

**ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement**



**Process Framework**

**May 24, 2022**

**CEPF Grant #112652**

**Caribbean Coastal Area Management Foundation**

**“Participatory preparation and implementation of the Portland Bight Protected Area Management Plan,  
Jamaica”**

## **Grant Summary**

1. **Grantee organization.** Caribbean Coastal Area Management Foundation.
2. **Sub-project title.** Participatory preparation and implementation of the Portland Bight Protected Area Management Plan, Jamaica
3. **Grant number.** CEPF-112652
4. **Grant amount (US dollars).** \$388,483.53
5. **Proposed dates of grant.** 1 July 2022 to June 30, 2025
6. **Countries where activities will be undertaken.** Jamaica
7. **Date of preparation of this document.** 24 May 2022

8. **Project components:**

This project will greatly increase the capacity of the Caribbean Coastal Area Management Foundation (C-CAM) and its partners to implement effective management of the Portland Bight Protected Area (PBPA), which supports 14 CEPF trigger species including 6 CR and 2 EN species.

The project will be implemented through seven mutually supporting components that will address major threats to the EN and CR species of the PBPA including habitat loss and degradation, invasive alien species, and climate change and will directly or indirectly support the conservation of all the trigger species and provide C-CAM with the institutional capacity to implement the project according to CEPF's requirements.

1. Preparation of PBPA Management and Zoning Plan (2023-2028), which will form the basis for a formally agreed framework for management of the PBPA and will address both general and specific threats to biodiversity and livelihoods.
2. Reduction of threats of human disturbance and unsustainable use of biodiversity in the PBPA, through action planning and experimental cultivation for selected EN and CR species.
3. Reduction of the threat of invasive alien species (IAS) to dry forest trigger species and their habitats through actions focused mainly on the impacts of Cuban Tree Frog *Osteopilus septentrionalis* on Portland Bight Frog *Eleutherodactylus cavernicola* CR.
4. Participatory monitoring of the PBPA to support management and implement CEPF monitoring requirements
5. Engagement of stakeholders in the conservation of the important biodiversity (including trigger species)
6. Institutional strengthening and capacity building of C-CAM
7. Efficient project management and compliance with CEPF policies.

The only component that affects restrictions on natural resource use is Component 1 'Preparation of PBPA Management and Zoning Plan (2023-2028)', noting that activities of this component will not actually result in any Land Acquisition, or Involuntary Resettlement in the life of the CEPF grant. Under this component, the existing PBPA management plan (2013- 2018) will be updated and will include a GIS analysis of land-use changes and the distribution of habitats, species, and threats, and a series of participatory workshops. A zoning plan will also be developed and supporting regulations that will lead to the reduction of actual and potential threats to biodiversity from unsustainable land uses (such as the development of industrial sites, mass tourism, new

towns, roads, encroachment for small and large-scale agriculture, squatting, purposeful and accidental release of IAS) will be identified. Sustainable land uses that can help relieve human pressure on biodiversity will also be identified.

There may be some persons affected by the Zoning Plan, however, the development process is highly participatory starting first with the overall project design which was developed through consultations with stakeholders, including discussions at the last multi-agency Operations Planning meeting in October 2021, as well as one-on-one discussions with NEPA, National Fisheries Authority, and Forestry Department in 2021 and 2022, a review of the 2018 METT assessment, and Vulnerability Risk Assessment (VRA) workshops. Letters of endorsement have been received from National Environment and Planning (NEPA) and Forestry Department and the National Fisheries Authority (NFA). The planning process will be led by the lead consultant and supported by C-CAM staff. It will include a series of in-person, hybrid, and online workshops followed by document reviews by national and local government agencies, community organizations, and other stakeholders. The draft zoning plan will be reviewed with the relevant agencies, communities, and stakeholder groups through further in-person and virtual meetings. The final plan and a popular summary will be submitted to all the major agencies for them to formally accept by providing letters of support, which, if received in time, will be included in the preface to the document(s).

