
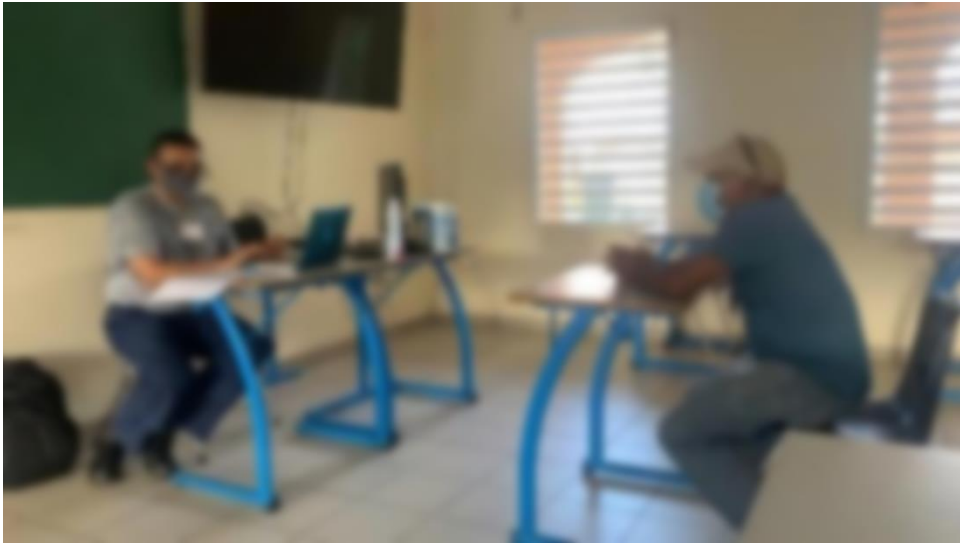
landfillproject@nrpbsxm.org



Thank you

RINA Consulting Inc.
1250 Connecticut Avenue Suite 700
P. +1 (202) 263-4607
www.rina.org













E. Maps of PAP Locations Per Block

Figure 53: Block A



Source: RINA, 2021

Figure 54: Block B



[illegible]

