

SFG1929



**GOVERNMENT OF SAINT LUCIA**

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**DISASTER VULNERABILITY REDUCTION PROJECT**



**THE WORLD BANK**

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**RESETTLEMENT POLICY FRAMEWORK**

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## **Acronyms**

|        |   |
|--------|---|
| AF     | Additional Financing  |
| ARP    | Abbreviated Resettlement Plan                                       |
| CALF   | Climate Change Adaptation Loan Facility                             |
| DCA    | Development Control Authority                                       |
| DVRP   | Disaster Vulnerability Reduction Project                            |
| EDF    | European Development Fund   |
| MoF    | Ministry of Finance, Economic Affairs, Planning and Social Security |
| MIPST  | Ministry of Infrastructure, Port Services and Transportation        |
| MPDHUR | Ministry of Physical Development, Housing and Urban Renewal         |
| MSDEST | Ministry of Sustainable Development Energy Science and Technology   |
| PCU    | Project Co-ordination Unit  |
| PPCR   | Pilot Programme for Climate Resilience                              |
| RAP    | Resettlement Action Plan  |
| RPF    | Resettlement Policy Framework                                       |
| SDES   | Sustainable Development and Environment Section                     |
| TBD    | To Be Determined  |
| WASCO  | Water and Sewerage Company  |

## 1. Introduction and Objectives

The World Bank is providing a Credit/Loan/Grant to the Government of Saint Lucia (GoSL) in the amount of United States thirty-two million dollars (US\$41M) towards a Disaster Vulnerability Reduction Project (DVRP) which is co-financed with a Pilot Programme for Climate Resilience (PPCR) Loan (US\$15M) and Grant (US\$12M). The IDA credits finance vulnerability reduction and post-disaster reconstruction activities in the health, education and infrastructure sectors throughout the island, while the PPCR resources are used to effect transformational change to establish long-term climate resilience. Innovative approaches are piloted to realize such change and draw lessons learned for future replicability within Saint Lucia and internationally.

Currently, there is a proposal to seek additional financing (AF) in the amount of USD 8 million equivalent (EUR 5.74 million and SDR 1.16 million (USD 1.62 million equivalent) to meet other investments under the *Saint Lucia Disaster Vulnerability Reduction Project (DVRP, P127226)*. The proposed AF would scale up project activities and would enhance the development impact and results of the DVRP. It would be financed by a grant from the European Development Fund (EDF) as well as recommitted IDA funds from the recently closed *Hurricane Tomas Emergency Recovery Loan (P125205, Cr 48710-LC)*. Upon approval of the proposed AF, the total project financing of the Project would increase from USD 68 million to approximately USD 76 million equivalent.

In the process of the DVRP and AF preparation, World Bank screening concluded that under Operational Policy 4.12 (OP 4.12) [Involuntary Resettlement] planned civil works (e.g. road rehabilitation, bridge reconstruction, drainage systems)) might involve either physical resettlement or land acquisition and subsequently impact beneficiary assets or access to assets.

The purpose of this Resettlement Policy Framework (RPF) is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to sub-projects to be prepared during project implementation (see [OP 4.12, paras. 26-28](#)).

When specific planning information becomes available and the land areas are identified, sub-project resettlement and compensation plans will be prepared, consistent with this policy framework, and will be submitted to the Bank for approval before any land acquisition, compensation, resettlement, or any other impact on livelihood occurs. The guidelines stipulate the need to involve communities in the planning and implementation of interventions that result from these policies and in most cases this implies the need for a conflict resolution mechanism.

The RPF will assist the PCU in i) screening all subprojects for land acquisition and physical and/or livelihood displacement resulting from such land acquisition; ii) identifying documentation and preparation requirements for compliance with World Bank Safeguards Policy. In the event that sub-project lead to land acquisition and/or resettlement, Abbreviated Resettlement Plans (ARPs) and/or Resettlement Action Plans (RAPs), as may be applicable, will be prepared for the specific sub-project in accordance with this RPF.

The RPF will form part of the project's Operations Manual and is referenced in the project's Legal Agreements. The framework is valid for all subproject operations executed under the DVRP in Saint Lucia.