Component 5 on the engagement of stakeholders will support Component 1 as the outreach will prepare communities, decision-makers and local and national government agencies for informed participation in the management planning and zoning processes for the PBPA. It will support mainstreaming of biodiversity into national and local policies and plans and raise awareness of what our national and local government partners, corporate bodies, NGOs, CBOs, communities and individuals can implement the management plan and species action plans and comply with laws and zoning and thereby reducing direct and indirect threats to the CR and EN species of the PBPA and their habitats.

#### **9. Criteria for eligibility of affected persons:**

It is unlikely that many persons will be negatively affected by the Zoning plan. Those persons who are currently involved in unsustainable, destructive or illegal activities might find that involuntary restrictions will be predominately placed on those activities. C-CAM is aware that limiting access to some resources (wetlands or forests) or where no-build zones are created will impact on the lives and livelihoods of some members of local communities.

Below outlines the existing restrictions of access to resources within the PBPA that are currently protected under law:

- The Forest Act (1996) prohibits the harvesting and removal of trees from forest reserves without a permit. It also makes it an offence to enter a forest reserve with a machete or a dog.
- The Urban Development Corporation (UDC) designated lands (including the Hellshire Hills Forest Reserve and the Goat Islands) are also owned by the UDC. Unauthorised

entry into these lands is treated as trespass. UDC employs rangers to prevent trespassers (including charcoal burners) entering their property.

- The Wild Life Protection Act (1991) prohibits “the possession of the whole or any part, living or dead” of protected animals and birds (sic), hunting of gamebirds outside the declared hunting season and all hunting of gamebirds in forest reserves and game reserves.
- The Fishing Industry Act (Special Fishery Conservation Area) Regulations, 2012 prohibits, among other things, the removal of fish within zones designated as SFCAs. The PBPA currently has 3 SFCAs declared.
- The management plan which will be updated under Component 1 of this CEPF grant will include a zoning plan, to be developed through a participatory process and put into effect through new regulations to be developed under the Natural Resources Conservation relevant Acts. These regulations are to be explored with the assistance of an attorney under this project and piloted by the relevant agency. These are yet to be developed and will not be enacted before the end of the project.

#### Summary profile of existing unsustainable or illegal users to be affected

The zoning plan could potentially suggest reduced access to forest reserves, including wetlands, by about 200 persons who are engaged full or part-time in the following illegal or unpermitted activities in the forests and wetlands:

- Charcoal burners – initial studies suggest that they are most active on the periphery of the hills, although a few are penetrating deep into the forest. The majority enter the forests from the Hill Run side. Some also come by boat from the Manatee Bay coast. Some use the forests year-round, for others charcoal burning is a secondary occupation, which they do when their main occupation is unavailable (e.g. fishing, seasonal work in the cane fields).
- Fuel wood harvesters – These people are most active on the eastern boundary near Hellshire beach, where they collect fuel for the restaurants and cookshops on the beach, whose clients prefer food cooked on an open fire.
- Pot stick harvesters – A few persons enter the forests to cut thin sticks that will be used by the fishers to make their fishing pots. There is no information about how many people do this or where they operate.
- Wild pig hunters – Pig hunters operate mainly from Hill Run and western Hellshire. Pigs are an invasive species so their activities would be welcome, except that they generally hunt with dogs, which are a threat to the iguanas.
- Illegal bird hunters – game bird (columbid) hunting is a middle-class sport and is not carried out for subsistence or as an income-generating activity. Illegal activities include hunting without a license, hunting out of season, shooting protected birds and hunting in a game reserve or forest reserve.
- Fisherfolks – They operate from designated fishing beaches across the PBPA and are mostly artisanal fishers. Illegal activities include fishing in sanctuaries, fishing without a license and catching certain species during close season.

Our interviews with forest users have indicated that only a very small minority of people operate in the remote and very inaccessible core areas of the Hellshire Hills. An unknown but very small proportion (probably fewer than 10 persons) of the estimated 200 persons who use the forests are currently involved in unsustainable and illegal activities.