Figure 56: Block E



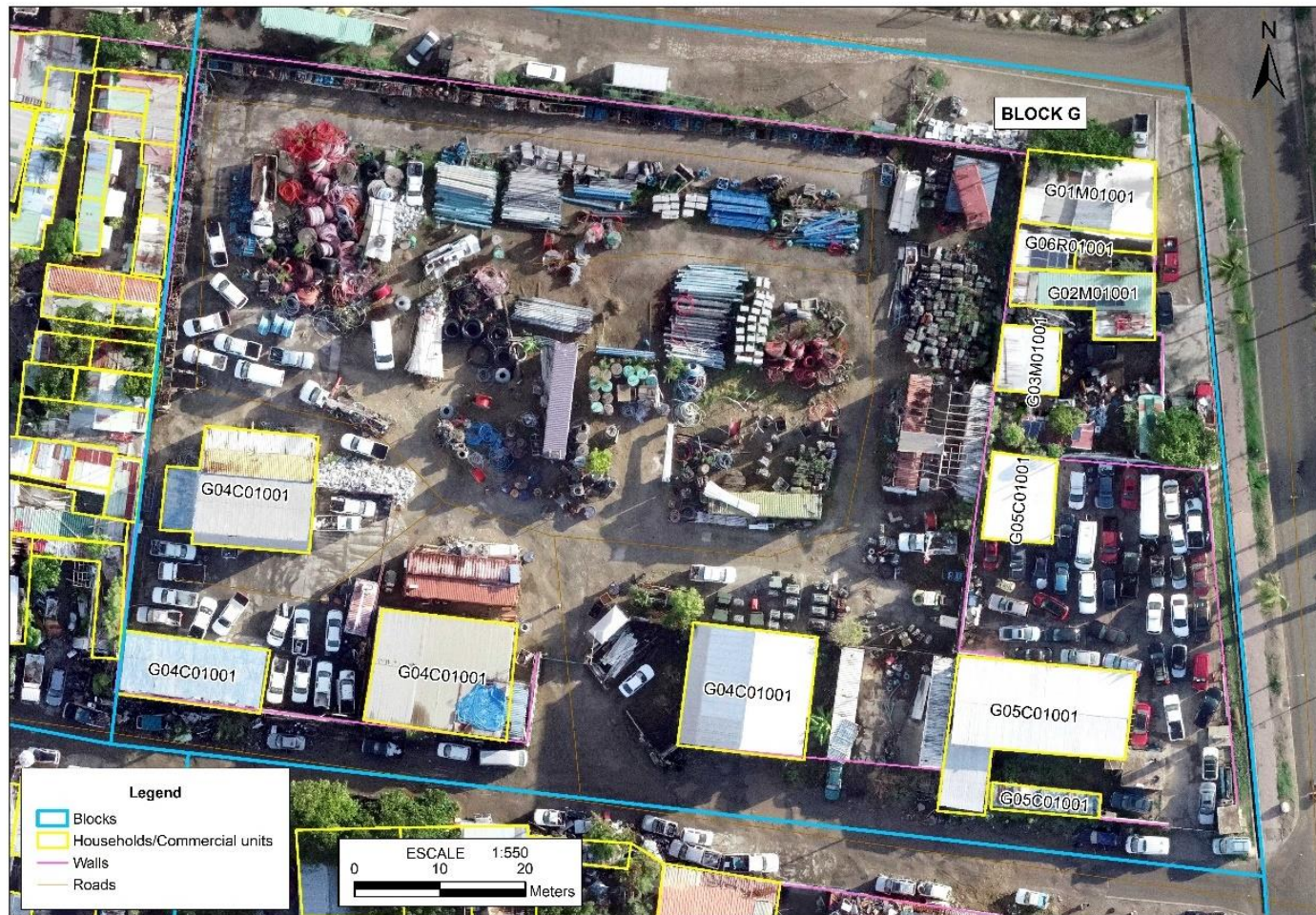
Source: RINA, 2021

Figure 57: Block F



Source: RINA, 2021

Figure 58: Block G



Source: RINA, 2021

F. Declaration of Intent Template

National Recovery Program Bureau Emergency Debris Management Project

Preliminary Agreement Form

THIS AGREEMENT is made this **DATE** in the year of 2021, between **NATIONAL RECOVERY PROGRAM BUREAU**, having its principal place of business at Walter Nisbeth Road 57, Philipsburg, Sint Maarten acting on behalf of the Country Sint Maarten (hereinafter referred to as “**NRPB**”),

And

Name resident, born on **XXX** residing at **ADDRESS XXX** being the person affected (hereinafter referred to as ‘**The Project Affected Person**’).

PREAMBLE

- A. Following the devastation caused by hurricanes Irma and Maria, the Country Sint Maarten embarked on a large-scale recovery and reconstruction program, based on the principle of building back a more resilient Sint Maarten;
- B. The Country Sint Maarten and the World Bank have developed a National Recovery and Resilience Plan (NRRP) that prioritizes immediate-, short-, medium- and long-term needs for the recovery, reconstruction and resilience of Sint Maarten;
- C. The Country Sint Maarten has received financing from the World Bank toward the cost of the Emergency Debris Management Project (hereinafter: “**EDMP**”). For specific EDMP works to begin, residents living on the parcels **XXX** near the landfill (hereinafter: the “**Premises**”) will need to be resettled for their health and safety. For these reasons, the EDMP triggered World Bank Operational Policy 4.12 on Involuntary Resettlement (“OP 4.12”). The NRPB prepared a Resettlement Action Plan per this Policy.
- D. The Country Sint Maarten has authorized the National Recovery Program Bureau through the Temporary Ordinance on the National Recovery Program Bureau to implement EDMP on behalf of the Country Sint Maarten.
- E. Pursuant to OP 4.12 of the World Bank the residents that are resettled are offered compensation through the NRPB. Compensation is determined based on a compensation matrix that follows OP 4.12.

IN PURSUANCE OF THE AFOREMENTIONED IT IS HEREBY MUTUALLY AGREED BETWEEN THE PARTIES TO THIS AGREEMENT AS FOLLOWS:

1. Obligations of the Project Affected Person

- 1.1 The Project Affected Person agrees to voluntarily give up, surrender, relinquish and vacate the Premises as owner and/or user of a property on the Premises and thus convey to the NRPB within two (2) weeks immediately, following the receipt of the compensation package as described in Annex A.
- 1.2 Refrain from legal or material facts which would prevent, delay or make it impossible to exercise or implement EDMP.
- 1.3 The Project Affected Person shall deliver possession of the Premises to the NRPB by giving the keys to the property and other structures on the Premises to the NRPB and give the NRPB access to the property and the structures.
- 1.4 The Project Affected Person agrees not to sublet the property at the Premises or give it into use to other parties, after signing this agreement or receiving the compensation and declares that no such

- agreements exist at the time of signing this agreement.
- 1.5 The Project Affected Person represents that there are no other individuals and/or adult persons residing with him or her at the property on the Premises who have not also signed this agreement.
 - 1.6 The Project Affected Person hereby agrees that there are no defenses to The Project Affected Person leaving the premises on or before **DATE**, and that if there are any defenses, or any defenses arise after the signing of this agreement, that the Project Affected Person will waive those defenses and relinquishes all rights pertaining to the Premises.
 - 1.7 The Project Affected Person shall remove all furniture and personal property that belong to him or her on or before vacating the property on the Premises.
 - 1.8 The Project Affected Person agrees that within two (2) weeks after compensation has been received, he/she shall in no circumstances re-settle on the said structure/land, situated lying and being at **ADDRESS** as demarcated and identified on survey plan or make any use by way of application of the property already compensated for.
 - 1.9 If the Project Affected Person fails to timely vacate the property the Country Sint Maarten may immediately proceed to exercise all remedies provided by law.

