

RP1636

SOCIAL INVESTMENT FUND



# Involuntary Resettlement Policy Framework

---

Belize Climate Resilient Infrastructure Project (BCRIP)

April 14, 2014

Prepared by: Valentino Shal

## TABLE OF CONTENTS

List of Acronyms	3
1 Introduction	4
1.1 The BCRIP Project	4
1.2 World Bank Social Safeguard Policies	4
1.3 Arrangement of Sections	5
2 Project Description	6
2.1 Belize Climate Resilient Infrastructure Project (BCRIP)	6
3 Principles and Objectives of the Resettlement Framework	8
3.1 Principles and Objectives	8
4 Legal Framework	9
4.1 Constitutional Provision	9
4.2 Compulsory Land Acquisition for Public Purposes	9
4.3 Compulsory Land Acquisition under the Public Roads Act	11
4.4 Correspondence of Domestic Legislation with WB Policy 4.12	11
5 Preparation of Resettlement Plans	16
5.1 Resettlement Plans	16
5.2 Identifying Displaced Population	16
5.3 Types of Impacts Covered by the Policy	17
5.4 Types of Potential Displacement and Impact	17
5.5 Plan Preparation Process	19
6 Organizational Procedures	22
6.1 BSIF/Project Management Unit	22
6.2 Ministry of Works	22
6.3 Ministry of Natural Resources and Agriculture	22
6.4 Approval of ARPs	22
6.5 Submission of ARP to World Bank	23
7 Implementation of Resettlement Plans	24
7.1 Sequencing ARPs with Start of Works	24

7.2	Process for Compensation and Assistance-----	25
8	Funding Arrangements-----	26
8.1	Funding Process -----	26
8.2	Budget Lines -----	27
9	Grievance Redressal Mechanism-----	28
9.1	Purpose -----	28
9.2	Principles of GRM -----	28
9.3	Definition of Grievance -----	29
9.4	Types of Grievance -----	29
9.5	Grievance Redressal Mechanism Framework-----	29
9.6	Procedures for Project Level GRM-----	32
9.7	Implementing the GRM -----	34
10	Monitoring And Reporting Arrangements -----	36
10.1	Monitoring Process-----	36
10.2	Monitoring Framework-----	37
	Annexes-----	39
	Annex 1 – Scoping of Affected Communities -----	39
	Annex 2 – Sample Formats for ARP -----	45
	Annex 3 - List of Persons/Stakeholders Consulted-----	51
	Annex 4 – Minutes of Stakeholder Meetings -----	53

**List of Figures**

Figure 1:	Project GRM Schema-----	30
Figure 2:	Map Showing Target Areas for BCRIP -----	40
Figure 3:	Area A - Greater Belize City-----	41
Figure 4:	Area B – West of Belmopan -----	42
Figure 5:	Area C - Northern Area Around Corozal -----	43
Figure 6:	Area D - Independence Area-----	44

**List of Tables**

Table 1:	Comparison of Local Law and Bank Policy.....	12
Table 2:	Potential Social Impacts .....	18
Table 3:	Synchronizing Civil Works with IRPF.....	24
Table 4:	Monitoring Framework and Indicators .....	37

## **LIST OF ACRONYMS**

BCRIP	Belize Climate Resilience Infrastructure Project
BSIF	Belize Social Investment Fund
CRFP	Consultation and Resettlement Facilitation Panel
DAVCO	District Association of Village Councils
GOB	Government of Belize
GRM	Grievance Redressal Mechanism
MFID	Ministry of Finance and Economic Development
MNRA	Ministry of Natural Resources and Agriculture
MOWT	Ministry of Works and Transport
MCE	Multi-criteria Evaluation
NAVCO	National Association of Village Councils
NCRIP	National Climate Resilient Infrastructure Plan
PMU	Project Management Unit
UNFCCC	United Nations Framework Convention on Climate Change
WB	World Bank

# 1 INTRODUCTION

## 1.1 THE BCRIP PROJECT

Climate change is a significant threat to Belize as it is expected to alter the hazard dynamics that affect competitiveness of its key productive sectors. Planning for adaptation has therefore been prioritized among national authorities and steps are underway to understand the extent of the impact of climate change on Belize's sustainable economic and human development. Within this context, the Government of Belize (GOB) has expressed a strong interest in investing resources to address the issues related to infrastructure vulnerability. Over 70 percent of Belize's population is located near the primary road network and is exposed to hazards that pose a recurrent risk of affecting highly productive agricultural industries, critical life-line assets such as access roads and major power infrastructure as well as private property and human life. The lack of redundancy of road networks in the country adds to the high economic impact of weather related events on the road infrastructure. There is an urgent need to improve the infrastructure improvement, to address infrastructural vulnerability to hazard events and the adverse socio-economic impacts resulting from climate change.

The Government of Belize, through the Belize Social Investment Fund (BSIF) in partnership with the Ministry of Works and Transport (MOWT) and the Ministry of Natural Resources and Agriculture (MNRA), is currently in the process of preparing a project to be funded by the World Bank (WB) designed to contribute to strengthening the resilience of critical infrastructure to natural hazards and the anticipated impacts of climate variability through targeted retrofitting, rehabilitation and reconstruction activities. The investments that will be financed under the proposed Belize Climate Resilient Infrastructure Project (BCRIP) will cover only critical infrastructure needs. The BCRIP aims to primarily reduce physical vulnerability of critical infrastructure through the retrofitting and rehabilitation of existing infrastructure within the primary and secondary road network - including associated drainage and flood mitigation systems in order to strengthen their resilience to natural hazards and the anticipated impacts of climate variability.

## 1.2 WORLD BANK SOCIAL SAFEGUARD POLICIES

The proposed project must comply with World Bank Operational Policies for Bank-funded projects. Two Operational Policies, namely, OP 4.10 Indigenous Peoples and OP 4.12 Involuntary Resettlement have been triggered for the BCRIP. To ensure that BCRIP takes social concerns into account, the preparation of safeguards instruments which includes resettlement plans is necessary. The Bank's Policy 4.12 (Involuntary Resettlement) aims to address the social risks involved in resettlement activities under the project. The World Bank's experience indicates that involuntary resettlement under development projects, if unmitigated, often gives

rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

Given that the exact subprojects to be financed and their corresponding feasibility studies under the BCRIP have not yet been determined, a resettlement framework instead of a resettlement plan has been developed. This Involuntary Resettlement Framework is intended to cover all aspects of resettlement activities including land acquisition, relocation and economic impacts that may result as a consequence of the project. Specifically it addresses the involuntary taking of land and the resulting adverse effects on individuals, their livelihoods and general wellbeing as a consequence. It provides guidelines that ensure that affected persons are consulted and provided with compensation and assistance where appropriate. Specific resettlement plans per sub-project will need to be developed during project implementation in accordance with this Framework.

### **1.3 ARRANGEMENT OF SECTIONS**

The document is organized as follows: Section 2 provides a description of the BCRIP as it is being planned. Section 3 presents the principles and objectives of the resettlement framework. Section 4 provides an overview of the relevant legal framework. Section 5 provides guidelines for the preparation of resettlement plans. Section 6 outlines organizational procedures including the roles of various partners. Section 7 presents the process for implementation of the resettlement plans. Section 8 outlines the funding arrangements for the resettlement plans. Section 9 establishes the Grievance Redressal Framework. Finally, Section 10 concludes with monitoring arrangements including an indicators framework.

## 2 PROJECT DESCRIPTION

### 2.1 BELIZE CLIMATE RESILIENT INFRASTRUCTURE PROJECT (BCRIP)

The Government of Belize, through the Belize Social Investment Fund (BSIF) in partnership with the Ministry of Works and Transport (MOWT) and the Ministry of Natural Resources and Agriculture (MNRA), is currently in the process of preparing a project to be funded by the World Bank (WB) designed to contribute to strengthening the resilience of critical infrastructure to natural hazards and the anticipated impacts of climate variability through targeted retrofitting, rehabilitation and reconstruction activities.

The investments financed by the Belize Climate Resilience Infrastructure Project (BCRIP) will be informed by an extensive project identification and prioritization process, the primary output of which would be a comprehensive cross-sectoral climate resilience investment plan, which is currently being developed jointly with the GOB. Activities included in the National Climate Resilience Investment Plan (NCRIP) will be identified and prioritized using a Multi-criteria Evaluation (MCE) methodology. The MCE will be based on a combination of physical, social, economic, and environmental criteria, which will be defined and confirmed by key national stakeholders.

Specific investment programs will then be identified for the BCRIP will be selected based upon a set of criteria which will take into account the requirement of safeguards policies and economic and financial analysis. The investments that will be financed under the proposed BCRIP will cover only critical infrastructure needs and would therefore not be sufficient to build climate resilience across all sectors of public infrastructure. The BCRIP will finance climate resilience activities under the following two main mutually reinforcing components:

#### **Component 1: Climate Resilient Infrastructure**

This component aims to reduce physical vulnerability of critical infrastructure through the retrofitting and rehabilitation of existing infrastructure within the primary and secondary road network - including associated drainage and flood mitigation systems in order to strengthen their resilience to natural hazards and the anticipated impacts of climate variability. Under the investment identification process, characteristics and components of infrastructure such as primary and secondary road networks, drainage systems, as well as select critical public buildings, and critical flood mitigation infrastructure will be assessed in terms of the extent they are exposed to natural disasters and climate variability. The intent of this risk exposure assessment is to identify critical infrastructure, focusing specifically on infrastructure performance, that are at risk of failure, loss of service, damage and/or deterioration from hazards and extreme climatic events. Based on the outcome of this assessment, a set of strategic investments would be identified to be financed under the BCRIP.

Activities will be comprehensive in nature and include activities such as river defense, drainage and small scale flood mitigation improvements, the rehabilitation and replacement of critical small-scale bridges, and road improvements. It may also include reinforcement of embankments and slopes. This component will also fund supporting studies required for the development of physical works packages such as in-land flood studies relating to the design of specific river defenses, hydrologic/hydraulic investigations, geotechnical investigations and associated pre-engineering and engineering efforts required to support engineering design options and final detailed designs solutions. During the execution of the proposed physical works investments, the integration of climate resilient design standards and hazard/risk analysis would be integrated into each sub-project specific preparation process in order to ensure the design and construction of climate resilient infrastructure.

Some of the potential activities that are expected to be carried out as sub-projects include:

- a. Building of drains, creek alignment - which may include repairs to small bridges;
- b. Flood mitigation of small embankments;
- c. Fixing culverts and sizing of culverts;
- d. Creek alignment (cuts and fills);
- e. Sizing of culverts and replacing of culverts with bridges;
- f. Road re-surfacing, widening of roads and shoulder improvement; and
- g. Road realignment and re-surfacing.

## **Component 2: Technical Assistance for Improved Climate Resilience Management**

This component aims to strengthen relevant technical line ministries capacity to mainstream climate resilience considerations into their core development planning. Technical assistance provided under this component would potentially include four mutually-reinforcing core activities: 1) mainstreaming climate variability considerations into the existing land-use and territorial planning decision making processes; 2) support the deployment of an information platform and complimentary data management infrastructure; 3) strengthen infrastructure maintenance and asset management; and 4) strengthen institutional coordination and capacity to implement their Disaster Risk Management (DRM) and climate resilience policy framework.



## 3 PRINCIPLES AND OBJECTIVES OF THE RESETTLEMENT FRAMEWORK

### 3.1 PRINCIPLES AND OBJECTIVES

The World Bank's experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This Resettlement Policy Framework includes safeguards to address and mitigate against these impoverishment risks.

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

- a) Involuntary resettlement will be avoided where feasible, or minimized, exploring all viable alternative project designs.
- b) Where it is not feasible to avoid resettlement, resettlement activities will be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons will be meaningfully consulted and will have opportunities to participate in planning and implementing resettlement programs.
- c) Displaced persons will be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

The human rights and social justice paradigm that now informs how the impacts of development projects are addressed is a shift from the former predominant perspective where the positive aspects of development projects and public interests outweighed the displacement and sacrifice of a few. Internationally accepted conventions now consider the right to participation, right to life and livelihood, rights of vulnerable groups, and right to remedy (grievance redress)<sup>1</sup>.

---

<sup>1</sup> Development Induced Displacement - Internal Displacement Monitoring Center (IDMC).

## 4 LEGAL FRAMEWORK

### 4.1 CONSTITUTIONAL PROVISION

The Constitution of Belize makes provision for the exercise of a sovereign right of eminent domain to acquire property for public purposes, subject to fair and adequate compensation. For an acquisition to be lawful, three basic conditions must be met: (1) the acquisition must be nondiscriminatory, (2) there must be adequate compensation payable within a reasonable time and (3) the acquisition must be for lawful purposes. Section 17(1) provides for the following:

*No property of any description shall be compulsorily taken possession of and no interest in or right over property of any description shall be compulsorily acquired except by or under a law that:*

- a) prescribes the principles on which and the manner in which reasonable compensation therefore is to be determined and given within a reasonable time; and*
- b) secures to any person claiming an interest in or right over the property a right of access to the courts for the purpose of:*
  - i. establishing his interest or right (if any);*
  - ii. determining whether that taking of possession or acquisition was duly carried out for a public purpose in accordance with the law authorising the taking of possession or acquisition;*
  - iii. determining the amount of the compensation to which he may be entitled; and*
  - iv. enforcing his right to any such compensation.*

### 4.2 COMPULSORY LAND ACQUISITION FOR PUBLIC PURPOSES

The two main laws dealing with the compulsory taking of land are the Land Acquisition (Public Purposes) Act, Chapter 184 of the Laws of Belize and the second is the Land Acquisition (Promoters) Act, Chapter 183 of the Laws of Belize. The Land Acquisition (Public Purposes) Act, Chapter 184 of the Laws of Belize is the principal legislation governing compulsory land acquisition.

Land can only be acquired for a public purpose and there is the right of access to the courts to determine whether the acquisition was for a public purpose and lawfully executed. Under the provisions of this Act, where the Minister responsible for lands considers that any land should be acquired for a public purpose, he causes a notice of declaration of acquisition to be published in the Gazette. Two notices are required to be published and are to be at an interval of not less than six weeks between each publication. The publication sets out the particulars relating to the land and the public purpose for which the land is required. Upon the second publication of the declaration, the land vests absolutely in the Crown and the authorized officer, and his agents, assistants and workmen may enter and take possession of the land accordingly.

As soon as the declaration has been published, the person referred to in the Land Acquisition Act as “the authorized officer” (who is usually the Chief Valuer of the Lands and Surveys Department – but may also be the Lands Commissioner) is required to issue a notice of acquisition, which among other things, requires all persons having any interest in the acquired land to appear, either personally or by attorney or agent, before the said authorized officer and state the nature of their interest in the land and the full particulars of their claim to compensation. Where the authorized officer and the person(s) claiming compensation cannot agree on the amount of compensation, the law sets out the procedure and the rules for determining compensation.

