

**Governments of Grenada &
Saint Vincent and the Grenadines**

**OECS Regional Agricultural Competitiveness
Project**

World Bank

Regional Resettlement Policy Framework (RPF)

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Glossary of terms:

<i>Project impact</i>	Means any consequence immediately related to involuntary taking of a parcel of land or to restrictions in the use of legally designated parks or protected areas. People directly affected by land acquisition may lose their home, farmland, property, business, or other means of livelihood.
<i>Displaced people</i>	Refers to individuals or businesses that are directly affected by Bank-assisted investment project caused by the involuntary taking of land and other assets that results in: (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location.
<i>Cut-off-date</i>	The date of completion of inventory of losses during preparation of the RAP. Displaced Persons and local communities will be informed of the cut-off date for each project component, and that anyone moving into the Project Area after that date will not be entitled to compensation and assistance under the Project.
<i>Eligibility</i>	Means any person who at the cut-off-date was located within the area affected by the project, its sub-components, or other subproject parts thereof, and would have their: (i) standards of living adversely affected, (ii) rights, titles, or claim in any land (agricultural, grazing or forest), house or structure (be it residential, commercial permanent or temporary), or (iii) production assets such as business, occupation, place of work, residence, or habitat, or (iv) access to assets adversely affected (e.g. fishing rights). Eligibility is irrespective of: (a) formal legal rights to land, or (b) customary claim to land or asset, or (c) having no recognizable legal right or claim to the land they are occupying.
<i>Unit of entitlement</i>	Is the individual, family, household, or the community that is eligible to receive compensation or rehabilitation benefits.
<i>Replacement cost</i>	Is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. 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.
<i>Resettlement</i>	Refers to all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Resettlement is not restricted to its usual meaning-physical relocation. Resettlement can, depending on the case, include (a) acquisition of land and physical structures on the land, including businesses; (b) physical relocation; and (c) economic rehabilitation of displaced persons (DPs), to improve (or at least restore) incomes and living standards.

Vulnerable groups

Refers to distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) women headed household (widow, disabled husband) with dependents, (ii) disable or the elderly alone, (iii) poor people (living below the state poverty threshold), (iv) the landless, and (v) ethnic minority groups.

1. Introduction and Objective of RPF

The World Bank is providing a Credit/Loan in the amount of US\$7M to the Governments of Saint Vincent and the Grenadines (GOSVG) and Grenada (GOG) towards the OECS Regional Agricultural Competitiveness Project (P158958).

In the process of the preparing the OECS Regional Agricultural Competitiveness Project, the World Bank screening concluded that under Operational Policy 4.12 (OP 4.12) [Involuntary Resettlement], planned investments might involve either land acquisition, physical resettlement or economic displacement and subsequently impact beneficiary assets or access to assets.

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

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

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

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

Description of Project

The Development Objective of the OECS Regional Agricultural Competitiveness Project is to enhance access to markets and sales for competitively selected farmers and fishermen, as well as their allied aggregators and agro-processors, in Grenada and St. Vincent and the Grenadines.

The main beneficiaries of the proposed project include:

- (i) Small-scale individual or organized farmers and fishermen (FFs).
- (ii) Aggregators and agro-processors (AAs), including: (a) producer organizations (associations, cooperatives or similar formal organizations with legal standing); and (b) SMEs, such as wholesalers, traders, lead farmers (with legal standing to act as aggregator), and industrial agro-processors.

- (iii) The respective ministries of agriculture and their extension officers, which will be strengthened by the Project.

Detailed criteria for eligibility of FFs and AAs for receiving matching grants under the project will be defined in the Project Operational Manual (POM). The FFs and AAs will be eligible only if they are formally participating together in a strategic productive alliance approved by the project to pursue the stated objectives.

The Project objectives will be achieved through the following four components:

2.1 Project components

Component 1: Support for Preparation of Business Plans (Grenada: IBRD US\$0.42 million; SVG: IDA US\$0.33 million)

The objective of this component is to: (i) promote an understanding of the Project's scope and objectives through outreach to potential stakeholders and beneficiaries (such as individual and organized FFs, AAs, buyers, and financing actors); (ii) identify potential business opportunities for prioritized value chains and their translation into viable and profitable business proposals; and (iii) prepare full business plans for selected proposals.