2. Rights of the Project Affected Person

- 2.1 The Project Affected Person has the right to be compensated as per the compensation package described in Annex A.
- 2.2 The project Affected Person has the right to be consulted and explained about the affected assets and livelihoods, valuation methodology of affected assets and livelihood and the compensation package as described in Annex A.
 - 2.2.1 The Project Affected Person confirms that he or she received a description and explanation about the affected assets and livelihood.
 - 2.2.2 The Project Affected Person confirms that the valuation methodology of affected assets and livelihood was explained to him or her and that he or she understands it.
 - 2.2.3 The Project Affected Person confirms that the compensation package to be provided by the NRPB was explained to his or her and that he or she understands it.

3. Obligations of the NRPB

- 3.1 The NRPB after a survey census and valuation of properties within the Resettlement Area of Impact (RAI) has agreed to provide a compensation as full and final settlement according to the compensation package described in Annex A to the Project Affected Person in lieu of his/her/their property/properties herein that have been constructed in the RAI.
- 3.2 The NRPB shall also undertake a livelihood restoration support program for six (6) months to compensate for the loss of livelihoods of the Project Affected Persons. The NRPB will inform Project Affected Persons about the start date of the livelihood restoration support program no later than three (3) months from the date of this Agreement.
- 3.3 The NRPB shall allow the Project Affected Person to salvage materials within their constructed structures before the time stated for demolition and clearing exercises after such time the NRPB on behalf of the Country Sint Maarten shall take possession of same immediately.

4. Rights of the NRPB

- 4.1 Require the Project Affected Person not to limit or impede access to assets after the compensation is provided.
- 4.2 To request from the Project Affected Person the proper execution of the provisions of this agreement.
- 4.3 Have access to assets after the compensation is provided.

5. Exclusion of liability

- 5.1 Any goods which, after resettlement, are left behind by the Project Affected Person at the Premises, shall be deemed to have been given up by Project Affected Person to the Country Sint Maarten, and the latter shall have the free disposal of these goods as its own property, without being required to

give any compensation for them to the Project Affected Person, or being required to account for them in whatever respect.

6. Final discharge

- 6.1 By signing this agreement or accepting the compensation package the Project Affected Person explicitly declares that, except for what has been agreed to in this agreement, he or she does not have any other (monetary) claim towards the Country Sint Maarten or the NRPB with regard to the use of the property on the Premises or otherwise and the Project Affected Person therefore grants the Country Sint Maarten and the NRPB full and final discharge.

7. Confidentiality

- 7.1 The Project Affected Person will not harm the good reputation of or make negative statements about the Country Sint Maarten and the NRPB.
- 7.2 The Project Affected Person shall treat this agreement as strictly confidential and shall not disclose its contents to any third parties, whether directly or indirectly, in any form or manner whatsoever, unless there is a statutory obligation to disclose information.

8. Miscellaneous

- 8.1 Parties explicitly waive their rights to dissolve, nullify or annul this agreement, unless the specific EDMP works for which resettlement is needed are cancelled, in which case the NRPB is entitled to dissolve, nullify or annul this agreement.
- 8.2 Amendments of this agreement shall only be valid if recorded in a dated document signed by or on behalf of both parties.
- 8.3 This agreement is a settlement agreement (in Dutch: "vaststellingsovereenkomst") in the sense of article 7:900 of the Civil Code of St. Maarten.

9. Applicable law and competent court

- 9.1 This agreement shall be governed by and construed in accordance with the laws of St. Maarten.
- 9.2 Any and all disputes which may arise from or in connection with this agreement shall be submitted to the competent court in St. Maarten.

As witness the hands of the parties the day and year first above written

Signature of the NRPB

Witness the Signature of the NRPB

Signature of the Said Project Affected Person

Signature of the Said Project Affected Person partner (if applicable)

Witness the Signature of the Said Project Affected Person

Dated the

.....
National Recovery
Program Bureau on
behalf of the Country
Sint Maarten
(COMPENSATOR)

AND

.....(THE
PROJECT AFFECTED PERSON)

.....(THE
PROJECT AFFECTED PERSON PARTNER, IF
APPLICABLE)

.....
AGREEMENT OF TRANSFER OF PROPERTY SITUATED AT ADDRESS, XXX Sint Maarten
.....

ANNEX A

Name of Beneficiary: Name

Identity No: Household number

Name of Beneficiary partner (if applicable)

Address of Beneficiary: ADDRESS

Due the sum of: (in words).

This sum is the compensation for loss of affected asset offered by the Country Sint Maarten.

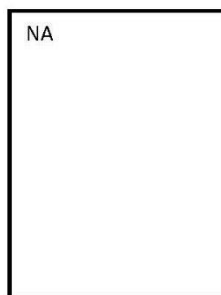
Received By:

Date:

Address:

Signature:

Signature partner (if applicable)



Photograph



Right Thumb Print

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Illiteracy Clause

*(The foregoing after the
same has read over to him
which he
perfectly understands before
affixing right hand thumb print)*

Witness for the Project Implementation Unit:

Name:
.....

