

République d'Haiti
Bureau de Monétisation des Programmes d'Aide au Développement

Haiti - Urban Community Driven Development Project
PRODEPUR and the Housing and Community Infrastructure Additional financing

Land Acquisition and Involuntary Resettlement Policy Framework (LARPF)

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I. Background

Building on the successful experiences of the Haiti Rural CDD Project (PRODEP) and the Pilot Urban CDD Project (PRODEPAP), the proposed project (PRODEPUR additional financing) seeks to improve access to and satisfaction with: (a) basic and social infrastructure and services, and (b) income-generating opportunities for residents of targeted disadvantaged urban areas, through a participatory process in which community-based organizations (CBOs) propose, select, implement, and maintain subprojects.

* Background here on the Project.

PRODEPUR is a community-based demand-driven project in which, by definition, sub-projects are not identified in advance. Identification of the number of people affected by a sub-project can thus only be defined once sub-project proposals have been evaluated by the Community Development Councils (COPRODEPs). Since participatory planning and decision making form the basis for the project, the project approach itself guarantees that affected people will be involved in the decisionmaking process for actions that directly affect them.

- Specific information on the housing component (from the PCN) and a description of key resettlement issues, and differences with regular project.

Should any sub-project involve any land acquisition or resettlement, this Policy Framework provides procedures and guidelines for agreeing on compensation for those persons who are affected by the sub-project and to ensure that they are not unfairly treated, given low compensation, or benefit unfairly by being given compensation that is significantly higher per square meter than other owners who sell similar, nearby land on the free market.

It is highly unlikely that the Additional Financing for the PRODEPUR CDD project will result in physical displacement of people on a scale that requires the establishment of ex novo resettlement sites. In the unlikely case of such an event, the procedures illustrated in section V of this document (Resettlement Sites) will apply. While involuntary displacement should be avoided as a priority, it is possible that Component 2c (Community Infrastructure Repair and Improvement) may require a re-arrangement of space allocation in the community that could result in some people losing land and/or housing. Given the low budget of the community infrastructure repairs and improvement sub-projects, it is expected that involuntary resettlement (if triggered at all) will only affect small numbers of people (generally below the 200 threshold required for the preparation of full-fledged Resettlement Action Plans). In light of this, the approach adopted in managing resettlement processes for the Additional Financing component of the PRODEPUR project will follow simple procedures commensurate with the level of impact expected by the project. Such procedures, however, are in full compliance with the requirements of World Bank Operational Policy 4.12.

II. Definitions

The definitions used in this Policy Framework are:

- (a) "Census" means the head count of those persons under a proposed sub-project that qualify as Affected Persons. The date of the Census is the latest cut-off point to record the persons in the sub-project area that will receive compensation, resettlement and/or removal and rehabilitation assistance.
- (b) "Compensation" means the compensation at replacement cost as determined in Section V of this Framework given in exchange for the taking of land and building, in whole or in part, and all fixed assets on the land and buildings, including crops and trees.
- (c) "Land acquisition" means an activity that requires obtaining land, buildings or other assets from Affected Persons for purposes of the sub-project.
- (d) "Affected Persons" means persons who, on account of the involuntary taking of land and/or other assets as part of the execution of a sub-project, suffer a direct economic and social adverse impact – whether or not said Affected Persons must physically relocate. These impacts include having their: (i) standard of living adversely affected; (ii) right, title, or interest in any house, land (including premises, agricultural and grazing land), or any other physical asset acquired or possessed, temporarily or permanently, adversely affected; (iii) access to productive assets adversely affected, temporarily or permanently; or (iv) business, occupation, work or place of residence or habitat adversely affected.
- (e) "Physically Affected Persons" means persons who are forced to move from their previous location because (i) all or a significant portion (50% or more) of their land or buildings are affected by the sub-project; or (ii) less than 50% of their land or buildings are affected by the sub-project if the remaining portion is not economically viable or habitable.
- (f) "Rehabilitation Assistance" means the provision of cash or assets or other forms of support to enable Affected Persons without legal rights to the assets taken by the Project to recapture or improve their standard of living, income levels and production capacity to the level prior to the project.
- (g) "Resettlement" means an effort /activity to relocate the Affected Persons into an acceptable new settlement as mentioned so that they can maintain or improve their standard of living.
- (h) "Involuntary Displacement" means the following action, when it occurs without the Affected Person's informed consent or power of choice: the taking of land resulting in: (a) relocation or loss of shelter; (b) lost assets or access to assets; or (c) loss of income sources or means of livelihood, whether or not the Affected Person must move to another location.
- (i) "Sub-project" means a specific infrastructure investment project carried out with funds from PRODEPUR.

