

Republic of Suriname
Saramacca Canal System Rehabilitation Project
Resettlement Policy Framework (RPF)



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Glossary of Terms

Term	Definition
Census	A complete count of the population affected by a Project activity including collation of demographic and property information. This will identify and determine the number of PAPs and the help to identify the nature and levels of impact.
Community	Usually defined as a group of individuals broader than the household, who identify themselves as a common unit due to recognised social, religious, economic or traditional government ties, often through a shared locality.
Compensation	Payment in cash or in kind for an asset or resource acquired or affected by the Project.
Cut-off-date	The date that the RAP will be disclosed to affected communities. Structures and crops established in the impact area after this cut-off date are not eligible for compensation and resettlement assistance. Newcomers who settle in the resettlement affected area after this date are not entitled to compensation.
Easement	A right to cross or otherwise use someone else's land for a specified purpose
Economic displacement	Loss of assets or access to assets that leads to loss of income sources or other means of livelihood (see 'livelihood' below).
Entitlements	Compensation due to displaced persons to mitigate losses in cash or in-kind. Entitlements may also include livelihood restoration measures such as training or provision of crop insurance.
Grievance Mechanism	This is a process by which Project beneficiaries or Project Affected Persons can raise their concerns and grievances to Project authorities.
Household	A group of persons living together, who share the same cooking and eating facilities, and form a basic socio-economic and decision-making unit. One or more households may occupy a house.
Host community	People living in or around areas to where physically displaced people will be resettled
Involuntary resettlement	Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement. This occurs in cases of (i) lawful expropriation or temporary or permanent restrictions on land use and (ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.
Land	Agricultural and/or non-agricultural land which may be required for the Project.
Land acquisition	The legal process of acquiring lands by the government through the compensation of the affected land owners.
Lease	A lease is a contractual arrangement whereby one party provides land (or services) to another for a specified time in return for a periodic payment. Land, property, buildings and vehicles are assets that are often leased.
Livelihood	The term 'livelihood' refers to the full range of means that individuals, families, and communities utilise to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.
Livelihood restoration	The measures required to ensure that displaced people have resources to at least restore, if not improve, their livelihoods
Project Affected Persons	A person who has been affected due to loss of land, house, other immovable assets, livelihood or a combination of these due to project activities
Replacement cost	Equals market value of the asset plus transaction costs. For agricultural land, replacement cost is the market value of land of equal productive use or potential located near the affected land, plus the cost of preparation to levels similar to or

	better than those of the affected land, plus cost of any registration and transfer taxes. In determining replacement cost, depreciation of the asset and value of salvage materials are not considered nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.
Resettlement	Resettlement refers to both physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) because of acquisition of land or restrictions on land use or on access to legally designated parks and protected areas. These losses and restrictions are covered whether they are full or partial, permanent or temporary.
Resettlement Action Plan (RAP)	A document designed to mitigate the negative impacts of physical displacement, identify development opportunities, develop a resettlement budget and schedule, and establish the entitlements of all categories of affected persons (including host communities).
Resettlement Policy Framework (RPF)	An instrument to be used throughout Project implementation. The RPF sets out the resettlement objectives and principles, organisational arrangements and funding mechanisms for any resettlement, that may be necessary during Project implementation. The RPF guides the preparation of the RAP to meet the needs of the people who may be affected by the Project.
Stakeholders	All individuals, groups, organisations, and institutions interested in and potentially affected by a Project or having the ability to influence a Project.
Vulnerable People	Distinct groups of people who might suffer disproportionately from project impacts such as people below the poverty line, the landless, the elderly or disabled, women and children, indigenous peoples, ethnic minorities, resettlement effects.

Acronyms

AoI	Area of influence
BW	Civil Code (<i>Burgerlijk Wetboek</i>)
DNA	The National Assemblée (<i>De Nationale Assemblée</i>)
EA	Environmental Assessment
ESIA	Environmental and Social Impact Assessment
GoS	Government of Suriname
IFC	International Finance Corporation
NGO	Non-Governmental Organisation
NIMOS	National Institute for Environment and Development in Suriname (<i>Nationaal Instituut voor Milieu en Ontwikkeling Suriname</i>)
OP	Operational Policy
OWTC	Public Works, Transportation and Communication, Ministry of (<i>Openbare Werken, Transport en Communicatie</i>)
PAP	Project-Affected Persons
PIU	Project Implementation Unit
RAP	Resettlement Action Plan
ROGB	Spatial Planning, Land and Forest management, Ministry of (<i>Ruimtelijke Ordening, Grond- en Bosbeheer</i>)
RPF	Resettlement Policy Framework
SWM	Suriname Water Company
WB	World Bank

Executive summary

The Project: This document presents the Resettlement Policy Framework (RPF) for the “Saramacca Canal Rehabilitation Project” (hereafter: the Project); a World Bank assistance program to the Government of Suriname (GoS). This category B Project will finance structural and non-structural measures to improve resilience against flooding in the Greater Paramaribo area. Structural measures will improve the discharging capacity of the Saramacca Canal through two main activities: (a) rehabilitation of the sluices and locks and (b) increase in conveyance through reprofiling and clearing, and possible selected interventions on the secondary and tertiary canals. The non-structural measures will strengthen the GoS capacity to manage and operate the Saramacca Canal System.

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

Project designs aligned with OP 4.12 objectives: The Project has been designed in line with OP 4.12 objectives as follows: (a) during the Project preparation, preliminary technical studies undertaken confirmed that increasing the conveyance of the Saramacca Canal can be achieved without widening the canal, leading to the conclusion that the impacts covered under OP 4.12 can be largely or, even totally, avoided; (b) these studies concluded that the needed volume of earth fill removal is much smaller than anticipated, thus, just one disposal area will probably suffice; (c) during Project implementation, the development of the technical designs (and construction plans) for improving the canal conveyance (including the sluices gates) will be required to choose the alternative that entails the least impact associated with OP 4.12; (d) during the construction works execution, effective supervision arrangements will be in place, to ensure the least impact alternative will be enforced. Moreover, technical capacity, financial resources, and procedures have been included in the Project to ensure the implementation complies with the OP 4.12 objectives.

Project anticipated impacts associated with OP 4.12: Given the measures described above, it is anticipated that the Project potential impacts associated with OP 4.12 will be:

- (a) Limited to temporary affectation of some structures built over the canal (such as docks used for access to boats, washing clothes or dishes, and fishing for own consumption);
- (b) Complementing these measures, procedures have been included in the Project to ensure that any structure affected will be rebuilt by the Project; and
- (c) Measures have also been included to ensure the construction plans will entail the least impact on the use of the canal for transportation of people or goods.

OP 4.12 required procedures: Although the measures described above have been taken to avoid and mitigate affectations caused by the project, a Resettlement Plan Framework (RPF) has been produced to ensure that the Project includes additional procedures to ensure that any impact

associated with OP 4.12 will be properly addressed. As such, this RPF integrates the Project documents and states the obligations legally tied to the World Bank financing. Once the technical designs for improving the canal conveyance are prepared (providing the needed detailed information on the technical designs and construction works plans), a Resettlement Action Plan (RAP) will be prepared, as appropriate. The RAP will provide for (a) information on the specific impacts that could not be avoided; (b) the consultations and agreements held with the affected household; and (c) the procedures to mitigate the impact, such as rebuild the structure affected or construction plans adjustments compatible with the canal transportation use.

The Grievance Redress Mechanism (GRM): In addition to the precautionary measures described above, the Project includes procedures to making available a GRM. The purpose of this GRM is to ensure that any person that feels affected by the activities supported by the Project can convey her/his complaint. The GRM details specifications, such as location and operational features, are not yet defined. However, it is legally required that it will be of easy access and that prompt responses to the complaints will be made available.

RPF objectives and principles: The objective of the RPF is to set out the provisions that will allow the Project to: (a) Identify the people and the assets affected by the Project; (b) Evaluate the impact on physical structures and economic losses generated by the Project; (c) Elaborate the mechanisms to compensate the population affected by the Project. World Bank RPF principles dictate that involuntary resettlement and land acquisition will be minimized or avoided where possible; that forced evictions will be avoided; and that Project Affected People (PAPs), including untitled land users, will be meaningfully consulted and properly compensated.

Institutional responsibilities for the Project compliance with the OP 4.12 requirements: The Ministry of Public Works, Transportation and Communication (OWTC) — in accordance with the legal obligations tied with the World Bank financing agreements — is responsible for ensuring that the Project implementation will be carried out in compliance with the provisions set by this RPF and future RAP, as appropriate. The OWTC will be supported by a Project Implementation Unit (PIU), which will have the direct responsibility for the implementation of instruments and procedures associated with OP 4.12.

1. Introduction

1.1 Overview

Suriname is one of the most vulnerable countries in the world to the impact of flooding. Around 30 percent of Suriname is within a few meters above mean sea level, and therefore it is particularly susceptible to coastal flooding and erosion. The country is also prone to periodic flooding due to heavy rainfall, especially when combined with spring tides. Flooding is exacerbated by poor drainage in the relatively highly populated urban areas on the coast such as the capital city of Paramaribo. Approximately 87 percent of Suriname's population lives along the 386 km long coastal plain (around 67 percent in Paramaribo), and therefore, flooding affects most of the population and an estimated 90 percent of human activities. The majority of Greater Paramaribo relies on an extensive network of canals for storm water drainage. These canals drain the central and southern parts of the city toward the Saramacca Canal, while the northern part has a series of canals draining storm water directly to the ocean.

The Government of Suriname (GoS) intends to use World Bank (WB) funding to reduce flood risk for the people living in the Greater Paramaribo area and improve the operation of the Saramacca Canal System for flood risk management and navigation.

The project area that will benefit from reduced flood risk or the 'Greater Paramaribo area' comprises the Saramacca Canal drainage area, including some areas of the Paramaribo, Wanica, and Saramacca Districts. The expected results of the project include an improved capacity of the Saramacca Canal to discharge water efficiently into the Suriname and Saramacca Rivers, and the establishment of a functioning monitoring, forecasting, and operational management system for the overall Saramacca drainage system.

The Project has been categorized as Category B according to World Bank criteria which means that activities are not expected to produce significant adverse environmental or social risks and/or impacts that are diverse, irreversible, or unprecedented. The GoS is also preparing an Environmental and Social Impact Assessment (ESIA) to identify all the positive and negative effects of the Project, in compliance to World Bank safeguards policies.

This resettlement policy framework (RPF) for the Saramacca Canal Rehabilitation Project is designed to establish objectives and principles, organizational arrangements and funding mechanisms for impacts associated with the World Bank Operation Policy Involuntary Resettlement Policy (OP 4.12). In producing the RPF, specific reference has been made to national laws and regulations and the requirements OP 4.12.

1.2 Structure of the report

The RPF is structured according to the following chapters:

- Chapter 2: Project description
- Chapter 3: Objectives of a Resettlement Policy Framework
- Chapter 4: Potential involuntary resettlement impacts
- Chapter 5: Legal and policy framework
- Chapter 6: Identification of involuntary resettlement impacts and preparation of Resettlement Action Plans
- Chapter 7: Eligibility and entitlements
- Chapter 8: Implementation and funding arrangements
- Chapter 9: Meaningful engagement and grievance mechanism
- Chapter 10: Monitoring and reporting

2. Project description

The Project aims to finance structural and non-structural measures to improve the resilience against flooding in the Greater Paramaribo area. The structural measures will improve the discharging capacity of the Saramacca Canal to reduce pluvial flooding and improve navigation between the Suriname and Saramacca Rivers and the industrial zones around Saramacca Canal. The non-structural measures will strengthen the GoS capacity to manage and operate the Saramacca Canal System.