Sign:

Date:

G. Waste pickers census

Municipal Solid Waste Disposal Site (MSWDS) and Irma Debris Site (IDS) waste pickers census

This report is based on the field work carried out by NRPB's Resettlement Coordinator on MSWDS and IDS over a period of 5 days in October 2021. The scope of the field work was to identify waste pickers (individuals or businesses) who access¹⁵⁵ MSWDS and IDS and who are not residing in the Resettlement Area of Impact. Therefore, these waste pickers were not included in the resettlement census and socio-economic survey carried out in November 2020 and July-September 2021 which focused only on people living in the RAI.

Field work planning

There are 4 potential points of access to MSWDS (one is the formal access point – access point III) and 2 points of access to IDS (one is the formal access point – access point I). The access points to MSWDS and IDS were determined during the site inspection on October 20 and 21, 2021. Videography and photography of the MSWDS and IDS perimeters was carried out. Figure 1 below provides a brief overview of MSWDS and IDS access points.

Figure 1 MSWDS and IDS access points



Arabic number 1 to 9 – perimeter section, videography available

¹⁵⁵ At this moment, there is no written policy that restricts access to MSWDS and IDS. The Project assumed that no changes in access practices would be applied until 2023, i.e., waste pickers access to MSWDS and IDS will be allowed. However restrictions were put in Place by VROMi on November 1st 2010.

Roman numbers I to VI – access points, photography available

MSWDS – area used by waste pickers to collect materials disposed on MSWDS

IDS - area used by waste pickers to collect materials disposed on IDS

As per MSWDS and IDS sites inspection it was determined that waste pickers collect materials only in the areas presented in Figure 1 (MSWDS – area where the trucks are dumping waste and is of interest to waste pickers; IDS - area where the waste pickers have access). The identification of waste pickers was carried during morning hours from 7AM to 9AM and afternoon hours from 3PM to 5PM. These time segments are the most suitable segments to do waste picking due to weather conditions (tolerable heat temperatures – 28 to 30 degrees Celsius in the morning, 30 to 32 degrees Celsius in the afternoon). The data collection interval was October 25, 2021 to October 30, 2021.

Field work findings

During the data collection interval, the project identified 27 individuals who were collecting materials on MSWDS and IDS; 23 on MSWDS and 4 on IDS.

MSWDS

Out of 23 waste pickers identified working on the MSWDS twenty (20) of them are doing waste picking in morning hours, while three (3) waste pickers are coming in the afternoon. Out of 23 waste pickers identified on MSWDS, 6 waste pickers were not registered¹⁵⁶ in the Project Affected Persons list, however not all of them are living outside the RAI- of these (6) waste pickers identified, three(3) live outside the RAI, three (3) live inside the RAI, see table 1 below for a detailed description of these six people:

Table 1. Waste pickers living outside and inside RAI on MSWDS

Waste picker 1	She lives <u>outside</u> the RAI; in the neighboring area to RAI on the south side; not registered as a PAP
Waste picker 2	She lives <u>outside</u> the RAI in the Sucker Garden area; 1,000 meters radius from RAI; not registered as a PAP
Waste picker 3	She appears on November 2020 census as PAP Leonardo de la Cruz partner. Being partners however is not confirmed by both of them, they live in separate structures and Zenaida Mora Zabala is a tenant for Leonardo de la Cruz. She will be included as a Project Affected Person after socio-economic survey and assets' census is carried out
Waste picker 4	He lives outside RAI, does not have a phone or did not want to provide a number; not registered as a PAP
Waste picker 5	She lives in RAI and she is PAP Jose Rumaldo Nater wife; compensation package to be revised to include her as a waste picker
Waste picker 6	She lives in RAI, does not own or rent structures in the RAI, homeless - cannot confirm if she is a waste picker or not ¹⁵⁷

¹⁵⁶ Other waste pickers are registered in the Project Affected Persons list and are considered for compensation and livelihood restoration measures and support

¹⁵⁷ Present on site only once

IDS

Out of four waste pickers identified on IDS all of them live outside of RAI; three out of four live on the French side of the island.

Table 2. Waste pickers outside RAI on IDS

Waste picker 1	no phone at the moment on site, lives on French side; not registered as a PAP
Waste picker 2	no phone at the moment on site, lives on French side; not registered as a PAP
Waste picker 3	no phone at the moment on site, lives on French side; not registered as a PAP
Waste picker 4	no phone at the moment on site, lives next to RAI behind "El General"; not registered as a PAP

Challenges

Waste pickers identification exercise on MSWDS and IDS was coordinated with VROMI representatives. Access to MSWDA and IDS for the NRPB's representative, Resettlement Coordinator, was formally requested and permission to access the sites was granted on October 22, 2021.