Under this component, the proposed project would finance consultant and non-consultant services, goods, training, and operating costs to implement pre-investment activities such as: (i) the elaboration and implementation of a communication and dissemination strategy to raise awareness of the project and its activities; (ii) the organization of networking events, such as business roundtables and local workshops for supporting the establishment of strategic alliances between potential AAs and FFs, groups of FFs, buyers, and financial actors; (iii) support and technical assistance (TA) to AAs and allied FFs for the identification of business opportunities and their translation into viable business proposals and for the transformation of selected proposals into bankable business plans; and (vi) pre-investment studies.

Component 2: Implementation of Business Plans (Grenada: Total cost: US\$ 3.09 million; IBRD US\$2.47 million. SVG: Total cost: US\$ 2.31 million; IDA US\$1.84 million)

The objective of this component is to provide matching grants (not to be repaid by beneficiaries) to co-finance the implementation of technically feasible, financially viable, economically profitable, socially responsible, and environmentally sustainable business plans, which, when implemented, will contribute to a consistent and timely supply of sufficient quantities of quality produce to buyers while providing a reliable income to allied FFs. These business plans will be formulated with support from the TA provided under Component 1 by potential AAs with their allied FFs, buyers, and financial actors. Business plans will qualify for project support on a competitive basis. Activities on the AA level as well as the FF level will be supported, and will include investments and operational expenditures, training and TA, and managerial skills development.

A matching grant contract ("Subproject Agreement") will be signed between the project and an AA, together with a group of allied FFs. Subprojects consist of the portion of the business plan that will: (i) be financed with matching grants covered from the proceeds of the proposed credit/loan; (ii) be implemented by an AA together with a group of allied FFs; (iii) be governed by subproject agreements signed between the AAs and a group of allied FFs, the Project Coordinating Unit (PCU) of the Ministry of Finance/Planning and the Project Implementing Unit (PIU) of the respective Ministry of Agriculture; and (iv) include

investments, operational expenses, training, and capacity building, as well as TA activities.

The amounts provided by the project to partially finance implementation of the subprojects (the matching grants) will be covered from the Bank-funded loan/credit to each country. The grants represent a contribution to the development of the value chain to jump-start the adoption of new technology, leading to higher levels of productivity and competitiveness. Beneficiaries will not have to repay matching grants; however, they will have to contribute their own counterpart financing to cover a substantial proportion of the investment, depending on the type of beneficiary and the amount of the investment (See Tables 1 and 2 in Annex 1).

To be eligible, business plans must be technically feasible and financially viable, and include a rigorous financial analysis. Business plans should also include a technical description of the subproject, evaluation of market feasibility, an environmental assessment, and a list of allied FFs, buyers, and specific investments and TA needed. Each business plan will need co-financing from the AA (at least 20 percent of the AA investments for producer organizations and at least 50 percent for other private sector AAs). At least 10 percent of the AA costs of the subproject will have to be paid upfront in cash. The rest of the financing gap of the business plan will have to be filled by their own funds or through resources provided by other financial actors (banks, credit unions, development banks, and so on). Proof of the availability of resources secured in advance from the financial sector will be a condition to start implementation of a subproject. These AA contributions will be divided into tranches and deposited as a precondition for the loan/credit disbursements. Business plans should be developed in close interaction with prospective buyers.

To give producer organizations an opportunity to participate as AAs, they will not compete directly with other private sector AAs in the selection process. Producer organizations with potential will be encouraged to participate as AAs. Weaker producer groups will participate as FFs in alliance with an AA, and they will receive TA in organizational and institutional strengthening to help them become an AA in the future.

Specific items and activities that the project will co-finance for the participating AAs would include: (i) investments in equipment (transport, office, ICT tools/mobile applications, cold storage, product processing, and so on) and infrastructure (such as storage/warehouse and cold chain facilities); and (ii) TA and training (for example, in logistics, storage, marketing, agronomy, accounting, financial literacy, food processing, machinery, packaging, labelling, traceability, quality control, and food safety and hygiene). For the allied FFs, they will include: (i) investments for farmers, such as equipment for land preparation and harvesting, irrigation infrastructure (including rainwater harvesting structures and pressured irrigation, greenhouses, tunnels, hydroponics, aquaponics, and so on), as well as investments for fishermen to improve capture capacity (boats and fishing implements), logistics, temporary cold storage, and others; and (ii) TA, training, and extension services related to good production practices, modern and improved technologies, climate-smart agriculture, post-harvest handling, and financial literacy, among others.

