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1. ACRONYMS

Acronym	Term
AC	Affected communities
ANI	Agencia Nacional de Infraestructura
ANLAA	Autoridad Nacional de Licencias Ambientales
APs	Affected Peoples
DAA	Analysis of alternatives
DPs	Displaced persons
EIA	Environmental Impact Assessment
ESMS	Environmental and Social Management System
IFC	International Finance Corporation
INC	Instituto Nacional de Concesiones
NTS	Non-Technical Summary
PS	Performance Standards
RAP	Resettlement Action Plan
SEP	Stakeholder Engagement Plan
SIA	Social Impact Assessment
SU	Social Unit
UF	Unidad Funcional


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2. 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 APs 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.
Displaced persons (DPs)	Displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
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 DPs can raise their concerns and grievances to Project authorities.
Holder (<i>Poseedor</i>)	One who owns a real estate with the intention of lord and master according to what is available in the civil code. The holder must satisfy in the property or with the property his basic necessities
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
Improvement (<i>Mejora</i>)	An improvement constitutes one or more additional attributes to the land that add value to the real estate as a product of anthropic intervention, including crops, constructions, irrigation systems, private roads, gates, fences, commerce, industry, and wells, among others.
Inhabitant (<i>Morador</i>)	Home with or without relations of kinship with the owner of the property or improvement, who by consent of this, makes use of housing to meet their basic need, under any title.

Term	Definition
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.
Landlord (<i>Arrendador</i>)	Person that leases property to others.
Land acquisition	Includes both outright purchases of property and acquisition of access rights, such as easements or rights of way
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
Livelihood restoration plan (LRP)	A document designed to mitigate the negative impacts of economic displacement. It establishes the entitlements of affected persons and/or communities are provided in a transparent, consistent and equitable manner.
Public space occupant	An owner or tenant of a stall, kiosk, booth or a similar construction that has been permanently established within public property in an informal manner. The property is commonly used for informal business 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 in the vicinity of 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 under international standards, depreciation of the asset and value of salvage materials are not taken into account 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) as a result 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

Term	Definition
	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 in order to meet the needs of the people who may be affected by the Project.
Settler (<i>Mejoratorio</i>)	One who realizes or constructs at his own cost and risk improvements on other people's land and who are recognized by means of economic compensation in the development of the land acquisition processes. The quality of a settler excludes any possibility of acknowledgment of ownership in the domain of the property.
Social unit (<i>Unidad social</i>)	Persons that inhabit a dwelling or develops productive activities within a specific property Employees who provide their support services to a social unit do not constitute a different social unit.
Stakeholders	Any and all individuals, groups, organisations, and institutions interested in and potentially affected by a Project or having the ability to influence a Project.
Tenant (<i>Arrendatario</i>)	In accordance with civil and commercial codes, the tenant is the person who owns a property because of a written or oral lease and satisfies the basic needs of the land or the farm.
Vulnerable People	Distinct groups of people who might suffer disproportionately from resettlement effects. They may be households below poverty line or will become below poverty line as result of loss to assets and/or livelihoods, women headed households, the elderly or disabled.

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3. EXECUTIVE SUMMARY

3.1 PROJECT DESCRIPTION

Mott MacDonald LLC (Mott MacDonald) has been appointed by Desarrollo Vial al Mar S.A.S. (DEVIMAR) to act as its environmental and social advisor (E&S Advisor), to prepare a resettlement action plan (RAP) for the “Autopista al Mar 1” Toll Road in Antioquia, Colombia (the “Project”).

The Project consists of an existing 171-kilometer toll road that connects the Medellín, Santa Fe de Antioquia, and Cañasgordas municipalities to the north, and a branch that connects the Santa Fe de Antioquia and Salgar municipalities to the south. The Project has been split into four sections or Functional Units (Unidades Funcionales, or UF), where operations and maintenance (O&M), improvement, rehabilitation, and/or construction work will be conducted (depending on whether there is existing road in the UF), as part of a 25-year concession contract with the National Infrastructure Agency of Colombia (ANI).

O&M activities at all UFs with existing road are underway with approximately 236 employees appointed so far, including environmental, social, and health and safety personnel. Construction work started in August 2017 and as of April 2019, construction, improvement and rehabilitation work is ongoing at all UFs. All construction, rehabilitation and improvement works are to be completed by the last quarter of 2022.


3.2 SCOPE OF RAP

This RAP has been developed to enable DEVIMAR to demonstrate to affected people, potential international lenders and other stakeholders, that the Project is meeting Government of Colombia laws and regulations; and, good international industry practice (GIIP) for land acquisition and resettlement as reflected by the requirements of the International Finance Corporation Performance Standard 5 (IFC PS5).

The contents of the RAP are primarily based on the Project’s existing Land Acquisition Plan and Socioeconomic Compensation Plan. As displacement impacts are taking place in three UFs, this RAP covers UF2.1, while another RAP will be in place to comprise the other UFs with displacement impact – UF1 and 3.

The scope of this RAP includes all 134 SU affected by displacement in UF2.1. This is inclusive of the 87 SU (64%) in UF2.1 where detailed socioeconomic surveys have been undertaken by DEVIMAR, containing 277 affected people, for which detailed baseline data is available.

The entitlements provided under Colombian legislation mitigate resettlement impacts on affected persons’ wellbeing and livelihoods and require active engagement and consultation with affected households. Colombian legislation is broadly aligned to international lender standards and no material gaps have been identified between Colombian law and international

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standards, as typified by PS5 entitlements and processes. The main gaps relate to the consideration of depreciation rates in the calculation of replacement costs, lack of livelihood restoration measures specifically targeting displaced persons, and lack of options for in-kind compensation. Additional compensation and support measures over and above Colombian legal entitlements are being employed to bridge these gaps including psycho-social counselling, relocation assistance to find new housing, social management programmes for affected persons with vulnerabilities, livelihood support programmes available for all households in the Project area of influence, and the non-application of depreciation rates for land and housing under a certain threshold of value.

3.3 PROJECT BASELINE AND IMPACTS


Among the 134 affected social units (SU – residences or commercial units, or both) within UF2.1, a total of 87 SU containing 277 affected people (AP – residents and business owners) meet the national eligibility criteria for socioeconomic compensation and were included in the socioeconomic surveys undertaken from 14 March to 3 April 2017. Among the surveyed SU, 53 are residential, 6 commercial and 20 both residential and commercial, who are all located within the municipalities of San Jerónimo and Sopetrán. Afro-Colombian individuals, who are identified under national legislation as vulnerable and marginalised ethnic minorities, and thus are eligible for additional socioeconomic support, comprise the majority (61%) of surveyed SU. The Project traverses through both peri-urban and rural areas and there is a wide range of socioeconomic conditions among the SU. Most APs are engaged in formal employment including low-skilled agricultural and service sector work, which is not likely to be significantly impacted due to relocation. However, the 26 businesses that mainly entail small shops operated by the SU will be physically displaced and will be required to re-establish their businesses in a new location or turn to alternative livelihoods.

A variety of types of crops and trees are located on affected properties including hedgerows, pastures and secondary forests. Five properties are involved in commercial agricultural production, entailing small-scale, family operations that produce crops such as coffee, vegetables and fruit trees.

APs identified as meeting national criteria for vulnerability and entitled to additional socioeconomic support include 143 Afro-Colombians, 31 elderly members of households, 18 households headed by single mothers and 23 households with victims of violence or displacement, in addition to smaller numbers of APs with disabilities. There are additionally ten SU who reported making less than the national monthly minimum wage. Overall, half of the surveyed SU meet at least one of the national vulnerability criteria.

3.4 ELIGIBILITY & ENTITLEMENTS

The RAP will be implemented according to a compensation eligibility and entitlements framework that has been developed in line with Colombian law, as well as GIIP where

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applicable. In summary, the eligible SU that would experience displacement receive the following four types of compensation and support:

- **A. Asset compensation:** Cash compensation for the value of their land, constructions, housing, and crops as applicable as per the Land Acquisition Plan, accounting for replacement value (defined as the market value of the assets plus transaction costs with depreciation taken into account).
- **B. Socioeconomic compensation:** Financial support for relocation according to their relationship to the property as per the Socioeconomic Compensation Plan (if the SU is eligible as per Resolution 545 of 2008)
- **C. Social relocation and livelihood support:** Social relocation assistance to ensure that they are able to restore their initial living conditions and re-establish their means of subsistence as per the Project’s social management programme
- **D. Physical relocation support:** Assistance to eligible Afro-Colombian communities (who are entitled to additional entitlements under Colombian law) and public educational institutions, to identify and acquire new properties, construct new housing/structures and relocate to the new sites

Vulnerable affected persons are provided additional entitlements under the Project’s social management programmes as required by national law, including through additional compensation and social relocation support programmes in which support is given to find new housing, and follow-up visits are undertaken to verify that their living conditions and livelihoods have been restored or improved following the resettlement process.

3.5 RAP BUDGET

The estimated compensation for loss of assets including land, structures, and crops as well as damages for lost profit will be approximately 75,319 million COP, while socioeconomic compensation will comprise an estimated 2,036 million COP. The overall resettlement programme, inclusive of a 10% contingency amount, will have an estimated budget of 85,089 million COP or 26.1 million USD. Given that study of title deeds and compensation payments are still ongoing, final amounts will not be known until they are completed. Thus, the exact amounts may end up differing than these estimates provided.

3.6 RAP IMPLEMENTATION PROCESS


DEVIMAR has established land acquisition and socio-economic compensation teams and conducted public consultation meetings, consultation with APs. DEVIMAR also initiated the property purchase, compensation payments, and socioeconomic relocation support for SU being displaced in June 2017. These activities are ongoing and estimated to be completed by in mid-2019. The study of title deeds is also ongoing to establish the total size and number of properties required for UF2.1, having started in July 2016 and expected to be completed by august 2019. A summary of progress to date is shown below in Table 1.

Table 1: RAP Implementation Progress¹

Entitlement	Number of SU paid/served	Number of SU pending	Amount paid	Payment offer	Amount pending
A. Asset compensation	22 SU / 105 Properties (1st Payment)	112 SU / 119 Properties	\$30.628.612.936	\$54.637.449.846	\$24.008.836.910
B. Socioeconomic compensation	22 SU /134	112/134	\$114.778.596	\$224.300.866	\$109.522.270
C. Social relocation and livelihood support	192 out of 384 SU across all UFs	209 out of 384 SU across all UFs	-	-	-
D. Physical relocation support	0 out of 46 Afro-Colombian SU	46 out of 46 Afro-Colombian SU	-	-	-

Monitoring is ongoing through ANI (National Infrastructure Agency) and the External Controller, who are responsible for directly monitoring DEVIMAR’s resettlement process and ensuring that it is complying with contractual and legislative requirements. DEVIMAR submits data reports to ANI on a monthly as well as trimestral basis with progress in its compensation, valuation and socioeconomic survey processes. Internal monitoring is also done through development of progress reports on its land acquisition and social management programmes, and internal quality control and auditing of the property appraisals and compensation payments.

¹ Exchange rate of 1 USD = 3.247,72 COP as of April 2019

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4. RESUMEN EJECUTIVO

4.1 DESCRIPCIÓN DEL PROYECTO

Mott MacDonald LLC (Mott MacDonald) ha sido nombrado por Desarrollo Vial al Mar S.A.S. (DEVIMAR) para actuar como su asesor social y ambiental (E&S Asesor) y para elaborar un plan de acción de reasentamiento (RAP) para el proyecto Autopista al MAR 1 en Antioquia, Colombia.

El Proyecto cuenta con una extensión de 171 kilómetros de carretera que conecta los municipios de Medellín, Santa Fe de Antioquia y Cañasgordas al norte, y una derivación que conecta los municipios de Santa Fe de Antioquia y Salgar hacia el sur. El Proyecto se ha dividido en cuatro secciones o Unidades Funcionales o UF, donde se adelantarán las actividades de operación y mantenimiento (O&M), mejoramiento, rehabilitación y / o construcción (en caso de contar con una vía existente en la UF), como parte del contrato de concesión a 25 años celebrado con la Agencia Nacional de Infraestructura de Colombia (ANI).

Las actividades de O&M en todas las UF, en las que se presentan carreteras, se realizan con 236 empleados actualmente nombrados, incluido el personal ambiental, social y de seguridad y salud en el trabajo; a partir del 31 de agosto de 2018, se adelantan trabajos de construcción, mejoramiento y rehabilitación vial en todas las Unidades Funcionales, todas las obras mencionadas se completarán en el último trimestre del 2022.


4.2 ALCANCE DEL RAP

Este RAP se ha diseñado para permitir a DEVIMAR mostrar ante las personas afectadas por el proyecto, ante los posibles prestamistas internacionales y otros interesados en conocer el cumplimiento del Proyecto, el cumplimiento de las leyes y regulaciones del Gobierno de Colombia y de las buenas prácticas de la industria internacional (GIIP) en materia de adquisición de predios y reasentamiento poblacional, como se describen en los requisitos de la Norma de Desempeño 5 de la Corporación Financiera Internacional (IFC PS5).

El contenido del RAP se basa principalmente en el Plan de Adquisición de Predios y el Plan de Compensaciones Socioeconómicas del Proyecto. Debido a que los impactos del desplazamiento se ocasionan en tres UFs, este RAP comprende la UF 2.1; mientras que otro RAP abarcará los impactos que se presentan por el desplazamiento poblacional las UF 1 y UF 3.

El alcance de este RAP abarca un total de 134 SU afectadas por el desplazamiento en la UF 2.1, incluyendo a 87 SU (64%), que fueron identificadas por DEVIMAR y han sido caracterizadas en la Línea Base Socioeconómica.

Los derechos previstos en la legislación colombiana mitigan los impactos de reasentamiento sobre el bienestar y el sustento de las personas afectadas, requiriendo la participación y consulta a las familias afectadas. La legislación colombiana está ampliamente alineada con los estándares

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internacionales no se han identificado brechas significativas entre la legislación colombiana y los estándares internacionales de las entidades financiadoras, como se describe en los derechos y procesos de PS5. Las principales brechas se relacionan con la consideración de las tasas de depreciación en el cálculo de los costos de reposición del inmueble, la falta de medidas de restablecimiento físico de los medios de subsistencia y la falta de opciones de compensaciones especialmente a personas desplazadas, por otra parte se emplean programas de Gestión Social para la asesoría en el proceso de restablecimiento de condiciones de vida para todos los hogares del área de influencia del proyecto y la no aplicación de la depreciación del valor de las viviendas bajo un umbral de valor.

4.3 PROYECTO DE LÍNEA BASE E IMPACTOS.


Entre las 134 Unidades Sociales afectadas (SU- residentes o comerciales o de otros tipos) ubicadas en la UF 2.1, se encuentran 87 SU que representan 277 personas afectadas (AP – residentes y propietarios de negocios) identificadas en las encuestas socioeconómicas aplicadas entre el 14 de marzo y el 3 de abril de 2017, entre los encuestados se identificaron que 53 SU son residenciales, 6 comerciales y 20 residenciales y comerciales, en su totalidad ubicadas en entre los municipios de San Jerónimo y Sopetrán; entre esta población se identificaron también individuos Afro-Colombianos, quienes son protegidos por la legislación colombiana por pertenecer a minorías étnicas marginales y por lo tanto son sujetos de compensaciones socioeconómicas adicionales, estos individuos representan el 61% de la población encuestada. Cinco propietarios ejercen la agricultura comercial que requiere mano de obra familiar para la producción a baja escala, entre los productos que se cultivan se encuentran el café, verduras y árboles frutales.

La Población Afectada -AP- identificada se encuentra dentro de los criterios nacionales de vulnerabilidad y de elegibilidad para la aplicación de los factores de apoyo socioeconómico incluyendo a 143 personas afrocolombianas, 31 adultos mayores, 18 mujeres madres cabeza de hogar, 23 víctimas de la violencia y el desplazamiento forzado y un menor número de personas con alguna discapacidad. Existen además entre estas personas 10 SU, que reportaron ingresos menores a un salario mínimo mensual. En general, la mitad de la SU encuestada cumplen al menos con uno de los criterios de vulnerabilidad nacional.

4.4 DERECHOS Y ELEGIBILIDAD

El RAP será implementado de acuerdo a los derechos y criterios de elegibilidad siguiendo el marco legal colombiano, al igual que las GIIP aplicables. En resumen, las SU que se trasladan, podrían recibir cuatro tipos de compensación y apoyo así:

- **A. Compensación de Activos:** Compensación en efectivo por el valor de las áreas de terreno requeridas, construcciones, viviendas y cultivos, según el Plan de Adquisición de Tierras, que representa el valor de reemplazo (definido como el valor de mercado de los activos más los costos de transacción con la depreciación tomada en cuenta).

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- **B. Compensación socioeconómica:** apoyo financiero para la reubicación de acuerdo con su relación con la propiedad según el Plan de compensación socioeconómica (si la SU es elegible según la Resolución 545 de 2008).
- **C. Apoyo social para la reubicación y restablecimiento de medios de económicos:** Asesoría en el proceso de reubicación social para garantizar que las SU puedan restaurar sus condiciones de vida iniciales y restablecer sus medios de subsistencia según el programa de gestión social del Proyecto.
- **D. Apoyo para la reubicación física:** asistencia a comunidades afrocolombianas (que tienen derechos adicionales según la ley colombiana) e instituciones educativas públicas afectadas, para identificar y adquirir nuevas propiedades, construir nuevas viviendas / estructuras y reubicarse en los nuevos sitios

Las personas afectadas vulnerables cuentan con apoyo adicional mediante los programas de gestión social del Proyecto, tal como lo exige la legislación nacional, incluso mediante compensación adicional y asistencia para la reubicación social, programas en los que se brinda apoyo para encontrar nuevas viviendas, y se realizan visitas de seguimiento para verificar que sus condiciones de vida y medios de vida se hayan restaurado o mejorado después del proceso de reasentamiento.


