



Appendix B Resettlement Action Plan

December 2021

Document No.: RZ020300-002-RPT-0015| V2

Document details	The details entered below are automatically shown on the cover and the main page footer. PLEASE NOTE: This table must NOT be removed from this document.
Document title	Resettlement Action Plan
Document No.	RZ020300-002-RPT-0015 V2
Date	December 2021
Version	2.0
Author	DGDC Safeguards Department

Resettlement Action Plan

Dominica Geothermal Development Company Ltd.
18 Kennedy Avenue, Roseau
Commonwealth of Dominica

© Copyright 2022 by Dominica Geothermal Development Company Ltd. ("DGDC").
All rights reserved. No part of this work may be reproduced or transmitted in any form,
or by any means, without the prior written permission of DGDC Ltd.

CONTENTS

1.	INTRODUCTION	1
1.1	Background.....	1
1.2	Project Location	4
1.3	Project Components	5
1.4	Efforts to Minimize Resettlement	9
	1.4.1 Power Plant	9
	1.4.2 Reinjection Pipeline Route	9
	1.4.3 11kV Transmission Line.....	10
1.5	RAP Purpose, Scope and Approach.....	11
1.6	Structure of the RAP	14
2.	LEGAL AND INSTITUTIONAL FRAMEWORK	15
2.1	Introduction	15
2.2	National Requirements	15
2.3	Institutional Framework for Addressing Land Acquisition and Leases	18
2.4	International Requirements	19
	2.4.1 WB OP 4.12- Involuntary Resettlement	19
	2.4.2 IFC PS5	19
	2.4.3 IDB OP-710	20
2.5	Supporting Guidance Documents	22
3.	SOCIO-ECONOMIC BACKGROUND OF AFFECTED COMMUNITY AND PAP CENSUS.....	23
3.1	Regional and Local Socio-Economic Context	23
3.2	Regional Overview	23
3.3	Hurricane Maria 2017	23
3.4	Socio-Economic Area of Influence	24
	3.4.1 Trafalgar	24
	3.4.2 Wotten Waven	24
	3.4.3 Laudat.....	25
3.5	Economic Profile	25
	3.5.1 Agriculture.....	25
3.6	Educational Profile	26
3.7	Health Profile	26
3.8	Gender	27
3.9	Vulnerability	28
3.10	Detailed Socio-Economic Surveys	29
4.	IDENTIFICATION OF PROJECT IMPACTS.....	33
4.1	Land Acquisition, Physical Displacement and Resettlement Impacts	33
4.2	Economic Displacement and Livelihood Impacts	34
4.3	Gender Impacts	34
4.4	Ecosystem Services.....	34
5.	ELIGIBILITY AND ENTITLEMENT	34
5.1	Overview	34
5.2	Eligibility and Cut-Off Date	35
5.3	Entitlement Matrix for Compensation	35
5.4	Vulnerable Parties and Gender Considerations	39

6.	VALUATION AND COMPENSATION.....	40
6.1	Assessment of Land Value	40
6.2	Assessment of Crops/Trees/Livestock Compensation Values	43
6.3	Assessment of Assets, Residential and other Structures.....	45
6.4	Compensation Payment Procedure	45
7.	LIVELIHOOD RESTORATION AND ENHANCEMENT MEASURES	46
7.1	Objectives	46
7.2	Definitions	46
7.3	Background.....	46
7.4	Roles and Responsibilities	47
7.5	Implementation	47
7.6	Estimated Budget.....	47
7.7	Monitoring and Evaluation	48
8.	VULNERABILITY ASSISTANCE	49
8.1	Forms of Assistance	50
8.2	Compensation for Vulnerable PAPs.....	50
9.	STAKEHOLDER ENGAGEMENT.....	51
9.1	Introduction	51
9.2	Consultation with the Affected Community	51
	Consultation on the RAP.....	52
10.	RESETTLEMENT SITES.....	55
11.	ROLES AND RESPONSIBILITIES	56
11.1	Overview	56
11.2	Organizational Responsibilities	56
11.3	Compensation Payment Procedure	57
11.4	Resettlement Procedure	57
11.5	Livelihood Restoration and Enhancement Measures	58
12.	GRIEVANCE MANAGEMENT	59
12.1	Overview.....	59
	12.1.1 Objective.....	59
	12.1.2 Scope of Application	60
	12.1.3 Definitions	60
12.2	Roles and Responsibilities	61
12.3	Activities.....	61
	12.3.1 Principles	61
	12.3.2 Publication of the Mechanism	62
	12.3.3 Grievance Mechanism Procedure.....	63
	12.3.4 World Bank Grievance Redress Service.....	64
12.4	Confidentiality and Protection from Retaliation	70
12.5	Documentation and Monitoring	70
12.6	Key Performance Indicators.....	70
13.	MONITORING AND EVALUATION	72
13.1	Monitoring Objectives	72
13.2	Monitoring Indicators.....	72
13.3	Monitoring Process	72
13.4	Evaluation Objectives	73

13.5	Evaluation Process	74
14.	BUDGET AND SCHEDULE	75
15.	REFERENCES	76

APPENDIX A	ASSETS INVENTORY – PHYSICAL STRUCTURES
APPENDIX B	BASIS OF VALUATION
APPENDIX C	COMPLETION AUDIT TABLE OF CONTENTS
APPENDIX D	LAND ACQUISITION ACT- CHAPTER 53:02

List of Tables

Table 2-1: Policy GAP Analysis	17
Table 3-1: PAP Socioeconomic Census Data	31
Table 5-1: Entitlement Matrix	36
Table 6-1: Assessment of Property Values.....	41
Table 6-2: Crop/Tree/Livestock Values.....	Error! Bookmark not defined.
Table 6-3: Structural Valuations.....	45
Table 7-1: Vulnerability Matrix	49
Table 10-1: Roles and Responsibilities.....	56
Table 11-1: Terms and Definitions	60
Table 11-2: Roles and Responsibilities.....	61
Table 11-3: Classification of Grievances	66
Table 11-4: Key Performance Indicators	70
Table 12-1: RAP Implementation Schedule.....	73
Table 13-1: Estimated RAP Budget.....	75

List of Figures

Figure 1-1: Location of Roseau Valley and Site of proposed	5
Figure 1-2: Project Component Location	6
Figure 1-3: Proposed Preliminary Plant Layout	8
Figure 1-4: Proposed Pipeline Route.....	10
Figure 2-1: The General Process of Acquiring Land through Compulsory Acquisition in Dominica	16
Figure 3-1: Number of Women Legislators (Percentage)	28
Figure 4-1: Properties Neighboring Power Plant Site	Error! Bookmark not defined.
Figure 4-2: Properties Neighboring Preferred Reinjection Line	Error! Bookmark not defined.
Figure 6-1: Photograph of Affected Rabbit Hutch.....	44
Figure 9-1: Photograph of Resettlement Site 1.....	55
Figure 11-1: General Grievance Mechanism Procedure	63
Figure 11-2: DGDC's Grievance Flow Chart.....	65

Acronyms and Abbreviations

<u>Name</u>	<u>Description</u>
Aol	Area of Influence
RAP	Resettlement Action Plan
CIA	Central Intelligence Agency
CLO	Community Liaison Officer
DGDC	Dominica Geothermal Development Company Limited
DOMLEC	Dominica Electricity Services Limited
DOWASCO	Dominica Water and Sewerage Company Limited
DSWMC	Dominica Solid Waste Management Corporation
EC	Eastern Caribbean Dollar
EIA	Environmental Impact Assessment
EHS	Environmental Health and Safety
EPC	Engineer, Procure and Construct
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
GDP	Gross Domestic Product
GIS	Geographic Information Systems
GoCD	Government of the Commonwealth of Dominica
HSE	Health, Safety and Environment
IFC	International Finance Corporation
kW	Kilowatt
LRP	Livelihood Restoration Plan
MTPNP	Morne Trois Pitons National Park
MW	Mega Watt
NZ	New Zealand
PAP	Project Affected Person
PS	Performance Standard
ROW	Right of Way
SEP	Stakeholder Engagement Plan
SIA	Social Impact Assessment
ToR	Terms of Reference
USD	US Dollars
WB	World Bank
WBG	World Bank Group
WHO	World Health Organisation

1. INTRODUCTION

1.1 Background

This Resettlement Action Plan (RAP) was prepared by Dominica Geothermal Development Company (DGDC) for the Dominica Geothermal Power Plant Project, located in the Roseau Valley, Dominica. The Project seeks to construct a 10 MW geothermal plant in Laudat utilizing binary technology. There are five existing wells – three exploratory wells (WW01-03), a production well P1 and a reinjection well R1, which were funded by the European Union and the Agence Francaise de Developpment through grant and loan financing. The Government of Dominica finances all land acquisition activities. After a cancelled procurement in 2019, the project was redesigned in three major ways:

1. Power production increased from 7 to 10 MW; a back-up production well RVP2 was also included;
2. The reinjection moved from Wotten Waven and Trafalgar to Laudat thereby decreasing the reinjection footprint from a 7 Km to 1.2 km pipeline and the drilling of a new reinjection well RVI2 and;
3. OCR (Binary technology) specified.

The construction of the Power Plant will be undertaken by the DGDC and a consortium of partners through financing which is being negotiated. The drilling of the two new wells and associated infrastructure i.e., drill pads and access to drill pads is financed by the World Bank and the power plant and steam gathering system by debt financing from the CDB/IDB.

The RAP has been developed using the ARAP published in 2018, including the census information, and using the information from the updated reinjection pipeline route. This RAP has been updated with additional data collected by Eclipse Inc. during consultations for the ESIA for the reinjection well and pipeline and biodiversity assessment for RVP2.

It is also important to note that, in September 2017, the Island was devastated by Hurricane Maria. This RAP has been developed post Hurricane Maria and reflects changes in land use, land acquisition and livelihood restoration for the Project post the disaster.

1.1.1 Legacy Properties in ARAP of 2018

Following the project redesign, the project decided that an updated RAP would be needed to combine the PAPs affected by the original design provided in ARAP of 2018 with those being affected by the updated designs.

Section 4.4.3 of Volume 3 of the Jacobs's 2018 ESIA (Social Impact Assessment), describes lands impacted during the original drilling phase. Five parcels of land were acquired for the drilling of the five existing wells; with the exploratory well WW-03 and production well WW-P1 being located on the same parcel of land, Parcel 1. These lands are referred to as legacy lands in this RAP and a summary of their status is presented in the Table 1.1 below. It is worth noting that the ARAP of 2018 does not include the land acquired for two wells WW-03 and WW-P1 (Parcel 1); however, these are included in the current RAP. Based on the Bank guidance, the PAP was compensated following OP 4.12 in 2018. In addition, Parcel 4 for WW-02 was originally leased by GoCD but later the government decided to acquire it and the negotiations for the parcel is underway.

Table 1.1 Legacy Properties from ARAP of 2018

Resource	WW-01	WW-02	WW-03/P1 ¹	WW-R1
PAP number of RAP 2021	PAP #9 ²	PAP #8	No PAP number is attached since compensation was finalized in 2018 ³	No PAP number is attached since compensation was finalized in 2018
Land	Parcel 3	Parcel 4	Parcel 1	Parcel 2 and Parcel 5 ⁴
Lot Size	1.06 acres	Originally two lots of 1,619,561 sq ft & 37,620 sq ft. Only 37,620 sq ft (adjusted to 37035 after final survey) will be acquired due to the design change	3.852 acres	Two lots measuring 3.98 and 4.12 acres
Current Ownership/Land Arrangements	Acquired via compulsory acquisition by the Government.	Acquired via compulsory acquisition by the Government	Acquired via compulsory acquisition by the Government.	Acquired via compulsory acquisition by the Government.
Land Use prior to Drilling Phase	Unoccupied.	Business.	Unoccupied.	Unoccupied.
Compensation Status (Dec 2021)	Paid 9 Oct 2018 for 1.06 acres and additional 242, 150 sq ft is under negotiations	Negotiations in progress for 37035	Paid 9 Oct 2018	Paid 9 Oct 2018
Additional Notes	See more detailed description below	See more detailed description below	Not in ARAP of 2018 or current RAP	Not in ARAP of 2018 or current RAP

The new design involves drilling of a new reinjection well in Laudat and discontinuing of the use of two existing wells of WW-01 and WW-R1. As a result, the lands belonging to PAPs 9-10-11 (for WW-01) and PAP-13 (for WW-R1) included in ARAP of 2018 are no longer required but will be maintained under the Project. No additional lands are required for the power plant infrastructure but there are adjustments to lands to be acquired around WW-01 (additional 224,150sq ft) and WW-02 (decreased from 37 acre to 1

¹ While WW-03/P1 was not included in the 2018 RAP, based upon World Bank guidance the PAPs were compensated in 2018 according to WB OP 4.12.

² PAP 9 has two parcels to be paid.

³ WW-03/P1 and WW-R1 are not included in RAP 2021 because their compensations have been paid and closed in 2018.

⁴ Both pieces of land are referred to as parcel2 and belong to the same owner -PAP No 13 under ARAP of 2018.

acre) due to the changes in pipeline network as described below and will be incorporated in this RAP. PAPs 1-7 have remained unchanged as lands required for the power plant construction and adjoining lands. The change in the lists of PAPs in ARAP of 2018 and this RAP is shown in Table 1.2.

- WW-01⁵- The parcel of 1.06 acres was originally acquired at full replacement costs and paid for during the 2018 following WB OP 4.12. However, the drilling location was changed during the well PAD preparation after additional geological surveys prompting additional land of 224,150sq ft. The initial acquired land (1.06 acres) is still needed for access to the well. A new acquisition process for the additional land of 224,150sq ft is currently ongoing and negotiations have been completed.

WW-02 - A lease agreement existed with the former owners and one year payment was paid on June 25, 2013 covering the period Sept 1, 2011 to August 31 2012. Negotiations for the 37,620 sq ft needed for the well PAD has been under way and payment is pending after the negotiations be finalized which is expected in Q1 of 2022. WW-02 corresponds to PAP # 8 in this current 2021 RAP but with a reduced amount of land (reduced from originally two lots of 1,619,561 sq ft & 37,620 sq ft. to only one lot of 37,620 sq ft).

Table 1.2 Comparison of 2018 PAP List and 2021 PAP List

2018 PAP #	Affected Plot Size (Sq.ft.) ⁶	Included in 2021 RAP Y/N	2021 PAP#
1	439520	YES	1
2	158994	YES	2
3	34151	YES	3
4	45128	YES	4
5	23217	YES	5
6	17688	YES	6
7	4797	YES	7
8	Two lots of 1619561 & 37620	YES	8 (only lot 2 of 37035)
12	Two lots of 242150 and 261229	YES	9 (but only lot 1 of 242150)
9	143443	NO	
10	8537760	NO	
11	646648	NO	
13	3008079	NO	

Land acquisition and resettlement issues have been approached by first dealing with the legacies of the compulsory acquisition by the GoCD of four parcels of land in 2013 during the exploration and drilling phase. Since such properties were acquired for uses that are instrumental to the proposed Project, they form part

⁵ WW-01 corresponds to PAP #12 under the 2018 ARAP and listed as PAP #9 on the 2021 RAP.

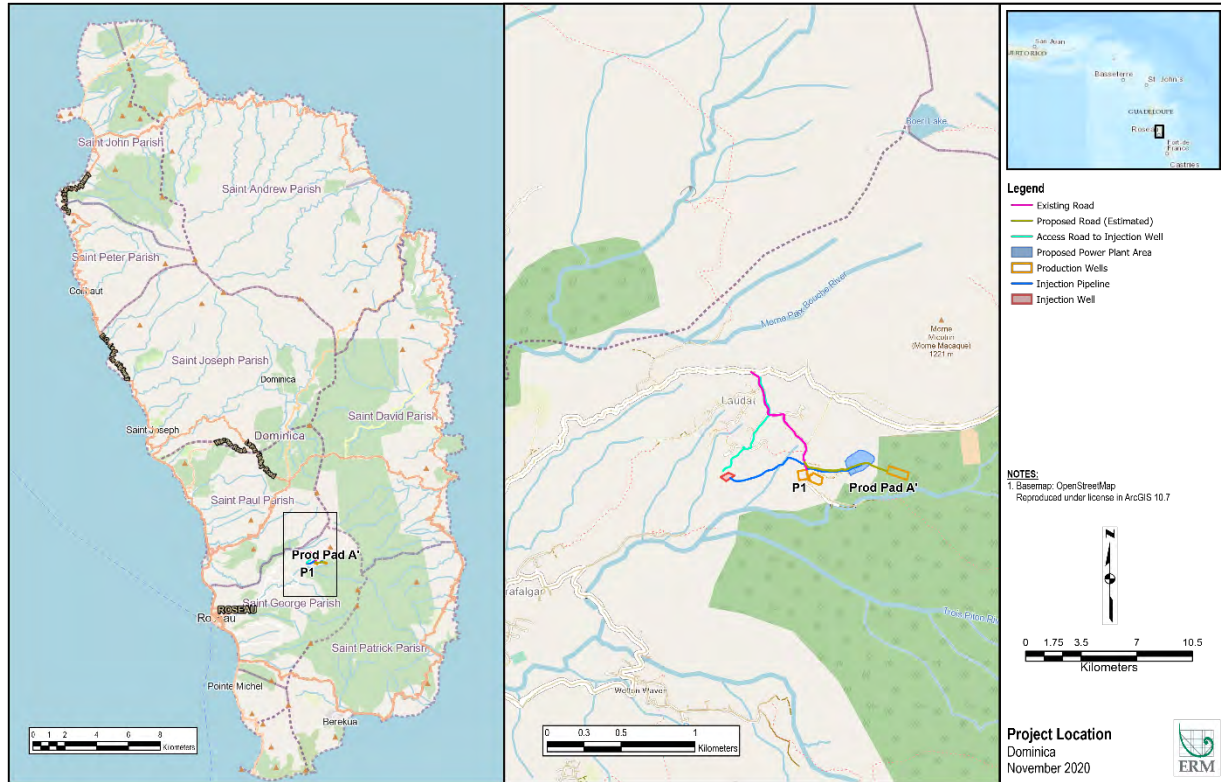
⁶ Table 6.1 refers to the total parcel sizes of PAPs and % of land acquisition.

of the project-affected areas and land acquisitions must be executed in compliance with OP 4.12. Upon Bank's suggestion and as part of ESIA preparation for the Project, in 2017 DGDC carried out a "Land Acquisition Review". Based on the results of this review, gaps were identified, and corrective actions have been discussed and the DGDC developed and Action Plan to bring standards up to level. Compensations were made to landowners in 2018 in line with OP 4.12.

1.2 Project Location

The Project is located in the Commonwealth of Dominica, a small island developing state in the Caribbean with a population of approximately 72,000 people and a land area of approximately 750 km². Dominica is located near the centre of a string of islands known as the Lesser Antilles, between the neighbouring French territories of Martinique and Guadeloupe. The Project is located in the Roseau Valley in the Wotten Waven Geothermal System (Figure 1.1).

Within the Roseau Valley, a primary area of influence has been identified, comprising the three main communities in closest proximity to the proposed Project footprint. Due to their proximity, they are the most likely to be affected by any employment, resettlement, community health and safety issues which arise from the Project. These communities of relevance are namely Trafalgar, Wotten Waven and Laudat, as shown in Figure 1.1.

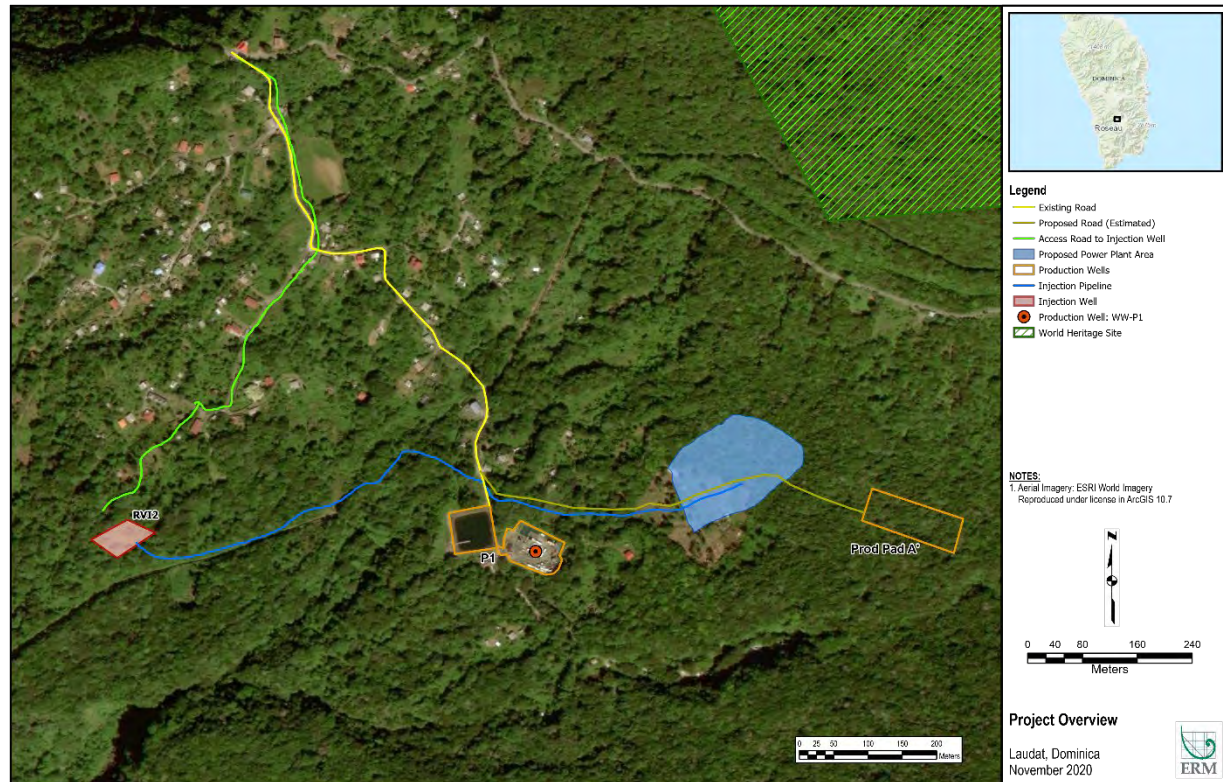


Source: ERM, 2020

Figure 1-1: Location of Roseau Valley and Site of proposed

1.3 Project Components

The Project components will be located in four separate areas: Power Plant Site; Injection Area, Production Well Area, and the back-up Production Pad A. The Figure below depicts the location of these general areas as well as the access roads and the approximate location of the injection pipeline route.



Source: ERM, 2020

Figure 1-2: Project Component Location

The proposed geothermal facility will consist of the following main components, which are explained in more detail in the Addendum to the ESIA:

Plant Equipment:

- Production and Injection Wells;
- SGS and Brine Reinjection Pipeline and Wellpads;
- Turbine Generator;
- Heat Exchangers;
- Recuperators;
- Condensers;
- Pumps (feed, wells, ponds, firefighting system);
- Storage Tanks;
- Transformers;
- Emergency Generator;
- Water Tank and distribution system;
- Fire Fighting Tank and System;

- HVAC System; and
- Oil System;

Facilities:

- Brine Ponds;
- Electrical Building which will include separate areas for offices, kitchen and meeting rooms, workshop and storage, a control room, and a machinery room; and
- Septic Tank and Leach Field.

The Figure below shows a preliminary plant layout based on site topography and existing components locations for the binary plant.

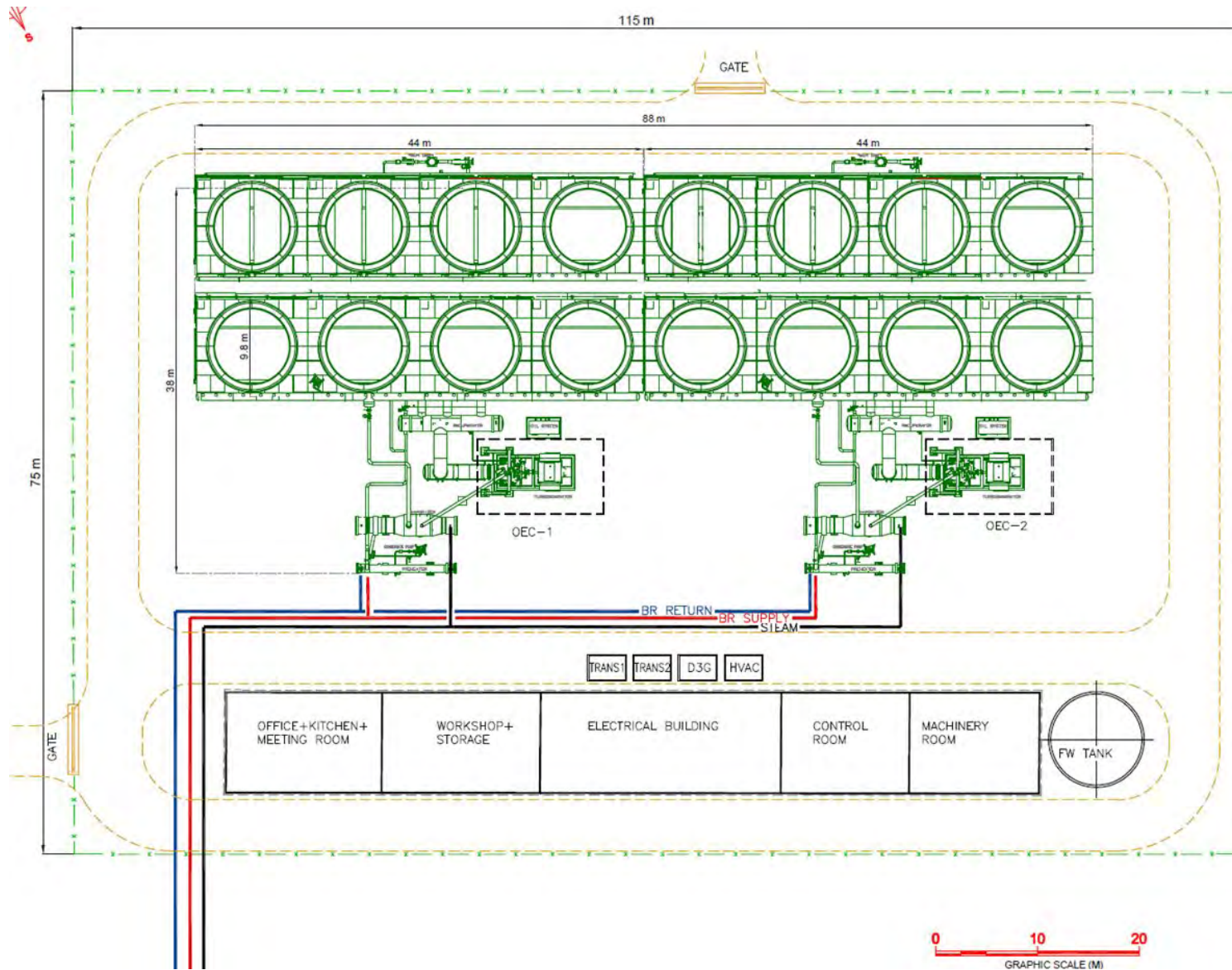


Figure 1-3: Proposed Preliminary Plant Layout

The Project comprises the development of a two-unit geothermal power plant with a gross capacity of 10 MW in the Roseau Valley, Dominica. This covers the following stages: construction, completion, testing, commissioning, ownership and operation including the steamfield, required electrical connections and integration with associated infrastructure. The power plant is proposed to be located close to the village of Laudat.