III. Basic Principles

Involuntary displacement should be avoided at all cost if possible, and minimized in cases where avoidance is not a feasible option. In such cases, actions should be taken to mitigate impacts on affected people resulting from land acquisition and/or activities that may result in the involuntary resettlement of people.

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 principles for this Framework are the following:

- Sub-project proposals for community infrastructure (including debris removal or housing repair and reconstruction) should minimize land and asset acquisition and involuntary displacement. To ensure this, CBOs proposing sub-projects should have explored viable alternative designs to minimize displacement.
- The CBO proposing the sub-project will use a transparent and participatory process to ensure that all Affected Persons agree on any proposed sub-project that involves land acquisition or resettlement.
- A consultation process with the affected people will be put in place to ensure they are fully aware of their rights and responsibilities according to national laws and applicable World Bank policies. To that effect, a grievance redress mechanism will be established to resolve potential disputes arising from the implementation of land acquisition and/or resettlement programs.
- The group proposing the sub-project will have to agree to incorporate the costs for land acquisition and/or any involuntary resettlement in their sub-project proposals as part of sub-project costs.
- In accordance with traditional practice, community members may elect to voluntarily contribute land or assets and/or relocate temporarily or permanently from their land without compensation. “Voluntary” in this context will mean the donation or granting of land and other assets with the full knowledge of the purposes for which the asset is being made available and the economic, social and legal consequences that such an act would have on the person providing the asset and which act is exercised freely and voluntarily, without any type of coercion (Annex xxx comprises a screening sheet for documenting resettlement, including donations, and is already embedded in the PRODEPUR Operational Manual).
- Affected Persons¹ should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, to pre-displacement levels or to the levels prevailing prior to the beginning of the project implementation, whichever is higher.
- The MDODs working in areas that are eligible for support under the Housing Rehabilitation and Reconstruction Component must hire a Resettlement Specialist who will be responsible for ensuring that the LARPF is implemented.

IV. Framework

¹ In the case of the PRODEPUR project, various categories of people may become affected by resettlement. These include: owners residing in their own houses (who also own the land); renters, renting from owners residing in the same house (also own the land); renters, renting from absentee owners (in the country, and own the land); renters, renting from absentee owners (living in a foreign country, but own the land); renters, renting from renters (sub-renters); all of the above categories, but where the owner / occupant does not own the land on which the house is built; owners / renters of “red houses” that will be demolished.

In the event that a sub-project proposal requires any land or asset acquisition, and/or resettlement, the sub-project proposals have to indicate the need for land acquisition, the number and names of persons affected, and the estimated budget required for compensation.

Proposals that would affect 200 persons or more would normally entail long lead times, and are expected to be beyond the scope of the project. In the highly unlikely event that more than 200 persons would be affected and require compensation, BMPAD would ensure that, prior to providing a no-objection to the sub-project, a full Land Acquisition and Resettlement Action Plan (LARAP) is developed. The LARAP would include: (a) a survey to identify the socio-economic characteristics of the Affected Persons, including a census; (b) a comprehensive plan for the acquisition of land and/or resettlement; (c) a compensation package in accordance with the compensation guidelines set out in Section V and acceptable to the Affected Persons and the CBO proposing the sub-project; (d) a consultation process to ensure that affected people are aware of their rights and responsibilities in connection with the planning and execution of the resettlement programs; (e) a grievance redress procedure to resolve disputes possibly emerging from the implementation of land acquisition and/or resettlement programs. The LARAP would also indicate the budget amount and source for the required compensation (Bank funds cannot be used for compensation). BMPAD shall seek the Bank's approval of the LARAP and budget prior to the issuance of a no-objection.

