



DISASTER VULNERABILITY REDUCTION PROJECT

RESETTLEMENT POLICY FRAMEWORK

Commonwealth of Dominica

March 2014

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ACRONYMS AND ABBREVIATIONS

DVRP -	Dominica Vulnerability Reduction Project
GDP -	Gross Domestic Product
GRM -	Grievance Redress Mechanism
GSPS -	Growth & Social Protection Strategy
M & E -	Monitoring & Evaluation
MOE -	Ministry of Environment
PCU -	Project Coordinating Unit
PPA -	Project Preparation Advance
SOP -	Standard Operating Procedures

1.0 BACKGROUND

1.1 Country Background

The Commonwealth of Dominica also known as the Nature Isle of the Caribbean lives up to its reputation with lush green mountains, dense forests, pristine waterfalls, gushing rivers and an abundance of sulphur springs. Dominica is located between the French islands of Martinique and Guadeloupe,

The total population of Dominica as of midnight May 14, 2011 numbered 71,293. The total population comprises 36,411 males and 34,882 registering 1,529 more males than females and a sex ratio of 104.4. This compares to 1,141 more males in the last Census and a sex ratio of 103.2. The total population also represented a net decrease of 434 or a slight 0.6 percent decline over the 2001 head count and a fall below the 2010 mid -year population estimate of 72,729.¹

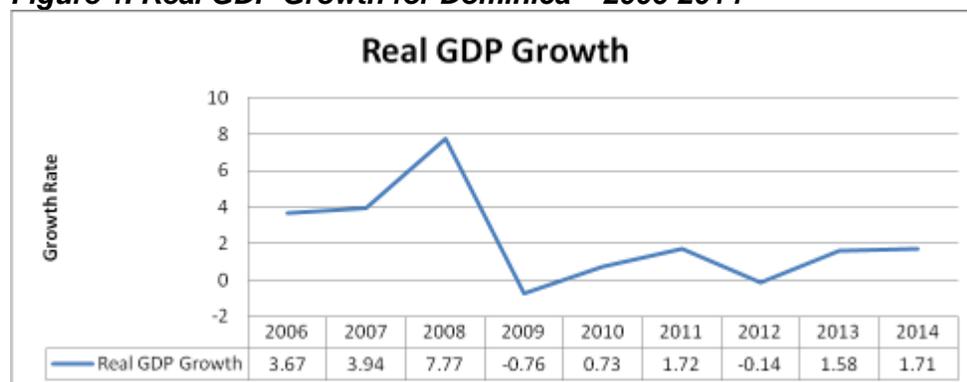
The Government of the Commonwealth of Dominica in 2012 tabled the second revised Growth and Social Protection Strategy (GSPS) in the National Parliament to serve as the country's development plan in the medium-term. Under the theme "Redoubling the Effort Towards a Sustainable Development Pathway" the GSPS 2012-2014 articulates a broad medium-term strategy framework for growth and poverty reduction for a three year period. The GSPS reinforces the view that poverty reduction is the focus of the Government's economic and social policy, and that the pursuit of strong economic growth, and the employment that will be generated as a result, is the main route to poverty reduction.²

In 2012, output in the agriculture sector grew by 7.5%. This expansion was led by improved production in the non-banana sub-sector which has benefited from export-led diversification efforts. Overall, gross value of the agriculture sector was valued at \$120.4 million in 2012 or 12.3% of GDP. A rebound in the manufacturing sector was supported by firm local and export demand leading to a 3.8% expansion during the year. A 1.7% increase in the valued added of the education sector was based on an estimated increase in the number of visitors travelling to Dominica for the purpose of study. The tourism industry experienced a slight contraction during the year in question as performance has been constrained by the end of cruise visits by a major cruise line from 1st November 2010. The construction sector also experienced a contraction in output with decline of 6.9% owing to the completion of a number of large Public Sector projects. Preliminary estimates suggest that GDP will grow by 1.6% in 2013 with 1.7% projected for 2014.