. C-CAM will work with the donors and partners to establish eligibility criteria for mitigating or compensating measures if they become necessary. Stakeholders who are participating in illegal activities will not be compensated for the lost illegal activities, however they will be engaged with to seek other amenable ways forward in other livelihood options. The zoning plan will seek to identify potentially impacted stakeholder groups. The Stakeholder Engagement Plan provides details on the project stakeholders but is summarized below.

**Table 1. Project affected parties**

Stakeholder group	Involvement in project	Interest	Influence	Component under which will be engaged
<p><b>PBPA community groups, including:</b>            All Hellshire Leadership Council, Salt River Citizens Association, Mitchell Town Citizens Association Old Harbour Bay Community Development Council            Lionel Town Development Area Committee            Salt River Youth Club, Lionel Town Police Youth Club, Hayes Police Youth Club, Portland Cottage Youth Club and Portland Cottage Women’s group.</p>	<p>Provide support during project implementation, e.g., – citizen science to include training and monitoring</p> <p>Target beneficiary of project activities - education and awareness including tours to the PBDC</p> <p>Participate in workshops related to the update of the management plan and zoning</p> <p>Participate in the Youth forum</p> <p>Cuban Tree Frog and other IAS work including monitoring and installation of monitoring stations and building awareness</p>	<p>High</p>	<p>Low</p>	<p>Components 1-5</p>
<p><b>2.Fisherfolks organizations (associations and cooperatives), including:</b>            Half Moon Bay Fishermen’s Cooperative, Old Harbour Bay Fishermen’s Cooperative and</p>	<p>Provide support during project implementation, e.g., – citizen science to include training and monitoring</p> <p>Target beneficiary of project activities - education and awareness including tours to the PBDC</p>	<p>High</p>	<p>Low</p>	<p>Components 1-5</p>

Fisherfolks Associations, Welcome Beach Fisheries Association, Rocky Point Fishermen's Cooperative, Portland Cottage Fishers Association	Participate in workshops related to the update of the management plan and zoning			
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**Table 2. Other interested parties**

Stakeholder groups	Involvement in Project	Interest	Influence	Component under which will be engaged
NEPA	Support for development of management plan and approval of plan  Support zoning and new PBPA regulations  Reduction of IAS impacts  METT Operations planning  Project management Committee  Signage	High	High	Component 1-5 & 7
National Fisheries Authority (NFA)	Support for development of management plan and approval of plan  Support zoning and new PBPA regulations  Reduction of IAS impacts  METT Operations planning  Project management Committee	Medium	Medium	Component 1-5 & 7
Forestry Department	Input in the update of the Management plan and Zoning. Forest management Council	High	High	Component 1-5 & 7

Stakeholder groups	Involvement in Project	Interest	Influence	Component under which will be engaged
	Support zoning and new PBPA regulations  Reduction of IAS impacts  Conservation garden programme including demonstration plots and propagation  METT Operations planning  Project management Committee			
Urban Development Corporation	Input into the management plan and zoning  Overall education and awareness programme  Project Management Committee METT Operations planning	High	Medium	Component 1-5 & 7
National Heritage Trust	Input into the management plan and zoning Project Management Committee METT Operations planning	Medium	Low	Component 1-5 & 7
Marine Police – Old Harbour	Management planning and zoning	Low	Low	Components 1
Municipal Corporations – Clarendon, St. Catherine, and Portmore Municipal Council (including planners)	Input into the Management plans  Support zoning and new PBPA regulations  General education and public awareness  METT  Signage	Medium	Medium	Components 1 & 2