2. The mechanisms to finance subprojects will be different for AAs and FFs:

(i) **F**
or AAs: The procurement of investment items will be undertaken by the AAs for small works, goods, and consulting and non-consulting services under a threshold (set to US\$50,000). The procedures, contract forms, and thresholds to be followed by the AAs will be included in the POM, which will include the rules for the procurement undertaken under the project. Above the specified threshold, all procurement for the AAs will be undertaken by the PCU. In addition, the PCU will have a fiduciary control function of the procurement undertaken by the AAs as further described in the POM. At the same time, the PCU will provide TA and support to improve the procurement capacity of the AAs. Under this proposed mechanism, each beneficiary AA will receive funds in a specific bank account opened by the AA for its exclusive use while implementing the subproject. The counterpart funds from the AA are expected to be deposited in the same specific account as a precondition for disbursing loan/credit funds, which will be sequenced in line with physical progress in accordance with the Subproject Agreement and the related schedule in the

Subproject Procurement Plan.

(ii)

F

or FFs: The project will build on the previous successful experience under the Grenada Small Farmer Vulnerability Reduction Project and use a voucher mechanism to provide financial assistance to FFs. The investments to be supported by the subgrants will be partially financed by vouchers issued by the PCU in the name of the benefitting FFs (in accordance with the terms of the respective business plans and the corresponding Subproject Agreement). The FFs will use these vouchers to complement their own funds in purchasing a specific item, confirmed and approved by the PCU, from a local supplier identified beforehand from a list of approved suppliers to be prepared by the PCU.

Component 3: General Agricultural Services and Enabling Environment (Grenada: IBRD US\$0.45 million; SVG: IDA US\$0.33 million)

The objective of this component is to strengthen general agricultural services directly linked to the subprojects described in Component 2 and needed to enhance the probability of success. It will also support the strengthening of the overall enabling environment needed for the sustained development of the business enterprises with potential competitive advantages, locally and internationally. Specific activities that the project will finance may include: (i) activities to improve and increase the availability of key inputs required for the adoption of more productive technology (such as seeds, seedlings, and planting materials for the products supported in Component 2); (ii) organization of trade fairs and study tours, or facilitation of participation in those events; (iii) strengthening local service providers' capacity and effectiveness, including training and certification to acquire knowledge and skills to support the preparation of business profiles and business plans, and improvements in information and communication technologies and transport facilities; (v) technical studies to generate new knowledge in key aspects of competitiveness, including market studies, analysis of new potential value chains, enabling environment, competition reforms, agro-food logistics, and food safety requirements and quality standards (including legal framework) and related technical skills; and (vi) improvements in public infrastructure considered essential for the promotion of adequate internal distribution of produce, reduction of post-harvest losses, establishment of modern food safety mechanisms, as well as cold storage at key exit points for perishable agricultural exports. The Caribbean Growth Forum will be a good platform to undertake public-private dialogue for some of these activities.

Component 4: Project Management, Monitoring, and Evaluation (Grenada: IBRD US\$0.66 million; SVG: IDA US\$0.50 million)

The objective of this component is to ensure effective project implementation, monitoring of activities, and evaluation of the project. The project will finance the operational costs of the PIU and parts of the PCU, including: (i) project coordination and management; (ii) monitoring, evaluation, and impact assessment; (iii) fiduciary administration; (iv) safeguards management; and (v) a citizens' engagement mechanism.

2.2 Project implementation arrangements

Overall fiduciary and safeguard responsibility of the Project would rest within each country's existing Project Coordinating Unit (PCU). In Grenada, the PCU is located in the Ministry of Finance, Planning, Economic Development, Trade, Energy and Cooperatives (MOF). In St. Vincent and the Grenadines, the PCU is located in the Ministry of Economic Planning, Sustainable Development, Industry, Information and Labor (MOP). Both PCUs have been executing WB financed operations for a number of years and fiduciary and safeguards assessments of the PCUs will be completed prior to appraisal. One

or both of the PCUs may need to be strengthened with additional staff or consultants to efficiently implement the fiduciary and safeguard aspects of the proposed project.

Overall technical implementation responsibility would rest within each country's line ministry through a Project Implementing Unit (PIU). Technical implementation will be responsibility of the responsible line ministries through a small PIU. In Grenada the responsible line ministry will be the Ministry of Agriculture, Lands, Forestry, Fisheries and Environment. In St. Vincent and the Grenadines it will be the Ministry of Agriculture, Forestry, Fisheries and Rural Transformation. The PIU will consist of a Project Manager, a Monitoring and Evaluation Specialist and an Agribusiness Specialist.