Land acquisition for the initial drilling phase (2010-2014 – exploratory wells 01-03, P1 and R1) of the Project is being finalized; with all but two properties having been acquired and paid for using the principles in this RAP. Negotiations for WW-01 and WW-02 are ongoing and will be completed in tandem with the acquisitions for the current phase (Q1 2022). The power plant lands (one PAP, one parcel) has been acquired and compensation paid in August 2021. Lands surrounding the power plant site have all been acquired, compensation paid for two, and negotiations for compensation are at an advanced stage for the remaining properties. All gaps identified in the initial analysis of land acquisition prior to the ARAP published in 2018 have been subsumed in the current process. Currently therefore, all land acquisition (and associated) compensation for the project is according to the principles in the is RAP and conform to OP4.12

Brief descriptions of the main locations of Project infrastructure are as follows:

- Power plant comprising 2 x 5 MW units (Organic Rankine Cycle units (binary turbine), which will be adjacent to wells WW-P1 and WW03;
- Production well WW-P1 – The existing geothermal production well at Laudat is indicated to have potential to generate 6 to 9 MW and will be used together with WW-03(situated on same well pad) for the steam gathering;
- Reinjection well RV-I2 (to be drilled) located in Laudat. The used geothermal fluid (brine and possibly some steam condensate) produced from production well WW-P1, WW03 and RV-P2 would be disposed of into reinjection wells RV-I2 via a 250 to 300 mm diameter reinjection pipeline approximately 1.2 Km in length; New access road to RV-I2 of 250 m length.
- New production well RV-P2 (to be drilled) in Laudat. With new access road to RV-P2 of 170 m length.
- Steamfield infrastructure including two phase piping, steam separator, atmospheric flash tank, brine collection and disposal system, condensate collection and disposal system, pressure relief system, storage sump and rock muffler;
- Supporting infrastructure including existing well pads, turbine building, primary and ancillary equipment, cooling system, workers camp, and water supply; and
- 11 kV interconnections to the DOMLEC electricity grid at the power plant site.

1.4 Efforts to Minimize Resettlement

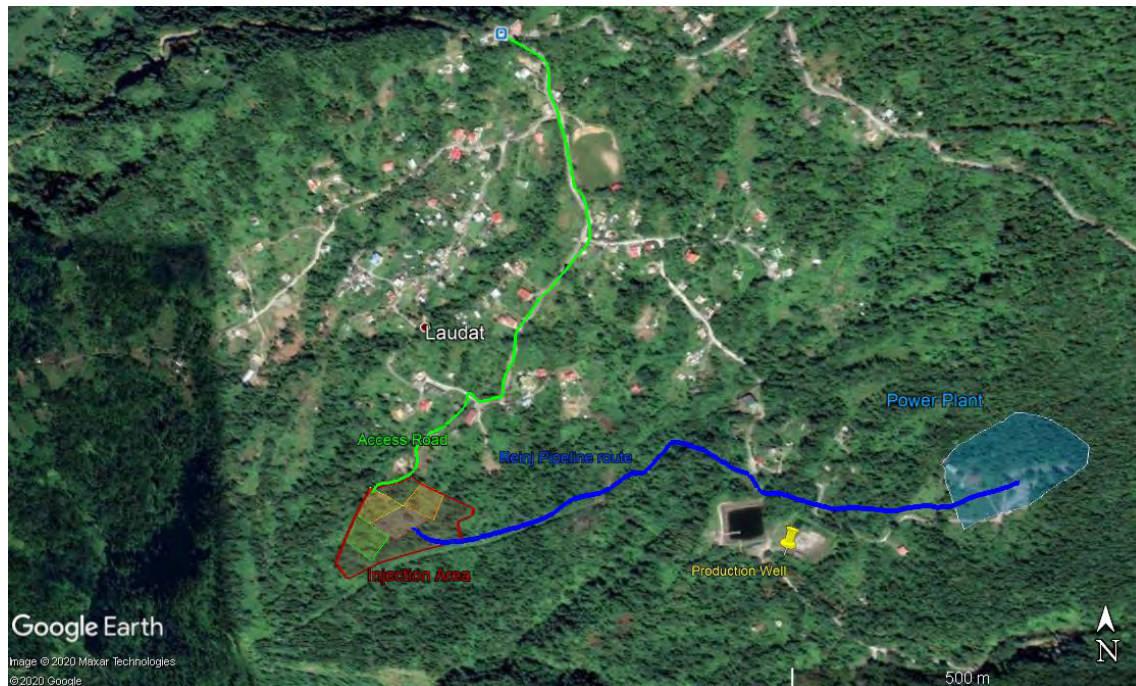
1.4.1 Power Plant

Several power plant sites and reinjection pipeline route options were considered as part of the Project (refer to 2018 ESIA Volume 1: Introduction). Multiple sites were considered for the power plant once the geothermal resource was identified. The site was gradually moved south-east to increase the separation distance from the concentrated local population, in order to reduce noise and visual impacts.

1.4.2 Reinjection Pipeline Route

In terms of the reinjection pipeline route, four options were considered. One proposed route through Laudat was ultimately rejected to avoid displacement/disruption and another route was rejected as it was scheduled to rely on DOMLEC infrastructure, which presented coordination challenges for the Project. The third option was rejected because it was considered technically too difficult due to topography e.g., steep ravines. Ultimately, the power plant site location and preferred reinjection

pipeline route were chosen to avoid disruption to the community and in consideration of economic and technical constraints. It is also important to note that at this stage, there is still some flexibility in the exact footprint of the reinjection route pipeline. As the pipeline corridor is anticipated to only be 10 m (to allow for access, maintenance, and flexibility around design), DGDC will still have some discretion to locate each portion of the pipeline within an individual property. In other words, there are still opportunities to avoid displacement of structures, crops, or other assets along the reinjection route line during this stage of design.. The proposed length of the re-injection pipeline from the power plant to the reinjection site, is approximately 1.2 kilometers. The exact diameter has not yet been determined. It is located on the south-western periphery of the village of Laudat. Access roads for pipeline construction and continuing maintenance will be located entirely within the acquired 10m corridor. The Figure below shows the updated reinjection pipeline route.



Source: Google Earth

Figure 1-4: Proposed Pipeline Route

1.4.3 11kV Transmission Line

There is only one short (~0.5 km) section of 11 kV line involved in this project. It connects the geothermal plant to the DOMLEC hydro station at Laudat. This line will utilize lands owned by (a) the Government of Dominica (East to West Section) and (b) DOMLEC or the public roadway (North to South). A final decision on overhead or underground design will be taken as part of the Transmission Line project component. The diagram below illustrates the route (yellow line)



Figure 1-5: 11kV transmission line

1.5 RAP Purpose, Scope and Approach

Development of the power plant site and reinjection route pipeline will result in the acquisition of 25 properties (mostly abandoned agricultural land) either partially or in their entirety, and as a result cause physical displacement of three residential structures and economic displacement of two farmers. The following table provides a view of actual acreages from each PAP. The other two properties included in this RAP are properties being acquired to close out land acquisition activities during the exploratory phase of the project. Only one property is occupied by a one-person household. The other two⁷ structures are classified as residential, having been constructed for that purpose. One is a partly constructed abandoned house and the other one which could be converted into a home and served as a home immediately post-hurricane Maria in 2017.

Table 1.3 Status of 2021 PAPs

Component	PAP No.	Affected Plot Size (Sq.ft.)	Owner /Representative Informed of Interest by DGDC	Acquisition Status*	Negotiation Status	Payment Status	Need to be physically displaced (Y/N)	Derives income from property? (Y/N)
Power Plant & Surrounding lands	1	439520	YES	Acquired	Complete	PAID	Y	Y
	2	158994	YES	Acquired	Complete	payment Approved	Y	N
	3	34151	YES	Acquired	Complete	PAID	Y	Y

⁷ Previous version of the RAP refer to four residential structures, the error due to a residential structure belonging to a PAP which is not part of the project footprint being inadvertently included.

	4	45128	YES	Acquired	Complete	Pending	N	N
	5	23217	YES	Acquired	Complete	PAID	N	N
	6	17688	YES	Acquired	Complete	pending	N	N
	7	4797	YES	Acquired	Complete	payment Approved	N	N
Reinjection Pad RVI2	17	21344	YES	Acquired	Complete	payment Approved	N	N
	16	71739	YES	Acquired	Complete	payment Approved	N	N
	11	36591	YES	Acquired	Complete	payment Approved	N	N
	21	62726	YES	Acquired	Complete	payment Approved	N	N
RVP2	10	329314	YES	Acquired	Complete	PAID	N	N
Reinjection Pipeline	12	149	YES	Acquired	Complete	payment Approved	N	N
	14	10733	YES	Acquired	In progress	Pending	N	N
	15	17326	YES	Acquired	In progress	Pending	N	N
	20b	12268	YES	Acquired	Complete	Pending	N	N
	18	5274	YES	RoW agreement	Complete	PAID	N	N
	19	2740	YES	Acquired	Complete	payment Approved	N	N
	20a	3894	YES	Acquired	Complete	payment Approved	N	N
	13	4390	YES	Acquired	Complete	payment Approved	N	N
Outstanding Legacy lands	8	37035	YES	Acquired	In progress	Pending	N	N
	9	242150	YES	Acquired	In Progress	Pending	N	N

Access Road to RVI2	22	1037	YES	Acquired	Complete	payment Approved	N	N
	23	1500	YES	Acquired	Complete	payment Approved	N	N
	24	2358	YES	Acquired	Complete	payment Approved	N	N

Note: 1. Plot sizes between the 2018 ARAP and 2021 RAP may differ based on final surveys. Sizes in this RAP reflect actual plot sizes as gazetted for acquisition.

Note 2: *. According to local Dominican law, once lands have been gazetted twice they are considered as acquired, negotiations may still be ongoing. The Government does not taken possession of the land until compensation has been fully paid. See Chapter 2 and Appendix D of this RAP for further explanation.

According to OP 4.12, displaced persons may be classified as:

“those who are affected by the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets access to assets; or (iii) loss of income sources or means of livelihood whether or not the affected person must move to a different location.”

World Bank resettlement policies recognize the need to provide resettlement, compensation, and / or livelihood restoration assistance to persons that are currently utilizing project-affected land. Thus, the displacement of residents and farmers from the site and reinjection route are addressed in this RAP.

The scope of the RAP process included the following steps:

- Establishing the legal and guidance framework for managing displacement impacts, including national and international requirements;
- Identification, consultation and socio-economic surveys with all of the PAPs;
- Socio-economic analysis, including establishing the extent of vulnerability of the PAPs;
- Inventory and valuation of properties, structures, and crop assets to establish the basis for associated compensation;
- Consultation with relevant parties to identify any potential alternative land of comparable productive value for relocation;
- Consultation with PAPs on potential options for resettlement site options, livelihood restoration, compensation or improvement measures. These may include, for example, assistance to diversify income generating activities (such as training in new skills), financial management training and credit opportunities, business and enterprise training; and
- Establishing the necessary steps for implementation including:
 - Confirming final compensation / implementation budget, including all financial compensation, and costs for land acquisition, loss of structures, loss of crops, transitional support, livelihood restoration measures and independent monitoring;
 - Establishing the grievance and redress mechanism;
 - Confirming the roles and responsibilities within the GoCD and DGDC team regarding the implementation process; and
 - Confirming requirements for monitoring and evaluation.

1.6 Structure of the RAP

The content of this document is as follows:

- Section 1: Introduction;
- Section 2: Legal and Institutional Framework;
- Section 3: Socio-Economic Background of Affected Community and PAP Census;
- Section 4: Identification of Project Impacts;
- Section 5: Eligibility and Entitlements;
- Section 6: Valuation and Compensation;
- Section 7: Vulnerability Assistance
- Section 8: Stakeholder Engagement;
- Section 9: Resettlement Sites;
- Section 10: Roles and Responsibilities;
- Section 11: Grievance Management;
- Section 12: Monitoring and Evaluation;
- Section 13: Budget and Schedule; and
- Section 14: References.

2. LEGAL AND INSTITUTIONAL FRAMEWORK

2.1 Introduction

The Project is required to meet nationally and internationally accepted environmental and social safeguard standards in order to ensure that community benefits from the Project are maximised, and that potential adverse environmental and social impacts are minimised. Relevant national and international requirements are summarised below. In the event that international standards and national standards differ, the higher standard shall apply to the Project.

All lands for the project will be acquired and paid for by the GoCD and then be granted to the DGDC for use. A cooperation agreement (November 2019) between the Ministry of Lands and DGDC outlines the roles and responsibilities of each party with respect to lands.

2.2 National Requirements

There are a number of national policies, laws, regulations and guidelines that guide relevant environmental, social and economic issues in Dominica. The laws and regulations also provide the relevant instruments for the effective management of land acquisition and proper institutional coordination. Of primary relevance is the Land Acquisition Act.

The Land Acquisition Act, Chapter 53:02 (Appendix D) deals with the acquisition of land by the state and clearly outlines procedures in acquiring private lands for state use. The Act covers the following areas:

- i. Acquisition of land and abandonment of acquisition;
- ii. Appointment and powers of Board of Assessment;
- iii. Determination of Small Claims for Compensation;
- iv. Provisions Governing Assessment of Compensation;
- v. Miscellaneous:
 - a) Absentee owners;
 - b) Compensation to persons interested in adjacent land;
 - c) Special provisions as to leases;
 - d) Persons in possession to be deemed owners;
 - e) Fees and expenses of Board;
 - f) Conveyancing etc.;
 - g) Payment of compensation;
 - h) Exemption from stamp duty and fees;
 - i) Limitation of time for making claims;
 - j) Assaulting or obstructing officer; and
 - k) Saving.

The Act includes a description of how compensation should be determined. The general process of compulsory land acquisition under the Land Acquisition Act, Chapter 53:02 is described below in Appendix D.

Compulsory land acquisition according to the Land Acquisition Act consists of an evaluation of the market value of the land conducted by the Department of Lands, a Cabinet paper establishing government acquisition of the land, follow by a negotiation or agreement to compensation with the relevant land owner. Compensation values are determined by the government Land Surveys

Department using the methodology outlined in Chapter 6. Section 3 (3) (See Appendix D) states ‘Upon the second publication of the declaration in the Gazette the land shall vest absolutely in the State.’

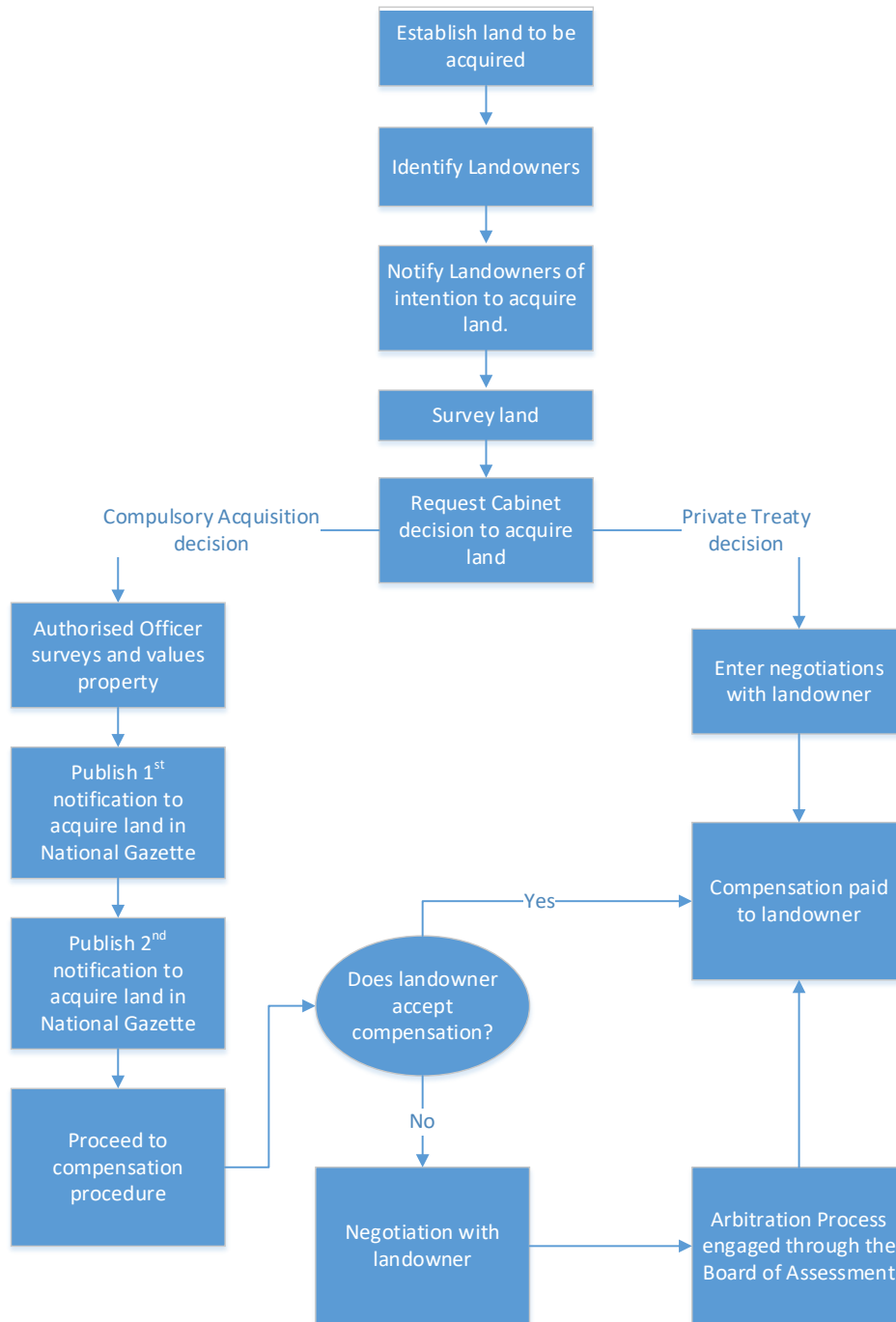


Figure 2-1: The General Process of Acquiring Land through Compulsory Acquisition in Dominica

This process differs from the World Bank land acquisition and resettlement requirements in that compensation under OP 4.12 requires the evaluation to cover full replacement cost for each party, rather than market value covered by national requirements. In addition, World Bank resettlement requirements consider compensation for land users without legal rights, support for vulnerable parties, and livelihood restoration measures that are not covered under national law. World Bank also requires

that compensation be completed prior to Project construction and that consultation associated with this process be well documented. A gap analysis between National Law / Practice and World Bank requirements is shown in Table 2.1.

Table 2.1 Policy GAP Analysis⁸

Conflict/Gap	Local Framework/Policy	Legal	World Bank Policy Requirements	Measures to Address Conflict/Gap
Compensation & Restoration of livelihoods and living standards	There is no existing legislation or official policy document that specifically supports resettlement initiatives in Dominica except for that created specifically in response to TS Erika and Hurricane Maria		OP 4.12 Involuntary Resettlement: Section 6 (c) – Where necessary.....compensation should also include measures to ensure that displaced persons are offered support after displacement for a transition period, the time likely to be needed to restore their livelihood and standards of living. The displaced persons should also be provided with development assistance such as land preparation, credit facilities, training or job opportunities, in addition to the other compensation measures stipulated.	The Social and Environmental Safeguards of the World Bank take precedence. All PAPS should be eligible for compensation at full replacement cost for lost assets and assistance to support livelihood restoration per World Bank Policy OP 4.12 requirements
Support for displacement	World Bank type policy pertaining to the restoration of income sources and livelihoods, support after displacement for a transition period; do not apply except as has been developed in response to natural disasters		Section 2 (c) – Displaced persons should be assisted in their efforts to improve their livelihood 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 Social and Environmental Safeguards of the World Bank take precedence. All PAPS should be eligible for full compensation benefits per World Bank Policy requirements
Development assistance	The provision of elderly assistance, employment under the National Employment Programme; Free health services for Elderly and needs based social support are all available to qualifying PAPS		Section 2 (c) – Displaced persons should be assisted in their efforts to improve their livelihood 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 Social and Environmental Safeguards of the World Bank take precedence. All PAPS should be eligible for full compensation benefits per World Bank Policy requirements
Opportunity to derive development benefits from project	There is no existing legislation or official policy document that specifically supports resettlement initiatives in Dominica		Performance Standard 5, Section 9 – The client will also provide opportunities to displaced persons to derive appropriate development benefits from the project,	The project will create temporary job opportunities during the civil plant and pipeline construction. While some of the jobs will require specialized skills that may not be available locally, for non-specialized jobs, the project is expected to create equal employment opportunity for both men and women. In that regard the DGDC will as far as possible ensure that service providers give priority to the employment of workers originating from the Roseau Valley Communities.
Timing for the Payment of Compensation	The Land acquisition Act Chpt. 53:02 is silent on the		OP 4.12 Possession of the land acquired and related assets only after	The Bank's policy will take precedence. Identification of land owners and tenants has

⁸ This is limited to GoCD and WB as this is the only confirmed financing at time of writing (September 2021)

and Taking possession of Land Acquired	timing for compensation payments Sections 3 and 5 permits for access to lands any time after the publication	compensation has been previously paid in full.	already been done and notification to the authorized officer completed. MOUs between Ministries have been signed to facilitate monitoring and reporting by the DGDC
--	---	--	--

2.3 Institutional Framework for Addressing Land Acquisition and Leases

The Department of Lands already has a process in place for addressing land acquisition and leases including any grievances associated with this process. As such, DGDC will work closely with the Department of Lands during the resettlement process for this Project to ensure consistent coordination.

The following are procedures covered by the Act are applicable to the land acquisition process required for the geothermal project:

- Preliminary notification and power to enter the land:
 - If the Commissioner of Lands (the Authorized Officer) determines that any land is required for public purpose and it is necessary to make a preliminary survey or other investigation of the land, he/she may cause the publication of notification to that effect; and thereafter it shall be lawful for the Authorized Officer or his/her agents to enter on to the land to undertake the investigative works required.
- Power to apply land to purposes of acquisition without waiting for formal vesting:
 - At any time after the publication of a notification of the intention to acquire land for public purpose, it appears to the Authorised Officer that this land should be acquired, he/she may make an immediate declaration to that effect; and it is lawful for him/her to direct the Authorized Officer to do any work on the land connected with the use for which the land is being acquired.
- Appointment of Board of Assessment:
 - In the event that the parties cannot reach agreement on compensation to be paid, a Board of Assessment may be appointed and granted full power to assess, award and apportion compensation in such cases, in accordance with the provisions of the Act.⁹

Sections 3 of the Act permits access to the land for investigative purposes before compensation is paid; Section 5 allows the government to take possession of land acquired and to commence development before compensation is paid. These provisions are not consistent with the World Bank's policy on involuntary resettlement, which states that the client will take possession of land acquired and related assets only after compensation has been made available and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons in addition to compensation.

Given the commitment of the Government to comply with the Bank's policy, the DGDC has been delegated with the authority to act on behalf of the Ministry of Energy to provide support to the department. A Co-operation agreement to effect this was signed in November 2019 between Ministry of Lands and DGDC.

In relation to payments, though estimates have been provided to enable realistic budgetary allocation to be made for land acquisition in the national budget, if this is deficient, it will likely hinder the ability of the government to comply with the provision. Further, in cases where agreement over the payment of compensation cannot be reached between the Authorized Officer and the land owner, the appointment of a Board of Assessment would further delay payment. Experience has shown that negotiations for compensation (using either medium) can sometimes take several years to be concluded.

⁹ For further details on how this process works, please refer to the Appendix D

2.4 International Requirements

2.4.1 WB OP 4.12- Involuntary Resettlement

Relevant World Bank (WB) requirements for this Project are contained in OP 4.12. According to the standard, resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement which can occur when the buyer can resort to lawful expropriation when negotiated settlement fails. As stated earlier, as this Project can resort to expropriation or impose legal restrictions on land use through the Government of Dominica if negotiations fail, this Project triggers OP 4.12. OP 4.12 addresses land acquisition and involuntary resettlement. It recognises that land acquisition for projects and restrictions on land use can have adverse impacts on communities and people that presently use the land intended for a project.