The Land Acquisition (Promoters) Act similarly makes provision for any promoter (which can be a corporation, a company or a person), to acquire land compulsorily for a public purpose upon making an application to the Minister responsible for lands. The minister appoints a person to hold an inquiry and the findings are then submitted to the National Assembly for approval of the acquisition. After the acquisition is approved, a notice of the acquisition is published in the Gazette. However, the notice is not to be published unless and until the promoter has given security to meet the acquisition costs and compensation payable. The promoter is also required to enter into an agreement regarding the terms on which he is to hold the land and the conditions with respect to the works to be done on the acquired land.

#### **4.2.1 Compensation under Land Acquisition Act**

According to the Land Acquisition Act, all questions and claims relating to payment of compensation shall be submitted to a Board of Assessment which is to comprise: (i) the Chief Justice or a judge of the Supreme Court who shall be the Chairman of the Board; (ii) a member (other than a public officer) appointed by the minister responsible for lands; and (iii) a member nominated by the landowner. The Board holds a public inquiry and follows the civil procedure rules of the Supreme Court with respect to the conduct of the inquiry. At the conclusion of the inquiry, the Board decides on the amount of compensation and the apportionment. The decision is a majority decision. In the event the decision of the members differ regarding compensation, the mean between the amount decided upon by the Chairman and that one of the amounts decided upon by the other two members which approximates most nearly the amount decided by the Chairman, shall be deemed to be compensation awarded by the Board. In awarding compensation, the Board may add interest to the compensation and is to be guided by the rates payable by the commercial banks on fixed deposits. An award of the Board is enforced in the same manner as a judgment of the Supreme Court and either party is entitled to appeal the Board’s decision to the Belize Court of Appeal.

Section 19 of the Land Acquisition (Public Purposes) Act spells out the rules for assessment of compensation when land is acquired under the Act. The standard practice is to use the market value of the land at the date of acquisition in the determining the value of compensation. The

current practice of arriving at what is the market value, is the comparative approach – what similar lands in the vicinity sell for. Affected persons have 12 months in which to make a claim for compensation.

### **4.3 COMPULSORY LAND ACQUISITION UNDER THE PUBLIC ROADS ACT**

The Public Roads Act (PRA), Chapter 232 provides the mandate for the Minister and the Chief Engineer to build and improve all public roads. In pursuit of these objectives the Act gives certain powers to the Minister and Chief Engineer in terms of land acquisition. Under Section 9 *Powers over Adjacent Land when Executing Road Works* it states:

*All lands not built upon or cultivated which may be required for the purpose of opening any new public road or for diverting, turning, widening or enlarging any existing public road in the execution of any such Order of the Minister as provided for in section 7 may be absolutely taken and appropriated without tender or payment by way of compensation and shall vest in the Government without any formal transfer thereof.*

Where there are built up areas and areas under the cultivation, the Act empowers the Chief Engineer to enter into negotiations regarding compensation. The Act further addresses the issue of encroachment public roads. The Act allows the Chief Engineer to issues notices to any person obstructing or encroaching any public road<sup>2</sup> and after giving reasonable time and after following the required process, the Chief Engineer, or any person duly authorized by him, may proceed to remove such obstruction or encroachment. The Act allows for the Chief Engineer to recover the cost of removal from the person causing the obstruction or encroachment.

### **4.4 CORRESPONDENCE OF DOMESTIC LEGISLATION WITH WB POLICY 4.12**

#### **4.4.1 Gap Analysis**

In general, the WB Resettlement Policy is supplementary to the provision of domestic legislation related to land acquisition and displacement. The domestic law is clear in terms of the State's eminent domain and this sufficiently provided for. In terms of consultation, the local contemplates reasonable notice for actions that may adversely affect property owners. The WB policy augments this by outlining specific steps that must be taken in consulting affected

---

<sup>2</sup> “Public road” in the Public Roads Act Ch. 232 means “any road, street or thoroughfare which may hereafter be declared by Order of the Minister under this Act, and includes all carriageways, cartways, bridle-tracks and pathways as well as bridges, ferries, drains, dams, shoulders, embankments, causeways, fences and ditches belonging or appertaining to a public road, and such land adjoining any public road as may be reserved for its protection or benefit by Order of the Minister.”

persons. The WB policy envisions greater participation of community members especially affected persons in this regard. Similarly, the steps for compensating owners whose lands have been compulsorily acquired are outlined. Other properties such as crops and fences are also addressed. While the valuation process is not specified, the Chief Engineer is permitted to negotiate with affected person. No compensation is contemplated by both local law and WB Policy for persons who do not have legal entitlements. The WB Policy however augments this from a humanitarian perspective and makes provisions for the relocation assistance to be provided in order to minimize injuries to the livelihoods of persons and even improve them where possible. In terms of grievance redress, the relevant laws provide for access to local Courts to resolve claims and other forms of grievance. In practice, the MOWT attempts to administratively address issues arising from projects before matters are taken to Court. This good practice will be further enhanced by establishing a more formal administrative grievance redressal mechanism under the project. Access to Courts and Office of the Ombudsman will still be an available avenue to aggrieved members of the public.

The following presents a comparative summary of domestic legal provisions for land acquisition in relation to the involuntary resettlement policy of the World Bank.

**Table 1: Comparison of Local Law and Bank Policy**

<i>Domestic Legal Provisions</i>	<i>Bank Policy Requirements</i>	<i>Bridging Measures</i>
<i>Land Acquisition</i>		
<ul style="list-style-type: none"> <li>• <b>Addresses compulsory acquisition of land.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Covers involuntary taking of land resulting in 1)relocation, or loss of shelter, 2)loss of assets or access to assets; or 3) loss of income sources or means of livelihood, whether or not affected persons must move to another location.</li> </ul>	<ul style="list-style-type: none"> <li>• Compulsory land acquisition will be based on provision of the laws of Belize, WB Policy 4.12 and this Framework. GOB policy and practice is that legal acquisition is very often avoided. If unavoidable, compulsory acquisition will be through the participatory process outlined in this Framework. This is to ensure that affected persons are provided with adequate level support.</li> </ul>
<i>Consultation</i>		
<ul style="list-style-type: none"> <li>• <b>Publication of declaration in two issues of the Gazette in six weeks intervals.</b></li> <li>• <b>Land vested absolutely in the Crown at second publication</b></li> </ul>	<ul style="list-style-type: none"> <li>• Informed displaced persons about their options and rights pertaining to resettlement.</li> <li>• Consult, offer choices, and provide technically and economically feasible</li> </ul>	<ul style="list-style-type: none"> <li>• Affected persons allowed under law to make presentations to the responsible government agency on impacts and injuries suffered. For the</li> </ul>

	<p>resettlement alternatives.</p> <ul style="list-style-type: none"> <li>• Provide timely and relevant information and offer opportunities to participate in planning, implementing, and monitoring resettlement.</li> </ul>	<p>BCRIP community level consultations will be carried out prior to inform affected communities on the nature of the project and measures on addressing resettlement, compensation and grievance redress. Affected persons will be consulted on options and rights pertaining to resettlement as per WB OP 4.12. Legal process to compulsorily acquire land will also be followed.</p>
<i>Compensation and Benefits</i>		
<ul style="list-style-type: none"> <li>• <b>Open market value of land at the time of acquisition.</b></li> <li>• <b>Alternative practice is to provide land as replacement for land acquired.</b></li> <li>• <b>Compensation value determined by a Board of Assessment.</b></li> <li>• <b>Claim must be made within 12 months.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Prompt and effective compensation at full “replacement cost”<sup>3</sup> for losses of assets attributable directly to the project.</li> <li>• Provide assistance (such as moving allowance) during relocation.</li> <li>• Payment of cash compensation for lost assets where appropriate.</li> <li>• Provide residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.</li> <li>• Offer support after displacement, for a transition period.</li> <li>• Provide with developmental assistance in addition to compensation measures such</li> </ul>	<ul style="list-style-type: none"> <li>• Local allows for full market value of land to be given to property owner according to specific guidelines. This will be supplemented by provisions of the WB OP 4.12 to ensure full compliance with Policy requirement to provide compensation at full “replacement cost.”</li> <li>• Relocation assistance will be provided for those who are occupying/encroaching on road reserves.</li> <li>• Loss of other assets will be compensated at full replacement cost.</li> <li>• Loss of means of livelihood as a direct consequence of project will be compensated for.</li> <li>• Affected people losing property and/or being physically resettled will be provided options between</li> </ul>

<sup>3</sup> 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. 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>as land preparation, credit facilities, training, or job opportunities.</p> <ul style="list-style-type: none"> <li>• Provide infrastructure and public services necessary to improve, restore and maintain accessibility and levels of service.</li> </ul>	cash and in-kind compensation.
<i>Eligibility</i>		
<ul style="list-style-type: none"> <li>• <b>Private lands that fall within the provisions of the General Registry Act, Registry Land Act, Law of Property Act.</b></li> <li>• <b>Customary land tenure.</b></li> <li>• <b>Interest acquired through adverse possession (squatting).</b></li> <li>• <b>Person having the “ostensible possession or enjoyment of the rents and profit” until the contrary is proved.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country).</li> <li>• Those who do not have formal legal rights but have a claim to such land or assets – provided that such claims are recognized by law or become recognized through a process identified in the resettlement plan.</li> <li>• Those who have no recognizable legal right or claim to the land they are occupying.</li> </ul>	<ul style="list-style-type: none"> <li>• Local law and policy are similar in this instance as legal entitlements are fully recognized. For legal property owners with lost assets, they will be compensated accordingly.</li> <li>• Displaced persons who have no recognizable legal right or claim to the land they are occupying will be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives of WB OP 4.12. Furthermore, all persons are provided compensation for loss of assets other than land<sup>4</sup>.</li> <li>• Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.</li> </ul>
<i>Resettlement and Costs</i>		
<ul style="list-style-type: none"> <li>• <b>Compensation for land compulsory and other properties near roads acquired allowed.</b></li> <li>• <b>Other relocation assistance not provided for.</b></li> </ul>	<ul style="list-style-type: none"> <li>• Included in the total costs of the project and part of resettlement plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Land acquisition and compensation costs (monetary and in-kind) will be covered by the Government of Belize and other resettlement costs to be covered under the project.</li> </ul>
<i>Grievance Redress</i>		

<sup>4</sup> For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.

<ul style="list-style-type: none"> <li>• <b>Judicial System</b></li> <li>• <b>Office of the Ombudsman</b></li> </ul>	<ul style="list-style-type: none"> <li>• Establish appropriate and accessible grievance mechanisms.</li> <li>• Formal judicial process also an option under the Project.</li> </ul>	<ul style="list-style-type: none"> <li>• Grievance redress mechanism will be developed for the project in addition to national judicial and grievance redress process being open and available to all aggrieved parties.</li> </ul>
--	---	---



## 5 PREPARATION OF RESETTLEMENT PLANS

### 5.1 RESETTLEMENT PLANS

The scope and level of detail of the resettlement plan for sub-projects vary with the magnitude and complexity of the resettlement. The plan is based on up-to-date and reliable information about (a) the proposed resettlement and its impacts on the displaced persons and other adversely affected groups, and (b) the legal issues involved in resettlement. Given the nature of the BCRIP, it is not expected that there will be the displacement and resettlement of large populations given the fact that the primary and secondary road targets of the BCRIP are pre-existing. It is not expected that any subproject under BCRIP will require of the displacement or resettlement of persons exceeding 200 persons. This would therefore require that only Abbreviated Resettlement Plans (ARP) be prepared instead of full-scale resettlement plans. An ARP will cover the following minimum elements:

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

### 5.2 IDENTIFYING DISPLACED POPULATION

#### 5.2.1 Eligibility for Benefits under the Policy

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/survey 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; and
- 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 the policy, if they occupy the project area prior to a cut-off date established by BSIF and the MOWT. The cut-off date is usually the same date the survey of affected persons is carried out. Persons who encroach on the area after the cut-off date are not entitled to

compensation or any other form of resettlement assistance. Nonetheless, no action in regards relocation or resettlement is to take place until census is carried out and a cut-off date is established.

### 5.3 TYPES OF IMPACTS COVERED BY THE POLICY

The impacts that must be addressed in the ARP will include direct economic and social impacts that both result from the project and are caused by the involuntary taking of land. These include:

- a) relocation or loss of shelter;
- b) loss of assets or access to assets; or
- c) loss of income sources or means of livelihood, whether or not the affected persons must move to another location.

### 5.4 TYPES OF POTENTIAL DISPLACEMENT AND IMPACT

It is difficult at this juncture to specifically estimate the population or categories of displacement likely to occur but as stated elsewhere, displacement or relocation of persons is not expected to exceed 200 persons under any subproject. Nonetheless, considering the characteristics of the target areas and the nature of the project, properties and assets may be impacted by the project. These properties and assets include the following:

- a) **Land** – Land may be acquired for the widening of the road reserve, for the diversion of an existing road, and for drainage purposes among others. Those encroaching or squatting on road reserves may be displaced from their current location albeit they may be doing so in contravention of the Public Roads Act. No action in this regard however is to be taken until an Abbreviated Resettlement Plan is prepared and implemented.
- b) **Crops** – Crops on or near the road reserves or on a road right of way may be removed and destroyed.
- c) **Fences and driveways** – Fences and driveways constructed on or near the road reserves may be demolished to allow for works to proceed.
- d) **Temporary Vendor Stalls** – In some of the target areas, vendors have set up stalls on or near the road reserve and these may have to be removed, dismantled or demolished during the execution of road works. This may be the most typical form of road reserve encroachment.
- e) **Buildings** – While there have been no permanent buildings observed on road reserves, there are some constructions that may have overhangs on road reserves or driveways built on the road reserves. These may inhibit the widening of road shoulders and may be affected by road designs and road works.
- f) **Access** – Access to private properties, homes, business, and public facilities may be temporarily affected by road works.