The Project is divided into four components:

Component 1 deals with structural flood management measures. Structural measures will improve the conveyance of water to the Suriname and Saramacca Rivers from excess rain falling on the city of Paramaribo, to significantly reduce the periods of flooding. In addition, this component will improve the navigation condition. This component will finance two main activities: (a) rehabilitation of the

sluices and locks and (b) increase in conveyance through reprofiling and clearing and possible selected interventions on the secondary and tertiary canals, as well as the utilization of green areas for flood management.

Component 2 deals with non-structural flood management measures. This component will finance technical assistance activities to improve the capacity of the GoS to manage the Saramacca Canal's water levels and hydraulic structure operations with the objective of reducing flood risk in the city of Paramaribo, as well as facilitating navigation. This component will finance two main activities: (a) technical assistance and training to improve operation, maintenance, and surveillance of the drainage system and (b) institutional support toward a possible Saramacca Canal System Platform.

Component 3 includes a contingent emergency response to respond rapidly at the Government's request in the event of a natural disaster. This component would finance the implementation of emergency works, rehabilitation, and associated assessments if needed. In the project Operations Manual, a dedicated chapter would detail guidelines and instructions on how to trigger and use the funds of this component. In addition, a brief Environmental and Social Management Framework will be prepared for the potential types of activities likely to be financed under this component, providing a preliminary evaluation of potential risks and mitigation measures associated with them.

Component 4 will support the costs related to the overall project management and implementation support. This may include support to (a) hire specialized staff for project implementation, as needed by the Project Implementation Unit (PIU); (b) collect socioeconomic data for monitoring and evaluation; (c) finance project reporting and audits; (d) provide environmental and social safeguard supervision; (e) provide trainings in areas such as procurement, safeguards, monitoring and evaluation, technical, and financial management; (f) develop a communications strategy for engaging with local communities and stakeholders; and (g) provide any additional operating costs for the PIU.

3. Objectives of a Resettlement Policy Framework

3.1 Objectives

The purpose of the Resettlement Policy Framework (RPF) is to clarify resettlement principles, organizational arrangements, and design criteria to be applied during project implementation. Specifically, the objective of the RPF is to set out the provisions that will allow the project to:

- ✓ Identify the people and the assets affected by the project.
- ✓ Evaluate the impact on physical structures and economic losses generated by the project
- ✓ Elaborate the mechanisms to compensate the population affected by the project.

This document will guide the elaboration and implementation of concrete Resettlement Action Plans (RAPs) to compensate the population affected by the Project.

3.2 Resettlement policy framework principles

Ample RPF principles are:

- Involuntary resettlement and land acquisition will be minimized or avoided where possible. Where acquisition of land use rights is unavoidable, management measures will be identified to minimize adverse impacts;
- Forced evictions will be avoided;
- Lack of title will not hinder eligibility for resettlement and livelihood restoration support. Resettlement affected people without clear land titles can have access to entitlements for resettlement assistance and compensation for the loss of non-land assets and land;

- Project Affected People (PAPs), including untitled land users, will be meaningfully consulted;
- Negotiated settlements (willing buyer/willing seller or willing leaser/willing lessee) is the preferred Project approach;
- PAPs need to be presented with choices regarding forms of compensation (cash or in kind) and resettlement assistance;
- Resettlement mitigation measures will be managed as sustainable development activities. Particular attention will be given to displaced persons without land titles, the poor, the illiterate and other vulnerable people;
- Compensation levels will be sufficient to replace the assets at full replacement cost in local markets (using current market prices);
- All compensation and allowances will be paid prior to physical or economic dislocation; Payments in negotiated settlements such as leases will be made according to the signed schedules;
- When livelihoods are affected, PAPs will be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them to pre-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher; and
- Monitoring of adherence to land agreements, leases and resettlement plans will be undertaken.

Specific principles in line with the Project expected impact:

- Any existing structure affected by the Project will be reconstructed by the Project.

4. Potential Involuntary Resettlement Impacts

4.1 Land and waterway use

The project will involve the 25 km long Saramacca Canal and drainage area in the Paramaribo, Wanica, and Saramacca Districts of Suriname. An estimated 40% of the canal is located in urban areas, while 40% and 20% are located in peri-urban and rural areas respectively. The urban parcels along the canal accommodate mostly industrial and commercial activities. The peri-urban areas include both industrial and commercial activities as well as smaller residential parcels on the south side of the canal, and medium size residences on the north side. The rural portion of the area of influence of the canal consists mostly of bare land, secondary forest and agricultural lands.

The banks of the canal are mostly covered with natural vegetation, largely consisting of moco moco plants (Lat: *Montrichardia arborescens*). Occasionally, canal banks have been used to plant fruit trees or garden crops, but only rarely and on a very small scale. In the area where the canal meets the Saramacca River, commercial agriculture is practiced alongside the canal.

Along the entire stretch of the canal most human-made structures are located far from the water. However, a limited number of small structures have been constructed close to the canal borders such as shacks, recreational and/or commercial boat docks, small wooden board walks to access the canal, and patios. Some of these structures serve as homes to low income households. In addition, there are seven worship centres in the area of influence of the canal, including one Christian church, five Hindu Temples and one Mosque.

A number of industries such as wood mills and construction companies use the canal waterway to transport materials. Some of these industries maintain old (sometimes dysfunctional) boats and barges on the banks of the canal. One manually operated ferry boat service takes people across the canal. Residents of the poor neighbourhoods on the south side of the canal use the canal primarily for washing (clothes, dishes) and bathing purposes. These uses are particularly relevant for the households that are not connected to the public water net of the Suriname Water Company (SWM).

Residents also report occasionally using small fishing nets or rods to catch fish for auto-consumption, but not as a main income generation activity. In addition, people occasionally use the canal for boating (leisure), and as a passage way to the Suriname River or Saramacca River. A more detailed description of the area inhabitants and uses of the canal is provided in the Social Baseline Assessment of the ESIA study.

The Project will possibly include a pilot intervention on secondary or tertiary drainage systems, which can serve as an example for other similar interventions. Given that the site of the pilot works on secondary or tertiary canals was unknown during Project preparation, this RPF will guide the implementation of any resulting affectation.

4.2 Land tenure situation

With regards to land tenure of the area of influence of the canal (200m on each side), it was not possible to obtain a map with land tenure titles, or quantitative figures on the percentage of land under different land tenure titles. Nevertheless, based on land tenure information from the Management Institute for Land Registration and Land Information System (MI-GLIS), the land tenure situation can be summarized as described below.

South of the canal, in the residential area along the Goede Verwachtingweg, residents predominantly have land lease (*grondhuur*) titles to the land. In addition, part of the land in this neighbourhood is occupied government land (*vrije domein*). Also south of the canal, in Sunny Point 2/Leiding 20, the land has been allocated as private ownership, but this land has (largely) been occupied by poor households without legal tenure rights.

Land in the residential area of the Magnesiumstraat and Titaniumstraat, north of the canal, has been allocated as governmental land lease (*grondhuur*). In the other residential area north of the Saramacca canal, around the Metropoolweg/Indrawatiweg, residents hold property titles (*eigendom*). Land of the industrial area bordered by the Suriname River in the east, the Coesewijne Bridge in the west, Industrieweg noord in the north, and Industrieweg zuid in the south, has been allocated as governmental land lease (*grondhuur*) and leasehold (*erfpacht*). The rural areas between roughly 12 km from where the canal meets the Suriname River, until the point where it meets the Saramacca River, have been allocated as land lease/lease hold.

4.3 Physical and economic displacement

The construction activities aiming at improving the conveyance of the Saramacca canal, financed by the Project, are not expected to require land acquisition, population resettlement, or economic displacement. The expected impacts are limited to some structures built along the canal borders, such as fences, and decks for boats, washing clothes, or bathing. The reasons explaining this limited impact are: (i) preliminary technical studies have clarified that the widening of the canal is not required to improve its conveyance; (ii) not the entire canal, but only some of its sections needs reprofiling or cleaning works; (iii) the expected volume of the sediments to be removed is likely to be accommodated in just one disposal site.

Moreover, the Project will include a practical plan to minimize impacts on existent structures as well disturbances to the navigation on the canal. This practical plan will be elaborated as part of the development of the engineering designs for improving the canal conveyance, and closely integrated with the detailed technical information that these designs will produce. This practical plan will be discussed with the community and improved based on the comments received. It will be implemented

during the execution of the construction works, under the oversight of the OWTC assisted by the complementary technical support to be financed under the Project.

5. Legal and Policy Framework

This section sets out and compares Suriname’s legal framework regarding land acquisition and the World Bank’s Operational Policy 4.12 on Involuntary Resettlement. In cases where there are gaps between the country’s resettlement policies and procedures and those mandated by the World Bank, the most encompassing standards of the two apply. Given that this RPF is part of the legal documents of the Project, its standards and obligations are legally tied to the World Bank financing.

5.1 Suriname legal framework for land acquisition

A summary of national legislation relevant to resettlement and land acquisition is presented in Table 1.

Table 1. Suriname legislation relevant to land tenure and expropriation

Constitution of the Republic of Suriname (<i>Grondwet van de Republiek Suriname</i>) S.B. 1987 no.116 last amended by S.B. 1992 no.38.	Section 8, Art. 34, Right on Property: "1. Property, both of the community and of private persons, shall fulfil a social function. Everyone has the right to the undisturbed enjoyment of his property, subject to the limitations which originate in the law. 2. Expropriation shall take place only in the general interest, pursuant to rules to be laid down by law and against compensation guaranteed in advance. 3. Compensation need not be previously assured if, in case of an emergency, immediate expropriation is required. 4. In cases determined by or pursuant to the law, the right to compensation shall exist if, in the public interest, the competent authority destroys or renders property unusable or restricts the exercise of property rights." Indigenous peoples are not mentioned in the constitution.
Expropriation Act (<i>Ontheigeningswet</i>) G.B. 1904 no. 37, amended by G.B. 1911 no. 19, G.B. 1924 no. 47, G.B. 1935 no. 80.	Under expropriation is understood: depriving someone from his property, by the Government, in favour of a work for the public interest. The deprived party is entitled to compensation. This Act contains regulations, procedures and timelines regarding expropriation and related compensation (See more detail in next section).
Act on Expropriation in the interest of Urban Development and housing (<i>Wet Ontheigening Stedebouwkundige ontwikkeling en Woningvoorziening</i>). G.B. 1948 no. 4 as last amended by G.B. 1972 no. 96.	Art. 1 stipulates that without preceding declaration by law that public interest requires expropriation, expropriation against compensation can take place to have the possession of non-built and built properties, necessary for: <ul style="list-style-type: none"> – The implementation or enforcement of the actual condition in accordance with a Zoning Plan; – Surfaces in the interest of housing; – The execution of a building plan.
L-Decrees, specifically Decree Principles of Land Policy (<i>Decreet Beginselen Grondbeleid</i>). S.B. 1982 no. 10, S.B. 1983 no. 103, as last amended by S.B. 2003 no. 8.	Art. 1 presents a founding principle of Suriname land policy, namely that All land to which others have not proven their right of ownership is domain of the State. Since the introduction of the L-Decrees, the only title that can be obtained on state land is that of land lease (<i>grondhuur</i>), which is valid for a period between 15 and 40 years with the option to renewal.
Decree L2: Decree Issuance Domain Land (<i>Decreet uitgifte domeingrond</i>) S.B. 1982 no. 11, S.B. 1990, last no. 3, S.B. 2003 no. 7.	Regulates the issuance of domain land. Article 7: A request for domain land can be refused if the allocated land is contrary to regional development plans or zoning plans.