4.5 PRESUPUESTO DEL RAP

La compensación estimada por la pérdida de activos, incluidas las tierras, las estructuras y los cultivos, así como los daños por lucro cesante serán \$ 75.319.000.000 COP, aproximadamente; mientras que la compensación socioeconómica se estima en \$2,036 mil millones COP. El programa general de reasentamiento, que incluye un monto de contingencia del 10%, tendrá un presupuesto estimado de 85.089 millones de COP o 26,1 millones de dólares.

4.6 PROCESO DE IMPLEMENTACIÓN DEL RAP

DEVIMAR ha conformado equipos de Gestión Predial y compensaciones socioeconómicas ha realizado reuniones de consulta con la población afectada. DEVIMAR igualmente inició la compra de predios y el pago de compensaciones socioeconómicas y el apoyo en el traslado de las SU, desde junio de 2017.


Estas actividades continuaran hasta completarse aproximadamente a mediados de 2019, por otra parte, los Estudios de Títulos que se están realizando para determinar el número de propiedades requeridas para la UF 2.1, iniciaron en julio de 2016 y finalizarán en agosto de 2019.

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Un Resumen del progreso a la fecha se muestra en la Tabla 1.

Derecho	Número de SU compensadas	Número de SU pendientes	Cantidad Pagada	Cantidad Ofertada	Cantidad por pagar
A. Asset compensation	22 SU / 105 Properties (1st Payment)	112 SU / 119 Properties	\$30.628.612.936	\$54.637.449.846	\$24.008.836.910
B. Socioeconomic compensation	22 SU /134	112/134	\$114.778.596	\$224.300.866	\$109.522.270
C. Social relocation and livelihood support	192 de 384 SU en todas las UFs	209 de 384 SU en todas las UFs	-	-	-
D. Physical relocation support	0 de 46 Afro-Colombian SU	46 de Afro-Colombian SU	-	-	-

El monitoreo de estas actividades se está adelantando por parte de la ANI (Agencia Nacional de Infraestructura) y un interventor externo, quien es el responsable del monitoreo directo al proceso de reasentamiento llevado a cabo por DEVIMAR, con el propósito de asegurar que DEVIMAR cumpla con los requisitos legislativos y contractuales; DEVIMAR debe presentar reportes mensuales y trimestrales a la ANI, mostrando el progreso en el pago de los predios, los informes de avalúo y el progreso de aplicación de fichas socioeconómicas. El monitoreo interno también se realiza mediante el desarrollo de informes de progreso sobre el avance de Gestión Predial y de los Programas de Gestión Social y mediante el control interno de la calidad y la revisión de los informes de avalúo de los predios así como de los pagos de las compensaciones.

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5. PART A – RAP REQUIREMENTS AND SCOPE

Details the purpose of the document, the project description and location, the national and international regulations and standards that are applicable to the project, and ultimately the scope of this RAP.

5.1 INTRODUCTION

This document is the Resettlement Action Plan (RAP) for UF (Unidades Funcionales) 2.1 of the Autopista del Mar 1 road construction and rehabilitation project (hereafter referred to as the Project) being undertaken by DEVIMAR S.A.S (hereafter referred to as DEVIMAR).

5.1.1 Overview of RAP Objectives and Scope


This RAP has been developed to enable DEVIMAR to demonstrate to affected people, potential international lenders and other stakeholders, that the Project is meeting national requirements and good international industry practice (GIIP). That is, the laws and regulations for land acquisition and resettlement of the Government of Colombia, as well as GIIP.² Furthermore, this RAP demonstrates the commitments of DEVIMAR’s resettlement policy; namely, to avoid involuntary resettlement, and where unavoidable, to minimise it as well as planning and implementing appropriate measures to mitigate adverse impacts on displaced persons and communities.

The document is structured according to the following three key parts:

- **Part A: RAP Requirements and Scope:** (this part) details the purpose of the document, overarching project and the components that this RAP covers, the national and international regulations and standards that are applicable to the project that this RAP is designed to meet, and ultimately the scope of this RAP.
- **Part B: Resettlement and Livelihood Impact Assessment:** presents the approach and findings of the socioeconomic and asset census surveys undertaken as part of the RAP preparation process. This information is used to provide a socioeconomic baseline profile of the resettlement affected people and communities. Expected changes to this baseline are then described and quantified in terms of losses and other physical and economic displacement impacts predicted.
- **Part C: Resettlement Policy, Entitlements and Compensation Plan:** in accordance with national requirements, this part details the Project’s resettlement policy commitments and entitlements that will be provided to affected people. This includes monetary compensation and non-monetary measures. The approach to implementation is described including consultation, activities, institutional arrangements, monitoring, timeline and budget.

The remainder of **Part A** provides more information on the project description, the RAP scope and the legal and lender requirements related to land acquisition and resettlement.

² As reflected by the involuntary resettlement safeguard requirements of the International Finance Corporation (IFC) of the World Bank Group when applicable.

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5.2 PROJECT DESCRIPTION

5.2.1 Project context

The National Infrastructure Agency of Colombia (ANI) awarded on 14 October 2015 the concession contract No. 14 of 2015 to DEVIMAR, a consortium formed by Sacyr Concesiones Colombia S.A.S., Strabag S.A.S. and Conccay S.A. This contract includes the commitment to design, construct, rehabilitate, improvement, operate, and maintain the Autopista del Mar 1 road in Colombia, expected to last from October 2015 to October 2040. It also includes commitments to oversee the environmental and social management, and land acquisition for the concession.

The concession as currently envisaged includes:

- Construction of 33km of new carriageway and improvement of existing carriageway
- Construction of a 4.6km tube parallel to the existing Occidente Tunnel
- O&M of existing Occidente Tunnel tube
- Rehabilitation of 71km of existing road
- O&M of 171 of existing and new road
- Construction of 37 new bridges
- Refurbishment/widening improvements of 22 bridges

Key milestones achieved to date include the following:

- Concession contract signed: 3 September 2015
- Concession contract start date: 15 October 2015
- Contractual financial close date: 11 September 2016

5.2.2 Concession components and project location

The concession works are to be located entirely in the Department of Antioquia as shown in Figure 1. The Autopista Al Mar 1 route connects Medellín and Santa Fe de Antioquia, then travels north to Cañasgordas and a south branch connecting towards Venecia. This will affect 13 municipalities in total.³

³ Cañasgordas, Buriticá, Sopetrán, San Jerónimo, Medellín, Ebéjico, Concordia, Venecia, Salgar, Betulia, Anzá, Santa Fe de Antioquia and Giraldo

Figure 1: Autopista Al Mar 1 Concession location



Source: Plan estratégico para la construcción del proyecto autopista al mar 1, Consorcio Mar 1

The concession road sections have been divided into four main Functional Units (UF), where operations and maintenance (O&M), improvement, rehabilitation and/or construction work will be conducted (depending on whether the UF contains existing road sections) as described and depicted in Table 2 and Figure 2 below. These UF have been further divided into sub-units. This RAP covers UF2.1. The other RAP covering UF1 and 3 is being developed concurrently.

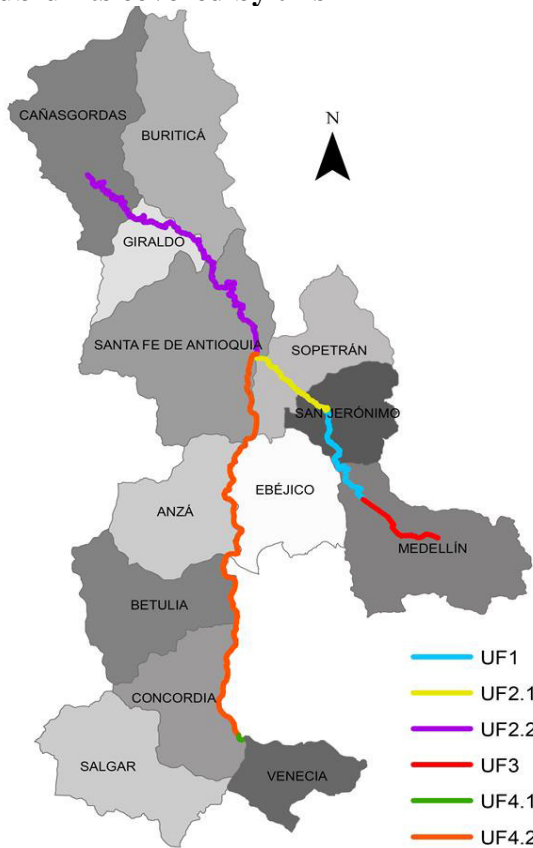
Table 2: Project functional units and scope of works

UF	Sub-unit	Length	Section	Scope of works
UF1	1	19km	Occidente Tunnel (K0+107) – San Jerónimo (K19+200 left carriageway)	Improvement of existing road and construction of new parallel two-lane carriageway
UF2	2.1 (Focus of this RAP)	14km	San Jerónimo (K19+200 left carriageway) – Santa Fe de Antioquia	Improvement of existing road and construction of new parallel two-lane carriageway
	2.2	62km	Santa Fe de Antioquia – Cañasgordas	Operation and maintenance only

UF	Sub-unit	Length	Section	Scope of works
UF3	3.1	5km	Connection Vial Aburrá – Cauca – Connection Occidente Tunnel – Santa Fe de Antioquia	Construction of second tunnel and accesses
	3.2	10km	Connection Vial Aburrá – Cauca – Occidente Tunnel	Operation and maintenance of existing tunnel and road to UF1
UF4	4.1	5km	Bolombolo – Peñalisa	Construction of Bolombolo bypass ⁴
	4.2	66km	Bolombolo – Santa Fe de Antioquia	Rehabilitation of existing road

Source: APENDICE TÉCNICO 1 ALCANCE DEL PROYECTO - February 2016.

Figure 2: Location of UF sub-units covered by this RAP




Source: DEVIMAR

5.2.3 Engineering Alternatives Considered to Minimise Resettlement Impacts

Colombia has a regulatory process for the development of a detailed analysis of alternatives if the regulatory agency determines the Project needs it. To do so, the developer has to make an application in which the project is described, and the environmental authorities then determine in official communication to the project proponent whether an analysis of alternatives (known as DAA) is needed.

⁴ In Otrosí No.3, UF4.1 was eliminated from the construction scope.

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ANI and the External Controller⁵ are responsible for evaluating and providing “no objections” to DEVIMAR’s proposed design iterations and modifications. A key condition required for the no objections includes decreasing the cost of land acquisition and minimizing social and environmental impacts, particularly land affectation. Several modifications have been proposed to reduce the number of properties that need to be acquired.

5.2.4 Scope of this RAP

In total, this Project is expected to have 414 properties and 384 social units affected by displacement impact across all the UFs as detailed in Table 3 below.

Table 3: Affected properties and social units

Type	UF1	UF2	UF3	Total
Properties	226	169	11	406
Social units	269	112	3	384


Source: DEVIMAR

Resettlement impacts have been identified in UF1, 2.1 and 3, thus RAPs have only been developed to cover those three UFs.

The scope of this RAP includes all 112 SU affected by displacement in UF2.1. This is inclusive of the 87 SU (78%) in UF2.1 where detailed socioeconomic surveys have been undertaken by DEVIMAR, containing 277 affected people for which detailed baseline data is available as shown in section **¡Error! No se encuentra el origen de la referencia..**

RAP implementation is ongoing as of the date of this RAP, with activities having commenced in 2016. Currently, property purchase, socioeconomic profiling, compensation payments and relocation of SU are underway across all UFs, as detailed in the implementation schedule in section 7.7.2.

⁵ The body that monitors all DEVIMAR activities – more details on its roles and responsibilities are provided in section **¡Error! No se encuentra el origen de la referencia.**

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5.3 LEGAL AND LENDER REQUIREMENTS

5.3.1 Introduction

This section describes the reference framework against which the RAP has been developed and implemented. The RAP is primarily aimed at meeting compliance with Colombian national legislation while also aligning with GIIP as typified in the International Finance Corporation's Performance Standard (IFC PS) 5, as described in the below sections.

5.3.2 National Legal and Regulatory Requirements

The Project's Concession Contract 014 of 2015 provides the key reference regulatory framework, against which all Project-related land acquisition and resettlement activities must be based. For compliance with this contract, DEVIMAR has developed the following plans to guide the management of land acquisition and socio-economic compensation processes:

- Land acquisition plan: Establishes the property valuation procedures and activities, and methodology to be applied for acquisition of properties required for the Project
- Socio-economic compensation plan: Establishes the socio-economic impacts that generate vulnerabilities, eligibility criteria for socio-economic compensation and the type and amount of compensation to be provided for each category of beneficiaries, in compliance with Resolution 545 of 2008

These documents have been used as the principal basis of this RAP.

At the national level, the Constitution of Colombia provides the starting point for legal land acquisition and resettlement entitlements where it refers to the fundamental right guaranteed by private property and other rights,⁶ and states that public or social interest must prevail over private interests when projects or activities of public utility conflict with individual rights. The key legislation governing land acquisition in Colombia that this Project will comply with are as follows:

- Resolution 545 of 2008 of the National Institute of Concessions (Instituto Nacional de Concesiones, or INC), which defines the social management instruments applicable to infrastructure projects developed by INC, and establishes criteria for the implementation of the Socioeconomic Compensation Plan that is required for infrastructure projects that will have socio-economic impact on social units.
- Property appraisal laws and decrees that establish the processes to be followed.⁷
- The Constitution allows expropriation of private property only for reasons of public utility and social interest, and requires compensation for damages caused and prior consultation.
- Law 388 of 1997 establishes a minimum term of 30 days for the administration to reach a "formal agreement for voluntary alienation, contained in a contract of promise of sale" with

⁶ Acquired under the civil laws in article 58, Modified by Legislative Act No. 1 of 1999

⁷ Including Law 9 of 1989, as amended by Law 388 of 1997, Law 1682 of 2013, Decree 1420 of 1998, Regulatory Resolution 620 of 2008 issued by IGAC

the property owner. Failing that, the administration is allowed to initiate the procedure of expropriation.

- Resolution 2684 of 2015 establishes means through which the economic loss and loss of profit that must be appraised in land acquisition processes are identified for transportation infrastructure projects, contained in Law 1682 of 2013 amended by Law 1742 of 2014, for entities attached to the Ministry of Transport.
- Right to prior consultation for Afro-Colombians: Several legislations establish Afro-Colombians' rights to prior consultation in any decision that would affect their territories including Law 21 of 1991, Law 70 of 1993, Decree 1745 of 1995 and Decree 1320 of 1998.

The Project does have the option to resort to expropriation through legal channels, as ANI has transferred expropriation rights to DEVIMAR. Further details on these and other legislation is provided in Appendix A.

5.3.3 Comparison of Colombian Legislation and IFC PS5

Table 4 provides an overview of the gaps between the applicable Colombian laws and IFC PS5 requirements, as well as an analysis of the materiality of the gaps identified.

Table 4: Comparison between lenders' requirements and national legislation⁸


#	Topic	IFC PS5	Colombian legislation	Materiality of gaps
1	Resettlement planning	PS5 requires proponents to prepare a Resettlement Plan or Livelihood Restoration Plan.	For populations subject to displacement, Resolution 545 of 2008 is applied, requiring the development of the Property Acquisition Plan and the social management instruments (Socioeconomic Compensation Plan and Social Management Program). For the Project, the requirement for a Resettlement Plan as per Resolution 077 of 2012 is not applicable.	Non-material A variety of land acquisition, compensation and social management plans and programs are required to manage resettlement activities in a systematic manner.
2	Valuation	Compensation for asset loss must be at full replacement cost, defined as market value plus transaction costs. Depreciation of structures and	A property appraisal applies the commercial value of the property and its construction and plant improvements, and commercial value of crops, as well as compensation for the expenses related to notarisation, registration, dismantling, packing and transfer of industrial furniture, loss of crop income, formal and informal	Non-material Depreciation is not taken into account for land or housing under a certain threshold of monetary value. ⁹ This mechanism is employed so that the SU with the lowest-valued assets, i.e. the

⁸ Exchange rate of 1 USD = 3044 COP as of August 2018

⁹ Value of 54,685,940 or less as established in Resolution 545 of 2008


#	Topic	IFC PS5	Colombian legislation	Materiality of gaps
		assets should not be taken into account.	economic activities and suspension of lease agreements. A gap in Colombian law is the consideration of depreciation in appraisals. However, depreciation is taken into account only for buildings and not for plant or crop values, nor for land or housing that is worth less than \$54,686,940.	poorest SU who are considered most vulnerable to the economic impacts of displacement, would be fully compensated for lost assets at replacement cost.
3	Livelihood restoration	Preference for replacement land over cash for land-based livelihoods. Access to natural resources retained as far as possible, or similar alternatives. Provide opportunities to improve or at least restore livelihoods and the need for transitional support (or lost net income during the period of transition).	A property appraisal applies the commercial value of the property and its construction and plant improvements, and commercial value of crops and loss of crop income. The Project’s Concession Contract requires the development of an employment policy to prioritise recruitment of APs that are being displaced for the Project. For affected persons who lose profits from their means of subsistence, compensation is accordingly provided. Transitional support is provided for loss of profit equalling six months of earnings for eligible affected persons.	Non-material Affected persons are provided compensation according to rates established at the national level based on income, including transitional support for loss of profits, to mitigate impact on livelihoods. While replacement land or livelihood restoration are not provided, other types of support including psycho-social counselling, relocation assistance to find new housing and livelihood programmes are available for the APs.
4	Additional assistance/ allowances and vulnerable groups	Special assistance measures must be developed for vulnerable groups and standards of living and incomes of displaced poor and vulnerable should be improved.	A Social Management Plan and the Socioeconomic Compensation Plan are required to serve populations with economic vulnerabilities, to support them in the process of voluntary transfer and adaptation to their new property. Social units eligible for the Social Programs include mother heads of households, the elderly and families with disabled members, as further elaborated in section 7.2.2.	No gaps Compensation and additional support through social management programmes are required according to national law, to be provided for affected persons with vulnerabilities including mother heads of households, families with disabled

#	Topic	IFC PS5	Colombian legislation	Materiality of gaps
				and elderly members and poor households.
5	Participation, consultation and grievance mechanism	APs should be actively consulted and should have the opportunity to participate in planning and design of resettlement programs. A grievance mechanism should be in place.	The affected population is informed before and throughout the land acquisition process through socialization meetings as per the Property Acquisition Plan and the Socioeconomic Compensation Plan. The Project is required to have a communications and user assistance programs to inform and assist affected property owners and social units, and enable them to submit grievance and queries.	No gaps National law requires a communications program that includes ongoing consultation, engagement and a grievance mechanism.
6	Eligibility	Those without formal legal rights but with claim to the land or assets recognised under national law, those without legal right or claim to the land and seasonal or temporary residents and businesses are eligible for compensation.	Resident individuals and families with economic and social vulnerabilities who are being displaced, and participants in economic activities affected by the Project, are eligible to be beneficiaries of socioeconomic compensation. These include registered and unregistered owners, and participants in both formal and informal economic activities. Temporary residents and businesses are not eligible for compensation under national law.	Non-material Given that the majority of affected SU comprise permanent residential and commercial units, this is not considered to be a material gap for this project.
7	Payment of compensation	Choice of alternative compensation packages should be offered (land for land, cash, employment, other).	National law does not require or recommend in-kind compensation.	Non-material Support including psycho-social counselling, relocation assistance to find new housing and livelihood programmes are available that mitigate adverse impacts and enable affected persons to restore their livelihoods and living conditions.