According to OP 4.12, 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:

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

OP 4.12 covers direct economic and social impacts that both result from Bank-assisted investment projects and are caused by:

- the involuntary taking of land resulting in relocation or loss of shelter;
 - loss of assets or access to assets; or
 - loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
 - the involuntary restriction of access to legally designated parks and protected areas resulting in adverse; and
- impacts on the livelihoods of the displaced persons.

2.4.2 IFC PS5

The International Finance Corporation's Performance Standard 5 covers Land Acquisition and Involuntary Resettlement. Its requirements include:

- **Project Design:** consider feasible alternative designs to avoid or minimize displacement;
- **Compensation and Benefits for Displaced Persons:** when displacement cannot be avoided, offer displaced communities and persons compensation for loss of assets at full replacement cost and other assistance to help them improve or restore their standards of living or livelihoods;
- **Community Engagement:** engage with affected communities through stakeholder engagement;
- **Grievance Mechanism:** establish a grievance mechanism to receive and address specific concerns about compensation and relocation;

- **Resettlement and Livelihood Restoration Planning and Implementation:** where involuntary resettlement is unavoidable, a census will be carried out to collect appropriate socio-economic baseline data to identify the persons who will be displaced by the project, determine who will be eligible for compensation and assistance, and discourage ineligible persons from claiming benefits;
- In the case of physical displacement, the client will develop a **Resettlement Action Plan**; and
- In the case of economic displacement, the client will develop a **Livelihood Restoration Plan**.

PS5 also includes provisions for “Private Sector Responsibilities Under Government Managed Resettlement”. It specifies that, where land acquisition and resettlement are the responsibility of the government, the client will collaborate with the responsible government agency, to the extent permitted by the agency, to achieve outcomes that are consistent with this Performance Standard. In addition, where government capacity is limited, the client will play an active role during resettlement planning, implementation, and monitoring.

2.4.3 IDB OP-710

The IDB’s Operational Policy OP-710 covers Involuntary Resettlement. Please note that the Caribbean Development Bank (CBD) has the same requirements as the IDB Operational Policy OP-710 described in their Environmental and Social Review procedures of 2014. The two policies are aligned and have requested the same documents to meet those requirements. IDB OP-710 therefore sets out two fundamental principles:

1. Every effort will be made to avoid or minimize the need for involuntary resettlement.
2. When displacement is unavoidable, a resettlement plan must be prepared to ensure that the affected people receive fair and adequate compensation and rehabilitation.

The resettlement plans have to include compensation and rehabilitation that are deemed fair and adequate by ensuring that the resettled and host populations will: (i) achieve a minimum standard of living and access to land, natural resources, and services (such as potable water, sanitation, community infrastructure, land titling) at least equivalent to pre-resettlement levels; (ii) recover all losses caused by transitional hardships; (iii) experience as little disruption as possible to their social networks, opportunities for employment or production, and access to natural resources and public facilities; and (iv) have access to opportunities for social and economic development.

The following criteria applies to the design and appraisal of the Resettlement Plan:

- **Baseline Information.** Accurate baseline information must be compiled as early as possible. It will include information on the number of people to be resettled, and on their socio-economic and cultural characteristics, including disaggregation by gender. In addition, the data will provide an important basis for the definition of eligibility criteria, and compensation and rehabilitation requirements.
- **Community Participation.** The resettlement plan will include the results of consultations carried out in a timely and socio-culturally appropriate manner with a representative cross-section of the displaced and host communities. Consultations will take place during the design phase and will continue throughout the execution and monitoring of the plan, directly or through representative institutions and community organizations. Care will be taken to identify the most vulnerable subgroups and to ensure that their interests are adequately represented in this process.
- **Compensation and Rehabilitation Package.** Compensation and rehabilitation options must provide a fair replacement value for assets lost, and the necessary means to restore subsistence and income, to reconstruct the social networks that support production, services and mutual assistance, and to compensate for transitional hardships (such as crop losses, moving costs, interruption or loss of employment, lost income, among others). These measures must be taken in a timely manner to ensure that transitional hardships are not unnecessarily prolonged and do not result in irreparable harm. The options that are offered should be appropriate for the people affected

and should reflect their capabilities and realistic aspirations. The compensation and rehabilitation package must take adequate account of intangible assets, especially non-monetary social and cultural assets and, particularly in the case of rural populations, of customary rights to land and natural resources. Housing and service options, when included, will be appropriate for the social and cultural context and will, at the very least, meet minimum standards of shelter and access to basic services, regardless of conditions prior to resettlement. The design of compensation packages, as well as the community consultation and decision making mechanisms included in the resettlement program, will take into account the characteristics of the resettled population as identified in the disaggregated baseline data with respect to gender, ethnicity, age, and any other factors pointing to special needs and/or vulnerability.

- **Legal and Institutional Framework.** The resettlement plan must identify the legal and institutional context within which the compensation and rehabilitation measures have to be implemented. The first step in designing the compensation and rehabilitation package is to determine the entitlements of affected persons under applicable laws and regulations, to identify any services or social benefits to which they might have access, and to ensure that sufficient resources are available. The next step is to assess what additional measures are needed, if any, to restore the livelihoods of the affected population to the pre-resettlement standard, and to design mechanisms capable of delivering the goods or services that are needed, including effective and expeditious procedures for the resolution of disputes. This allows the compensation and rehabilitation package to work within the constraints of local laws and institutions, complementing them only as required, with project specific measures. This may lead to the identification of gaps in the local institutional and regulatory frameworks, that need not be incorporated into the resettlement plan, but which can eventually be addressed through institutional strengthening or other components if the borrower and the Bank so agree.
- **Environment.** Resettlement plans must take environmental considerations into account in order to prevent or mitigate any impacts that result from the development of infrastructure, densification of the host area, or pressure on natural resources and ecologically sensitive areas. An environmental impact assessment, including carrying capacity and socio-economic induced impacts on the host community, will be carried out for each proposed relocation site, wherever the magnitude of the resettlement component or the nature of the affected areas so requires, and the environmental management plan will be included in the resettlement plan.
- **Timeliness.** A preliminary resettlement plan must be prepared as part of the Environmental and Social Impact Assessment (EIA). It must undergo a process of meaningful consultation with the affected population, and must be available as part of the EIA, prior to the analysis mission. It must include sufficient information to be evaluated along with other project components. At a minimum, it must include: (i) evidence that appropriate measures have been taken to prevent new settlements in the area subject to resettlement; (ii) a tentative cut-off date for compensation eligibility; (iii) an estimate of the number of people to be resettled based on sufficiently reliable data; (iv) a definition of the various options to be made available under the compensation and rehabilitation package; (v) an estimate of the number of people that will be eligible for each option; (vi) a preliminary budget and schedule of execution; (vii) a diagnosis of the viability of the regulatory and institutional framework, identifying issues to be resolved; and (viii) evidence of consultation with the affected populations. The plan will be summarized in the Environmental and Social Impact Report (ESIR).
- The final plan must contain: (i) the definition of the final package of compensation and rehabilitation options; (ii) the eligibility criteria for each option; (iii) a reasonably accurate estimate of the number of people that will receive each option or combination; (iv) institutional arrangements and/or an execution mechanism that provides for the implementation of applicable local laws and regulations dealing with expropriation, rights to property, and the management of resettlement activities in a timely manner, assigns clear responsibilities for the execution of all elements of the resettlement plan, and provides for proper coordination with other project components; (v) the final budget funded within the overall project budget; (vi) a calendar for execution of activities required to provide

the goods and services that comprise the compensation and rehabilitation package, linked to landmarks of the overall project so that relocation sites (or other services) are made available in a timely manner; (vii) provisions for consultation and involvement of local entities (public or private) that can contribute to execution and assume responsibility for the operation and maintenance of programs and infrastructure; (viii) provisions for monitoring and evaluation, including funding, from the beginning of the execution period through the target date for achievement of full rehabilitation of the resettled communities; (ix) provision for participatory supervisory arrangements, which combined with monitoring, can be used as a warning system to identify and correct problems during execution; and (x) a mechanism for the settlement of disputes regarding land, compensation and any other aspects of the plan.

- **Monitoring and Evaluation.** The resettlement component of an operation must be fully and specifically covered in the reports on the progress of the overall project and included in the logical framework of the operation. The monitoring activities will focus on compliance with the resettlement plan in terms of the social and economic conditions achieved or maintained in the resettled and host communities. The plan and the loan agreement will specify the monitoring and evaluation requirements and their timing. Whenever possible, qualitative, and quantitative indicators will be included as benchmarks to evaluate those conditions at critical time intervals related to the progress of overall project execution. The final evaluation will be scheduled at a target date estimated for completion of the plan, defined as the date on which it is expected that the living standards the plan was designed to provide are achieved. In the case of global loans, the operational regulations will require Bank approval of the resettlement plan before a commitment is made to finance any subproject requiring resettlement. In all cases, independent supervision and multidisciplinary evaluation will be provided to the extent required by the complexity of the respective resettlement plan.

The CDB requirements are the same as those of the IDB.

2.5 Supporting Guidance Documents

The following summarizes some key reference and supporting documents that have been referenced in development of this RAP:

World Bank Group:

- OP 4.12 - Involuntary Resettlement Policy;
- International Finance Corporation Environmental and Social Development Department – Handbook for Preparing a Resettlement Action Plan (2002);
- World Bank - Involuntary Resettlement Source Book (2004);
- IFC's PS5; and

Other:

- IDB's OP-710.

3. SOCIO-ECONOMIC BACKGROUND OF AFFECTED COMMUNITY AND PAP CENSUS

3.1 Regional and Local Socio-Economic Context

A socio-economic baseline study was carried out in 2017 as part of the ESIA for the Project. Further detailed surveys were completed as part of the RAP process in March-August 2018 to inform resettlement and livelihood restoration planning post Hurricane Maria. An additional socio-economic baseline study for the updated reinjection pipeline and back-up production well sites was carried out in 2020 and early 2021. A summary of the PAP socio-economic census surveys conducted are presented below in Section 3.10.

3.2 Regional Overview

Dominica is a mountainous Caribbean Island nation with natural hot springs and tropical rainforests. According to the Population and Housing Census of 2011, Dominica's population was 71,293 (Commonwealth of Dominica Central Statistical Office, 2011). Between 1991 and 2001, the population of the main townships of Dominica declined, including within the capital Roseau. The population of Dominica shows little increase in general, due to the exodus of people to other countries such as the more prosperous the United States, the United Kingdom and Canada.

In the Project vicinity, approximately 1,800 people live in the Roseau Valley, of which nearly 1,000 live in Trafalgar and Shawford, and the remaining in the hamlets of Wotten Waven/Casseau, Copthall, and Laudat. According to the 2011 census, the Roseau Valley gained 500 inhabitants between 2001 and 2011, i.e. a substantial increase of 32% (Commonwealth of Dominica Central Statistical Office, 2011). According to the Central Statistical Office, average household size in the Roseau Valley is 2.7. The breakdown of population by gender shows that Dominica consists of slightly higher men than women, national averages 49% females and 51% males.

3.3 Hurricane Maria 2017

In September 2017, Hurricane Maria hit Dominica with catastrophic effect. The economy came to a halt. Roads, bridges, and public utility systems were destroyed. The agriculture sector was devastated, with 100 percent loss of crops and substantial destruction to trees and livestock, which disproportionately affected the most vulnerable segments of Dominica's population. Other key sectors, including tourism, sustained substantial losses, with all hotels reporting serious damages and room availability down to near half of pre-storm levels. The rainforests, the main tourist attraction, were destroyed. Public services and transport activities were severely hampered. Most secondary roads, critical to access arable land and transport labour and agricultural products to markets and ports, were left inaccessible. Surveys in the Project affected communities suggest that 90% of the respondents have lost the roofs of their houses, and 95% of the respondents have lost their livelihoods.¹⁰

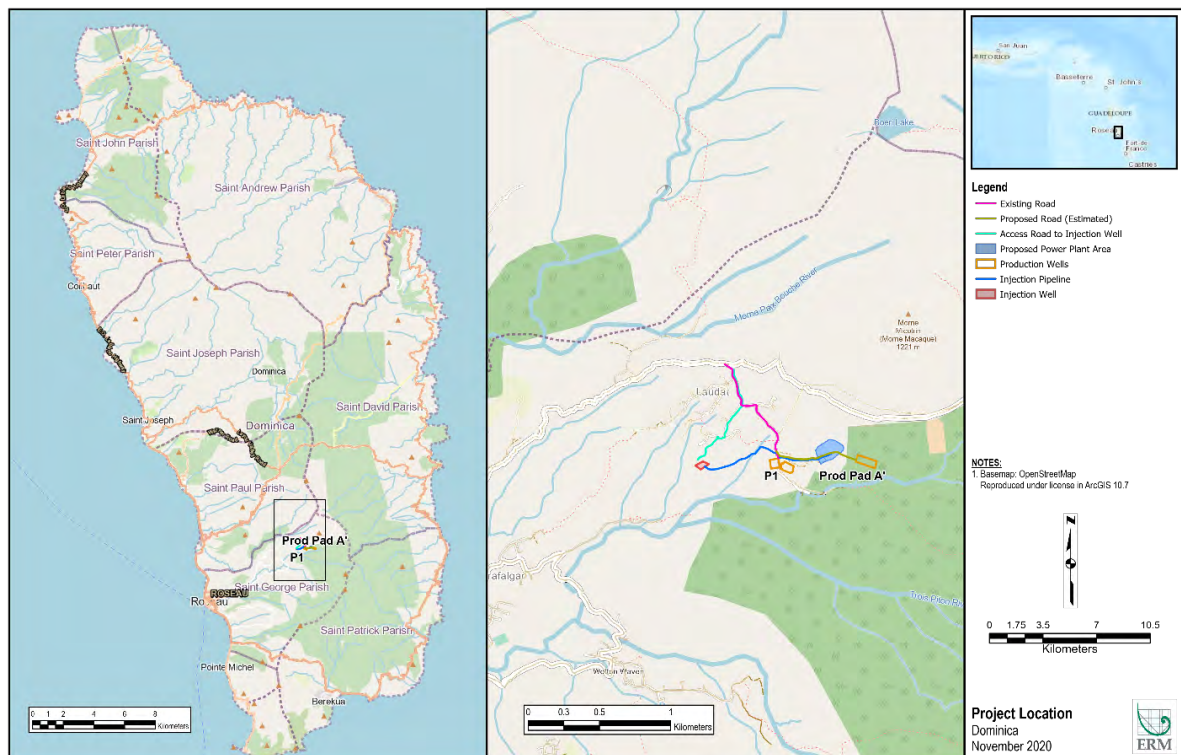
Based upon an initial assessment of impacts to each affected sector by the World Bank, Hurricane Maria resulted in total damages of EC\$2.51 billion (US\$930.9 million) and losses of EC\$1.03 billion (US\$380.2 million), which amounts to 224 percent of 2016 gross domestic product (GDP). Most damages were sustained in the housing sector (38 percent), followed by the transport (20 percent) and education sectors (8 percent). The greatest economic losses were sustained in the agriculture sector (32 percent), followed by the tourism (19 percent) and transport sector (14 percent).¹¹

¹⁰ WBG Post-Disaster Needs Assessment, Hurricane Maria, September 18, 2017 completed November 7, 2017.

¹¹ WBG Post-Disaster Needs Assessment, Hurricane Maria, September 18, 2017 completed November 7, 2017.

3.4 Socio-Economic Area of Influence

Within the Roseau Valley, three main communities of Trafalgar, Wotten Waven and Laudat were considered as the primary socio-economic area of influence (Aol) because they were in closest proximity to the proposed Project and represent the main communities that would be likely to be impacted by any employment, resettlement, community health and safety issues. All of these fall within the Roseau Valley and data from the Roseau Valley itself is utilised where appropriate and when more detailed data for each community is not available. The map below shows the location of Trafalgar, Wotten Waven and Laudat.



Notwithstanding the changes to the project in 2019/2020 requiring the drilling of a new reinjection well in Laudat, the three communities remain the most likely to be affected, with more direct impact in Laudat.

3.4.1 Trafalgar

Trafalgar is located in the eastern portion of the Roseau Valley. The bulk of the population (959) in the valley reside in this area and it includes the most residentially developed of the three affected areas in the Aol. The area is characterised by brightly coloured concrete houses and includes a health centre and a primary school. At the bottom of the valley, the Trafalgar area is used for agriculture including vegetables, herbs and fruit orchards. Trafalgar Falls is also a tourist destination. The community is located almost directly below the project's reinjection area.

3.4.2 Wotten Waven

Wotten Waven is well known for its natural hot sulphur springs and is located in a steep, area. The wider area surrounding Wotten Waven area is characterised by agriculture including vegetables, herbs and fruit orchards. The area also includes some residences (population is 313), a health centre and a primary school. Since the 1990s there has been a considerable development in tourism services in the Roseau Valley. This is centred on hiking and the hot sulphur water spas in Wotten Waven.

3.4.3 Laudat

Laudat is a small village nestled between three mountains: Morne Watt, Morne Micotrine, and Morne Trois Pitons. Laudat contains a sector of rainforest where numerous trees are felled for economic development. Laudat also includes a small population of 321 and is served by a health centre. The Morne Trois Pitons National Park, Freshwater and Boeri Lakes and Segment 4 of the Waitukubuli National Trail are all in the greater Laudat area. All project infrastructure is located or will be located in Laudat.

3.5 Economic Profile

Gross Domestic Product (GDP) in Dominica estimated in 2016 was US\$812 million according to the CIA World Factbook. The economy in Dominica used to be primarily driven by agriculture but has recently shifted towards tourism as the Government increasingly promotes Dominica as a tourist destination. The income of the residents of Trafalgar, Wotten Waven and Laudat was primarily derived from agriculture, which comprised family-based farming for both local consumption and commercial purposes, and tourism. Most of the Roseau Valley residents had several jobs, including employment in the town of Roseau. However, since Hurricane Maria the World Bank has estimated that economic damages and losses amount to approximately US\$1.37 billion or 226 percent of 2016 GDP.³ Agriculture, livestock, fisheries and tourism show the steepest declines. Tourism income has further declined in 2019/20 with a reduction in cruise calls, closure of borders during traditional summer months, cancellation of festivals and strict quarantine requirements for visitors due to the COVID-19 pandemic.

The government is the major employer for the community followed by construction as a result of the boom in this industry following Hurricane Maria. A larger percentage of women work in the public sector and vending than men, and a larger percentage of men worked in farming, construction, and tourism than women. The 2009 Dominica Poverty Assessment report indicates that, for the Rest of the parish of St. George inclusive of Laudat, the number of poor individuals were 892 or 16.3%. This represented an average of a little over one half percent above the national average. The baseline survey indicated that participation in poverty alleviation measures may not be as widespread in Laudat as in other communities. With respect to institutional or social development support to household, 16% of respondents benefitted from this support with 82% of respondents indicating no benefits.

3.5.1 Agriculture

Agriculture general accounts for about 20% of GDP in Dominica and employs about 40% of the labour force. As of late 2017 pre-Hurricane Maria, there were about 2,000 hectares (4,900 acres) of land being used as pasture land for animal husbandry, comprising 2.7% of the total land area. In addition to tourism, residents of the Roseau Valley were engaged in crop cultivation and agroforestry. Many properties in the study area included the growth of citrus, other fruits, vegetables, and some root crops for consumption and for sale.

Agriculture is the second highest income-earner for the Roseau Valley's residents after tourism. However, from 2017 farmers were increasingly turning towards tourism which was considered more profitable.

Some villages in the valley were involved in commercial farming:

- Morne Prosper: mainly vegetables (the land is relatively flat).
- Wotten Waven: more diverse production of flowers, subsistence farming, tubers.
- Trafalgar: smaller-scale production more geared to tourism as well as tubers and 2 small poultry farms.
- Laudat: tuber production, vegetables and subsistence farming and a poultry farm.

In 2016 it was reported that there was a reduction in agriculture in most villages, especially Laudat and Trafalgar due to growth in tourism. In 2016, in the Roseau Valley, those working in agriculture are mainly women (in vegetable farming in Morne Prosper and Wotten Waven). Most farms were small production units comprising short-term and small-scale operations ($\frac{1}{4}$ - 1 acre, or 1,000 – 4,000 m²). Few farmers had larger lots of land, i.e. in excess of 5 acres, or just over 20,000 m².

Hurricane Maria caused substantial damage to agriculture in Dominica, including loss and damages to animals, crops, buildings, infrastructure and equipment. Damage to forest resources was also reported, with further impacts to agriculture. The greatest economic sector losses were sustained in the agriculture sector (32 percent), followed by the tourism (19 percent) and transport sectors (14 percent).⁴ It is probable that income from agriculture in the Roseau Valley has been significantly impacted.

The trend has changed slightly in 2020 given the reduction on tourism activities and there is a return to farming. The Ministry of Blue & Green Economy, Agriculture and National Food Security has launched initiatives including a WB funded “backyard” farming initiative in a bid to increase food security.

Unpublished statistics from the Ministry indicate that forty households from Laudat with a mean backyard size of 5900 square foot have participated.

3.6 Educational Profile

National school enrolment rates are quite high in Dominica at 97.5% for 5-9 year olds and 98.3% for 10-14 year olds (The Caribbean Development Bank, 2010). According to the Ministry of Education, in 2014, 75 pupils from the Roseau Valley were attending primary school. In July 2017, the Laudat and Trafalgar Primary schools were merged given the low number of students at Laudat. Approximately 224 students from the Roseau Valley were in Secondary School in 2014. Most villages in the Roseau Valley has its own primary school, but pupils must travel to Roseau once they reach secondary school age. This can represent a significant cost for parents, especially for transport.

3.7 Health Profile

Life expectancy in Dominica is 77 years (81 for women and 74 for men). The death rate in Dominica is relatively low, 8.1-9.5 per 1000 live births between 2010 and 2015. The infant mortality rate was 20.8 per 1000 live births in 2015. According to 2017 data from the Ministry of Health, 5.5-6% of births in the country were born to residents of the Roseau Valley in 2015-2016. Chronic illnesses recorded in the Roseau Valley in 2015 included cancer, pneumonia, pregnancy related illness, hypertension, heart disease, motor neuron disease, birth defect, and diseases of the urinary system. Incidences of each were between 1-2 people. Malaria is not typically present in Dominica, but Chikungunya and Dengue fever are health concerns. At least 30 cases of Zika virus were confirmed in Dominica in 2016. According to the CIA Factbook, in 2014 5.5% of GDP was spent on health (Central Intelligence Agency World Factbook Website (2017)).

There are three health centres in the Roseau Valley one in each of the potentially affected communities (Trafalgar, Wotten Waven and Laudat). The Valley is also close to the capital of Roseau and its health facilities including the Princess Margaret Hospital, which is the country's top health care establishment. The hospital has 224 beds (including 56 in a psychiatric unit) and was recently expanded per the Caraïbes Environnement Développement & Coll, May 2015 Report on the initial environmental status of the Roseau Valley in Dominica.

Damage and losses to healthcare facilities post Maria were estimated at EC\$ 48.3M (US\$ 17.85M). The Princess Margaret Hospital (PMH), Roseau, the only referral hospital in the health care system, sustained severe damage with 15 percent of its buildings totally destroyed leaving only 53 percent functional. Central medical stores lost the majority of medical supplies due to water damage but most medications were spared. Bed capacity was decreased by 95 beds.

In September 2019, the first phase of the Dominica China Friendship hospital (which is to replace the PMH), encompassing A&E, surgical and dialysis care was commissioned. The facility is scheduled to

be completed in Q3 2021. An additional 40,000 square feet two-floor hospital with a 75-bed capacity, as well as a wide range of essential services and modern state-of-the-art facilities is under construction in Marigot to serve the North-East of the island. Services to be provided by the New Marigot Hospital will include Ambulatory Services, Emergency Care, Intensive Care (ICU), Maternity and Paediatric Care, Laboratory and Radiology Services and Trauma Centre.

With regard to the COVID-19 pandemic, Dominica has lifted stay at home orders, and resumed some transportation options and business operations (US Department of State). In June 2020, the government stated that it would not be extending the state of emergency and the curfew that had been in place to curb the spread of COVID-19.¹² The Center for Disease Control and Prevention states that Dominica's COVID-19 risk is very high (August 2021), and one should avoid travel to Dominica. If one must travel to Dominica, they should make sure they are fully vaccinated before travel.

Because of the current situation in Dominica, even fully vaccinated travelers may be at risk for getting and spreading COVID-19 variants. As of 24 September, 2021, Dominica had reported a total 3293 cases of COVID-19 since the beginning of the pandemic, with 2680 recovered cases, 598 active cases and 15 deaths (Dominica Ministry of Health, Wellness and New Health Investment Response to COVID-19).

3.8 Gender

The Dominica Country Gender Assessment (CGA), commissioned by the Caribbean Development Bank (CDB) in 2014, provides a gender analysis of the economic, social and governance sectors in Dominica. The CGA indicates that Dominica's gender inequality index, which measures three aspects of gender inequality – reproductive health, empowerment, and economic activity – has not been calculated by the United Nations Development Programme (UNDP), because of the unavailability of relevant country data.

In terms of legislation, Dominica has neither signed nor ratified the Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Gender Equality Observatory for Latin America and the Caribbean). The most recent legislation with regard to gender equality has been the Protection against Domestic Violence Act, in 2001 and amendments to the Sexual Offences Act in 1998 and 1992. The law does not prohibit sexual harassment. Civil society groups reported it was a pervasive problem (US State Department Human Rights Report for Dominica, 2019). With regard to domestic violence, the most recent data reports that two women died from domestic violence at the hands of their partners in 2015, one died in 2014 and one died in 2009 (Gender Equality Observatory for Latin America and the Caribbean). In 2010, there were 177 cases of reported child abuse against girls, vs 39 against boys (CGA). The Bureau of Gender Affairs did not disaggregate reported cases of gender-based violence, but there were 391 reports between 2011 and 2013 (CGA).