**Other Potential Social Impacts:**

Other potential adverse impacts that can be anticipated from the project include other socio-economics aspects such as those described below:

**Table 2: Potential Social Impacts**

Social Variable	Potential Adverse Impacts
<b>1. Influx/Outflows of temporary workers</b>	<ul style="list-style-type: none"> <li>▪ Disruption of social order by migrant work crews coming from diverse cultural and geographic backgrounds.</li> </ul>
<b>2. Income and Livelihood</b>	<ul style="list-style-type: none"> <li>▪ Discrimination in employment opportunities for locals.</li> </ul>
<b>3. Land and other Properties</b>	<ul style="list-style-type: none"> <li>▪ Moving into area near primary and secondary roads to capitalize on compensation opportunities under project.</li> </ul>
<b>4. Gender Relations</b>	<ul style="list-style-type: none"> <li>▪ Gender disparities (economic, political power, social benefits) are further entrenched.</li> </ul>
<b>5. Acquaintanceship and Interpersonal Networks</b>	<ul style="list-style-type: none"> <li>▪ Widening of socio-economic disparities and social differences.</li> </ul>
<b>6. Risk, Safety and Security</b>	<ul style="list-style-type: none"> <li>▪ Dust and air pollution from road works.</li> <li>▪ Noise pollution from heavy machinery and equipment.</li> <li>▪ Open borrow pits and quarries can threaten safety of small livestock and children.</li> <li>▪ Increased chances of work-related accidents, injuries and illnesses.</li> <li>▪ Temporary and migrant workers can facilitate the transmission of diseases.</li> <li>▪ Increase in road traffic accidents from high speeds and high traffic volume.</li> </ul>
<b>7. Psycho-social well-being</b>	<ul style="list-style-type: none"> <li>▪ Increased annoyance and stress reaction resulting from road works.</li> </ul>
<b>8. Trust in political and social institutions</b>	<ul style="list-style-type: none"> <li>▪ Resentment of authorities from land acquisition or displacement actions.</li> </ul>
<b>9. Cultural, Historical and Archeological</b>	<ul style="list-style-type: none"> <li>▪ Disturbances caused to historical and archaeological sites arising from road works.</li> </ul>
<b>10. Community Infrastructure</b>	<ul style="list-style-type: none"> <li>▪ Disruption of services from public utilities (light and water) from necessary relocation.</li> <li>▪ Delays in transportation due to disruption of traffic flow from works being carried out.</li> </ul>

## 5.5 PLAN PREPARATION PROCESS

### 5.5.1 Notification and Consultation

BSIF/PMU together with the representative of the Ministry of Works and Ministry of Natural Resources will hold an initial consultation and information sharing session with potentially affected communities. This initial consultation will target two groups of persons: a) the population of the area of the sub-project's zone of influence who will continue to reside in the location and, b) owners of the properties and assets that maybe be required or removed as consequence of the project.

The objectives of the initial consultation are:

- a) To inform the residents of the area of influence of the project, its possible characteristics, technical stages for design and construction schedules expected, the different actors involved and the entity responsible.
- b) To outline the studies and procedures and the schedule of such studies (surveys, assessments, etc.) to be carried out with the residents, owners, rights holders of possible properties to be acquired or removed.
- c) To reduce anxiety and stress of the population potentially affected by the works.
- d) To present the persons responsible for the management of the social safeguard measures and any involuntary resettlement.
- e) To establish communication channels to directly address the concerns of the community.
- f) To provide information on the grievance redress mechanism in place for the project.

Once the initial meeting is held, reasonable notice (7 days minimum) will be provided to the affected persons for the commencement of surveys and entering private properties for the purpose of carrying out such surveys. This will be done in writing<sup>5</sup> and delivered directly to potentially affected persons. Such formal notice will be copied to the Chairman of the respective village if the affected properties are within the limits of an officially recognized village.

A separate meeting led by the BSIF/PMU is to be held with directly affected persons, if there are any, to discuss the impacts of the project on their properties, businesses and other assets. Compensation and support for relocation will also be discussed at this stage. Addressing land acquisition and relocation may be done individually or in groups depending on what the impact will be on their assets and properties. Having the support of village councils or city councils, as the case may be, will be crucial in ensuring that a responsible and effective ARP plan is devised. It is important that affected persons or groups of persons are consulted before, during and after resettlement activities to ensure that the implementation of the ARP is fully responsive.

---

<sup>5</sup> For meetings that are held with persons of limited English or literacy skills, the use of appropriate local language is encouraged.”

### **5.5.2 Identification of Potential Impacts**

Social feasibility will be a factor in the project's feasibility studies. In determining the potential impact of the project and the need for land acquisition, dislocation and resettlement, there must be a preliminary quantification of land and affected persons. There must be an inventory of all private and public property to be affected including their social functions. Land use patterns in general for the affected properties will be identified. This forms part of preparing the ARP and will be used to inform the final design of works and subproject activities.

### **5.5.3 Process for Land Acquisition**

The Chief Engineer of the MOWT may determine to exercise powers afforded to him under the Public Roads Act for the appropriation of properties required for road works. In such an instance, the process outlined in the Act must be followed. There must be due process accorded to affected persons in terms of providing reasonable notice and respecting rights and entitlements afforded under the law. Beyond that, the process must comply with WB OP 4.12 and the provisions of this Framework. This includes the process for the resettlement of persons who may be encroaching on public road reserves and may be doing so in contravention of the Act. This process is to be specifically outlined in the ARPs as required by the Resettlement Policy.

The Chief Engineer may also pursue the land acquisition process as outlined in the Land Acquisition Act, Chapter 184. In such circumstance, the Chief Engineer is required to make a formal request to the Minister responsible for Lands to undertake such acquisition in accordance with that Act. This process also must be supplemented by the requirements of the WB OP 4.12 as outlined in this Framework.

### **5.5.4 Valuation of Affected Assets including Land**

If lands are acquired under the provisions of the Land Acquisition Act then the MNRA is responsible for the valuation of affected lands, at the request of the Chief Engineer. Section 19 of the Land Acquisition Acts specifically states that the land must be valued based on the open market value at the time of compulsory acquisition. The process of land valuation under the project will therefore comply with the stipulations of the law.

While the Public Roads Act provides for compensation for “trees, fence and other forms of cultivation” it does not specifically stipulate the valuation process. It would be fair that valuation also be on production value where appropriate for crops, and market value for buildings and other constructions on legally entitled lands. Other erections that cannot be given a market value (e.g.: fences) will be valued on the cost of rebuilding or replacing it. The Act provides for the Chief Engineer to negotiate compensation in instances such as those described here. WB OP 4.12

further requires that affected persons be consulted on resettlement options including compensation.

Those with no legal title occupying land such as those encroaching on road reserves will be provided with resettlement assistance *in lieu* of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives of WB OP 4.12. The process for facilitating removal and relocation in such cases is discussed in section 7.2. Furthermore, all persons are provided compensation for loss of assets other than land. While no compensation for land will be provided in this instance, resettlement assistance that covers loss of assets other than land including loss of livelihoods and income due to resettlement will be covered as per WB policy requirements.

## **6 ORGANIZATIONAL PROCEDURES**

### **6.1 BSIF/PROJECT MANAGEMENT UNIT**

The Belize Social Investment Fund (BSIF) is the project management agency responsible for overall coordination of the BCRIP. A Project Management Unit (PMU) has been established under the BSIF with the responsibility of overseeing the execution of the project.

The PMU has the overall responsibility for project management including, ensuring compliance with agreed implementation procedures and other Bank guidelines, in particular, the Bank's safeguards policies. The PMU is therefore charged with ensuring that the social safeguard measures are put in place. The PMU, through the social officer will take the lead in developing and implementing the required ARP. The social officer will work closely with the technical line ministries (MOWT and MNRA) who are also working with the project.

### **6.2 MINISTRY OF WORKS**

The MOWT, being the executing organization for the infrastructure component of the BCRIP will be responsible for the oversight of the technical aspects of the infrastructure sub-projects. It will also support the PMU with the development and implementation of the social safeguards. It will have the lead role in identifying affected properties and the process of compensation. It will also lead and participate in the Compensation and Resettlement Facilitation Panel described below. Both the PMU and MOWT will ensure that works will not start until the ARPs have been prepared and implemented.

### **6.3 MINISTRY OF NATURAL RESOURCES AND AGRICULTURE**

The MNRA will play a similar role in addition to being the lead agency for Component 2 of the BCRIP. It is primarily responsible for the legal process of land acquisition and the valuation aspects of the ARP. The MNRA will also participate in the Compensation and Resettlement Facilitation Panel as described below.

### **6.4 APPROVAL OF ARPS**

After the Compensation and Resettlement Facilitation Panel has reviewed the ARP, it will be submitted to the PSC for approval. After PSC approval, the ARP will then be forwarded to the WB. The PSC is also responsible for monitoring the implementation of the ARPs through reports provided to it by the PMU and the MOWT.

## **6.5 SUBMISSION OF ARP TO WORLD BANK**

Under OP 4.12 the Bank requires an ARP to be developed for each sub-project under the BCRIP and that it is submitted for approval. The Bank may at its discretion agree to have the ARPs approved locally but will still be subject to ex-post review.



## 7 IMPLEMENTATION OF RESETTLEMENT PLANS

### 7.1 SEQUENCING ARPs WITH START OF WORKS

The implementation of the ARP activities is to be linked to the execution of road works. This is to ensure that land appropriation, acquisition, displacement, and relocation resulting from such works do not occur before the necessary measures have been prepared and put in place. The ARP is to be prepared and approved by the PSC and the WB and implemented before any works can begin. The actions of the main parties involved in this project must be consistent with this Framework and OP 4.12 during the development and design of the BCRIP.

**Table 3: Synchronizing Civil Works with IRPF**

<b>Civil Works Schedule</b>	<b>IRPF Schedule</b>	<b>Comments</b>
<b>Sub-project Selection</b>	<ul style="list-style-type: none"> <li>Initial consultation of communities within targeted site.</li> </ul>	This is to prior inform potentially affected communities of project plans, described studies to be undertaken and informed of Grievance Redressal Mechanism.
<b>Feasibility Studies</b>	<ul style="list-style-type: none"> <li>Identification of Potential Impacts.</li> <li>Undertake a census survey of displaced persons and valuation of assets.</li> </ul>	Social feasibility will be a factor in the project's feasibility studies.
<b>Preliminary Designs</b>	<ul style="list-style-type: none"> <li>Consultations with displaced persons about acceptable alternatives for compensation and resettlement</li> <li>Development of Abbreviated Resettlement Plan (ARP).</li> </ul>	Once preliminary designs are complete affected persons can be consulted on resettlement matters and an ARP fully developed.
<b>Final Designs</b>	<ul style="list-style-type: none"> <li>Review and approval of ARP.</li> </ul>	ARP must be reviewed by CRFP and approved by PSC and WB.
<b>Bidding and Contracting</b>	<ul style="list-style-type: none"> <li>Implementation of ARP.</li> </ul>	ARP must be implemented before works can begin. This can be done during bidding and contracting phase to allow process to be completed so that works can begin.
<b>Construction</b>	<ul style="list-style-type: none"> <li>Monitoring and follow up of ARP.</li> </ul>	Monitoring of ARP activities can be done during construction. At this point, construction should be able to proceed as resettlement issues should have been addressed.

## **7.2 PROCESS FOR COMPENSATION AND ASSISTANCE**

The Public Roads Act under Section 10 provides for the Chief Engineer, subject to the approval of the Minister, to agree with the owner for compensation for land, tree, fence or any form of cultivation. If an agreement for compensation cannot be reached or the owner cannot be found, then the Chief Engineer can proceed to make use of the provisions of the Land Acquisition Act for the appropriation of the same property.

The law does not permit compensation for buildings or encroachment on public road reserves. The WB OP 4.12 similarly does not contemplate compensation for persons without legal title. Instead, the requirement is that relocation assistance be given to such persons, provided that they have been occupying the area prior to the cut-off date.

In order to exercise powers afforded to him under the Act in relation to compensation, the Chief Engineer has put in place a panel to assist with the determination of compensation for land acquisition. The same panel can be used to determine assistance measures for relocation when the need to do so arises. All ARPs will therefore be reviewed by the panel before it is forward to the PSC for approval. The panel consists of representatives from the following government Ministries, offices and agencies: a) MOWT, b) MNRA, c) Solicitor General, and d) MFED (2 reps – (1) Finance and (1) Economic Development). It is recommended that the panel be established as the Compensation and Resettlement Facilitation Panel (CRFP) and that the National Association of Village Councils (NAVCO) and the BCRIP PMU be added as members.

Where the CRFP fails to reach an agreement with the land owner the matter will be referred to a Board of Assessment pursuant to the provisions of the Land Acquisition Act.

## 8 FUNDING ARRANGEMENTS

### 8.1 FUNDING PROCESS

Each sub-project will include the costs of the resettlement plans described above, including administrative or operational costs, professional fees, values of the properties to be acquired and the programs adopted by the ARP. Each subproject must at the time of submission of the ARP, include a detailed analysis of the activities that conform to budgetary requirements and demonstrate the availability of resources. Cost estimates for resettlement activities including compensation will be covered in the ARP and will be reviewed by the CRFP and approved by the PSC.

Project funds can be used to cover resettlement costs but not for land acquisition. The GOB is responsible for all land acquisition and related compensation costs. Compensation in this instance will be made in cash at full market value or may be “land for land” as the government sometimes does. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. This includes indigenous peoples and rural communities strongly dependent on farming for their livelihoods<sup>6</sup>. Where project funds are being used, this will be managed directly by the PMU. For land compensation this will be covered by the MOWT and MNRA as appropriate. Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets. Any expenditure that goes beyond what is generally expected under the project will likely require the approval of the Cabinet.

In all instances, displaced people must be informed about their options and rights pertaining to resettlement, consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives and provided prompt and effective compensation at full replacement cost for losses of assets attributable direct to the project.

Form and level of compensation under the project will be the outcome of a negotiated process with the respective property owners as provided for under Belizean law and in compliance with WB OP 4.12 where consultation on resettlement options are required.

---

<sup>6</sup> See accompanying Culturally Appropriate Planning Framework for engagement of indigenous peoples and other affected communities.

## **8.2 BUDGET LINES**

The main budget line items likely for the development and implementation of ARPs included:

- a) Meetings/Consultations
- b) Socio-economic and impact surveys
- c) Preparation of the ARPs
- d) Compensation for lost assets
- e) Relocation Assistance

## 9 GRIEVANCE REDRESSAL MECHANISM

### 9.1 PURPOSE

A Grievance Redressal Mechanism (GRM) is required by the World Bank's OP 4.12 in order to identify procedures to effectively address grievances arising from project implementation. A GRM can help project management significantly enhance operational efficiency in a variety of ways, including generating public awareness about the project and its objectives; deterring fraud and corruption; mitigating risk; providing project staff with practical suggestions/feedback that allows them to be more accountable, transparent, and responsive to beneficiaries; assessing the effectiveness of internal organizational processes; and increasing stakeholder involvement in the project.

It is important that the project's management and staff recognize and value the grievance process as a means of strengthening public administration, improving public relations, and enhancing accountability and transparency. Grievance redress will be integrated into the project's core activities. This will be done by integrating grievance redress functions into project staffs' job descriptions and regularly review grievances data and trends at project management meetings.

### 9.2 PRINCIPLES OF GRM

Effective GRMs usually embody six core principles:

- ***Fairness:*** Grievances are treated confidentially, assessed impartially, and handled transparently.
- ***Objectiveness:*** The GRM is to operate in a fair, objective manner and give impartial treatment to each case. GRM officers have adequate means and powers to investigate grievances (e.g., interview witnesses, access records, etc.).
- ***Simplicity and accessibility:*** Procedures to file grievances and seek action are simple enough that community members can easily understand them. Community members will also have a range of contact options including, at a minimum, a telephone number, an e-mail address, and a postal address. The GRM will be accessible to all stakeholders, irrespective of the remoteness of the area they live in, the language they speak, and other characteristics. The GRM will not use complex processes that create confusion or anxiety (such as only accepting grievances on official-looking standard forms or through grievance boxes in government offices).
- ***Responsiveness and efficiency:*** The GRM will be responsive to the needs of all complainants. Accordingly, officials handling grievances will be trained to take effective action upon, and respond quickly to grievances and suggestions.