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Colombian requirements establish a resettlement process that allows for equitable and transparent treatment of affected households, and active engagement and consultation with affected households throughout the process. Colombian legislation is generally aligned with GIIP, with regards to requirements for property appraisals and development of management plans to manage land acquisition and resettlement processes, with support for vulnerable populations.

No material gaps have been identified between Colombia law and IFC PS5. Gaps include the consideration of depreciation rates in the calculation of replacement costs, and lack of livelihood restoration measures and options for in-kind compensation. However, as detailed in the above table, it is considered that entitlements provided under Colombian legislation appropriately mitigate resettlement impacts on affected persons' wellbeing and livelihoods, including through psycho-social counselling, relocation assistance to find new housing, social management programmes for affected persons with vulnerabilities, livelihood support programmes available for all households in the Project area of influence, and the non-application of depreciation rates for land and housing under a certain threshold of value.

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6. PART B – RESETTLEMENT AND LIVELIHOOD IMPACT ASSESSMENT

This part presents the approach and findings of the socioeconomic and asset census surveys undertaken as part of the RAP preparation process. This information is used to provide a socioeconomic baseline profile of the resettlement affected people and communities. Expected changes to this baseline are then described and quantified in terms of losses and other physical and economic displacement and secondary socioeconomic impacts predicted.

6.1 SOCIOECONOMIC BASELINE

6.1.1 Socioeconomic Survey Activities and Methodology

Preliminary surveys were conducted to identify all SU in the area of land acquisition impact. Subsequently, socioeconomic surveys were undertaken by DEVIMAR at all permanent households and businesses affected by land acquisition and resettlement activities within UF2.1 between 14 March to 3 April 2017, applied to identify the types and value of socioeconomic compensation for which the SU would be eligible as per the Project's Socioeconomic Compensation Plan.

The survey team comprised three male and three female staff members, including two social professionals, two lawyers and two technical engineers. The surveys were based on questionnaires templates as established by ANI which are provided in Appendix D, and were also aligned to the requirements as established by ANLA to supplement the Project's EIA, which required collection of more detailed household data.

Data was collected on the following socioeconomic topics for each member of the affected residential and productive social units identified through the preliminary surveys. The comprehensive surveys only covered permanent residential and business SU that meet the national eligibility criteria for socioeconomic compensation. In total, 87 out of 112 affected SU, comprising 262 APs, were included in the socioeconomic surveys, thus it is not a 100% sample of the APs. However, it is a 100% sample of those eligible for socioeconomic entitlements. The following topics were covered:

- Location
- Property
- Age, gender and ethnicity
- Level of education
- Occupation
- Household members
- Use of land
- Length of residency in property
- Type of construction and structures
- Conditions of property
- Monthly income

- Identification of vulnerable populations (female heads of household, people with disabilities, elderly people and victims of displacement or violence)

The data collected for each SU has been tabulated in Appendix B. This information has been summarised and analysed to complete the socioeconomic baseline profile (sections 6.1.2 to 6.1.8) and affected peoples census (section 6.1.2) in this section.

6.1.2 Demographics, ethnicity and religion

A total of 87 social units (SU – residences or commercial units, or both) containing 262 affected people (AP - residents, business owners and employees) were included in the socioeconomic surveys, out of a total of 112 affected SU in UF2.1. Table 4 below shows an overview of these affected SU and APs. The majority (56) are used for residential purposes, with some being used for commercial purpose (7), while in others, the APs live in and operate commercial enterprises from the same premises (16). The socioeconomic profile in the remainder of this section is based on the aforementioned sample of the 87 SU surveyed.

Table 5: Profile of Affected SU Surveyed

Social unit use	Social Units	Affected people
Residential	53	179
Commercial	6	6
Residential and commercial	20	70
On lease	8	22
Total:	87	277

Source: Household socioeconomic and affected peoples census surveys undertaken by DEVIMAR

A reflection of the number and household composition of the 87 affected SU that were surveyed are shown below in Table 6. For the 25 out of the 112 SU that were not included in the survey, estimations of their household sizes have been estimated based on extrapolation from national average rates.¹⁰ A census and impact summary for the surveyed 87 SU is available in Appendix B.

Table 6: Affected People Census

Type of SU	Number of SU/APs	% of SU/APs
Residential	56	64
Commercial	7	8
Residential and commercial	16	18
On lease	8	9
Gender (AP)		
Male	136	49%
Female	141	51%
Age (AP)		
0-9	31	11

¹⁰ National average size of households is 3.5. Source: <https://population.un.org/Household/index.html#/countries>

	Number of SU/APs	% of SU/APs
10-18	34	12
19-29	63	23
30-39	43	16
40-49	38	14
50-59	23	8
60+	28	10
N/R	17	6
Ethnicity (SU)		
Colombian	34	39
Afro-Colombian	53	61
Others	0	0
<i>Surveyed SU Subtotal</i>	<i>87 / 112</i>	<i>78%</i>
<i>Non-Surveyed SU Subtotal</i>	<i>25 / 112</i>	<i>22%</i>
Estimated Total	112 SU / 654 AP	100%

Source: DEVIMAR

The SU are located in *veredas*¹¹ throughout the municipalities of San Jerónimo and Sopetrán as shown in Table 7 below. The locations are largely rural areas with low population densities and residential, business and public service infrastructure dispersed over a wide area.

Table 7: Location of SU

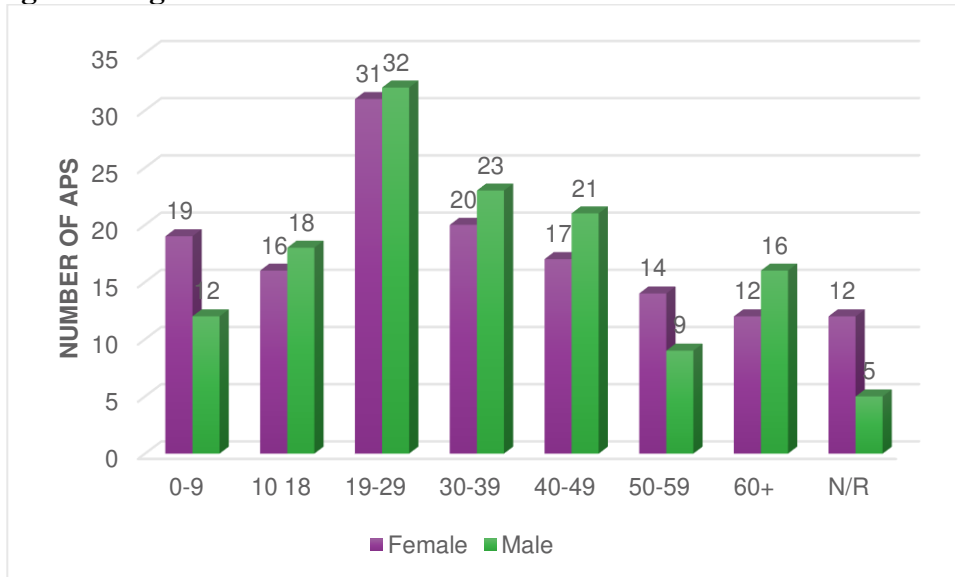
Municipality & vereda	Social units
Municipality of San Jerónimo	
San Vicente	26
Loma Hermosa	1
Municipality of Sopetrán	
El Paso	2
Colfrutas	1
La Puerta	9
Guaymaral	13
Tafetanes	35
Total:	87

Source: Household socioeconomic and affected peoples census surveys undertaken by DEVIMAR

The age distribution of the APs surveyed is presented in Figure 3 below, showing that most of the APs are not considered to have particular vulnerabilities based on their ages.

¹¹ Subdivisions within Colombian municipalities

Figure 3: Age distribution of APs



Source: Household socioeconomic and affected peoples census surveys undertaken by DEVIMAR

Within UF2.1, Afro-Colombian households comprise two-thirds (61%) of the surveyed SU. In comparison, only a quarter of the national population is estimated to be Afro-Colombian.¹²

Afro-Colombians continue to experience marginalisation and discrimination within Colombia. The 2005 census data showed that life expectancy for Afro-Colombians was lower than the national average by 5.5 years for men and nearly 11 years for women, and 54% of Afro-Colombians had unsatisfied basic needs.¹³ Poverty and unemployment rates are also higher for Afro-Colombians compared to the rest of the population with one estimate stating that 74% earn less than the minimum wage.¹⁴ Poverty, employment and education rates for Afro-Colombian women are worse compared to their male counterparts.¹⁵ Political representation is lacking at the national level, with 10 out of 268 (3.7%) Members of Congress identifying as Afro-Colombian as of 2010.¹⁶ The affected Afro-Colombian SU are considered to be vulnerable and will require targeted interventions for resettlement impacts. While Afro-Colombians are not recognised as indigenous peoples according to Colombian law, they are entitled to additional entitlements as established under various national legislation, as detailed in section 5.3.2.

All APs speak Spanish and identify as Catholics with the exception of one AP. This indicates a higher Catholic presence in the Project’s area of influence compared to the national level, where Catholics comprise 58% of the Colombian population.¹⁷

¹² While there are varying estimates ranging from 10.6% to 40%, 26% is the figure currently used by the United Nations. <http://minorityrights.org/minorities/afro-colombians/>

¹³ <https://www.escholar.manchester.ac.uk/api/datastream?publicationPid=uk-ac-man-scw:135289&datastreamId=FULL-TEXT.DOC>

¹⁴ <https://fas.org/sqp/crs/row/RL32713.pdf>

¹⁵ <http://minorityrights.org/minorities/afro-colombians/>

¹⁶ <http://blogs.eltiempo.com/afrocolombianidad/2010/01/14/solo-dos-congresistas-afros-son-considerados-visibles/>

¹⁷ <https://www.vanderbilt.edu/lapop/colombia.php>

6.1.3 Economy, employment and income sources

The affected communities are engaged in employment rates that are generally comparative or better than the national level.¹⁸ Table 8 below provides an overview of economic activities and status of APs.

Table 8: Economic Activities

	Male		Female		Total	
	#	%	#	%	#	%
Economically active sub-total:	92	70	52	36	144	52
Employed:	28	21	24	17	52	19
Self-employed:	39	30	18	12	57	21
Non-specified/various	23	17	9	6	32	12
Unemployed	2	2	1	1	3	1
Economically inactive sub-total:	40	30	93	64	133	48
Housewife	0	0	48	33	48	17
Student	26	20	31	21	57	21
No response or other ¹⁹	14	11	14	10	28	10
Total:	132	100	145	100	277	100

Source: Household socioeconomic and affected peoples census surveys undertaken by DEVIMAR

The unemployment level is lower than to the national rate of 9%.²⁰ Table 9 details the activities that economically active APs are engaged in. The Project traverses through a mix of peri-urban and rural areas, and most SU are involved in formal employment in construction, agriculture or service sector.

Table 9: Livelihoods of Economically Active APs

	Male		Female		Total	
	#	%	#	%	#	%
Employed sub-total	50	40	49	32	99	36
...in office/school	3	2	7	5	10	4
...in industrial/manufacturing service	4	3	2	1	6	2
...in construction or carpentry	16	13	3	2	19	7
...in agriculture or other entity	10	8	5	3	15	5
...in animal products or butchery	2	2	2	1	4	1
...in domestic work	0	0	24	16	24	9

¹⁸ The economically inactive percentage is slightly higher at 45% than the national level, where 34.7% of men and 65.3% of women are economically inactive

¹⁹ Other: Child (18 or under)/pensioner/physically incapacitated or sick

²⁰ El Tiempo <http://www.dinero.com/economia/articulo/pobreza-y-pobreza-extrema-en-colombia-durante-el-2015/220962>

	Male		Female		Total	
	#	%	#	%	#	%
...in service sector including retail, restaurants, driver	15	12	6	4	21	8
Self-employed sub total	28	23	15	10	43	16
...self-employed in animal husbandry/herder	1	1	0	0	1	0
...self-employed as merchant/trader	6	5	6	4	12	4
...self-employed in extraction of materials	12	10	3	2	15	5
...self-employed not-specified	9	7	6	4	15	5
Non-specified/various	20	16	10	7	30	11
Unemployed	0	0	0	0	0	0
Student	26	21	31	20	57	21
Housewife	0	0	48	31	48	17
Total:	124	100	153	100	277	100

Source: Household socioeconomic and affected peoples census surveys undertaken by DEVIMAR March to April 2017

Ten (16% of the 65 that reported their income) reported earning less than the legal monthly minimum wage of \$737,717.²¹ These SU are considered to be vulnerable. To account for potentially vulnerable SU among those who did not report their income, surveys undertaken in subsequent stages of engagement with the SU require identification of incomes for each affected SU. The incomes of all affected SU will be reflected in the identification of vulnerabilities at later stages, and will be updated accordingly in this section once available. Affected businesses mainly include shops of small to medium sizes operated by the SU, as seen in Table 10.

Table 10: Number and types of affected businesses

Municipality	Micro	Small	Medium	Large	Total
San Jeromino	1	2	3	0	6
Sopetrán	11	8	1	0	20
Total	12	10	4	0	26

Source: DEVIMAR

6.1.4 Education and skills

There is a wide range of educational attainment ranging from primary school to higher education. Only a quarter of adults have completed the eleventh grade at minimum as required under national law, while approximately 50% have only completed primary or middle school.

²¹ Information on the affected SU's income is not comprehensive given that most SU did not feel comfortable disclosing their incomes or were not aware about their specific level of income.

Table 11: Educational attainment of APs

	Male		Female		Total	
	#	%	#	%	#	%
Illiterate	5	4	1	1	6	2
Nursery/pre-school	1	1	3	2	4	1
Primary	42	32	40	27	82	30
Middle	31	24	20	14	51	18
Secondary	26	20	45	31	71	26
Tertiary institution	5	4	12	8	17	6
University	0	0	5	3	5	2
No response/none	20	15	21	14	41	15
Total	130	100	147	100	277	100

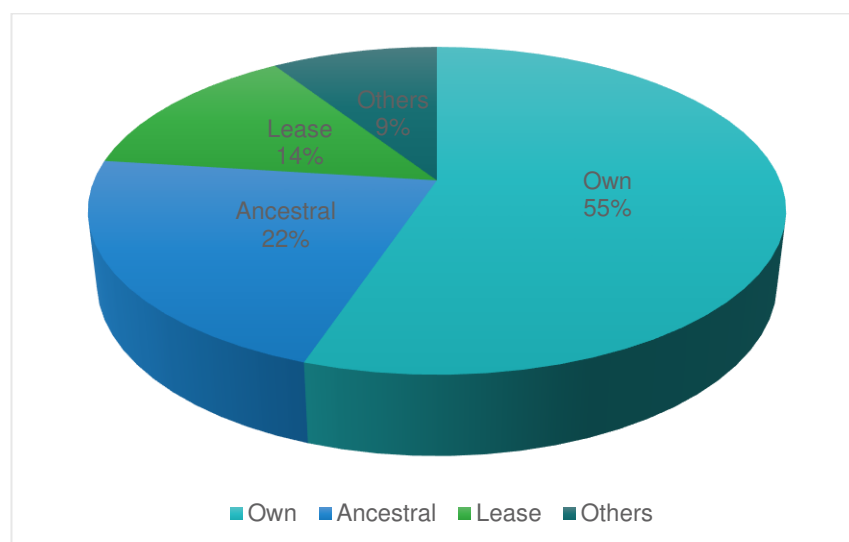
Source: Household socioeconomic and affected peoples census surveys undertaken by DEVIMAR March to April 2017

Based on survey results, the APs can be considered vulnerable, given that their access to employment opportunities is limited by their comparatively low educational attainment.


6.1.5 Housing and Tenure

Figure 4 presents a summary of the land tenure status of the SU surveyed, showing that 55% own their own homes and therefore have security of tenure.

Figure 4: Land tenure status of SU



Source: Household socioeconomic and affected peoples census surveys undertaken by DEVIMAR

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6.1.6 Crops, trees and natural resources

The affected municipalities of San Jeromino and Sopetran primarily consist of rural populations. A variety of types of crops and trees are located on affected properties within these two municipalities including hedgerows, pastures and secondary forests. There are five properties in total that are involved in commercial agricultural production, which are small-scale, family operations that produce crops such as coffee, vegetables and fruit trees with no outside workers employed.