On October 28, 2021, VROMI informed NRPB that as of November 1, 2021, waste pickers were no longer allowed on MSWDS and IDS, their access would no longer be allowed. VROMI justified their decision on claims that since NRPB's Resettlement Coordinator's presence on the landfill they are experiencing a great increase in pickers. VROMI noted that waste pickers were causing a hazard and risk moving in between the machines and hampering the machines from doing their daily work. In a discussion with VROMI they also mentioned a near miss accident¹⁵⁸ on MSWDS during the week of October 25, 2021. This decision to restrict access was taken unilaterally without consulting the NRPB.

In addition, access for the NRPB's representative to the MSWDS was restricted as of November 1, 2021. To clarify the changes to this apparently new access practice, the NRPB and VROMI had a meeting on November 3, 2021. VROMI confirmed that restricting access to NRPB's representative was a misunderstanding and access was allowed. However, access to waste pickers who used to be informally granted access, continued to be denied. This negatively impacts on their livelihoods and supplementary income. The NRPB formally addressed the matter to the Prime Minister of Sint Maarten, asking to liaise with VROMI in reiterating the importance of access to project sites for NRPB personnel and maintaining the status-quo allowing access to waste pickers.

In an informal discussion on November 5, 2021, VROMI confirmed that the access to MSWDS and IDS for waste pickers will be reestablished on November 8, 2021. The NRPB insisted on to allow immediate access to MSWDS and IDS for the waste pickers as it was happening before November 1, 2021. On November 8, 2021, a field verification informed that access to MSWDS and IDS for

¹⁵⁸ In discussions with waste pickers and MSWDS equipment operators, this information was not confirmed

waste pickers is still restricted and the Government of Sint Maarten is not addressing the loss of livelihood.

Up to date, the NRPB has not received a complaint. However, waste pickers have contacted the NRPB to ask about the situation. They were informed that the NRPB is looking into the matter with Government. Furthermore, the waste pickers were explained they can file a complaint through the NRPB's Grievance Redress Mechanism if they wish to do so.

In the conversation with Government, the NRPB is proposing to purchase PPE for the waste pickers to allow them to continue their activities in a more responsible and safe manner. This conversation is ongoing.

Conclusion

There are seven waste pickers on MSWDS and IDS (three on MSWDS and four on IDS) who live outside the Resettlement Area of Impact.

Waste pickers who will be affected by the project will be provided assistance, i.e. compensation and livelihood support for economic displacement. The project will carry out a socio-economic survey of waste pickers on MSWDS and IDS in the first quarter of 2022¹⁵⁹.

The cut-off date for waste pickers on MSWDS and IDS who are living outside the RAI is November 01, 2021. The census was conducted over a period of 5 days in October 2021, and the NRPB considers that there is a probability that not all the waste pickers on MSWDS and IDS who are living outside the RAI were identified during census.

If more waste pickers come forward claiming they are waste pickers on MSWDS and IDS who are living outside the RAI, the project will verify these claims through:

- Interview with claimants to assess if they are familiar with MSWDS and IDS, with informal access rules, with security personnel, with other waste pickers¹⁶⁰ by names or nicknames
- Interviews with waste pickers within the RAI and outside the RAI to cross reference the claims, to verify if they know and can confirm that claimants were waste pickers before November 01, 2021
- Interviews with security personnel at MSWDS and IDS entrance to cross reference the claims, to verify if they know and can confirm that claimants were waste pickers before November 01, 2021.

Once claims are confirmed, the project will document and include these claimants as waste pickers outside the RAI in the resettlement assistance and livelihood restoration support activities.

¹⁵⁹ The Census for the waste pickers living outside of the RAI is complete and is final. This census was in addition to the census conducted for the RAI. The census is different to the socio-economic survey for the out of RAI waste pickers, which will be completed in quarter 1 of 2022.

¹⁶⁰ Registered as PAPs (waste pickers inside and outside the RAI)