Decree Origins Land Policy (<i>Decreet Beginselen Grondbeleid</i>), S.B. 1982 no. 10, as last amended by S.B. 2003 no. 8	The Memorandum of Understanding for Art. 3, lid 2 defines unlawful occupation as “to occupy or work the land of an entitled party, without his permission”.
Civil code,	Art 625-626 deal with ownership of property in general (Art 625) and land specifically (626). Expropriation of property for the common good is possible against prior agreed to compensation. Land ownership entails everything that is on and in the ground, with specified limitation (i.e. mining). Art 411a-244 penalizes the person who settles on land belonging to someone else, without adequate tenure title (Lid.1). In addition to the legal sanctions, the judge will also order eviction (Lid. 2)

Several other legal provisions indirectly relate to expropriation in the context of development projects.

Additional provisions of the Constitution that are of particular significance concern the system and powers of local government. The Constitution (Articles 159 et seq.) stipulates that regional representative bodies and the regional administrative organs have the authority to participate in the preparation, creation and the execution of the regional district plans and department plans. Other specific tasks will be regulated by law. The Law on Regional Bodies (S.B. 1989 No.44, S.B. 2000 no. 93, as last amended by S.B. 2002 no. 54.) regulates the power and operating procedures of the representative bodies (District and Ressorst Councils) and administrative organs, as well as the procedure for the realization of local regulations (*districtsverordeningen*) and planning.

An Environmental Framework Act was drafted by NIMOS in 2002, and is being prepared for submission to Parliament later this year (2018)¹. After acceptance by the Council of Ministers and the State Council, the bill will be considered by Parliament for promulgation (Toppin-Allahar and Del Prado, 2010).

Even though there is currently no legislative basis for the assessment of environmental impacts of development proposals in Suriname, in March 2005 NIMOS published Environmental Assessment (EA) Guidelines. An updated version of the guidelines was published in 2009. These guidelines are expected to be given legal effect shortly after promulgation of the Environmental Act. The EA guidelines are already being applied by NIMOS as part of the project permitting process and project developers are expected to comply with the spirit of the guidelines (ibid.). It is common practice that for projects financed by international donors and private national and international firms (e.g. mining firms), EIAs are being conducted either by the Companies/Banks Policy or by agreement with the Government of Suriname.

5.2 Interpretation of the Suriname law²

In article 34 of the Constitution of the Republic of Suriname it is regulated that property, of the community as well as of the private person, shall fulfil a social function. Everyone has the right to undisturbed use of his property subject to the limitations which stem from the law. This is not the right to own property, but only the right to enjoy existing property rights. This article further stipulates that expropriation shall only take place for reasons of public good, according to rules to be laid down by law

¹ Source: G. Griffith, legal advisor at NIMOS

² Adapted from: Topin-Allahar, C. and N. Del Prado (2010) Paranam Industrial & Commercial park (PICP) Legal Support – Component I. Final Report produced for the ministry of Planning and Development Cooperation. With confirmation and additions from Mr. Kadirbaks (sub-Director Spatial Planning) and Mr. Mac-Intosh (policy advisor) at the Ministry of Spatial Planning, pers. Com. 20/07/2018.

and against previously assured compensation. Compensation need not be previously assured if, in case of emergency, immediate expropriation is required. In cases determined by or through the law, the right to compensation shall exist if the competent public authority destroys or renders property unserviceable or restricts the exercise of property rights for the public interest.

The above regulations on expropriation do not apply in the case of unlawful occupation of the land. Article 441a of the Penal Code (*wetboek van Strafrecht*) penalizes the occupation of land and buildings. This includes government land (as in the case of Wit Boiti) and land that is the property of another owner (as in the case of Sunny Point).

With regard to expropriation, the different tenure titles (see Annex 1) are important, because these titles dictate the options for expropriation by the GoS, processes of expropriation as well as compensation mechanisms. In the case of occupation (i.e. use of the land without legal tenure title), the government is not obliged to offer any form of compensation. Nevertheless, out of humanitarian considerations, some form of assistance may be offered to occupants if the land they use and/or live on needs to be vacated³.

The Government of Suriname has the following legal options if expropriation is necessary:

- I. Through the **Civil Code**. One option used by the Government to bring land back in the public domain or to purchase land on behalf of a development project is by mutual agreement on the open market. In case the parties agree to exchange land, the Civil Code will be applicable. In that case, the option of “Exchange based on the Civil Code” is most common. The articles 1562 - 1667 regulate exchange. According to article 1562, exchange is an agreement, whereby parties commit themselves to give each other something instead of something else. The stipulations of the Code on sale and purchase are further applicable to exchange.
- II. Through **Resumption of Title to Allodial lands**. Most (but not all) allodial titles include a provision in which the Government reserves the right to reclaim the land by a simple procedure if the land is required for public interest (*nadering*). The Government has also certain preferential rights to the land such as the right to buy when the property is sold. Most of the land presently known as the cultivated area was granted under this form of title. The enforcement of “nadering” is very simple: it only requires a statement of the President (Resolution) that in the public interest, the land is being reclaimed in the domain. With the registration of this Resolution in the Public Registers the “nadering” is realized. Although there are different opinions amongst lawyers in Suriname about the legal meaning of the Allodial tenure title, the State has made several times use of the provision of the “nadering”⁴.
- III. The **Expropriation Act** only applies in the case of full property title (“BW property”) or Allodial property. Through this law, expropriation of ownership is made equal to establishing or lifting

³ Mr. Kadirbaks (sub-Director Spatial Planning) and Mr. Mac-Intosh (policy advisor) at the Ministry of Spatial Planning, pers. Com. 20/07/2018

⁴ This mechanism was applied by the Government, among others, in 1997 in Rahemalbuiten (Proposed pilot project area), and more recently for building the Saron Bridge across the Saramacca Canal. In the latter case, *nadering* took place prior to negotiation and agreement about compensation. In the case of Rahemal buiten (Proposed pilot project area), where the “nadering” mechanism was applied, the State failed to pay the compensation as was agreed upon. The expropriated party (*genaderde*) suffered loss due to the fact that the Government took possession of the land and failed to pay on time as was agreed. Due to depreciation of the Surinamese guilders the loss increased. The expropriated party claimed compensation (including loss due to depreciation) in Court. By Judicial decision in 2000 (AR 984968) the State was ordered to pay the requested amount, increased by the legal interest of 6 % per year from October 14, 1999 until payment is complete.

proprietary rights and using someone's property in favour of a work to the public good. There are three mechanisms for expropriating property or property rights under the Act:

- a. Article 2 provides that, except as provided by Article 3 and 13, expropriation can only take place under an Act which states that the expropriation is in the public interest. In addition the Act must indicate the nature and purpose, as well as the general direction of the work.
- b. Article 3 provides that the statement by law mentioned in Art. 2, is not required when the expropriation is necessary in favour of a work ordered to be implemented pursuant to Art. 3, 2^o of the Government Regulation (*Regeerings Reglement*). In that case the statement happens by Resolution of the President, after hearing the State Council. The Resolution must indicate the nature and purpose as well as the main points to determine the general direction of the work.
- c. Article 13 provides that in case of fire, flooding, war, or threat of war and riots, the highest civilian or military Government present locally is authorized to immediately take possession, if it considers it necessary. The ownership of the expropriated good immediately goes over to the person in whose name taking possession has happened, free from all burdens and rights that rest on it. Before, or as soon as possible after taking possession an expropriation decree is made up by that authority in which the goods and the presumptive person entitled are mentioned.

Articles 5-7 deal with the right to object with respect to the purpose for which the property is being expropriated. Articles 8-11 detail the procedure for expropriation. These Articles detail that as long as the Government has not paid/assured compensation, the right cannot be transferred and therefore the ownership stays with the expropriated party.

Compensation plays an important role in the case of expropriation and is extensively regulated (articles 15-57). Art.15 expressly provides for the procedure to be followed in cases where the owners of the property, or one or more of them, are not known or live outside Suriname or their place of residence is unknown. In such cases, unless the property is under the management of an authorized person resident in Suriname, at the request of the expropriating party the court will appoint a third person to represent the landowner/s, to whom an offer can be made and against whom the proceedings to determine compensation can be carried out.

In accordance with article 15, the Government must make an offer for compensation. The expropriated party can accept the offer or decline and start a judicial process for the determination of the compensation. The articles 15-38 regulate the judicial process for the determination of compensation. The decision, whereby the expropriation has been pronounced expires, if not within six months after the verdict is final, the compensation has been paid or has been consigned in accordance with the law. The expropriating party is obliged to pay compensation due to which the expropriated party might have suffered. However, under that damage the legal costs are not included to which the expropriated party might have been sentenced, neither the loss of the advantages which the expropriated might have drawn from the expropriation. If the expropriated party refuses or is not able to accept the compensation, the expropriating party can take possession of the expropriated good, provided the compensation is offered and consigned in accordance with law.

Articles 49-53 provide provisions for compensation when third parties claim rights on the expropriated land. If the expropriation does not concern the whole land on which these rights rest, but only a part, the compensation is, according to the above rules, estimated in proportion of the expropriated part to the whole.

IV By Expropriation in the interest of urban development and housing (See Table 1). As under the Expropriation Act, opportunity is given to stakeholders to submit their objections. Also, the

same procedure as the Expropriation Act is applicable with regard to compensation. Transfer of property takes place by registering in the public registers after an offer is made. Provisions regarding offer and request for compensation of the expropriation act are applicable.

- V Following the **Land Decrees** (L-Decrees, 1982), the State may take land that has been allocated under the tenure titles of land lease or leasehold back to the public domain, if such serves the common good. Appropriate compensation must be provided for everything that has been built on the land and/or brought to cultivation. By law, the GoS is not obliged to also compensate the person for the value of the land. Nevertheless, in practice, the government may seek an alternative piece of land for the expropriated party.

The above leads to the following general conclusions about expropriation law and practice in Suriname:

- ✓ In the case of full property and allodial property, expropriation can take place in the interest of the common good, provided adequate compensation for *both the land plus anything built on it/brought into cultivation*.
- ✓ In the case of land lease and leasehold titles, expropriation can take place in the interest of the common good, provided adequate compensation for anything built on the land/brought into cultivation. By law, *the value of the land is not taken into account*, though in practice the government may seek options to provide another piece of land as compensation.
- ✓ In the case of unauthorized occupation of either government land or the property of a legal rights owner, the occupant may be asked or forced to leave at any time, and there are no rules for compensation. Where it concerns government land, measures may be taken to help the person or household find another piece of land to live on. However, such measure are no legal obligation and primarily applied to prevent political sensitivities.
- ✓ Expropriation of full property is a very lengthy process, which is only possible through promulgation of a law, which must be approved by the Council of Ministers and the National Assembly (DNA). For other forms of land tenure, expropriation can take place through a simpler process of Presidential Resolution.

5.3 International Standards

OP 4.12 addresses land acquisition and involuntary resettlement. It recognizes that any Project-related land acquisition and restrictions on land use can have adverse impacts on communities and people that use the land intended for a project. The OP emphasizes that efforts should be made to avoid involuntary resettlement. Where involuntary resettlement is unavoidable, OP 4.12 recommends using negotiated settlements and measures to minimize adverse impacts. Management measures for involuntary resettlement should be carefully planned and implemented.

Involuntary resettlement refers to both physical displacement (relocation or loss of shelter) and economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood). OP 4.12 defines the following groups of displaced people:

- a) Those who have formal legal rights to the land or assets they occupy or use;
- b) Those who do not have formal legal rights to land or assets, but have a claim to land that is recognized or recognizable under national law;
- c) Those who have no recognizable legal right or claim to the land or assets they occupy or use

Persons covered under (a) and (b) are provided compensation for the land they lose, and other assistance in accordance with guidelines set out in OP 4.12. Persons covered under (c) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary if they occupy the project area prior to a cut-off date. 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), (b), or (c) are provided compensation for loss of assets other than land. New resettlement sites built for displaced people must offer improved living conditions. Existing social and cultural institutions of the displaced people will be respected.