¹ 2011 Population and Housing Census, Preliminary Report

² Commonwealth of Dominica Economic and Social Review for Fiscal Year 2012/2013

Figure 1. Real GDP Growth for Dominica – 2006-2014



Source: Ministry of Finance

Given the current and projected socio-economic factors coupled with the vulnerability of the island particularly as a result of climate change; it is necessary to implement measures to mitigate against the magnitude of natural disasters on the lives of people. This multi-project approach will in some cases require land resettlement which will be done in accordance with the World Bank resettlement principles and the local laws governing land acquisition in the Commonwealth of Dominica.

2.0 Objectives of the Resettlement Framework

The purpose of the policy framework is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to subprojects to be prepared during the implementation of the Dominica Disaster Vulnerability Reduction Project (see OP 4.12, paras. 26-28). Subproject resettlement plans consistent with the policy framework subsequently will be submitted to the Bank for approval after specific planning information becomes available (see OP 4.12, para. 29). This framework is valid for all subprojects implemented under the Disaster Vulnerability Reduction Project in Dominica.

The development of this framework is in fulfilment of the World Bank's Policy on Involuntary Resettlement (OP/BP 4.12) whose objectives are that:

- Involuntary resettlement and land acquisition will be avoided where feasible, or minimized, by exploring all viable alternatives.
- Where it is determined that resettlement and land acquisition cannot be avoided, resettlement and compensation activities should be conceived and executed as sustainable development programs with the full involvement and participation of the displaced persons.
- Displaced and compensated persons will be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or levels prevailing prior to the beginning of the project implementation, whichever is higher.

Affected people, according to the Bank policy, refer to people who are directly affected socially and economically by Bank-assisted investment projects caused by:

- Relocation
- Loss of assets or access to assets
- Loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- The involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.

3.0 Brief Description of the Project

Component 1 – Prevention and Adaptation Investments (US\$28 million): This component would be designed to reduce physical vulnerability and pilot adaptive measures to build resilience to current and future hydro-meteorological shocks. Activities under this component would include a suite of civil works to improve infrastructure resilience to disaster events and climate change adaptation measures. Sub-projects to be financed under this component, through the provision of works, technical advisory services, operating costs, and acquisition of goods, include: (a) Construction of water storage and distribution infrastructure; (b) Slope stabilization interventions; (c) Climate resilient rehabilitation of primary and secondary roads and bridges along the East coast and in the South; and (d) Improved climate resilient drainage systems, including maintenance of storm water drainage.

Component 2 – Capacity Building and Data Development, Hazard Risk Management and Evaluation (US\$7 million): The Project would support building the capacity for analysis and assessment of risks from natural hazards and climate change including the integration of this analysis in the development decision making process. This component will support the creation of relevant core data and data collection systems as well as the integration of analytical tools to permit improved decision making and engineering design for risk reduction and climate change adaptation. Additionally, this component will support the development and deployment of data management and analysis systems to support interagency access to baseline datasets and analysis tools to promote the integration of risk reduction and climate adaptation strategies as mainstream elements of the development process across all sectors. Core data systems to be developed under this component include: (a) creation of a high resolution digital topographic and bathymetric model for Dominica; (b) creation of a high resolution soils survey map including chemical and physical characteristics for each soil unit; (c) design and deployment of a robust hydromet network to provide high resolution hydrologic data for use in a wide range of activities to support, for example, engineering design, national planning, disaster management, agricultural development and others; and 4) community level risk mapping and training on climate adaptation measures.

This component would also seek to develop national capacity by supporting an institutional strengthening program designed to provide training, and build institutional capacity for risk analysis, data collection and data management. The project would finance a series of capacity-building and technical assistance activities to support the improved integration of science based disaster risk management and climate change adaptation analysis tools and methodologies in the development decision-making process. Specific activities will support the development of: (a) a spatial data collection, management and distribution system; (b) improved seismic monitoring capacity; (c) watershed management support; (d) increased connectivity and data sharing amongst agencies and; (e) training, knowledge exchange and capacity building related to modeling, data analysis and spatial data management and distribution.