6.1.7 Gender relations

Within Colombia, women experience poverty and vulnerability to a greater extent than men. The national unemployment rate is higher for women (15.6% compared to 9%) while average gender income gaps are 20%.²² In 2012, 51% of women in the labour force were employed in vulnerable employment compared to 47% of men in the labour force.²³ Women spend an average of 32.6 hours per week on unpaid work compared to 20.2 hours for men, and 24.1% of urban women and 35.2% of rural women lack an income of their own.²⁴ Women-headed households (comprising 36% of Colombian households)²⁵, particularly those headed by single mothers, are likely to be vulnerable to adverse impacts of disturbances to their lives such as physical displacement, and take longer to recover and maintain their standards of living. Within UF2.1, there are 15 SU (or 17% of the 87 surveyed) that are headed by single women. These SU are considered vulnerable and entitled to socioeconomic compensation under national criteria, as detailed in section 7.2.4.

6.1.8 Vulnerable affected people and groups

Under Colombian legislation, no special recognition or compensation entitlements are provided to people identified as being vulnerable in the public land acquisition and resettlement process.²⁶ The population groups identified under national criteria are those whose special conditions are provided support by the national, departmental or municipal authorities, and include single mothers, elderly individuals, and people with physical or cognitive limitations.

The Project has established commitments as part of its compensation entitlements program to provide additional support to those that meet the national vulnerability criteria, to ensure that their living conditions do not deteriorate as a result of physical displacement.

The Concession's Socioeconomic Compensation Plan includes additional provisions to support residential SU who have been identified as being vulnerable according to the following criteria:

- SU with three minimum monthly wages of less than \$2,343,726.
- Non-registered owners of affected properties.
- Informal commercial activities that depend on the properties for its operation.
- Residents without property ownership, e.g. Tenants (*arrendatarios*) and inhabitants (*moradores*)

²² 'Gender Equality and Women's Empowerment in Public Administration', UNDP, available at:

<http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Women-s%20Empowerment/ColombiaFinal%20-%20HiRes.pdf>

²³ 'Colombia' datasheet OECD, Social Institutions and Gender Index, available at: <http://www.genderindex.org/wp-content/uploads/files/datasheets/CO.pdf>

²⁴ 'Colombia- Country Profile', Gender Equality Observatory, available at: <https://oig.cepal.org/en/countries/9/profile>

²⁵ <https://population.un.org/Household/index.html#/countries>

²⁶ This is with the exception of the agreements reached with ethnic communities (including Afro-Colombian communities).

An additional group of SU that are not eligible for economic compensation are also prioritised and given support under the Concession’s Social Management programs:

- Unskilled laborers
- Families with older adults
- Families with infants
- Families with disabled people

More details on the vulnerability criteria are provided in section 7.2. The compensation and displacement assistance provided to these groups under the Socioeconomic Compensation Plan and Social Management programs is detailed in the entitlements matrix in section 7.2.4.

Table 12 below provides an overview of the number of SU that are considered to meet each of the national vulnerability criteria. Given that the socioeconomic surveys undertaken collected data based on the national vulnerability criteria, the data obtained do not reflect the demographics belonging to the additional vulnerability criteria established within the Socioeconomic Compensation Plan and Social Management programs as referenced above.

The surveys show that half of surveyed SU will require additional support to ensure that their living conditions do not deteriorate as a result of physical displacement. In particular, there is a high number of SU with Afro-Colombian and elderly members in UF2.1.

Table 12: Vulnerable AP

Vulnerability criteria	No of AP that meet the criteria
Disability	12
Elderly members ²⁷	31
Single mother-headed households	18
Victims of violence/displacement, or migrants	23
Under the poverty line	0
Afro-Colombians	143
Total meeting criteria (with double counting)	227
Total meeting criteria (without double counting)	141 (51%)

Source: Household socioeconomic and affected peoples census surveys undertaken by DEVIMAR

6.1.9 Afro- Colombian Baseline

The three Afro-descendant ethnic communities of the municipality of Sopetrán, which are impacted by the project (Guaymaral, La Puerta and Taffetas), presents the following socioeconomic characteristics:

²⁷ Persons aged 65 or older

Table 14: Type Social Units

SU	GUAYMARAL	LA PUERTA	TAFETANES
SU Residential	11	5	30
SU Commercial	0	0	2
SU Residential/commercial	1	4	3
Total	12	9	35

Source: DEVIMAR

Table 15: SU Population Affected according to gender

	GUAYMARAL	LA PUERTA	TAFETANES
Male	17	16	53
Female	16	28	47
Total	33	44	100

Source: DEVIMAR

Table 16: SU Population Affected according to gender

Occupation	GUAYMARAL	LA PUERTA	TAFETANES
Estudents	7	9	23
House trades	6	15	11
Workers	17	15	58
Unemployed	1	0	0
Without activity	2	5	8
Total	33	44	100

Source: DEVIMAR

6.2 IMPACTS ON LAND, ASSETS, INCOME

6.2.1 Overview

DEVIMAR has contracted a private company (VALORAR) to conduct the land, property and asset valuation activities, as well as Lonja de Propiedad Raiz de Medellin and Antioquia (Real Estate Association of Medellin and Antioquia)²⁸ to assess and endorse VALORAR's valuation. The preliminary detailed measurement, assets census and valuation surveys were initiated in 2016 by VALORAR and are ongoing. The information that is available to date has been used to populate this section, which is an assessment of expected impacts on land, assets and income.

The commercial valuations are valid for one calendar year. Thus although this iteration of the RAP presents budgets and impacts based on the appraisals from 2016, the payments for the properties and other structures are to be made based on the final valuation, which as of November 2018 are being conducted on an individual basis for each property. Through this process, updates to values and inflation will be taken into account.

This information available as of the 2016 appraisals has been used to populate this section, which is an assessment of impacts on land, assets and income for all affected SU including those where the detailed socioeconomic surveys were not carried out.

6.2.2 Land Losses

The land valuations are still ongoing as of October 2018 in UF2.1, thus the total land area required has not yet been confirmed. Once valuations have been finalised, Table below will be updated to reflect the types of land that will be acquired and enable an analysis of the types of land losses that will be incurred by the affected SU.

Table 17: Land losses

Land Type	Area required (m2)	Surplus area (m2)	Total Area (m2)
Urban	27.309,15	57.325,97	84.635,12
Rural	553.163,58	7.492.099,17	8.045.262,75
Total	580.472,72	7.549.425,14	8.129.897,86

Source: Asset census surveys undertaken by DEVIMAR

6.2.3 Structure Losses

As seen in Table below, the Project will primarily impact residential housing, in addition to secondary structures such as sheds, pools or adjacent buildings that will be required for the

²⁸ <https://www.lonja.org.co/>

Project. Educational institutions that will be impacted include two primary schools whose students and staff members will experience adverse impact.

Table 18: Structure losses

Type of structure	Structure quantity
Residential	21,084m ²
Commercial	635m ²
Educational	294m ²
Secondary structures	3,816m ²
Total	25,830m ²

Source: Asset census surveys undertaken by DEVIMAR

6.2.4 Pasture and Tree Losses

Table below quantifies the loss of pastures and trees based on the quantity of area. The majority of the loss entails pasture land, among which five properties engage in commercial agricultural production. These agricultural properties are expected to experience significant adverse impact as a result of displacement.

Table 19: Pasture and tree losses

Item	Quantity
Hedgerow	11,030m
Pastures	511,235m ²
Secondary Forests	141,847m ²

Source: Asset census surveys undertaken by DEVIMAR

6.2.5 Business and Income Losses

As detailed in section 6.1.3, the majority of APs in UF2.1 are engaged in low-skilled work outside of their homes including agricultural and service sector roles. Disruptions to access to their jobs may be expected due to relocation of their homes. Table below summarises the businesses identified through the socioeconomic surveys that would experience displacement. These SU will have to re-establish their businesses in new locations and this could have significant adverse impacts on their livelihoods. Given that most of the APs engaged in agricultural work are employed on other farms and are not reliant on their own access to natural resources, impact of resettlement on loss of access to natural resources is not considered adverse for their livelihoods.

Table 20: Impacts on businesses

Type of economic activities	Number of productive SU
Shops ²⁹	10
Self-employed in extraction of materials	3
Sawmill	2
Restaurant/Food	3

²⁹ Including selling of chemical products and general sales

Type of economic activities	Number of productive SU
Raises pigs for sale at market	2
Mechanics	2
Informal fruit and sweet vendor	3
Bar	1
Total	26

Source: DEVIMAR

6.2.6 Impacts on Ethnic Communities:

Within the social units impacted by the UF 2.1, there are three Afro-descendant ethnic communities in the municipality of Sopetrán, Guaymaral, La Puerta and Taffetas; Each of which has its own community council according to the law 70 of 1993 of Colombia. DEVIMAR consulted to these communities and did an agreement to protect the rights of ethnic communities in their cultural, territorial, social and economic integrity; They agreed that Resettlement will be re-established in the following way:

Table 18: Land losses ethnic communities


Land Type	# de properties	Area Required (m ²)	Surrplus Area (m ²)	Total Area
Urban	0	0,00	0,00	0,00
Expansion	0	0,00	0,00	0,00
Rural	15	911.935,21	536.175,89	1.448.111,55
Suburban	0	0,00	0,00	0,00
Protection	0	0,00	0,00	0,00
Rural/suburban	0	0,00	0,00	0,00
Total	15	911.935,21	536.175,89	1.448.111,55

Table 19: Impacts on businesses and employees ethnic communities

SU Type	Type Bussines	Amount SU	Amount Properties
Informal	21 Comercio-ventas	14	7
Formal	1 Restaurante-comidas	4	
Total	22 Servicios	1	
	Otros	3	
	Total	22	

Table 20 Structure and trees and green areas Ethnic Communities

Total Main Construction	Total Secondary structures	Total households	Crop and forestal species m ²	grass área m ²

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64

526

60

4.388

5.885,24

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7. PART C – RESETTLEMENT POLICY, ENTITLEMENTS AND COMPENSATION PLAN

In accordance with national and international requirements, Part C details the Project’s resettlement policy commitments and entitlements that will be provided to affected people. This includes monetary compensation and non-monetary measures such as replacement housing and livelihood restoration support. The approach to implementation is described including consultation, activities, institutional arrangements, monitoring, timeline and budget.

7.1 INSTITUTIONAL ARRANGEMENTS

7.1.1 Overview

The Project requires the participation and coordination of multiple actors at various authority levels. DEVIMAR is the concessionary in charge of planning, designing, executing and operating the project. At the national level, relevant institutions are in charge or infrastructure development (ANI), environmental planning (ANLA), consultation with communities (MinInterior), and property management (Catastro and Registro). At the regional level, Corantioquia oversees environmental permissions. At the local level, municipalities address public utilities infrastructure, education and public space among others. Specific roles and responsibilities of key actors are discussed below.

7.1.2 Government of Colombia

There are a number of Government of Colombia entities that are involved in the resettlement process, whose roles and responsibilities are summarised in Table 13 below.

Table 13: Relevant Government of Colombia actors

Name	Roles & responsibilities
Agencia Nacional de Infraestructura (ANI) – National Infrastructure Agency	ANI is part of Colombia’s Ministry of Transportation. It oversees concessions for public–private partnerships for the design, construction, maintenance, operation and management of transport infrastructure projects. The contract signed between ANI and DEVIMAR ³⁰ delegates DEVIMAR the responsibility for the Via al Mar project. All costs related to administrative, technical and judicial aspects of land management are the responsibility of DEVIMAR as the Concessionaire, with the technical contract between DEVIMAR and ANI establishing the amount to be funded and a funding schedule
Interventoría – External Controller	The External Controller is an independent third party hired by ANI to supervise the contractor executing a particular project. DEVIMAR’s External Controller is the Epsilon 4G consortium ³¹ , which acts as an

³⁰ Concession contract No. 14 of 2015, awarded on 14 October 2015 to DEVIMAR S.A.S

³¹ Comprising two national firms: PROYECTOS E INTERVENTORÍAS PI LTDA and INGENIERÍA DE ESTUDIOS Y ASESORÍAS S.A.S. INESAS

Name	Roles & responsibilities
	intermediary independent consultant between ANI and DEVIMAR to supervise all Project processes and documentation.
Ministerio del Interior– Ministry of the Interior	The Ministry conducts liaison with local governments and has three divisions in charge of work with communities: Afro-Colombian affairs, indigenous peoples’ affairs, and prior consultation. The Ministry has the authority to grant official recognition of ethnic communities and groups in the country.
Catastro Antioquia – Cadastral department of Antioquia	Colombian land registers are centralized in Instituto Geografico Agustin Codazzi (IGAC), the national geographic authority responsible for managing the national cadastral infrastructure. Antioquia also has a decentralized cadaster office that operates in compliance with national regulations set by IGAC.
Registro de instrumentos públicos – Public instruments registry	The Colombian property registry keeps track of all property transactions. Property owners are required to submit transaction documents (<i>escritura</i>) signed by both the selling and purchasing parties to the public notary and then to the registry, to register it as a valid transaction.
Municipalities	DEVIMAR engages with all the municipalities in the Project’s area of influence on matters concerning municipal planning, public space occupancy, public utilities and services, relocation of infrastructure networks and social facilities such as schools.

Source: DEVIMAR

7.1.3 DEVIMAR

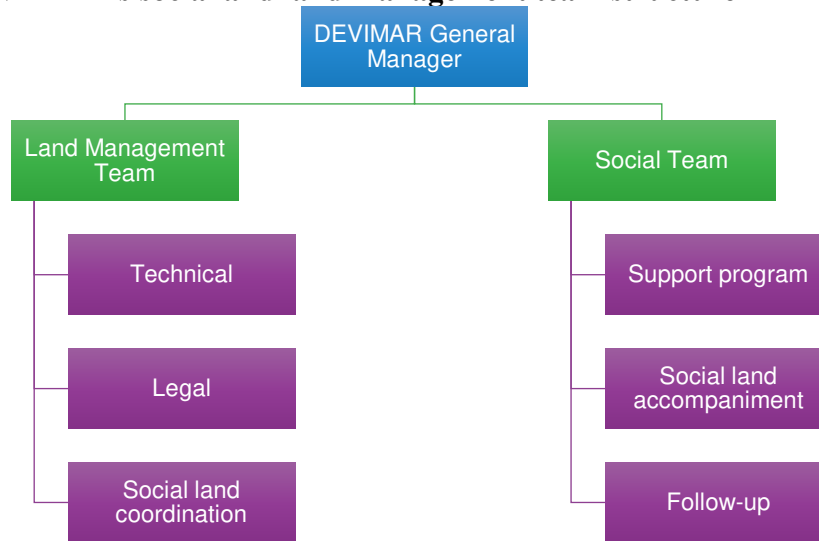
DEVIMAR has two teams working on land acquisition and resettlement activities as follows:

- Land management team that is responsible for developing the land acquisition plan, and providing economic compensation to APs according to the criteria established in Resolution 545 of 2008
- Social team that is responsible for developing the socio-economic compensation plan and providing support to APs who are being relocated with information and advice³²

The teams work together closely to manage the implementation of the socio-economic compensation plan and land acquisition plan. Appendix C provides further details on the list of activities conducted by the teams. Figure 5 below presents the structure of DEVIMAR’s social and land management teams.

³² The accompaniment team manages the social accompaniment program in which SU are provided with assistance including real estate portfolios in nearby areas and psycho-social support to help SU adjust to the process of relocation

Figure 5: DEVIMAR’s social and land management team structure



Source: DEVIMAR

The overall team that manages the land management and social support programs consists of the land management director, a technical head, three property attorneys, three land technicians, a land engineer, an external attorney, a social coordinator, two social professionals and a social land accompaniment assistant, three topography commissioners and a driver.

Key personnel within the teams possess at least eight years of relevant experience in social, community relations, property and compensation management on similar road concession projects across Colombia.

7.1.4 Consultants


DEVIMAR has contracted Mott MacDonald as an external consultant to develop this preliminary RAP document. Mott MacDonald’s involvement has entailed:

- Undertaking site visit to discuss land acquisition and resettlement processes with DEVIMAR’s teams and engage in consultation with stakeholders including APs and Afro-Colombian Community representatives
- Conducting regular calls with DEVIMAR’s social land team members to coordinate information
- Developing draft RAP for DEVIMAR’s comments and input

Mott MacDonald has not directly undertaken baseline surveys as part of this scope of work.

7.1.5 Other agencies and institutions

DEVIMAR is also working jointly with Servicio Nacional de Aprendizaje (SENA), or National Learning Service to provide training and education for local community members interested in vocational education as detailed in section 7.3.3.

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In addition, DEVIMAR maintains ongoing contact and coordinated actions with the magistrates of the San Sebastián de Palmitas and San Cristóbal towns in the municipality of Medellín, as well as with the municipal entities of Medellín and San Jerónimo.

7.2 RESETTLEMENT POLICY AND ENTITLEMENTS

7.2.1 DEVIMAR's Resettlement Policy and Principles

DEVIMAR recognises that unless properly managed, involuntary resettlement may result in long-term hardship and impoverishment for the Affected Communities and people, as well as environmental damage and adverse socio-economic impacts in areas to which they have been displaced. For these reasons, DEVIMAR is committed to avoiding involuntary resettlement. Where involuntary resettlement is unavoidable, DEVIMAR is committed to minimising it and planning and implementing appropriate measures to mitigate adverse impacts on displaced people and host communities.