OP 4.12 recommends that particular attention is paid to vulnerable groups during involuntary resettlement, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.

In circumstance where land acquisition is the responsibility of the government, developers need to identify and describe government resettlement measures. Where these measures do not meet relevant requirements, the project must prepare a supplemental resettlement plan that together with the document prepared by the responsible government agency, will address the general requirements of WB OP 4.12 and the specific requirements for physical and economic displacement.

5.4 Comparison between legislation of the Republic of Suriname relating to Land Tenure and WB OP 4.12

Republic of Suriname legislation departs from the World Bank standards related to land tenure, resettlement and expropriation in various ways. A key difference between World Bank OP 4.12 and Republic of Suriname legislation is that the latter does not provide for compensation of persons who do not have tenure rights to the land they live on and/or use for livelihood or other purposes. In other words, irregular occupants are not considered eligible for any form of compensation or resettlement assistance under Suriname law. OP 4.12 explicitly states that individuals without recognizable legal right or claim to the land or assets they occupy or use must be provided resettlement assistance, as well as compensation for loss of assets other than land, if such would result from the project.

In this context, establishment and communication of a cut-off date is an important procedure in World Bank resettlement guidelines. The purpose of this cut-off date is ensure that persons who encroach on the area after a publicly communicated and understood cut-off date are not entitled to compensation or any other form of resettlement assistance. The Suriname Expropriation Act does not refer to a cut-off date or similar procedure to prevent encroachment for the sake of seeking compensation. Furthermore, in the Suriname legal system there are no provisions that specifically protect Indigenous groups or recognize their special connection with ancestral lands. The Suriname legal framework concerning land tenure and expropriation treats all citizens as equal and does not distinguish on the basis of ethnicity (indigenous or otherwise), gender, age, income status or other socioeconomic indicators. World Bank OP 4.12 requires special attention to be paid to vulnerable groups.

The World Bank policy requests that appropriate and accessible grievance mechanisms are established for displaced groups. Suriname's Expropriation Act does indicate that the displaced/expropriated party can start a judicial process in case he or she disagrees with expropriation or related compensation. However, such procedures are for many persons, especially the most vulnerable groups, not "appropriate and accessible". Table 3 further details and complements differences between World Bank OP 4.12 and Republic of Suriname legislation. This section, including the Table, reveal several relevant gaps between the laws of the Republic of Suriname relating to land tenure and the WB OP 4.12. The principles and procedures stipulated in the WB OP 4.12 will prevail and supplement the gaps.

Table 2: Comparison of Suriname Legislation and WB OP 4.12

Issue	Suriname legislation	WB OP 4.12	Mitigation measures to address gaps
Project design	National legislation does not reference this issue. Nevertheless, the NIMOS EA guidelines do request consideration of alternatives during the ESIA process.	Consider feasible alternative project designs to avoid or minimize physical and/or economic displacement	Make the avoidance of physical displacement a siting principal for future land acquisition. Describe alternative designs in RAPs.
Compensation and benefits for displaced persons	The expropriation law does not explicitly recommend either in kind or cash compensation.	In-kind compensation (land for land and house for house) recommended.	Entitlement to in-kind compensation or cash compensation will be at full replacement cost including labour, relocation expenses, and transaction costs prior to Project impact. In-kind compensation will be favoured over cash compensation. A RAP, reviewed and approved by the GoS and the World Bank, must be in place prior implementation of any measure related to OP 4.12.
	Compensation is based on actual current value of the property. In case of a leasehold/land lease of the expropriated land, the compensation will only consider built and cultivated property; and not the value of the land itself.	Compensation is based on full replacement cost (current market value plus any transaction fees), with no deduction for depreciation or salvaged material.	
	The value of the damage to property to the owner and third party rights holders will be determined by the executing agency, in this case the Ministry of OWTC. In case of disagreement, both the GoS and the expropriated party will hire an asset valuer, and efforts are made to reach agreement. If necessary, the case will be taken to court.	Replacement cost surveys undertaken by the executing agency and shared with assessors when determining compensation.	
	<i>Nadering</i> (expropriation of allodial lands) can take place prior to agreement on compensation.	Agreements about compensation must be made and agreed upon by both parties prior to expropriation.	
Community engagement	Suriname legislation does not reference this issue. ESIA guidelines have been formulated by NIMOS do refer to the need for community engagement, but these guidelines are not legally binding.	Consult potentially displaced persons about likely impacts, finalization of award and payment of compensation. Disclose RAP and its updates, as applicable.	Develop Communication and Consultation strategy as part of the ESIA. Proactively engage with land owners and users with relevant information. Share regular updates on project status and project impacts. Disclose this RPF. Public consultation feedback will be incorporated into the final RPF.

Grievance mechanism	In case of disagreement with expropriation or related compensation, the displaced/expropriated has the possibility of objection. If this procedure does not generate results that satisfy both parties, the expropriated party can start a judicial process.	Provide a resettlement mechanism that is accessible locally and available throughout RAP implementation.	Appropriate grievance mechanisms must be developed by the client, as agreed under the Project. This mechanism must involve an accessible contact person for local stakeholders, a complaints log, and procedures for dealing with stakeholder complaints.
Resettlement and livelihood restoration planning	The plans for expropriation must be available for public consultation for a period of three weeks, at one or more locations published in the Government Advertisement Paper.	Prepare and disclose a Resettlement Action Plan (RAP).	Prepare a resettlement plan (RAP) following this RPF, and specifically address livelihood restoration. The World Bank must approve a RAP before its implementation.
	The legislation does not reference the rehabilitation of livelihoods, only the value of property.	Rehabilitate livelihoods, and provide support during the relocation process. Cover transitional period costs. Displaced people to regain the same or an improved livelihood standard.	
	The Law on expropriation does not distinguish specific groups on the basis of gender, ethnic background, or income level.	Pay particular attention to the poor and vulnerable groups, including women.	
Displacement (physical and economic)	Legal land tenure (property or lease) is a precondition for compensation and resettlement assistance.	Do not let lack of title be a bar to compensation, resettlement and rehabilitation support. Provide equal treatment for the loss of non-land assets to those without clear land titles, for example, in terms of their entitlements for resettlement assistance and compensation. Compensate crops irrespective of the land registration status of the affected farmer/share cropper. Tree losses are to be compensated according to market rates based on productive age or wood volume, depending on tree type. Prepare and disclose monitoring reports.	Whatever the legal recognition of their occupancy, land users will be entitled to compensation so that they may maintain or raise their levels of well-being and income.

6. Identification of involuntary resettlement impacts and preparation of Resettlement Action Plans

6.1 Identifying involuntary resettlement impacts

The construction activities aiming at improving the conveyance of the Saramacca canal, financed by the Project, are not expected to require land acquisition, population resettlement, or economic displacement. The expected impacts are limited to some structures built along the canal borders, such as fences, and decks for boats, washing clothes, or bathing. The reasons explaining this limited impact are: (i) preliminary technical studies have clarified that the widening of the canal is not required to improve its conveyance; (ii) not the entire canal, but only some of its sections needs reprofiling and cleaning works; (iii) the expected volume of the sediments to be removed is likely to be accommodated in just one disposal site.

Moreover, the Project will include a practical plan to minimize impacts on existent structures as well disturbances to the navigation on the canal. This practical plan will be elaborated as part of the development of the engineering designs for improving the canal conveyance, and closely integrated with the detailed technical information that these designs will produce. This practical plan will be discussed with the community and improved based on the comments received. It will be implemented during the execution of the construction works, under the oversight of the OWTC assisted by the complementary technical support to be financed under the Project.

Below is a simple questionnaire that will help identify key issues to be addressed in a resettlement plan. Any checklist row for which “not known” is checked indicates that additional data gathering, probably including a site observation and consultations, are required. Table 4 presents a checklist for reviewing involuntary resettlement effects.

Table 3: Involuntary Resettlement Checklist

Potential Involuntary Resettlement Impacts	Yes	No	Not Known	Remarks
1. Will there be land acquisition?				
2. Will there be loss of shelter or structures?				
3. Will there be loss of agricultural or other productive assets?				
4. Will there be loss of income sources and means of livelihoods?				

6.2 Valuing affectations

If the screening of Project designs identifies any affectation in terms of land, structures, or economic livelihoods then the PIU will need to value these impacts. OP 4.12 requires that full replacement cost be used for involuntary resettlement impacts. Replacement cost means that the affected person can replace the affected asset to the same condition. Full replacement cost typically reflects market value (when a property market exists) without deduction of transaction costs, transfer or retitling fees, or depreciation and salvageable materials. The PIU will use full replacement cost as a basis for identifying fair and transparent negotiated settlements for permanent and temporary land acquisition.

The PIU will use its internal capacity to value any potential affectation such as land, structures, crops and trees, or sources of livelihood. Land is normally appraised taking into consideration productive value, location (closer to roads is generally higher value), recent land transactions, and official notices related to property values by land departments.

For trees and crops, the PIU will consult the Ministry of Agriculture, Animal Husbandry and Fisheries (*Landbouw, Veeteelt en Visserij*, LVV), Department of Agriculture (*Directoraat landbouw*) staff, market traders, and/or government and academic specialists regarding full replacement cost. Where trees will be lost, replacement cost will need to consider value of productivity and number of fruit bearing years for fruit trees, and the age and value of the timber/fuel for wood trees. All resettlement plans should aim to allow harvesting of existing crops on the land and include notice to not plant new crops or trees. To the extent possible, trees on plots should be kept in situ and not removed.

The full replacement cost of small docks, board walks, and other human-built structures along the canal will be assessed through consultation with wood markets (for the raw materials), local craftsmen, and area residents with similar structures. The replacement of these structures will be carried out by the implementing firms and contractors under the supervision of the PIU.

6.3 Preparation of a Resettlement Plan

In case an impact associated with the OP 4.12 is identified, a resettlement action plan must be prepared and compensation or livelihood restoration measures must be put in place prior to any affectations taking place. The first step will be to carry out a census of all structures affected, including information on the owners of these structures, as well as on the any economic activity and/or income associated with the structure affected. This information will be the basis for calculating replacement costs and/or lost of livelihood if appropriate.

6.4 Content of a Resettlement Plan

The scope and level of detail of a resettlement plan varies with the magnitude and complexity of the resettlement involved. It is anticipated that any resettlement plan for this Project will reflect minimal additional land take since many of the land needs have already been identified and the Project footprint is small. The minimum information a resettlement plan for this Project will present is:

- An introduction to the Project and regulatory framework.
- A description of the Project activity that create resettlement impacts and actions to minimize resettlement.
- A census of affected persons and valuation of assets.
- A detailed description of compensation and other resettlement assistance to be provided.
- Results of consultations with affected people (land owners and land users) about acceptable alternatives.
- A description of institutional responsibility for implementation and procedures for grievance redress.
- Arrangements for implementation and monitoring.
- A timetable and budget detailing all costs, including relocation, compensation, administrative costs and monitoring fees.

In the case that Project activities would result in physical displacement of people, a RAP will provide detailed information including host community baseline, relocation site physical attributes (should be similar or better than existing site), preferred design for housing and infrastructure services, relocation assistance, and security of tenure and implementation details. Compensation via in kind replacement should be considered preferable to cash. WB OP 4.12 identifies that payment of cash compensation

may be appropriate if the livelihoods are not land based; if livelihoods are land-based but the land taken for the project is a small fraction of the asset and the residual land is economically viable; or if active markets for land, housing and labor exist and the PAPs can use the markets because there is sufficient supply of land and housing.

A RAP will also include information regarding impacts to structures and economic affectations. PAPs whose livelihoods or income levels are adversely affected will be provided opportunities to improve or at least restore their means of income- earning capacity, production levels, and standard of living.