Component 3 – Natural Disaster Response Investments (USD\$1 Million):

This provisional component under this Project would allow for rapid reallocation of the loan during an emergency, under streamlined procurement and disbursement procedures. The emergency mechanism component would be triggered, following an adverse natural event, by an official Government of the Commonwealth of Dominica declaration of a national emergency in accordance with Chapter 15:03 of the Emergency Powers (Disaster) Act of 1987. In accordance with the Emergency Powers Act, the President has authority to declare that a national disaster has occurred in Dominica when he is satisfied that supplies and service essential to the life of the community are likely to be endangered. The President declares that a State of Emergency exists through proclamation in the *Gazette* and then communication to Parliament. Following this declaration, the Government could officially request reconstruction/rehabilitation financing under this component through a letter to the Country Director. In addition, the Government would be required to submit a recovery action plan indicating reconstruction/rehabilitation needs. The recovery action plan would outline the requested re categorized financing or additional financing to cover early recovery and rehabilitation costs.

Component 4: (USD\$2 Million): Activities under this component support strengthening and developing the institutional capacity for Project management, including: (i) financing the establishment of a new Project Coordination Unit (PCU) within the Ministry of Environment, including staffing, training, and operating costs; (a) preparation for designs and tender documents; (b) preparation of Project reports; (c) processing of contracts and tender evaluation; (d) coordination of participating line Ministries; (e) supervision of the quality of works; (f) training of staff in Project management and implementation support; and (h) related activities on Project management and implementation, all through the provision of technical advisory services, training, operating costs, and acquisition of goods.

4.0 Principles /Objectives Governing Resettlement Preparation

To a greater extent, the country's laws governing resettlement compliments the resettlement policy objectives of the World Bank. The Land Acquisition Act, Chapter 35:02 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

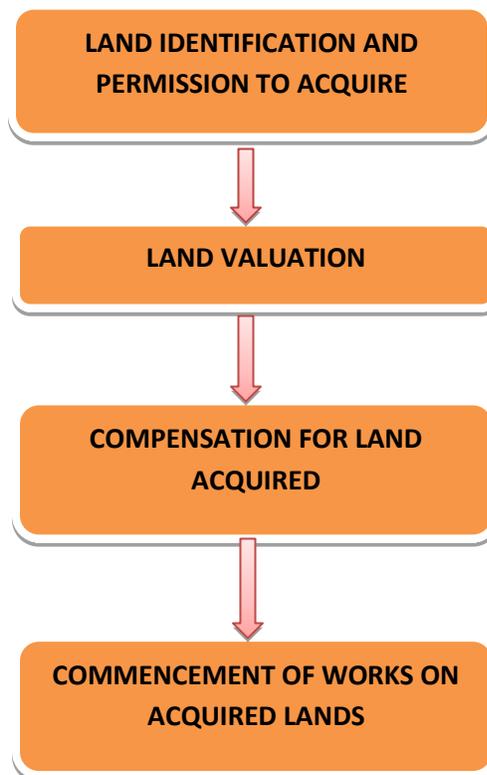
- f. Conveyancing etc.
- g. Payment of compensation
- h. Exemption from stamp duty and fees
- i. Limitation of time for making claims
- j. Assaulting or obstructing officer
- k. Saving

One of the areas which would require some procedural arrangement is the compensation of land acquired. The World Bank stipulates that compensation must be made prior to use of acquired land; whereas the Land Acquisition Act allows for compensation after land has been acquired. Generally, the World Bank's principles take a development approach as opposed to local laws which are instructional. In order to satisfy the requirements of the World Bank, it will be necessary to input land acquisition as a specific output of the project with the corresponding time factor accounted for in the overall life span of the project. To clearly address this issue, standard operating procedures for land acquisition under the project should be developed and agreed upon by both the World Bank and the Commonwealth of Dominica.