The US State Department Human Rights Report for Dominica, 2019 states that: "The law criminalizes rape of men and women, including spousal rape. Although the maximum sentence for sexual molestation (rape or incest) is 25 years' imprisonment, the usual sentence in 2019 was five to seven years. Whenever possible, female police officers handled rape cases involving female victims. Women were reluctant to report domestic violence to police. The only shelter for victims of gender-based violence remained closed after suffering damage during Hurricane Maria in 2017. Civil society reported that sexual and domestic violence was common. The government recognized it as a problem, but according to civil society groups, recognition of gender-based violence, particularly domestic violence, as a problem was low among the general population. Although no specific laws criminalize spousal abuse, spouses can bring battery charges against their partner."

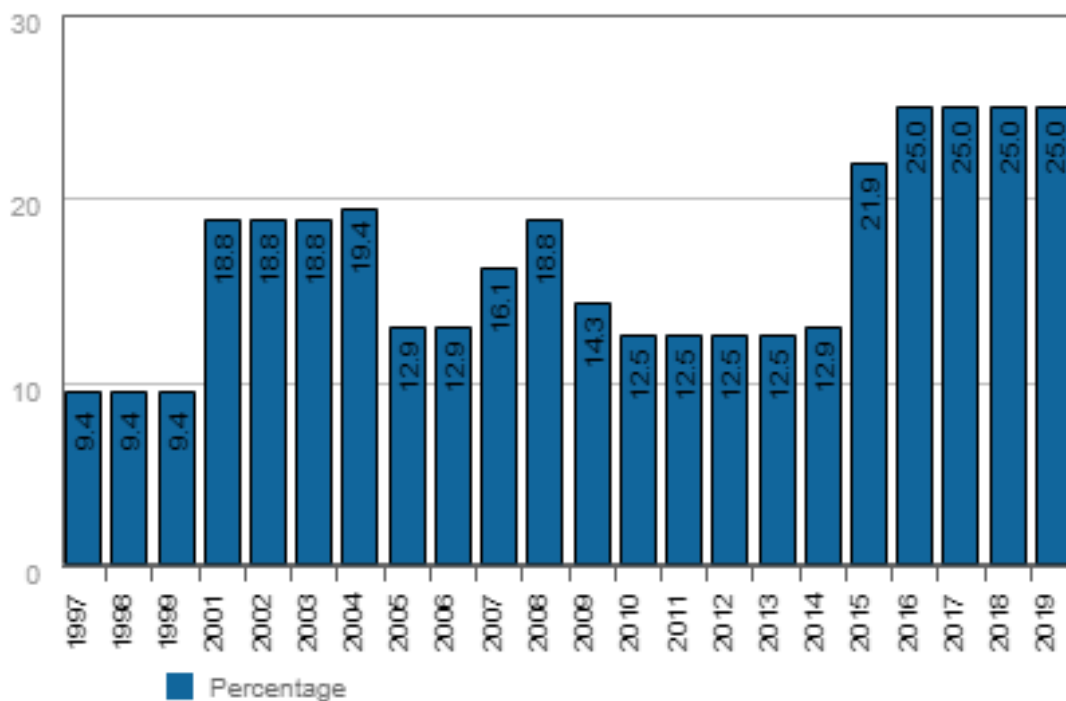
With regard to teen pregnancies, it has increased in recent years, going from 17.5% in 1981 to 40.3% in 2009 (Gender Equality Observatory for Latin America and the Caribbean and CGA). This represents

¹² CARICOM, Dominica Lifts Curfew, State of Emergency (June 2020) accessed at: <https://today.caricom.org/2020/06/30/dominica-lifts-curfew-state-of-emergency/>

a significantly high incidence of teenage pregnancy. Data from the Gender Equality Observatory for Latin America and the Caribbean shows that 100% of births in Dominica are attended by skilled health personnel. The country’s maternal mortality rate of 222.3 per 100,000 women (2010) represents a high rate, placing Dominica at 53rd in the global ranking (CGA).

In terms of education, secondary school enrolment for 2011/2012 was slightly higher for males (50.7% for males vs 49.3% for females) but the number of women in tertiary level education is significantly higher than the number of males (62.5% vs 37.5%) (CGA). For labor participation, 58.4% of the labor force in 2011 was composed of males and 41.6% of females; however, the unemployment rate in 2011 was slightly higher for males than females, standing at 12.3% vs 9.9% (CGA).

When it comes to autonomy in decision-making and women’s participation in government, Dominica exhibits male dominance in Parliament, with a male: female ratio of 87.5%: 12.5% in 2014 (CGA). For 2013, the number of male vs female village councilors was 59% vs 41%, and the number of male vs female chairpersons of village councils was 71% vs 29% (CGA). The number of women legislators are illustrated in the Figure below for the years 1997-2019 (Gender Equality Observatory for Latin America and the Caribbean).



Source: Gender Equality Observatory for Latin America and the Caribbean

Figure 3-1: Number of Women Legislators (Percentage)

3.9 Vulnerability

In 2018 the social survey respondents, focus groups and wider community expressed that there were no specific vulnerable groups in the Roseau Valley. However, during project consultation, disabled members of the community were identified, including a blind member of household and elderly PAP who were without support services. Disabled members of the community would be considered vulnerable. Elderly members of the community that could be isolated and widows would also be considered vulnerable. In addition, residents of the Roseau Valley that have been unemployed for a significant length of time (2 years or more) could also be considered vulnerable.

Post Hurricane Maria and due to loss of income due to COVID-19, new vulnerable groups emerged. Surveys in the project affected communities suggest that 90% of the respondents had lost the roofs of their houses, and 95% of the respondents lost their livelihoods¹³. Rebuilding and government housing assistance programmes have alleviated this hardship in most communities including Laudat. Among the non- salaried economically active population, 3.1 million workdays were lost post-Maria. The respective loss in work days and income resulting from Hurricane Maria, is likely to have resulted in a 25 percent decline in consumption, which could translate into an increased poverty rate of 36.2 percent (from 28.9% as reported in 2009).

No PAPs indicated loss of income from COVID-19 but indicated psychological impact due to social protocols.

3.10 Detailed Socio-Economic Surveys

Initial face-to-face interviews and phone discussions were held in March 2018 with the PAPs to collect census level information and verify physical assets. Face-to-face interviews included completion of a census survey questionnaire and phone interviews, which were conducted to collect more limited data, consisted of approximately ten basic questions. Given the change in project scope and reinjection line PAPs, additional surveys were conducted during August-November 2020 and in 2021. Only two of the parties chose not to complete the full census survey due to personal circumstances but they are participative in the process.. There have been multiple attempts to include two PAPs in the survey and the CLO continues to engage them and census information will be added in updates to the RAP if PAPs agree to participate. Remaining PAPs completed the full census survey. Additional census data was collected during June and July of 2018, during August -November 2020 and in July 2021 to get a complete picture of PAP socio-economic conditions. There is no change in the overall characteristic of the community over the period between the surveys.

Given the relatively low incidence of COVID-19 in Dominica until July 2021, and the removal of curfews and restrictions on intra-island movement, interviews were conducted as done previously with the addition of the wearing of masks and physical distancing during the interactions. Findings relating to the PAPs are summarized below. Photographs of the PAPs properties and some additional data is provided in Appendix B.

It is important to note that certain circumstances, particularly cultural reticence to share income and livelihood information, may have influenced the responses to the socio-economic surveys.

Survey responses directly relevant to the RAP process are summarized as follows:

- A total of 59 individuals (24 landowners and their households) were identified when all members of the affected PAP households were tallied.
- Only one of the PAPs currently resides in one of the three identified structures.
- The surveyed PAPs were generally aged 50 to 60+. One¹⁴ of the PAPs is elderly. Approximately half are single and a half married. Half are women and half men. Households generally consist of 3-4 people.
- Two of the PAPs are supporting elderly parents and approximately half of the PAPs are also supporting teenage or older children and siblings.
- Six of the PAPs presently live overseas, some did not fill in the survey in full and provided limited information. Some own other land or property in the area. Some were farmers, vendors or small business traders, a midwife, stay at home parents, unemployed or construction workers.
- Most of the PAPs experienced some adverse effects from Hurricane Maria including structural damage, income loss, or had the need for government food rations.

¹³ WBG Post-Disaster Needs Assessment, Hurricane Maria, September 18, 2017 completed November 7, 2017.

- None of the PAPs became unemployed or suffered loss of livelihood due to COVID-19
- Most of the PAPs are elementary school graduates, some have high school degrees and four have college degrees. All own their respective properties or are representatives of persons owning their properties
- Average household monthly income of approximately \$EC 3,000 (approximately USD 1100-). Data was included from the 2018 ARAP as many of the PAPs refuse to give updated information as to their monthly income. There are only two PAPs that derive any income from the land itself and they do not keep good records nor financial statements. As such, the project decided to use average monthly incomes and data from the 2018 ARAP to provide rough estimation of income. The firm which was hired to develop the 2018 RAP conducted face to face and phone surveys to determine the average monthly income. Many of the PAPs indicated that they are supporting other family members. Most of the PAPs have other working members in their households, which may reduce their vulnerability. Most of the PAPs indicated that they are responsible for spending of household finances.
- Two PAPs indicated that they derive income from the affected property the remainder indicated on the census forms that their household income was not tied to the lands to be acquired; and therefore refuse to provide information.
- All of the PAPs are aware of the proposed Project and none have expressed opposition to it or acquisition of their property if compensation is fair.

The following Table 3.1 presents additional data on the PAPs and is complemented by the entitlement matrix in Table 5.1.

Table 3.1 2021 PAP Socioeconomic Census Data

Number	Type of Business	Gender	Age	Primary Occupation	Marital Status	Duration of Business	Household Members	Highest level of education	Recent Illness/ Symptoms
PAP1	Farming (Structure which could be used as a residence on land)	Male	54	Self-employed farmer	Married	5 years	4	Secondary School	Daughter- spinal surgery – yearly checkups required in US
PAP2	Construction (abandoned partly constructed residential structure on land)	Male	74	Construction (living and working in the U.S.)	Married	7 years	5	College	
PAP3	Farming and Construction (residential structure, crops)	Male	62	Agriculture/Construction	Single	31 years	1	Primary School	None
PAP4	Homemaker	Female	49	Homemaker (Living in Germany)	Single	20	5	College	none
PAP5	Midwifery	Female	56	Midwife	Single	19	4	Post-graduate, Masters Level	None
PAP6	N/A	Male	48	Living & Working in French Territories	Married	Unknown	4	Vocational Certificate	None
PAP7	Contractor	Male	50	Contractor	Married	N/A	7	Elementary	None
PAP8	Tourism – out of business- In Liquidation (Legacy Property -drill pad WW-02)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PAP9	Businessperson (Legacy Property -drill pad WW-01)	Female	N/A	Businessperson	Married	N/A	N/A	Post-Secondary	None
PAP10	Retired Vendor/Subsistence Farmer	Male	61	Subsistence farmer	Single	45	4	Primary	Diabetes
PAP11	Businessperson	Male	42	Businessperson	Single	N/A	3	Secondary	None
PAP12	Businessperson	Female	65	Businessperson	Divorced	10	3	Tertiary	None
PAP13	Social Worker	Female	62	Social Worker	married	44	3	Tertiary	
PAP14	No response	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PAP15	No response	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PAP16	Retired	Female	64	Retired	Married	10	4	Primary	N/A
PAP17	Retired	Male	87	Retired	Widowed	10+	2	Primary	None
PAP18	N/A Company	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PAP19	Lawyer	Female	49	Property Manager	Single	12	1	Tertiary	None

PAP20	Unemployed	Female	60+	Unemployed	Single	N/A	3	N/A	None
PAP21	Retired (subsistence farming)	Female	60+	Retired	Married	N/A	3	N/A	None
PAP22	N/A Company	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PAP23	Entrepreneur	Female	N/A	Self-Employed	Single	N/A	N/A	N/A	N/A
PAP24	Hospitality Worker	Male	No response	Hospitality - Overseas	Partnered	40	2	No response	No response

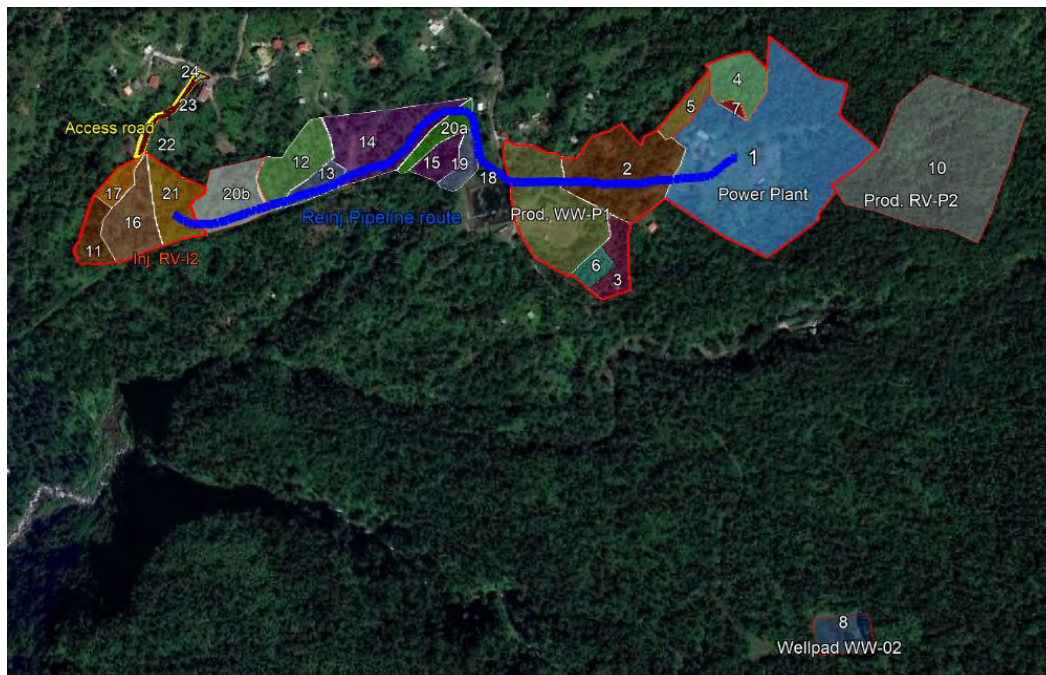
4. IDENTIFICATION OF PROJECT IMPACTS

4.1 Land Acquisition, Physical Displacement and Resettlement Impacts

For construction of the power plant, reinjection route and associated infrastructure, seven full properties at the power plant, four full properties for the reinjection pad (RVI2), a portion of eight other properties along the reinjection line, a portion of three properties for widening access to RVI2 and a portion of one property for production pad A (RVP2) would need to be acquired. This would include three structures, one of which is classified as residential, one intended for residential use, and one used for livestock (refer to Section 6 for further details). Only one structure is currently housing a PAP. These properties would be directly displaced by the Project footprint. This RAP therefore considers 25 properties in total since it includes two legacy properties (well pads WW-01 & WW-02), whose acquisition and compensation will be done according to the principles of this RAP.

Of the twelve properties impacted by the construction of the reinjection route and drilling of the reinjection well, eight would only require acquisition of a portion of the property to accommodate a 10 m wide corridor. Table 6 below illustrates the acreage and percentage of each property required for acquisition for the reinjection line route, where the average plot size is approximately one acre. As the percentages required for each property are generally small, there is an opportunity to minimize resettlement/livelihood impacts during the design phase by placing the reinjection line route in the areas of least impact within each property, or to avoid dividing a piece of land in two. The table below presents the estimated amount of land to be acquired for the reinjection line, per PAP. Where the land is untitled, the acreage required is given.

All temporary/construction impacts for example power lines and areas for widening of roads for movement of equipment take place on infrastructure already in place by the utilities or on lands owned or to be owned by the State(Project). All lands by PAP# except for legacy property WW-01 are shown in the Figure 2 below (not drawn to scale). Details of properties are provided in Table 6.1.



. Figure 2: Plots

Notes:

- PAP #20 has two parcels of land; therefore, it is divided as 20.a and 20.b.
- At time of preparation of this RAP surveys of entire parcels are still being conducted for some parcels by the Lands and Surveys department.
Relocation to other sites was considered as part of the RAP 2021 process, particularly by two affected parties (PAP #1 and PAP #3), but all of the affected parties opted for cash compensation¹⁵ (at full replacement cost including any transaction cost). The costs and benefits of replacement land versus compensation were explained to the relevant parties. .

4.2 Economic Displacement and Livelihood Impacts

Along with experiencing physical displacement, some of the parties affected by resettlement for the proposed power plant site and the reinjection pipeline route will experience economic displacement effects as the affected properties include agricultural crops, livestock, and trees. In particular, surveys show that five of the directly affected parties for the power plant site and one tenant on the pipeline route are presently engaged in agricultural activities, growing citrus and other fruits and vegetables, raising rabbits and sheep on their property. Additionally, one of the parties have agricultural structures that would be affected by the project.

4.3 Gender Impacts

From the responses received, ten of the PAPs are female and nine male which is aligned to the wider Laudat community where 52.6% is male and 47.4% female. Of the female PAPs, one is retired and one is a homemaker, one male PAP is retired and elderly.

4.4 Ecosystem Services

The Project would also potentially impact ecosystem services in the Project area. The key ecosystem services which have the potential to be significantly affected by the Project are the ecotourism resources including medicinal plants, handicrafts, and water related resources. However, many of these resources were severely damaged in the hurricane. Additional on-site surveys would be required to determine with certainty the extent of the ecosystem services impacts, but given the hurricane damage, the likelihood of unique ecosystem services being affected is considered low.

5. ELIGIBILITY AND ENTITLEMENT

5.1 Overview

In the context of this RAP, 'entitlement' is a concept through which we determine the amount and type of compensation (or other support) to be provided to a PAP for a particular impact or loss category. The process begins by linking an array of affected assets and economic activities to an affected interest or legal right, then to a potentially affected party who is deemed 'eligible' or not according to specific conditions. If qualified, the affected party is then a candidate and considered 'entitled' to an appropriate compensation package. An entitlement matrix then identifies the category of affected PAPs along with their entitlement to the various forms of support. In this instance, the affected assets are considered to be crops, structures, properties and economic activity (farming).

¹⁵ The PAP who had chosen relocation in the previous version of the RAP opted for cash compensation and has subsequently been paid.

5.2 Eligibility and Cut-Off Date

In order to identify persons who will genuinely be displaced by the Project and who are eligible for compensation and assistance and differentiate from ineligible persons (such as opportunistic parties hoping to claim benefits), a cut-off date has been established. After the cut-off date, it is considered that the affected parties and wider public have been appropriately informed not to make improvements to, or settle on, the identified project land. Under the requirements of OP 4.12, the Project is not required to compensate encroachers after this date. The cut-off date for this Project has been established as 15 November 2020. This is the date that the detailed socio-economic survey in the community was completed for most of the affected parties, (others had been done prior and were updated) and whereby the final number of farmers on the site was confirmed. Any additional persons establishing farming plots or other activities on the site after the cut-off date will not be considered as PAPs and will not be eligible for compensation. Because the potentially affected community is small (24 total property owners), the cut-off date was communicated directly to the community during meetings and one-on-one interviews, during August to October 2020.

5.3 Entitlement Matrix for Compensation

The entitlement matrix presented below in Table 5.1 captures all PAPs, the characteristics of the impact, and the types of compensation/measures to be applied. PAPs will be entitled to a combination of compensation measures, relocation and livelihood assistance, depending on the nature and extent of the impact and lost assets, as detailed in Tables 6-1 to 6-3, and their preferences. Social and economic vulnerability will be considered in determining the level of assistance provided (as discussed in Section 5.4).

Compensation and assistance will broadly consist of one or more of the following types:

1. Compensation for loss of land;
2. Compensation for the loss of trees or crops;
3. Compensation for the loss of structures;
4. Transitional financial assistance to support any movement of structures or crops;
5. Income restoration for the loss of a business or significant agricultural loss;
6. Livelihood restoration assistance; and
7. Additional support for identified vulnerability.

A principle of this RAP is that affected party livelihoods will be restored to pre-project standards and, if possible, improved. PAPs were presented with the options of cash compensation, replacement land or a combination. PAPs determined to be entitled to replacement land were offered the option (of replacement land). Details of the PAPs that are entitled to some form of compensation are described in Section 6. The nature of the compensation proposed following assessment of entitlement and eligibility is provided in Section 6, Valuation and Compensation.

Table 5.1 Entitlement Matrix

PAP Category	Type of Loss	Eligibility Criteria	Entitlement	# PAPs Affected	Details of Support/Compensation
Power Plant, Production Well, Reinjection Well and Reinjection Route including access roads Landowners (where more than 20 percent of a parcel of land needs to be acquired for the Project) ¹⁶	Permanent loss of land	Land title or other document establishing ownership in case of unregistered land to affected property, those without legal rights to the land at time census begins but with a recognizable claim to the land, those with no recognizable claim to the land they are occupying.	Compensation at replacement cost ¹⁷ Valuations done using market value including improvements to the land (considerations detailed in text following matrix) plus all transaction costs and statutory fees.	13 – PAP #1,2,3,4,5,6,7,9,10, 11,16,17, 21,22,23,24 Note: PAP 9 is a legacy property for WW01	Appropriate price/compensation as mutually agreed with the landowners. The value agreed will be based upon the individual valuations completed by the Dominica Lands and Surveys Division, consistent with the methodology outlined in the basis of compensation letter completed by DGDC for the RAP included in Appendix B This meets replacement costs per OP 4.12
Power Plant, Production Well, Reinjection Well and Reinjection Route including access roads owners or land users ¹⁸	Permanent loss of trees and crops	Crops or trees on affected property at time of property acquisition.	Financial compensation for crops/trees. Valuations done using combination of cost of production, selling price at time of valuation and future bearing capacity.	6 – PAP #1,2,3,6,7,10	Cash compensation for the loss of trees, crops, perennials based on 2021 estimates.
Power Plant, Production Well, Reinjection Well and Reinjection Route including access roads owners or occupants	Permanent loss of a residential structure	Permanently residing on the affected property prior to property acquisition	Compensation for lost assets. Structure will be valued by the PVU and compensation paid to the owner of the structure. Moving/transitional assistance	1– PAP # 3	Appropriate price/compensation as mutually agreed with the landowners based upon Government valuation asset values adjusted to replacement value. Moving assistance in lump sum payment.

¹⁶ Where it is less than 20 percent of the parcel, there is cash compensation.

¹⁷ Replacement cost means that the affected person can replace the affected asset to the same condition. Replacement cost typically reflects market value plus transaction costs, transfer or retitling fees, and salvageable materials.

Note: 1. Two of the four structures referenced in the text have been abandoned for 5 plus years. Only one PAP resides on his property. 2. All compensation is at replacement cost

¹⁸ Owners refers to the owners of the land; users refers to owners of crops/structures not belonging to the land owner e.g. agricultural tenants.

PAP Category	Type of Loss	Eligibility Criteria	Entitlement	# PAPs Affected	Details of Support/Compensation
Power Plant, Production Well, Reinjection Well and Reinjection Route including road access or land users ¹⁹	Permanent loss of an agricultural structure	Commercial structure present on the affected property prior to property acquisition.	Compensation for lost assets. Structure will be valued by the PVU and compensation paid to the owner of the structure. Moving assistance.	2 – PAP #1, 3	Appropriate price/compensation as mutually agreed with the landowners based upon Government valuation asset values adjusted to replacement value. Moving assistance in lump sum payment.
Land owners with loss of income due to loss of land use	Loss of income	Farmers or business owners operating on affected property at the time of the cut off date or census if carried out after	Assistance for livelihood restoration by Providing access to existing social programmes: 1.Elderly pension and health care services 2.Skills training programmes	6- PAP #1,2,3,6,7,10	Loss of income compensation will be provided based upon a percentage of income loss experienced by the affected party. If this is being provided to people who do not necessarily own land, DGDC might include support to find replacement land.
Vulnerable households, potentially including households headed by women, elderly, very poor, disabled, or those affected or displaced by the effects of Hurricane Maria	Loss experienced by vulnerable parties	Qualifies under one of the eligible criteria and is considered 'vulnerable' including widows, sole income source in the household, elderly.	Additional assistance to households for 3% of their annual income according to vulnerability levels.	4 – PAP #1, 2, 17, 20	Supplemental compensation for loss of annual income. Priority for community enhancements including health and education components. Priority for livelihood and agriculture restoration components. Priority for suitable employment and transport to nearby shopping if needed. Special arrangements in the form of transportation to negotiations, meetings and access to independent advice on the process.
Landowners, property owners who are impacted by temporary construction activities ²⁰	Loss of income/property	Anyone that can demonstrate loss of income related to lost use of land; this may include (but is not limited to) land occupied temporarily,	Compensation for loss and restoration where necessary	None identified	Loss of income / property compensation and restoration at replacement value

¹⁹ Agricultural tenants are usually allowed to erect structures on lands being used on farms in Dominica. The structures belong to them, and not the land owner.