- ***Speed and proportionality:*** All grievances, simple or complex, will be addressed and resolved as quickly as possible. The action taken on the grievance or suggestion is swift, decisive, and constructive.
- ***Participatory and socially inclusive:*** A wide range of project-affected people - community members, members of vulnerable groups, civil society, and the media – will be encouraged to bring grievances and comments to the attention of project authorities. Special attention is given to ensure that the poor and marginalized groups, including those with special needs, are able to access the GRM.

### **9.3 DEFINITION OF GRIEVANCE**

Grievance is defined for the purpose of this mechanism as an issue, concern, problem, claim (perceived or actual) or complaint that an individual or group wants the project to address and resolve. When community members present a grievance, they generally expect to receive one or more of the following:

- Acknowledgment of their problem
- An honest response to questions about project activities
- An apology
- Compensation
- Modification of the conduct that caused the grievance
- Some other fair remedy.

### **9.4 TYPES OF GRIEVANCE**

The GRM is designed to respond to several types of complaints that are likely to arise. These include:

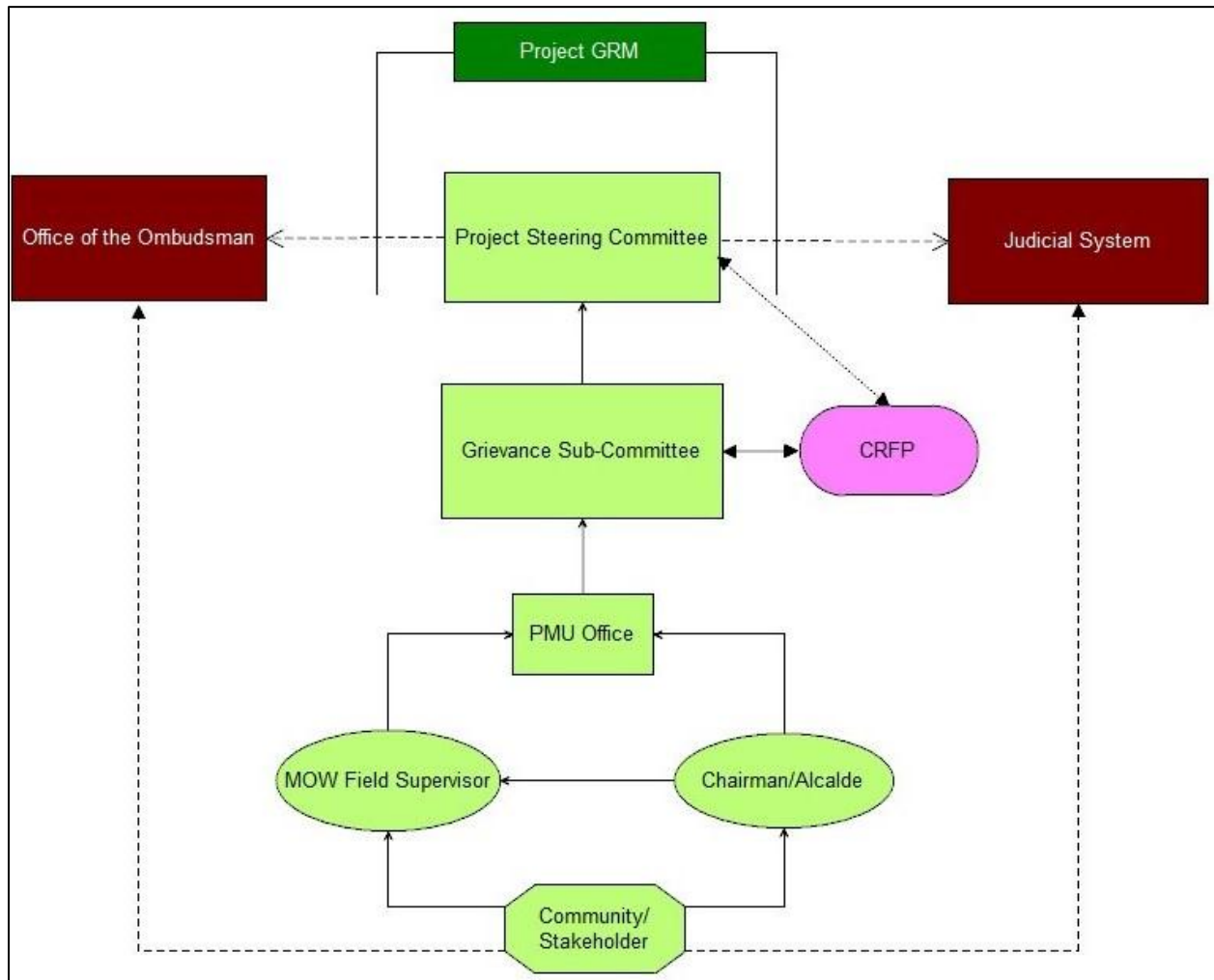
- a) Comments, suggestions, or queries;
- b) Complaints relating to nonperformance of project obligations;
- c) Complaints related to adverse effect suffered from the project;
- d) Complaints referring to violations of law and/or corruption; and
- e) Complaints against project staff or community members involved in project implementation.

### **9.5 GRIEVANCE REDRESSAL MECHANISM FRAMEWORK**

The GRM is being established at the project level and costs will be carried as part of the administrative costs of project implementation. There are two tiers to the mechanism BCRIP GRM. The first tier is a Field Level mechanism involving matters can be addressed immediately. The second tier is at the Project Management level. Given that certain components will be under

the MOWT and the MNRA, it is expected that relevant units within the Ministry will provide support to the PMU in the implementation of the GRM.

**Figure 1: Project GRM Schema**



### 9.5.1 Project Level

#### 9.5.1.1 Tier 1 – Field Level

It is expected that the Field Level mechanism will be the first point of contact for persons who wish to present a grievance to the project. Works at the field level will be overseen by a Field Supervisor under the MOWT and as such, that person will be able to receive complaints and claims and those he/she is able to resolve will be addressed at the field level. The Field Supervisor may consult with the works Contractor and the Village Council Chairperson to address a particular matter at the field level. Those matters that cannot be resolved directly by the Field Supervisor will be referred to the Project Management level. Community residents may use their Chairperson as an uptake point who can then refer the matter to the Field Supervisor.

### **9.5.1.2 Tier 2 – Project Management Level**

At the Project Management level, it is recommended that a sub-committee of the PSC be established as the GRM Sub-committee designed to specifically grievances received from the field. A subcommittee will likely be more flexible and be able to respond to grievances in a timely manner. The MOWT will chair the GRM Sub-committee as it is responsible for all disputes or complaints arising from the works component of the project subject to the Inter-Ministerial Agreement signed between the MFED, MOWT and BSIF. The PMU must be a member of the GRM Sub-committee. Those matters which the GRM Sub-committee is unable to resolve or where the aggrieved person is dissatisfied with the decision will be referred to the PSC for consideration. Where matter is directly related to land acquisition and compensation and dislocation, the matter will be referred to the CRFP. The PSC may wish to consult directly with the aggrieved person, persons or groups in attempting to resolve the matter. The PSC's decision in the matter will be final. Dissatisfied aggrieved persons at this stage will be referred to the Judicial System.

## **9.5.2 National Level**

### **9.5.2.1 Judicial System**

Community members may seek to have their grievances addressed directly by the judicial system in Belize. They may choose to go there directly if they feel that legally guaranteed rights have been violated or if they are not satisfied with the response and resolution provided by the project GRM mechanism. In this instance, it is the community members' responsibility to take up the matter in a court of law and seek his or her legal representation. The project will abide by the ruling of any Belizean court in regards to the matter presented and adjudicated. Grievances can be heard in lower magistrate's court or in constitutional cases; in the Supreme Court of Belize. This process is open to any community member who feels that they need to pursue this avenue.

### **9.5.2.2 Office of the Ombudsman**

Alternatively, the Office of the Ombudsman is also an avenue that is open for community members to seek redress for grievances. The Ombudsman Act, Chapter 5 of the Laws of Belize establishes the Office of the Ombudsman. The Ombudsman investigates complaints made by any person or body of persons who claim to have sustained injustice, injury, or abuse (including any act of discourtesy, or refusal to act, or any act motivated by discrimination based on religion, language, race, colour or creed), or who claims that an authority has been guilty of corruption or other wrongdoing. Authorities who are subject to investigation by the Office of the Ombudsman are:

- Ministry, Department or agency of Government;
- The Belize Police Department



- A City Council or a Town Board
- Other statutory body or authority, including any company in which the Government or an agency of government owns not less than 51%.

Registering a complaint at the Ombudsman’s office is a simple process that can initially be done orally and thereafter in writing. There is no charge for registering a complaint with the Office of the Ombudsman.

## 9.6 PROCEDURES FOR PROJECT LEVEL GRM

### 9.6.1 Registration

Receiving and registering complaints is a simple process where local people can inform the Field Supervisor or the PMU about concerns directly and if necessary, through third parties. Once a complaint has been received, it will be recorded in the complaints log or data system. The log can be kept in hardcopy or electronic form. Various types of grievances typically require different follow-up actions—for example, some grievances can be resolved by means of a simple explanation or apology, while others may require more extensive investigations. Therefore, grievances will be categorized, assigned priority, and routed as appropriate.

### 9.6.2 Sort and Process

This step determines whether a complaint is eligible for the grievance mechanism and its seriousness and complexity. The complaint will be screened however this will not involve judging the substantive merit of the complaint. The following is a guide to determine whether or not a complaint is eligible or not:

**Eligible complaints** may include those where:

- The complaint pertains to the project.
- The issues raised in the complaint fall within the scope of issues the grievance mechanism is authorized to address.
- The complainant has standing (direct stake or interest) to file.

**Ineligible complaints** may include those where:

- The complaint is clearly not project-related.
- The nature of the issue is outside the mandate of the grievance mechanism.
- Other project procedures, organization or agencies are more appropriate to address the issue.

If the complaint is rejected at this stage, the complainant will be informed of the decision and the reasons for the rejection. It is advisable to give complainants the benefit of the doubt and engage in a conversation before deciding to reject a complaint. Complainants often provide incomplete information. The Field Supervisor and GRM Subcommittee will make an effort to truly understand the grievance before responding. All complaints whether eligible or not, must be logged for reference.

When evaluating and investigating complaints the parties, issues, views, and options will be clarified:

- Identify the parties involved.
- Clarify issues and concerns raised by the complaint.
- Gather views of other stakeholders, including those of project staff.
- Classify the complaint in terms of its seriousness (high, medium, or low). Seriousness includes the potential to impact both the project and the community. Issues to consider include the gravity of the allegation, the potential impact on an individual's or a group's welfare and safety, or the public profile of the issue. A complaint's seriousness is linked to who in the project's management needs to know about it and whether the PSC is advised of the matter.

### **9.6.3 Acknowledge and Follow Up**

When a complaint is registered, the Field Supervisor or MOWT through appropriate staff will acknowledge its receipt in a correspondence that outlines the grievance process and provides contact details. The MOWT will respond and acknowledging the issue within 7 working days. Complainants will then receive periodic updates on the status of their grievances. The PMU will be copied on all such correspondence.

### **9.6.4 Evaluate, Investigate and Take Action**

This step involves gathering information about the grievance to determine its validity, and resolving the grievance. The merit of grievances will be judged objectively against clearly defined standards such as the Environmental and Social Safeguards, legal requirements and the Project Operations Manual. Grievances that are straightforward (such as queries and suggestions) can often be resolved quickly by contacting the complainant and providing an appropriate response. Grievances that cannot be resolved by the GRM will be referred to the most competent authority as appropriate. Complainants at this time may seek the judicial system as an avenue to obtain redress.

## **9.7 IMPLEMENTING THE GRM**

### **9.7.1 Build Awareness of GRM**

The GRM will be presented by project staff to community members during community meetings or when undertaking community consultations for social assessments and developing resettlement plans. Other ways to publicize the GRM to the local communities include the following:

- Simple, visually engaging marketing materials can be developed. These can describe the process for handling people's concerns and the benefits that can result. The materials will also inform the local communities about where to go and who to contact if they have a complaint.
- Face-to-face, formal and informal meetings in local communities can be used as the main method for building awareness about the GRM. Activities during these sessions will be participatory in order to get people to buy into and use the system.
- Communities will be consulted about any risks or fears they have associated with using the system. Information about what else they might need to voice a complaint and participate effectively in the mechanism will be elicited and used to update the GRM.

### **9.7.2 Train Staff on GRM**

Project staff will be educated about the GRM and procedures. This is to ensure that other staff members are able to accept complaints, or to participate in on-the-spot resolution of minor problems. The following will be considered when developing training sessions for project staff:

- Sessions will focus on why the grievance mechanism is in place, its goals, benefits, and how it operates.
- Roles and expectations of project staff including what to do if a member of the community approaches them with a grievance, how best to respond to aggrieved stakeholders and the importance of listening, remaining objective, and taking stakeholder concerns seriously.
- The constructive role of community dissent in project operations, by encouraging the view that complaints and opposition are a source of valuable information that can lead to improved operations, reduce risk, and develop a supportive relationship with the community.

- Emphasize that there must be absolutely no reprisals and the participation of community members in the GRM does not diminish their rights or entitlement to benefit from the project in any way. The same information can be shared with local communities.

## 10 MONITORING AND REPORTING ARRANGEMENTS

### 10.1 MONITORING PROCESS

The monitoring of and reporting on the implementation of this Policy and development of the ARPs will be led by the PMU. The objective of monitoring is to identify implementation problems and successes as early as possible so that the implementation arrangements can be adjusted. The monitoring process will help to determine the extent to which activities are being implemented effectively and will help to identify areas that need improvement or require adjustment. The implementation will be monitored on a regular basis and a monitoring report will be provided to the PSC at their regular meetings by the GRM Sub-committee.

The GRM will be monitored independently through external evaluation exercises at various stages of the project by civil society organizations and/or affected men and women. Affected persons communities will have an opportunity to review the effectiveness of the mechanism through updates and reports provided by the PMU through public available materials such as a newsletter or website. Consultations of affected persons and communities are also expected to be carried out during mid-term and final project evaluations. The Bank will also use the framework to monitor the implementation of the mechanism during supervision visits.