5.0 Process for Preparing /Approving Plans

For purposes of this Policy, a Land Acquisition Operating Procedures, appended to this Policy will outline the process. Contained herein are the main areas of the process:

Figure 2: Land Acquisition Operating Procedures



6.0 Estimated Population Displacement & Categories

Component & Sub-project activity	Description of Activity	Land Acquisition Y/N/TBD	Permanent	Temporary	Relocation	Estimated Affected population	Categories of Affected People
Pont Casse´ – Bois Diable	Slope stabilization, storm drains and associated road works	Y	TBD	15,000m ²	TBD	244	a, b, c
Bois Diable – Castle Bruce	Slope stabilization, storm drains and associated road works	Y	TBD	30,000m ²	TBD	1,087	a, b, c
Castle Bruce – Petite Soufriere	Slope stabilization, storm drains and associated road works	Y	TBD	20,000m ²	TBD	2,291	a, b, c
Castle Bruce – Hatton Gardeniii	Slope stabilization, storm drains and associated road works	Y	TBD	50,000m ²	TBD	2,145	a, b, c
Dubique	Slope stabilization, storm drains and associated road works	Y	TBD	10,000m ²	TBD	150	a, b, c
West Coast Water Storage	Erection of 8 storage tanks and supply lines	Y	TBD			TBD	a, b, c
Hydromet Network, incl. inter alia: Station Placement, rain gauges, seismic monitoring stations	Placement of hydromet stations	Y	TBD			TBD	a, b, c

7.0 Eligibility Criteria for Defining Various Categories

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

- (a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- (b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan
- (c) those who have no recognizable legal right or claim to the land they are occupying.

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

Persons covered under (c) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (a)ⁱⁱ, (b)ⁱⁱⁱ, or (c)^{iv} are provided compensation for loss of assets other than land (see OP 4.12 paras. 14 -16).³

The laws of the Commonwealth of Dominica makes provision for eligibility under the terms stipulated by the World Bank, hence classification criteria will be upheld during the course of this project. Under (a) the laws of the country require proof of legal ownership i.e. certificate of title. Under (b), the Squatter Regularization Policy and the State Lands Act No. 25 of 1998 will support adherence to World Bank conditions. The terms are as follows:

- Regularization of Tenure:
 - The provision of security of tenure to squatters who were in illegal occupation of State Lands without permission prior to Jan 1st 1998.
 - These applied for regularization and must have met all other legal requirements in accordance with the State Lands Act No. 25 of 1998.
 - Physical Regularization:
 - The implementation and/or up-grading of the physical infrastructure of squatter communities by improving roads, drainage, sewage systems and by providing water and other basic amenities.

Section (c) will also be honoured under local laws.

8.0 Legal Framework

The Land Acquisition Act, Chapter 35:02 outlines the acquisition of land by the State and 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

³ World Bank Involuntary Resettlement Procedures

- 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
- k. Saving

One of the areas which would require some procedural arrangement is the compensation of land acquired. The World Bank stipulates that compensation must be made prior to use of acquired land; whereas the Land Acquisition Act allows for compensation after land has been acquired. Generally, the World Bank's principles take a development approach as opposed to local laws which are instructional. In order to satisfy the requirements of the World Bank, it will be necessary to input land acquisition as a specific output of the project with the corresponding time factor accounted for in the overall life span of the project.

In the case of the Carib Territory, the Carib Reserve Act of 1978 provides for the establishment of a body corporate for the administration of the Reserve and for matters connected herewith.^v It gives the Carib Council the authority and responsibility for the management of the Carib Territory. The Act variously describes the establishment of the office of the Carib Chief, the Constitution, and powers of the Carib Council. Specifically, it gives various powers to the Carib Chief and the Carib Council who have sole powers over land distribution in the Territory. Under the Act, no individual can negotiate sale of property within the Territory, since issuance of individual certificate of titles are prohibited and the land within the Territory rests solely in the hands of the Carib Council. For purposes of this Framework, any land acquisition must be made between the Government and the Carib Council.