In alignment with Colombian laws and good international industry practice as typified by IFC PS5, DEVIMAR's specific involuntary resettlement principles are as follows:

1. Land acquisition and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative project designs.
2. Land acquisition will be undertaken following the principles of 'willing buyer – willing seller' using negotiated settlement, with expropriation only being used as a last resort.
3. Eligible vulnerable people's livelihoods and standards of living will be improved or restored through Resettlement Action Plan (RAP) or Livelihood Restoration Plans (LRP).
4. Compensation for lost assets will be at replacement cost³³ and payment of compensation and resettlement assistance will be fully provided prior to taking physical possession of the land.
5. Eligible vulnerable people will be actively engaged including regular and meaningful consultation, use of an appropriate grievance redress mechanism and appropriate disclosure of project information and the RAP documentation in Spanish.
6. Vulnerable and severely affected people will be provided special assistance to safeguard them from impoverishment risks resulting from resettlement.
7. Affected people without legal title to land will be entitled to resettlement support and will be fully compensated for losses other than land.


A more detailed description of the eligibility principles is presented below.

7.2.2 Eligibility Criteria

Colombian law establishes different eligibility criteria and cut-off dates for asset compensation and socioeconomic compensation.

APs entitled for asset compensation under the Project are:

³³ Replacement cost is defined as the market value of the assets plus transaction costs. In applying this method of valuation depreciation of structures and assets will be taken into account. Market value is defined as the value required to allow Affected Communities and persons to replace lost assets with assets of a similar value.

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- APs losing land either covered by legal title, or without legal status
- Owners of buildings, trees, or other objects attached to the land
- APs losing businesses, income, and primary livelihood streams

APs entitled to socioeconomic compensation³⁴ and support under the Project's Social Management programme are those whose socioeconomic surveys and profiling, undertaken by DEVIMAR, determine that the SU is at risk of vulnerabilities resulting from displacement if support is not provided. This determination is up to the discretion of the social official completing the diagnosis and depends on a number of factors including, but not limited, to the SU with the following conditions:³⁵

- Mother heads of households
- Elderly and disabled members
- Household monthly salary of less than \$2,343,726
- Lack of formal land titles, value of housing and/or land that is less than the value of \$54,686,940
- Informal or insecure employment

The two separate cut-off dates to determine eligibility for land compensation and socio-economic compensation are as follows:


- To be eligible for land, assets or economic loss compensation, APs are legally required to provide documents within 10 calendar days from receipt of request for evidence of formal land ownership or use rights and/or income.
- To be eligible for socio-economic compensation, the cut-off date is when the final socioeconomic survey is completed for each SU. This date is publicized starting from the start of the asset surveys to the finalization of the land appraisals.

Given that each SU has an individual schedule for property acquisition and its own cut-off date for both types of compensation, there is no single cut-off date that all SU must meet. APs who settle in the affected areas or expand their buildings after the cut-off date range for the property or the properties in the vicinity will not be eligible for compensation. DEVIMAR is committed to providing adequate advance notice to the APs and pay their due compensation based on the eligibility criteria defined in this RAP for resettlement, including relocation and income restoration/assistance prior to start of construction work. The APs of affected structures/assets will be paid their due compensations within the time limit agreed.

This time will allow them to dismantle and remove all salvageable material for rebuilding of houses and re-establishment of businesses. However, DEVIMAR reserves the right of directly demolishing such structures if the AP has not done this by the agreed deadline.

³⁴ That is not direct compensation for lost land and assets.

³⁵ Additional compensations and eligibility criteria to be considered vulnerable persons, required under IFC PS5, are detailed in section 7.2.4.

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Payment of compensation of assets other than structures will be made within the time limit agreed. However, in case of a dispute, the assessed/allocated amount of compensation will be pledged in the names of the concerned APs, pending a decision. Grievances or objections (if any) will be redressed as per grievance redress procedure adopted in this RAP. However, all activities related to land acquisition and resettlement will be completed prior to award of civil works contract, as civil works can only start once the owner has handed over the property.

7.2.3 Gender considerations

Provision of entitlements including financial compensation and social support are provided to SU on an equitable basis, without specific consideration for the gender composition of the household. However, supplementary support is provided to SU headed by mothers as they are considered vulnerable under national criteria, through social relocation and livelihood support programmes in which support is given to find new housing, and follow-up visits are undertaken to verify that their living conditions and livelihoods have been restored or improved following the resettlement process.

7.2.4 Compensation Entitlements

The RAP is being implemented according to a compensation eligibility and entitlements framework in line with both Colombian laws and regulations.

Efforts have also been made to align the entitlements with those specified according to good international industry practice, where possible. As detailed in section 5.3.3, while Colombian law does not account for replacement land, livelihood restoration or replacement cost as per the PS5 definition, a number of other measures are in place to enable the Project to achieve resettlement outcomes that are consistent with the PS5 objectives. This includes transitional support for loss of profits, psycho-social counselling, relocation assistance to find new housing and livelihood programmes, as well as replacement costs that do not take into account depreciation for land or housing under a certain threshold of value as detailed in Table 4.

These entitlements are presented in the project entitlements matrix in Table 14 below, and separated into three categories based on the type of entitlement as follows:³⁶

- A. **Asset compensation:** Cash compensation for the value of their land, constructions, housing, and crops as applicable as per the Land Acquisition Plan
- B. **Socioeconomic compensation:** Financial support for relocation according to their relationship to the property as per the Socioeconomic Compensation Plan (if the SU is eligible as per Resolution 545 of 2008)
- C. **Social relocation and livelihood support:** Social relocation assistance to ensure that they are able to restore their initial living conditions and re-establish their means of subsistence as per the Project's social management programme
- D. **Physical relocation support:** Assistance to eligible Afro-Colombian communities and public educational institutions, to identify and acquire new properties, construct new housing/structures and relocate to the new sites

³⁶ The relevant legislations are described in section ¡Error! No se encuentra el origen de la referencia. of this report.

For each entitlement, it is noted whether this is a requirement of Colombian law, or both Colombian law and good international industry practice.

Table 14: Compensation Entitlement Matrix³⁷³⁸

Item	Type of Loss	Eligibility / Definition of AP	Project Entitlements	Source of requirement: National / PS5 / both
A. Asset Compensation				
1	Land loss	Owner of land affected	Cash compensation based on replacement costs based on valuation	National and GIIP
2	Structure loss	Owner of structure affected	Cash compensation based on replacement costs based on valuation	National and GIIP
3	Agricultural crop loss	Owner of agricultural crops affected	Cash compensation for value of productive crops based on valuation	National and GIIP
4	Tree loss	Owner of trees affected	Cash compensation based on replacement costs based on valuation with consideration of tree productivity and economic contribution to household incomes	National and GIIP
B. Socioeconomic Compensation³⁹				
5	Loss of permanent residential housing	Owner of residence	Cash compensation equalling \$54,686,940 ⁴⁰ minus value of all the required land, residential building and improvements as determined in valuation Relocation accompaniment in the form of meetings, real estate portfolios and workshops on family life and adjusting to change Replacement housing in place of cash compensation, if requested	National ⁴¹
		Settler (mejoritario) or holder (poseedor) of residence who has resided for at least two years	Cash compensation equalling \$54,686,940 minus value of the construction of residential building as determined in valuation Relocation accompaniment in the form of meetings, real estate portfolios and workshops on family life and adjusting to change Land titling support, for properties with surplus areas that the project does not require Replacement housing in place of cash compensation, if requested	National
		Inhabitant (morador) of residence who has resided for at least one year	Cash compensation equalling \$2,343,726 (three legal minimum monthly salary of \$781,242) for single-person household	National

³⁷ To be eligible for any socio-economic compensation under national law, the DEVMAR social official that undertakes the socioeconomic diagnosis must determine that the SU is at risk of vulnerabilities resulting from physical resettlement if support is not provided. This can include: Mother heads of households, Elderly and disabled members; Household monthly salary of less than \$2,343,726 ; Lack of formal land titles, value of housing and/or land that is less than the value of \$54,686,940; Informal or insecure employment; SU with three minimum monthly wages of less than \$2,343,726; as well as: Non-registered owners or families of affected properties; Informal commercial activities that depend on the properties for its operation; and Residents without property ownership, e.g. Tenants (arrendatarios) and inhabitants (moradores)

³⁸ All references to minimum monthly wages should reflect the current national amount for the given year

³⁹ All compensation to be paid per SU


⁴⁰ Value of Priority Social Interest Housing (VISP)

⁴¹ Factor de apoyo al restablecimiento de vivienda and Factor de apoyo a moradores as per Resolution 545 of 2008

Item	Type of Loss	Eligibility / Definition of AP	Project Entitlements	Source of requirement: National / PS5 / both
			Cash compensation equalling \$4,687,452 (six legal minimum monthly salary of \$781,242) for SU with more than one person Relocation accompaniment in the form of meetings, real estate portfolios and workshops on family life and adjusting to change Replacement housing in place of cash compensation, if requested	
6	Financial costs of moving	Residential unit that has resided for more than six months and has household income of less than 3 minimum monthly salaries (\$2,343,726)	Relocation assistance allowance in the form of cash compensation equalling \$737,717 (one legal minimum monthly salary) to comprise costs including moving furniture, with costs of finding new housing covered under Entitlement #11 below, and asset compensation covered under Entitlement #1	National ⁴²
		Productive unit that has carried out economic activities for more than six months and has household income of less than 3 minimum monthly salaries (\$2,343,726)		National
7	Loss of income from formal productive activities in permanent business	Permanent productive units that has been in place for at least six months, that must suspend their activities in a temporary or permanent manner ⁴³	Cash compensation equalling: <ul style="list-style-type: none"> – Average monthly net profit up to six months for permanent suspension – Average monthly net profit up to three months for temporary suspension 	National
		Permanent productive units that has been in place for less than six months, that must suspend their activities in a permanent manner	Cash compensation to not exceed the sum of the net income obtained during the period	National
		Permanent productive units that has been in place for less than three months, that must suspend their	Cash compensation to not exceed the sum of the net income obtained during the period	National

⁴² Factor de apoyo por movilización as per Resolution 545 of 2008

⁴³ Evidence of income required e.g. tax records


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Item	Type of Loss	Eligibility / Definition of AP	Project Entitlements	Source of requirement: National / PS5 / both
		activities in a temporary manner		
		Industrial productive unit that will incur costs for moving movable property for full land acquisition, or relocation of the property to another area for partial land acquisition ⁴⁴	Cash compensation equalling value of the affected building or asset, as per valuation	National
8	Loss of income from informal productive activities in permanent business	Permanent productive units engaged in informal productive activities for at least six months, that must suspend activities in a permanent manner ⁴⁵	Cash compensation equalling \$4,687,452 (six monthly legal minimum salaries)	National and GIIP
		Permanent productive units engaged in informal productive activities for at least six months, that must suspend activities in a temporary manner	Cash compensation equalling \$2,343,726 (three monthly legal minimum salaries)	National and GIIP
9	Loss of income from leasing property	Property owners and settlers obtaining income from lease or sharecropping of part or all of the property, which has been in place for minimum six months	Cash compensation equivalent to three times the agreed monthly rental fee/monthly current yields produced from sharecropping agreement	National
10	Loss of public social services	Public services that will be displaced including schools	Relocation support in the form of new site selection and purchase, construction of new building, and temporary transport to alternate site to compensate for lost access to services for users	National

C. Social Relocation and Livelihood Support

⁴⁴ As per Resolution 2684 of 2015 issued by the Ministry of Transport

⁴⁵ Defined as productive activities whose loss of profit was not applied to the property appraisal, due to lack of evidence such as tax records

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Item	Type of Loss	Eligibility / Definition of AP	Project Entitlements	Source of requirement: National / PS5 / both
11	Loss of residential housing	SU being physically displaced	Social relocation support under Social Management Plan, entailing following activities: Individual meetings, real estate portfolios in nearby areas, workshops on family life and adjusting to change, psycho-social support to help SU adjust to the process of relocation, and follow-up visits to verify that the SU have legal tenure to their new properties or houses, as well as living conditions that are the same as previous conditions or improved	National
12	Livelihood support	All individuals and households affected by the Project	Eligibility to participate in training workshops on topics including construction, cooking, agriculture and entrepreneurship.	National
D. Physical Relocation				
13	Loss of residential housing and schools	Afro-Colombian communities being physically displaced Public educational institutions	Assistance to identify and acquire new properties, construct new housing/structures and relocate to the new sites	National

7.3 SOCIAL RELOCATION AND LIVELIHOOD SUPPORT

7.3.1 Overview

This section describes measures in place to assist displaced people with their relocation and establishment at new residential sites, and measures to support them with their livelihoods. The eligible SU that would experience physical displacement receive four types of compensation and support as detailed in the entitlement matrix in section 7.2.4. This section discusses C. **Social relocation and livelihood support** as well as D. **Physical relocation support**.

7.3.2 Social relocation support for SU

This social relocation support program is managed by DEVIMAR's Social Land Accompaniment team. The program entails activities including individual meetings to provide advice, real estate portfolios in nearby areas, workshops on family life and adjusting to change, psycho-social support to help SU adjust to the process of relocation, and follow-up visits to verify that the SU have legal tenure to their new properties or houses, as well as living conditions that are the same as previous conditions or improved, available land area and accessibility among others. This follow-up will be conducted up to one year following the completion of the relocation process.

7.3.3 Livelihood support for SU

As part of the overall Project's social management programme as regulated by the Concession's contractual requirements, several different programmes have been established. These include livelihood support, in which DEVIMAR's Social team has been working jointly with external

partners to deliver training for affected persons in the local communities. Any SU affected by displacement can choose to participate in these programmes.

The programmes, which are ongoing, commenced in 2017 and have primarily entailed workshops on construction topics, as summarised in Table 15 below. The topics were selected based on consultations with the communities in the area of influence, as well as the recruitment requirements for the Project. While construction is a predominantly male industry, women stakeholders have signed up for training for roles such as administrative duties, road cleaning and traffic controlling.

Table 15: Livelihood support programmes

Partner	Training	Date started	Locations	# of sessions held	Participants
National Learning Service or Servicio Nacional de Aprendizaje (SENA)	Workshops in construction, entrepreneurship, agriculture, cooking	April 2017	Municipalities of Sopetran, Medellín, San Jerónimo	16	1-37
Comfenalco Antioquia (company that offers capacity building programs)	Construction training such as working at heights	February 2018	Municipalities of Sopetran, Medellín	5	7-32

Source: DEVIMAR

As of October 2018, 1,143 out of the total of 1,511 workers (76%) contracted on the Project originate from the Project’s area of influence.


7.3.4 Physical relocation support: Residential

In the ‘prior consultation’ process⁴⁶ conducted with the Afro-Colombian communities that would experience physical displacement, DEVIMAR provided them with the option to receive cash compensation or relocation assistance. The following two Afro-Colombian communities indicated that they preferred to receive replacement housing to allow them to relocate as a group, both situated in the Municipality of Sopetrán:

- Eleven SU in the community of Guaymaral (33 APs)
- Thirty-five SU in the community of Tafetanes (100 APs)

The SU stated their preferences for the new site such as proximity to main roads and to their current location, and a location within the same vereda. Given the small number of SU being relocated and proximity of the new sites to their existing locations, adverse impacts on host

⁴⁶ As required, endorsed, regulated and monitored by the Ministry of the Interior of Colombia.

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communities are expected to be limited. Because the affected households are essentially being relocated within the same community, this relocation is not expected to place additional strain on public services or have adverse impacts on social cohesion.

7.3.5 Guaymaral

Taking the APs' preferences into account, DEVIMAR's land management team identified three adjacent vacant lots that are privately owned by one landowner, in the San Marino area approximately 400m from the current location of the houses.

A preliminary meeting was held with the landowner in September 2017. The SU have been informed and expressed satisfaction with this proposed location. Negotiations to purchase this property are currently ongoing with the owner.

The identified site is vacant land in close proximity to the current location of households, with no additional existing communities located nearby. Therefore the potential impact on the host populations and environment is minimal. We understand that DEVIMAR has undertaken the appropriate measures in compliance with Resolution 545 of 2008 to ensure the relocation is undertaken in accordance with the relevant Municipal Territorial Ordinance Plans to minimise adverse impact on host communities.

7.3.6 Tafetanes

DEVIMAR is currently continuing the search for an appropriate alternative site for the relocation of the Tafetanes community. Once the site has been identified and secured, a similar process as Guaymaral should be undertaken to ensure that the SU are informed and express support for the new location, and the appropriate impact assessments and mitigation measures as per requirements of Resolution 545 of 2008 are undertaken in case any host populations are potentially adversely impacted by this relocation.

7.3.7 Schedule

Once the purchases of the new properties have been finalised, DEVIMAR will commence the design of housing to be built and the construction, and work with the SU to determine the size of the plots and types of services and amenities to be provided on site, and houses to be constructed for each SU, provide them with formal property titles for their new residences to facilitate tenure security, and provide assistance with the move and establishment at the residences.

To support the households, DEVIMAR will conduct follow-up visits to verify that the new properties or houses have legal tenure, as well as living conditions that are the same as previous conditions, or improved in terms of construction materials, available land area and accessibility among others.

The schedule for the relocation activities is shown in Table 16, with the full RAP schedule provided in section 7.7.2. The purchase of the SU's existing properties is currently taking place, with relocation expected to be finalized by the second half of 2020.

Table 16: Relocation schedule

Community	Purchase of SU's existing properties	Purchase of new properties	Construction of new properties	Relocation to new properties
Guaymaral	July-Dec 2018	Jan-Sep 2019	Sep 2019-June 2020	July-Aug 2020
Tafetanes	Aug-Nov 2018	Dec 2018-Aug 2019	Aug 2019-July 2020	Aug-Sep 2020

Source: DEVIMAR

A progress update on the relocation of the Tafetanes community and host community considerations will be provided in future updates to this RAP.

7.3.8 Physical relocation support: Schools

Two public schools will require physical displacement and will receive relocation support from DEVIMAR: Centro Educativo La Volcana primary school and Escuela Santa Teresita de los Almendros primary school. The relocation process will comply with the relevant Colombian legal requirements.⁴⁷ The national requirements include the need for the destination premises to be located in the area of influence of the current educational centre.