²⁰ Additional to impacts listed in Jacobs 2018 ARAP

PAP Category	Type of Loss	Eligibility Criteria	Entitlement	# PAPs Affected	Details of Support/Compensation
		or land damaged due to construction activities			

5.4 Vulnerable Parties and Gender Considerations

Vulnerable parties are often at a disadvantage to participate and benefit from social and economic opportunities in their communities or need special assistance to do so. Women have important economic roles and engage in a very wide range of income making activities in the agricultural and marketing sector. The RAP pays particular attention to ensuring that vulnerable people and women are the recipients of compensation pertaining to and reflecting their full activities. As a result, women, the elderly, the unemployed have been encouraged to actively participate in all project-related resettlement consultations and negotiations and certain meetings have been conducted with women's groups. Special mitigation actions / measures for vulnerable people / women have been prepared and included in the RAP (Section 7). All compensation due to woman-headed families will be given directly to the woman family head. RAP monitoring and evaluation will pay special attention on the impact of resettlement on women and other vulnerable people. Assistance to vulnerable parties is discussed further in Section 7.2.

6. VALUATION AND COMPENSATION

6.1 Assessment of Land Value

The valuation methodology for the land compensation presented below was based on initial valuations provided by the Department of Lands and Surveys in July 2018 for some of the properties and estimates by DGDC based upon reference to other land valuations completed by the Department of Lands for the properties in the same area in 2017. The values were revisited in September 2020, and have remained the same with no major changes from the July 2018 valuations. The landowners were notified that their properties could be required for the project. Owners, or their representatives, of five of the seven properties under consideration for the power plant were present when the land surveys were carried out. The compensation rates to be proposed to the landowners were developed considering compensation based upon replacement value, as required by OP4.12, which includes: the market value of the land, transactional costs (legal fees associated with the process of selling and buying of land on average 10.5 % of market value), and any other fees associated with time delays as enshrined in the laws of Dominica. In ascertaining the market value of land, the property valuation unit of the Ministry of Housing and Lands relies on the individuality of each property. Physical inspection of the sites is carried out and factors such as services, access, topography, land use, size and market demand are taken into consideration. As noted below, PAPs 4, 5 and 7 are included in the RAP because of the proximity of their lands to the project. The lands associated with PAPs 4, 5, and 7 are illustrated in the figure 10 below. These lands are located along the boundary of the power plant site (PAP 1), and are 45,128 sq ft, 23,217 sq ft and 4,797 sq ft respectively.

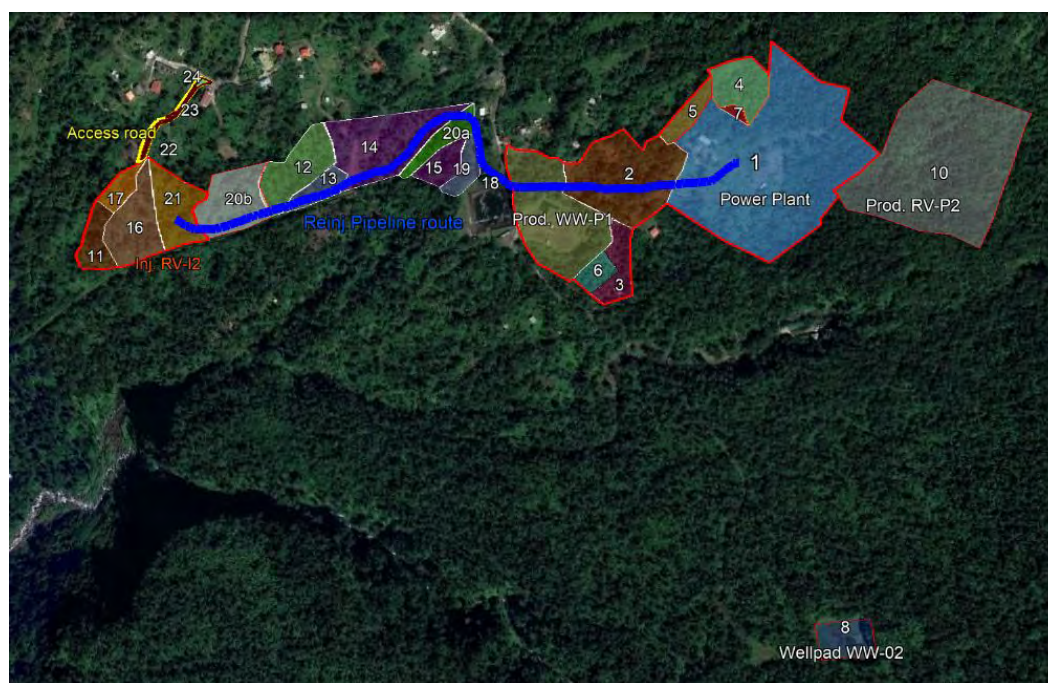


Figure 3: PAPs plots 4,5, and 7

PAPs 4 and 5 requested acquisition of their properties in 2018, due to community perception of noise, limited access to roads and concerns about proximity of the proposed power plant. Thereafter PAP 7 also agreed to the acquisition of his property for the project, since that property is fully surrounded by the lands owned by PAPs 4 and 5. It is worth noting that there were no residential structures in these plots and no road access to these plots prior to the project and access to these lands which was already difficult due to the topography on the northern sides of the properties would be even more limited due to the project. The Government of Dominica wished to accommodate the concerns of these PAPs and includes them to the

list of PAPs. It should be noted that no complaints or grievances have been received from these PAPs in relation to the properties of interest. Based on the current plan, these properties will be utilized by the project to enhance acoustic and visual screening of the power plant. No other PAPs' land area is affected by restricted access and noise impacts. The ESIA recommends that the project provide noise receptors within a 1000 feet of project parcels.

Formal property evaluations and negotiations and compensation have been and continue to be completed by the GoCD, Department of Lands and Surveys. No lands are accessed before payments are complete. Affected parties shall be properly consulted in line with OP 4.12, IFC PS5 and OP-710 prior to any land acquisition. An estimate of relevant property values is provided in the Table below. All compensation paid under this project has been done under the umbrella of the Jacobs 2018 ARAP and is aligned with OP 4.12.

Table 6.1 below depicts the land compensation estimates for all PAPs as based on actual government valuations. PAPs are encouraged to (and for the most part have) obtain private valuations for negotiations. Appendix B – Basis of Valuation details how values are ascertained. Given that the valuations are unique to each property; the unit price per square foot is presented for each property.

Table 6.1. Assessment of Property Values

PAP#		Affected Area Project Component		Land area square foot Replacement Value	% of Plot size	
1	Power plant site	439,520	100	EC\$ 378,150	\$0.86	378150
				USD 139,916		
2	Power plant site	158,994	100	EC\$ 255,500	\$ 1.61	255500
				USD 94,535		
3	Power plant	32,670	100	EC\$ 163,350	\$5.00	163350
				USD 60,440		
4	Power plant	45,128	100	EC\$ 135,384	\$3.00	135384
				USD 50,092		
5	Power plant	23,216	100	EC\$ 69,652	\$3.00	69652
				USD 25,771		
6	Power Plant	17,688	100	EC\$ 88,440	\$5.00	88440
				USD 32,723		
7	Power Plant	4,797	100	EC\$ 9,594	\$2.00	9594
				USD 3,550		
8	Legacy Property	37,035	2.29	EC\$ 19,550	\$0.53	19550

	Drill Pad WW-02			USD 7,234		
9	Legacy Property Drill Pad www-01	242150	100	EC\$ 361,335	\$1.49	361335
				USD 133,694		
10	Production Pad(RVP2)	329,314	100	EC\$ 300,000	\$0.91	300000
				USD 110,420		
11	Reinjection Pad	36,591	100	EC\$ 25260	\$0.69	25260
				USD 9,346		
12	Pipeline route	149	0.2	(based on 10m wide corridor):		
				EC\$ 522	\$3.50	522
				USD 193		
13	Pipeline route	4390	13	(based on 10m wide corridor):		
				EC\$ 15365	\$3.50	15365
				USD 5,685		
14	Pipeline route	10733	TBD	(based on 10m wide corridor):		
				EC\$ 37,565.50	\$3.50	37565.5
				USD13,899		
15	Pipeline route	17326	TBD	(based on 10m wide corridor):		
				EC\$51,978	\$3.00	51978
				USD19,232		
16	Reinjection Pad	71739	100	EC\$49407	\$0.69	49407
				USD18,281		
17	Reinjection Pad	21344.4	100	EC\$17150	\$0.80	17150
				USD6,346		

18	Pipeline route	-	TBD	(based on 10m wide corridor):easement agreement in progress and final pipeline design		
19	Pipeline route	2740	7.35	(based on 10m wide corridor):		
				EC\$13,700	\$5.00	13700
				USD5,069		
20**	Pipeline route	12268	10.2	(based on 10m wide corridor):		
				1.EC\$ 36,804	\$3.00	36804
		3894	TDB	USD13,617		
				2.EC\$19470	\$5.00	19470
				USD7,204		
21	Reinjection Pad	62726	100	EC\$43,200	\$0.69	43200
				USD15,984		
22	Access Road to RVI2	1037	17.2	EC\$7259	\$7.00	7259
23	Access Road to RVI2	727	9.5	EC\$5089	\$7.00	5089
24	Access Road to RVI2	2358	14.6	EC\$16506	\$7.00	16506

Source: Government Valuations completed in November 2020 and DGDC Estimates.

*USD Conversion Rates based upon exchange rate of 1 ECD =0.37 USD as of Sept 2021

**- owns two parcels of land

6.2 Assessment of Crops/Trees/Livestock Compensation Values

Six identified PAPs will lose assets in the form of their crops. The values presented in the table below are an estimate of current market value for the crops based on Division of Agriculture “Guide to Crop Evaluation in Dominica” in \$EC (East Caribbean dollars) and United States Dollars (USD) equivalent. . The Ministry of Agriculture & Fisheries will carry out valuations of affected crops and determine the actual compensation payment. Valuations are completed by extension officers of the Ministry of Agriculture & Fisheries who have intimate knowledge and understanding of the holdings. Crops are valued using the following bases:

- Cost of Production if farm records exist;

- Market value (selling prices) at time of valuation if no records exist; and
- Bearing capacity for well-established farms.

Crop valuation falls under the purview of the Ministry of Agriculture & Fisheries. The values assigned to crops are specified as a range and are set by a committee of technical experts who take into consideration factors such as the species, location, production cost, market value, climate and environmental influences. The applicable range for each crop is documented in the Ministry's "Crop Valuation Guide", and a comprehensive list of crops and economic trees under the following broad categories:

- Fruit and tree crops;
- Vegetables and herbs;
- Cut flower and ornamental plants; and
- Food and root crops.

Where crops are being valued for displacement from the land or removal of the crop, the economic life of the crop is considered (particularly for tree crops). When a valuation is required for an assessment of damage to the crop, where the crop continues to grow but growth is retarded, the age at the time of damage is considered. The aforementioned provisions are generally in keeping with World Bank policy.

Contrary to local practice, however, OP 4.12 notes that in some countries, the value of the harvest is determined by the average market value of crops for the previous three years. It states further that whatever the multiplier, if food supplies are sold in the area enough cash compensation is paid to purchase equivalent supplies, taking into account the possibility of price increases caused by heightened demand from displaced persons. Unit costs for crops are included in Appendix B and crop assessments for all affected PAPs in Appendix H. Payments are processed as lands and acquired and paid for.



Figure 6-4: Photograph of Affected Rabbit Hutch

6.3 Assessment of Assets, Residential and other Structures

Three identified PAPs will lose assets in the form of established structures. Determination of the compensation value for the structures was established based upon valuations provided by the Department of Lands and Surveys in July 2018 and revised in November 2020. Compensation for residential and other structures is based on this calculation by the Department of Lands and Surveys. Formal negotiations are ongoing. Photographs of Affected Structures are included in Appendix A.

Table 6.3 Structural Valuations

Affected Party No.	Sq footage of Affected structure	Total Valuation*
1	a.Potential Residential House/Currently livestock dwelling – 1,017 ft ² b.Rabbit Hutch - 308 ft ²	a.EC\$ 35,000 USD 12,950 b. EC \$5,000 US 1,850
2	Incomplete, Abandoned Residential House - 418 ft ²	EC\$ 62,700 USD 23,222
3	a.Residential House - 144 ft ² b.Shed -160 ft ²	a.EC\$ 24,000 USD 9065 b. 1000 USD 370

Source: Government Valuations completed July 2018, revised Nov 2020 *USD Conversion Rates based upon exchange rate of 1 ECD =0.37USD as of Dec, 2020.

All compensation will be based on *replacement value*.

6.4 Compensation Payment Procedure

Formal property evaluations for all of the affected properties will be completed by the GoCD Department of Lands and Surveys prior to construction followed by negotiations with the affected parties. On the basis of these negotiations, and completion of internal processes, the Ministry of Housing & Lands will disburse compensation to the affected parties for lands and structures. The Project will compensate for assets. Prior to disbursement of compensation, each eligible PAP will sign a compensation certificate which sets out the mutual commitments for each party. The format of the certificates will be easily understandable to affected people. This will be countersigned by the Ministry of Housing & Lands and representatives of DGDC will be present for this process.

Following agreement and signing of the certificates, compensation will be disbursed as indicated, livelihood restoration activities will commence, and the PAPs will be requested to vacate the site. DGDC will, in collaboration with the Division of Lands and Survey, be responsible for reporting on the receipt of the financial compensation of the PAPs and will arrange in kind compensation for any follow-up training.

In certain cases, it may not be feasible to pay compensation to all parties before taking possession of the land, for example when the ownership of the land in question is in dispute. There may also be cases where the landowner is out of the country. Under such circumstances, compensation funds shall be made available for each party through deposit into an individual escrow account for that PAP. This is not the case for any of the PAPs covered in this RAP.

7. LIVELIHOOD RESTORATION AND ENHANCEMENT MEASURES

7.1 Objectives

OP 4.12 and PS 5 state that compensation alone does not guarantee the restoration or improvement of the economic conditions of displaced persons and communities. Indeed, a major challenge associated with rural resettlement is the restoration of incomes based on land or natural resources. OP 4.12 and PS 5 require that projects manage resettlement as a development initiative and in doing so, focus on the need to at least restore and preferably improve the means of income earning capacity, productivity levels and associated livelihoods of displaced people and communities in their new locations. In light of this requirement, the Project will provide a range of livelihood restoration and development support options to PAPs.

7.2 Definitions

A livelihood is sustainable when it enables people to cope with and recover from shocks and stresses (such as natural disasters and economic or social upheavals) and enhance their well-being and that of future generations without undermining the natural environment or resource base.

In this context, DGDC acknowledges the responsibility not just to pay compensation for losses but also to assist PAPs to restore their livelihoods and improve their standard of living. The livelihood restoration measures detailed in this plan are designed to meet these responsibilities, in compliance with international best practice.

Livelihood restoration programmes that aim to prevent impoverishment, sustain incomes and build viable and sustainable livelihoods can be divided into two main categories:

- Land based livelihood restoration programmes: provide affected people with a sufficient size and quality of land to enable them to develop farms and sustain their incomes through land-based agricultural activities.
- Non-land based livelihood restoration programmes: provide affected people with wage and enterprise based means through which to sustain / improve their livelihoods, including occupational training, targeted credit, business development support etc.

7.3 Background

The benefits of livelihood restoration measures were highlighted to the PAPs during consultation, such as the potential for long-term income generation, and diversification of options for themselves and their families. Only two PAPs derive income from the lands acquired (PAPs 1&3), one has expressed that he may relocate his farm. Neither PAP has expressed any interest in Livelihood restoration activities at this time and so DGDC has made a budgetary allocation to facilitate these activities in the future.

Two PAPs will lose farmland PAPS #1 and 3 in the 2020 RAP. Only one is an active farmer on a portion of land and one other earns income from produce on the land. The approach to restoration for the PAP who may be pursuing relocation of his farm will include:

- Facilitation to identify alternative farming areas
- Vocational programming for alternative livelihoods determined by consultations with the PAP.

The Project will facilitate coordination among the PAPs, village and government authorities to ensure that all families affected by loss of farm are allocated other lands of similar area and productive capacity. A choice will be provided between a modest cash compensation, or in-kind assistance to improve other farmland (for example, by planting of valuable trees), in recognition of the inconvenience of changing

locations. Any valuable trees on the affected land that are considered as family property will also be compensated in this way. The replacement land will be formally titled. In the cases where the affected land includes some active farmland, the affected families will receive in-kind assistance to prepare new land in the same or a different area. This will include clearing and ploughing and may include fertilisation of the land to the point that it is ready for planting by the owner. Recognizing the inconvenience and some degree of risk in changing location, the land preparation services will be provided. Where the affected, active farmland is less than 0.1 acre, an alternative form of in-kind or cash compensation may be substituted.

DGDC has signed MOUs (November 2019) with the Ministry of Agriculture, the Ministry of Energy and the Ministry of Social Services to formalize facilitation of measures included in this RAP.

As stated earlier, the Project is ensuring that all those economic assets that are being lost because of the resettlement operation will be replaced on the basis of their full replacement value. The farms will be considered restored when the production of crops and livestock are at pre-resettlement levels. Both PAPs have no formal farm records and have provided anecdotal evidence. The Project will pay particular attention to the needs of women and other vulnerable groups in the planning of its livelihood restoration measures.

7.4 Roles and Responsibilities

Implementation of the livelihood restoration measures will be led by DGDC's Community Liaison Officer, with support from a third-party consultant experienced in livelihood restoration. DGDC has engaged an experienced crop and livestock assessor, retired from the government service, with no interest in the activities, both for the assessments included in this RAP and to provide guidance on restoration of farms to the PAPs. Any agricultural improvement and training programs would be led by local NGOs and/or the agencies of the Ministry of Agriculture with the appropriate expertise and resources. These agencies should also be primarily responsible for monitoring and evaluation of program outcomes, with support from the Project's Community Liaison Officer. Based on preliminary discussions, neither affected party has expressed any interest in pursuing any livelihood restoration measures after compensation for the lands and affected crops. The CLO continues to liaise with both PAPs and both are on schedule to vacate the properties. DGDC has made budgetary provision to support the PAPs in livelihood restoration activities should they chose at a future date.

Reporting will provide at quarterly intervals as part of the CLO's stakeholder engagement reports.

7.5 Implementation

Livelihood restoration measures will begin immediately.

7.6 Estimated Budget

The table below provides high-level costs for implementation of the livelihood restoration measures. These will be further refined as program partner involvement and capacities are better understood, and as restoration activities become further tailored to specific PAP needs.

Table 7.1 Livelihood Restoration Budget

	Component	Estimated Cost (US\$)
1.	Livelihood Restoration Measures	\$100,000
2.	Monitoring and evaluation	\$5,000
	TOTAL	\$105,000

7.7 Monitoring and Evaluation

According to best practice, projects that induce economic displacement should monitor and report on the effectiveness of livelihood restoration activities. More specifically, the objectives of Monitoring and Evaluation are to evaluate whether:

- Actions and commitments described for livelihood restoration are implemented fully and on time;
- PAPs understand their rights;
- Compensation and livelihood restoration measures are effective in enabling PAPs to at least restore their livelihood;
- Grievances submitted by stakeholders are addressed and the majority are resolved.
- Changes to livelihood restoration procedures are made in response to emerging concerns or lessons learned.

DGDC will conduct both performance monitoring and impact monitoring as part of the livelihood restoration measures.

Performance monitoring is an internal management function which will allow the Project to measure progress of the livelihood restoration components and programs. Among others, the following indicators will be included as part of the detailed performance monitoring plan:

- Overall spending against budget
- Number of households benefiting
- Number of female participants
- Number of grievances received
- Number of open grievances
- Average time for grievance processing

Impact monitoring is an internal process that will be used to determine the effectiveness of the measures in supporting affected persons in the restoration of their livelihoods. It will also be used to identify adjustments in the implementation of the livelihood restoration measures, as required. The effects of the measures will be tracked against the baseline conditions of the PAPs. Impact monitoring will monitor changes in agricultural yields, household livelihood patterns, wellbeing, food security and gender equality based on self-reported information by the PAPs.

8. VULNERABILITY ASSISTANCE

Vulnerable people can be defined as, those below the poverty line, the landless, the elderly, disabled, women and children, indigenous peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation (World Bank, OP 4.12).

Key factors which could be considered indicators of vulnerability for the identified PAPs include:

- Many in the communities impacted reported that they lost the roofs of their homes due to Hurricane Maria;
- Many in the affected communities reported that they have lost their livelihoods as a result of Hurricane Maria;
- Any loss of income related to COVID-19;
- Some of the PAPs are unemployed, low-income or single party headed households; and
- Some PAPs are elderly community members.

The RAP process has considered the potential for impacts on vulnerable PAPs and findings indicate that additional support should be applied to the PAPs as several would be considered vulnerable. Table 8.1 presents a vulnerability matrix for the PAPs.

Table 8.1: Vulnerability Matrix

PAP No.	Sole earner in household	Elderly or Disabled	Unemployed, low income	Receipt of Government Support Programs	Home or livelihood damaged by hurricane	Considered vulnerable
1	No	No	Yes- low income	Yes	Yes	Yes
2	Yes	Yes	Members of household unemployed post-Maria	No	No	Yes
3	Yes	No	No	No	Yes	No
4	Unknown	No	Unknown	No	Yes	Unknown
5	No	No	No	Yes	No	No
6	No	No	Living Overseas	No	No	No
7	No	No	No	No	Yes	No
8	Business	N/A	N/A	N/A	N/A	No
9	No	No	No	No	No	No
10	No	No	No	No	No	No
11	No	No	No	No	Yes	No
12	No	No	No	No	Yes	No
13	No	No	No	No	No	No

PAP No.	Sole earner in household	Elderly or Disabled	Unemployed, low income	Receipt of Government Support Programs	Home livelihood damaged by hurricane	Considered vulnerable
14	Unknown	No	Living overseas – no contact	No	No	No
15	Unknown (Heirs of newly deceased – no response)	No	No	Unknown	Unknown	Unknown
16	No	No	No	No	Yes	No
17	No	Yes-elderly	No	No	Yes	Yes
18	Business	N/A	N/A	N/A	N/A	No
19	Yes	No	No	No	No	No
20**	Yes	No	Yes	No	Yes	Yes
21	No	No	No	No	Yes	No
22	N/A	N/A	N/A	N/A	N/A	N/A
23	No response	No response	No response	No response	No response	No response
24	No	No	No	No	unknown	No

Notes: N/A as this is a commercial business. ** - owns two parcels of land

8.1 Forms of Assistance

Three of the PAPs are unemployed or low-income, four are sole earners in their households and two are elderly or are supporting elderly family members and ten experienced loss after Hurricane Maria. In total, four of the PAPs would be considered vulnerable. As such, the RAP provides an additional safety net for vulnerable households. Project-affected households and landowners that are vulnerable could potentially experience severe hardship during the livelihood restoration process and as such monitoring of these parties will be particularly important. Regular visits to each PAP will be conducted to ensure that the PAPs retain their place to live, means of income, access to medical care, and access to food and welfare of vulnerable persons, in this case all of the PAPs will be specifically tracked and reported upon by the DGDC. Further detail on Project roles and responsibilities is included in Section 10.

8.2 Compensation for Vulnerable PAPs

Compensation due to vulnerable PAPs will comprise:

- Cash payment for the supplemental compensation consisting of 3% of the PAPs typical annual income for a year by the DGDC payable in monthly instalment where income is impacted by project;
- Additional assistance may take the following forms, depending upon vulnerable persons' requests and needs;
- Assistance in employment training, access to and provision of healthcare, and educational support;
- Assistance in the compensation payment procedure (e.g. specifically explain the process and procedures, make sure that documents are well understood);

- Assistance in the post-payment period to secure the compensation money and reduce risks of misuse/robbery; and
- Counselling in domestic matters such as family, health, or finances.

9. STAKEHOLDER ENGAGEMENT

9.1 Introduction

In the context of resettlement and economic displacement, stakeholder engagement serves as both an opportunity for information exchange for consultation purposes and as a collaborative form of decision-making and participation. Full details of the stakeholders consulted during each stage of the ESIA process, and the detailed outcomes and observations are provided within the ESIA, the Addendum to the ESIA and Project Stakeholder Engagement Plan (SEP) and are included below.

The main objectives of consultation undertaken to date for the Project include:

- To provide information about the Project and its potential impacts to those interested in or affected by the Project, and solicit their opinion to that regard;
- To understand and address stakeholder concerns and expectations of the Project;
- To manage any unrealistic expectations and address misconceptions regarding the Project;
- To ensure participation and acceptance of the Project throughout the lifetime of the project by the key stakeholders including the community;
- To provide avenues to address any stakeholder grievances regarding the Project; and
- To agree on the asset valuation / compensation and livelihood restoration measures associated with this RAP process and discuss potential concerns.

9.2 Consultation with the Affected Community

During the geothermal drilling phase, eleven general public meetings were held in the potentially affected communities in November and December 2013 and January 2014. Five were held in Laudat, three in Trafalgar and three in Wotten Waven. A visit to the current geothermal power plant in Guadeloupe was also conducted in 2012 with members of the community to experience first-hand the workings of an operational plant. Additionally, school visits were conducted in February and March 2012 from the Wotten Waven Primary School, Trafalgar Primary School, Morne Prosper Primary School, Laudat Primary School, and Laudat Primary School where students and staff toured the drilling sites. In addition to the recent public engagement, the Grievance Mechanism was socialised within the community during the 2017 social baseline survey process.

Additionally, a town hall meeting was held in Trafalgar in December 2016 with approximately 40 in attendance to discuss the current project and ESIA. Another town hall meeting was held in Laudat in July 2017 with 43 in attendance. A third town hall meeting was held in Wotten Waven in August 2017. A final town hall meeting will be held to present the findings of the ESIA in May or June 2018. In order to facilitate further understanding of community needs and conditions, focus group meetings were held in 2016, 2017 and 2018 in Wotten Waven, Trafalgar and Laudat, described in further detail below. Because the total population of the Project AOI is relatively small (approximately 1,600), and given that the general public and many of the focus groups and landowners that would be affected by the Project are the same parties, the four formal public meetings and 15 informal forums held on the Project were considered representative of the community.