To clearly address this issue, standard operating procedures for land acquisition under the project was developed to bridge the difference in issuance of compensation for acquired land for the World Bank and the Commonwealth of Dominica as below:

Purpose: The purpose of this Land Acquisition Standard Operating Procedure (SOP) is to outline procedures for acquiring lands under the Disaster Vulnerability Reduction Project encompassing both World Bank Policies and laws of the country; particularly the Land Acquisition Act Chapter 53:02.

Scope: The Land Acquisition Standard Operating Procedure outlines steps which will be taken if any resettlement is necessary during the course of the Disaster Vulnerability Reduction Project in the Commonwealth of Dominica. These activities include:

- Land identification
- Approval for acquiring land
- Declaration and Publications
- Negotiations

- Compensation for land acquired.

Responsibility: The Ministry of Finance shall have overall supervision for monitoring adherence to this Standard Operating Procedure. The other Departments to which this Standard Operating Procedure applies include the Ministry of Environment, Natural Resources, Physical Planning and Fisheries, the Lands and Surveys Department within the Ministry of Lands, Housing, Settlements and Water Resource Management and the Ministry of Public Works, Energy and Ports.

References: World Bank Involuntary Resettlement Policy OP 4.12
Commonwealth of Dominica, Land Acquisition Act Chapter 53:02

Procedures:

Land Identification:

1. Identify all lands which will be acquired based on final documents approved by Cabinet of the project documents.
2. Submit list of lands identified to the Lands and Survey Division within the Ministry of Lands, Housing, Settlements and Water Resource Management for establishing ownership and quantum of land through research of land records at Registry, Lands and Surveys and other viable sources
3. Prepare and submit Cabinet paper requesting Cabinet Decision to acquire lands identified.

Approval for Acquiring Land:

1. Cabinet Decision is made to acquire identified lands for a specific public purpose and appoint the Authorized Officer

Declaration and Publications:

1. Declarations of acquisitions are served on land owners and publications are made in the Official Gazette. Land is acquired after the second publication.

Negotiations:

1. Valuations of properties are conducted by the Property Valuation Unit within the Ministry of Environment, Natural Resources, Physical Planning and Fisheries in collaboration with the Division of Agriculture within the Ministry of Agriculture and Forestry if crops are to be assessed in order to determine fair compensation based on open market value one year prior to the date of acquisition.
2. In accordance with the Land Acquisition Act Chapter 53:02, the Authorized Officer who is usually the Director of Surveys and Commissioner of Lands treats with the land owner for purchase of land. The Director is guided by valuations submitted by the Valuation Unit.

3. Additionally, in accordance with the World Bank Involuntary Resettlement Policy, the negotiations with affected persons will ensure that they are *“informed about their options and rights pertaining to resettlement, consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives, and provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.”*^{vi}

Compensation for Land Acquired:

1. Once Cabinet approves the provisional agreement between the Authorized Officer (on behalf of the Government of the Commonwealth of Dominica) and the land owner arrangements shall be made for issuance of payments and any other agreed conditions to the land owner in a timely manner i.e. before use of land by the Project. This is necessary to establish common ground between the World Bank requirements and that of the State.

9.0 Methods for Valuing Affected Assets

The Land Acquisition Act Chapter 53:02 (19) addresses the provisions governing assessment of compensation. The Lands and Survey Division will submit to the Valuation Unit of the Ministry of Environment, Natural Resources, Physical Planning and Fisheries information on land requiring valuation. The assessment will be conducted within the laws of the country as required. Valuations of properties are conducted by the Property Valuation Unit within the Ministry of Environment, Natural Resources, Physical Planning and Fisheries in collaboration with the Division of Agriculture within the Ministry of Agriculture and Forestry if crops are to be assessed in order to determine fair compensation based on open market value one year prior to the date of acquisition. In assessing affected assets, current market value, infrastructure, commodities (if agricultural land) and location of property will be considered in the valuation process. The table below (figure 3) shows a preliminary breakdown of land value for the different project components. The actual data once confirmed will be provided and submitted as information becomes available.