## 2. Description of the Project

### Project Objective

The Project Development Objective of the DVRP is to measurably reduce vulnerability to natural hazards and climate change impacts in Saint Lucia and in the Eastern Caribbean Region.

The Project Development Objective of the PPCR is to pilot and demonstrate ways to integrate climate risk and resilience into the core development planning of developing countries and provide incentives for scaled up action and transformational change.

### Project Components

The achievement of the PDO is supported by the following five project components: (1) Risk Reduction and Adaptation Measures; (2) Technical Assistance for Improved Assessment and Application of Disaster and Climate Risk Information in Decision-Making; (3) Climate Adaptation Financing Facility (CAFF)<sup>1</sup>; (4) Contingent Emergency Response Component (CERC)<sup>2</sup>; and (5) Project Management and Implementation Support.

The Additional Financing of USD 8.07million will exclusively support Component 1 (Risk Reduction and Adaptation Measures) and Component 5 (Project Management and Implementation Support) of the DVRP. Activities expected to be financed by the proposed AF are consistent with interventions included under the original DVRP as the proposed interventions / investments focus on the transport, health and education sectors. Specifically, AF activities under Component 1- valued at (USD 7.6 million equivalent) would further reduce climate change vulnerability by potentially financing: (i) the construction of a new Bridge to replace the existing Piaye Bridge (22 meters); (ii) reconstruction of the Venus – Anse La Raye Road (8.2 km); (iii) rehabilitation and reconstruction of prioritized schools and health centers; and (iv) technical assessments and supervision of works; while AF activities under Component 5 - Project Management and Implementation Support (USD 0.4 million equivalent) will provide support to overall project management and implementation.

The details of the Project components as follows:

### Component 1- Risk Reduction and Adaptation Measures (US\$49 Million)

This component is designed to reduce physical vulnerability and pilot adaptive measures to build resilience to current and future climatic changes both at the national and regional levels. Activities put forth for financing include a suite of civil works activities that would have national and regional benefits.

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<sup>1</sup> The Climate Adaptation Financing Facility (CAFF) is a pilot financing mechanism meant to promote increased climate resilience, including the provision of retail loans (sub-loans) to eligible households and private enterprises, to finance climate adaptation investments to build resilience of assets and livelihoods intended to reduce risks associated with catastrophic hydro-meteorological shocks. The development objective of this component is to build an affordable and self-sustaining loan portfolio in climate adaptation in Saint Lucia.

<sup>2</sup> The Contingent Emergency Response Component (CERC) is a provisional component, which would finance emergency recovery and reconstruction subprojects under an agreed action plan of activities. The CERC is designed as a mechanism that enables the Government of Saint Lucia to rapidly access IDA funds through a rapid re-categorization and reallocation of project financing, to partially cover emergency response and recovery costs in the event of a disaster.

## **Component 2 – Technical Assistance for Improved Assessment and Application of Disaster and Climate Risk Information in Decision-making (US\$10 million)**

This component would support capacity building for open systems and platforms to create, share, analyze and use disaster risk and climate change data and information for improved decision making and engineering design for risk reduction and climate change adaptation. Specifically, the component would finance, *inter alia*: (i) the collection of high resolution LiDAR data and creation of a high resolution digital topographic and bathymetric model for Saint Lucia, (ii) sea level rise modelling and coastal flood and erosion risk mapping; (iii) capacity building for meteorological services, including design and deployment of meteorological, hydrological, and sea level rise monitoring networks to provide high resolution hydrologic data, training and procurement of equipment; (vi) deployment of an environmental health surveillance system; (vii) evaluation of the health of coral reef systems and rapid monitoring methods for water quality and coral reef; (viii) enhancing the capacity of the Fire Department and NEMO, including review of operations and allied services; and (ix) strengthening of the country's GIS analysis capacity to maintain risk and spatial data management system, through technical assistance, training and procurement of equipment.