For both schools, DEVIMAR is making efforts to find alternative sites as close to the current locations as possible to reduce impact on the students and host communities. In parallel to land negotiations, DEVIMAR is in regular contact with the municipal Secretaries of Education through monthly meetings, to establish conditions and technical specifications for the relocation of educational infrastructure that comply with national requirements. The selection and construction of the new sites will be done in collaboration with these municipal bodies. The current status of relocation activities for the two schools is provided below.

Table 17: Relocation status of schools

School	Status
Centro Educativo La Volcana Municipality of Medellín, with 29 primary-level students, 121 secondary-level students and seven teaching staff	<ul style="list-style-type: none"> • A potential site approximately 450m from the current location was identified, comprising a private residential property. It was selected based on its size and proximity to the current site and to minimise disturbances for students and the host community. • Negotiations with the property owner has not yet started, however the owner has expressed willingness to negotiate. • While the new school is being constructed, DEVIMAR will provide temporary transportation for the students to Institución Educativa La Suiza, a school situated about 5km away. As part of the contingency plan, both the teachers and students will be temporarily moved here with DEVIMAR providing financial assistance to expand the capacity of La Suiza school.
Escuela de Los Almendros and	<ul style="list-style-type: none"> • Two to three properties were explored as potential sites. A feasible alternative approximately 100m from the current site was identified, and

⁴⁷ Colombian Technical Standard NTC 4596 version 2015, Territorial Ordinance Plan of the municipality, Decree 409 of 2007 of the municipality of Medellín; and Colombian Technical Standard NTC 6047 for construction of toilets for people with reduced mobility.

<u>School</u>	<u>Status</u>
Polideportivo, located in the Municipality of Sopetrán with 39 primary-level students and three teaching staff	<p>the property owner contacted. It was identified based on proximity to the current site, size and safety of access for local students. The site has not yet been confirmed.</p> <ul style="list-style-type: none"> ● Negotiations have not yet started. ● The students will remain at the school while the new site is being constructed.

Source: DEVIMAR

As of August 2018, preparations are underway to acquire the new sites, after various options had been explored as potential sites based on proximity to the current site, size and safety of access for local students. The students will remain at the school while the new site is being constructed.

In parallel to land negotiations, DEVIMAR is part of a multiparty committee comprising representatives of the Ministry of Education of the Municipality of Medellín (which also manages the existing contingency school), the secretariat of goods and buildings of Medellín, the External Controller and DEVIMAR. The committee conducts monthly meetings, to establish conditions and technical specifications for the relocation of educational infrastructure that comply with the national requirements. The selection and construction of the new sites will be done in collaboration with these municipal bodies, to facilitate construction of facilities that meet national requirements concerning the number and size of classrooms, washrooms and playgrounds. DEVIMAR and the respective authorities will design the new facilities and DEVIMAR will be responsible for carrying out the property management for the purchase of the current property, and for purchasing the new premises with the support of the respective municipalities. The affected community members have also been informed about the school relocation process on a regular basis, and their agreement with the actions to be undertaken obtained through signed commitment letters.

The below table shows the schedule for the relocation and construction of the new school sites.

Table 18: Relocation schedule


School	Purchase of new properties	Construction of new properties
La Volcana	Sep-Nov 2018	Dec 2018-Sep 2019
Santa Teresita	Nov 2018-June 2019	July 2019-June 2020

Source: DEVIMAR

The new school sites, once constructed, will remain the properties of the respective municipalities.

7.3.9 Monitoring and evaluation

Once the relocation has occurred for these residential and educational structures, regular monitoring will be conducted by DEVIMAR on the level of participation in the support programs, as well as progress that the participants are making in restoring their livelihoods and quality of life. DEVIMAR will be reporting on these relocation and livelihood support activities and outcomes to the External Controller and the National Authority of Environmental Licenses (Autoridad Nacional de Licencias Ambientales) on a quarterly basis.

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Monitoring visits will be conducted to verify the living conditions in their new housing of all affected SU that were covered within the socioeconomic surveys, with minutes and photographic records taken to register each visit. DEVIMAR will also maintain records on the recruitment of local personnel for the Project.

Progress on relocation of the Afro-Colombian communities is also reported in the monthly Social Management reports that are sent to the External Controller and ANI.

7.4 RESETTLEMENT FINANCING AND BUDGET

7.4.1 Overview

This section describes the methodology used to evaluate assets and the compensation unit rates that will be used. The RAP implementation budget is summarised at the end of the section. All values are presented in Colombian peso (COP). As land valuation activities and study of title deeds is ongoing, this section is to be updated once they have been completed.

7.4.2 Source of Funds and their Allocation

All costs related to administrative, technical and judicial aspects of land management are the responsibility of DEVIMAR as the Concessionaire, with the technical contract between DEVIMAR and ANI establishing the amount to be funded and a funding schedule.⁴⁸ In case a bigger budget is required, DEVIMAR and ANI assumes joint responsibility over these overcosts according to the risk allocation rules provided by the Concession Agreement, which establish the proportion of costs to be borne by each party.

7.4.3 Methodology for Assessment of Compensation Unit Values

In compliance with national legislation and Concession Contract 014 of 2015, DEVIMAR has contracted a private company named VALORAR S.A. to conduct the land valuation activities, as well as Lonja de Propiedad Raiz de Medellin and Antioquia (Real Estate Association of Medellin and Antioquia) to assess and endorse VALORAR's valuation. The land valuation will be undertaken based on national legislation and GIIP when applicable in the calculation of replacement cost. As noted in the national and international comparison presented in Table 2, the national approach for valuing lost assets to be compensated takes into account depreciation of structures and assets, and so does not meet GIIP requirements for replacement costs discounting depreciation. However, as detailed in Table 4, depreciation is not taken into account for land or housing under a certain threshold of monetary value.⁴⁹ This mechanism is employed so that the SU with the lowest-valued assets, i.e. the poorest SU who are considered most vulnerable to the economic impacts of displacement, would be fully compensated for lost assets at replacement cost.

⁴⁸ ANI-DEVIMAR Concession Contract Technical Appendix 7: Land Management

⁴⁹ Value of 54,685,940 or less as established in Resolution 545 of 2008

7.4.4 Asset Compensation Budget

The quantification of impacts presented in section **¡Error! No se encuentra el origen de la referencia.** have been used to estimate the total compensation amounts offered for lost assets in Table 19 below. This valuation is inclusive of all 172 properties owned by 112 SU in UF2.1 regardless of their eligibility for socioeconomic compensation, and also includes the damages to be provided for costs incurred and loss of profits (to comprise costs including notary, registry, packing, unpacking and transfer of industrial goods). Given that the study of title deeds is still ongoing in UF2.1, the exact valuation amounts to be paid has not yet confirmed

Table 19: Total valuation of land, structures, and crops

Category	Land	Main structures	Crop and forestal species	Damages ⁵⁰
Subtotal	\$36,708,023,42	\$30,900,980,27	\$1,274,743,34	\$6,435,144,72
	7	1	0	2
Total	\$75,318,891,75			
	9			

Source: DEVIMAR

7.4.5 Socioeconomic Compensation Budget

Table 20 summarises the budget for the socioeconomic compensation to be provided to each type of SU, based on their relation to the affected structure. This valuation is only inclusive of the 112 SU in UF2.1 that have been identified to meet the national eligibility criteria for socioeconomic compensation. Given that the study of title deeds is still ongoing in UF2.1, the exact number of compensation amounts to be paid for all eligible SU has not yet confirmed. This table will be updated once the amounts have been finalised.

Table 20: Socioeconomic compensation based on type of SU

Type of SU	SU paid	Amount paid	SU pending	Amount pending
Owner/Propietario	2	No data	8	No data
Holder/Poseedor	0	No data	4	No data
Improver/Mejoratorio	0	No data	31	No data
Landlord/Arrendadores	1	No data	12	No data
Leasee/Arrendatario	0	No data	0	No data
Inhabitant/Moradores	0	No data	1	No data
Local commercial landlord	0	No data	17	No data
Productive social unit	1	No data	35	No data
Total:	4	\$5,468,694	108	\$2,035,504,962

Table 21 below shows the socioeconomic compensation that has been paid to date based on the category of compensation, as well as the number of SU that have received or are pending payments.

⁵⁰ "Daño emergente y lucro cesante" or costs incurred & loss of profits

Table 21: Socioeconomic compensation based on type of compensation

Socioeconomic compensation category	Amount paid	Amount pending	Total amount
Restoration of housing	-	\$916,973,820	\$916,973,820
Inhabitants/moradores	\$4,687,452	\$133,892,802	\$138,580,254
Mobilization	\$781,242	\$63,337,980	\$64,119,222
Restoration of social services	-	-	-
Restoration of economic activities	-	\$872,848,764	\$872,848,764
Landlords	-	\$42,982,902	\$42,982,902
SU paid (%)	1 (0.9%)		
SU pending (%)	111 (99%)		
Total value	\$5,468,694	\$2,030,036,268	\$2,035,504,962

7.4.6 Summary Budget

The total estimated amounts in the above tables are reflected in the summary table below. Given that study of title deeds and compensation payments are still ongoing, the budget amounts will not be finalised until these activities are completed.

Table 22: Summary of budget

Item	Total COP	Total USD ⁵¹
Land, structures, crops and species required and damages	\$75,318,891,759	24,743,394
Socio-economic compensation	\$2,035,504,962	668,694
10% contingency	\$7,735,439,672	2,541,208
Total	\$85,089,836,393	27,953,296

7.5 PUBLIC CONSULTATION AND DOCUMENTS DISCLOSURE


7.5.1 Overview

This section describes the Project's resettlement consultation and disclosure programme. It includes disclosure of the RAP to create awareness among the APs regarding their entitlements, compensation payment procedures and the grievance redress mechanism.

7.5.2 Consultation Meetings with Affected Peoples

As of August 2018, DEVIMAR has conducted 30 public consultation events concerning the Project in UF2.1, which have focused on the contents of the Environmental Impact Assessment, the start of construction works on the route and land acquisition and compensation processes. Attendance has ranged from 11 to 85 individuals. Primary concerns identified in the process undertaken so far include the following:

⁵¹ Exchange rate of 1 USD = 3044 COP as of August 2018

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- Type of social support to be provided in finding and purchasing new housing in addition to the financial compensation
- Valuation of land and improvements
- Compensation for residents without legal property titles
- Timeframes for the land acquisition processes

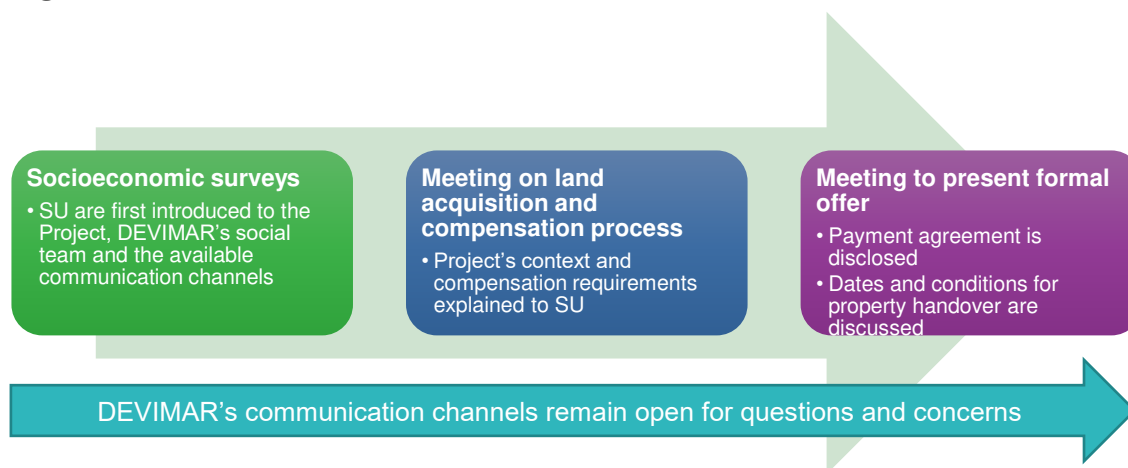
Responses to the queries were provided at the events, with details on the compensation and social relocation assistance to be provided to all eligible SU including those without legal property titles. An example of minutes taken at one of the community consultations is available in Appendix F.

Specific consultation targeting affected communities or public institutions experiencing physical relocation is also taking place. The prior consultation process conducted with the affected Afro-Colombian communities have also entailed discussions concerning the communities’ preferences for the new site, and their feedback on proposed new locations. DEVIMAR has also been in regular contact with the Ministry of Education of the Municipality of Medellín, the secretariat of goods and buildings of Medellín as well as the representatives of the affected schools, through monthly meetings and ongoing informal communication on progress updates concerning the relocation activities.

7.5.3 Information Disclosure


In addition to the public consultation meetings, information has been disclosed to affected social units through the socioeconomic survey processes and more information is provided through the negotiation processes as summarized in Figure 6 below.

Figure 6: Information disclosure at the household level



Source: DEVIMAR

DEVIMAR has developed a trimestral bulletin series, a land acquisition flyer, real estate portfolios, and a family life project handbook. The publications are directly distributed to SU

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and are also available at its offices and mobile units located in key towns within the area of influence. Examples of these are provided in Appendix E, summarised as:

- **Land acquisition flyer:** shows a diagram with the land acquisition process, DEVIMAR’s land management team contact details, and the role of VALORAR S.A. as the valuator and Lonja de Propiedad Raiz de Medellin and Antioquia as valuation supervisors.
- **Real estate portfolios:** magazines created as guides that show a variety of properties of existing homes or lots of land to develop, and a wide range of prices in all municipalities in the area of influence of the project. DEVIMAR has developed four issues to date.
- **Family life project handbook:** a guide that provides advice on preparing and adapting to relocation, as part of the social accompaniment support for those experiencing physical displacement.

This RAP will be disclosed on DEVIMAR’s public website with confidential information removed, to enable affected people to review the entitlements and relocation and livelihood support measures being offered.

One-on-one meetings with affected SU are ongoing to monitor their relocation activities and impacts on living conditions following relocation.

7.5.4 Grievance Mechanism

A grievance mechanism is available to allow APs to appeal any disagreeable decision, practice or activity arising from land or other assets compensation. In accordance with Law 1682 of 2013 and its amendment in Law 1742 of 2014, in the process of property acquisition, the owners of properties, structures, and economic activities affected by the purchase of the property have access to a mechanism to present concerns, questions or observations concerning the formal offer of purchase, which are attended and answered by DEVIMAR’s property acquisition officials. These claims are then included in the files of each property, during the entire negotiation period until the final deed of the property on behalf of ANI. As grievances are tracked, recorded and resolved in individual files rather than in a central grievance management system, this system does not quantify or provide general statistical information related to grievances received about the property management process.

DEVIMAR receives all grievances, requests and complaints directly and adheres to the process summarised in Figure 7 below.


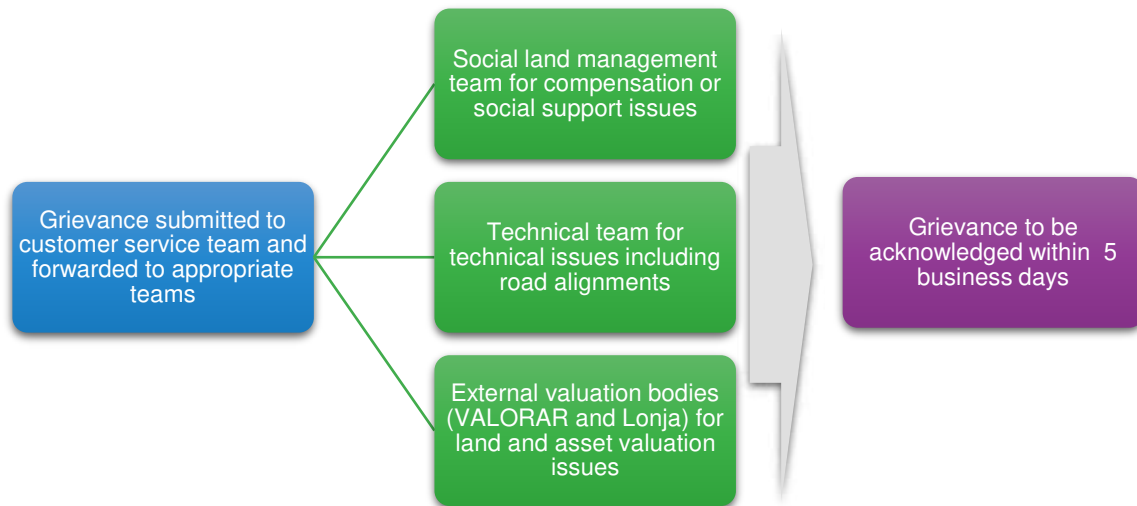
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Figure 7: Grievance management process



Source: DEVIMAR

When submitting a grievance concerning a valuation, APs can also present their own independent valuation to be considered.

The customer service team receives grievances at the fixed and mobile offices as shown below, in addition to telephone hotlines, email and online submission forms⁵².

- One central office (Santa Fe de Antioquia-Cabecera municipality),
- Three satellite offices (located at the Tunel de Occidente, San Jerónimo, and Santa Fe de Antioquia-Vereda Espinal regions),
- Two mobile offices (Located in different points throughout the UFs and moved periodically).


Their contact details as well as the procedure for submitting grievances are disseminated directly to the APs through brochures and newsletters provided at individual meetings and public consultations, to ensure that all affected persons including women and vulnerable persons are able to voice their concerns.