Financial management of the project will be the responsibility of the PCUs already established within the MOF (in the case of Grenada) and the MOP (in St. Vincent and the Grenadines). While both PCUs have experience with implementing the financial aspects of WB Projects, and are currently implementing several WB projects, a financial management assessment will be carried out for each PCU prior to appraisal to assess PCU capacity, and to ensure that the systems to be used to manage the project satisfy the Bank's minimum requirements and are adequate to provide accurate and timely information on the financial status of the project. At the PCN stage the Financial Management Risk is rated as Moderate for both Grenada and St. Vincent and the Grenadines

Procurement will be undertaken by the PCUs located in the MOF and MOP in the case of respectively Grenada and St. Vincent and the Grenadines respectively, and will follow standard WB's Procurement Guidelines. Procurement for the proposed project will be carried out in accordance with the WB "Guidelines: Procurement of Goods, Works, and Non-Consulting Services under IBRD Loans and IDA Credits by World Bank Borrowers " dated January 2011, revised July 2014, and "Guidelines: Selection and Employment of Consultants under IBRD Loans and IDA Credits by World Bank Borrowers" dated January 2011, revised July 2014, and the IDA Anticorruption Guidelines dated July 1, 2005, and as amended through October 15, 2006, in addition to the provisions stipulated in the Financial Agreement.

For each contract to be financed under the Project, the different procurement methods or consultant selection methods, the need for pre-qualification, estimated costs, prior review requirements, and time frame as agreed between the Borrower and the WB in the procurement plans, will be used. Procurement plans will be updated at least annually or bi-annually as required to reflect actual project implementation needs and improvements in institutional capacity.

An assessment of the agency's capacity to implement procurement will be carried out for each PCU prior to Appraisal. The residual procurement risk in all countries and institutions is rated as Moderate.

3. Components for which involuntary land acquisition may be required

The specific types of activities and items the program of US\$7M would co-finance include productivity-enhancing investments for aggregators/agro-processors and for allied producers under Component 2, including:

- For aggregators: (i) investments in equipment (transport, office, ICT tools/mobile applications etc.) and infrastructure (storage, cold chain facilities etc.); (ii) technical assistance and training, e.g. on logistics, storage, marketing, agronomy, accounting, financial literacy, food processing, machinery, packaging, labelling, traceability, quality control, food safety & hygiene etc.

- For allied producers: (i) investments in equipment for land preparation and harvesting, irrigation infrastructure including rain water harvesting structures and pressured irrigation, greenhouses, tunnels, hydroponics, aquaponics etc.; (ii) technical assistance, training and extension services on, inter alia, good agricultural practices, modern and improved technologies, climate smart agriculture, post-harvest handling, financial literacy etc.

The nature and extent of impacts will only become apparent once business plans are selected and the exact location and nature of investments are known. However, field visits to farms, aggregators, and agricultural produce exporters, as well as discussions with the Ministries of Agriculture in Grenada and Saint Vincent and the Grenadines during the first project preparation mission (June, 2016) identified the following potential social risks and impacts related to proposed project activities:

- Land acquisition, resettlement, and economic displacement. In the event that any of these issues arise, they are likely to be discrete and can be readily mitigated using standard measures (e.g. Resettlement Action Plan (RAP)).
- Additional social issues that may become relevant will be addressed by social assessments and management plans developed accordingly

4. Principles and objectives governing resettlement preparation and implementation

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

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

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

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

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

5. Procedures for screening for land acquisition, preparing and approving

Resettlement Plans

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

1. PCU Social Development Specialist screens the business plans and sub-projects for potential social risks and impacts (including but not limited to land acquisition) and determines social safeguards documents required according to relevant national legislation on resettlement and land acquisition (see Tables 3, 4, and 5) and World Bank Safeguards Policies. The World Bank will review the screening of sub-project sites for safeguards issues.
2. If land acquisition is required then sub-project resettlement plans consistent with this RPF are developed and submitted to the Bank for approval after specific planning information becomes available (see [OP4.12, para.29](#)).

For each component that may involve resettlement, the Bank requires a satisfactory resettlement plan or an abbreviated resettlement plan (ARP) that is consistent with the provision of the policy framework be submitted to the Bank for approval before the component is accepted for Bank financing. When the number of persons affected by the component exceeds 200, a resettlement plan shall be prepared. Where impacts on the entire affected population are minor, or fewer than 200 people are affected, an abbreviated

resettlement plan may be agreed with the borrower. Impacts are considered “minor” if the affected people are not physically displaced and less than 10% of their productive assets are lost.