H. PAP list for compensation agreements¹⁶¹

1	III	A01M01001	PAP 1	Residential landlord		78,400.50
2	III	A03R01001	PAP 2	Homeowner	In-kind	0.00
3	III	A04M01001	PAP 3	Residential landlord		64,435.00
4	III	A04R01001	PAP 4	Homeowner		64,375.00
5	III	A04R02001	PAP 5	Tenant		18,070.00
6	III	A04R02002	PAP 6	Tenant		18,070.00
7	III	A04R02003	PAP 7	Tenant		22,774.00
8	III	A04R02004	PAP 8	Tenant		18,070.00
9	III	A05R01001	PAP 9	Residential landlord		57,658.50
10	III	A05R01002	PAP 10	Tenant		22,774.00
11	III	A05R01003	PAP 11	Tenant		18,070.00
12	III	A05R02001	PAP 12	Tenant		deceased
13	III	A06R02001	PAP 13	Tenant		18,070.00
14	III	A06R02002	PAP 14	Tenant		9,070.00
15	III	A06R02003	PAP 15	Tenant		22,774.00
16	III	A07R02001	PAP 16	Tenant		18,070.00
17	III	A07R02002	PAP 17	Tenant		18,070.00
18	III	A08M01001	PAP 18	Residential landlord		218,486.00
19	III	A08R02007	PAP 19	Tenant		18,070.00
20	III	A08R02006	PAP 20	Tenant		27,478.00
21	III	A08R02009	PAP 21	Tenant		18,070.00
22	III	A08R02001	PAP 22	Tenant		22,774.00
23	III	A08R02002	PAP 23	Tenant		9,070.00
24	III	A08R02003	PAP 24	Tenant		18,070.00
25	III	A08R02004	PAP 25	Tenant		9,070.00
26	III	A08R02005	PAP 26	Tenant		18,070.00
27	III	A08R02008	PAP 27	Tenant		13,774.00
28	III	A09R02001	PAP 28	Tenant		18,070.00
29	III	A10R01001	PAP 29	Residential landlord		59,774.00
30	III	A10R02001	PAP 30	Homeowner	In-kind	0.00
31	III	A11R02001	PAP 31	Tenant		18,070.00
32	III	A11R02002	PAP 32	Tenant		9,070.00
33	III	A13M01002	PAP 33	Residential landlord		34,675.00
34	III	A13R02001	PAP 34	Tenant		18,070.00
35	III	A14R02001	PAP 35	Tenant		18,070.00
36	III	A15R02001	PAP 36	Tenant		18,070.00
37	III	A16R02001	PAP 37	Tenant		18,070.00

¹⁶¹ This table covers the entire population of the Resettlement Area of Impact. The total compensation column contains the amount of each compensation package for each Project Affected Person. Each compensation package consists of amounts calculated according to valuation methodology for: structures (concrete house, wooden house or container), residential rental allowances, business rental allowances, additional structures, trees, business income, compensation for employees, waste pickers compensation, transportation allowances) based on specific and applicable circumstances of each PAP. Livelihood restoration assistance is not included here, it is a separate line item in the resettlement budget

38	III	A16R02002	PAP 38	Tenant		22,774.00
39	III	A17R02001	PAP 39	Tenant		22,774.00
40	III	A17R02002	PAP 40	Tenant		18,070.00
41	III	A18R01001	PAP 41	Homeowner		51,072.50
42	III	A19R01001	PAP 42	Homeowner		36,095.00
43	III	A20R02001	PAP 43	Tenant		18,070.00
44	III	A23C01001	PAP 44	Off-site landlord		71,349.00
45	III	A23M02001	PAP 45	Tenant Business owner		122,780.80
46	III	A24M01001	PAP 46	Homeowner		28,765.00
47	III	A24R02001	PAP 47	Tenant		22,774.00
48	III	A25C01001	PAP 48	Off-site landlord		65,970.00
49	I	B01R01001	PAP 49	Homeowner	In-kind	0.00
50	I	B02R01001	PAP 50	Homeowner		45,652.00
51	I	B03R01001	PAP 51	Homeowner		55,753.00
52	I	B04C01000	PAP 52	Off-site landlord		67,834.00
53	I	B04R02001	PAP 53	Tenant		28,774.00
54	I	B04R02002	PAP 54	Tenant		22,774.00
55	I	B05R01001	PAP 55	Homeowner		55,523.00
56	I	B06R01001	PAP 56	Residential landlord		21,949.00
57	I	B06R01002	PAP 57	Tenant		13,774.00
58	I	B07R01001	PAP 58	Homeowner		40,761.50
59	I	B08C01001	PAP 59	Homeowner		29,746.00
60	I	B09C01001	PAP 60	Off-site landlord		33,050.00
61	I	B10R01001	PAP 61	Homeowner		49,054.00
62	I	B10R01002	PAP 62	Tenant		13,774.00
63	I	B11C01001	PAP 63	Off-site landlord		38,000.00
64	I	B11R02001	PAP 64	Tenant		22,774.00
65	I	B12R01001	PAP 65	Homeowner		68,176.00
66	I	B13R01001	PAP 66	Tenant		22,774.00
67	I	B13C01002	PAP 67	Off-site landlord		37,124.00
68	I	B14R01000	PAP 68	Residential landlord		42,299.00
69	I	B14R01001	PAP 69	Tenant		22,774.00
70	I	B15R01001	PAP 70	Homeowner		97,199.00
	I	NA	PAP 70 husband (waste picker)	waste picker		4,704.00
71	I	B16M01001	PAP 71	Homeowner		38,387.50
72	I	B17M01001	PAP 72	Residential landlord		130,121.80
73	I	B17R01001	PAP 73	Tenant		9,070.00
74	I	B17R01002	PAP 74	Tenant		18,070.00
75	II	C01R01001	PAP 75	Homeowner		20,158.00
76	II	C02R01001	PAP 76	Homeowner		39,058.00
77	II	C03R01001	PAP 77	Homeowner		10,195.00
78	II	C04R01001	PAP 78	Homeowner		35,526.00
79	IV	C05R01001	PAP 79	Homeowner		39,095.00
80	IV	C06M02001	PAP 80	Homeowner and Businessowner Residential landlord		62,195.00
81	IV	C06R02001	PAP 81	Homeowner		80,717.50