A total of 15 focus group meetings were held as part of the ESIA baseline data collection. A meeting with six representative community leaders from all of the potentially affected communities was held in Trafalgar in November 2016 to discuss the Project and the most effective means of stakeholder engagement. Focus groups meetings were also held in June, July and August of 2017 including meetings with representatives of local hotels and resorts, handicraft vendors, hot springs businesses, and unemployed parties in the area. Groups consisted of 5-15 people and targeted questions were asked and recorded. In addition, five focus group meetings were held in the communities in March 2018 following Hurricane Maria. These included meetings with community women in Laudat, Wotton Waven and Trafalgar, and vendor meetings in Wotton Waven and Trafalgar, to identify the impacts on the community of Hurricane Maria which hit Dominica in September 2017 and to understand how conditions in the Project area have changed since the ESIA baseline data was collected pre-Hurricane Maria.

Two national consultations on the Jacobs ESIA were conducted in February 2019 one in the south and one in the north (Portsmouth). A series of public meetings to update the community on the changes in the project were held in June 2020. Given the COVID-19 public gathering protocols, the DGDC conducted 3 sessions per day for three days to allow for maximum community participation. As part of the ESIA process for the Eclipse Inc conducted 3 focus group (women, landowners and youth) meetings in August 2020 and another meeting to present the findings of the ESIA to the community in November 2020.

Consultation on the RAP

In accordance with the WBG policies (“Involuntary Resettlement Policy” and “Land Acquisition and Involuntary Resettlement” respectively), consultation on the RAP included conducting a socio-economic census survey in 2017-2018; consultation with the project affected parties on the RAP with relevant government institutions such as the Department of Lands & Surveys; and presentation of the findings of the RAP to the affected communities in 2018. Further consultations were held with new PAPs in 2020 and updated census information for those previously interviewed. The recurring concern of PAPs was that they would be fairly compensated for their lands in a timely manner. DGDC continues to present the issue of timely acquisitions and compensation to the Ministry of Lands. The relevant department consists of a small staff and various government re-housing projects are in progress making.

This RAP was presented the Laudat Improvement Committee in January 2021, to the community at consultations in March and April 2021 and as part of the national consultation on the ESIA Addendum on April 29, 2021, after having been posted on the Project’s website from January 2021. Any comments on this RAP from the community or relevant institutions will be incorporated into a final RAP. As of September 2021, no comments have been received. The RAP will be updated as necessary with any new information from consultations with community or relevant institutions. The final version of the RAP will be disclosed on the website.





10. RESETTLEMENT SITES

In accordance with World Bank resettlement policies, resettlement sites were considered for two of the PAPs identified. One preferred site was identified on the basis of location, community continuity, access to productive resources, employment, and livelihood restoration consideration. The affected PAP wanted to remain local, on a site with land that would be productive for agriculture, and with easy access from local roads, on plots of a similar size to their previous property. A photograph of the preferred site for resettlement site is included below in Figure 10-1. The costs and benefits of replacement land were explained to both PAPs. However, although the pros and cons of replacement land were explained in detail to this party, one of the two PAPs has now indicated a preference toward compensation as they felt that they would prefer the cash and would be in a better position to negotiate a lower price for the land.



Figure 10-1: Photograph of Resettlement Site 1

An additional PAP had expressed interest in a replacement property, but no specific site had been identified. This PAP has since indicated a preference for cash compensation. All the other PAPs with affected property opted for cash compensation.

Only one single person household will be physically displaced.

11. ROLES AND RESPONSIBILITIES

11.1 Overview

The land acquisition process including negotiations and final compensation will be completed by the GoCD Department of Lands and Surveys including addressing any grievances related to land acquisition. DGDC will manage livelihood restoration related and resettlement (not including land acquisition) grievances consultation, grievance redress, monitoring and evaluation of the affected parties for this RAP. DGDC has appointed a Community Liaison Officer (CLO) and Social Safeguards Specialist to support the ongoing community consultation and engagement process, both generally and specifically regarding this RAP, and who will support in this process. The CLO role will continue into the operational phase. A cooperation agreement between the DGDC and GoCD is in place (November 2019) to formalise this relationship.

11.2 Organizational Responsibilities

This section presents the organizational framework for implementing resettlement, including:

- identification of agencies responsible for delivery of resettlement measures and provision of services;
- arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and
- and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettlers themselves of responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

Key roles and responsibilities with regards to the RAP are set out in Table 11.1.

Table 3 Roles and Responsibilities

Stakeholder	Interest	Roles/ Responsibilities	Timescale for Action
GoCD	Responsible for Land Acquisition Process	Complete formal land valuation for each property Complete compensation negotiations with each PAP Disburse compensation to each PAP. Manage acquisition of replacement properties as needed. Ensure the receipt of the financial compensation of the parties. For replacement property, ensure that once the property cost has been agreed, the property would then be transferred to them. Manage grievances related to land acquisition.	Prior to construction (2-3 months)
PAP	Affected properties, structures, and economic activity on site	Engage with socio-economic surveys Engage in consultation process Vacate project site as agreed on compensation certificate. Vacate project site upon complete implementation of this RAP	Present-vacation of site (next 4 months)
DGDC	Project developer	Engage appropriate organisations/individuals to implement the RAP. Facilitate good communications and relations with the PAPs	Present-ongoing

Stakeholder	Interest	Roles/ Responsibilities	Timescale for Action
		Manage livelihood restoration process and vulnerable party resettlement issues. Respond to livelihood restoration and resettlement (not including land acquisition) feedback and grievances in a timely manner.	
Social Safeguards Specialist	DGDC team	Implement RAP economic displacement Provide liaison between DGDC and PAPs Monitor RAP, with particular attention to vulnerable persons Identify and provide additional support as required.	Present-ongoing throughout Project operations
CLO	DGDC team	Support Implementation of RAP Manage General Grievances Responsible for general Project-related community consultation.	Present-ongoing throughout Project operations
Consultant	Consultant	Audit / supervise the process.	TBD
Eclipse	Consultant	Conduct socio-economic surveys of PAPs	July-November 2020

11.3 Compensation Payment Procedure

Appendix B presents the basis of valuation of assets for land and crops. Prior to disbursement of compensation and commencement of livelihood restoration measures, each eligible PAP will sign a compensation certificate which sets out the mutual commitments for each party. The format of the certificates will be easily understandable to the PAPs. This will be countersigned by GoCD Department of Lands and Surveys. This compensation plan includes commitments as follows:

- GoCD to pay the agreed compensation prior to the commencement of project construction and land clearance;
- PAP to vacate the affected land including harvesting crops prior construction; and
- Both parties to abide by the requirements of the RAP.

Following agreement and signing of the certificates, compensation will be disbursed to the bank account of the owner of the property and resettlement and livelihood restoration activities will commence and the PAPs will be requested to vacate the site. The GoCD will be responsible for ensuring receipt of the financial compensation of the parties. Vacation of the site will be carried out by the PAPs and monitored by DGDC.

11.4 Resettlement Procedure

If applicable, once a suitable resettlement site has been identified, the Department of Lands and Survey shall formally survey the property and negotiate with the PAP and upon agreement submit request for permission for its transfer. The Department of Lands and Surveys is only able to accommodate resettlement for properties/lands owned by the State. There is no provision for acquiring private property for transfer. This process includes commitments as follows:

- GoCD to transfer the property to the PAP prior to the commencement of project construction and land clearance, purchase, certification and transfer;
- PAP to vacate the affected parcel including harvesting crops prior construction; and
- Both parties to abide by the requirements of the RAP.

11.5 Livelihood Restoration and Enhancement Measures

DGDC will support with the coordination of any transport or livelihood restoration support measures required by the PAPs during the physical relocation process. Careful monitoring and evaluation will be required to manage the risk of unnecessary hardship, and to confirm that the various assistance activities are working as intended. The monitoring process is described in further detail in Section 12 of this document.

12. GRIEVANCE MANAGEMENT

12.1 Overview

The Project is committed to maintaining lasting, transparent, culturally appropriate and efficient relationships with its internal and external stakeholders, through communication and engagement measures that allow receiving, analyzing and solving any concern, doubt, question regarding the environmental and social performance of the Project in all of its activities. The External Grievance Mechanism is an instrument to guarantee transparency and commitment between the Project, the local population and any interested party

Based on the foregoing, the Project has developed an External Grievance Mechanism with the objective of identifying and managing the potential external nonconformities (e.g. from the affected communities) and/or complaints in a timely and effective manner.

This grievance mechanism is on place and has been communicated to the community and general population. It is published on DGDC's website (www.geodominica.dm) and allows for grievances to be submitted online and anonymously.

12.1.1 Objective

Establish an External Grievance Mechanism so that the Project can handle external complaints, presented by stakeholders outside the Project (e.g. affected communities, external stakeholders, interested groups, etc.), during the development of its projects by giving them an adequate response, generating satisfactory agreements and implementing compensatory and corrective actions, when necessary.

By establishing an effective External Grievance Mechanism, DGDC will be able to manage potential conflicts of interest by segregating the roles and responsibilities of individuals involved in the concern, suggestion or grievance management process and avoiding placing individuals in a position where conflicts could be perceived to arise. The Project recognizes that unforeseen impacts may occur, and that the maintenance of an open line of communication with the communities and/or those potentially affected by the Project is important to maintain transparent and cordial relations. In addition, international standards require the establishment of an External Grievance Mechanism in order to address the interested parties' concerns.

As a general policy, DGDC will work proactively towards preventing grievances through the implementation of mitigation measures (as identified by the ESIA) and liaising with the community. These activities are designed to anticipate and address potential issues before they become grievances. This will be the responsibility of the Project Manager and the Community Liaison Officer (CLO).

The sections below consider types of grievances that may arise, confidentiality and anonymity, and the Project's grievance resolution process.

The grievance mechanism covers the various aspects of the Project, including:

- The Project in general, including planning, construction and operation;
- The process of environmental impact assessment; and
- The compensation and resettlement processes.

Each affected person, agency or party representing the general good, is free to register a grievance, in accordance with procedures specified below. The grievance process focuses on first identifying whether the grievance can be addressed through additional communication between the complainant and members of the Project Team, or by providing additional information to the complainant. If the grievance cannot be resolved internally, the Project Team will then seek to resolve the grievance through mediation by local

authorities, and finally, if a resolution cannot be reached, judicial appeal. The procedure does not replace the public mechanisms of resolution of conflicts in Dominica's legal system but covers the legal process in the Grievance Mechanism to minimize the management of grievances and escalation to the judicial system.

12.1.2 Scope of Application

This plan will apply during the development of DGDC's activities and during the Project's life cycle. It is DGDC's responsibility to ensure that reception complaints are aligned to international best practices.

12.1.3 Definitions

The main terms used in this document are defined below:

Table 4: Terms and Definitions

Term	Definition
Claim	Concern, suggestion, complaint, or grievance raised by an individual or group of individuals that need to be addressed.
Claimant	Person or group of people communicating a claim to DGDC.
Concern	Requests for information or general negative perceptions unrelated to a specific Project impact or incident. If not addressed to the satisfaction of the claimant, concerns may become claims.
Conflict of interest	A conflict of interest exists where there is a divergence between the interests of an employee or contractor and his or her responsibilities or capabilities under this directive, such that an independent observer might reasonably question whether the actions of that person are influenced by his or her own interests.
Contractor	An individual or a company that has entered into a contract to provide goods or services to DGDC. The term covers parties directly contracted by DGDC and those contracted by a Contractor company, also referred to as subcontractors.
Grievance	A an actual or perceived problem raised by an individual or group of individuals that that might give grounds for complaint and needs to be addressed. Claims can result from either real or perceived impacts of DGDC's operations. The terms "claim" and "grievance" can be used interchangeably.
Suggestion	Proposal, insinuation, or indication that is submitted with the aim of proposing an action to improve DGDC's internal processes.
Retaliation	Any adverse action taken against a Claimant, employee, or contractor whose purpose is to frustrate the operation of this directive.
External Grievance Mechanism	A procedure through which a grievance can be raised by any interested party, assessed, investigated and responded to. It is also a framework through which workers can gain access to remedy for any adverse impacts or damage they have suffered as a result of business activities.

12.2 Roles and Responsibilities

In order to properly implement the External Grievance Mechanism, DGDC requires the involvement of the people listed below.

Table 5.2 Roles and Responsibilities

Role	Responsibilities
Board of Directors	<ul style="list-style-type: none"> Review and approve the External Grievance Mechanism.
Finance & HR Manager	<ul style="list-style-type: none"> Ensure the availability of resources necessary for the implementation of the External Grievance Mechanism.
Representative of DGDC's Legal Area	<ul style="list-style-type: none"> Evaluate and determine the origin of the complaints received and define the measures to be taken in response, as suitable according to what is stated in this plan.
Managing Director	<ul style="list-style-type: none"> Be familiarized with the External Grievance Mechanism and provide the necessary resources to ensure its proper implementation.
Safeguards Manager	<ul style="list-style-type: none"> Ensure the correct implementation of the External Grievance Mechanism. Review and approve the contractor project-specific External Grievance Mechanism. Update the External Grievance Mechanism.
Grievance Mechanism Team	<ul style="list-style-type: none"> Be familiarized and disseminate the External Grievance Mechanism among external stakeholders. Prepare the Communication Report, and follow up on the feedback received. Share the External Grievance Mechanism Database with the Managing Director. Share the received feedback with the Project Manager.
Community Liaison Officer (CLO)	<ul style="list-style-type: none"> Collect on a weekly basis the complaints presented, whether submitted physically or via website. Review the nature of the complaint, as well as the company's departments potentially involved. Solve, as immediate as possible the feedback received, if there are conditions to do so. Keep a record of the solutions that were given for documentation, monitoring or verification of the solution applied.
Employees, contractors and subcontractors	<ul style="list-style-type: none"> Read and be familiarized with the External Grievance Mechanism.

Source: DGDC, 2020

12.3 Activities

The External Grievance Mechanism Plan establishes the guidelines for external stakeholders to submit complaints, grievances and concerns arising from any project's activities and operations, ensuring the accessibility and effectiveness of the process.

12.3.1 Principles

DGDC recognizes that this plan has to guarantee the same level of integrity and respect for all the people involved, as well as for any type of claim. To this regard, the Project's External Grievance Mechanism will be:

- **Understandable and reliable** (e.g. the affected stakeholders must understand the procedure, the confidentiality of the person filing the complaint must be protected, the expected deadline for receiving a response must be shared);
- **Culturally appropriated and accessible** (e.g. complaints can be filed in the local language, the technology required to file a complaint must be of common use, illiterate people can file complaints verbally);
- **Free of charge** (e.g. raising a complaint will not have any cost);
- **Anonymity** (e.g. the claimant will have the option to remain anonymous);
- **Proportional** (e.g. to provide the appropriate level of management to address the grievance promptly);
- **Rights-Compatible** (e.g. outcomes and remedies will be in line with internationally recognized human rights legislation and national law. No aspect of the mechanism will prevent community members from enforcing their legal rights. Community members will be protected against retaliation for having raised complaints);
- **Inclusive and non-discriminatory** (e.g. all grievances, from all community members regardless of age, ethnicity, mental or physical disability, race, religion, gender, sexual orientation or gender identity, will be accepted, reviewed and solved as needed);
- **Transparent** (e.g. every complaint will be treated seriously, and dealt with consistently and in an impartial, confidential and transparent manner. The process is transparent and provides timely feedback to the claimant).

The present plan establishes the guidelines of the External Grievance Mechanism and describes how the Project along with its CLO will proceed in order to adequately and satisfactorily address the possible complaints expressed by the community or other external stakeholders. Complaints related to internal stakeholders (e.g. workers, contractors, subcontractors, etc.) are covered on the Internal Grievance Mechanism Management Plan.

The External Grievance Mechanism aims to prevent social contingencies and conflicts with the people that might be affected by the development of the Project, since it will provide, at all times, effective attention, and it has the obligation to respond to the requests of all claimants.

DGDC has established a process for the reception, registration, review, analysis, resolution and evaluation of complaints, claims and concerns to be implemented in all of its projects. The process is documented through a physical record file and will end with the closure and written agreement on the resolution of both parties (i.e. the claimant and the Project).

12.3.2 Publication of the Mechanism

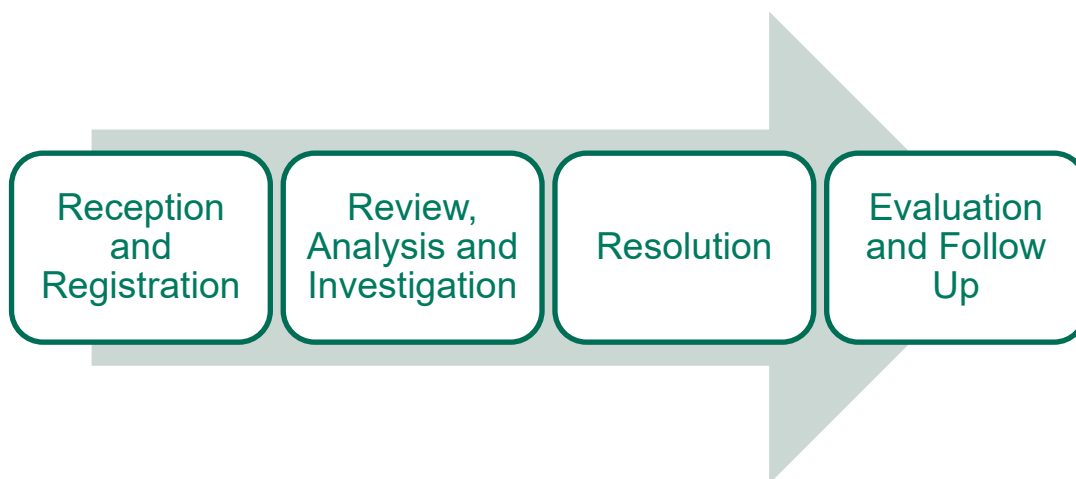
Based on the Stakeholder Engagement Plan, the Safeguards Manager and CLO will continue to inform the affected communities and other external stakeholders about the Grievance Mechanism previously disclosed and the communication channels to submit complaints, claims or suggestions regarding any activities related to the Project, as well as how and where to submit them. This information is shared through:

- Direct dialogue;
- Distribution of printed material such as brochures and posters, which will be proposed by the ESG team and reviewed by the Marketing and Communication management of DGDC;
- Available information at the Community Centre;

- Press and media;

12.3.3 Grievance Mechanism Procedure

In order to ensure the proper implementation of the External Grievance Mechanism, and the resolution of the feedback received, this mechanism is divided into four main steps. These steps are presented in the figure below.



Source: ERM, 2020

Figure 12-1: General Grievance Mechanism Procedure

These steps are designed based on the recommendations of the International Finance Corporation (IFC) and World Bank Group, through which a communication channel and responsible for monitoring in each of them is designated.

12.3.3.1 Reception and Registration

The CLO will manage the External Grievance Mechanism. The external claimants will be able to submit their grievances through the following reception channels:

- Website – www.geodominica.dm/grievance/reporting/

Telephone and emails. The points of contact for grievances and comments are:

Name:	Allan Toussaint
Address:	Floors 1&2, 18 Kennedy Avenue, Roseau
Email:	Allan.toussaint@geodominica.com
Telephone Number:	(767) 448 6178/79; 275 7392

Name:	Lyn Fontenelle
Address:	Floors 1&2, 18 Kennedy Avenue, Roseau

Email:	Lyn.fontenelle@geodominica.com
Telephone Number:	(767) 448 6178/79; 235 5462

- A Grievances Mailbox placed at the Community Centre. The mailbox's precise location will be shared with the community during public consultation and other disclosure of information events.

Any complaint or suggestion that is entered by the aforementioned means must follow the External GM form which may contain all or some of the following information:

- Place and date of the complaint or suggestion;
- Reason for the feedback, with details of the events;
- Claimant's contact information (In case the grievance is not anonymous); and
- Claimant's proposed solution to the issue.

12.3.4 World Bank Grievance Redress Service

The process will begin with the receipt of a complaint or suggestion by the CLO and notify the claimant that the claim has been received, will be reviewed and taken for analysis. DGDC's grievance flow chart is provided in Figure 12.2. The Grievance Redress Service (GRS) is an avenue for individuals and communities to submit complaints directly to the World Bank if they believe that a World Bank project has or is likely to have adverse effects on them, their community, or their environment. The GRS enhances the World Bank's responsiveness and accountability to project-affected communities by ensuring that grievances are promptly reviewed and addressed.

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

- ONLINE – through the GRS website at www.worldbank.org/grs
- BY EMAIL at grievances@worldbank.org
- BY LETTER OR BY HAND delivery to any World Bank Country Office
- BY LETTER to the World Bank Headquarters in Washington at The World Bank Grievance Redress Service (GRS) MSN MC 10-1018 1818 H St NW Washington DC 20433, USA

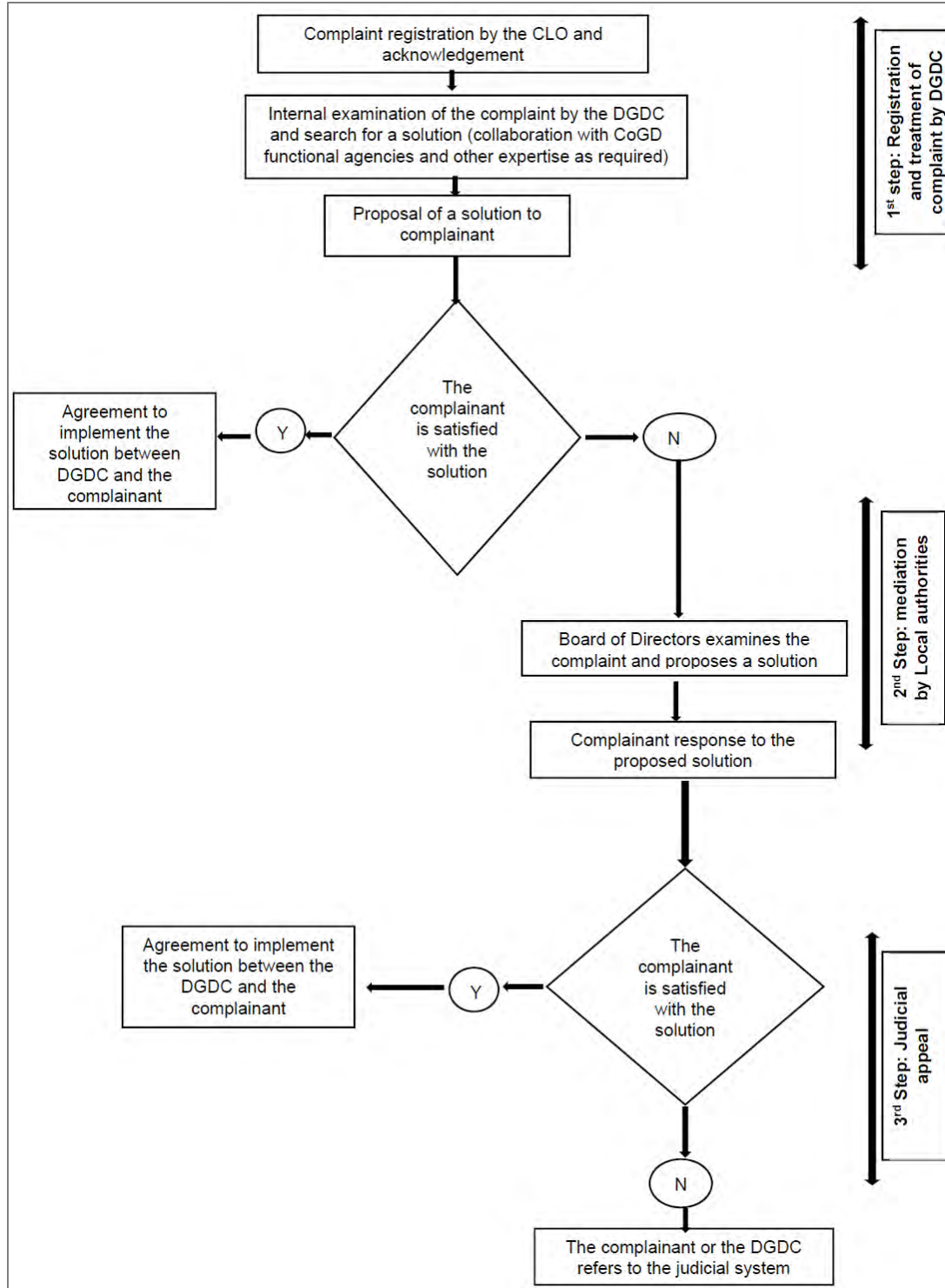


Figure 12-2: DGDC’s Grievance Flow Chart

Once the suggestions and/or complaints have been received, the CLO will complete the Communication Report and the information collected regarding the complaint and/or suggestion will be captured in the External GM Database to register the complaints and/or suggestions.

If the claim is readily resolvable (e.g., a request that can be immediately granted or an easy solution can be applied without an investigation process), the person from the CLO receiving the claim takes action to address the issue directly and records the details in the External GM Database. If the claim subject is considered sensitive by the claimant (e.g., in cases regarding abuse, sexual harassment, or other forms of gender-based violence), a special point of contact with adequate training will be provided from the Ministry of Social Services through the office of the HR Manager. . . The claimant will have the option to talk to a point person of their same gender, if requested. The approach to these claims should be in line with the survivor-centered approach detailed by the WB and IDB: “The survivor-centered approach is based on a set of principles and skills designed to guide professionals—regardless of their role—in their engagement with survivors (predominantly women and girls but also men and boys) who have experienced sexual or other forms of violence. The survivor-centered approach aims to create a supportive environment in which the survivor’s interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The approach helps to promote the survivor’s recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor’s capacity to make decisions about possible interventions.” (The World Bank, Good Practice Note: Addressing Sexual Exploitation and Abuse and Sexual Harassment in Investment Project Financing involving Major Civil Works).