6.5 Resettlement plan approval and disclosure

The PIU will be responsible for organising the production of resettlement plans. Any RAP will need to be approved by the MoPW and the World Bank. Once an acceptable draft has been prepared, the RAP must be publicly disclosed in Suriname, with a summary in Dutch, and via the World Bank project information portal. During the public disclosure period, the RAP will be presented to relevant GoS Ministries (incl. ministry of OWTC, Ministry of ROGB, Ministry of RO), local government stakeholders (incl. appropriate Resort Council members), and NIMOS, and made available in a summarised or full form as appropriate for the public consultation audience. Feedback from public disclosure will be incorporated in the final document and then it will be re-disclosed.

7. Eligibility and Entitlements

7.1 Eligibility criteria

Each resettlement action plan will need to identify who is eligible to be considered for compensation or Project assistance due involuntary affectations. For each activity, eligibility will be based on a cut-off date, which will typically be the completion date of the household census and detailed measures of assets affected by the Project.

PAPs who are identified in a Project area prior to the cut-off-date will be entitled to compensation for their affected assets and to restoration measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity, and production levels. Those who encroach into any Project area after the cut-off date will not be entitled to compensation or any other assistance. Encroachment is not anticipated as the Project location is not very inhabited and Project preparation activities will allow staff to keep aware of land use in surrounding areas.

The PAPs and formal and informal community leaders will be informed of the cut-off date at the time of the census. Notification will aim to ensure PAPs do not make improvements to their property and to advise any people who illegally settle in the Project area after the cut-off date that they will not be entitled to compensation or assistance under the Project.

For the Project, PAPs eligible for compensation and Project assistance include:

- Land owners or users with a land title for the land to be acquired
- Persons who do not currently possess legal rights but have a claim that is recognisable under customary or national law
- Persons who do not have any title or recognisable claim to the land lost

PAPs included under i) and ii) will be compensated for the affected land and assets on the land. PAPs included under iii) will not be entitled to any compensation for affected land, but will be entitled to

compensation for their non-land assets and other assistance. If any businesses are affected, they will also be entitled to compensation.

Although it is not anticipated, sufficient notice will be given to any entity using land who is not eligible requesting them to vacate premises and dismantle any structures prior to the Project's mobilisation and implementation. As necessary, for instance if the affected persons are identified as being vulnerable, shifting assistance can be provided.

At this stage of advanced design for the Saramacca Canal Rehabilitation Project, there is no indication that any Project land acquisition will impact existing community facilities, such as water pipelines, energy distribution towers, schools, health units, or market places. The Project will make all efforts to avoid such impacts in the future. Should such a situation occur, lost community resources will be eligible for compensation and the PIU will take necessary steps guided by this RPF and WB OP 4.12 to prepare mitigation.

7.2 Entitlements

The expected Project impact associated with OP 4.12 is limited to the temporary affectation of some structures built on the canal borders. The identification of these structures will take place during project implementation, as an integral part of the elaboration of the engineering designs for the construction works to improve the canal conveyance.

The compensation for these affected structures is proposed to be in-kind. It means that these structures will be rebuilt by the Project. These structures will be rebuilt during the execution of the construction works to improve the canal conveyance. A proposed schedule to properly integrate the construction works and the reconstruction of the affected structures will be available, discussed with the community, and the comments received will be incorporate in the proposed scheduled.

8. Implementation and Funding Arrangements

8.1 Implementation process

The implementation of the RAP will be carried out under the MoPW oversight, assisted by complementary technical resources financed by the Project. The funds for the reconstruction of affected assets have been allocated under the Project total funds. The implementation of the RAP will be monitored and the information will be kept on the Project records. The RAP will include detailed information on the affected structure and scheduling for the in-kind compensation. The construction works will not start before the RAP has been produced, reviewed and approved.

9. Meaningful Engagement and Grievance Redress

9.1 Participation, consultation, and disclosure

While the Project's impacts associated with OP 4.12 are expected to be minimal, the views of PAPs on any potential resettlement matters will be considered when planning the RAP. The RAP preparation process will be managed in a participatory manner. Potential conflicts and communication channels for grievances will be addressed via meaningful consultation and a grievance mechanism. Consultations will specifically be carried out with all PAPs whose asset is affected.

The PIU will undertake the following activities:

- Dissemination of information about the Project and its affectations;
- Meetings with PAPs to inform them of their rights, entitlements, and the grievance mechanism and to solicit feedback on the planned resettlement activities;
- Incorporation of feedback from PAPs into resettlement planning and Project infrastructure planning and design;
- A meeting to inform PAPs about the census and how it is part of the establishment of the cut-off date;
- Sign off by PAPs of household census;
- Engage with PAPs individually about their preferred compensation (in cash or in kind) ;
- Inform PAPs when payments will and have been made into their bank accounts;
- Include PAPs perceptions about effectiveness and logistical efficiencies in monitoring livelihood restoration;

In line with NIMOS guidelines, any Public Hearing or other public meeting with PAPs will be publicized in the media with a minimum of 15 business days in advance. To ensure that the PAPs are able to participate in the hearing, the Public Hearing will take place in the most accessible location in the region where the project is going to be implemented.

All consultation and disclosure efforts will be documented. If appropriate, the views of men and women will be recorded separately. Vulnerable groups such as pregnant women, women headed households, the elderly, children, and the disabled, will be identified and special measures put in place to enable their contributions to resettlement planning.

As appropriate, the PIU will actively engage with other key stakeholders in resettlement planning and monitoring.

9.2 Disclosure of resettlement plans

After it's drafting, this RPF is required to be disclosed by the World Bank and the GoS. It is planned that the RPF will be presented, consulted and made available for any comments or suggestions for at least 20 days. In addition to the Ministry of Public Works website, NIMOS may allow public disclosure through their office and website for the general public. In addition, the PIU will forward copies of the RPF to the local government authorities, and other relevant governmental agencies.

The RPF will be addressed during the project overview presentation and consultations and at future public consultation events (see Annex 2 and 3 for summary of consultation sessions in English and Dutch and Annex 4 for the list of attendance). The draft RPF will be made available at relevant accessible locations in the Project area together with the project overview and main findings of the ESIA. Public consultation feedback will be incorporated into the final RPF. The final RPF will be cleared by both World Bank and government authorities and then disclosed on their respective websites.

Any RAP produced for the Project in the future will also need to be disclosed in alignment with World Bank requirements. The World Bank must approve a RAP before its implementation.

9.3 Grievance redress mechanism

The PIU, via this RPF, commits to engaging with PAPs and other stakeholders on resettlement issues in a manner that is conciliatory, fair, and transparent. Care will always be taken to prevent grievances rather than going through a redress process. By ensuring full participation and consultation with the

PAPs, and by establishing communication and coordination among the various implementation entities, the Project aims to try to prevent grievances. Nonetheless, PAPs may disagree with a decision, practice or activity related to land acquisition and resettlement. Hence the Project will need to establish a resettlement grievance redress mechanism. The sections below describe grievance redress mechanism recommendations in more detail.

A resettlement grievance mechanism, consistent with the requirements of WB OP 4.12, will be established to prevent and address concerns and grievances related to land acquisition and resettlement impacts. The mechanism is integral part of effective social performance. It aims to be accessible to all stakeholders, including the poor and the vulnerable, so that the issues raised are resolved effectively and expeditiously.

The Communication and Consultation plan that is part of the Social Baseline Assessment includes a grievance mechanism. The resettlement grievance mechanism uses similar resolution principles, namely proportionality, cultural appropriateness, accessibility, transparency and accountability. The processes of the grievance mechanism include:

- Receive and register comments
- Review and investigate complaints and grievances
- Develop resolution options
- Respond to grievance and agree on resolution
- Monitor implementation of resolution
- Finish tracking as closed out
- Evaluate lessons learned

The most common grievances related to impacts associated with OP 4.12 include: valuation amounts, boundary disputes, and ownership objections. PAPs will have the right to appeal the valuation provided it is within a 30-day calendar period from receipt of notification of the valuation.

Face-to-face meetings, telephone conversations, or e-mail will be made available to PAPs for raising issues, concerns and grievances. The processes identified will be tracked from acknowledgement, investigation and verification, to remedial action. Grievances will be sorted, categorised by risk level (related to delay of Project activities or increased budget needs), and logged. Based on the grievance topic and its risk categorisation, the PIU will identify an appropriate team of one to three people to undertake an investigation. As appropriate, one of the three will be external to the PIU.

After investigation and agreement on the action plan, remedial activities will be monitored and evaluated. Feedback on the investigation results, action plan, and results of remedial activities will be provided to the complainant.

A PIU staff member will be responsible, and trained appropriately, for managing the grievance process. All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) will be borne by the Project.

If no solution identified by the Project is acceptable to the complainant, within two weeks the Project will organise a committee under the auspices of the District Government with about five members who are considered familiar with the topic but not familiar with the case. The committee should result in a solution acceptable to all, and identify responsibilities and an action plan. The Project should begin implementation of the agreed redress solution and convey the outcome to the World Bank within seven working days.

If the complainant is still dissatisfied, the Project will invoke a legal resolution process based on the Suriname legal framework described above, complemented by the World Bank guidelines. The use of the resolution initiates a negotiation process. The Project will identify and describe any associated OP 4.12 grievance, investigation, and remedial actions and results to the WB in periodic progress reporting.

10 Monitoring and Reporting

10.1 Monitoring and evaluation for the Project

The overall objective for monitoring resettlement and compensation is to make an evaluation of the process to determine:

- If PAPs have been meaningfully consulted and compensated in full and before implementation of the Project activities
- If PAPs are now living at a higher standard than before, living at the same standard as before, or are poorer than before
- Indicators for monitoring will cover process, outputs and impacts. Typical resettlement monitoring indicators are presented in Table 4. Each resettlement plan will identify its own key issues for monitoring.

Table 4. Indicators for Monitoring

Monitoring Indicators	Basis for Indicators
Budget and timeframe	<p>Have resettlement implementation activities been achieved according to the agreed plan?</p> <p>Are funds for resettlement being allocated as agreed and on time?</p> <p>Has all land required been acquired in time for project implementation?</p> <p>Have PAPs been informed sufficiently in advance about public Project meetings?</p>
Delivery of PAP entitlements	<p>Has any displacement taken place and if so, have the specific guidelines to minimize impacts on vulnerable peoples been followed?</p> <p>Have all PAPs received complete entitlements according to the amount and categories of loss?</p> <p>Has compensation been disbursed to the PAPs according to the plan?</p>
Consultation, grievance and special Issues	<p>Has consultation taken place as scheduled?</p> <p>Has any PAP used the grievance redress procedures? If so, what was the grievance and what were the outcomes?</p> <p>Have conflicts been resolved?</p> <p>Are there any special issues related to land acquisition or resettlement that affect other Project activities or create new Project risks?</p>

The PIU will identify a land acquisition and resettlement focal point for PAPs and other stakeholders. The focal point will be responsible for undertaking internal monitoring and reporting on resettlement plan implementation. During implementation, each month an internal monitoring report will be produced. Key monitoring findings will be included in progress reports to the World Bank. When the resettlement plan implementation is complete, the OWTC will produce a completion audit report. The completion audit report should address the requirements presented in OP 4.12, namely an: executive summary; background with information about the monitoring process, impacted communities, legal framework, summary of eligibility criteria and entitlements, restoration and compensation, any outstanding issues; review objectives; key findings and conclusion and key recommendations or corrective actions.