All efforts are made to settle the issues through community consultation as a first step. If not, all possible attempts are made to resolve issues through the application of other conciliatory methods established in the Concession Agreement. The steps to take to address grievances concerning compensation amounts and valuations are summarized below:

1. DEVIMAR will issue a formal response no later than 15 business days after receipt of the grievance as per national law.⁵³ This response will either be an offer for compensation or

⁵² <http://www.devimar.co/index.php/pqrs.html>

⁵³ Under the right to petition, an instrument created by Colombian law in order to set a maximum response time for petitions made by citizens to public institutions, or private entities that have received delegations, like DEVIMAR.

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change to valuation amount to the complainant, and invitation to discuss the issue further at a private meeting or an explanation for the dismissal of the complaint.

2. Complaints are not closed until a written response is received and approval is given by the External Controller
3. If the AP does not agree with the compensation offer, valuation or reasons for dismissal, the APs should present their grievance to ANI
4. If the complainant is still not satisfied with the decision of ANI and is willing to continue with their complaint, they can register or file their case in the court whose decision will be final.

DEVIMAR's grievance mechanism contact details are provided below in Table 23. The main focal point for APs is Jaime Ordoñez within the social resettlement team.

Table 23: Grievance mechanism contact details

Area	Name	Phone	Email
Social resettlement	Jaime Ordoñez	(4) 322 03 93 Ext. 106	jaordonez@devimar.com.co
Legal	Lina Albaraccín	(4) 322 03 93 Ext. 101	lablarracin@devimar.com.co
Technical	Jesús David Torres	(4) 322 03 93 Ext. 104	jdtorres@devimar.com.co

Source: DEVIMAR

The roles of DEVIMAR's different teams are available in section 7.1.3.

DEVIMAR is required to maintain records of all communication received and sent out through the grievance mechanism for review by ANI and the External Controller. Monitoring of the grievance mechanism is further detailed in section 0.


7.5.5 Consulta Previa process

1. Pre-consultation to community Council of Guaymaral

On February 6, 2017 culminated the identification of impacts and management measures for the resettlement process of Ethnic Communities.

The main compromise was:

"Acquisition of two properties with an area equivalent to that currently held, in which the company Devimar will guarantee, on its own account or through a third, the construction of 9 houses and 1 room. The houses will have the following specifications as required by the community: House built according seismic code specifications resistant, in cement block of 15, three bedrooms, living-dining room, a veneered bathroom, kitchen whit stainless steel and , laundry, veneered floors, roof in clapboard, felt and clay tile, Doors and windows, revoked walls , hall, adequacy of public services, with an approximate area of 70 mt2 ".

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2. **Pre-consultation to Ethnic community from La Puerta**

On December 12, 2016 a petición de la comunidad se realizó el Taller de Adquisición Predial. El 13 de enero de 2017 se realizó el Taller de Identificación de Impactos Ambientales, en el cual se definió predialmente lo siguiente:

At the request of the community, the acquisition Land consultation was held. On January 13, 2017 the Environmental Impacts Identification Workshop was held.

- Implementation of the land acquisition process and the property survey; as well as the accompaniment to the Socio predial management to the nine SU impacted.

3. **Pre-consultation to Ethnic community from Tafetanes “cañada de oro”**

Resettlement Agreement on February 22, 2018.

Acquisition of a single property adjoining, equivalent to the required area. For the construction of the new houses, the owners and no owners must agree to accept any of the following options: Acquisition of a single property adjoining, equivalent to the required area. For the construction of the new houses, the owners and the no owners must agree to accept some the following options:

Plan A: Modification of the EOT of Sopetrán through the municipality Council, to modify the number of rural houses per m2, for allowing building 25 houses per hectare and allow the current owners to keep that condition.

Plan B: DEVIMAR will purchase a property or properties adjoining, which will be titled in Proindiviso (without division), conserving the percentages of the total area acquired by the Project to the current owners. Within this area will be included 2 hectares for the community Council of Taffetas as compensation in kind.

Plan C: Direct negotiation with Devimar, for those owners who do not want to benefit from plan A or plan B.

Housing:

DEVIMAR will build houses in the same amount of houses required. There Will be 3 type houses designed by an architect.

1. 3 bedrooms and 1 bathroom
2. B) 4 rooms and 1 bathroom
3. C) 3 rooms, 1 bathroom and 1 social bathroom (sink and sanitary).

7.6 MONITORING AND EVALUATION

7.6.1 Monitoring programme


The RAP will be subjected to both internal and external monitoring. Internal monitoring will be conducted by ANI, the government body granting the Project’s concession to DEVIMAR. External monitoring and auditing is assigned to the External Controller.

The monitoring activities are detailed in Table 24 below.

Table 24: Monitoring programme

Party	Responsibility	Frequency
DEVIMAR	Land acquisition and resettlement: Submission of data report to ANI with progress in its compensation, valuation and socioeconomic survey processes	Monthly and trimestral
	Grievance mechanism: Progress report to be submitted on response times and resolution of grievances received.	Monthly
	A survey to be developed by an independent survey firm to obtain information on satisfaction of users in terms of response times and resolution.	Semester
	Local recruitment programme: Progress report to be submitted on proportion of workers contracted from Project's area of influence per type and category of work	Monthly
	Consultation programme: Survey to be developed by an independent survey firm on impact of consultation strategy on stakeholders in the area of influence	Annual
	Internal auditing and quality control including: <ul style="list-style-type: none"> ● Internal quality control of property appraisals ● Follow-up to the negotiation process for claims in ongoing negotiation with landowners ● Internal audit of compensation payments for restoration of housing 	Daily
ANI	<p>Directly monitoring of DEVIMAR's resettlement process through its property committee. The property committee is composed of social, property and technical staff who conduct monitoring and control activities to ensure that DEVIMAR is complying with contractual and legislative requirements.</p> <p>Indicators reviewed on a monthly basis include the following:</p> <ul style="list-style-type: none"> ● Number of social documentation completed ● Number of SU identified ● Value of compensation approved ● Value of compensation paid ● Number of SU in process of being transferred ● Number of SU being transferred 	Monthly progress report and property committee meeting
External Controller (discussed in section ¡Error! No se encuentra el origen de la referencia.)6)	<p>Serving as the external government monitor and auditor of the resettlement process, as part of its overall responsibility to control and verify the execution and completion of the Project.</p> <p>Responsible for approving each step of the property management and appraisal process, relocation follow-up and delivery of socio-economic compensation.</p>	Ongoing throughout execution of Project
International Project Lender(s) – once engaged	Undertake independent third-party monitoring of the resettlement process for compliance with applicable lender requirements	Based on lender schedule

Source: DEVIMAR

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Once all resettlement activities have been completed, an independent completion audit should be undertaken to assess whether the adverse impacts of resettlement were addressed in a manner in accordance with this RAP, national legislation and principles of IFC PS5.

7.7 RAP IMPLEMENTATION

7.7.1 Implementation status

RAP implementation is ongoing as of the date of this RAP, with activities having commenced in 2016, with tasks having been successfully completed including the following:

- Establishment of land acquisition and socio-economic compensation teams
- Appointment of international resettlement consultants
- Publication of preliminary notification expressing the intent to acquire land
- Public consultation meetings, consultation with APs and informed consultation meetings with Afro-Colombian communities
- Completion of socioeconomic surveys for 87 households in UF2.1.
- 85 SU (across all UF components) have received accompaniment support as of August 2018, in the form of real estate portfolios, psycho-social support for relocation and/or construction of new housing

Currently, property purchase, socioeconomic profiling, compensation payments and relocation of SU are underway across all UFs, as detailed in the implementation schedule in section 7.7.2 below. These activities are estimated to be completed by early 2019.


The study of title deeds is also ongoing to establish the total size and number of properties required for UF2.1, having started in July 2016 and expected to be completed by September 2018. Once completed, the relevant impact and budget sections of this RAP should be updated to reflect the results of this study.

7.7.2 Implementation schedule

A timeline for RAP preparation, implementation and post implementation has been prepared in accordance with different steps covered under this RAP, as well as the UF2.1 land acquisition schedule provided in DEVIMAR's Socioeconomic Compensation Plan, and presented in Table 25. The timeline is based on the projected completion time of three years and six months (from 2017 to 2019) for the relocation and resettlement processes.


Table 25: RAP Implementation Schedule

Phase & Activities	2016												2017												2018												2019												2020								
	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9
A. Project Preparation Phase																																																									
All UF: design of compensation plan	■																																																								
All UF: property census	■																																																								
All UF: projection of values	■																																																								
All UF: eligibility survey				■																																																					
Preliminary identification of eligible SU						■																																																			
Budget determination for compensation plan					■																																																				
No objection received from External Controller on property acquisition plan						■																																																			
Compensation plan reviewed by External Controller & Cut-off date							■																																																		
Elaboration of property inputs							■												■												■																										
UF2: Community socialization on property management & compensation plan										■																																															
UF1&3: Community socialization on property management & compensation plan													■																																												
B. RAP implementation																																																									
UF1&3: property purchase													■												■												■																				
UF2: property purchase													■												■												■																				
Payment for profit loss													■												■												■																				
Social characterization records done													■												■												■																				
Socioeconomic profiling													■												■												■																				
Compensation agreement													■												■												■																				
Assistance for relocation													■												■												■																				
UF1&3: voluntary transfer of SU													■												■												■																				
UF2: voluntary transfer of SU													■												■												■																				
Transfer of Tafetanes community																																					■																				
Transfer of Guaymaral community																																					■																				
Purchase of Tafetanes properties																																					■																				
Purchase of new Tafetanes property																																					■																				

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A. COLOMBIAN LEGAL AND POLICY BACKGROUND

A.1 The Constitution

The National Constitution of Colombia, referring to the fundamental right guaranteed by private property and other rights acquired under the civil laws in article 58,⁵⁴ states: "When the application of a law issued on grounds of public utility or social interest conflict the rights of individuals, private interest must yield to the public or social interest. It further adds: "For reasons of public utility or social interest defined by the legislator, there may be expropriation through judicial judgment and prior compensation. This will be fixed in consultation with the interests of the affected. In cases determined by the legislator, such expropriation may be brought forward by administrative procedure, including with respect to the price.

Article 82 of the Constitution states that: "It is the duty of the State to ensure the protection of the integrity of the public space and its destination to common use, which prevails over the private interest".

A.2 Civil Code

The Civil Code regulates the right to private property, however this is a right that is subject to the needs that at any given moment the State may have representing the interests of all parties, as stated above within the Constitution.

A.3 Resolution 545 of 2008

Resolution 545 of 2008 of the National Institute of Concessions (Instituto Nacional de Concesiones, or INC) defines the social management instruments applicable to infrastructure projects developed by INC and establishes criteria for the implementation of the Socioeconomic Compensation Plan within the framework of sustainable development international, constitutional and legal standards, which ensure conditions of social participation, equity and improvement of the quality of life of the population affected by the projects.

This Resolution repeals the previous Resolution 609 of December 29, 2005.

A.4 Resolution 1776 of October 16, 2015


Adds to Resolution 545 of 2008, by which the social management instruments applicable to infrastructure projects developed by the INC are defined and criteria are established for the implementation of the Socioeconomic Compensation Plan.

A.5 Property appraisal and Valuation

The following laws and decrees establish the process of elaboration of property appraisals to be followed:

- Law 9 of 1989, as amended by Law 388 of 1997
- Law 1682 of 2013
- Decree 1420 of 1998
- Regulatory Resolution 620 of 2008 issued by IGAC

⁵⁴ Modified by Legislative Act No. 1 of 1999

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- Resolution 898 of 2014 issued by the IGAC
- Resolution 1044 of 2014 issued by the IGAC
- Resolution 316 of 2015 issued by the IGAC
- Resolution 2684 of 2015 issued by the Ministry of Transportation

Valuation is undertaken according to IGAC Resolution 620 of 2008 and Decree 1420 of 1998, and applies the following valuation methodology called “method of comparison or market”:

The commercial value of the good is established, based on the study of the recent offers or transactions, of similar goods and comparable to the valuation object. Such offers or transactions shall be classified, analysed and interpreted to arrive at the estimate of the commercial value.⁵⁵

It should be noted that this does take into account depreciation.

The characteristics taken into account in the national valuation process are summarised in Table 26 below.


Table 26: Characteristics taken into account in assessment of compensation unit values

Goods	Characteristics taken into account in appraisal
Land	<ul style="list-style-type: none"> ● Physical aspects such as area, location, topography and shape ● Soil Classes: urban, rural, urban sprawl, suburban and protection ● The current urban planning rules for the area or property ● Type of buildings in the area ● The provision of primary, secondary and public networks of residential public services, as well as the road infrastructure and transport service ● In rural areas, in addition to the above characteristics, soil and water agrolologic conditions should be taken into account ● The socioeconomic stratification of the property
Buildings and structures	<ul style="list-style-type: none"> ● The area of existing, legally authorized constructions ● The structural elements used in its structure and finishes ● Existing additional or complementary works ● The age of materials ● The physical state of conservation ● The remaining economic and technical useful life ● The functionality of the building for which it was built ● For goods subject to horizontal ownership,⁵⁶ the characteristics of common areas
Crops (including trees)	<ul style="list-style-type: none"> ● The variety ● The density of the crop ● The remaining life in accordance with the vegetative cycle of the crop ● The phytosanitary status ● The productivity of the crop, associated with the climatic conditions where it is located ● Estimation of area actually planted

Source: Decree 1420 of 1998, Law 1682 of 2013 and Resolution 620 of 2008

⁵⁵ Decree 1420 of 1998

⁵⁶ Property ownership in which all owners of the property have equal interest

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A.6 Other relevant legislation


Other relevant national legislation includes the following:

- Law 1682 of November 12, 2013: Establishes measures and provisions to be adopted for transport infrastructure projects.
- Law 1561 of July 11, 2012: Establishes a verbal process to grant property titles to holders.
- Law 1537 of June 20, 2012: Issues rules to facilitate and promote urban development and access to housing and other provisions.
- Decree 2190 of June 12, 2009: Partially regulates the Laws 49 of 1990, 3 of 1991, 388 of 1997, 546 of 1999, 789 of 2002 and 1151 of 2007 in relation to the Family Subsidy of Housing of Interest Social in money for urban areas.
- Law 1742 of 2014: Establishes measures and provisions to be adopted for transport infrastructure projects, potable water and basic sanitation, and other sectors that require expropriation in investment projects that the State is progressing.
- Resolution 2684 of August 6, 2015: Establishes means through which the elements of damage and loss of profit that must be appraised in the processes of land acquisition for transportation infrastructure projects, contained in Law 1682 of 2013 amended by Law 1742 of 2014, for entities attached to the Ministry of Transport.

A.7 Land Acquisition Process


DEVIMAR follows the general process for land acquisition in alignment with national law, as shown below:

1. Project designs are submitted to and approved by ANI
2. First property inputs are carried out
 - a. Property records (*ficha predial*)
 - b. Study of titles (*estudio de títulos*)
3. In parallel, the social accompaniment program is initiated in which SU are provided with assistance including real estate portfolios in nearby areas and psycho-social support to help SU adjust to the process of relocation
4. Collection of documents from SU on their properties and socioeconomic data
5. The property documents are then sent to the External Controller who reviews them within 10 business days
6. The commercial property appraisal is developed, with the valuation sheet including details on the area, buildings, value of improvements and crops.
7. In the property records, DEVIMAR's property team gets information on the properties/real estates including valuation, while the social property team gets information for the socioeconomic records. Throughout this process the social accompaniment is conducted in tandem.
8. Formal offer of purchase is made by personal notification to the owner, as well as by registered mail (sent to the heirs of the deceased in case of death, who have five days to officially present as per timelines established by national law), publication on the web pages of ANI and DEVIMAR and billboard in the main office of DEVIMAR.

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9. The offer is registered with the Office of Public Instruments after which 15 calendar days are available to present concerns. Economic and property-related concerns that are submitted are forwarded to the Lonja de propiedad raíz de Antioquia (evaluators), topographical ones to the technical team, and loss of profit to the social team (only in exceptional cases based on the information provided by the owner).
10. Acceptance of the offer. If the offer is not accepted, the observations are addressed after which the affected property has 30 days to respond.
11. Updated location and boundaries, with the municipal cadastre of Medellín or departmental cadastre.

If the offer is still not accepted, a process of judicial expropriation is undertaken. Files are sent to the External Controller who has five days to review, this proceeds to the ANI following no objection. ANI signs and notifies the owner who can submit observations. The complaint is distributed to the courts. Infrastructure Law guarantees early delivery, so as not to delay the execution of the project.

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B. AFFECTED PEOPLE CENSUS AND IMPACT SUMMARY

The below table provides the detailed census information for the 87 SU that were included within the socioeconomic surveys undertaken in UF2.1.