The ARP includes the following elements:

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

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

6. Estimated population displacement and likely categories of displaced persons

Table 1: Likely categories of displaced persons

Grenada	Saint Vincent and the Grenadines
Private landowners	Private landowners
TBD	TBD
TBD	TBD
TBD	TBD

7. Eligibility criteria for defining various categories of displaced persons

Any individual, household or community affected by the Project activities may very well be eligible for compensation and other resettlement assistance depending on land tenure status and nature of impact. Land tenure/settlements in the Islands within the project area are usually considered to be comprised of the following three categories similar to that of the World Bank: Formal, Semi-formal and Informal. The compensation recommended for each category is presented in Table 2.

Table 2: Eligibility criteria of displaced persons and compensation recommended

Category	Definition	Compensation recommended
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Formal	Persons with formal rights to land (including customary and statutory rights of occupancy recognized under the Laws of each respective country)	Compensation for land and assets lost, and other assistance in accordance with the policy.
Semi-formal	Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of each respective country or become recognized through a process identified in the resettlement and compensation plan	Compensation for land and assets lost, and other assistance in accordance with the policy
Informal	Those who have no claim to land they are occupying or using	Resettlement assistance in lieu of compensation for the land they occupy or use and compensation for assets lost

Table 3. Comparison of Local compensation laws and World Bank OP4.12

Category of PAPS/Type of Lost Assets	Compensation entitlement in Grenada and St. Vincent and the Grenadines	World Bank OP 4.12
Formal Settlements / Land owners	Cash compensation, based upon market value. No land –for land- compensation in legislation, but occurs in practice on a case by case basis.	Recommends land –for –land compensation. Other compensation is at replacement cost.
Semi- Formal Land Tenants Land users	Entitled to compensation based upon the amount of rights they hold upon land under relevant laws. Land users are provided with secure tenure under the land tenure law if the persons are using the land for personal income, and ownership is evident and permanent. Where a person uses land for twelve (12) consecutive years without a dispute entitles him the right equivalent to ownership. In other cases land users not entitled to compensation for land, entitled to compensation for crops and any other economic assets.	Are entitled to some form of compensation whatever the legal recognition of their occupancy. Entitled to compensation for crops, may be entitled to replacement land and income must be restored to pre-project levels.
Informal settlements Owners of Squatters “Non permanent” Buildings	Cash compensation based on market value or entitled to new housing on authorized land under government (State or local) housing programs.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocating expenses, prior to displacement.

Owners of “permanent” buildings	Cash compensation is set by the tribunal, based on the total market value of the building. In some cases, other conventional compensations are allowed.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.
Perennial crops	Cash compensation based upon market rates calculated as an average net agricultural income.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocating expenses, prior to displacement.

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

8.1 Relevant Legislation

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

Table 4: Grenada’s Relevant Resettlement Legislation

Relevant legislations	Functional Relationship to Resettlement
The Land Acquisition Act of 1945 and the Land Acquisition (Amendment) Act 16 of 1991	Provides for the acquisition of land for public benefit. The government has the powers under this Act to acquire land for projects, which are intended to benefit the general public. The sub-projects requiring resettlement are under the provision of this Act.
The Land Settlement Act (CAP 161) of 1933	Provides for the absolute proprietorship over land (exclusive rights). Such land can be acquired by the State under the Land
Compensation (land, rates of labour, buildings and structures, Sacred Sites, Horticultural, Floricultural and Fruit trees, crops)	Acquisition. A person interested Act in any land which, without any portion thereof being compulsorily acquired, has been injuriously affected by the erection or construction on land compulsorily acquired of any works in respect of which the land was acquired, shall be entitled to compensation in respect of such injurious affection.
The Physical Planning and Development Control Act, No 25, of 2002	The Act requires that all lands intended for any development (resettlement or other) must first obtain planning and development approval.