## **Component 3 – Climate Adaptation Financing Facility (US\$ 5 Million)**

This component assists in the creation of Climate Adaptation Financing Facility (CAFF) to provide readily accessible concessional loans to private sector entities, including firms, enterprises, community groups and households for investments and / or livelihood activities that support climate adaptation and/or disaster vulnerability reduction. Consultations conducted during the preparatory phase of the PPCR (phase 1 PPCR) with private sector and civil society highlighted the need/demand for financing options for private business, community groups and individuals to build resilience to climate change.

A feasibility study has been conducted to assess the market conditions, including demand and supply side analysis to determine current needs and financing constraints in Saint Lucia. The study provides the main inputs to inform the design of the CAFF (i.e. credit line, matching grant) the Saint Lucia Development Bank (SLDB) has been proposed as the financial intermediary to implement the on-lending component.

## **Component 4 – Contingent Emergency Response Component (US\$1 Million)**

Due to the high risk of a catastrophic event in Saint Lucia, a provisional component is designed under this project, as a mechanism that will allow for rapid response in the event of an emergency.

## **Component 5- Project Management and Implementation Support (US\$3 Million)**

This component finances the provision of support to the PCU, under Department of Planning and National Development to strengthen and develop their institutional capacity to conduct overall project management and coordination, implementation, monitoring and evaluation, and supervision and to comply with its responsibilities as would be set forth in the project's OM.



The hiring of specialized staff within various IAs would be also financed, as needed. Additionally, project audits and project studies, including performance reviews and M&E as well as operating costs incurred by the PCU and IAs would also be covered under this component. Environmental and Social Safeguard consultants would be hired as required to develop and implement the necessary plans, as needed.

### **Project Implementation**

The MoF is the primary GoSL counterpart and serves as the overarching institution responsible for project execution. The existing Project Coordination Unit (PCU) within the MoF is responsible for day-to-day project management, coordinate project implementation and serve as the intermediary between the World Bank and the technical implementing agencies (IAs). The PCU is also responsible for fiduciary and safeguards compliance reporting to the Bank on safeguards, financial management, procurement, Audit and disbursement aspects and on overall project progress, with inputs from the IAs.

The IAs are responsible for the preparation of technical specifications, bills of quantities and terms of reference relating to their respective activities. Generally, the MIPS&T is the technical IA responsible for coordinating and managing all civil works activities. The MoSDEST is the technical IA responsible for ensuring project activities remain aligned with the SPCR goals. As the country's focal point on climate change issues, the Sustainable Development and Environmental Department (SDED) within the Ministry of Public Service, Sustainable Development, Energy, Science and Technology (MoSDEST) is also responsible for reporting on PPCR activities within the Project, with inputs from the IAs, and on the overall Program. The Saint Lucia Development Bank (SLDB) is the intermediating financial institution that will administer the sub-loans under the CAFF/Component 3.

To foster communication and coordination between the IAs and key government stakeholders, the MoF convenes a Project Coordination Committee (PCC). The National Development Unit (NDU) within MoF serves as Secretariat for the PCC, which is be responsible for ensuring that the Project is in line with national development priorities.

### **3. Estimated Population Displacement**

*Estimated population affected/displaced and likely categories of affected persons:*

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

Generally, the investments made under the DVRP and its AF are individually not expected to result in major negative impacts of people, land, property, including people's access to natural

and other economic resources. Notwithstanding, land acquisition, compensation and resettlements of people may be necessary for some of the project activities.

The Table provides a list of civil works activities under the DVRP and the AF that could lead to public acquisition of land and subsequently impact beneficiary assets or access to assets, based on initial pre-screenings of sub-projects during DVRP and AF preparation phase. The specific impacts (if any), the categories of displaced persons and the estimated population, d will be determined on the completion of technical feasibility studies and final designs for these sub-projects.