82	IV	C06R03001	PAP 82	Tenant		18,070.00
83	II	C08R01001	PAP 83	Homeowner		22,615.50
84	IV	C09R01001	PAP 84	Homeowner		76,977.50
85	IV	C10R02001	PAP 85	Tenant		18,070.00
86	IV	C11M01001	PAP 86	Homeowner and Businessowner		103,760.00
87	IV	C13R02001	PAP 87	Homeowner and Businessowner		95,885.00
88	IV	C14R01001	PAP 88	Homeowner		27,035.00
89	IV	C15R01001	PAP 89	Homeowner		62,108.00
90	IV	C16M01001	PAP 90	Business owner Off-site landlord		139,370.00
91	IV	C16M03001	PAP 91	Homeowner		20,495.00
92	IV	C16R03001	PAP 92	Tenant		9,070.00
93	IV	C17R01001	PAP 93	Homeowner	In-kind	0.00
94	IV	C17R04004	PAP 94	Tenant		13,774.00
95	IV	C18M01001	PAP 95	Residential landlord		163,306.52
96	IV	C19C01001	PAP 96	Business owner	In-kind	78,081.52162
97	II	C20R01001	PAP 97	Homeowner		35,468.50
98	II	C21R01001	PAP 98	Homeowner		26,670.50
99	IV	C24R01001	PAP 99	Homeowner	In-kind	113.90
100	II	C25R02001	PAP 100	Homeowner	In-kind	0.00
101	IV	C26M01001	PAP 101	Homeowner		42,785.00
102	IV	D01R01001	PAP 102	Homeowner		58,032.50
103	IV	D04R01001	PAP 103	Homeowner	In-kind	17.50
104	IV	D05R01002	PAP 104	Homeowner	In-kind	0.00
105	IV	D07M01001	PAP 105	Homeowner and Businessowner		207,681.50
106	IV	D07R01001	PAP 106	Business owner		3,114.00
107	V	E01M02004	PAP 107	Tenant Business owner		39,370.00
108	V	E01R01006	PAP 108	Tenant		9,070.00
109	V	E01M02001	PAP 109	Tenant Business owner		54,070.00
110	V	E01R02002	PAP 110	Tenant		18,070.00
111	V	E01R02003	PAP 111	Tenant Business owner		19,270.00
112	V	E01R02005	PAP 112	Tenant		18,070.00
113	V	E02M01001	PAP 113	Off-site landlord		283,065.00
114	V	E02R02001	PAP 114	Tenant		18,070.00
115	V	E02R02002	PAP 115	Tenant		18,070.00
116	V	E02R02003	PAP 116	Tenant		18,070.00
117	V	E02R02004	PAP 117	Tenant		24,070.00
118	V	E02R02005	PAP 118	Tenant		12,070.00
119	V	E03C01001	PAP 119	Tenant Business owner		18,140.00
120	V	E03C01003	PAP 120	Tenant Business owner		36,140.00
121	V	E03C01002	PAP 121	Off-site landlord		165,885.00
122	V	E03R01003	PAP 122	Tenant		18,070.00
123	V	E03R01001	PAP 123	Tenant		18,070.00
124	V	E01C01001	PAP 124	Off-site landlord		216,000.00

125	V	E04C01001	PAP 125	Business owner		28,294.00
126	V	F01C01001	PAP 126	Tenant Business owner		54,158.00
127	V	F02M02001	PAP 127	Homeowner and Businessowner		deceased
128	V	F03R01001	PAP 128	Homeowner		82,255.00
129	V	F05R01001	PAP 129	Tenant		18,070.00
130	V	F05R01002	PAP 130	Off-site landlord		66,909.00
131	V	F06M01001	PAP 131	Tenant Business owner		57,891.68
132	V	F07C01001	PAP 132	Tenant Business owner		44,114.80
133	V	F08M01001	PAP 133	Off-site landlord		166,542.00
134	V	G01M01001	PAP 134	Business owner		118,685.00
135	V	G02M01001	PAP 135	Homeowner and Businessowner		87,301.00
136	V	G03M01001	PAP 136	Business owner		56,085.50
137	V	G04C01001	PAP 137	Business owner		TBD
138	V	G05C01001	PAP 138	Tenant Business owner		490,810.00
139	V	G06R01001	PAP 139	Homeowner	In-kind	52.50
140	V	F05R01003	PAP 140	Tenant		22,774.00
141	V	E03R01004	PAP 141	Tenant		9,070.00
			Waste pickers outside RAI (7 individuals)			32,928.00
			Employees (13 persons)			149,760.00
TOTAL						6,562,795

I. Revised asset valuation replacement rates

Objective

Review of asset valuation methodology referring to valuation criteria for immovable property mainly consisting of concrete houses, wooden houses, container houses and adjacent structural elements such as foundations/concrete flooring, walls, fences etc. in accordance with market rates prevalent on St. Maarten.