Table 5: Laws of St. Vincent and the Grenadines governing resettlement

Legal Framework	Functional Relationship to Resettlement
The Land Acquisition Act and Chapter 322 Laws of St. Vincent and the Grenadines	Provides for the acquisition of land for public benefit. The government has the powers under this Act to acquire land for projects, which are intended to benefit the general public. The subprojects requiring resettlement are under the provision of this Act.
The Land Settlement and Development Act Chapter 242 Laws of St. Vincent and the Grenadines	Provides for the absolute proprietorship over land (exclusive rights). Such land can be acquired by the State under the Land Acquisition Act in the project area.
The Land Adjudication Act Chapter Laws of St. Vincent and the Grenadines	Provides for the ascertainment of interests prior to land registrations under the Land Settlement and Development Act.
Compensation (land , rates of labour, buildings and structures, Sacred Sites, Horticultural, Floricultural and Fruit trees, crops,	A person interested in any land which, without any portion thereof being compulsorily acquired, has been injuriously affected by the erection or construction on land compulsorily acquired of any works in respect of which the land was acquired, shall be entitled to compensation in respect of such injurious affection.
The Traffic Act Chapter Laws of St. Vincent and the Grenadines	The Act prohibits encroachment on and damage to roads including land reserved for roads by any project or any human settlement or by an exercise of resettlement. The project is under the provision of the Act.
The Public Health Act Chapter 232 Laws of St. Vincent and the Grenadines	Provides for the securing of public health and recognizes the importance of water. It provides for prevention of water pollution by any development activity including resettlement by stakeholders.
The Town Planning Act 1992,	The Act requires that all land intended for any development requires planning and development permission
The Town and Country Planning Regulations 2000	Regulations made pursuant to the Town and Country Planning Act, 1992
Motor Vehicle and Road Traffic, Cap 355	The Act also prohibits encroachment on and damage to roads including land reserved for roads by any project or any human settlement or by an exercise of resettlement. The project is under the provision of the ACT.

9. Fit between the World Bank and Borrowers Laws

9.1 Grenada

In the case of Grenada compliance with OP 4.12 has been met. Grenada constitution order 1973 states that all compensation for compulsory land or other asset acquisition originates and derives from Grenada's constitutional order. Compensation is established as a fundamental right of every citizen whose property is compulsorily acquired by the state for public purposes. The constitution states that every person, regardless of race, place of origin, political opinion, colour, creed or sex is entitled to:

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

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

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

Authorized officer to treat with landowner

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

World Bank Procedures for Resettlement/Rehabilitation (OP 4.12)

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

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

9.2 Saint Vincent and the Grenadines

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

Table 6: Comparison of OP 4.12 and Laws of Saint Vincent and the Grenadines

Category of PAPs	Laws of St. Vincent and the Grenadines	OP 4.12
Formal Settlements/Land Owners	Cash compensation based upon market value. There is no land-for-land compensation in legislation but occurs in practice on a case by case basis.	Recommends land-for-land compensation. Other compensation is at replacement cost.

Semi-Formal Land Tenants	Entitled to compensation based upon the amount of rights they hold under the relevant laws.	Are entitled to some form of compensation whatever the legal recognition of their occupancy.
Land Users	Land users are provided with secure tenure under the land tenure law if the persons are using the land for personal income, and ownership is evident and permanent. Use of land for 12 consecutive years without a dispute entitles him the right equivalent to ownership. In other cases where the land users are not entitled to compensation for land, they are entitled to compensation for crops and any other economic assets.	Entitled to compensation for crops, may be entitled to replacement land and income must be restored to pre-project levels at least.
Informal Settlements	Cash compensation based on market value or entitled to new housing on authorized land under government (national or local) housing programmes.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocating expenses, prior to displacement.
Owners of “permanent” buildings	Cash compensation is set by the tribunal based on the total market value of the building. In some cases, other conventional compensations are allowed.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.
Perennial crops	Cash compensation based upon market rates calculated as an average net agricultural income.	

10. Methods of valuing affected assets

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

The authorized officer then conducts a formal valuation of the property based on current market value. In the case of loss of assets, the replacement cost is usually applied and where the property is leased from the state, the physical investment, plus the expected income streams up to the end of the life of the lease is valued. Provisions are also made for engagement of affected persons, transparency and appeals.

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

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

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

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

11. Institutional Roles and Responsibilities

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

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

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

11.1 Saint Vincent and the Grenadines

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

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

11.2 Grenada

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

12. Implementation process, linking resettlement implementation to investments

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

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

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

12.1 Timeframes

The following key timeframes shall apply unless otherwise agreed between the PIU and the PCU and the PAPs; provided however, that no agreement to waive the timeframes shall adversely affect the rights or interests of PAPs, under the Framework:

- The inventory shall be completed at most two months prior to the commencement of work;
- Implementation of investment activities shall commence after compensation, resettlement and rehabilitation activities have been concluded;

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

12.2 Linking resettlement implementation to implementation of investment activities

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

An implementation schedule should be designed by the project steering committee in conjunction with the PCU Social Specialist, and it must include:

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

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

13. Description of grievance redress mechanisms (GRMs)

13.1 Grenada

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

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

Table 7: Institutional Responsibility for Implementation

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

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

Procedures for Grievance Redress

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

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

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

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

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

Grievance Appeal Committee Role

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

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

13.2 Saint Vincent and the Grenadines

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

The Foundation of an Effective Grievance Procedure

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

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

Structure of Grievance Redress

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

Guidelines for processing grievance

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

Notification to the Public

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

Project Coordinator,
OECS Regional Agricultural Competitiveness Project
Ministry of Economic Planning, Sustainable Development,
Industry, Information and Labour
Administrative Building
Kingstown
Telephone: 784-457-1746 email:
cenplan@svgcpd.com

- 2) The affected persons should file his/her grievance in writing, to the PSC. The grievance note should be signed and dated by the aggrieved person.
- 3) The PSC should acknowledge within five (5) business days, the receipt of the documentation. The nature of the grievance would be directly addressed by the Social Specialist along with the other relevant concerned Ministry (e.g. Chief Surveyor – Land Acquisition issues). The relevant personnel would ascertain the period (not exceeding thirty (30) business days) necessary for the PSC to address the grievance and notification must be given to the aggrieved person.
- 4) If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time he/she can lodge his/her grievance to the Director of Public Prosecution.
- 5) No grievance is to be rejected without having been independently examined, issued a reason and a reply.
- 6) Complainants must be informed of the name, designation, office, and telephone number of the official who is processing the case. The time frame in which a final reply will be sent should also be indicated.
- 7) All grievances concerning non-fulfillment of contracts, levels of compensation, or seizure of assets without compensation shall be made in writing, and addressed to the PSC. Copies of the complaint shall be sent to the Director of Planning, Ministry of Economic Planning, Sustainable Development, Industry, Information and Labour, within 20 business days following communication to the PSC.
- 8) If an agreement cannot be reached the aggrieved party or parties shall raise their concerns to the PSC who shall refer them to the Director of Planning, within twenty (20) business days. Grievances that cannot be resolved with the Project Steering Committee shall be submitted to the Director of Public Prosecution and to the executing agencies. Should grievances remain unresolved at this level, they can be referred to the Court of Law.

The procedure for handling grievances

The procedure should be as follows:

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

Grievance diagram



Review and monitoring of Grievance Redress Mechanism

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

Best practice

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

14. Description of the arrangements for funding resettlement

The Government of Grenada (GOG) and the Government of Saint Vincent and the Grenadines (GSVG) are responsible for funding the acquisition of land for public use, however, under this Project, the acquisition of land for business development purposes is considered a private real estate transaction and therefore will not be eligible for funding from the loan. However, in the event that a successful business plan entails the acquisition of private land, despite the fact that the business would be responsible for financing the acquisition of land, the business would still be required to ensure that the land acquisition/ process occurs in accordance with the principles and requirements of OP 4.12, and consistent with this Resettlement Policy Framework.

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

15.1 Notification Procedure

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

The notice shall state:

- a) government's proposal to acquire the land;
- b) the public purpose for which the land is needed;
- c) that the proposal or plan may be inspected during working hours;
- d) that any person affected may, by written notice, object to the transaction giving reasons for doing so, to the Project Management Committee and copied to the relevant authority within 14 days of the first public announcement or appearance of the notice. Assurances must be made that affected persons have actually received this information and notification.

15.2 Public Consultation Mechanism

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

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

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

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

16. Arrangements for monitoring by the implementing agency

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

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

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

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

16.1 Internal Monitoring

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

16.2 External Monitoring and Evaluation

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

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

ANNEX 1: Checklists for Supervision of Resettlement Preparation and Implementation

Checklist 1 – Assessment of Resettlement Implementation and Outcomes

Thematic Checklist

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

- ✓ Have vulnerable groups or persons benefited from specific assistance and support as planned in the RAP?
- ✓ How have these specific measures performed to date?
- ✓ What is the general feedback from affected vulnerable groups or persons?

5. Consultations and participation

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

6. Borrower institutions and capacity

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

7. Monitoring and evaluation

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

8. Grievance redress system

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

Suggestions for Resettlement Supervision Field Visits

- ✓ Document potential and actual impacts using photography, video, and or audio.

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

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

Roles and responsibilities:

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

	What needs to be documented?
Concept Stage	<ul style="list-style-type: none"> • Knowledge of OP 4.12 impacts. (Yes/No/Maybe) • If we don't know that there will OP 4.12 impacts, indicate when we will know. • If yes, describe: where OP 4.12 impacts will occur and type and scale of impacts (number of people impacted (families, individuals, business), amount of land required (in hectares), significant risks, etc.). • Instrument that should be prepared (RAP/RPF) with a description of particular areas of focus – e.g. livelihood restoration, vulnerable groups, etc. • Capacity of the implementing agency to mitigate OP 4.12 impacts. (May be very general at this stage.) • Capacity building needs and how they could be met. (May be general at this stage.)