Claims will not be applicable in cases when:

1. It is not directly related to DGDC, its contractors, or subcontractors;
2. It is out of DGDC’s influence;
3. Its nature exceeds the scope of the present External Grievance Mechanism;
4. There are other formal mechanisms/institutions or community procedures more appropriate to address the issue.

When the claim is classified as non-applicable following the above criteria, DGDC will clearly communicate the reasons why it cannot be considered to the claimant, and when possible, DGDC will provide information to help them redirect their claim to the right institution or party.

The External Grievance Database is updated weekly to reflect the current state of the claim until the claim has been resolved according to the claimant. Reception of the claim will be acknowledged within ten (10) days after the claim is received. If an investigation is needed, this will take up to 30 days (low risk claims), up to 15 days (medium risk claims) and 5 days (high risk claims).

The Project will provide a means by which all external stakeholders will be able to raise anonymous complaints. This gives the most vulnerable members of the affected communities, the confidence that they will not be retaliated against for raising concerns and can be fundamental to shifting power dynamics in between the Project and the communities. Therefore, in case of an anonymous case, the resolution will be published on a visible and accessible notice board at the Community Center.

12.3.4.1 *Review, Analysis and Investigation*

Once the complaints have been filed, the review, analysis and investigation process will unfold as follows:

1. The CLO will collect on a weekly basis the complaints presented, whether submitted physically or via website, and will review the nature of the complaint, as well as the company’s departments potentially involved;
2. The CLO will make an initial assessment of severity in coordination with the H&S Manager, if necessary. The grievances will be classified in four categories:

Table 12.3 Classification of Grievances

Classification	Risk Level	Validity	Response
Non-Admissible	None	Unsubstantiated	CLO will clearly communicate the reasons why it cannot be considered to the claimant, and when possible, provide information to help them redirect their claim to the right institution or party.
Low	No or low	Unsubstantiated	CLO will conduct investigation, document findings and provide a response
Medium	Possible risk and likely a one-off event	Possible substantiation	CLO and an appropriate investigation team will conduct investigation. The Site Manager or Occupation Health and Safety Manager may decide to stop work during the investigation to allow the corrective preventive actions to be determined. The CLO will provide a response.
High	Probable risk and could reoccur	Probable substantiation	CLO will get the contractor to organise a Major Investigation Team including DGDC and GoCD for prompt investigation and resolution. Work will be stopped in the affected area. The CLO will provide a response.

- a. **Non-Admissible** (e.g. claims that are not directly related to the Project, its contractors or subcontractors, out of DGDC's influence);
 - b. **Low Risk** (e.g. claims that do not require resolution per se, but instead only require information or a certain clarification to be provided to the claimant. If there are recurring complaints that have been previously received and addressed by the Project, DGDC will reconsider elevating the importance of the complaint, as this might be a sign that the response to the grievance has been insufficient or inadequate);
 - c. **Medium Risk** (e.g. claims that require resolution and are related to minor risks associated with health, the environment, construction, transportation, and external stakeholders. Although important, they do not pose an immediate risk); and
 - d. **High Risk** (e.g. claims related to the security and safety of the community stakeholders, as well of those that, according to criteria of the Community Relations team, require immediate response as the claim poses an immediate major health and safety risk or a risk to an individual, to a large or small group or several groups of stakeholders. This includes claims regarding illegal and abusive activities).
3. The CLO will prepare the Communication Report that includes the information listed below:
- a. Internal tracking folio number provided to the claimant;
 - b. Type of feedback,
 - c. Area potentially involved;
 - d. Claimant's information (In case the grievance is not anonymous);
 - e. Date the complaint or suggestion was originated;
 - f. Grievance Risk Category (Low, Medium or High);
 - g. Brief description of the complaint or suggestion;
 - h. Area responsible for monitoring and solution;
 - i. Recommended solution; and
 - j. Term of resolution.

Once the claim has been reviewed, the investigation must be carried out in the first instance by the CLO. In case the feedback transcends and involves more areas of the Project, the suggestions and/or complaints will also be channeled to the Project Manager and the HR Manager, as appropriate, to coordinate resolution with the departments involved, depending on the scope of each, and to determine the actions to follow.

Regardless of the categorization of the claim, the claimant must always be informed that her or his grievance has been received and it is being investigated. The answer must be given in written and/or verbal form, in a clear and precise language, preferably respecting the claimant's language. In cases where the complaint is anonymous, the response will be published at the Project's Community Relations Office/Community Centre. The deadline for the resolution of a complaint or claim is according to the categories is presented in the table above.

In high-risk situations, where there is a possibility of serious danger (e.g., death, sexual harassment), DGDC will consider involving other member teams to weigh in on the resolution strategy. In these type of cases, an alternative timeline will be established for addressing and involving third parties as needed, such as police and hospitals. The Project will always protect the confidentiality of the claimant. The special procedure for High Risk Claims is described below.

1. The claim enters an expedited process for investigation and resolution by the CLO and if applicable, the Major Investigation Team, when appropriate.
2. The Major Investigation Team initiates the investigation immediately and coordinates with local authorities to appropriately address the matter for claims related to allegations of illegal or abusive acts.
3. The CLO meets the claimant to gather additional information as necessary. Subsequently, he or she investigates the claim (e.g., meets with members of the security team involved in the claim), develops, and implements corrective actions in collaboration with other project staff, as necessary.
4. If both the CLO and other staff involved in the resolution of the claim are all the same gender, and the claimant prefers to speak to a person of his or her same gender, DGDC will facilitate this request. This option will be disseminated when disclosing the procedure. If additional investigations are needed, these are promptly undertaken.

The CLO will log the receipt of a comment, formally acknowledge it, track progress on its investigation and resolution, and respond in writing with feedback to the aggrieved party. They will initiate the investigation and ensure its speedy conclusion aiming to provide a response with ten (10) working days, unless there are exceptional circumstances. If the Project receives a large number of unsubstantiated grievances, the process will be reviewed to define instances when no response is needed.

If the person responsible of the claim is not able to obtain a resolution within 10 days of the reception of the claim, he or she submits the claim to the CLO, who notifies and seeks advice from the Safeguards Manager.

Where investigations are required, Project staff and outside authorities as appropriate will assist with the process. The CLO will collaborate with GoCD to identify an appropriate investigation team with the correct skills to review the issue raised and to decide whether it is Project related or whether it is more appropriately addressed by a relevant authority outside the Project.

The investigation will also aim to identify whether the incident leading to the grievance is a singular occurrence or likely to reoccur. Identifying and implementing activities, procedures, equipment and training to address and prevent reoccurrence will be part of the investigation activities. In some cases, it will be appropriate for the CLO to follow up at a later date to see if the person or organization is satisfied with the resolution or remedial actions.

Before the final resolution is issued, the agreed resolution will be reviewed by the claimant, or his or her worker representative, and will confirm his or her agreement with the solution proposed.

12.3.4.2 *Resolution*

Once the complaints have been categorized and reviewed, the resolution and closure process will unfold as follows:

1. The first step for the resolution is the determination of the timeframe and its inclusion in the registration file previously elaborated.
2. The claim will be discussed by the CLO, and if necessary, the managers of the areas involved. In the case of complaints related to allegations of illegal or abusive acts, the Project will immediately initiate the investigation to adequately address the matter. Based on the investigation, the complaint may or may not proceed.
3. Depending on the risk category, the approach will be defined. The CLO, together with a representative of the Legal Area will evaluate and determine the origin of the complaint and define the measures to be taken in response. All responses must be signed by the ESG Manager before being communicated to the employee and/or interested parties.
4. If the complaint is not admissible, the claimant will be notified.
5. The CLO and the Managing Director will have performed an analysis of all the viable resolutions, seeking to, at all times, provide solutions that respond to the claimant, from a position of dialogue and respect. A complaint will be dismissed only when all the instances of solution have been exhausted, explaining in writing to the claimant, in a clear and indubitable manner, the reasons for the refusal on the resolution of the complaint.
6. All documentation issued during the process by the company to interested parties must be sent by email or written notification. In any case, the answer must have the corresponding record (the folio of complaint or suggestion) and will be properly archived as part of the process.

12.3.4.3 *Right to Appeal*

If an external stakeholder who is not satisfied with the procedure or resolution, she or he can contest DGDC's decision. The claimant will have a maximum period of fifteen (15) business days to express any disagreement with the response and appeal it. Once the deadline has elapsed and there are no new grounds for complaint, the process will be considered closed.

In the event that a claimant wishes to challenge/appeal DGDC's decision or propose a counter offer, the Board of Directors will decide whether DGDC can resolve the dispute or it is necessary to involve a third party (e.g. a mediator, technical expert, local authority, or ombudsman) to reach an agreement between the parties and resolve the dispute. The claimant will always have the right to seek other legal or administrative resources. The last resort will be the national judicial process.

When a resolution agreement is established, both parties, the Head of Safeguards acting as the representative of DGDC and the claimant, will sign it in writing. Once the solution is implemented, both parties in recognition of compliance with the agreement will sign a compliance agreement again.

12.3.4.4 *Evaluation and Follow Up*

It is the responsibility of the CLO to follow up on all responses to suggestions and/or complaints in written and/or verbal form, especially those of medium and high priority, so as to confirm that the response given to the interest group was adequate, given the circumstances and criteria applicable at the time of filing the

complaint. The External GM Database is used to follow up each claim until is resolved and closed. Both a grievance and commitments register is kept by DGDC.

12.4 Confidentiality and Protection from Retaliation

The Project is committed to protecting the identity of claimants and anyone else involved in the claim, and to handling personal information in accordance with legal requirements. This duty extends to all employees and representatives of DGDC, its contractors and community members who participate in the External Grievance Mechanism process.

Information about a claim is shared within the company on a need-to-know basis and only to the extent necessary to complete the steps in this directive. DGDC will not share personal information with third parties unless required by law or authorized by the claimant.

When a claim relates to a specific DGDC or contractor employee, that person cannot play a role in the External Grievance Mechanism process in order to prevent conflicts of interest.

DGDC does not tolerate retaliation against claimants, be they an employee, contractor or external stakeholder. When concerns about retaliation are raised, Human Resources/ CLO is responsible for leading an investigation into the alleged retaliation under DGDC's Human Resources Policy and Code of Conduct.

12.5 Documentation and Monitoring

Weekly during construction and bi-annually during operation, the CLO will send the External GM Database to the Project Manager with information on the feedback received through a consolidated report showing the status of each claim and its indicators, removing identification information to protect the confidentiality of the complainant and guaranteeing anonymity.

This plan will be monitored continuously and is designed to facilitate the integration of lessons learned during its execution. The Project will be able to respond adequately to situations as soon as they develop.

The External Grievance Mechanism Plan will be reviewed annually, however, if required, the mechanism could be updated as necessary. It will also ensure that contractors update their procedures at least once a year.

12.6 Key Performance Indicators

The table below present the key performance indicators that will evaluate the implementation of this plan:

Table 12.4 Key Performance Indicators

Impact	Indicator	Performance Goals/ KPIs	Method/Tool/ Frequency
GM attainment	DGDC will review the External Grievance Database, including complaints closed and those unresolved. Number of grievances received per month versus number of grievances resolved.	100% of grievances resolved within the established GM timeframe	External Grievance Mechanism Database and CLO / Quarterly
GM time efficiency	DGDC will review the External Grievance Database, especially the number of days between the grievances submission until its resolution and closure to calculate	Max. 10 days	External Grievance Mechanism Database and CLO / Quarterly

Impact	Indicator	Performance Goals/ KPIs	Method/Tool/ Frequency
	the average length of time needed to resolve grievances.		
GM Focus/ Risk Areas	DGDC will review the External Grievance Database and if necessary talk to the Community Relations Team to breakdown the grievances topics (e.g. health, safety, etc.) and grievance source	Resolve 100% of grievances from all sources and about all topics. Disseminate information regarding the different solutions when there are recurrent complaints in order to decrease recurrent grievances.	External Grievance Mechanism Database and CLO / Quarterly
Method of grievance reporting	DGDC will review the External Grievance Database and engage with community members to check the use and success of the different grievance reporting methods (e.g., number of grievances received by phone, at the office, website, and boxes).	100% of reporting methods will be functional and accessible at all times.	CLO / Quarterly
GM dissemination	DGDC will monitor all GM informational documents, meetings, and events where the GM was disclosed and explained to the affected communities.	GM dissemination of information in at least 70% of disclosure of information events, consultations and other activities, within each of the stakeholder groups and communities.	CLO Records / Quarterly

13. MONITORING AND EVALUATION

13.1 Monitoring Objectives

Monitoring and evaluation are essential components of the RAP process. The objective is to provide feedback and to identify problems and successes as early as possible to allow for timely adjustment to implementation arrangements as needed. Monitoring and evaluation activities need to be integrated into the overall Project management process and a comprehensive monitoring plan that identifies the organizational responsibilities, methodology, and the schedule for monitoring and reporting must be developed for the RAP. For a full list of monitoring and evaluation objectives, see Appendix C.

The monitoring and evaluation process includes the following objectives:

- Monitoring of specific situations or difficulties arising from the implementation of the RAP or compliance with its objectives; and
- Evaluation of the mid- and long-term impacts of the RAP on affected households' livelihood, environment, local capacities, on economic development and settlement.

Monitoring aims to correct implementation methods during the course of the Project, as required, while evaluation is intended at checking whether policies have been complied with and provides lessons learnt for amending strategies from a longer-term

13.2 Monitoring Indicators

Monitoring will address the following aspects:

- Socioeconomic monitoring: follow-up of the welfare/status of the PAPs including regular survey of current income and cost of living, re-establishment of property, residence and livelihoods and other economic activities;
- Grievances and grievance management system including any issues to be resolved; and
- Assistance in livelihood restoration including any unforeseen costs/challenges such as transport or other costs.

The monitoring and evaluation measures put in place are designed to ensure that the implementation of the RAP is carried out in accordance with the relevant requirements of the WBG, IDB, CDB and IFC as well as national requirements.

Measuring progress and impacts related to the aspects described above would be based on the following indicators:

- Livelihoods would be measured through a quantitative income or expenditure survey;
- Use of capital will be reviewed via interviews and receipts to determine livelihood sustainability; and
- Qualitative indicators measuring perception and well-being of PAPs.

13.3 Monitoring Process

The DGDC Safeguards Specialist will undertake monitoring of the RAP implementation. Bi-monthly progress reports will be prepared for up to two years from the finalization of implementation. The monitoring will consider the timeline of the process, outcomes of compensation/livelihood restoration and any other impacts that occur as part of the process. The RAP implementation schedule is shown in Table 12-1.

Table 6 RAP Implementation Schedule

TASKS	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8
Completion of RAP								
Approval of RAP/Community Consultation								
Implementation of RAP								
Payment of Compensation to PAPs								
DGDC Site Clearance								
Grievance Mechanisms and Procedures Implemented								
Construction Begins								
Performance Monitoring								
External Evaluations (up to two years)								

13.4 Evaluation Objectives

Evaluation is a key step to ensure that the RAP process is being completed in line with WBG / IFC policies. The evaluation of the RAP will have the following specific objectives:

- Assessment of the compliance of the implementation of resettlement, relocation and livelihood restoration activities with objectives and methods as set out in this RAP;
- Assessment of the compliance of the implementation of the RAP process with laws, regulations and safeguard policies as stated above;
- Assessment of compensation procedures as they have been implemented;

- Evaluation of the impact of the resettlement, relocation and livelihood restoration process on incomes and standard of living, with focus on the requirement that PAPs income are restored or improved; and
- Identification of actions to take to improve the positive impacts of the programme and mitigate its possible negative impacts, if any.

13.5 Evaluation Process

DGDC will use an independent consultant (Evaluator) to conduct an annual evaluation starting six months after implementation of the RAP to evaluate compliance with objectives, procedures, policies, laws and regulations. The Evaluator will be an independent consultant with experience in the conduct of resettlement and livelihood restoration planning. The Evaluator will be carefully chosen on the basis of hands on experience, no previous involvement in the Project, and proven ability to identify actions that improve implementation and mitigate negative impacts of economic displacement.

The RAP implementation will be evaluated against the requirements of the RAP. These criteria will likely include access to employment, income, food security livelihood restoration and enterprise, and health and nutrition. The grievance management system will also be evaluated for its effectiveness. This evaluation will also verify that compensation payments have been made as promised, have been properly processed, and recommendations are being implemented. The schedule for independent evaluation of RAP implementation is six months following completion of RAP implementation. The evaluation will be repeated each year for 2 years following the finalization of implementation.

14. BUDGET AND SCHEDULE

It is essential that all costs be estimated carefully and included in the detailed RAP budget. DGDC have itemized resettlement costs by categories of impact, additional entitlements and other resettlement expenditures including training, coordination, and monitoring. The results are presented in a tabular form below that illustrates expenditures over the life of the Project. Costs included are:

- Resettlement plan preparation consultancy;
- Cash compensation for land;
- Cash compensation for crops, trees, or livestock;
- Compensation for structures;
- Livelihood restoration measure costs;
- Conflict resolution; and
- Monitoring, evaluation and auditing costs.

The estimated RAP budget is presented in Table 13-1. These costs are indicative and consultant fees will need to be verified.

Table 7: Estimated RAP Budget

ITEM	Description	COST USD*
1	Land Acquisition Compensation	662,811
2	Structural Compensation	47,295
3	Tree/Crop Compensation	27511
4.	Livelihood Restoration	100,000
5	Vulnerable Assistance (1 year)	10,000 ²¹
Sub-total		847,617
6	Program Development, Management and Grievances	2,000
7	Community Consultation and Engagement	4,000
8	External Evaluation	10,000 (2 years)
Sub-total		16,000
TOTAL		863,617

*USD Conversion Rates based upon exchange rate of 1 ECD =0.37 USD as of December 2020

²¹ Estimated as some vulnerable owners wouldn't declare income.

15. REFERENCES

- Commonwealth of Dominica, Land Acquisition Act Chapter 53:02
- Eclipse Inc (2020). DRAFT Environmental and Social Impact Assessment – Construction and Operation of geothermal reinjection well RV12 and of pipeline
- International Finance Corporation (2007). Environmental, Health, and Safety General Guidelines.
- International Finance Corporation (2008). Environmental, Health and Safety Guidelines for Thermal Power Plant.
- International Finance Corporation (2012). Performance Standards on Environmental and Social Sustainability.
- NPC (2011). Macroeconomic Impacts of the Domestic Oil & Gas Industry, September 15, 2011 (PWC multipliers used).
- World Bank Group (2001) Involuntary Resettlement Policy Operational Policy (OP) 4.12
- World Bank Group (2006). Physical Cultural Resources Operational Policy (OP) 4.11
- Central Intelligence Agency World Factbook Website (2017). [Accessed at <https://www.cia.gov/library/publications/the-world-factbook/geos/do.html> in April 2018]
- Post Disaster Needs Assessment Hurricane Maria, September 18 2017, Government of the Commonwealth of Dominica.

APPENDIX A ASSETS INVENTORY – PHYSICAL STRUCTURES



Figure A-1: Potential Residential Structure (currently Goat/Sheep Shed) A1



Figure A-2: Rabbit Hutch Structure A2



Figure A-3: Residential Structure B1



Figure A-4: Residential Structure Incomplete C3

APPENDIX B BASIS OF VALUATION

Lands

Lands are valued at replacement cost by the Property Valuations Unit (PVU) of the Department of Lands & Surveys using the following approach:

Market Value + transactions cost

Market Value is defined as 'the estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction after property marketing and where the parties had each acted knowledgeably, prudently and without compulsion'.

- Each property is seen as unique;
- Inspection of each property is done and evaluated using the following factors:
 - Services;
 - Access;
 - Topography;
 - Land use;
 - Market (supply & demand); and
 - Size.

Transaction Cost include all fees and costs associated with the transaction. These include:

- Assurance Fund – 1%
- Judicial Fee – 2^{1/2} %
- Stamp Duty – 4%
- Solicitor's Fees – 3%
- Vendor's Fees – 3%

In instances where properties are acquired by the Government, provision is made in the Land Acquisition Surveyors fees and other costs incurred are also paid.

Structures

The valuation of structures is driven by the market. Given that underdeveloped nature of market forces in Dominica, the PVU uses a 'cost of construction' approach. A full inspection of the structure is done by experienced officers of the unit and the following factors taken into account:

- Age of structure;
- Quality of finishing; and
- Type of structure i.e. intended use and materials used in construction.

Present rates used by the PVU range from EC\$250-\$275 per square foot. Straight line depreciation (age of building/anticipated life) is applied.

Crops

Crop valuation is done by officers of the Extension Unit of the Ministry of Agriculture using a combination of the following:

- Cost of Production of a crop;
- Appearance of crop
- Selling price at time of valuation; and
- Bearing Capacity.

Therefore:

- Cost of Production

An assessment is done to ascertain what stage in the production cycle the affected crops are at and known costs are apportioned based on field size and location. Activities include land clearing, ploughing and hoeing, planting, weed control & fertilizing, pest and disease management, transportation, harvesting, and marketing. This method is best employed when farm records exist.

- Selling Price at time of valuation

Where insufficient records exist, crops are valued at a reasonable/average selling price of the finished product at the time of valuation.

- Bearing Capacity

In addition to costs of production, the valuation considers the number of years/cycles for which the farmer could have reasonably expected to gain returns from the current crop.

Crops are classified e.g.

- A. Musa Species
 - a. Bananas
 - b. Plantains
- B. Tree Crops
 - a. Citrus – grapefruit, oranges, limes, easy peelers
 - b. Coconut
- C. Roots and Tubers
 - a. Dasheen
 - b. Ginger

One of the following two formulas are used in the valuation:

I. For non-bearing crops

Crop value = establishment cost + the sum of maintenance cost during development stage

$$CV = EC + MC$$

II. For bearing crops

Crop value = farm price * estimated marketable yield * age of crop till replacement
(sustained production)

$$CV = FP * EMY * ATR$$

Actual Unit Costs for Crops for PAPs

Name of Crop	Plant Bearing Unit Cost EC\$	Non-Bearing Unit Cost EC\$
Banana	8	3
Dasheen	3	1
Grapefruit	100-200	
Sweet Orange	150-200	
Seville Orange	125	
Mango	150	
Coffee	100	50
Lauriere(Lumber)	98.4	
Ortanique	150	
Tangerine	125	
Coconut	175	75
Guava	50	
WI Lime	100	
Lemon	175	
Avacado	150	
Sugar Apple	75	
Pomerack	50	
Karapit	4/bf*	
Bois Bander	5/bf*	
Pipiwi	3/bf*	
Gommier	4/bf*	

*board foot

APPENDIX C COMPLETION AUDIT TABLE OF CONTENTS

1. Executive Summary: Concise summary of resettlement undertaken to date, need for any on-going resettlement, magnitude of displacement, activities undertaken, grievances and key issues addressed, outstanding and on-going monitoring and evaluation processes and key recommendations.
2. Background: A brief description of the monitoring process to date covering the project and impacted communities, magnitude of displacement, key resettlement and livelihood impacts, legal framework, eligibility criteria and entitlement framework, timing of the various components of physical and economic displacement undertaken, resettlement and/or livelihood restoration activities and compensation provided and major or outstanding issues or grievances.
3. Review Objectives: Outline of the main objectives of the resettlement and/or livelihood restoration plan and a summary of studies and activities undertaken in support of resettlement implementation and livelihood restoration (e.g., preliminary and on-going consultation, stakeholder mapping and census surveys, asset surveys, socio-economic baseline studies, participatory planning meetings, site selection studies, organizational structures for implementation), and assessment of the process and evaluation of the outcome (including any participatory monitoring and evaluation methodologies used).
4. Key Findings: Issues to be considered may include, among others:
 - a. Extent of public information and consultation in advance of land acquisition, and adequacy of ongoing consultation;
 - b. Types of compensation provided and adequacy of that compensation (e.g., sufficient to cover replacement costs of lost assets, housing conditions, compensation/entitlements, income restoration and livelihood sustainability measures);
 - c. Level of participation of affected people in decisions regarding compensation rates, location of new resettlement sites and options for livelihood restoration;
 - d. Adequacy of replacement housing in terms of physical structure, location, and access to resources and services (such as health, education, water and sanitation, transportation, social and medical security, agricultural and pastoral land, employment opportunities and training and community development initiatives);
 - e. Effectiveness of livelihood restoration measures;
 - f. Integration into host communities;
 - g. Impact on cultural property;
 - h. Measures taken to protect (affected) vulnerable persons and groups;
 - i. Adequacy of the grievance redress process and outcomes; and
 - j. Monitoring and evaluation process and outcomes.
5. Conclusion and Key Recommendations/Corrective Actions: Concise summary of conclusions and recommendations, and for any gaps or outstanding issues, provide a proposed time bound Corrective Action Plan with Key Actions, dedicated Human Resources, proposed Timeline for closeout and a Budget.

APPENDIX D LAND ACQUISITION ACT, CHAPTER 53:02

LAWS OF DOMINICA

LAND ACQUISITION ACT

CHAPTER 53:02

Act
7 of 1946
Amended by
27 of 1966
9 of 1971
7 of 1986

Current Authorised Pages
Pages *Authorised*
(inclusive) *by L.R.O.*
1-20 1/1991

**Note
on
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

CHAPTER 53:02

LAND ACQUISITION ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.

INTERPRETATION

2. Interpretation.

**ACQUISITION OF LAND AND ABANDONMENT
OF ACQUISITION**

3. Acquisition of land.
4. Preliminary notification and power to enter land.
5. Power to apply land to purposes of acquisition without waiting for formal vesting.
6. Authorised officer to treat with landowner.
7. Boundaries of land and issue of notice of acquisition.
8. Authorised officer may require information as to interests in land.
9. Claim of person interested to have land acquired or abandoned.
10. Abandonment of acquisition.