Figure 3: Proposed Land Value by Component

Component & Sub-Project Activity	Proposed Land Acquisition (square foot) ^{vii}	Current Land Value per square foot		Total cost	
		EC\$	US\$	EC\$	US\$
Pont Casse´ - Bois Diable	TBD	6	2.22	TBD	TBD
Bois Diable – Castle Bruce	TBD	6	2.22	TBD	TBD
Castle Bruce – Petite Soufriere	TBD	6	2.22	TBD	TBD
Castle Bruce – Hatton Garden	TBD	7	2.59	TBD	TBD
Dubique	TBD	5	1.85	TBD	TBD
West Coast Water Storage	TBD	TBD			TBD
Hydromet Network, Seismic Network, etc.	TBD	TBD			TBD

10.0 Organizational Procedures

Once final approvals are received, the Ministry of Finance shall approve entitlements in a timely manner, particularly considering that the World Bank requires issuance of entitlements prior to actual commencement of project on any property which is identified for acquisition.

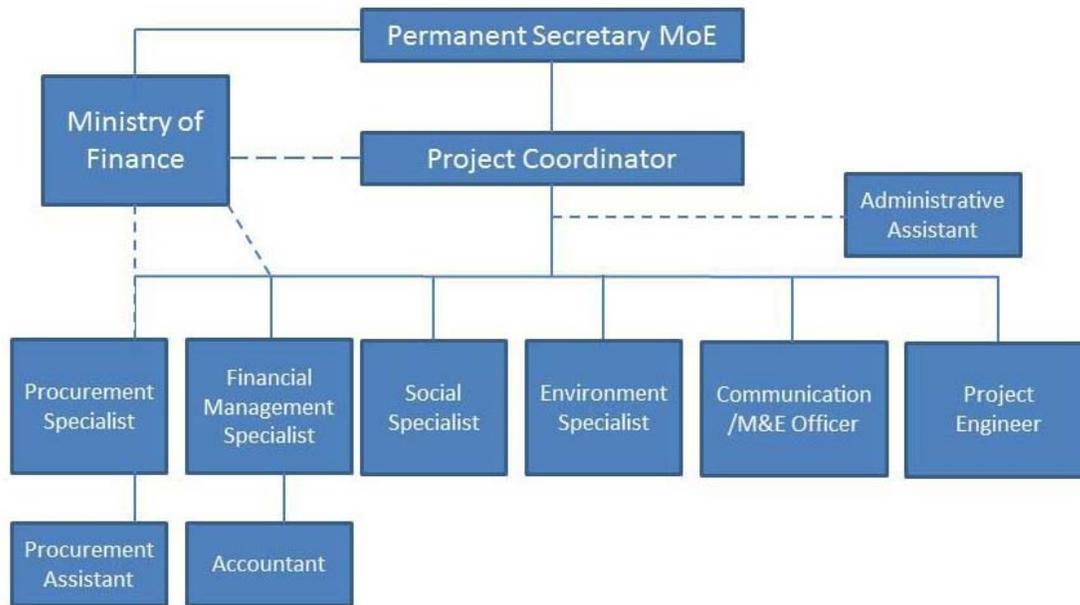
11.0 Implementation Process

The Government of the Commonwealth of Dominica has determined that a Project Coordinating Unit (PCU) be established within the Ministry of Environment, Natural Resources, Physical Planning and Fisheries, with the Ministry of Finance having monitoring responsibilities.

The Ministry of Environment, Natural Resources, Physical Planning and Fisheries will be the technical lead for coordination amongst agencies in the project, with responsibilities for overseeing the PCU and day-to-day execution of activities and project development. The Ministry of Finance would be directly involved in the management of the project, along with Ministries of Environment, Natural Resources, Physical Planning and Fisheries and the PCU Coordinator reporting to the Ministry of Finance. The Ministry of Finance will be responsible for coordinating financial management, contract management and monitoring of the project, in coordination with the relevant PCU staff.⁴

⁴ Aide Memoire, Dominica. Regional Disaster Vulnerability Reduction Project, October 23rd - October 25th, 2013