## 10.2 MONITORING FRAMEWORK

**Table 4: Monitoring Framework and Indicators**

<b>Component/Objectives</b>	<b>Indicators</b>	<b>Means of Verification</b>	<b>Frequency</b>	<b>Responsible</b>
<b>Component 1 – Community Participation</b>				
Objective 1.1 – Eligibility criteria of displaced persons are complied with.	<ul style="list-style-type: none"> <li>Panel meetings held</li> <li>ARPs developed</li> </ul>	<ul style="list-style-type: none"> <li>Minutes of meetings</li> <li>Attendance sheets</li> <li>Approved ARPs</li> </ul>	<ul style="list-style-type: none"> <li>Per session</li> <li>Per sub-project</li> </ul>	<ul style="list-style-type: none"> <li>Social Officer</li> <li>Project Coordinator</li> </ul>
Objective 1.2 – Assessment of impacts includes affected men and women	<ul style="list-style-type: none"> <li>Consultation meetings held</li> </ul>	<ul style="list-style-type: none"> <li>Staff field reports</li> <li>Meeting reports</li> <li>Surveys</li> </ul>	<ul style="list-style-type: none"> <li>Per event/session, per target area</li> </ul>	<ul style="list-style-type: none"> <li>Social Officer</li> <li>Project Coordinator</li> </ul>
Objective 1.3 – Affected men and women participate in resettlement planning	<ul style="list-style-type: none"> <li>Consultation meetings held</li> </ul>	<ul style="list-style-type: none"> <li>Staff field reports</li> <li>Consultant reports</li> <li>M&amp;E Reports</li> </ul>	<ul style="list-style-type: none"> <li>Per event/session, per targeted area</li> <li>Midterm</li> <li>Final</li> </ul>	<ul style="list-style-type: none"> <li>Social Officer</li> <li>Project Coordinator</li> <li>Consultants</li> </ul>
<b>Component 2 – Grievance Redressal Mechanism</b>				
Objective 2.1: GRM Sub-Committee of PSC established.	<ul style="list-style-type: none"> <li># of meetings held</li> <li>Report to PSC on GRM activities submitted</li> <li>GRM responsibilities are incorporated into staff TORs</li> </ul>	<ul style="list-style-type: none"> <li>Minutes of meetings</li> <li>Copies of reports submitted</li> <li>Staff TORs</li> </ul>	<ul style="list-style-type: none"> <li>Quarterly</li> <li>Annually</li> </ul>	<ul style="list-style-type: none"> <li>Social Officer</li> <li>GRM Committee</li> <li>Chief Engineer</li> </ul>
Objective 2.2: Staff and community members (men and women) are aware of and are able to use the GRM	<ul style="list-style-type: none"> <li>Training sessions with staff held</li> <li>Community consultations held on GRM</li> <li>Marketing materials on GRM developed</li> </ul>	<ul style="list-style-type: none"> <li>List of participants</li> <li>Staff Field Reports</li> <li>Literature available</li> </ul>	<ul style="list-style-type: none"> <li>Per session</li> </ul>	<ul style="list-style-type: none"> <li>Project Coordinator</li> <li>Chief Engineer</li> <li>Social Officer</li> </ul>
Objective 2.3: GRM effectively meets the needs of affected men and women	<ul style="list-style-type: none"> <li>Number of complaints/grievances registered</li> <li>Percentage of grievances resolved</li> <li>Percentage of grievances</li> </ul>	<ul style="list-style-type: none"> <li>Grievance Log Form</li> <li>Correspondence to aggrieved parties</li> <li>Grievance Summary Sheet</li> </ul>	<ul style="list-style-type: none"> <li>Monthly</li> <li>Per Case</li> <li>Per quarter</li> <li>As needed</li> </ul>	<ul style="list-style-type: none"> <li>Project Coordinator</li> <li>Social Officer</li> <li>GRM Committee</li> <li>Chief Engineer</li> </ul>

	<p>redressed within stipulated time period</p> <ul style="list-style-type: none"> <li>• Time required to resolve complaints (disaggregated by different types of grievances)</li> <li>• Percentage of complainants satisfied with response and grievance redress process</li> </ul>	<ul style="list-style-type: none"> <li>• Mid-Term M&amp;E</li> <li>• Final M&amp;E</li> </ul>		
Objective 3.4: Results of GRM activities are regularly reported	<ul style="list-style-type: none"> <li>• GRM reports submitted to the PSC</li> <li>• Results of cases published in project newsletter/website</li> </ul>	<ul style="list-style-type: none"> <li>• GRM reports</li> <li>• Project newsletter/website</li> </ul>	<ul style="list-style-type: none"> <li>• Quarterly</li> </ul>	<ul style="list-style-type: none"> <li>• Project Coordinator</li> <li>• Chief Engineer</li> <li>• Social Officer</li> </ul>

## ANNEXES

### ANNEX 1 – SCOPING OF AFFECTED COMMUNITIES

Four specific areas have been identified as target areas for the BCRIP based on the National Climate Resilient Infrastructure Plan (NCRIP). The NCRIP is a comprehensive cross-sectorial plan that has been elaborated by the GOB with support from the WB and financial support from the Africa Caribbean Pacific (ACP) European Union (EU) Natural Disaster Risk Reduction Program. During the preparation of the NCRIP, an extensive project identification and prioritization process was carried out for the transportation network aiming at understanding vulnerabilities and risks in order to be able to efficiently direct funds for the highest climate resilience enhancing impact. The proposed activities included in the national climate resilience investment plan were identified and prioritized using a comprehensive and participatory approach based on two main pillars: (a) flood susceptibility and (b) criticality of the primary and secondary road network. The criticality of transportation infrastructure assets refers to the importance of a specific road, road segment or bridge in the transportation network in terms of its provision of access to various economically or socially significant locations.

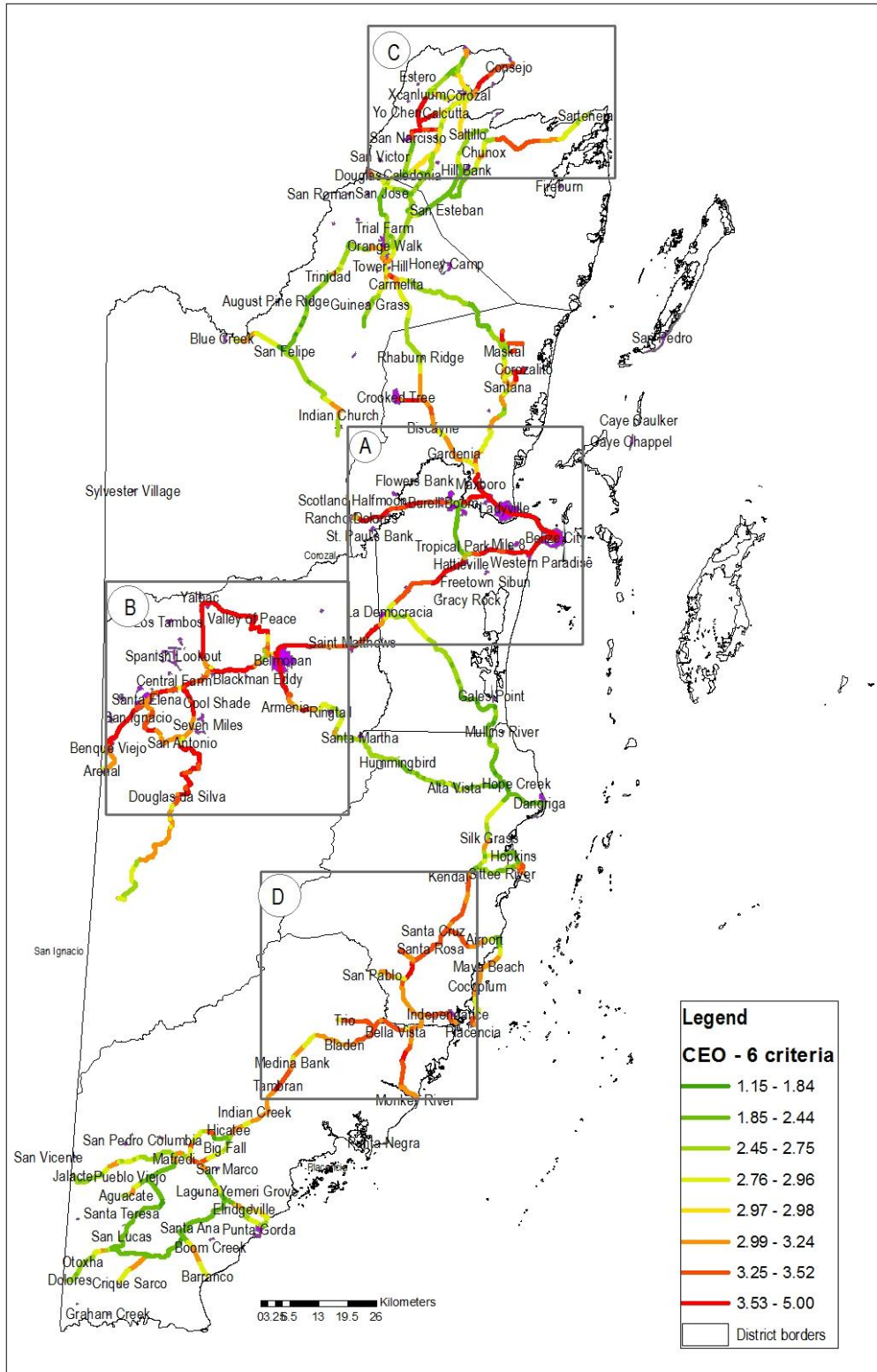
Criticality was developed using a multi-criteria evaluation (MCE) approach. Various indicators were further established for each criterion. The main criteria utilized include the following:

- a) Physical Vulnerability
- b) Use & Operational Characteristics
- c) Economic Parameters
- d) Social Parameters
- e) Health
- f) Safety & Security
- g) Environment & Ecology

The result of the MCE exercise produced the target areas A, B, C, and D as shown in the map in Figure 1 below and are the target areas for the BCRIP.



**Figure 2: Map Showing Target Areas for BCRIP**



Source: MCE Report, 2013

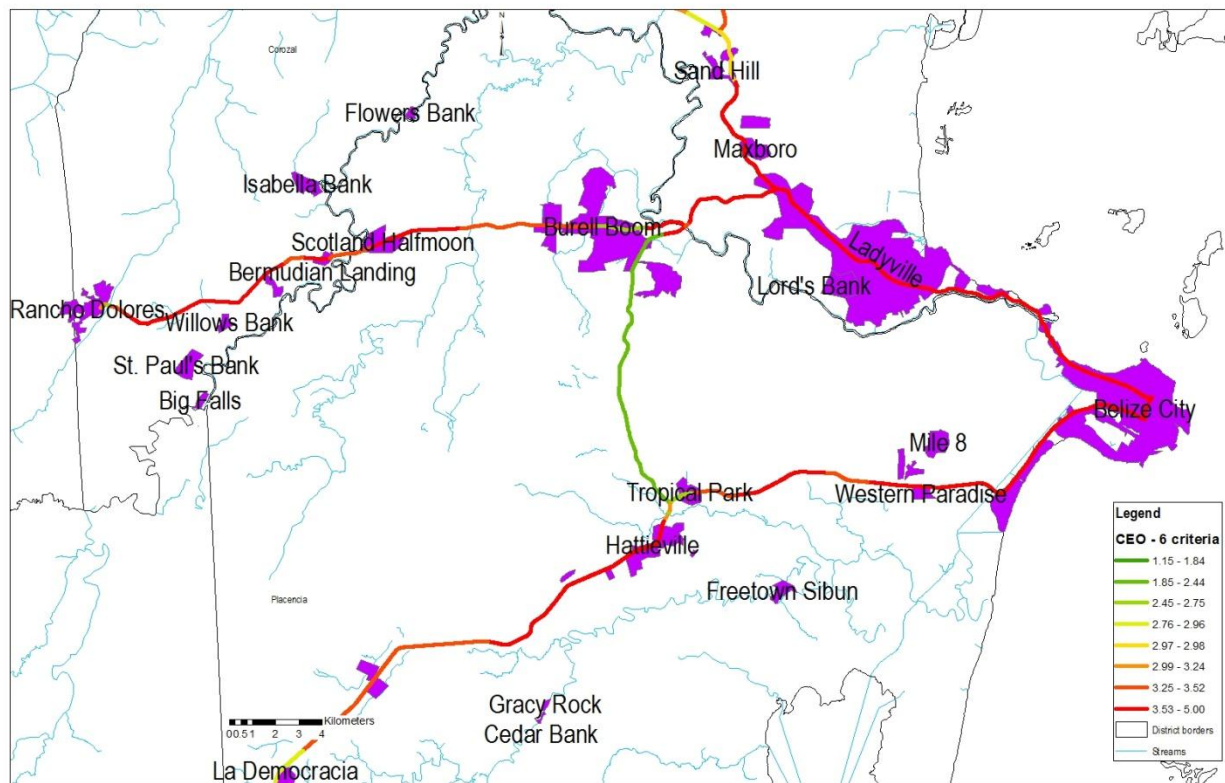
## Project Target Areas

As shown above, there are four target areas under the BCRIP. The following is a brief geographic description of each of the four priority areas.

### Area A - Greater Belize City:

The primary and secondary roads ranked high by both the criticality analysis and the flood susceptible assessment in this area include the George Price Highway from Belize City to Mile 25, The Philip Goldson Highway from Belize City to just beyond the junction with the Old Northern Road in San Hill Village, and the Bermudian landing Road from the Junction with the Burrell Boom Road to Rancho Dolores.