For any sub-project that requires resettlement of less than 200 persons, BMPAD, supported by the MDODs and relevant COPRODEPs, will ensure that the following steps are followed:

- The CBO proposing the sub-project carries out consultative process and compiles a Census of the persons that would be affected by the proposed sub-project Affected eligible for compensation.
- Affected Persons are made aware that they have the right to compensation and/or other assistance according to national laws, World Bank Operational Policy 4.12 summarized in the compensation guidelines provided in Section V hereunder.
- The Affected Persons agree on the sub-project proposal, and have negotiated adequate compensation from the CBO proposing the subproject.
- The agreement is made through a participatory and transparent process.
- In cases where voluntary contributions of land or assets are indicated, these are clearly agreed with all Affected Persons, and the name(s) of the contributor(s) and details of the contribution(s) are included in the agreement and are verified by the COPRODEP and MDOD. COPRODEP and MDOD will ensure that proper records² of such transactions are kept in a specific database dealing with voluntary contributions and/or donations.
- The sub-project proposal (and eventually, agreement) should clearly indicate individual land plots needed for land acquisition and/or resettlement, the number and names of the affected persons, scheme of compensation and/or resettlement, and estimated cost for land acquisition and/or resettlement compensation. In the case of voluntary contributions, the agreement should state the rationale and the fact that the person had the choice of not providing the asset and, in the case of involuntary contributions, the manner followed for the valuation of the assets, which must be in compliance with Section V below.
- The agreement should indicate that any compensation will come from the community's or government's contribution to the sub-project.
- The details of the agreement will be verified by the MDOD *animateur* in charge of the affected communities prior to consideration by the COPRODEP and BMPAD for financing. In the event that no

² Records can include video recording of meetings, pictures of properties and or land to be donated, written agreements, minutes of meetings, etc.

consensus has been reached on the form and amount of compensation, the sub-project will not be considered for financing.

- No Affected Persons shall have their land or other assets taken before they have received the corresponding compensation and/or resettlement site, as agreed upon and detailed in the sub-project proposal.
- Payment of compensation, displacement of people, or preparation of a resettlement site, as agreed, should be completed before any works associated with the respective sub-projects are started.
- A monitoring and evaluation system for compensation will be introduced to ensure that Affected Persons have received their compensation as agreed. The monitoring will be undertaken by the MDODs, supervised by BMPAD, and will include a full survey or sample survey, depending upon the number of households affected. A report on results and recommendations will be published by the MDOD and disseminated to the community and the Bank.
- In the Housing Rehabilitation and Reconstruction Component, the following additional requirements will apply:
 - Prior to the approval of eligible beneficiaries, BMPAD's resettlement expert will ensure that the sites, boundaries, and ownerships of the land plots are clearly identified, reconfirmed by their neighbors and verified by the housing facilitators;
 - Disputes over the boundaries and ownerships of land plots will be resolved prior to the approval of the eligible beneficiaries, with this dispute resolution facilitated by the relevant COPRODEP and MDOD *animateurs*; and
 - Where land acquisition and resettlement take place, agreement on the compensation scheme and its payment or realization will be settled prior to the commencement of housing rehabilitation and reconstruction activities. The BMPAD Resettlement Specialist will monitor this process, to ensure that this and other requirements are respected.

V. Guidelines for Compensation, Resettlement and Other Assistance

Based on agreements reached during negotiations, Affected Persons can choose to receive cash compensation, resettlement, or other options (including serviced sites, land of equal size or equal productive capacity, low cost housing, apartments, real-estate housing with credit facilities, or other schemes). Among those options, Affected Persons will be afforded the opportunity to have a resettlement site where they do not have to pay more than their present routine expenditure (including for renters). In all cases, the amount of compensation, resettlement, or other options must be sufficient to achieve the objective of improving – or at least, restoring –pre-project standards of living and income for the affected people.

Compensation

Affected Persons will be provided cash compensation in accordance with the provisions indicated in the Entitlement Matrix below.