Stakeholder groups	Involvement in Project	Interest	Influence	Component under which will be engaged
Parish Development Committees/Development Area Committees (Clarendon, St. Catherine, Portmore)	Input into the Management plans	Medium	Low	Components 1 & 2
Social Development Commission (Clarendon, & St. Catherine)	Engaging communities in development	Medium	Low	Components 1 & 5
National Housing Trust	Input into the Management plans	Medium	Medium	Component 1
Sugar Industry Authority	Input into the Management plans	Medium	Medium	Component 1
Gun Clubs – PWD, Jackson Bay, Monymusk and Jamaica	Input into the PBPA Management plan	High	Low	Component 1
Jamalco	Input into the PBPA Management plan	High	Low	Component 1
Winalco	Input into the PBPA Management plan	High	Low	Component 1
New Fortress Energy	Input into the PBPA Management plan	Medium	Low	Component 1
Jamaica Energy Partners	Input into the PBPA Management plan	High	Low	Component 1
SCJ Holdings	Input into the PBPA Management plan	High	Low	Component 1
National Housing Trust	Input into the PBPA Management plan	Medium	Low	Component 1
Universities – UWI, NCU, UTECH	Input into the PBPA management plan, Conservation action plan & IAS	Medium	Low	Component 1, 2 & 3
The Nature Conservancy	Input into the PBPA Management plan	Medium	Low	Component 1
Institute of Jamaica	Input into the PBPA Management plan, Conservation action plan & IAS	Medium	Low	Component 1, 2 & 3

#### Participatory implementation

Participatory implementation is an integral element of the project strategy for minimising negative impacts of improved KBA management, on stakeholders and user groups and for ensuring that they support project actions. C-CAM has consistently applied participatory processes in developing management plans for the area and will continue to do so as it focuses on implementation. Co-management is fundamental to C-CAM's approach. C-CAM has involved stakeholders including resource users in the design of the PBPA, the Special Fisheries Conservation Areas (SFCAs) and the proposed

Biosphere Reserve. It has also engaged stakeholders in the development and review of the management plans prepared by C-CAM under CEPF Grant #59913, which set the stage for this project.

As previously explained in 3 above, the user councils will be the primary mechanism for direct community and user-group representation on the PBPA management council for the protected area. General community consultations will be handled through the Parish Development Committees. These groups will participate in the C-CAM projects committee and will be engaged in review of plans and programmes for the project area.

The projected schedule of management council meetings is once per quarter.

The role of the Community Development Officers will be to liaise with the communities and stakeholders, supporting the community monitoring programme, the Conservation Gardens, and other on-the-ground activities. They will carry out the stakeholder awareness programmes at the Portland Bight Discovery Center, with youth groups, local and national government representatives, community groups, women, media and PDCs, especially through their Development Area Committees. They will also meet with people in informal settings in order to gather and share information related to threat reduction, conservation of natural resources, climate change, livelihood enhancement, invasive species control, biodiversity and sustainable development. Persons will interact with the C-CAM field team. They will be ideally placed to ensure that there are no grievances as a result of project activities and to make people aware that there are procedures in place to ensure that they are not disadvantaged as a result of the project.

#### **10. Measures to assist affected persons:**

This project seeks to develop a zoning plan that reduces current and future threats to biodiversity, whilst avoiding impacts on income and livelihoods. The primary mechanisms to mitigate these impacts are through (i) a highly participatory approach in which the potentially affected stakeholders are involved in the development of the zoning plan and (ii) outreach on reducing threats to target species and encouraging support for the zoning plan. (iii) working with government, donors and partners to develop potential alternatives, which could include alternative livelihoods such as beekeeping to include training and start-up costs, development of food forests or areas where trees are maintained for charcoal production to name a few.

The project approach is rooted in participatory processes aimed at ensuring that those who stand to lose livelihoods will have a say in determining suitable, sustainable alternatives that are compatible with the effective management of the resource. Any agreements that might be arrived at will be documented and monitored by C-CAM and partners. C-CAM acknowledges that many of these persons are among the most vulnerable stakeholders, hence the project includes a deliberate strategy to “give voice” to these people through user-led groups whose perspectives inform management of the area.