| Sub-Project   | Permanent Land Acquisition       | Temporary Land Acquisition       | Asset Compensation   | Encroachment on Public Land | Resettlement |
|---|----------------------------------|----------------------------------|----------------------|-----------------------------|--------------|
| Retrofitting of Piaye Community Centre                                      |                                  |                                  |                      | 1 Shop                      | 1 Shop       |
| Reconstruction of Choc Bridge   | (Option) Based on design concept | (Option) Based on design concept | Crops                |                             |              |
| Civil works for Monitoring Networks   | TBD                              |                                  | TBD                  |                             |              |
| Marchand River Wall   | TBD Based on designs             |                                  |                      |                             |              |
| Land Stabilization. Various small projects                                  | TBD Based on designs             |                                  | TBD Based on designs |                             |              |
| Construction of a new Bridge to replace the Piaye Bridge (22 meters)        | TBD Based on designs             | TBD Based on designs             | TBD Based on designs |                             |              |
| Reconstruction of the Venus – Anse La Raye Road (8.2 km)                    | TBD Based on designs             | TBD Based on designs             | TBD Based on designs |                             |              |
| Rehabilitation and reconstruction of prioritized schools and health centers | TBD Based on designs             | TBD Based on designs             | TBD Based on designs |                             |              |

### **3. World Bank Land/Asset Acquisition Policy (OP 4.12): Guiding Principles**

The World Bank's Policy, 4.12 Involuntary Resettlement, will guide the social safeguards (land acquisition and involuntary resettlement) planning and compliance during implementation of sub-projects under the DVRP and its additional financing. As sub-projects are identified and proposed for financing both prior to and during the project implementation period, screening for potential land acquisition/resettlement will be conducted and the necessary mitigation and management measures in keeping with the agreed RFP will be developed.

In the event that a sub-project resulting from Bank-assisted investment projects to address direct economic and social impacts entails land acquisition, and are caused by the involuntary taking of land resulting in the loss of assets, the Borrower must implement measures to ensure that the affected persons are:

informed about their options and rights pertaining to resettlement;

consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives;

provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

“Full 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 structure and assets should not be taken into account. For losses that cannot easily be valued or compensated for in monetary terms (e.g. access to public services, customers and supplies; or to fishing grazing or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.

Should the laws of Saint Lucia not be in keeping with the World Bank's standards of compensation for full replacement cost, then compensation under domestic law would be supplemented by additional measures necessary to meet the replacement cost standard. Such additional assistance is distinct from resettlement assistance to be provided.

### **5. Saint Lucia's Legal Framework: Land Acquisition, Compensation, Evaluation**

The Laws of Saint Lucia include a Land Acquisition Act established in 1946. The mentioned Act provides a very detailed account of the procedures enforced by the Government of Saint Lucia in matters pertaining to the acquisition of land for public purposes.

#### **Notification and Due Procedure:**

## **Acquisition of Land**

- (1) If the Governor General considers that any land should be acquired for a public purpose he or she may cause a declaration to that effect to be made in the manner provided by this section and the declaration shall be conclusive evidence that the land to which it relates is required for a public purpose.
- (2) Every declaration shall be published in 2 ordinary issues of the Gazette and copies thereof shall be posted on one of the building (if any) on the land or exhibited at suitable places in the locality in which the land is situated, and in the declaration shall be specified the following particulars in relation to the land which is to be acquired-
  - (a) the parish or district in which the land is situated;
  - (b) a description of the land, giving the approximate area and such other particulars as are necessary to identify the land;
  - (c) in cases where a plan has been prepared, the place where, and the time when, a plan of the land can be inspected;
  - (d) the public purpose for which the land is required.
- (3) Upon the second publication of the declaration in the Gazette as aforesaid the land shall vest absolutely in the Crown.
- (4) This section does not prevent the acquisition of lands for public purposes by private treaty.”

## **Negotiations with Landowners:**

### **Authorised Officer to Treat with Land Owner:**

- (1) As soon as any declaration has been published in accordance with the provisions of section 3, the authorized officer shall without delay, enter into negotiations (or further negotiations) for the purchase of the land to which the declaration relates upon reasonable terms and conditions, and by voluntary agreement with the owner of the land.
- (2) It is not necessary for the Authorized Officer to await the publication of the declaration before he or she endeavors to ascertain from the owner the terms and conditions on which he or she is willing to sell his or her land, but no negotiations or agreement is considered to be concluded unless and until the conditions of sale and acquisition have been approved in writing by the Governor General.