Figure 3: PCU Composition and Reporting Structure



12.0 Grievance Redress Mechanism

Based on the proposed composition and reporting structure (Figure 3), the overall responsibility for dealing with grievances will be that of the Project Coordinator.

i. Responsibility:

The Social Specialist shall deal with complainants directly. The Social Specialist will submit a status report of grievance to the Project Coordinator and/or Project Steering Committee by the 7th of every month for appraisal.

ii. Response by person lodging the grievance:

All complainants will be provided acknowledgement on receipt of grievance within three days from the day of receipt of the Social Specialist. All grievances received by post or in person shall be acknowledged and a record shall be maintained.

iii. Information on receipt:

Details of grievance received shall be maintained by the Safeguard Expert in a register to capture the following information:

- Complaint Number (CN)
- Date of Receipt

- Particulars of Citizen/Client
 - Name
 - Address
 - Contact Number
 - Whether acknowledgement given at the time of receipt (Yes/No)
- Particulars of Grievance
 - Subject of the grievance
 - Office
 - Brief Description
 - Date of acknowledgement/Date of Redress

iv. Communication to Complainant:

All complainants shall be given grievance number and expected time of redressal by the Social Specialist as per the time norm. The Complainant can approach higher authorities (Ministry of Finance, Ministry of Environment) if grievance is not resolved within the prescribed timeline i.e. 2 weeks. If grievance is not resolved within the expected time i.e. 2 weeks, the Complainant shall be provided with the following information by the Social Specialist:

- a. Information on reasons for delay
- b. Updated expected time of redress
- c. If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time he/she can lodge his/her grievance to the Director of Public Prosecution or other relevant authority.

This information shall be given in the same letter/order through which the final decision on redress is conveyed to the complainant.

v. Analysis and Prevention:

All grievances shall be analyzed to find out the root cause in any particular area and matters shall be taken up with the competent authority i.e. Project Steering Committee and/or Ministries of Finance and Environment for modification in the Policy to prevent the same.

13.0 Arrangements for funding

The Government of the Commonwealth of Dominica through the implementing agency – the Ministry of Environment and overall supervisor – Ministry of Finance will ensure that all payments for persons affected will be made in accordance with the World Bank Resettlement Policy i.e. payments will be made prior to use of lands acquired and adhering to the process outlined in the Land Acquisition Act 53.02. Once agreement on valuation of property is agreed upon by both parties (Government of the Commonwealth of Dominica and Land Owner and/or Affected Persons), payments will be made through the PCU.

14.0 Mechanisms for consultation with and participation of displaced persons in planning, implementation, and monitoring

Once land identification is completed, necessary consultations will be held with displaced persons. As far as is possible, this should be undertaken in collaboration with the Village Councils and consultations shall be held prior to acquisition and will be led by the PCU. In the spirit of the World Bank's Resettlement Policy, displaced persons will be: *"informed about their options and rights pertaining to resettlement, consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives, and provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project."*

15.0 Arrangements for monitoring by implementing agencies & (if required) independent monitors

The Ministry of Finance will have overall responsibility for monitoring arrangements in conjunction with the Ministry of Environment, Natural Resources, Physical Planning and Fisheries. The Project Coordinating Unit will conduct its own monitoring in terms of project implementation and provide periodic status reports to the Ministry of Finance and the Ministry of Environment respectively for onward submission to the World Bank.

ⁱ Estimates are based on the preliminary results of the 2011 Population Census, Commonwealth of Dominica

ⁱⁱ See criteria, Section 7.0 "Eligibility Criteria for Defining Various Categories"; World Bank policy states that displaced persons may be classified in one of the following three groups:

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

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

^{iv} C - those who have no recognizable legal right or claim to the land they are occupying

^v "Replacement cost' is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. . . . For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard"

^{vi} World Bank Operational Manual OP 4.12 – Involuntary Resettlement

^{vii} Calculated at 10% of total land (square feet) for each component since estimation reflects total area covered for each component.