- Identification of potentially eligible persons that may be affected by the zoning plan, i.e., people who currently earn all or part of their livelihoods from activities that encroach on the KBA on a regular (including seasonally regular) basis. These can include charcoal producers, pot stick harvesters, fishers, etc. Solutions will be sought to assist affected persons. The

primary mechanisms have been identified in the paragraph above. Results of any engagement or agreements will be documented.

- **Formation of user councils:** Using the Portland Bight Fisheries Management Council as a model, C-CAM will engage existing user groups and CBOs and then bring representatives together to make recommendations for resource management. These groups include the Portland Bight Tourism Council, the Forest Council and an Industrial Council. The user councils will be the primary mechanism for direct community and user-group representation on the management council for the protected area. User Councils facilitate the organisation of users into groups that will allow them to better articulate their needs and participate in addressing the problems they face. They will also be an important vehicle for stakeholder-driven identification of potential mitigating or compensating measures to be provided to persons adversely affected, and the procedures by which adversely affected community members will decide among the options available to them. C-CAM will also ensure gender equity in the formation and implementation of user councils. The Portland Bight Fisheries Management Council had an established Terms of Reference (TOR) which needs to be updated, and a strategic plan. Under the sub-project, the Revised TORs will be developed. In addition, where available, previously identified potential council committee members, will be engaged for this sub-project.
- **Enforcement working group:** C-CAM will work with and through the Enforcement Working Group to develop a feasible slate of acceptable mechanisms for phasing out illegal use of the resource by those who habitually use it as part of their livelihood strategies with a strong focus on avoiding and/or mitigating potential negative impacts on stakeholder wellbeing. The existence of a list or register will guard against new entrants attempting to establish themselves in the area after the project has started in efforts to benefit from any phase-out support that may be offered. Potential mechanisms include relocation and transitioning to alternative livelihoods with support for training offered through complementary programmes offered by groups such as the All-Island Bee Farmers Association, the Social Development Commission, and the Small Business Development Association.

#### 11. **Timeline and resources:**

The implementation of this process will occur throughout the entire project time frame. The cost of implementing the plan is mostly included in the CEPF project. *Actions to mitigate access restrictions to natural resources (if any) will be integrated into the PBPA Management and Zoning Plan and budgeted for. Because no restrictions will be introduced during the lifetime of the CEPF grant, appropriate mitigation actions cannot be identified and budgeted for yet.*

Action	Implementation Schedule	Cost Estimate (USD)
Support for online meetings and mobilization (data, Zoom, and telephone calls)	Monthly data and related costs throughout the life of the project	\$4,400

<b>Action</b>	<b>Implementation Schedule</b>	<b>Cost Estimate (USD)</b>
Lead Technical Consultant (lead on development of management and zoning plan as well as stakeholder engagement plan)	September 2023 – March 2025	\$47,250
Public Education Officer (mobilization for meetings, facilitating stakeholder engagement including grievances) (part salary)	September 2023 – June 2025	\$20,000
Participatory Workshops	January 2023 – June 2025	\$15,000

**12. Monitoring arrangements:**

C-CAM will monitor and evaluate the effectiveness of the measures listed above through regular communication and coordination with all its staff, consultants, the CEPF Secretariat, RIT and key project stakeholders such as grantees, government agencies and other in-country partners. C-CAM will report on its efforts and results in bi-annual reports to the CEPF Secretariat as well as in RIT site visits and CEPF supervision missions.

Primary monitoring responsibility will fall to Mr. Simpson, who will complete monthly reports based on a basic reporting form, which C-CAM will develop. The monthly report will include data collected about the application of the measures above, report any issues and concerns, make recommendations, as needed and identify any gaps that may need to be filled.

**13. Disclosure**

This Process Framework will be disclosed publicly on C-CAM’s website and specific measures and steps within the plan will be communicated to stakeholders as needed (i.e., in preparation of meetings, workshops, events and other in-person gatherings).