## **Compensation Evaluation:**

### **Rules for Assessment of Compensation.**

Subject to the provisions of this Act the following rules shall apply to the assessment and award of compensation by a Board for the compulsory acquisition of land-

- (1) The value of the land shall, subject as hereinafter provided, be taken to be the amount which the land, in its condition at the time of acquisition, if sold in the open market by a willing seller, might have been expected to have realized at a date 12 months prior to the date of the second publication in the Gazette of the declaration under Section 3.
- (2) However, this rule shall not affect the assessment of compensation for any damage sustained by the person interested by reason of severance, or by reason of the acquisition injuriously affecting his or her other property or his or her earnings, or for disturbance, or any other matter not directly based on the value of the land;

### **Interest:**

The Board, in awarding compensation may add thereto interest at the rate of 6% per year calculated from the date upon which the authorized officer entered into possession of the land acquired until the date of the payment of the compensation awarded by the Board.

The following are of particular pertinence to the purpose of understanding the practice of land acquisition in Saint Lucia, and therefore its degree of compliance with World Bank policy:

- § Market Value - Calculation of compensation is based on market value. In determining market value the sale of property of similar characteristics with up to one year is used.
- § Valuation System – Property valuations are very flexible and are always in favor the land owner. In determining the valuation of property, location, and size of land are taken into consideration.
- § Interest - Should the payment to the affected land owner be delayed (see note on interest above) 6% interest is paid. This is substantially above interest rates paid by commercial banks.
- § Procedural delays –There may be delays in undertaking the procedures outlined in the legislation, for example, after the general elections as the decisions have to be approved by the Cabinet of Ministers. Notifications of the intent to acquire private property can only be published after approval of the Cabinet of Ministers. Payment is delivered upon completion of works - Advanced payment has exceptionally been paid through private treaty if strongly requested. However, it is not very common.

### **6. Saint Lucia's Procedures for Relocation of Squatters**

The GOSL does not have prescribed legislation/policy for relocation of squatters. However, considering that the land belongs to the Crown (GOSL), the procedures to be employed for

relocation of the squatters would be done based on previous and similar situations dealt with by the Commissioner of Crown Lands (the authorized representative of the GoSL). Based on precedence, the Commissioner of Crown Lands of the Ministry of Physical Development, Housing and Urban Renewal (MPDHUR) has done the following:

- a) Provided an alternative relocation site with state approved sub-division to the squatters. Where required a relocation allowance of EC\$10,000 maximum was provided to the squatters.
- b) In the case of indigent persons, the state provided them with a lifetime interest in the developed property.

This happened in the case of the Tete Chemin to Belair Relocation to facilitate the construction of the John Compton Dam in the mid-1990s.

**Land belonging to Crown can be declared “Special Enforcement Area” according to Section 43 (1) of the Physical Planning Act #29 of 2001. In such a case, the Physical Planning Section of the MPDHUR submits a proposal to the Cabinet of Ministers to have a particular area declared a “Special Enforcement Area”. The proposal for declaration shall contain details on the parcels to be so declared utilizing the Land Registry Maps for the area.**

**As soon as the declaration is published in the Saint Lucia Gazette, the Special Enforcement comes into effect. All developments within the “Special Enforcement Area” must be carried out with the specific guidance of the Development Control Authority (DCA). A plan showing the extent of the boundaries of the Special Enforcement Area is prepared and copies of the plan are posted at conspicuous sites within the subject community.**

## **7. Eligibility Criteria**

Upon identification of the need for involuntary resettlement in a project, the GoSL carries out a census to identify the persons who will be affected by the project to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance. The borrower also develops a procedure, satisfactory to the Bank, for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. The procedure includes provisions for meaningful consultations with affected persons and communities, local authorities, and, as appropriate, nongovernmental organizations (NGOs), and it specifies grievance mechanisms.

Bank policy states that displaced persons may be classified in one of the following three groups:

(a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);

(b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets, provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan;

(c) those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under (a) and (b) are provided compensation for the land they lose, and other assistance.

Persons covered under (c) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (a), (b), or (c) are provided compensation for loss of assets other than land (see OP 4.12 paras. 14 -16).