References

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Annex 1. Land Tenure Titles

Tenure Title	Tenure Title (Dutch)	Description
Absolute Ownership (Civil Code); also referred to as "BW Property"	<i>Eigendom (Burgerlijk Wetboek)</i>	Property is the absolute, most complete tenure title available in Suriname. There are no limitations imposed by the State, the owner has full and unlimited enjoyment of the land within the context of the law. Only a limited amount of land was issued under this title, due to the fear that the land would be used for speculation or would be left uncultivated.
Allodial ownership and inheritable property (Known as "Allodial ownership").	<i>Allodiaal Eigendom en Erfelijk Bezit ("Allodiaal Eigendom" or AEEB)</i>	Allodial property is a land tenure title typical for Suriname, that has its origin in the colonial period this title was issued by the Dutch during the colonial period under the conditions that the land would be developed and kept in cultivation. The owner also had the responsibility to contribute to other services that would promote the welfare of the nation, including security. Land not cultivated could be returned to the domain of the State. In practice today, the Suriname legal structures treat "allodial property" as the equivalent to absolute ownership, even though this may not be legally accurate.
Land lease (since 1982; Land reform Laws of L-Decrees, 1982)	<i>Grondhuur (Landhervormingswetgeving 1982)</i>	This is the only title that can be issued after the 1982 land reforms and it is issued for land to be used for habitation, agriculture and animal husbandry, industrial purposes and for special purposes. The nature of the use is specified in the title and permission must be obtained from the government to alter the intended use of the land. Land lease is extended for a period of 40 years, and can be renewed for another period of 40 years. The tenant pays an annual fee to the state.
Leasehold (prior to 1982)	<i>Erfpacht</i>	This was the most common title issued between 1937 and 1982. The term was for a period of 75 years and the owner had to pay an annual fee. Separate leasehold titles were issued for agricultural land. Leasehold provides a similar tenure status as Land Lease and is treated as such. Persons with a leasehold title who wish to keep title to this land must file a request for transferal to a land lease title (<i>grondhuur</i>) prior to expiration of the leasehold.
Simple Rent	<i>Huur/ Gebruik tot wederopzegging (Land reform Act 1982)</i>	A transitional title issued by the government to individuals for land in areas of which the zoning destination has not been determined yet. Also issued in anticipation of completion of the administrative procedure to obtain a land lease title so that the person in question can begin to conduct agricultural or other commercial activities. This title is personal and not transferable.
Public land	<i>Domein-grond</i>	"All land, to which third parties cannot prove land tenure rights, is property of the state". The Decree on the issuance of Domain Land 1982, also called the Land Reform Decree of 1982 (Decreet Beginselen Grondbeleid (SB 1982 no 10); Art. 1, Lid 1). In accordance with the general provisions (Article 1) of this Act, the Minister responsible for land policy is authorized to have the disposal over domain land. Currently, the Ministry of ROGB has control over the land.

Annex 2: Summary of Consultation Meeting

Date: 28 August 2018

Location: Ministry of OWT&C

The consultation meeting was opened by Mr. Pengel, Minister of Public Works, Transport and Communication (OWT&C). Next, a presentation was held to explain the Saramacca canal project, and the ESIA and RPF studies. Several participants asked questions about both technical and social aspects of the project.

One issue of concern was the fact that in several locations, people living along the canal use and occupy land without land title or formal permission. Stakeholders wanted to know what would happen to these people, whether the project would help regulate this situation, to what extent compensation would be offered to people who built structures along the canal –if damaged- and how such compensation would be determined. It was explained that this project does not have as its aim to regulate land use along the canal. The content of the RPF was explained in further detail to answer the questions.

Several questions were posed about data collection, both social and environmental. For example, a representative from the Ministry of Regional Development (RO) wanted to know how social data was collected; by interviews, observations, or only secondary data. Data collection methods were explained in more detail to answer these questions. Stakeholders emphasized the need for continuous and complete communication about the project with all stakeholders. The District Commissioner of Wanica NW lamented that this was the first time he heard about the project, and wished to be better informed from the beginning of such projects in the future. The role of the District government is particularly important because the maintenance strip along the canal now falls under the responsibility of the District Commissioner's office. Moreover, the District also has plans for this area, and it is important that the various policy interventions are in line with one another. In this context, question also were posed about the composition and role of the PIU in representing and reaching out to stakeholders.

Different persons emphasized that the canal, in addition to a water drainage function, also has a cultural value, a function for tourism, and a function for agriculture. The District Commissioner of Wanica NW commented that his district is planning to promote tourism, and developments in and around the canal are relevant to these policy plans. Different stakeholders brought forward that it must be guaranteed that the project does not negatively affect farmers' irrigation possibilities.

Different questions concerned the project design. For example, stakeholders indicated that it is important to also repair secondary sluice (e.g. at Uitkijk). Questions also were posed about the deposition of the drainage materials on the island, possible pollution of these materials, and measures that would be taken to prevent run-off back into the canal. Sustainability of the project, and balancing costs versus benefits, also were identified as matters of concern. The Ministry of OWT&C provided more detail about project design and sustainability safeguards.

Annex 3: Notulen Stakeholder sessie Saramaccakanaal

d.d. 28 augustus 2018

SMo: Satish Mohan

MHe: Marieke Heemskerk

WB: Worldbank

NII: Nationaal Informatie Instituut

DC: District Commissariaat/Commissaris

Min. HIT: Ministerie van Handel, Industrie en Toerisme

Min ROGB: Ministerie van Ruimtelijke Ordening, Grond en Bosbeheer

Vraag	Antwoord
<p>Minister OWTC: Wat is de oppervlakte dat afwatert op het Saramaccakanaal?</p>	<p>SMo: 190.000 km² oftewel 19.000 ha</p>
<p>C. Amoida, directoraat transport Min OWTC:</p> <ul style="list-style-type: none"> - Wordt er gekeken naar de mensen die verkeerd gebouwd hebben langs het Saramaccakanaal, zoals op de onderhoudsstrook? - Wie gaat compenseren voor hetgeen dat verkeerd is gebouwd? 	<p>SMo: Voor de uitvoering van dit project maakt het niet uit wie verkeerd heeft gebouwd. Aan het ministerie van ROGB is de informatie gevraagd wat de officiële grenzen van de onderhoudsstrook is.</p> <p>MHe: Als je geen legale titel op het land hebt, maar overheids domein gebruikt, wordt je volgens de WB policies voor herhuisvesting niet gecompenseerd voor het land maar wel voor het huis en verhuizingskosten. Er zal een cutt-off date worden vastgesteld. Zeg maar een datum worden vastgesteld van wat er op dit moment op het land staat. Dat is de datum die zal worden aangehouden voor de status van het land. Je stelt een bepaalde datum vast en alles wat er op dat moment is. Als het beschadigd zou worden door het project, zal deze gecompenseerd moeten worden door het project. Dat geldt ook voor bijvoorbeeld steigers, BBQ sets en huizen op de onderhoudsstrook. Dat is dan binnen het kader van dit project. Wat de overheid verder doet buiten dit project met mensen die verkeerd hebben gebouwd op een bepaalde plek of occuperen, is dan los van dit project.</p>
<p>J. Kanape, Min RO/Dir DOAB</p>	<p>SMo:</p>

<ul style="list-style-type: none"> - Is de visibility studie al gedaan - Is er naast de hydrologische kijk en de historische waarde van het kanaal ook gekeken naar de culturele waarde en het toerisme. Is er een samenwerking met het Min van HIT om te kijken naar hoe dit project een andere component kan brengen, zodat de meerwaarde van het project vergroot wordt. - Wordt de studie t.a.v. de PIU hier op het ministerie geformuleerd of denken jullie in de richting van een multi disciplinaire benadering waarbij de NGO's of de organisatie in de omgeving van de mensen worden meegenomen - Ten aanzien van de baseline studie is nu van start gegaan de Environmental studie en de Social studie. Is er een social component tot stand gekomen door kwalitatief interview of d.m.v. kwantitatieve data of is er gewoon een observatie van foto's. Zijn er gesprekken gevoerd - Ten aanzien van de grond is er een taxatie geweest van hoeveel het gaat kosten. Als je gaat compenseren moet je al een idee weten hoeveel het gaat kosten. Met de taxatie kan je dan de kosten gedetailleerd mogelijk benaderen - Ten aanzien van het 200.000 cube baggermateriaal, zou het niet gebruik kunnen worden als landaanwinst voor de oevers. - Ten aanzien van vervuiling zoals plasticflessen en oude wasmachines. Zullen er voorbereidingen getroffen worden om al deze vervuiling materialen uit de bagger specie eruit te halen. - Het baggermateriaal wordt gebracht naar een gebied dat later gebruik kan worden door een industrie. Wat voor industrie zal in het gebied komen 	<p>Er is een concept ontwerp. Op basis van dit ontwerp wordt gewerkt aan de ESIA. We zijn nu bezig met de studie die onafhankelijk is van wat het profiel wordt. Dat ontwerp wordt uitgewerkt in de ESIA. Bijvoorbeeld de randvoorwaarde van de dump locatie moet bekend zijn en alle andere gegevens die bekend moeten zijn. Eigenlijk hebben we een principe ontwerp van wat er gebaggerd moet worden. Op basis daarvan wordt uitgerekend hoeveel bagger species er zijn en dat alles wordt uitgewerkt. Dit is nog niet het volledig gedeelte, daarom kan nog niet gezegd worden dat dit het profiel is. Omdat we in het proces nog bezig zijn om de finale daaruit te halen.</p> <p>PIU is om het project te managen conform de voorwaarde van de Wereldbank en ook wat lokaal dat gaat zijn. Er gaat een communicatiepoot zijn van de PIU met contactpersonen.</p> <p>MHe heeft al geïdentificeerd wie dat gaat zijn. Met wie allemaal, welke buurt of organisatie we allemaal mee moeten praten.</p> <p>PIU is dan een contract management, het bewaken van de uitvoering, kwaliteit en financiën. NGO's worden niet betrokken in de PIU.</p> <p>Baggermateriaal wordt opgeslagen op een braak gebied. Wanneer daar gedumpt is, moet dit netjes worden afgewerkt. Als het een andere bestemming krijgt, kan je niet zeggen dat men daar huizen gaat bouwen of wat dan ook. Je moet aannemen dat het veel vocht heeft en dat het blubberachtig is. Als je een industrie erop wilt, dan moet je weten dat je een ander soort type constructie nodig hebt of als je een huis erop wilt bouwen, gaat het mogelijk zakken, planten gaan mogelijk niet goed groeien. Sowieso als er drijvend materiaal is, wordt dat anders behandeld dan materialen die in de bodem zijn. Dat gedeelte moeten wij nog doen, waar we onderzoek hebben gedaan zijn we niet gestuit op oude wasmachines of wat dan ook. Dat zal er wel zijn en dat wordt apart naar de officiële vuilstortplaatsen gebracht.</p> <p>MHe:</p>
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<ul style="list-style-type: none"> - Er wordt gesproken over Sunny Point, Witboiti en Leidingen. Hoe wordt gekeken naar de andere individuen die in het gebied wonen - Ten aanzien van de project affected people en eco society, is er reeds een identificatie van de aspecten 	<p>Sociaal studie: we zijn naar verschillende woonwijken geweest en hebben met verschillende mensen gesproken, kwalitatief, met omwonenden, vooral met mensen die langs het water wonen en ook op welk gebied ze het kanaal kunnen gebruiken, hoe en wat, en op welke manier ze geïnformeerd willen worden.</p> <p>We hebben ook met verschillende ressortraad leden gesproken van de verschillende ressortraden die daar zijn, deze zijn ook nu hier aanwezig. In die gesprekken is ook besproken: op welke manier gebruiken mensen het kanaal en hoe kunnen ze het best geïnformeerd worden als ze dus inderdaad last ondervinden.</p> <p>Voordat het project wordt uitgevoerd, moet er nog een meeting komen met de buurt zelf, een stakeholder meeting, de omwonenden van het project zelf uit te leggen daar ter plekke.</p> <p>Wat betreft taxatie, de settlement-policy framework legt precies alle regels vast van hoe zo een proces in zijn werk zou moeten gaan. Hoe getaxeerd moet worden. Als mensen niet eens zijn met elkaar, hoe ga je daarmee om, volgens de standaarden van de WB en ook volgens de Surinaamse standaarden. Maar als die van de WB strenger zijn, dan worden die van de WB toegepast.</p> <p>Voor mensen die niet in de buurt wonen maar daarbuiten, in dat geval wordt informatie over het project verder gegeven via de media, via de radio, kranten. Je gaat niet huis aan huis kunnen gaan, bij al de mensen die langs het kanaal wonen. Via media proberen project informatie verder te geven.</p>
<p>S. Ramai, DC Wanica Noord West, Min RO Ik ben verrast omdat ik als DC helemaal niet op de hoogte was van alle activiteiten in mijn gebied onder andere en daar ziet u dat wat daar de heer OG heeft aangekaart ten aanzien van communicatie, er is niet eens op regionaal niveau er over gesproken. Terwijl bermen onder andere competentie gebieden zijn, men zegt altijd weer ROGB, terwijl het een competentie gebied is van de DC. De DC's gaan erover. We hebben al onze</p>	<p>S.Mo: (na de Meeting) Er zal contact gemaakt worden met de diverse DC's om het project en de plannen zoveel als mogelijk gelijk te richten.</p>