- 14. Grievance mechanism:** The following describes the process C-CAM will undergo for resolving disputes relating to resource use restrictions that may arise within or among affected communities or grievances that may arise from members of communities who are dissatisfied with the eligibility criteria, community planning measures, or actual implementation. The GRM will be made available to stakeholders, including via C-CAM’s website, once the project starts. Grievances that relate to C-CAM project workers and external stakeholders will be handled by a separate mechanism which is included as part of the project’s Labor Management Procedures and the Stakeholder Engagement Plan.

The key measures will be to explain the purpose of any visits or activities to stakeholders, explain the existence of the GRM and make available contact information of C-CAM and the CEPF Secretariat. This will be done through a printed handout or other locally appropriate means such as through announcements at public meetings, workshops, through notices placed on C-CAM’s social media sites, community notice boards (post offices, churches where possible).

## **Objectives of the GRM**

The objectives of the GRM are as follows:

1. Ensure that the World Bank ESSs are adhered to in all project activities.
2. Address any negative environmental and social impacts of all project activities.
3. Resolve all grievances emanating from project activities in a timely manner.
4. Establish relationships of trust between project staff and stakeholders.
5. Create transparency among stakeholders, including affected persons, through an established communication system.
6. Bolster the relationship of trust among the project staff and the affected parties.

## **First Level of Redress**

1. Receive Grievance: All complaints should be received by the Executive Director at C-CAM. Complaints can be made in person, in writing, verbally over the phone, by email or any other suitable medium. Complaints can be filed anonymously. The point of receipt of complaints is listed below:

### **Contact**

Telephone +1-876-986-3327 (landline) or 1-876-289-8253 (mobile or WhatsApp)

Email address ccamfngo@gmail.com

Physical address Bustamante Drive, Lionel Town, Clarendon, Jamaica

All grievances received by C-CAM staff should be forwarded to the Executive Director within 24 hours of receipt.

2. Acknowledgement: All grievances will be acknowledged by telephone or in writing by C-CAM within 48 hours of receipt and the complainant will be informed of the approximate timeline for addressing the complaint, if it can't be addressed immediately. C-CAM will seek to ensure the speedy resolution of the grievance. If the grievance cannot be resolved at this level, it is taken to the next level.

3. Record: The grievance will be registered in C-CAM's grievance file, including relevant documents.

4. Notification: Communication of the grievance as follows:

- a. If it is concerning C-CAM's project, communication to the Executive Director and the RIT Manager.
- b. Notification will also be made to the CEPF Grant Director within 15 days.
- c. If it is concerning general C-CAM operations/activity, communication to C-CAM's Executive Director.

5. Assessment: A decision is made on the nature of the investigation that will take place.

6. Investigation: Appropriate investigation of the grievance by an internal team assigned to this task (for example, this may include staff directly involved as well as the Executive

Director). The investigation may include meetings with the complainant and other stakeholders and a review of relevant documents. An impartial party shall be involved in meetings with the complainant. Community representatives or representatives of the complainant will be allowed to sit in on these meetings. Minutes of meetings and documents will be added to the grievance file.

7. Resolution: Depending on the findings of the investigation:

- a. A resolution is decided immediately
  - i. The complaint is rejected
  - ii. A response is agreed
  - iii. The complaint is referred as appropriate
- b. A resolution cannot be achieved, and the case is presented to the RIT Manager and the CEPF Grant Director for further input

8. Communication: Once a resolution has been reached, the decision is communicated to the complainant in writing. Documents are added to the grievance file.

9. Satisfaction: If the complainant is not satisfied by C-CAM's response, it can be taken to the second level of redress. At all stages, documents are added to the grievance file.

NB: The complainant may request that the issue be transferred to the second level of redress if he/she does not feel that the grievance is being adequately addressed by C-CAM's Executive Director.