Figure 3: Area A - Greater Belize City



Source: MCE Report, 2013

There is a road safety project on the George Price Highway from Belize City to Belmopan but it does not currently include any flood mitigation works. There will be a road works investment by the Caribbean Development Bank on the Philip Goldson Highway from Belama in Belize City to

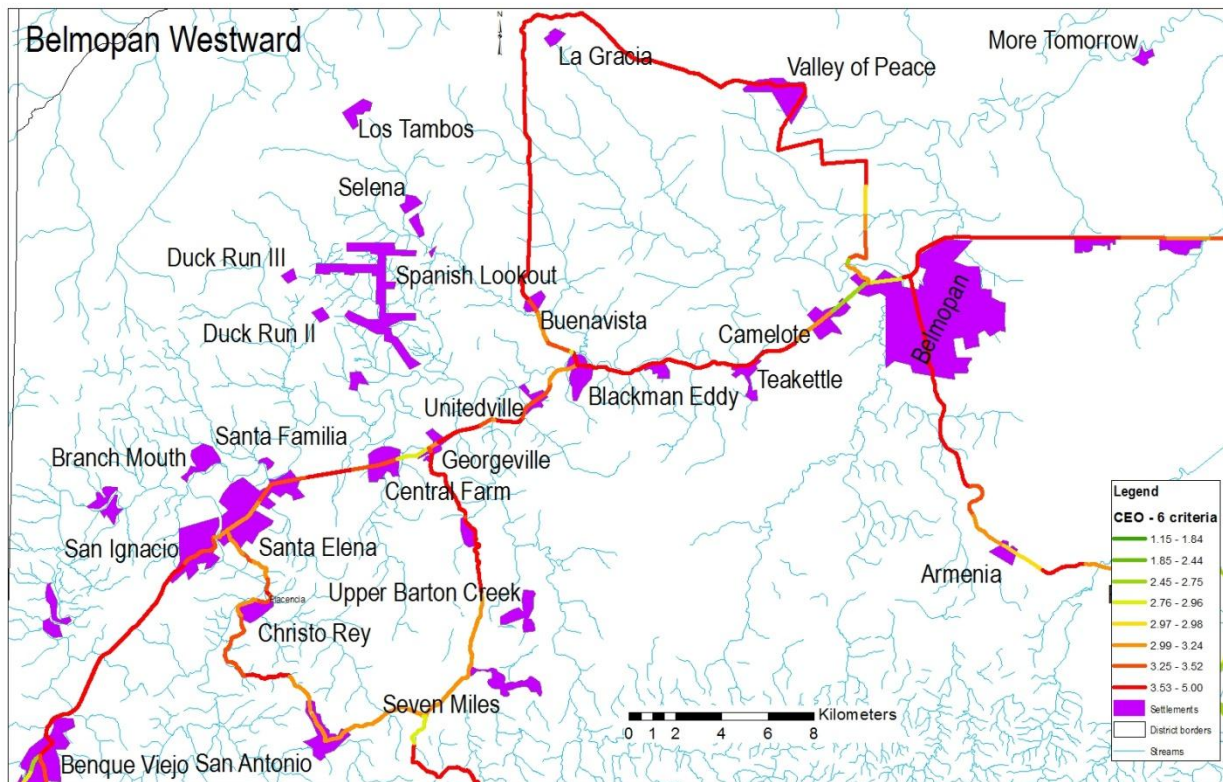
the Philip Goldson International Airport. It is anticipated that the works will include flood mitigation and climate resilience measures.

**Area B - West of Belmopan:**

The roads with high criticality and flood susceptibility include the George Price Highway from Mount Pleasant Creek west towards San Ignacio and the Guatemalan border; the La Gracia Road, the Valley of Peace Road, The San Antonio Road, and the Pine Ridge Road starting at the Georgeville junction.

An investment is being planned for the section of the George Price Highway from the Agricultural Show Grounds to the Western Border under a different funding source. This works is expected to include flood mitigation and climate resilience measures. No investments are currently identified for the other roads in this area.

**Figure 4: Area B – West of Belmopan**

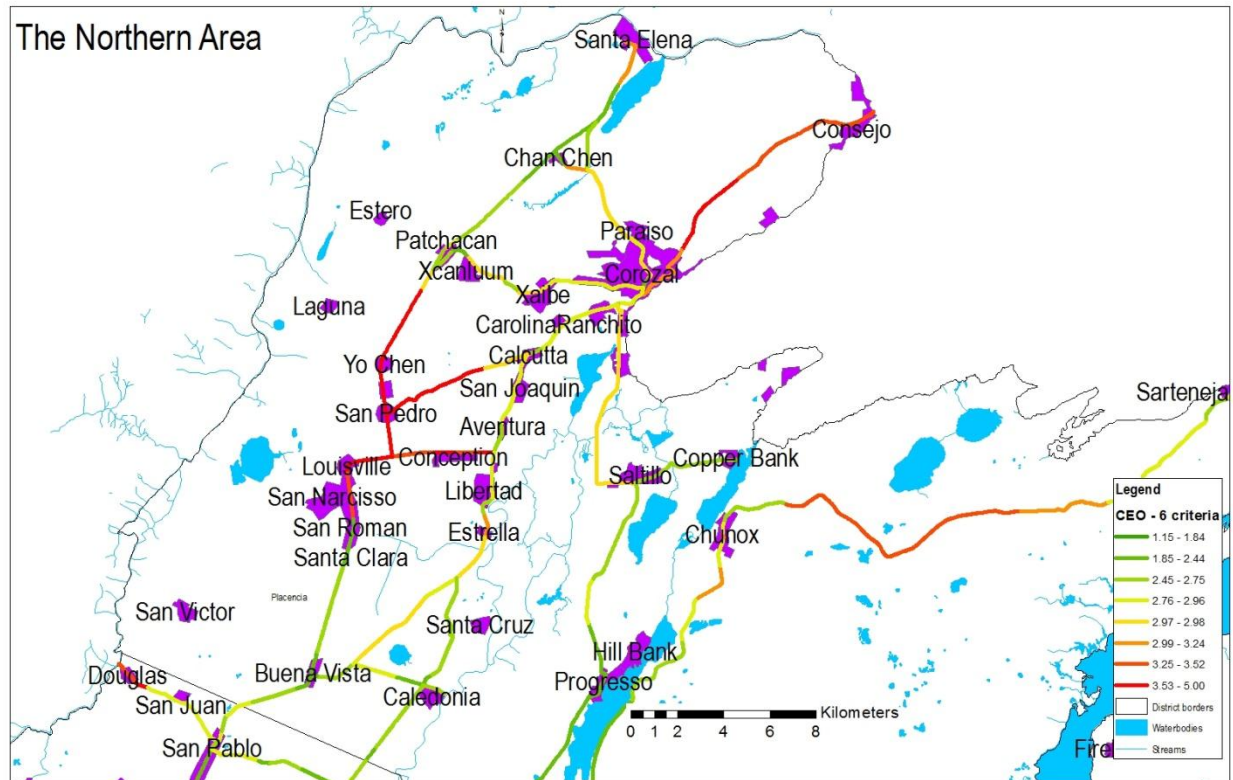


**Source: MCE Report, 2013**

### Area C - Northern area around Coroazl:

In this area, the roads with the highest criticality and flood susceptibility include roads near San Narciso Village, the road to Consejo Village and the road to Sarteneja. There investments on the road to Sarteneja from Orange Walk Town but not on the road to Coroazl. The San Narciso – San Victor road is currently being upgraded to pave standard with EU Grant Funds.

Figure 5: Area C - Northern Area Around Coroazl

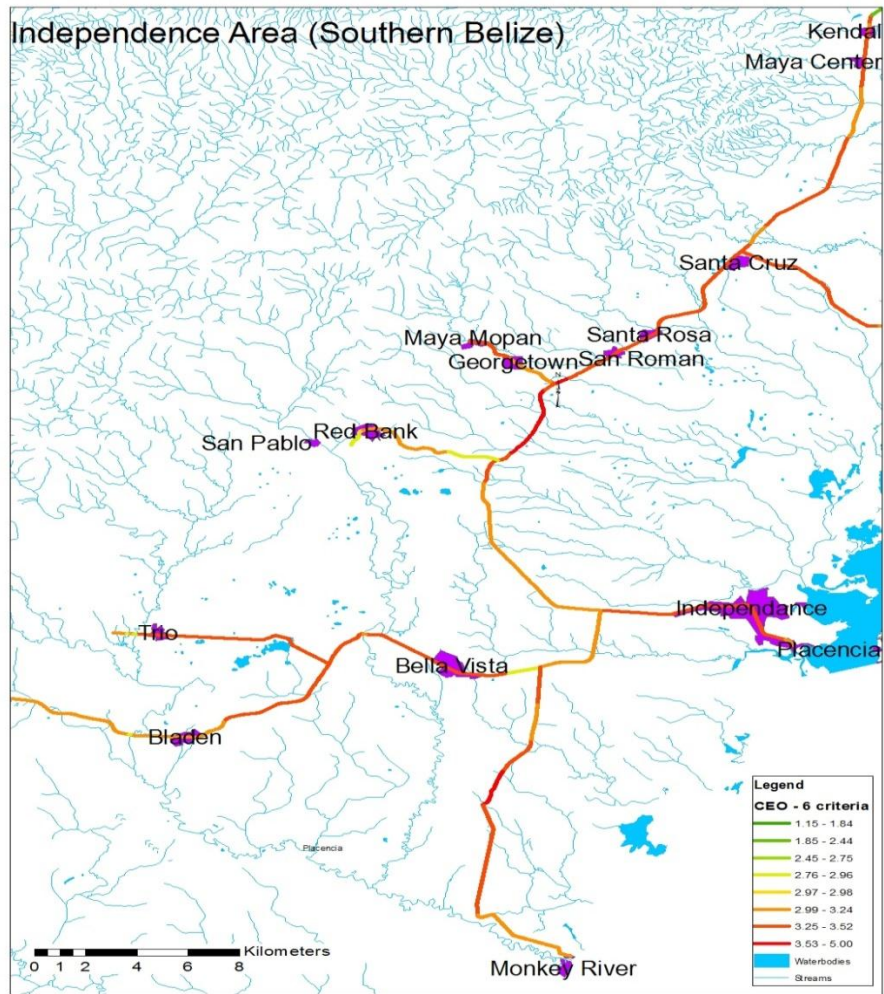


Source: MCE Report, 2013

### Area D - Southern Area Around Independence:

The roads in this area have medium criticality and medium to high flood susceptibility. These include the Southern Highway from Maya Centre to Bladen, the Trio Road, the Independence Road, and the road to Monkey River. There are currently no on-going projects in the area, and most of the roads are paved with the exception of the segment connecting the highway to Monkey River and the Trio Road.

Figure 6: Area D - Independence Area



Source: MCE Report, 2013

## ANNEX 2 – SAMPLE FORMATS FOR ARP

### I. OUTLINE OF A SOCIOECONOMIC PROFILE

#### ○ *Location and Physical Characteristics*

- Map (showing roads, land use, rivers, bridges, major settlement areas)
- Description of location

#### ○ *Economic*

- Ownership of assets
- Land (e.g., amount, type, distribution, security of tenure)
- Non-land (e.g., livestock, equipment, buildings)
- Type of livelihood (subsistence, commercial or both)
- Household income/expenditures
- Skills
- Employment and allocation of labor
- Use and access to credit
- Use and access to marketing services
- Use and access to commercial inputs

#### ○ *Social Infrastructure*

- Access to health services
- Education (primary, secondary, informal)
- Water and sanitation
- Housing
- Roads and communications
- Energy

#### ○ *Demographic*

- Age/Sex/Family size
- Birth/Death rates
- Health and nutrition (children and adults)
- Migration (in and out)
- Number of single parent households

#### ○ *Gender*

- Key gender differentials

- Ownership of assets
- Sources of income
- Formal/informal use of natural resources
- Domestic functions
- Vulnerability to resettlement
- Female-headed households
- Registration/Availability of property titles

- ***Social Organisation***

- Family structures
- Social structures in the community
- Information about how collective decisions are made
- Local institutional structure
- NGOs in the community
- Level of social respect and initiative

## **II. LIST OF DATA FOR A CENSUS SURVEY**

This census survey is for project affected persons and households. A census for affected person involves: individuals, related population, individual and collective assets, including house, land, crops, other buildings, infrastructure, and animals. *This survey list can be modified as appropriate.*

### ***1. Background information***

- Name of village
- Name of District
- Head of Village Council
- Interviewer, name and identification number
- Date of survey (may be more than one if return visits required)
- Supervisor (or questionnaire verifier), name and identification number

### ***2. Family Census***

- Unique code for household
- Name of each person living in household (including help and workers). Name should be standardized (e.g., last name, first name).
- Relationship of each person to head of household
- Birth and year of each person

- Gender of each person
- Marital status of each person
- Religion of each person
- Ethnicity of each person
- Education level of each person
- Occupation (primary and secondary) of each person
- Income (by primary and secondary occupation and other) of each person
- Members of HH with disability

### ***3. Land Tenure***

- Type of land ownership (titled; lease; own-share; rent; sharecrop; squat; informal use right)
- If owned by HH, name of HH member
- If not owned by HH, name of owner
- If not owned by HH, location of owner
- If informal use right, define agreement
- Number of years used

### ***4. Land Use***

- Total plot/land size
- Area used for family dwelling (%)
- Area used for business (%)
- Area used for agricultural production (%)
- Area used for grazing (%)
- Area used for fish ponds (%)
- Area used for forest (%)
- Area used for wasteland (or not use (%))
- Total plot/land size affected by project

### ***5. Structures***

- Type of structure
- Owner/user of structure
- Use of structure
- Size of structure
- Number of rooms
- Use of rooms
- Wall construction material
- Flooring material
- Roofing material



- Number of doors and windows

#### ***6. Other structures***

- Number and type of fencing used
- Length of each type of fencing used

#### ***7. Private Infrastructure***

- Water system by type (including potable water wells, roof collection, livestock wells, ponds, and irrigation)
- Number of each type of water system
- Size of each type of water system
- Which water system is affected by project
- Number of latrines
- Number of users of each latrine

#### ***8. Livestock and other animals***

- Number and type of livestock and animals owned
- Owner of animals in HH
- Breeds of animals
- General health and conditions of types of animals

#### ***9. Agricultural Production***

- Type of crops
- Owner of crops in HH
- Total yearly production of each crop type
- Use of each crop (home or sale)
- Average yield of each crop
- Seasonality of yearly production cycle
- Markets where produce is sold
- Total HH income from sale of agriculture products

#### ***10. Trees***

- Number and types of trees
- Owner of trees in HH
- Age of trees
- Ave. yield of fruit bearing trees
- Use of fruit (home or sale)
- Total HH income from sale of fruit

### ***11. Farm Inventory***

- Type of agriculture equipment
- Number of each type of agricultural equipment
- Owner of agriculture equipment in HH
- Number of people hired as farm labor (seasonal)
- Location of suppliers for agriculture inputs (seeds, fertilizer, etc.)

### ***12. Business Inventory***

- Type of business
- Owner of business in HH
- Type of business equipment
- Number of each type of business equipment
- Number of paid man days non-family labor
- Markets where goods are sold
- Seasonality of business
- Total HH income from business
- Location of suppliers for business inputs

### ***13. Household Equipment***

- Type of lighting (fire, kerosene, flashlight, electric)
- Type of transport and owner of each (bike, motorcycle, truck, animal cart)
- Type of furnishings and owner of each (bed, chairs, tables, china cupboard)
- Type of entertainment and owner of each (radio, stereo, TV)

## **III. Format for Summary Resettlement Management Plan**

<b>Identified Social Impacts/ Issues</b>	<b>Review of actions and methods adopted</b>	<b>Mitigation &amp; Other Proposed Measures</b>	<b>Monitoring Strategy &amp; Contingency Measures</b>	<b>Agencies to be involved</b>
Loss of land and loss of built up property				
Loss of productive assets				
Loss of livelihood				
Loss of public utility lines				
Loss of access to civic services and common property resources				

Loss of cultural properties				
Displacement of vulnerable groups				
Community participation				
Etc...				