<p>bestaande plan. En heel wat zaken kunnen we voorkomen. Want al die mensen die illegaal zijn, met hun zijn we bezig en later met een ministerieel beschikking om al de mensen aan te kaarten, zodat de mensen aanmaningen gegeven kunnen worden, om hun illegale stuk weg te halen. We zijn met een project van toerisme bezig en we worden gewoon overgeslagen. Misschien is de tijd daarvoor nog niet rijp, maar we hopen dat als de tijd daarvoor rijp is, wij u kunnen uitnodigen, ons secretariaat daarover meer te vertellen, zodat zaken niet dubbel hoeven te worden gedaan en we meerkosten kunnen voorkomen. U bent te allen tijde welkom.</p>	
<p>S. Wolff, Min OWTC Wanneer het project wordt uitgevoerd, moet er in feite verbeteringen zijn voor de gebieden die in de regentijd onder water komen te staan. Maar waar er toch een overschot blijft, moet ook in gebieden een aantal zaken worden gedaan. Wat moet die 30 miljoen dollar allemaal precies gaan doen om het effectief te maken. Daar zou ik iets meer van willen weten.</p>	<p>SMo: Deze is de eerste van meerdere sessies die we moeten hebben over dit gedeelte. Omdat we hier eigenlijk dat sociaal deel, het eerste gedeelte dat we moesten voorleggen en openbaar maken. Bij de volgende stappen zal het technische uitgevoerd worden en zullen kosten inzichtelijk gemaakt worden. Al deze zaken moeten nog onderzocht worden. Is alle beton nog even goed. We hebben een schatting gemaakt van wat gedaan moet worden. We zijn ook bezig met lab-testen aan het beton zelf, om te kijken of we alle beton helemaal slopen en dan opnieuw storten. Met dat gedeelte zijn we bezig. Het kan zijn dat als je alleen hersteld, dat relatief budget over blijft om ergens anders in het Saramaccakanaal gebied, ontwateringsgebied, voorzieningen te treffen. Dat gedeelte kunnen we nu niet vastleggen.</p>
<p>S. Goerdal, RR voorzitter Wanica NW - Zijn er ook pomp gemalen die op Uitkijk uitgevoerd moeten worden, opdat door de jaren heen is het beeld gevormd, dat waterberging is komen te vervallen, dus nu krijg je in een zeer korte tijd dat veel watergangen gelijk zijn met het kanaal. Dat is een zorgpunt voor mij</p>	<p>SMo: T.a.v. kwaliteitsmetingen die zijn gedaan. Er zijn gemeten op de bodemlagen, de waterkwaliteit wat in het water zit en ongeveer 1 meter diep wat in de bodem zit. En daarvan zijn er resultaten binnen. We kijken nu naar de waterkwaliteit om watervervuiling tegen te gaan en voor het creëren van een gecontroleerd stortplaats, dat gelined is, zodat vervuild water van dat gedeelte niet terecht</p>

<ul style="list-style-type: none"> - Waterkwaliteit: is dat nu gemeten onder normale omstandigheden, chemicaliën gaat op de bodem vast zitten, eigenlijk moet je meten wanneer het omgeroerd wordt. Wanneer men begint te graven, krijg je de ontroering en dan komen de stoffen vrij. Niet nu maar als je beetje omwoeld moet je kijken wat dat het geval is. - Ik begrijp nu dat de nood zo groot is dat er gebaggerd gaat worden. Het materiaal gaat ergens anders afgevoerd worden, maar nu zie ik dat het op een eiland wordt gedumpt. Dat eiland is omringd door water, ik vraag me af hoe men dat gaat peilen, want in de regentijd gaat water ergens moeten gaan en het water gaat uiteindelijk in het zelfde kanaal terecht komen. - Dan moeten we onze industrieën complimenteren dat ze niet ongebreideld hebben geloosd, als we kijken naar CIC en de andere industrieën. 	<p>komt in het milieu. Je moet zodanig afwerken dat regenwater opgevangen wordt en via filtratie toch terecht komt in het Saramaccakanaal. Na verloop van tijd ga je vegetatie erop krijgen die ervoor gaat zorgen dat het water de oppervlakte niet meer meevoert in het kanaal.</p> <ul style="list-style-type: none"> - Het heeft ons ook een beetje verbaasd dat als je in het kanaal vaart, je mensen gewoon ziet lozen. We hebben gemeten op bepaalde locaties, waar we ook dachten dat de vervuiling hoog is. Bijvoorbeeld precies bij de uitgang van CIC is gemeten en ook bij de uitgang van een visbedrijf. Omdat je daar een hoge concentratie verwacht. Zodra alle resultaten beschikbaar zijn, proberen we via de website van NII alles beschikbaar te stellen. Laat zeggen een speciale OW-page. - Het pompgemaal: In het initiële project was dat het ook meegenomen. Doel van dit project is de rehabilitatie. Gemiddeld werkt niet eens 60% van alle infrastructuur, dat aanwezig is. In noodgevallen wordt de schutkolk ook opengemaakt, we willen dat rehabiliteren zodat het ten eerste goed functioneert, het ontwerp van de pompgemalen op Uitkijk en op Doorsteek wordt ook meegenomen, dat we weten hoe het gemaal eruit moet zien, wat daar moet komen en welke constructie het moet krijgen.
<p>S. Nelstan, DC Paramaribo Zuid West</p> <ul style="list-style-type: none"> - Wat voor positiviteit zal het project voor de buurt langs het Saramaccakanaal zorgdragen? <p>Hoe gaat men om met de mensen die langs het kanaal illegaal wonen?</p>	<p>SMo</p> <p>Met de rehabilitatie van de eerste fase wordt het Saramaccakanaal beter beheerst zodat het in alle tijden de sluizen en alle faciliteiten kan worden gebruikt. Hiermee wordt beoogd om het getij in het Saramaccakanaal zo snel en zo laag als mogelijk te brengen zodat het laag genoeg is voor de scheepvaart.</p> <p>MHe</p> <p>Aanpak van occupanten is geen deel van het plan.</p>
<p>B. Mahabier, MAS</p> <ul style="list-style-type: none"> - Is de economical en financial assessment van het project al gedaan? - Hoe sustainable is het project? 	<p>SMo:</p> <p>Voor het traject van de WB is het juridisch kader nog niet direct belangrijk omdat we het beperken tot het verstande. We moeten ervoor zorgen dat de</p>

<ul style="list-style-type: none"> - Indien er een ontwerp is, kunnen we inzage hebben hierop? 	<p>impacts voor het kanaal ten aanzien van het werk, geminimaliseerd of gelimiteerd worden</p>
<p>R. Patadin, Ilaco</p> <ul style="list-style-type: none"> - Is het de intentie om bij de Saramaccakanaal Water Management System, een unit of autoriteit op te zetten om het systeem apart te beheren? - Is er rekening gehouden met legale en illegale oeverbescherming/ noodvoorzieningen van residentiële en industriële individuen - Is het de bedoeling om meer specifiek te kijken naar het environmental en social impact? 	<p>SMo</p> <ul style="list-style-type: none"> - Hiermee wordt bedoeld dat voor drainage management een update komt voor guidelines voor gebruik van het stelsel. - We gaan naar een soort automatisch systeem waarbij men het beheer van het Saramaccakanaal kan monitoren en dat via meetinstrumenten op verschillend gedeelte van het Saramaccakanaal een beter beeld verkregen kan worden. Waar er potentieel wateroverlast is. - We hebben profiel metingen gedaan. Qua diepte is het kanaal diep genoeg. Er zijn plaatsen waar de bodembreedte verbreedt moet worden, terwijl op bepaalde locaties het kanaal niet uitgebaggerd hoeft te worden. Er is nog geen meting gedaan voor alle structuren. - Jawel
<p>J. Kanape, Min RO/Dir DOAB Hoe maakt je het project duurzaam?</p>	<p>SMo Onderzoek naar duurzaam beheer en onderhoud van de infrastructuur is meegenomen. Als dit een unit binnen of buiten OWTC zal zijn zal nader uitgewerkt moeten worden. De schutkolken zullen weer in werking zijn en bij gebruik zal wederom betaald moeten worden.</p>
<p>B. Mahabier, MAS</p> <ul style="list-style-type: none"> - Hoe maak je het project duurzaam? - Hoe verdien je de kosten terug? 	<p>SMo Dat is het gedeelte van de kostenbaten analyse en hoe je de managementkosten van het beheer van het kanaal moet toezien ten aanzien van de scheepvaart.</p>
<p>F. Sitaram – Tjin A Soe, SWM Ik heb een opmerking. Ten aanzien van het baggeren, moet rekening gehouden worden met de leidingen van de SWM die langs en door het Saramaccakanaal lopen.</p>	<p>SMo Dat is zo. OWTC heeft de informatie opgevraagd bij de SWM maar er is nog een reactie van de SWM verkregen.</p>
<p>J. Kanape, Min RO/Dir DOAB Welke partnerschap is aangegaan voor een breder draagvlak?</p>	<p>SMo Op dit moment nog niet.</p>
<p>S. Goerdajal, RR voorzitter Wanica NW</p>	<p>SMo Inlaten gebeurt via Uitkijk. Het waterniveau heeft enkele dagen nodig voordat het de</p>

<p>Kan bij het watersysteem rekening gehouden worden met aanvoer van water voor de landbouw arealen bij watertekort?</p>	<p>landbouwarealen bereikt heeft. Alleen met toestemming van LVV kan water ingelaten worden voor irrigatie.</p>
<p>R. Patadin, Ilaco Voor de social assessment moet dan de rehabilitatie van Uitkijk meegenomen worden zodat het een potentieel impact kan hebben voor de landbouw.</p>	
<p>M. Sewnath, NIMOS Wanneer is het ESIA rapport af? Rapporten die bij de NIMOS worden ingediend ondergaan een proces. Het komt op ons website, daarna een bekendmaking in de krant voor algemeen visueel en vooral voor de industrie moet een stakeholdersmeeting komen. Het hoofd bestuur wordt geraadpleegd t.a.v. het social- en environmental gedeelte.</p>	<p>SMo Eind september 2018</p>

Annex 4: List of Attendance of Consultations

Saramacca Canal System Rehabilitation Project

ESIA Presentation
Conference room of MoPWTC
Paramaribo, Suriname

shaamhorname@yahoo.com

Date: August 28, 2018

(Paraaf)

name	attending	institution	phone number	email
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Saramacca Canal System Rehabilitation Project

ESIA Presentation
 Conference room of MopWTC
 Paramaribo, Suriname

Date: August 28, 2018

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Saramacca Canal System Rehabilitation Project

ESIA Presentation
 Conference room of MoPWTC
 Paramaribo, Suriname

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Annex 5: Assorted Photos of the August 28, 2018 Consultation

	
<p>Opening the program by Honorable Patrick Pengel Minister MOPWTC</p>	<p>The Minister highlighting the importance of the project</p>
	
<p>Participants</p>	<p>Participants</p>
	
<p>Mr. Satish Mohan, MOPWTC providing a description of the Project components</p>	<p>Mr. Mohan focusing on the different sectors along the length of the Canal</p>



Participants



Social specialist Ms. Marieke Heemskerk explaining the social safeguard considerations in the Project.