### **Second Level of Redress**

If claimants are not satisfied with the way in which their grievance has been handled at level one, they will be given the opportunity to raise it directly with the CEPF Grant Director for the Caribbean Islands Biodiversity Hotspot, who can be contacted as follows:

#### Contact

Title                      Grant Director for the Caribbean Islands Biodiversity Hotspot  
Telephone                +1-703-341-2400  
Email address            cepf@cepf.net  
Physical address        Critical Ecosystem Partnership Fund, 2011 Crystal Drive, Suite 600,  
Arlington, VA 22202

### **Third Level of Redress**

If claimants are not satisfied with the way in which their grievance has been handled at level two, they can contact the CEPF Executive Director via the CI Ethics Hotline (telephone:                      +1-866-294-8674                      /                      web                      portal: <https://secure.ethicspoint.com/domain/media/en/gui/10680/index.html>).

If the complainant does not accept the solution offered by the CEPF Executive Director, then the complaint is passed on to the fourth level. Alternatively, the complainant can access the fourth level at any point. It is expected that the complaint will be resolved at

this level within 35 working days of receipt of the original complaint. However, if both parties agree that meaningful progress towards resolution is being made, the matter may be retained at this level for a maximum of 60 working days.

### **Addressing Sexual Exploitation and Abuse and Sexual Harassment**

The specific nature of sexual exploitation and abuse and of sexual harassment (SEA/SH) requires tailored measures for the reporting, and safe and ethical handling of such allegations. A survivor-centered approach aims to ensure that anyone who has been the target of SEA/SH is treated with dignity, and that the person's rights, privacy, needs and wishes are respected and prioritized in any and all interactions.

The GM will specify an individual who will be responsible for dealing with any SEA/SH issues, should they arise. A list of SEA/SH service providers will be kept available by the project. The GM should assist SEA/SH survivors by referring them to Services Provider(s) for support immediately after receiving a complaint directly from a survivor.

To address SEA/SH, the project will follow the guidance provided on the World Bank Technical Note "Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing Involving Civil Works". This GM will follow the official WB definitions described on the Technical Note as shown below:

**Sexual Abuse (SEA)** is an actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions

**Sexual Exploitation (SE)** refers to any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

#### **Sexual harassment (SH)**

Sexual Harassment (SH) is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.

#### **Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) service provider**

An organization offering specific services for SEA/SH survivors, such as health services, psychosocial support, shelter, legal aid, safety/security services, etc.

#### **Survivor-centered approach**

The survivor-centered approach is based on a set of principles and skills designed to guide professionals—regardless of their role—in their engagement with survivors (predominantly women and girls but also men and boys) who have experienced sexual or other forms of violence. The survivor-centered approach aims to create a supportive environment in which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The approach helps to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

SEA/SH grievances can be received through any of the available channels and will be considered as "High-profile grievances - that if not resolved promptly may represent significant risks to the

environment or community". A list of SEA/SH service providers for Jamaica is available at the RIT's page: <https://canari.org/wp-content/uploads/2022/06/CEPF-II-GBV-Service-Providers-Jamaica2.pdf> . Additionally, if an incident occurs, it will be reported as appropriate, keeping the anonymity and confidentiality of the complainant and applying the survivor-centered approach<sup>[1]</sup>. Any cases of SEA/SH brought through the GM will be documented but remain closed/sealed to maintain the confidentiality of the survivor. CEPF will be notified as soon as the Executive Director relevant authorities in the sub-project learn about the complaint.

If a SEA/SH related incident occurs, it will be reported through the GM, as appropriate and keeping the survivor information confidential. Specifically, following steps will be taken once an incident occurs:

### **ACTION 1: COMPLAINT INTAKE AND REFERRAL**

If the survivor gives consent, the Project Coordinator fills in a complaints form excluding any information that can identify the survivor:

- The nature of the allegation (what the complainant says in her/his own words without direct questioning)
- If the alleged perpetrator was/is, to the survivor's best knowledge, associated with the project (yes/no)
- The survivor's age and/or sex (if disclosed); and,
- If the survivor was referred to services

If the survivor does not want to provide written consent, her consent can be verbally received. If needed or desired by the survivor, the Project Coordinator refers her/him to relevant SEA/SH service providers, identified in the mapping of SEA/SH service providers and according to preestablished and confidential referral procedures. The survivor's consent must be documented even if it is received verbally. The service providers will be able to direct survivors to other service providers in case the survivor wishes to access other services. The Project Coordinator will keep the survivor informed about any actions taken by the perpetrator employer. If the survivor has been referred to the relevant SEA/SH service providers, received adequate assistance, and no longer requires support; and if appropriate actions have been taken against the perpetrator or if the survivor does not wish to submit an official grievance with the employer, the Project Coordinator can close the case.