The valuation basis and method to update the criteria is the replacement value¹⁶³ determined as per the World Bank Operation Policy 4.12 on involuntary resettlement.

Structures

A walk through of the area in consideration was undertaken on 24th March 2022 to understand the typical constructions within the subject property.

The types of structures encountered and under consideration are categorized as follows.

- • Containers (10, 20, 40 feet)
- • Containers plus wooden structures
- • Containers plus concrete structures
- • Wooden structures only
- • Concrete structures only
- • Combinations of the above.

¹⁶³ The replacement value for an immovable property, as per OP 4.12, is the sum of all the expenses necessary to purchase or construct a similar (at least the same) immovable property with an area and quality similar to or better than those subject to appraisal. The depreciation of the immovable property being appraised shall not be taken into consideration. In addition, considering particular Resettlement Area of Impact conditions, replacement value for houses and other structures refer to the cost of purchasing or building a new structure, with an area and quality similar to or better than those of the affected structure, or of repairing a partially affected structure, including labour and contractors' fees and transaction costs such as registration and transfer taxes

Typical Building Replacement Values

Current building replacement values¹⁶⁴ on St. Maarten for masonry construction range from US\$1,000.00/m² to US\$2,400.00/m² depending on size, quality of finishes and topography. Simple wooden structures are approximately US\$1,000.00/m².

The typical masonry construction within the context of this area, would have concrete foundations and floor slab, plastered blockwork walls and standard finishes such as tiled floors, tiled bathroom walls with standard bathroom fixtures and simple kitchen cabinets with laminate tops and aluminium windows and doors.

This type of construction with either a concrete roof or wooden framed roof with galvanized metal sheeting would be in the range of US\$1,300.00/m² to US\$1,400/m².

The wooden structures typically have a concrete floor and wooden framed walls covered with T1/11 plywood, with or without sheetrock lining on the interior, and a wooden framed roof covered with galvanized metal sheeting, tiled floors, tiled bathroom walls with standard bathroom fixtures and simple kitchen cabinets with laminate tops and aluminium windows and doors.

The replacement value of this type of structure is about US\$1,000.00/m².

All of the structures in the area are assumed to be single storey.

The average price for a 40 feet container is US\$4,000.00, but modifications to make the container livable, including flooring, windows and doors, plumbing and bathroom fixtures should be added to this figure.

The buildings within the area appear to be connected to mains electricity and water and presumably have septic tanks for waste water disposal.

The land in the area is flat, so foundations are probably simple concrete strip footings or slabs on grade.

Basic Rates by structure type

Category	Replacement Value
40 feet container (standard)	\$4,000.00
40 feet container (modified)	\$8,000.00
Wooden structure	\$1000.00/m ²
Concrete structure	\$1,350.00/m ²

Rental Values

For residential accommodation in lower middle to lower class areas the average cost for a one bedroom apartment ranges from \$500.00 per month to \$750.00 per month, and for a two bedroom apartment between \$800.00 per month to \$1,000.00 per month. This equally applies to small houses similar to those on the subject property.

Monthly Rental Valuations

Accommodation Type	Rental value
One Bedroom Apartment	\$750.00/month
Two Bedroom Apartment	\$1,000.00/month

Commercial Rental Values

¹⁶⁴ The building replacement value represents that of standard building materials and finishes in St. Maarten that meet the approved standard building code and the building codes and technical norms currently finalized by the Ministry of VROMI.

For commercial spaces, rental rates are generally between \$10.00/m2 to \$15.00/m2 for warehouses structures, and \$20.00/m2 to \$40.00/m2 for commercial buildings in parts of Philipsburg and the Colebay / Simpson Bay areas. Rents for retail space in Frontstreet, Philipsburg can be much higher, but not considered comparable to the subject area.

Accommodation	Rental Rate
Business tenant	US\$35.00/m2 ¹⁶⁵
Business tenant (land only)	US\$6.00/m2

Additional Structures

In addition to the various occupied residential buildings, there are various miscellaneous ancillary structures, varying in type and material.

Garage	\$300.00 to \$800.00/m2
Cars/trucks/buses	N/a
Tools / machinery	N/a
Fences (Concrete, metal, zinc sheet, mixed)	\$4.00/m1 to \$10.00/m1
Empty container	\$4,000.00
Unfinished concrete structures	Varies
Structure for storage	Varies
Septic tank	\$24,000.00

¹⁶⁵ The figure of \$60.00/m2 in the Table 25 is regarded as too high for the type of retail or commercial space that would be available to accommodate business located in this area (bars, beauty salons, administration services, clothing retail, lottery vendors)