## **ANNEX 3 - LIST OF PERSONS/STAKEHOLDERS CONSULTED**

### **Interview with MOWT – 30<sup>th</sup> January, 2013**

1. Mr. Lennox Bradley, Chief Engineer, MOWT
2. Mr. Derrick Calles, Engineer, MOWT

### **Consultation Meeting With DAVCO and Rural Development - 18<sup>th</sup> February, 2014**

1. Mr. Antoine Devonshire, Project Coordinator, BSIF, 822 0508
2. Mr. Irving Thimbriel, Ministry of Works, 620 3189, irvingthimbriel@yahoo.co.uk
3. Miss Yolanda Molina, President, DAVCO, Cayo District, 605 5135
4. Mr. Herman Castillo, Sr. Valuation Officer, Ministry of Natural Resources and Agriculture, 626 1989, cas.values@yahoo.com
5. Mr. Justo Augustine, Chairman, DAVCO, Stann Creek District, 660 1687
6. Mr. Marion Lewis, Rural Development Officer, 621 4273
7. Mr. Santiago Pop, Rural Development Officer, Stann Creek District, 620 2481
8. Miss Cordelia Forman, Rural Development Officer, 622 1990
9. Mr. Evan Dakers, Social Specialist, BMDP/SIF, 622 4365
10. Miss Jacqueline Franklin, Rural Development Officer, 623 8218
11. Miss Ruth Staine Dawson, President, NAVCO, Belize District, 610 1719

### **Focus Group Meeting with Indigenous Community Leaders – 25<sup>th</sup> February, 2014**

1. Mr. Primitivo Teul, Chairman, Maya Mopan Village Council, Stann Creek, 661-2043
2. Mr. Maximiliano Makin, Chairman, San Pablo Village Council, Stann Creek, 651-0815
3. Mr. Antonio Shal, Chairman, Santa Rosa Village Council, Stann Creek, 634-5281

### **Validation Meeting with DAVCO and Rural Development – 26<sup>th</sup> March, 2014**

1. Mr. Antoine Devonshire, Project Coordinator, BSIF, 822 0508
2. Mr. Irving Thimbriel, Ministry of Works, 620 3189, irvingthimbriel@yahoo.co.uk
3. Miss Yolanda Molina, President, DAVCO, Cayo District, 605 5135
4. Mr. Herman Castillo, Sr. Valuation Officer, Ministry of Natural Resources and Agriculture, 626 1989, cas.values@yahoo.com
5. Mr. Justo Augustine, Chairman, DAVCO, Stann Creek District, 660 1687

6. Mr. Marion Lewis, Rural Development Officer, 621 4273
7. Mr. Santiago Pop, Rural Development Officer, Stann Creek District, 620 2481
8. Miss Cordelia Forman, Rural Development Officer, 622 1990
9. Mr. Evan Dakers, Social Specialist, BMDP/SIF, 622 4365
10. Miss Jacqueline Franklin, Rural Development Officer, 623 8218
11. Miss Ruth Staine Dawson, President, NAVCO, Belize District, 610 1719
12. Mr. William Lamb Jr., Executive Director, BSIF.

**Validation Meeting with Indigenous Community Leaders – 29<sup>th</sup> March, 2014**

1. Mr. Maximiliano Makin, Chairman, San Pablo Village Council, Stann Creek, 651-0815
2. Mr. Antonio Shal, Chairman, Santa Rosa Village Council, Stann Creek, 634-5281

## **ANNEX 4 – MINUTES OF STAKEHOLDER MEETINGS**

### **1.) Minutes of Meeting with DAVCO and Community Representatives**

Facilitator: Mr. Valentino Shal

Participants: See Annex 3

The meeting commenced with welcome remarks by Mr. Shal followed by introduction of all participants which was then followed by an overview of the project by Mr. Antoine Devonshire, Project Coordinator, BCRIP Coordinator

#### **Overview**

Mr. Devonshire, the SIF representative gave an overview of the project, pointing out that the NCRIP study carried out which is the basis of the BCRIP was very comprehensive: the report contained merged information collected by both an internal and an outside teams. This was then followed by questions and comments:

- What other projects have been identified so far? BCRIP will only be addressing road infrastructure.
- Will the project address current or new roads? The project will only address current roads to improve their resilience to climate change impacts.
- Climate change has affected the Placencia Peninsula, biggest problem is lack of Hurricane Shelters. Is this an area being looked at? No – road infrastructure only.
- In the past we use to clean river ways before the rains fall e.g.: in Sittee River, Kendall, etc. This no longer happens. It needs to be done to help.
- Why is Toledo not in the frames? Project is only addressing Primary and Secondary roads based on NCRIP study of infrastructure criticality. Nonetheless, Monkey River, Trio, Bladen, all from Toledo are within the target area.
- Infrastructure and rivers – on the old Northern Highway (Maskall), there is a wide area that leads out to the sea. Because Crooked Tree is a basin, it comes out through and then channels. Because of the build-up that blocks the access, we have flooding problems now. Mr. Thimbriel of MOWT informed the group that these issues were considered in the analysis.

- Natural Resources should play a big role in managing challenges posed by climate change, i.e. not granting license to build along the rivers.
- What is the “pot of money” available for this infrastructure project? The group was informed that there is a road works portion of approximately US\$20m. Estimated cost of building a mile of paved road is \$1.6 – \$2.5 m while a small bridge (steel and concrete) ranges anywhere between \$20 - \$70k.

### **World Bank Social Safeguards Policies**

Bank funded project must not have a negative impact on people’s lives and if so, it should be mitigated in various ways – the people should either remain the same or better off conditions after the project. If there are negative effects then they must be mitigated. There are only few laws to protect social side (livelihood) of any development project in Belize. Thus the reason for the importance of the World Bank Policies:

Operational Policy 4.10 Indigenous People

Operational Policy 4.12 Involuntary Resettlement

Historically, indigenous people have been one of the most affected worldwide when there is development. However, this framework is being called the Culturally Appropriate Participation Framework (not Indigenous Framework) to include all communities.

On the Policies:

Biggest concerns were squatters. It was noted that the World Bank Policies had indicated that only people who have been in the location prior to project started (Jan/Feb 2013), will be compensated/relocated based on the policy.

### **Consultation Process**

What is the best way of informing people in the affected area? What is the best approach to engage them?

- Public Meetings
- Identify the area first, the people, the type of properties to be affected.
- Set up a framework process for when the time comes to consult, it can easily be followed.

Mr. Dakers suggested RCDOs invite the key credible persons who are informal leaders in their areas. They know the best times to have meetings to have maximum participation.

Things to consider:

- Time
- Who should participate
- Know what the law states regarding villages and road infrastructure
- Preliminary road designs
- RCDOs do not have copies of the Land Acquisition and Public Roads Act.

SIF should formally inform the Chief Executive Officer, Ministry of Rural Development of the need for the RCDOs continuous participation in this project. They will be able to play a key role in the consultation process that needs to take place.

### **Gender Equity**

A question was posed as to how to ensure that there is gender equity in the participation for the consultation. It was noted that at Belize District's meetings women are normally the major participants. On the other hand, Cayo District has weak women participation.

In respect to who and how to extend an invitation to attend the meetings, the general view was that it must not only be village council members but rather the wider community must be invited to attend a first meeting. This can be done through the media especially radio, with individual invitations to village council members and key influential members of the communities.

A second meeting should then be held specifically for those that will be directly affected.

Mr. Dakers brought to attention the fact that Municipal Elections is fast approaching and consideration must be given to whether area representatives should be invited or informed out of courtesy. Mr. Shal recommended that they be approached through a different forum and be informed by BSIF/MED.

### **Potential Social Impacts**

#### Negative

- One of the fears in Lords Bank is the result of the SIF drainage project of 2008/9. Due to the lack of communication between SIF and the community, the villagers now fear that flood waters might run back into the village. They are unaware if it is/is not a possibility. This should be avoided in BCRIP.
- SIF Experience: Town Councils/Villages look forward to job opportunities for its community members when projects move in. However, contractors are not necessarily from within the same district and bring their own technical people instead of using the locals - this causes disagreements. Mr. Thimbriel said that getting a contract is based on the Technical Skills a company has to carry out the job.



- Conditions to employ locals cannot be made to contractors. Persuasion is the best method to get contractors to contribute to the positive impact in the areas affected, e.g.: cost reduction – no need for travel expenses, etc.
- Communities in the past have commented that they feel disrespected because they are not informed of projects in order for them to prepare for it. To minimize negative effects, it was noted that communication is key for a community to understand. A visual presentation on how the project will be carried through different stages would be good as well as taking them on field visits to view completed road segments.
- MoW looks after safety related impacts of construction such as sign posting, safety, when carrying out construction by putting it into the contracts.

### Positive

- Employment opportunities for service providers i.e. Food vendors or providing accommodation to workers in rural areas.

In respect to obstructions on road reserves, MoW is responsible for dealing that with the issue. The standard process is to inform the person/s in writing on action, copying the Commissioner of Police and the Attorney General.

### **Land Acquisition and Resettlement (Land Acquisition (Public Purposes) Act Chapter 184)**

Concerns were raised on immigrants/squatters putting up shacks along the highways and on road reserves. Even after resettlement, they may return. Community leaders see this as a continuous problem and do not feel that squatters should be compensated to move.

When you give relocation compensation, who identifies the piece of land? The project will be responsible for take care of relocation but squatters can identify on their own where they may wish to go as long as it is not to squat again.

When it comes to relocation, land being used for relocation should be assessed properly, to ensure that development of the said property does not cause a negative effect on the community. For example, properties that require backfilling can create bigger issues for the wider community.

World Bank and local laws do not seem to be harmonized when it comes to compensation. This needs to be brought to their attention.

Both MoW and Natural Resources are parties to the negotiations for compensation. However, MoW is responsible for road obstructions while the acquisition of property fall under Lands.

The latter is signed off by the CEO. Advice and request for removal from location is kept within MoW.

The Central Building Authority (CBA) should be monitoring construction on properties throughout the country but they don't have the capacity to do so, hence the reason for encountering obstructions on the road reserves, i.e., overhangs, fences etc.

It was suggested that RDOs assist in the verification of established constructions that are present before the project's commencement.

### **Grievance Redress Mechanism**

Ministry of Natural Resources usually addresses concerns on land issues while MoW deals with infrastructure issues. MoW will be the first stop under the project.

Compensation money will come from GOB funds, not World Bank. This was a concern due to past experiences as local authorities don't always have ready financial resources to address this. A board in MNRA decides value for land but not for other assets such as stands/shacks along the road. There is a resettlement assistance to allow for the transition.

It was suggested that a survey be done early to identify those to be relocated in order to give them plenty of notice. This was duly noted and will be a part of the feasibility study process for subprojects.

Mr. Dakers suggested that members of civil society are brought in to help where possible. To address some resettlement issues creative measures can be developed. As an example, the Dangriga Town Council reduced taxes for vegetable vendors who have lost income due to the incomplete market project.

A complaint system must be in place and clearly available to affected members of the community, explaining the procedure to submit a complaint if any, as well as what happens, how the complaints will be dealt with, what to expect (including time frame for the issue to be resolved and what to do next if not resolved satisfactorily). (Perhaps this can be done in a booklet form and copies made available at meetings once affected properties are identified.) This can include the process that should be followed by MoW for the acquisition of any private property for the project. Personnel on the ground should also be aware of the procedures. These should be available before community consultations are carried out.

Lastly, a monitoring procedure needs to be in place in order to ensure that resettlements are being done according to plan and issues arising can be adequately addressed.

## **Summary of Issues/Concerns**

<b>Main Issues/Concerns Raised</b>	<b>Response</b>
1. Will the project address current or new roads?	The project will only address current roads to improve their resilience to climate change impacts.
2. Why is Toledo not in the frames?	Project is only addressing Primary and Secondary roads based on NCRIP study of infrastructure criticality. Nonetheless, Monkey River, Trio, Bladen, all from Toledo, are within the target area.
3. Denial of employment opportunities for locals during road works.	Getting a contract is based on the Technical Capacity a company has to carry out the job. Conditions to employ locals cannot be made to contractors. Persuasion is the best method to get contractors to contribute to the positive impact in the areas affected, e.g.: cost reduction – no need for travel expenses, etc.
4. Communities in the past have commented that they feel disrespected because they are not informed of projects in order for them to prepare for it.	Project anticipates a consultation approach and that affected persons will be engaged through free, prior and informed consultations. Affected persons will be engaged in developing resettlement plans.
5. Immigrants/squatters are putting up shacks (vendor stalls) along the highways and on road reserves. Even after resettlement, they may return. Community leaders see this as a continuous problem and do not feel that squatters should be compensated to move.	The project is responsible for planning and implementing resettlement activities required by the project. This includes providing assistance to squatters as appropriate but no compensation for land as there is no direct legal right to it.

## **Next Steps – Disclosure**

Participants were informed that a Disclosure Meeting will be held on 19<sup>th</sup> March 2014.

## **2.) Minutes of Focus Group meeting with Indigenous community leaders in Area D.**

Facilitator: Valentino Shal

Attendance: See Annex 3

The Meeting was facilitated by Valentino Shal.

## **Project Overview:**

An overview of the project was presented along with copies of project related documents outlining the goals and objectives of the BCRIP project. The participants were informed that the

project is in the design phase and consulting with local community leaders was considered key in that process.

### **WB Social Safeguard Policies**

A description of the WB social safeguard policies was provided to the community leaders. The rationale for having such policies especially those relating to OP 4.10 Indigenous People was clarified. It was further explained that all potentially affected communities will be provided the same level of safeguarding as rural communities. The participants welcome the new approach of the BCRIP in first informing community leaders of a potential project during the design phase. Generally, they said, they would learn of projects when they are already starting.

### **Questions, Concerns and Interests in BCRIP Activities**

Community representatives asked where exactly the road works would take place. They were told that specific subprojects have not yet been identified and that even though there are four target areas, how much work is actually done will depend on the level of critical in the target zones and available funds under the project. Community leaders referred to the experience with the Kendal Bridge that was washed away by flooding and expressed their concurrence with having such a project attempt to pre-empt a repeat of the loss of a major bridge in the country's infrastructure.

Area D was specifically looked at and the community leader from Maya Mopan stated that they criticality map reflects their experience as they often experience flooding on the road leading to their village during the rainy season. The flooding he said interrupted traffic flow for extended periods and workers and students are often not able to get across to get to their job sites and schools. There are even sections of both villages that go under water during rainy season. Addressing this road he would meet the needs of both his village and neighboring Georgetown. The community leader from San Pablo similarly shared that the road going up to his community is used both by community members and by 5 large banana farms where members of his community often obtain employment. The road has similarly been affected by rains in the past where culverts have collapsed and there are 3 nearby lagoons that often overrun their banks.