### **ACTION 2: INCIDENT REPORTING**

The Project Coordinator needs to report the anonymized SEA/SH incident as soon as it becomes known, to the Executive Director who will in turn inform the CEPF.

Complaint Forms and other detailed information should be filed in a safe location by the Project Coordinator. Neither the Project Coordinator nor the Executive Director should seek additional information from the survivor.

SEA/SH incident reporting is not subject to survivors' consent, but the Project Coordinator needs to provide ongoing feedback to the survivor at several points in time: (1) when the grievance is received; (2) when the case is reported to CEPF; (3) when the verification commences or when a determination is made that there is an insufficient basis to proceed; and (4) when the verification concludes or when any outcomes are achieved or disciplinary action taken.

As long as the SEA/SH remains open the Project Coordinator and/or Executive Director should update the CEPF on the measures taken to close the incident.

### **ACTION 3: GRIEVANCE VERIFICATION AND INVESTIGATION**

Each SEA/SH incident should be verified to determine if it was related to the WB financed project. The Project Coordinator should form a SEA/SH verification committee comprised by her/him, one member of the PIU, one member of a local service provider and a representative of the contractor (if relevant). The Project Coordinator should notify the SEA/SH Committee of the incident within 24 hours of its creation. The SEA/SH verification committee will consider the SEA/SH allegation to determine the likelihood that the grievance is related to the project.

If after the committee review, SEA/SH allegation is confirmed and it is determined that it is linked to a project<sup>[2]</sup>, the verification committee discusses appropriate actions to be recommended to the appropriate party—i.e., the employer of the perpetrator, which could be the grantee or a contractor. The grantee will ask contractors to take appropriate action. The committee reports the incident to the perpetrator's employers to implement the remedy/disciplinary action in accordance with local labour legislation, the employment contract of the perpetrator, and their codes of conduct as per the standard procurement documents.

For SEA/SH incidents where the survivor did not consent to an investigation, the appropriate steps should be taken to ensure the survivor is referred to/made aware of available services and that the project mitigation measures are reviewed to determine if they remain adequate and appropriate or if they require strengthening.

If the survivor is interested in seeking redress and wishes to submit an official complaint with the employer, or with entities in the Country legal system, the Project Coordinator should provide linkages to the relevant institutions. Ensuring due legal process is up to the police and the courts, not the SEA/SH verification committee. Unlike other types of issues, the Project Coordinator does not conduct investigations, make any announcements, or judge the veracity of an allegation.

Any cases of SEA/SH brought through the GM will be documented but remain closed/sealed to maintain the confidentiality of the survivor. Here, the GM will primarily serve to:

- Refer complainants to the SEA/SH Services Provider; and
- Record the resolution of the complaint

The GM will also immediately notify both the Implementing Agency and the World Bank of any SEA/SH complaints **WITH THE CONSENT OF THE SURVIVOR**.

<sup>[1]</sup> The survivor-centered approach is based on a set of principles and skills designed to guide professionals—regardless of their role—in their engagement with survivors (predominantly women and girls but also men and boys) who have experienced sexual or other forms of violence. The survivor centered approach aims to create a supportive environment in which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The approach helps to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

<sup>[2]</sup> Project actors are: (a) people employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project (direct workers); (b) people employed or engaged through third parties (Project staff, subcontractors, brokers, agents or intermediaries) to perform work related to core functions of the project, regardless of location (contracted workers); (c) people employed or engaged by the Borrower's primary suppliers

(primary supply workers); and (d) people employed or engaged in providing community labour such as voluntary services or participation in project activities and processes (community workers).