Affected Persons will be compensated at replacement cost values for lost assets. Real replacement cost means:

(a) for land: the pre-displacement market value of land, plus the cost of any registration and transfer taxes;

(b) for houses and other structures: the market cost of rebuilding the house from scratch. Compensation rates will be calculated on the basis of dollars per square meter of housing surface.

(c) for trees, crops and other assets: replacement value using existing market prices per tree prepared by responsible government agencies.

The extent of the compensation will depend on the tenure situation of the Affected Person as set out in Section VI.

In the case of voluntary contribution and/or donations, the donor/contributor forgoes any right to compensation for lost assets. This should be clearly recorded and documented by the respective DMOD.

Every affected person will be assigned an ID card at the end of the Census process. The ID card sanctions eligibility for compensation under this resettlement program. ID cards will need to have a unique number assigned to the affected individual/household, a corresponding picture, and carry the diction that eligibility will be forgone if the affected person decides to move to other areas without the support of the project³.

Other Assistance

Affected Persons who lose their income sources or means of livelihood as a result of the sub-project will receive assistance to restore it. The types of assistance will be defined by the MDOD and COPRODEP and confirmed by BMPAD. Training and assistance that can be provided include: motivation development; skills and vocational training; assistance to start and develop small businesses; small scale credit; marketing development; assistance during transition period; and strengthening of community based organization and services. In implementing the assistance, care should be taken to harmonize the newly resettled people and the host community in the resettlement area through specific assistance and integration efforts, as necessary. The assistance can be linked to existing programs and resources; and particularly, the other components of PRODEPUR.

Resettlement Sites

It is highly unlikely that the Additional Financing for the PRODEPUR CDD project will result in physical displacement of people on a scale that requires the establishment of ex novo resettlement sites. However, if this were to emerge as a necessary and unavoidable option during implementation, the following principles will be applied to the construction of new resettlement sites. Any resettlement site provided for the Affected Persons will include infrastructure and public facilities sufficient to enable a decent social and economic life (at least at levels prior to the Project intervention), including: (a) roads or footpaths as necessary; (b) a drainage system; (c) water supply (if a piped water distribution network is not available, there should be stand pipes that comply with health standards); (d) electricity; (e) a health facility, educational facility, spaces for work and commerce, religious services, and athletic activities, in accordance with the size of the new community; and (f) access to public transport.

³ This is particularly important in the case of "squatters" who may qualify as eligible for compensation, but then move to other areas where they will no longer be affected by the project, and claim compensation nevertheless.

The Affected Persons will move to the new site after the infrastructure and facilities at the resettlement site are completed and feasible to live in, as confirmed by the BMPAD and the MDOD. The Affected Persons will be informed of the completion of the resettlement site at least one month before displacement, and will be invited to survey the new site. The resettlement site will be available prior to the start-up of works under the relevant sub-project.

The location reserved for resettlement will be widely publicized, so that the general public is informed.

VI. Eligibility Criteria of Affected Persons

Affected Persons can be grouped into the following categories: (a) those who have legal land certificate, or title; (b) those who, under domestic law, have a right to occupy land in a residential, commercial, or industrial zone in the Project area, or occupy land on infrastructure or public facility sites, such as rivers, roads, parks or other public facilities in the Project area, but do not hold a certificate or legal title; (c) those who have no legal right to occupy land in a residential, commercial or industrial zone in the Project area or publicly owned land or facility sites, but who were occupying such land at the time of the sub-project Census or pre-feasibility study; (d) renters; (e) those whose jobs are lost due to the taking of land and/or physical displacement; and (f) those who have no right to occupy land in a residential, commercial or industrial zone in the project area, or publicly owned land and publicly owned facility sites and whose occupancy of such land can be demonstrated to have begun after the Census.

Compensation will differ according to these categories:

(i) Persons with Land Certificate or Title

- will receive compensation for the land, buildings, and other fixed assets.
- will receive transport allowance and/or assistance in moving their belongings.
- in case of specific vulnerable people/families, will receive additional assistance.