### **Indigenous Communities in Area D**

There was a discussion on livelihoods and traditions and practices of indigenous peoples in the area. Only Maya Mopan, Bladen and San Pablo continue to practice their traditional forms of leadership through the Alcalde in parallel to the Village Council. Bladen and San Pablo are both in the Toledo District, are members of the Toledo Alcalde Association but are administratively managed from the Stann Creek District due to their location. The other Maya communities in the Stann Creek District, are originally from the Toledo District. A discussion was held around changes that have since occurred in their socio-cultural practices. The leaders present said that

they do realize that many changes have occurred in their forms of livelihoods and cultural expression. They are not as land dependent as their counterparts in the Toledo District thought they continue to practice farming on a more limited scale. They tend to take up more employment opportunities available in the agro-industries and tourism sector in the vicinity. Landholdings are mostly individually surveyed parcels especially those within the village itself. The traditional practice of reciprocity is also on the decline as off-farm labour market begins to take hold. While the use of Maya languages remains, some aspects of local/traditional dress are changing.

### **Potential Social Impacts & Grievance Redress**

Community leaders were not very concerned with the potential social impacts since the projects will be focused on the main highways which in their area is in good condition. They said that their experience with the construction of the Southern Highway already gives them an idea of what to expect. They did point out that they welcome the consultation as during the last project, one village lost a portion of their football field without any type of remedy or consultation. They felt that there was not much they could really do about it at the time. They also want to be kept informed in order to take advantage of some of the potential economic benefits such as temporary employment for their community members. If there is any resettlement, involuntary land acquisition or loss of assets, they do expect to be consulted and compensated accordingly. They shared that they expect projects such as BCRIP to have some level of inconvenience but if it is for the benefit of their communities and their concerns at that time are addressed they are willing to cooperate with the project.

In terms of road reserve encroachment they do not have this experience and so don't expect it to be an issue in their Area. If there are encroachments they said, they should be dealt with according to the law. They did welcome the idea of having a grievance redress mechanisms and suggested that the Chairman or Alcalde be an uptake point for concerns from community members. This is to ensure that outside workers are able to comply with the traditions and norms of their communities and do not create any disruption.

### **Summary of Issues/Concerns Raised**

<b>Main Issues/Concerns Raised</b>	<b>Response</b>
Criticality map reflects communities' reality as they often experience flooding on the road leading to some of their villages during the rainy season	Specific subprojects have not yet been developed and each target area will be further examined to determine what specific actions need to be taken. This will likely be done after project has received WB approval.
Be kept informed in order to take advantage of some of the potential economic benefits such as temporary employment for their community members. If there is any resettlement, involuntary	The role of the PMU is to ensure that affected communities are informed of the project. In terms of resettlement and involuntary land acquisition this will be done through a consultative approach

land acquisition or loss of assets, they do expect to be consulted and compensated accordingly.	and will be systematically carried out through the development of Resettlement Plans. Affected persons will be made aware and engaged throughout the process.
---	---

## **Conclusion**

Community leaders appreciated the new approach of consulting them even before the project starts and also appreciated the goals of the project. They were able to specifically point out from their own experience how BCRIP would be able to benefit them. They were supportive of the project and asked to be kept abreast of the start of the project.

### **3.) BCRIP Validation Meeting with DAVCO and RCDOs**

**NAVCO Headquarters, Belmopan - 26<sup>th</sup> March, 2014**

**Attendance: See Annex 3**

#### **Introduction:**

The relevant WB social safeguard policies, namely OP 4.10 (Indigenous Peoples) and OP 4.12 (Involuntary Resettlement) were presented as an introduction to the session. The rationale and objectives were presented to remind participants as to the purpose of the validation session.

#### **Safeguard Policies:**

The measures for each safeguard instrument were presented separately with comments sought in between presentations.

The measures covered under the OP 4.10 - Culturally Appropriate Participation Framework – included:

- a) Types of subprojects expected under the project;
- b) Development of Culturally Appropriate Participation Plans (Social Assessments, Participation Plans)
- c) Consultation Protocol
- d) Institutional Arrangements
- e) Monitoring and Reporting

The measures covered under OP 4.12 – Involuntary Resettlement Policy Framework included:

- a) Principles and Objectives of the Policy
- b) Impacts covered under the Policy
- c) Legal Framework
- d) Eligibility for Assistance under Policy
- e) Potential Displacement and Impacts
- f) Preparing Abbreviated Resettlement Plans
- g) Organizational Procedures
- h) Funding Arrangements
- i) Grievance Redressal Mechanism

### **Comments and Feedback:**

One of the participants suggested that different persons should be considered for monitoring the safeguard measures and community members had a role in the process. This was acknowledged and told that this was actually contemplated in the instrument.

The President of NAVCO stated that proper consultation should take place and welcomed this from the project. At the same time she said that consultation is going to be challenging as there are persons with vested interest or personal agendas who may create difficulties for the process. Things can be deliberately misconstrued she said by those with personal agendas. This is the risk you run she said when you open up a project process to community consultation.

Others responded that the project is presenting a graduated process of avoidance of potential negative impacts to compensation where this is not possible. The process they said was not intended to please everyone but to engage people as much as possible to avoid or minimize negative impacts.

A question was asked about potential impacts on indigenous people's lands. Examples of impacts on Maya lands are always an extreme case and can easily become a legal matter and so the person wanted to know how much of this is expected to occur. This was clarified that indigenous land rights claim were confined to the Toledo District and only two of those communities may be potentially affected. Even so the lands that **may** be affected however were not community lands and so the effect would be very minimal to none in that regard.

The representative of the MOWT wanted to know if indeed the social protection measures were actually being extended to all communities. This was confirmed in the affirmative and it was further explained that this was a precedent set by the BMDP another World Bank funded project. The interest here was that such measures be afforded to all affected persons.

One participant said that indeed Village Councils should be consulted and should participate as appropriate in the project.

A question on how compensation was going to be done was asked. The response was that firstly compensation for land acquisition would be carried out by the MNRA according to standard processes. A further question by the Stann Creek DAVCO representative was how land was to be valued and the MNRA representative said that it was according to market value at the time of acquisition. There was a follow up question regarding tree crops that may be destroyed. The MNRA representative said that these are generally valued based on production output and the value of such output. He added that the MNRA sends notices to land owners on the intent of the MNRA with regards to land acquisition. It was further emphasized that the social assessment and surveys was key in determining who is being affected by the project and the extent of such effect. This is all to be captured in the Abbreviated Resettlement Plan.

The MOWT representative asked whether those in Category C (persons with no legal title) i.e. persons encroaching on road reserves would be compensated. The response given was that they would not be compensated for the land but that they would be given assistance to relocate and compensated for loss of income/livelihoods that may occur as a consequence of the project. The purpose and intent of the Policy is that no person should be worse off than before the project started. They must be at the same level or better. If persons experience hardship or are impoverished as a consequence of the project then this defeats the development objective of the project and the mission of the Bank.

The MOWT representative re-emphasized that the BCRIP was focused on ensuring that the road infrastructure was resilient to climate change and that those roads that will be addressed under the project have been studied and the most vulnerable will be given priority.

There was a short discussion on the cut-off date for those who may be compensated if impacted by the project. It was explained that the cut-off date in the document was the date of the survey when it is carried out. There was concern that Bank representatives have communicated that no person can be moved as of the date discussions for the project got underway with the government. Does this mean that persons who move in after that date cannot be compensated or that people can still move in and will have to be compensated? If the date is as the Bank says is the cut-off date, then anyone moving in after that would not be eligible for compensation. This will need to be clarified by the PMU with the Bank.

One community representative said that while she appreciates the humanitarian approach of the Bank and its policy, she feels that in all of that, those who are encroaching illegally will obtain benefits at the expense of citizens who comply with the law because everyone will have to repay the loan and cost of the project. It was stressed that the policy was meant to ensure that no one was left worse off by the project.

In regards to the GRM the BSIF Executive Director stated that he wished for affected persons to make use the Project GRM and as such the GRM project should be promoted even in the way it



is presented. While it is acknowledged that the national grievance redress mechanisms were in place, they should be options of last resort. It was agreed that changes would be made to the GRM schema to emphasize which is the project GRM in relation to general national GRM.

### **Summary of Issues/Concerns Raised**

<b>Main Issues/Concerns Raised</b>	<b>Response</b>
Safeguard measures should be monitored and there should be a role for communities.	Monitoring of safeguard measures are included in the Framework and there is a role for communities in the both the development, implementation and monitoring of safeguard measures.
Consultation welcomed but consultation may turn out to be challenging due to personal agendas.	Consultation is to provide affected persons an opportunity to be heard and process to be informed by social concerns. It will not be able to meet everyone's expectation. The purpose and intent of the Policy is that no person should be worse off than before the project started. They must be at the same level or better. If persons experience hardship or are impoverished as a consequence of the project then this defeats the development objective of the project and the mission of the Bank.
Potential impacts on indigenous people's lands and how much of this is being expected?	Indigenous land rights claim are confined to the Toledo District and only two of those communities may be potentially affected. Even so the lands that may be affected however were not regarded as community lands but actual highway and so the effect would be very minimal to none in that regard. The Culturally Appropriate Participation Framework (CAPF) addresses engagement of indigenous peoples should the need to do so under the project arise.
How compensation was going to be done?	This will be led mainly by the MNRA under the existing laws and regulations. This however, will be supplemented by the Policies of the bank where non-land related compensation is required or expected.  Social assessment and surveys are key in determining who is being affected by the project and the extent of such effect. This is all to be captured in the Abbreviated Resettlement Plan.
When is the cut-off date?	The cut-off date in the document was the date of the survey when it is carried out. Nobody should be moved until cut-off date has been established.
Use of Project GRM should be emphasized.	GRM will be promoted by the project and that use of national systems will encouraged only as a means of last resort.

## **Conclusion:**

In concluding the session, participants were informed that the final copy of the instruments would be disclosed to them by sending copies to them directly. Copies would also be uploaded to the Banks InfoShop and BSIF's website. Other organizations such as NAVCO, Rural Development, MNRA, and MOWT were welcome to also upload the documents to their website.

The discussions and feedback on the safeguard measures were on target and community representatives were supportive of the policy measures being put in place. Considering the feedback and comments received it can be reasonably concluded that the community representatives are supportive of the project.

## **4.) BCRIP Validation Meeting with indigenous Chairpersons**

Independence Village

March 29, 2014

Attendance:

- Maximiliano Makin, Chairman, San Pablo Village
- Antonio Shal, Chairman, Santa Rosa Village
- Antoine Devonshire, Project Coordinator, PMU

**A review and clarification of the project and rationale for WB policy was provided as an introduction to meeting.**

The project is focused on main road and secondary work and we are to inform the people so that they clearly understand and know what we are doing. We are looking at how we can improve the highway so as to reduce problems and ensure it is operational in any sort of weather conditions and effects of climate change.

## **Policies Applied**

There are two main policies being addressed:

OP 4.10 – Indigenous People (Culturally Appropriate Participation Framework).

Two key areas include:

1 – Consultation with affected communities/persons: This is that we must inform those that may be affected of the project and of procedures being put in place. We must listen and work with the people to avoid or minimize effects to them and their wellbeing.

2 - Potential Social Impacts: If the projects have effects such as the involuntary taking land then the project must compensate for it.

Overall the project is to ensure that affected persons are not left worst off by the project but better off or on their same level at minimum.

The Independence area is important in that indigenous people live in the area and two are engaged in Maya land rights claim.

-Types of activities that come under this Policy.

1. Social assessment
2. Participation plan

-Consultation

Free, prior, and informed

- Free in that no one forces you to attend meetings or consultations or coerces you to take a decision in a certain way. You should have your freedom of choice.
- Prior in that you are informed before the project commences.
- Informed in that we must inform you of the project and you can express your opinions and concerns which are then documented.

**In terms of project activities:**

Project Management Unit - is the unit in charge of the project and Headed by Mr. Antoine Devonshire

Ministry of Works team will carry out the actual works under the project

**Feedback and Comments Provided:**

Chairman of Santa Rosa asked if project was already approved. Response given was that no, project was not yet approved.

Participants were asked if they okay with this process. What do you think about this process?

Chairman of San Pablo responded by saying that he does not see a problem with it.

Chairman of Santa Rosa similarly stated that it was not a problem since it is right to consult the people first because a few years ago when they were constructing the highway the construction

company took some land from the first lots near the highway and paid the people and survey new lands over and now they are having problems getting the map for the land. All he has is the old map and the people that have the land behind want to apply for title and cannot because they don't have the right map. When asked how long that has been he said he not exactly sure, but around early 2000.

Participants were informed that that is the type of things are being avoided by the project. When asked what the process was under that project the Chairman of Santa Rosa said that they came and consult with those people individually almost the same day they were going to construct the road and compensated them.

### **Involuntary Resettlement:**

The approach to compulsory acquisition was explained. If the project will take the land from the owners it will first try to avoid that, if it cannot be avoided then it is minimized. If that is not possible then there is compensation either in monetary terms or with land and those involved are consulted on where they would resettle.

The project coordinator asked if the land that is owned by the Mayans in your village owned by right of being indigenous or by the government giving them it.

The Chairman of Santa Rosa stated that they had Individual land that they obtained from the government based on national land system. San Pablo similarly has approximately 1000 acres of land surveyed for them by the government. Individuals have leases for them. It has one road, a banana farm road that is already there but is in bad condition.

The project coordinator further asked what is the land used for. Response was mostly for agricultural uses. House lots are surveyed for individual owners in Santa Rosa.

### **Feedback and Comments Provided:**

A question was asked to the participants on what they thought of the involuntary resettlement and procedures presented. Santa Rosa Chairman responded that he saw it as a good plan if approved even though he doesn't think any work will happen in his area. He said that if it does he would now know where exactly to go and project plans shouldn't be a problem him.

The two chairmen were reminded of the previous meeting the project was described. There are four areas being looked at but that does not mean that works will be done in all those area. Specific subprojects are not yet developed. All this is done is to inform those who may be affected so they are aware of what possibly may happen. The project essentially is to upgrade the main road that already exists so there are likely to be limited effects especially in this area.

The Chairman of San Pablo said that he though it is a good procedure.

The Chairman of Santa Rosa asked if other Chairmen who were not present would be called to another to another meeting. They were informed that this portion of the process ends on Monday but what will happen is that through DAVCO they will be given a copy of the document. They can then read it and ask question about it. Feedback can still be provided to the PMU even after the process is concluded.

**Summary of Issues/Concerns Raised**

<b>Main Issues/Concerns Raised</b>	<b>Response</b>
Consultation and participation in resettlement activities	This is a primary aim and activity of the safeguard measures and not an afterthought. An Abbreviated Resettlement Plan will be prepared for such instances so that resettlement activities are clear to all concerned.

**Conclusion:**

The meeting and discussions focused on the two main social safeguard instruments namely the Indigenous People’s Policy and the Involuntary Resettlement Policy Framework. Similar to the first meeting the community leaders did not express any major concerns and appreciated the objectives of the project. Unfortunately, not all the community leaders invited attended the meeting. The meeting was set on a weekend and at a time convenient to them based on local transportation schedules. A reminder two days prior was also given to them. Nonetheless, the district association of those same village councils attended a separate meeting where the same information was presented.