## **8. Fit between the World Bank and Borrowers Laws**

Saint Lucian compliance with OP 4.12 has not been met. The national legal frame work provides the Government of Saint Lucia with instruments that entitle bearers of assets with rights of notification and fair compensation, which are compatible with the Bank's involuntary resettlement policy. A court case precedent as well as interviews with different persons involved in the process (in the context of the Saint Lucia Disaster Management Project II), also offer some evidence to the fact that the customary application of this legal framework has usually favored land owners (in terms of negotiated compensation) vis-à-vis the State. Nevertheless, the laws of Saint Lucia do not comply with OP 4.12 for two reasons.

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

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

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

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

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

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

The following mechanisms shall be employed:

- (d) Community or town hall meetings to disseminate information on resettlement plans and receive feedback (ideas, concerns, and alternative suggestions) from affected persons on resettlement alternatives.
- (b) Meetings with affected households to disseminate information on resettlement plans and receive feedback (ideas, concerns, and alternative suggestions) from affected persons on resettlement alternatives. This will provide an opportunity to assess women headed households and their particular concerns. Gender issues may occur in the titling of property to women and their access to resources.
- (c) Public information campaigns to sensitize the members of the communities where the various sub-projects will be implemented.
- (d) Meetings with the Parliamentary Representatives, representatives of Village and Town Councils, Development Committees/Rural Councils, Youth and Sports Groups, Faith-Based Organizations, and the Private Sector, and in the various sub-project areas.
- (e) Key Informant Interviews and Focus Groups.
- (f) Stakeholder participation in Committees established during the planning and implementation of the sub-project.

## **9. Land Acquisition Screening Procedures**

Screening for land acquisition will be done in accordance with the following steps:

1. Sponsoring agency screens the preliminary selected sub-projects for potential social safeguard impacts (land acquisition) and determination of safeguards documents required according to Saint Lucia legislation (Acts and Regulations) and the World Bank policies.



2. If land acquisition is required then sub-project resettlement plans consistent with the policy framework are developed and submitted to the Bank for approval after specific planning information becomes available (see [OP4.12, para.29](#)).
3. Review of safeguards screening by World Bank.
4. Preparation of safeguard documents (resettlement plan), consultation and disclosure;
5. Review and clearance of the safeguard documents within the Government and the Bank;
6. Implementation of agreed actions; and supervision, monitoring and evaluation.

## 10. Sources of Funding and Estimated Cost

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

## 11. Institutional Arrangements

The PCU shall serve as the coordinating agency for the approval of all sub-project activities to be completed under this project. Prior to the submission of works activities for funding consideration under the DVRP and its additional financing, the issuing agency (agency requesting the work) shall screen the sub-projects to assess whether or not land acquisition is entailed. The PCU shall forward these findings to the Ministry of Physical Development (Head of the Physical Planning Section) for review and concurrence. Once this review is completed, the PCU shall then incorporate these findings and requirements into the final approval document for submission and review by appropriate programme managers. The results of this process shall become a permanent part of the works approval package and the sub-projects' resettlement action plan (RAP) shall be incorporated in any tender produced by the programme. The PCU shall be responsible for the development of the RAPs.

Supervision for compliance with the terms of the contract shall rest with the issuing agency.

In the event that a Resettlement Action Plan is required, the Social Development Specialist within the PCU will be responsible for the development and implementation of any RAPs, with technical inputs as needed from the institutions listed in Table 1 - The PCU will also be responsible for monitoring the implementation of all RAPs under the Project.

**Table 1: Institutions responsible for technical inputs on Resettlement Action Plan**

| Ministry/Agency                  | Department/Section  |
|----------------------------------|---|
| Ministry of Physical Development | Survey and Mapping Units, Physical Planning Section, Commissioner of Crown Lands, Registrar of Lands. |

|                                   |                               |
|-----------------------------------|-------------------------------|
| Ministry of Social Transformation | Social Transformation Officer |
| Project Co-ordination Unit (PCU)  | Project Co-coordinator        |
| Ministry of Education             | Technical / Planning Unit     |
| Ministry of Health                | Technical / Planning Unit     |
| Ministry of Infrastructure        | Technical / Planning Unit     |
| WASCO                             | Technical / Planning Unit     |
| Other...                          | Technical / Planning Unit     |

The PCU will ensure that all project activities adhere to the requirements of the RPF, and that designated social specialists/community officers are appointed for overseeing the implementation and monitoring of the framework. A focal person will be appointed for oversight on required clearances and studies. The World Bank Task Team will include a Social Specialist to provide periodic supervision of the RPF and to approve resettlement/studies/plans requiring clearance by the World Bank.