(ii) Persons who do not hold a Land Certificate or other legal document, but own housing and/or other structures:

- will not receive compensation for lands.
- will receive compensation for building and fixed assets, as well as for crops and trees at market value.
- will receive transport allowance to move their belongings.
- in case of specific vulnerable people/families, will receive additional assistance.

(iii) Renters

- will be assisted with an allowance of six (6) months rent, calculated on the basis of average rent levels for similar houses in the same area.
- will also receive assistance and training and transport allowance and/or assistance in moving their belongings.

(v) Economically affected people

- will be provided livelihood restoration opportunities.

(vi) *People occupying or settling in the project area after the Census*

- will receive no compensation or rehabilitation assistance for land, structures built, or crops.

Compensation rationales for all categories of affected people is summarized in the Entitlement Matrix below.

Entitlement Matrix

Category of Affected Persons	Type of loss	Compensation options
Legal owners	Land	Full compensation at market replacement value
	Housing and other physical structures	Full compensation at market replacement value
	Economic losses	Livelihood restoration opportunities ⁴
Non-legal owners with right to occupy premises/lands	Land	No monetary compensation
	Housing and other physical structures	Full compensation at market replacement value Transport allowance/ assistance
	Economic losses	Livelihood restoration opportunities
Renters	Land	No monetary compensation
	Housing and other physical structures	6 months of rental allowance
	Economic losses	Livelihood restoration opportunities
Economically affected people	Economic losses	Livelihood restoration opportunities
Non-legal residents occupying site after census	Not eligible for compensation	Not eligible for compensation

In the event that the affected people are particularly vulnerable ones (elderly, orphan households, women-headed households, physically or mentally challenged people, etc.), in addition to what is indicated in the Entitlement Matrix above, the project will:

- 1) Record all cases of vulnerable people/families;
- 2) Consult with vulnerable people/families and find a suitable solution for their specific cases;
- 3) Engage social services or NGOs in supporting such vulnerable cases;
- 4) Provide additional cash grants wherever needed (to be awarded on a case by case basis and clearly documented).

⁴ Livelihood restoration opportunities commonly take the form of training programs to diversify livelihood options or improve productivity. As it is difficult to establish upfront what these will look like, best practice shows that the specific of livelihood restoration programs are more effective when designed jointly with affected people during project implementation, and taking into consideration the local opportunities environment. To that effect, PRODUPUR will, if needed, design such a livelihood restoration program in full consultation with affected people and possible local partners in the execution of such programs.

VII. Consultation and Complaint Resolution

This general framework will be included in the Project Operational Manual, and BMPAD, the MDODs and the COPRODEPs trained in its implementation. The overall Project approach in enabling transparency and consultation should allow solutions to local problems locally, quickly, and effectively. If any Affected Persons or other community members have a complaint regarding the framework or its application in practice, the project has an established system of complaint handling at the established Centers of Excellence, with dedicated staff in charge of handling and following up on complaints. Complaints which cannot be solved locally through this complaint system will be referred to the BMPAD.

In the event that the deliberations have been repeatedly conducted over 120 days to reach a solution but no solution has been reached, dispute resolution will follow national law.

Institutional arrangements

Implementation of resettlement programs for the AF will be based on the existing system in place for the PRODEPUR project with some modifications. Such modifications will ensure the capacity to implement resettlement programs and management of human remains.

Currently, PRODEPUR relies on a screening system to avoid sub-projects that would require involuntary resettlement of people in the realization of small-scale community infrastructure. However, the AF portion of the project may require the implementation of resettlement programs – albeit on a small scale. At present, PRODEPUR management confirms the safeguards screening of sub-projects (including to ensure that no involuntary resettlement is supported) based on forms submitted by the MDODs and their Bureaus Techniques de Coordination (BTC).