Participants



Participants



Ms. Heemskerk presenting social considerations to the audience.



Mr. Deepak Ramautar presenting the environmental baseline conditions in the Canal

Annex 6: Powerpoint presentation of the August 28, 2018 Consultation

Saramacca Canal Rehabilitation Project

Project Concept Overview and Environmental and Social Impact Assessment

August 28, 2018

REPUBLIC OF SURINAME
MINISTRY OF PUBLIC WORKS, TRANSPORT AND COMMUNICATION

WORLD BANK GROUP

1

Outline

- Project Overview
- World Bank Safeguard Requirements
- Environmental Assessment
- Social Survey and Assessment
- Resettlement Policy Framework
- Next Steps - Project Preparation & Approval

2

Importance of Saramacca Canal

Saramacca Canal (25 km Canal linking the two main rivers)

Saramacca River

Suriname River

3

Saramacca Canal & drainage area

4

Solutions identified and proposed activities

The Project Development Objective is to Reduce flood risk for residents in the Greater Paramaribo area and improve the operation of the Saramacca Canal System for flood risk management and navigation.

Component Name
Improving the Drainage Infrastructure
Strengthening the Saramacca Canal Water Management System
Providing a Contingent Emergency Response
Supporting the Project Management and Implementation Support

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Component 1: Improving the Drainage Infrastructure

Component 1 deals with structural flood management measures. Structural measures will improve the discharge of excess rainfall on Paramaribo City faster to the Suriname and Saramacca Rivers to significantly reduce the periods with water on streets and around buildings.

This component will finance rehabilitation of sluices and locks, canal reprofiling, and clean up of secondary canal inflow.

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Component 1: Improving the Drainage Infrastructure



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Component 1: Improving the Drainage Infrastructure



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Component 2: Strengthening the Saramacca Canal Water Management System

Component 2 deals with nonstructural flood management measures. Financing technical assistance activities to improve the capacity of the GoS to manage the Saramacca Canal's water levels and hydraulic structure operations to reduce Paramaribo flood risk and facilitate navigation.

This component will finance **three main sub-components**:

- 2.1: Updating of norms and guidelines for Drainage Management;
- 2.2: Drainage infrastructure asset management platform; and
- 2.3: Institutional support toward a possible Saramacca Canal System Platform.

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Implementation Arrangements

Component 3 - Providing a Contingent Emergency Response
In the event of a disaster, Government can request funds to support a rapid emergency response

Component 4 - Supporting the Project Management and Implementation Support

This component supports the costs for overall project management and implementation support.

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Implementation Arrangements

Ministry of Public Works, Transport and Communications is responsible for overall project implementation

- MoPWTC has specific responsibility for managing and maintaining the primary and secondary drainage canals including the Saramacca Canal.
- A dedicated Project Implementation Unit (PIU) will be established within the MoPWTC, to administer the project and report on fiduciary matters, safeguards and overall project progress to the MoF and the World Bank.

The project is Suriname's first investment project financed by the World Bank in over 30 years and is an opportunity to for many stakeholders to gain experience across the World Bank's fiduciary, management, and safeguards procedures and requirements.

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General Objectives of World Bank Safeguards



- Ensure that environmental and social issues are thoroughly evaluated during the project cycle;
- Assess trade-offs in development projects;
- Avoid, minimize, mitigate and/or compensate for adverse environmental and social impacts of Bank-supported projects;
- Provide a mechanism for consultation with project affected peoples (PAPs) and civil society (including NGOs);
- Fully disclose relevant project information to PAPs and public stakeholders; and
- Monitor safeguards compliance and outcomes during project implementation.

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Safeguards in Project Implementation

Ministry of OWT&C (implementing agency)

- Reports on compliance with measures agreed with the Bank on the basis of the findings of the EA and other safeguards instruments
- Provides status of mitigative and remedial measures
- Reports on findings of monitoring programs

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Saramacca Canal Area of Influence



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Safeguards: OP 4.01 - Environmental and Social Impact Assessment: ESIA

- Ensure that Bank-financed projects are environmentally sound, socially responsible and sustainable;
- Improve decision-making process by both Bank and Borrower,
- Supervises project environmental and social aspects of the project based on the ESIA set out in the legal agreement, and Environmental & Social Management Plan
- Reports on findings of monitoring programs

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Safeguards: OP 4.12 Involuntary Resettlement

- Avoid or minimize involuntary resettlement.
- The policy is applied for potential impacts that may lead to:
 - ✓ Physical resettlement or affected structures;
 - ✓ Loss of resources or access to resources;
 - ✓ Loss of sources of revenue, regardless of displacement.
- Population with titles and without titles
- Compensation can be in cash or in kind

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Safeguards: Potential Project Social Impacts

- Canal rehabilitation works are not expected to cause physical relocation of population.
- Impacts to physical structures are also unlikely.
- Impacts to large buildings such as residences and industries are not anticipated given the large size of the land plots, low density, and reasonably well-planned land use patterns in place.
- Canal rehabilitation works could potentially affect some small structures located close to the canal borders such as boat docks and patios, as well as a selected few houses that are built immediately bordering the canal



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Safeguards: Potential Project Social Impacts (cont.)

- Rehabilitation of the canal and the canal gates are likely to impact the industries that depend on the waterway to transport materials.
- Particularly work on the sluices may cause the canal to be unnavigable for some duration. At this moment it is not yet known how much time these construction activities will last.
- The PIU will need to carry out proactive communication and coordination with these industries to ensure uninterrupted access, or else endure minimal impact.



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Safeguards: OP 4.12 Resettlement Policy Framework: RPF

- RPF prepared when final designs are unknown during Project preparation
- The purpose of the RPF is to clarify resettlement principles, organizational arrangements and design criteria to be applied to project
- Once detailed designs will be ready, a Resettlement Action Plan (RAP) will be elaborated based on the RPF
- The RPF can be found on: [www.facebook.com/Ministerie van Openbare Werken, Transport en Communicatie](http://www.facebook.com/Ministerie%20van%20Openbare%20Werken,%20Transport%20en%20Communicatie/)

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Environmental Baseline

- Hydrology, Soils, Geology
- Vegetation
- Aquatic Biology
- Water Quality
- Sediment Sampling



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Hydrology Aspects

- Over the last century, the Saramacca Canal has become more important to drain rain water from the more heavily urbanized city areas to the north of the canal, and from the less densely populated areas to the south.
- A large historic navigation waterway that runs from east to west, joining the Suriname River to the Saramacca River is also historically important.



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Overview of Sampling locations



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Water Quality Results

- The pH of all samples is near neutral
- Secchi depth varied from 18 to 49 cm -> Transparency of water is low
- EC and TDS values indicate low salt content
- Low to medium oxygen saturation
- Vegetation along the canal is dominated by mokomoko, paragrass, dagoeblad and water hyacinth
- At L3 and L9 oil stains were observed
- The oil and grease content at these locations exceeds the European standard, but is within the Suriname and World Bank standards.

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Sediment Quality Results

- The bottom sediment consists of soft clay with humus material at all locations
- The laboratory results conclude most of those compounds tested were absent or present in very low concentrations
- Higher concentrations at some sites were detected at concentrations requiring special care
- A designated disposal site will be used to ensure proper management and disposal of these materials
- This site is designated for future industrial use and not for residential or agricultural use

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Environmental Management Plan

A potential area for management of the sediment has been identified (along the canal and far from the main urban area) – still to be confirmed



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Social Baseline: Four main residential neighbourhoods



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Social Baseline: Uses of the Saramacca Canal and its shores

Household uses	<ul style="list-style-type: none"> Wash clothes and dishes Bathing Drainage waste water (Sunny Point/Leiding 20 & Wit Bolt)
Livelihood	<ul style="list-style-type: none"> Small ferry boat Fishing Planting of crops and fruit trees
Recreation	<ul style="list-style-type: none"> Boating Occasionally swimming
Business / Industry	<ul style="list-style-type: none"> Transportation of inputs Dump waste and drain waste water
Farmers	<ul style="list-style-type: none"> Some planting along canal



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Social Baseline: Business use of the Canal

- Most businesses along the canal do not use the canal for transportation
- In 2015; 43 vessels from ~7 firms active on the Saramacca Canal
- Main complaints of businesses about the canal :
 - Canal is poorly navigable; Obstructions of the canal by wood, drifting vegetation and waste.
 - Land loss / erosion.
 - Waiting times at the locks.
 - Limiting dimensions of the canal and related Public infrastructure



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Social Baseline: Potential Impacts & Mitigation

Project activity	Impact	Impact rating	Mitigation	With mitigation
Dredging	Residents: <ul style="list-style-type: none"> Damage to docks, board walls and other structures. Damage to fishing nets 	Low	<ul style="list-style-type: none"> Establishment cut-off date. Meaningful consultation with area residents. Timely and transparent stakeholder communication. Adequate & timely compensation in cases of damage. Proper Grievance Mechanism. 	Negligible
	Residents south of canal: <ul style="list-style-type: none"> Damage to houses along canal. 	High		Low
	Vessel (business/pleasure): <ul style="list-style-type: none"> Vessel collision 	Low		Negligible

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Social Baseline: Potential Impacts & Mitigation

Project activity	Impact	Impact rating	Mitigation	With mitigation
Rehabilitation Locks & sluices	Business: Temporary no access to Saramacca canal from Suriname River	Low	<ul style="list-style-type: none"> Consultation min. 2 weeks in advance If possible, sluices remain open at selected days/times Proper Grievance Mechanism 	Negligible
	Business: Greater flexibility (less time constraints) vessel movement through canal	Positive		Positive
Rehabilitation of secondary canal inflows	Residents: Reduced flooding, less standing water, healthier environment	Positive		Positive

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Environmental Impact & Risk

Noise - powered mechanical equipment, Trucks transporting material in and out of construction sites, Dredging operation

Traffic - Increased traffic and congestion during the construction phase due to detours and slow movement of heavy construction vehicles

Air quality - Emissions from construction equipment and trucks

Contamination from wastes and accidental spills

Erosion, runoff, and sedimentation from construction,

Biodiversity

Worker Health & Safety

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Environmental Management

Construction Spoils Management to manage the disposal of dredge spoils generated in an environmentally-friendly manner;

Erosion and Sediment Control to describe the measures during construction to minimize sediment carried by runoff from entering downstream surface water drainage systems

Noise Control to control noise impacts on the surrounding communities during construction activities;

Traffic Control, Public Safety and Public Communications to minimize the disruption of daytime traffic flows along as well as ensure public safety;

Worker Safety to identify standards for protection of workers including on site training and proper safety equipment;

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Next Steps for Project Preparation

The ESIA-ESMP and the RPF, as well as the Project Information Document, are available for consultation on the website: www.facebook.com/Ministerie.van.Openbare.Werken.Transport.en.Communicatie/

The draft of the RPF will be available for comments and suggestions; comments will be integrated and a final version will be available towards the end of September/beginning of October.

The draft of the ESIA-ESMP will be available for comments and suggestions; comments will be integrated and a final version will be available towards the end of October.

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Next Steps for Project Preparation



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