## 12. Monitoring and Follow-up Activities

Monitoring and evaluation will be a continuous process. The following table should be completed to specify the necessary activities, dates by which they should be accomplished, allotted budget and entity responsible for implementation. Activities will include: stakeholder consultations, identification of land/asset acquisition impacts, surveys of lands, calculation of payment compensation, disclosure of relevant information, definition of compensation and payment etc.

**Table 2: Land Acquisition Time Table**

| Activities | Dates | Budget | Responsible/ institution/ human resources assigned |
|------------|-------|--------|--|
|            |       |        |  |
|            |       |        |  |
|            |       |        |  |
|            |       |        |  |

The PCU will be responsible for following up and ensuring that all activities are completed. Minutes will be kept of all meetings held and will be sent to all parties via e- mail

## 13. Capacity Building and Monitoring of Safeguard Implementation

As part of the capacity-building to be provided for implementation of the proposed project, the PCU's Social Safeguards Specialist, and relevant staff of the concerned Ministries will receive training in the RPF's application.

During supervision of this project the World Bank will assess the implementation of the RPF and recommend additional strengthening if required.

## **14. Information and Disclosure**

This RPF will be shared with concerned communities, non-governmental organizations and development partners. It will be disclosed in-country by the PCU and will also be made available at the World Bank's Info Shop. Relevant subproject-specific safeguard documents/mitigation plans prepared subsequently will also be disclosed. Stakeholders should be periodically consulted and kept informed about any land acquisition-related information during design and implementation stages.

Any feasibility and detailed design studies financed by this operation will also adhere to World Bank safeguards policies relating to consultation and disclosure.

## **15. Grievance Redress**

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

The mechanism will be developed by the PCU and would include:

- (i) A recording and reporting system, including grievances filed both verbally and in writing;
- (ii) Designated staff with responsibility at various levels of governments, and;
- (iii) A timeframe to address the filed grievances.

This mechanism will be detailed in the sub-project safeguards documents. The functioning of the grievance redress mechanism will be regularly monitored and evaluated by the PCU during project implementation (see Annex 3 and 4).

## Annex 1 Action and Activities for screening and Land acquisition

| Action   | Activity   | Who is responsible   |
|--|--|--|
| Identification of project site                                 | Site interviews, site visit, review of site records (building records, land use records,) review maps. Land ownership determination  | Implementing Agency and MOPD   |
| Interviews for the historical reference                        | Interview with past and present owners , occupants   | PCU Social Specialist, Project engineer,   |
| Site visit survey, completed during the day when it is visible | Visual on-site inspection of property and adjoining properties<br><br>Inspect boundaries and project lines.<br><br>Document situation with land acquisition. Maintain a photograph log of project site and site maps, the approximate locations from where photographs were taken. | Land and surveys department,<br><br>Ministry responsible for the Sub Project activity<br><br>Social Specialist |
| Sketch site map  | Identify the project area,( any on site structures, drainages, roads etc.) the adjoining property  | Surveys Department<br>Social Specialist.   |
| Land acquisition   | Determination of Land Acquisition<br>Negotiation/ Alternative option for project activity<br>Compensation  | MOPD   |
| Reporting  | Report on the findings<br><br>Meeting with the PCU   | All Assessment officials   |
| Report   | Written report to the World Bank   | PCU  |
| Implementation   | Project approval, design implementation  | Implementing Agency and PCU  |