This system will continue for the PRODEPUR project and also for the AF portion. However, given the need to ensure that (i) all sub-projects are carefully scrutinized for impacts and these impacts adequately managed and supervised, and (ii) involuntary resettlement programs are effectively implemented if and when needed, an Environment, Social and Technical (EST) cell will be established. The EST cell will report directly to BMPAD's Safeguards Coordinator. The EST cell will perform the following functions:

- 1) Assist PRODEPUR Coordinator in ensuring compliance with WB safeguard policies by reviewing and clearing the environmental and social documents produced by specific Bureaus Techniques de Coordination;
- 2) Provide specific BTCs with advisory services for the implementation of WB applicable safeguards policies;
- 3) Assess, design and implement involuntary resettlement programs if and when needed by the project. This will include preparation of Resettlement Action Plans, consultation and communication programs with affected stakeholders, and establishment of grievance procedures at the respective resettlement sites.
- 4) Supervise the ongoing consultations and grievance management systems in PRODEPUR.

An international Resettlement Specialist will be hired for the first 6 months of the AF project implementation phase to help PRODEPUR management to establish resettlement management systems for the EST cell. This will include the definition of operational modalities, establishment of data

management and information management systems, drafting of a Resettlement Operational Manual⁵ on the basis of the Resettlement Policy Framework developed for the AF, as well as training of national staff on management of involuntary resettlement programs. As the extent and scale of the possible involuntary resettlement programs triggered by the AF Housing project is not yet known, the budget will be robust enough to allow for a Resettlement Specialist to be recruited for a number of days throughout the life of the project if required.

In addition, three social development and environment specialists knowledgeable about environment and involuntary resettlement issues will be recruited to staff the EST and provide the day to day support to PRODEPUR AF/Housing project. They will be housed in the communities in which project activities occur.

⁵ The Involuntary Resettlement OM will be integrated in the general OM for the project.

FORMULAIRE D'ÉVALUATION DE L'ACQUISITION DU SITE D'EMPLACEMENT DU SOUS-PROJET

1^{ère} Partie : Identification du Sous-Projet

1. Nom du Sous-Projet :

2. Localisation du Sous-Projet :

3. Raisons pour l'évaluation de l'acquisition du site :
(Résumer les questions provenant du formulaire de filtrage qui ont montré qu'une évaluation du site était nécessaire).

4. L'OCB ou les OCB (incluant noms des représentants) ayant présenté la candidature du Sous-Projet :

2^{ème} Partie : Description du Sous Projet :

5. Détails complémentaires sur le Sous-Projet : fournir des détails qui ne sont pas présentés dans la candidature du Sous-Projet de façon adéquate, en joignant des croquis si nécessaires.

3^{ème} Partie : Evaluation de l'emplacement du Sous-Projet

6. l'activité du Sous-Projet proposé, est-elle dépendante d'un site spécifique⁶ ?

Oui ☐ Non ☐

7. Le site a-t-il été identifié par la commune concernée (et non pas par le BMPAD, les MDODs ou le BTC) ? ;

Oui ☐ Non ☐

8. A qui appartient le terrain ou le local où le Sous-Projet va être établi ?

- a) L'Etat ☐
- b) Privé ☐
- c) L'Eglise ☐
- d) Bien de la Communauté ☐
- e) Autres (précisez) ☐

7. Le Sous-Projet, peut-il conduire à l'acquisition forcée de terre (expropriation pour cause d'utilité publique) ou à des pertes totales ou partielles d'actifs (récoltes, terres agricoles, toutes formes de bâtis, etc.) ?

Oui ☐ Non ☐

Si **oui**, le cas sera remis à l'attention de l'Equipe du BMPAD pour évaluation d'alternatives. Dans le cas ou aucune alternative qui évite des impacts de la OP 4.12, sur le déplacement involontaire, ne puissent être trouver, le Sous-Projet serait inéligible pour financement sous PRODEP.

8. Le Sous-Projet ne risque-t-il de porter atteinte aux droits fonciers et aux droits de propriété ?

Oui ☐ Non ☐

⁶ Les donations de terres peuvent seulement être considérées *volontaires* si l'infrastructure n'est pas dépendante d'un site spécifique. Par définition, le pouvoir du choix – et donc, la relocalisation volontaire – est seulement possible si la localisation du projet n'est pas fixée. La trajectoire d'une route rurale, par exemple, pourrait être modifiée face à l'objection d'un propriétaire de terre. La zone d'un réservoir derrière un barrage local, par contre, est immuable. Le premier exemple permet une relocalisation volontaire ; le deuxième ne le permettrait pas. C'est à dire ; le consentement volontaire est insuffisant sans le pouvoir de choix.