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

	<ul style="list-style-type: none"> • RAP implementation – data: Aide-Memoires should track all aspects of implementation including preparation of RAPs (where RPFs were prepared prior to Appraisal), implementation start dates, amounts of compensation paid (total number & amount), number of people benefiting from livelihood restoration activities, types of livelihood restoration activities, establishment of grievance redress mechanisms, grievances raised and resolved, etc. • Type and scale of impacts (number of people impacted (i.e. families, individuals, businesses), amounts of land required (in hectares), significant risks, etc.). Make sure to indicate any changes in type and scale of impacts when compared to previous Project stages). • RAP implementation – challenges: Aide-Memoires should track challenges and corrective measures. These may include late identification of need for resettlement, unavailability of funds for compensation payments, identification of additional PAPs, weaknesses in livelihood restoration measures, changes in staffing, weak implementation of grievance redress mechanisms, absence of consultations during implementation, community concerns, etc. • RAP implementation – innovations: Aide-Memoires should highlight any innovations that the Borrower has undertaken to enhance implementation of the RAP/RPF. • Rating of the implementation of OP 4.12. <p><i>Implementation Support Missions Guidelines¹</i></p> <ul style="list-style-type: none"> • Request progress report from the Borrower before mission to help structure mission activities and dialogue.² • Undertake field visits, validate Borrower reporting (e.g.: Are instruments disclosed? What do communities know about the project and RAP-related issues? Are PAPs aware of grievance redress mechanisms? Are PAPs satisfied with the grievance redress mechanisms? What are community reactions to project implementation and RAP implementation? Are payments in line with RAP?, etc.). • Provide one-on-one technical support to the Borrower by collaboratively identifying challenges and solutions. As necessary, bring in international best practice to the discussion through dialogue and cost-effective means, such as sharing of resource materials, and audio-conferences and video conferences with other technical experts. • Take photographs as necessary to document issues such as cleared ROWs, destruction of assets/crops, areas to be impacted by project, etc. • In the field and in separate meetings, as necessary, provide technical advice to the Client on corrective actions, as needed. • It may be useful to prepare field notes that detail the findings of the field visit. • Share findings of field visits with TTL and inform him/her of key messages to be shared with Client. • Share findings of mission with the Client through a separate meeting on safeguards or at mission wrap-up meeting.
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¹ See Checklist 1 on *Assessment of Resettlement Implementation and Outcomes*

² See Checklist 3 on *Examples of Information to be provided by the Borrower Prior to Resettlement Implementation Support Mission*.

	<ul style="list-style-type: none"> • Incorporate a safeguards annex (both environment and social) with specific mission findings into the Aide Memoire.
	<ul style="list-style-type: none"> <input type="checkbox"/> Fill out appropriate sections of Tracking Social Performance (TSP) database following mission and share with TTL.
Project Closing	<ul style="list-style-type: none"> <input type="checkbox"/> Summarize the findings of the Client’s assessment of implementation of the resettlement instrument (OP 4.12 para 24) into the Implementation Completion Report (ICR). <input type="checkbox"/> Include an assessment of the implementation of the resettlement instrument in the ICR. <input type="checkbox"/> Ensure quality of the Resettlement Completion Report.

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

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

Progress made on resettlement implementation planning

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

Status of resettlement implementation

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

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

Checklist 4:

Overview of Resettlement Instrument Disclosure Requirements during Project Preparation and Implementation

Disclosure during Project Preparation

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

Disclosure during Project Implementation

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

ANNEX 2: Form for the Registration of a Grievance

REGISTRATION OF GRIEVANCE

Please use capital:

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

Name of Project Site:

As per the Resettlement Policy Framework of the OECS Agricultural Competitiveness Project, Grievance Redressal, I register my grievance as detailed:

“Details of Grievance” (a) Outline reasons why and how you are affected by the project. (overleaf if necessary)

- (b) If land or other properties are being affected e.g. (agriculture), include copies of relevant documentations you have to support your claim. List documents: attach copies (a)**
(b) _____ **(c)**
(d) _____

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

Date: _____ (Signature of aggrieved person) _____

Name of recording Officer: _____ (Signature) _____

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