## Annex 2: Screening tool to be completed by Social Specialist

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

|   |                               |  |
|---|-------------------------------|--|
|   | Community                     |  |
|   | Other                         |  |
| <b>Socio -Economic Assessment</b>                 |                               |  |
| <b>Description</b>                                | Details                       |  |
| Name and number of localities in the project area |                               |  |
| Total population of project area ( Number)        | Male                          |  |
|   | Female                        |  |
| Social groups                                     | Community self help           |  |
|   | Disaster Preparedness         |  |
|   | Church groups                 |  |
|   | Farmers (fisherfolks, farms ) |  |
| <b>Population of Project Affected Persons</b>     |                               |  |
| Vulnerable groups                                 | Poverty level                 |  |
|   | Disability                    |  |
|   | Aged                          |  |
|   | Indigenous people             |  |

### 3: Project Assessment for resettlement

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

### Annex 3: Grievance Redress Procedures

| Grievance Address Procedures |   |
|------------------------------|---|
| Access Point <sup>3</sup>    | <ul style="list-style-type: none"> <li>The Project Co-ordination Unit shall be the access point for grievances.</li> </ul>  |
| Grievance Log <sup>4</sup>   | <ul style="list-style-type: none"> <li>Grievances can be made verbally to the Project Coordinator and/or the designated representative of the Project Coordinator. In this case, the grievance shall be accurately documented and verified as a true account by a third party.</li> <li>Grievances can be made in writing addressed to the Project Coordinator and copied to the relevant authority as defined in the Land Acquisition Act.</li> <li>All grievances must be signed and dated by the aggrieved person.</li> <li>All grievance records shall be copied to the relevant authority as defined in the Land Acquisition Act.</li> </ul>   |
| Assessment and Timeframe     | <ul style="list-style-type: none"> <li>The Project Co-ordination Unit should acknowledge within 5 working days, receipt of the complaint and should include notification of the period necessary to address the grievance to the aggrieved person.</li> <li>If the aggrieved person does not receive a response within the agreed time or is not satisfied with the outcome, he/she can refer the matter to the Board for redress.</li> <li>The Board should acknowledge within 10 working days, receipt of the letter of appeal and should include notification of the period necessary to address the appeal.</li> <li>If the aggrieved person does not receive a response within the agreed time, or is not satisfied with the outcome he/she can refer the matter to the responsible Minister for redress.</li> <li>If the aggrieved person is not satisfied with the outcome he/she can refer the matter to the Court of Law for redress.</li> <li>The grievances should be categorized by type (compensation, resettlement etc). The first assessment of the grievance should be conducted by a Grievance Committee comprising persons drawn from the PCU, technocrats from the relevant departments in the Ministry of Physical Development and the Ministry of Legal Affairs, and representatives of Civil Society.</li> <li>Where agreement is not reached at the level of the Grievance Committee, the steps outline above should be followed.</li> <li>The Social Transformation Officer (STO) will provide assistance in dealing with conflict resolution and grievance.</li> </ul> |
| Resolution and Follow-up     | <ul style="list-style-type: none"> <li>An Implementation Plan should be developed for resolution of grievances. Data should be shared with the World Bank (raw grievance and/or monthly reports). On the spot resolution should be encouraged. However, the process and results should be documented.</li> </ul>  |

<sup>3</sup> The access point will be well advertised and accessible (telephone, email, web page, social media, verbal, newspapers, radio, and television). The access point should also provide project cycle information through the means identified above such as roadmap for time line and milestones.

<sup>4</sup> This log should constitute a data base containing the origin of the grievances and associated issues, number of complaints received, resolved, and gone to mediation. This document should be publicly accessible.



**Annex: 4 REGISTRATION OF GRIEVANCE**

Please use capital:

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

Name of Project Site:

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

**“Details of Grievance”**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**List documents: attach copies**

- (a) \_\_\_\_\_ (b) \_\_\_\_\_
- (c) \_\_\_\_\_ (d) \_\_\_\_\_

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

Date: \_\_\_\_\_ (Signature of aggrieved person) \_\_\_\_\_  
Name \_\_\_\_\_ of \_\_\_\_\_ recording Officer: \_\_\_\_\_  
(Signature) \_\_\_\_\_

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

\_\_\_\_\_