Si **oui**, le Sous-Projet n'est pas éligible et si non, la présentation des documents légaux (titre de propriétés, acte d'arpentage, cessation légale etc.) est obligatoire pour la poursuite de l'examen de la candidature.

9. Comment le terrain ou le local a été mis à la disposition du projet ?

- a) Contribution volontaire ☐
- b) Location ☐
- c) Donation ☐
- d) Achats ☐
- e) Autres (à préciser) ☐

10. Est-il prévu que le Sous-Projet :

a) Ait recours à un terrain actuellement occupé ou régulièrement utilisé à des fins productives (jardinage, pâturage, récréation, etc.) ?

Oui ☐

Non ☐

b) Entraîne un déplacement de personnes, familles ou entreprises ?

Oui ☐

Non ☐

c) Débouche sur la perte temporaire ou permanente de cultures, d'arbres fruitiers ou d'infrastructures domestiques (toilettes, silos, cuisines etc.) ?

Oui ☐

Non ☐

4^{ième} Partie : Incidences des dons de terrain ou de bâtis comme contribution volontaire

11. Le titre a été acquis par qui?

a) La communauté ☐

b) Par une garantie appropriée d'accès public aux services fournis par le titulaire particulier ☐

12. Au cas où le terrain ou le local serait un don de la communauté :

Oui

Non

- | | | |
|---|--------------------------|--------------------------|
| a) Cette contribution est-elle vraiment volontaire | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cette donation implique-t-elle une forme d'influence ou d'autorité sur le projet. | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Ces donateurs seront-ils affectés ou préjudiciés par la contribution ? | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Existe-il d'autres personnes qui vont perdre leurs moyens de subsistance à cause de cette donation ? | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Est-ce qu'il y a de gens qui occupaient le site avant ou pendant l'acte de donation ? | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Les membres de la communauté, sont ils au courant de la donation ? | <input type="checkbox"/> | <input type="checkbox"/> |

Au cas où l'une de ces réponses ne parait pas favorable, les problèmes doivent être clarifiés au niveau du site avant l'approbation du Sous-Projet.

13. Le processus conduisant à la donation est-il clairement documenté par les pièces et éléments suivants :

- | | |
|------------------------|--------------------------|
| a) Acte notarié | <input type="checkbox"/> |
| b) Témoins certifiés | <input type="checkbox"/> |
| c) Plan d'arpentage | <input type="checkbox"/> |
| d) Mandat autorisé | <input type="checkbox"/> |
| e) Droit de jouissance | <input type="checkbox"/> |
| f) Autres (à préciser) | <input type="checkbox"/> |

Toute documentation nécessaire devra être ajoutée au dossier du sous projet avant que l'examen puisse se poursuivre. Toute donation ou autre forme d'acquisition non documentée implique l'inéligibilité automatique du Sous-Projet.

14. Les impacts sont-elles minimales ?⁷

Oui ☐

Non ☐

(1) ⁷ C'est à dire, moins de 10% de la superficie d'une exploitation / possession sont nécessités et aucune délocalisation physique n'est exigée.

15. Toutes les personnes concernées ont-ils eu accès et informations adéquats au sujet des mécanismes de réclamations du Projet?

Oui ☐

Non ☐

Dans le cas où tous les critères cités ne soient pas satisfaits, le Sous-Projet sera envoyé à l'équipe du Projet pour révision, afin de chercher des alternatives acceptables ; y compris, l'utilisation d'autres sites et /ou l'abandon du sous-projet⁸.

Nom de la personne chargée de l'évaluation du site :

Signature :

Date :

(2) ⁸ La Politique envisage la possibilité de mesures d'atténuation conçus par les communautés, et acceptables aux personnes affectées. Cependant, sous ce Projet, une telle solution devra être vérifiée par l'Equipe du Projet dans chaque cas, avant que le financement du Sous-Projet soit approuvé.