**APPOINTMENT AND POWERS OF BOARD
OF ASSESSMENT**

11. Determination of questions by board of assessment.
12. Appointment of board of assessment.
13. Documents etc., to be forwarded to the Board.
14. Inquiry by Board.
15. Procedure at inquiry.
16. Power of entry for purposes of inquiry.
17. Award of Board.

SECTION

DETERMINATION OF SMALL CLAIMS FOR
COMPENSATION

18. Procedure where claim for compensation does not exceed certain amounts.

PROVISIONS GOVERNING ASSESSMENT OF
COMPENSATION, ETC.

19. Rules for assessment of compensation.
20. Special rules as to severance.
21. Interest.
22. Rules as to costs.

MISCELLANEOUS

23. Absentee owners.
 24. Compensation to persons interested in adjacent land.
 25. Special provisions as to leases.
 26. Persons in possession to be deemed owners.
 27. Fees and expenses of Board.
 28. Conveyancing, etc., cost to be paid by authorised officer.
 29. Payment of compensation, etc.
 30. Exemption from stamp duty and fees.
 31. Limitation of time for making claims.
 32. Assaulting or obstructing officer.
 33. Saving.
-

CHAPTER 53:02

LAND ACQUISITION ACT

AN ACT to authorise the acquisition of land for public purposes.

1961 Ed.
Cap. 170.
7 of 1946.

[3rd June 1946]

Commencement.

1. This Act may be cited as the –

Short title.

LAND ACQUISITION ACT.

INTERPRETATION

2. (1) In this Act –

Interpretation
[7 of 1986].

“authorised officer” means any person who may from time to time be appointed as such by the Minister for the purposes of this Act;

“land” includes messuages, tenements and hereditaments corporeal or incorporeal, and immovable property of every tenure of description, whatever may be the estate or interest therein;

“person interested” means every person claiming or entitled to claim compensation under this Act; but a tenant by the month or at will is not a person interested for the purposes of this Act.

(2) For the avoidance of doubt it is hereby declared that the expression “public purpose” in this Act includes the purpose of fulfilling any obligation of the Government under any treaty or agreement made by the Government with the Government of any other country, territory or place, and any purpose pertaining or ancillary thereto.

ACQUISITION OF LAND AND ABANDONMENT OF
ACQUISITION

3. (1) If the Minister considers that any land should be acquired for a public purpose he may cause a declaration to that effect to be made in the manner provided by this section, and the declaration shall be conclusive evidence that the land to which it relates is required for a public purpose.

Acquisition of
land.

(2) Every declaration shall be published in two ordinary issues of the *Gazette* and a copy thereof, prior to the publication shall be served on the owner or occupier of the land to be acquired, and should the owner or occupier after diligent inquiry not be found within the State, it shall be posted on one of the buildings (if any) on the land or exhibited at suitable places in the locality in which the land is situated, and in the declaration shall be specified the following particulars to the land which is to be acquired:

- (a) the parish or district in which the land is situated;
- (b) a description of the land, giving the approximate area and such other particulars as are necessary to identify the land;
- (c) in cases where a plan has been prepared, the place where, and the time when, a plan of the land can be inspected;
- (d) the public purpose for which the land is required.

(3) Upon the second publication of the declaration in the *Gazette* the land shall vest absolutely in the State.

(4) Nothing in this section shall be deemed to prevent the acquisition of lands for public purposes by private treaty.

Preliminary notification and power to enter land.

4. If it appears to the Minister that any land is likely to be required for any purpose which in the opinion of the Minister is a public purpose and it is necessary to make a preliminary survey or other investigation of the land, he may cause a notification to that effect to be published in the *Gazette*, and thereupon it shall be lawful for the authorised officer (and his agents, assistants and workmen) to do all or any of the following things:

- (a) to enter upon and survey and take levels of any land in any locality to which the notification relates;
- (b) to dig or bore into the subsoil of the land;
- (c) to do all other acts necessary to ascertain whether the land is adapted to such purpose;
- (d) to set out the boundaries of the land intended to be taken, and the intended line of work, if any, proposed to be done thereon;

- (e) to mark levels and lines by placing marks and cutting trenches;
- (f) where otherwise the survey cannot be completed, the levels taken or the boundaries or line of the work set out, to cut down and clear away any standing crop, fence, tree or bush;
- (g) to do all such other acts as may be incidental to or necessary for any of the purposes aforesaid; but the authorised officer shall not enter into any building, or into or upon any enclosed yard, court, or garden attached to a dwelling-house, except at all reasonable hours and, except with the consent of the occupier thereof, without previously giving to the occupier at least seven days' notice in writing of his intention to do so. Compensation shall be assessed and paid to the persons interested in the land so entered for any actual damage or injury resulting to them by reason of the exercise of the powers conferred by this section –
 - (i) in so far as it relates to land the acquisition of which is subsequently deemed to be abandoned under section 9 or abandoned under section 10, as though it were compensation payable under this Act for the acquisition of the land;
 - (ii) in so far as it relates to land the compulsory acquisition of which is subsequently completed under section 3(1) as though it were part of the compensation for the acquisition of the land.

5. If at any time after the publication of a notification in accordance with the provisions of section 4, it appears to the Minister that the land or some parcel of the land to which it refers should be acquired but that for any reason it is not possible to make an immediate declaration to that effect, the Minister may direct the authorised officer to do any work on the land or parcel thereof connected with the use to which the land is intended to be put on its acquisition, and thereupon the authorised officer may proceed with the execution of the work. Compensation shall be paid to the persons interested for any actual damage or injury resulting to them by reason of the exercise of the power conferred by this section and shall be determined in the same way as compensation for

Power to apply land to purposes of acquisition without waiting for formal vesting.

actual damage or injury resulting from the exercise of the powers conferred by section 4.

Authorised
officer to treat
with landowner.

6. (1) As soon as any declaration has been published in accordance with the provisions of section 3, the authorised officer shall, without delay, enter into negotiations (or further negotiations) for the purchase of the land to which the declaration relates upon reasonable terms and conditions and by voluntary agreement with the owner of the land.

(2) It is not necessary for the authorised officer to await the publication of the declaration before he endeavours to ascertain from the owner the terms and conditions on which he is willing to sell his land, but no negotiations or agreement shall be deemed to be concluded unless and until the conditions of sale and acquisition have been approved in writing by the Minister.

Boundaries of
land and issue of
notice of
acquisition.

7. (1) As soon as may be after any land has been acquired compulsorily, the authorised officer shall, if the boundaries of the land have not been set out or if they cannot be identified by reference to any plan, cause the same to be set out, and he shall also issue a notice of acquisition in accordance with this section.

(2) Every notice of acquisition under this section shall –

- (a) state the decision of the Minister to acquire and take possession of the land compulsorily;
- (b) contain the particulars which, in relation to the land, were included in the declaration provided for by section 3(2); and
- (c) require all persons interested, as soon as is reasonably practicable, either –
 - (i) to appear personally or by attorney or agent before the authorised 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 authorised officer a statement in

writing, signed by them or by their attorneys or agents, setting forth the like matters.

(3) The authorised officer shall cause a copy of the notice of acquisition to be served, either personally on, or by registered post addressed to the last known place of abode or business of, every person who is known or believed by the authorised officer to be entitled to compensation in respect of the acquisition, and whose whereabouts are known to the authorised officer; but where the whereabouts of any such person are not known, the authorised officer shall cause copies of the notice to be posted on one of the buildings (if any) on the land or exhibited at suitable places in the locality in which the land is situated.

(4) Any person who without lawful authority or excuse removes or destroys any landmark placed, or removes or defaces or destroys any notice posted or exhibited, by the authorised officer in or upon the land or any building thereon in accordance with the provisions of this Act, is liable on summary conviction to a fine of one thousand dollars or to imprisonment for three months.

8. (1) The authorised officer may, by notice served personally, or by registered post addressed to the last known place of abode or business of the person concerned, require the owner or occupier of, or any person interested in, any land or in any part thereof, in respect of which a declaration or a notification has been published in the *Gazette* under section 3 or section 4 respectively, to deliver to him within a time to be specified in the notice, being not less than twenty-one days after service of the notice, a statement in writing containing, so far as may be within his own knowledge, the name of every person possessing any interest in the land, or any part thereof, whether as partner, mortgagee, lessee, tenant or otherwise, and the nature of the interest.

Authorised officer may require information as to interests in land.

(2) Every person who is required to make and deliver a statement under this section and who, without reasonable excuse, refuses to make or deliver the statement, or wilfully makes any such statement which is false or incomplete in any material particular, is liable on summary conviction to a fine of one thousand dollars or to imprisonment for three months.

9. If within three months after entry has been made on any land under the provisions of section 4, the land is not acquired or abandoned, any person interested in the land or any part thereof may serve a notice on the authorised officer requiring that the acquisition of the land or part

Claim of person interested to have land acquired or abandoned.

thereof be completed or abandoned, and, if within one month thereafter, the acquisition of the land or part thereof is not completed or abandoned in accordance with the provisions of this Act, the acquisition of the land or part thereof shall be deemed to have been abandoned.

Abandonment of acquisition.

10. (1) At any time before any land has been acquired compulsorily the Minister may, by Notification published in the *Gazette*, declare that the intended acquisition of the land is abandoned.

(2) When the acquisition of any land is abandoned in accordance with the provisions of this section, or is deemed to have been abandoned under section 9, any compensation payable by virtue of this Act shall, in default of agreement, be assessed as though it was compensation payable under this Act for the acquisition of land.

(3) No compensation is payable in any case for loss of bargain or for damages for breach of contract.

APPOINTMENT AND POWERS OF BOARD OF ASSESSMENT

Determination of questions by board of assessment.

11. (1) All questions and claims relating to the payment of compensation under this Act and to the appointment of such compensation shall, save as is hereinafter provided, be submitted to a board of assessment to be appointed in each case in accordance with the provisions of section 12.

(2) A board of assessment shall have full power to assess, award and apportion compensation in such cases, in accordance with the provisions of this Act.

Appointment of board of assessment. [7 of 1986].

12. (1) As soon as it becomes necessary to do so the Minister shall cause a board of assessment (hereinafter referred to as "a Board" or "the Board") to be appointed.

(2) A Board for the purposes of this Act shall in every case be constituted of –

(a) a Chairman who shall be the Resident Judge or a person nominated by him from the panel established under subsection (3);

- (b) a member to be appointed by the Minister provided always that the member so appointed shall not be a public officer;
- (c) a member to be nominated by the owner of the land to be acquired provided that where in any case the Minister is satisfied that the owner of the land has refused to exercise his right to nominate a member of the Board, or has unreasonably delayed the nomination, or where the persons interested in the land have failed to agree upon the nomination, the Minister, by order in writing, may direct the Chairman to proceed with the inquiry notwithstanding that there has been no such nomination by the owner, and in every such case the Board shall be deemed to be lawfully constituted without the presence of such member, and, if there is any difference of opinion as to the amount of compensation that should be awarded, the decision of the Chairman shall be deemed to be the decision of the Board.

(3) The Resident Judge shall, for the purposes of this section, draw up and maintain a panel of not less than three persons appearing to him qualified to perform the functions of Chairman of the Board. He shall make appointments to the panel either of his own motion or on the application of the authorised officer and may request nominations for appointment from such persons and organisations as he may think fit.

(4) In this section, "the Resident Judge" means the Judge of the High Court assigned for duty to Dominica under section 16 of the Supreme Court Order. Ch. 4:01.

13. (1) Upon the appointment of a Board, or where proceedings are taken before a Magistrate for the determination of any question relating to the payment of compensation, the authorised officer shall forward to the Chairman, or to the Magistrate, as the case may be, those of the following documents and particulars which relate to the acquisition or the intended acquisition of the land, as the case may be: Documents etc.,
to be forwarded to
the Board.

- (a) a copy of any Notification and declaration which has been published in the *Gazette*;
- (b) a copy of the notice of acquisition;
- (c) a copy of any notice issued or received by him;

- (d) a copy of all statements received by him in compliance with any notice issued by him;
- (e) the names and addresses of the persons who the authorised officer has reason to believe are interested in the land; and
- (f) a copy of the report required by this section.

(2) The report to be sent to the Board shall state the opinion of the authorised officer, and his reasons for such opinion, upon each of the following matters:

- (a) what is a fair and proper description of the land acquired, including particulars of any building, trees or standing crops thereon;
- (b) the approximate acreage of the land;
- (c) the value of the land, for the purposes of compensation under this Act;
- (d) the amount of provisional compensation which should be paid for the land, including any damage payable in respect of entry into possession;
- (e) the apportionment of the provisional compensation among the persons interested in the land, in respect of their interests.

(3) The authorised officer, in assessing the amount of any compensation for the purpose of a report under this section, shall have regard to the rules prescribed by this Act which may and may not be taken into consideration in assessing compensation.

Inquiry by Board.

14. Where a Board has been appointed under this Act, the Board shall hold an inquiry at a place, date and time to be fixed by the Chairman, of which not less than fourteen clear days' notice shall be given to the parties concerned, and every such inquiry shall be conducted in public.

Procedure at inquiry.

15. The procedure at an inquiry before a Board, the summoning and remuneration of witnesses for attendance thereat, and all questions incidental to the inquiry shall be governed by the provisions of the laws for the time being in force relating to civil proceedings in the High Court; but in the case of any doubt arising on any question of practice and procedure the same may be settled by the Chairman.

16. The Board, or any person authorised by them, may at any time before, during or after an inquiry under this Act, enter upon and inspect any land for any purpose connected with the inquiry.

Power of entry for purposes of inquiry.

17. (1) At the conclusion of the inquiry the Board shall decide upon the claims for compensation and apportionments submitted to them and shall make an award under the hand of the Chairman who shall cause the same to be filed in the High Court.

Award of Board. [27 of 1966].

(2) In case the Chairman and one or both of the members agree as to the amount of compensation, or as to the amount of any item, or in case the Chairman, as to any such amount awards any sum greater than the lower, and less than the greater of the amounts found by the members respectively, then the decision of the Chairman shall, subject to appeal as in this section provided, be recorded as the decision of the Board.

(3) In case the Chairman, as to the total amount of compensation, or as to the amount of any item, finds for a less sum than the smaller, or a greater sum than the greater, of the amounts found by the members respectively, then the decision of the Chairman shall, subject to appeal as herein provided, be entered as the decision of the Board.

(4) An appeal shall lie against the decision of the Board, and for the purposes of the appeal the decision of the Board shall be deemed to be a final judgment or decision of a Judge of the High Court sitting as a Court of first instance.

DETERMINATION OF SMALL CLAIMS FOR COMPENSATION

18. (1) Notwithstanding anything in any Act to the contrary, in any case in which the compensation claimed does not exceed two thousand dollars, and in any case in which the compensation claimed does not exceed five thousand dollars and, in the latter case, the parties agree in writing to the settlement of the claim by a Magistrate, the amount of the compensation to be paid in any such case shall be determined by a Magistrate.

Procedure where claim for compensation does not exceed certain amounts. [7 of 1986].

(2) Any Magistrate, upon the application of either party with respect to any question of disputed compensation in either of the cases mentioned in subsection (1), may summon the other party to appear

before him at a time and place to be named in the summons and to hear and determine the question of disputed compensation.

(3) For the purposes of any proceeding under this section –

(a) the procedure to be followed, the summoning and remuneration of witnesses, and all questions incidental to the proceeding shall be governed by any law for the time being in force in the State relating to the recovery of claims before a Magistrate, and all the provisions of any such law shall apply *mutatis mutandis* to any such proceeding; and

(b) the provisions of section 16, 19, 20, 21, 22 and 25 of this Act shall apply with such verbal alteration (not affecting the substance) as may be necessary to make the same applicable.

(4) An appeal shall lie against the determination by a Magistrate of any question of disputed compensation under this section in like manner as if the determination was given in the exercise of the summary jurisdiction of a Magistrate in a civil matter under the provisions of the Magistrate's Code of Procedure Act, and for the purposes of the appeal the determination of the Magistrate under this section shall be deemed to be a decision of the Magistrate within the meaning of section 141 of the said Act.

Ch. 4:20.

PROVISIONS GOVERNING ASSESSMENT OF COMPENSATION, ETC.

Rules for
assessment of
compensation.

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

(a) the value of the land shall, subject as hereinafter provided, be taken to be the amount which the land, in its condition at the time of acquisition, if sold in the open market by a willing seller, might have been expected to have realised at a date twelve months prior to the date of the second publication in the *Gazette* of the declaration under section 3; but this rule shall not affect the assessment of compensation for any damage sustained by the person interested by reason of severance, or by reason

of the acquisition injuriously affecting his other property or his earnings, or for disturbance, or any other matter not directly based on the value of the land;

- (b) the special suitability or adaptability of the land for any purpose shall not be taken into account if that purpose is a purpose to which the land could be applied only in pursuance of statutory powers not already granted, or for which there is no market apart from the special needs of a particular purchaser or the requirements of any Government department;
- (c) where the value of the land is increased by reason of the use thereof or of any premises thereon in a manner which could be restrained by any court or is contrary to law or is detrimental to the health of the inmates of the premises or to public health, the amount of that increase shall not be taken into account;
- (d) where land is, and but for the compulsory acquisition would continue to be, devoted to a purpose of such a nature that there is no general demand or market for land for that purpose, the compensation may, if the Board is satisfied that reinstatement in some other place is *bona fide* intended, be assessed on the basis of the reasonable cost of equivalent reinstatement;
- (e) no allowance shall be made on account of –
 - (i) the acquisition being compulsory or the degree of urgency or necessity which has led to the acquisition;
 - (ii) any disinclination of the person interested to part with the land acquired;
 - (iii) any damage sustained by the person interested which, if caused by a private person, would not render such person liable to an action;
 - (iv) any damage, not being in the nature of deprivation of or interference with an easement, servitude or legal right, which, after the time of awarding compensation, is likely to be caused by or in consequence of the use to which the land acquired will be

put, but nothing herein shall prejudice any claim under this Act for damage subsequently sustained in consequence of the use to which the land acquired is put;

- (v) any increase to the value of the land acquired likely to accrue from the use to which the land acquired will be put;
- (vi) any outlay or improvement of the land which has been made, commenced or effected within twelve months before the publication of the declaration under section 3, with the intention of enhancing the compensation to be awarded therefor in the event of the land being acquired for public purposes.

Special rules as to severance.

20. As to severance, compensation may be assessed on the footing that any specified works, crossings or access agreed to on behalf of the Minister shall be erected, provided and allowed, and any such agreement shall be reduced into writing and be signed by the Chairman and shall be valid and effectual and binding on the parties.

Interest.

21. The Board, in awarding compensation, may add thereto interest at the rate of six per cent per annum, calculated from the date upon which the authorised officer entered into possession of the land acquired until the date of the payment of the compensation awarded by the Board.

Rules as to costs. [9 of 1971].

22. (1) The authorised officer shall pay to the claimant such reasonable costs as may have been incurred by him in or about the preparation and submission of his claim; but in no case shall an amount exceeding five hundred dollars be payable by the authorised officer, by way of costs to any claimant in respect of a claim made under this Act.

(2) Subject to the provisions of subsection (1), where an unconditional offer in writing of any amount as compensation has been made to any claimant by or on behalf of the authorised officer and the sum awarded as compensation does not exceed the amount offered, the Chairman shall, unless for special reasons he thinks it proper not to do so, order the claimant to bear his own costs and to pay the costs of the authorised officer so far as the costs of the authorised officer were incurred after the offer was made; and, where the claimant has failed to

put forward a proper claim in sufficient time to enable the authorised officer to make a proper offer, the foregoing provisions of this section shall apply as if an unconditional offer had been made by or on behalf of the authorised officer at the time when, in the opinion of the Board, a proper claim should have been put forward and the claimant had been awarded a sum not exceeding the amount of the offer.

(3) Subject to the provision of subsection (1), where a claimant has made an unconditional offer in writing to accept an amount as compensation and has put forward a proper claim in sufficient time to enable the authorised officer to make a proper offer, and the sum awarded is equal to or exceeds that amount, the Chairman shall, unless for special reasons he thinks it proper not to do so, order the authorised officer to bear his own costs and to pay the cost of the claimant so far as the costs of the claimant were incurred after the offer was made.

(4) Subject to the preceding provisions of this section, the costs shall be in the discretion of the Chairman who may direct to and by whom and in what manner those costs or any part thereof shall be paid, and he may in any case direct the costs to be taxed by the Registrar of the High Court.

(5) The mode of enforcing any order as to costs shall be in the manner prescribed by the practice of the High Court.

(6) Where the Chairman orders the claimant to pay the costs or any part of the costs of the authorised officer, the authorised officer may deduct the amount so payable by the claimant from the amount of any compensation which may be payable to him.

MISCELLANEOUS

23. (1) Where there is no person competent to alienate land or to receive or to give a sufficient discharge for any compensation awarded, or where any person interested in land, by reason of his absence from the State and of his not being represented therein by a duly authorised attorney, does not submit a statement to or appear before the authorised officer as required by section 7, and where such person after diligent inquiry cannot be found, the authorised officer shall pay the compensation into the High Court to the credit of the person entitled thereto. Absentee owners.

(2) Any compensation paid into the High Court by virtue of this section may, on the subsequent application of any person claiming to be entitled thereto, be paid out to such person on the order of a Judge of the Court.

(3) All moneys paid into the High Court under the provisions of this section, which remain unclaimed for twelve years after the payment shall be transferred and paid into the Treasury as revenue and all legal claims thereto shall be forever barred.

Compensation to persons interested in adjacent land.

24. A person interested in any land which, without any portion thereof being compulsorily acquired, has been damaged by the erection or construction on land compulsorily acquired of any works in respect of which the land was acquired, is entitled to compensation in respect of the damage; but compensation shall not be payable under this section in respect of any damage which, if caused by a private person, would not render such person liable to an action.

Special provisions as to leases.

25. (1) If any land is comprised in a lease for a term of years unexpired and part only of the land is acquired compulsorily, the rent payable in respect of the land comprised in the lease may, on the application of the lessor or the lessee to a Judge of the High Court, be apportioned between the land acquired and the residue of the land.

(2) After the apportionment the lessee is, as to all future accruing rent, liable to pay only so much of the rent as is so apportioned in respect of the residue of the land, and as to the residue of the land, and as against the lessee, the lessor shall have all the same rights and remedies for the recovery of such portion of the rent as previously to the apportionment he had for the recovery of the whole rent reserved by the lease, and all the covenants, conditions, and agreements of the lease, except as to the amount of rent to be paid, shall remain in force with regard to the residue of the land in the same manner as they would have done in case the residue of the land only had been included in the lease.

(3) Where it is shown that the compulsory acquisition of a portion of land comprised in a lease has rendered the residue unsuitable for the purpose for which the land was leased or where in the circumstances the Judge considers it just to do so the Judge may rescind the lease altogether; and in such case the lessee is only liable to pay the rent due at the date of the occurrence of the circumstance on which the rescission order is based.

(4) Where as the result of the rescission of lease the lessor or lessee suffers any loss or injury he is entitled to compensation as hereinbefore provided in this Act.

26. When any question arises touching the title of any person to any land which may be entered upon or acquired for the purposes of this Act, or touching any estate or interest therein, the person having the ostensible possession or enjoyment of the rents and profits of the land shall, for the purposes of this Act, be deemed to be the owner of the same until the contrary is proved.

Persons in possession to be deemed owners.

27. (1) Every assessor shall receive for his services such fee as the Minister, on the recommendation of the Chairman, may direct.

Fees and expenses of Board.

(2) The Minister may also authorise the reimbursement of the travelling and subsistence expenses incurred by the Chairman and members of a Board appointed under this Act.

28. All reasonable costs, charges, and expenses incurred by the owners of the land or persons interested therein for all conveyances and assurances of any lands purchased or acquired, and of any outstanding terms of interest therein, and of deducing, evidencing and producing title to such lands, terms and interest, and of making out such abstracts and attested copies as the authorised officer may require, shall be paid by the authorised officer.

Coveyancing, etc., cost to be paid by authorised officer.

29. All amounts which have been awarded by way of compensation under this Act, including interests and costs to be paid by the authorised officer, and all other costs, charges and expenses which are incurred under the authority of this Act, shall be paid out of the Consolidated Fund of the State on the warrant of the Minister.

Payment of compensation, etc.

30. Notwithstanding anything in any Act to the contrary, no instrument or document relating to anything lawfully done under, or for the purposes of this Act, is chargeable with any stamp duty, registration or recording fee.

Exemption from stamp duty and fees.

31. Except with the approval of the Minister in any case in which he considers that injustice may otherwise be done, no claim for compensation which may be made under the provisions of this Act shall be admitted or entertained unless the claim is made within twelve months after the date on which entry has been made on the land under section 4 or, if a declaration has been made under section 3, within a similar period after the date of the second publication of the declaration.

Limitation of time for making claims.

Assaulting or
obstructing
officer.

32. Any person who –

- (a) assaults or obstructs or aids and abets any person in assaulting or obstructing the authorised officer or any of his agents, assistants or workmen in the execution of his or their duty under this Act; or
- (b) opposes or impedes the lawful occupation or taking of possession of any land under this Act,

is liable on summary conviction, to a fine of three thousand dollars or to imprisonment for three months.

Saving.
L.I. Cap. 91,
1927.Rev.

33. The repeal of the Acquisition of Land Act effected by this Act shall not prejudice or affect –

- (a) the operation of any resolution, direction, notice or order issued or made before the coming into operation of this Act under the Act hereby repealed; and
 - (b) any action, suit, matter or proceeding, or any transaction commenced and pending before the coming into operation of this Act under the Act hereby repealed.
-