Table 27: Census and impact summary

SU #	Name of head of household	AP #	Land type affected	Business affected
1	Arnobio de Jesús Caro Acevedo	4	Residencial	Ninguno
2	Lucelly Caro Tejada	4	Residencial	Ninguno
3	Mercedes Caro Tejada	2	Residencial	Ninguno
4	Luís Felipe Caro Tejada	5	Residencial	Ninguno
5	Ofelia de Jesús Serna	6	Residencial	Ninguno
6	Luz Marina Caro Tejada	1	Residencial	Ninguno
7	Luz Mery Caro Tejada	3	Residencial	Ninguno
8	Herley Alberto Caro Tejada	4	Residencial	Ninguno
9	Arnobio de Jesús Caro Tejada	2	Residencial	Ninguno
10	Uriel de Jesús Gallego	4	Residencial/Comercia 1	Tienda
11	Leonardo Gallego Jiménez	5	Residencial	Ninguno
12	Jhon Fredy Caro Tejada	3	Residencial	Ninguno
13	Cándida Rosa Gallego Jiménez	3	Residencial	Ninguno
14	Diego Armando Cadavid Gallego	1	Residencial	Ninguno
15	Junior Arley Muñoz Correa	5	Residencial	Ninguno
16	Jhon Fredy Cadavid Gallego	6	Residencial	Ninguno
17	Emilsen Isabel Berrio Martínez	6	Residencial	Ninguno
18	Diana María Martínez Meneses	4	Residencial	Ninguno
19	Dianan Elena Muñoz Uribe	1	Comercial	Venta de Químicos
20	Juan David Zuluaga	1	Comercial	Venta de Químicos
21	Diana Elena Muñoz Uribe	4	Residencial/Comercia 1	Preparación de alimentos
22	Juan José Gutierrez Londoño	1	Residencial	Ninguno
23	Gladys Elena Gómez Ortiz	1	Residencial	Ninguno
24	Ever de Jesús Acevedo León	2	Residencial	Ninguno
25	Mónica Tabares	7	Residencial	Ninguno
26	Deiby Tabala Oyalve	1	Residencial	Ninguno
27	Jorge Iván Ruiz Castañeda	2	Residencial	Ninguno
28	Lina María Espinal Bedoya	3	Residencial/Comercia 1	Bar
29	Euclides Mazo Areiza	4	Residencial/Comercia 1	Carpintería
30	Rubén Darío Arcila	4	Residencial/Comercia 1	Taller mecánica
31	Eucario Antonio Rojas Gallego	1	Comercial	Venta Maderas
32	Adela Zapata	4	Residencial	Ninguno
33	Juan Zapata	2	Residencial	Ninguno
34	Andrés Zapata	5	Residencial/Comercia 1	Preparación de alimentos
35	Yenny Cecilia López Zapata	4	Residencial/Comercia 1	Tienda

SU #	Name of head of household	AP #	Land type affected	Business affected
36	María Del Carmen Zapata Serna	5	Residencial	Ninguno
37	Nohemí Cano	6	Residencial/Comercia 1	Ventas
38	Jaime Eliecer Holguín	4	Residencial/Comercia 1	Ventas
39	Amada Zapata	10	Residencial	Ninguno
40	Luz Cielo Durango	4	Residencial	Ninguno
41	Dora Piedad Montoya Quintero	2	Residencial	Ninguno
42	Diana Consuelo Montoya Manco	3	Residencial	Ninguno
43	Juan de la Cruz Montoya Pérez	2	Residencial	Ninguno
44	Magnolia de Jesús Quintero Góez	5	Residencial	Ninguno
45	Mauricio de Jesús Montoya	1	Residencial	Ninguno
46	Cindy Milena Echavarría Ibarra	3	Residencial	Ninguno
47	Esneider de Jesús Montoya Quintero	3	Residencial	Ninguno
48	Leonel de Jesús Pérez Rojas	3	Residencial	Ninguno
49	María del Carmen Montoya Quintero	1	Residencial	Ninguno
50	Diego Alejandro Montoya Quintero	3	Residencial	Ninguno
51	Jhon Jairo Montoya Quintero	3	Residencial	Ninguno
52	Luis Angel Pérez Londoño	4	Residencial/Comercia 1	Tienda
53	Jhon Jairo Jimenez	1	Residencial/Comercia 1	Montallantas /Mecánica
54	Ana Dilia Jaramillo Henao	4	Residencial/Comercia 1	Ventas
55	Yelena Yohana Suarez Jaramillo	3	Residencial	Ninguno
56	Mauricio A Delgado P	2	Residencial	Ninguno
57	Dora Alexandra Suarez	3	Residencial	Ninguno
58	Robinson A Suarez	3	Residencial	Ninguno
59	Alcides Suarez Osorio	4	Residencial/Comercia 1	Ventas
60	Carlos Alberto Rios	6	Residencial	Ninguno
61	Jorge Anibal Bran	6	Residencial	Ninguno
62	Luz Edilma Bedoya	7	Residencial	Ninguno
63	Maria Nubia Leon	1	Residencial	Ninguno
64	Luz Eleida Cataño	1	Residencial	Ninguno
65	Pedro Dario Luna Santana	1	Comercial	Tienda
66	Anibal pulgarin olaya	2	Comercial	Venta de frutas y dulces
67	Flor Angela Legarda Lastra	4	Residencial	Ninguno
68	Regina Elena Garcia Giraldo	5	Residencial	Ninguno
69	Leocadio Legarda	3	Residencial/Comercia 1	Agropecuario
70	Clarisa Legarda	5	Residencial	Ninguno

SU #	Name of head of household	AP #	Land type affected	Business affected
71	Juan Isaias Legardo	3	Residencial	Ninguno
72	Olga de Jesus Sierra Chica	3	Residencial	Ninguno
73	María Isabel Luna Santana	5	Residencial	Ninguno
74	Luz Eneida gallo Garcia	4	Residencial/Comercia 1	Venta de frutas y dulces
75	Hector Fredy García Lastra	1	Residencial	Ninguno
76	Anibal de Jesus Bedoya	1	Residencial/Comercia 1	Venta de frutas y dulces
77	Nicolas de Jesus Luna Santana	3	Residencial	Ninguno
78	Luz Amparo Tilano cano	4	Residencial/Comercia 1	Extracción materiales/Comercial
79	Luís Gabriel Jaramillo Tilano	4	Residencial/Comercia 1	Extracción materiales/Comercial
80	Paula Andres Jaramillo Tilano	1	Residencial/Comercia 1	Extracción materiales/Comercial
81	Jhon Jairo Agudelo	1	Residencial	Ninguno
82	Leidy Jhoana Luna Sierra	4	Residencial	Ninguno
83	María Celina Higuita	1	Comercial	Tienda
84	BALDOSAS DE OCCIDENTE	1	Comercial	Venta de Baldosas
85	ANTONIO DE JESÚS LUNA SANTANA	1	Residencial	Ninguno
86	ANA ESTER LUNA SANTANA	1	Residencial	Ninguno
87	ALIRIO LEGARDA	1	Residencial	Ninguno
Total		277		

Source: DEVIMAR

	MANUAL DE ORGANIZACIÓN	PR-PRE-003
	PLAN DE ACCIÓN DE REASENTAMIENTO – RAP UF 2.1	Edición: 02 Página 77 de 94


C. SOCIAL LAND MANAGEMENT ACTIVITIES

DEVIMAR's social land management team follows the below list of activities, as established by DEVIMAR's land acquisition methodology document:

- Receipt and analysis of the legal, technical and cadastral information of the properties of the direct area of influence of the project
- Field and home visits for the characterization of Social, Productive Units or other Units, through the application of formats required by Resolution 545 of 2008
- General characterization of the property
- Characterization of Resident Social Units
- Characterization of Productive Units
- Management of documents required according to Resolution 545 of 2008 and complementary, to verify the information provided by the Social, Productive Units or other Social Units
- Identification of the impacts that the Social and Productive Units will face for the development of the Project
- Consolidation of the Social Statement recommending the application of various types of support for each Social Unit in particular
- Justification of the non-allocation of Support Factors to Social and Productive Units, in case of evidence of the absence of social and economic impacts; or if there are no residential or economic activities in the area required by the project, as defined in ANI Resolution 545 of 2008
- Management for the verification of the fulfilment of the preconditions by the Social, Productive Units or other Units, to enable the Clearing Agreements
- Drawing up and signing the agreements for the recognition of Socioeconomic Compensations established in Resolution INCO 545 of 2008, when this occurs
- Field visits and home visits to follow up on the application of the economic surveys awarded to each Social Unit
- Preparation of periodic progress reports on Socio-Real Estate Management and monthly updating of the Compensation Plan estimates, annexing: 1) Information derived from the Social Files approved by the Audit Office. 2) Progress information in Compensation Agreements. 3) Matrix of Follow-up to the Compensation Plan of the ANI. 4) Variations existing with respect to the previous month, estimated the total value by Socioeconomic Compensations. 5) The number of properties on which there is a definitive Compensation plan 6) The value of the Compensation Agreements achieved. 7) The number of missing lands 8) The estimated value of remaining economic resources

D. ANI SOCIOECONOMIC SURVEY FORMS

D.1 Form GCSP-F-012 – General characterizations of the building

 Agencia Nacional de Infraestructura	SISTEMA INTEGRADO DE GESTIÓN		Código: GCSP-F-012
	PROCESO	GESTIÓN CONTRACTUAL Y SEGUIMIENTO DE PROYECTOS DE INFRAESTRUCTURA DE TRANSPORTE	Versión: 001
	FORMATO	FICHA SOCIAL - CARACTERIZACIÓN GENERAL DEL INMUEBLE	Fecha: 12/11/2011

Formato No. 1 de la Ficha Social. - Se diligenciará a razón de uno por cada inmueble. (al cual se adjuntarán las fotos de caracterización de unidades sociales, el registro fotográfico y el Diagnóstico Socioeconómico de cada unidad social):

1. DATOS GENERALES						
Proyecto _____	Ficha Predial _____	Trayecto _____				
Municipio _____	Vereda/ Barrio _____	Dirección _____				
Nombre del propietario (según Estudio de títulos) _____						
Datos de contacto (Dirección / Tel / Cel / e-mail) _____						
<i>(En caso de más información escriba en el ítem de Observaciones o al reverso de este formato)</i>						
2. CARACTERÍSTICAS DEL INMUEBLE						
Requerimiento del terreno por el proyecto: Total _____ Parcial _____ Se requieren edificaciones: SI _____ NO _____						
El valor del área a adquirir es inferior a tres (3) SUMMV? SI _____ NO _____ <i>(Según el Avalúo en caso de adquisición predial)</i>						
Usos Actuales del Inmueble: Vivienda* _____ Comercio _____ Industria _____ Institucional _____ Ninguno _____						
Otros? _____						
¿En el área no requerida se puede restablecer el uso actual <i>(en caso de requerimiento parcial)</i> ? SI _____ NO _____						
¿Existe vivienda en el inmueble? SI _____ NO _____ ¿La vivienda se encuentra habitada*? SI _____ NO _____						
¿La vivienda se requiere para el proyecto*? SI _____ NO _____ Parcial _____ Identifique las condiciones actuales*:						
Servicios Básicos:		Distribución por número de:	Material predominante			
Acueducto	Alcobas		Paredes	Pisos	Techo	
Alcantarillado	Cocinas		Ladrillo	Baldosa	Teja de Barro	
Energía Eléctrica	Sala		Bloque	Cemento	Eternit	
Teléfono	Baños		Adobe/Bahareque	Madera	Paja	
Otro:	Comedor		Madera	Tierra	Zinc	
			Otro:	Otro:	Otro:	
* Los campos marcados con (*) se diligencian solo cuando en el inmueble exista vivienda.						
¿Existen edificaciones con infraestructura mínima para el desarrollo de actividades productivas? SI _____ NO _____						
¿Cuales? _____						
<i>(En caso de más información escriba en el ítem de Observaciones o al reverso de este formato)</i>						
3. UNIDADES SOCIALES IDENTIFICADAS						
¿Existen Unidades Sociales relacionadas con el Inmueble? SI _____ NO _____ ¿Cuántas? _____ Identifíquelas:						
No.	Categoría ¹	Relación con el inmueble ²	Responsable Unidad Social ³	Número de Integrantes ⁴	Firma del Responsable de la Unidad Social	
1.						
2.						
3.						
4.						
5.						
¹ Vgr. Unidad Social Residente (USR); Unidad Social Productiva (USP); Otras Unidades Sociales.						
² Vgr. Propietario; Mejoratarlo; Arrendador; Morador; Arrendatario de local comercial						
³ En caso de hogares corresponde al Jefe de Hogar.						
⁴ Solo en caso de unidades sociales residentes; en caso de Unidades Sociales Productivas no aplica.						
<i>(En caso de más información escriba en el ítem de Observaciones o reproduzca una tabla anexo al reverso de este formato)</i>						
4. OBSERVACIONES						
<i>(En caso de no requerir este espacio por favor crucele con una línea, o de contar con más información escriba al reverso de este formato, firmándolo al final)</i>						
Fecha de levantamiento de la información		El Profesional Social certifica que en la fecha levantó la información contenida en el presente documento:				
		Nombre / Cargo		Firma / C.C.		
DIA / MES / AÑO						


D.2 Form GCSP-F-013 – Characterization of residential social unit

	SISTEMA INTEGRADO DE GESTIÓN		Código: GCSP-F-013
	PROCESO	GESTIÓN CONTRACTUAL Y SEGUIMIENTO DE PROYECTOS DE INFRAESTRUCTURA DE TRANSPORTE	Versión: 001
	FORMATO	FICHA SOCIAL - CARACTERIZACIÓN DE UNIDAD SOCIAL RESIDENTE	Fecha: 12/11/2013

Formato No. 2 de la Ficha Social.- En caso de establecer la existencia de unidades sociales residentes, se diligenciará una ficha por cada Unidad Social identificada en la vivienda:

1. DATOS GENERALES					
Proyecto _____	Ficha Predial _____	Trayecto _____			
Municipio _____	Vereda/ Barrio _____	Dirección _____			
*Unidad Social No. _____		*Relación con el inmueble _____			
*(De acuerdo con la información contenida en el numeral 3 de la Ficha de Caracterización General del Inmueble)					
2. IDENTIFICACIÓN DE LOS INTEGRANTES DE LA UNIDAD SOCIAL RESIDENTE					
<i>(Esta información se recoge en la entrevista al responsable de la unidad social correspondiente)</i>					
Responsable de la Unidad Social: _____		Identificación: _____		Edad: _____	
Ocupación: _____		Otras actividades que le reportan ingresos: _____			
Valor de ingresos Mensuales (sujetos a verificación): _____					
Datos de verificación (Dirección de Trabajo/Tel / Cel / e-mail): _____					
¿Además del Responsable quienes integran la Unidad Social Residente y cuál es su relación con éste? Identifíquelos:					
Nombre e Identificación ¹	Relación	Edad	Ocupación	Ingresos Mensuales ²	Datos de verificación ³
¹ Solicitar fotocopia de los documentos de identidad. / ² En caso de que aplique, sujeto a verificación. / ³ Dirección de Trabajo, institución educativa, etc. /Tel /Cel / e-mail					
¿Cuál es la suma aproximada de ingresos de la totalidad de integrantes de la Unidad Social? _____					
¿Hace cuánto tiempo habitan en esta vivienda? _____ En caso de arrendamiento ¿Cuál es el Canon? _____					
¿Algún integrante de la Unidad Social cuenta con otro inmueble? Si _____ NO _____ ¿Cuál? _____					
¿En caso de traslado, podrían hacerlo a dicho inmueble? Si _____ NO _____ ¿Por qué? _____					
¿Cuántos integrantes de la Unidad Social gozan de cualquiera de los siguientes Servicios contratados con una entidad legalmente reconocida que pueda certificarlo? Guardería Infantil _____ Restaurante Escolar _____ Transporte Escolar _____ Educación Básica _____ Rehabilitación _____ Apoyo Geriátrico _____ Ninguno de los anteriores: _____					
¿Además de residir, la Unidad desarrolla actividades productivas en el inmueble? Si _____ NO _____ ¿Cuáles? _____					
<i>(En caso de requerirse más espacio escriba al reverso de este formato)</i>					
3. APOORTE DE DOCUMENTOS					
Relacionar los documentos aportados por la Unidad Social en el desarrollo de la entrevista, como documentos de identidad, copias de contratos, certificaciones, declaraciones extrajudico, etc. (En caso de no contar con éstos el responsable podrá aportarlos durante el mes siguiente al levantamiento de la presente Ficha):					
<i>(En caso de requerirse más espacio escriba al reverso de este formato)</i>					
Fecha de levantamiento de la información	El Profesional Social certifica que en la fecha levantó la información contenida en el presente documento:		El responsable de la Unidad Social certifica que en la fecha atendió personalmente la entrevista, y verificó la información contenida en el presente documento:		
DIA / MES / AÑO	Nombre: Firma: C.C.	Nombre: Firma: C.C.			

D.3 Form GCSP-F-014 – Characterization of productive social unit

	SISTEMA INTEGRADO DE GESTIÓN		Código: GCSP-F-014
	PROCESO	GESTIÓN CONTRACTUAL Y SEGUIMIENTO DE PROYECTOS DE INFRAESTRUCTURA DE TRANSPORTE	Versión: 001
	FORMATO	FICHA SOCIAL - CARACTERIZACIÓN DE UNIDAD SOCIAL PRODUCTIVA	Fecha: 12/11/2013

Formato No. 2 A de la Ficha Social.- En caso de establecer la existencia de unidades sociales productivas, se diligenciará esta ficha por cada unidad identificada en el inmueble:

1. DATOS GENERALES

Proyecto _____ Ficha Predial _____ Trayecto _____

Municipio _____ Vereda/ Barrio _____ Dirección _____

*Unidad Social No. _____ *Relación con el inmueble _____

*De acuerdo con la información contenida en el numeral 3 de la Ficha de Caracterización General del inmueble)

2. IDENTIFICACIÓN DE LA ACTIVIDAD PRODUCTIVA
(Esta información se recoge en la entrevista al titular de la Actividad Productiva correspondiente)

Titular de la Actividad Productiva: _____ Identificación: _____

Datos de verificación (Dirección de residencia/Tel / Cel / e-mail): _____

Nombre y/o razón social del establecimiento (En caso de aplicar) _____ Nit: _____

Descripción de la actividad productiva desarrollada: _____

¿Cuanto tiempo hace que desarrolla la actividad en el inmueble? _____ En caso de arrendamiento, ¿Cuál es el valor del Canon mensual de arrendamiento? _____ ¿Cuanto es el próximo vencimiento de contrato? _____

¿Lleva algún tipo de contabilidad de la actividad productiva? SI _____ NO _____ ¿Cual? _____

¿Cuenta con los siguientes documentos para el desarrollo de la Actividad? Licencia de Funcionamiento _____ Certificado de Cámara y Comercio _____ RUT: _____ Inscripción de Industria y Comercio _____ Declaraciones de Renta _____

Declarac. IVA _____ Declarac. ICA _____ Balance de Estados y Resultados _____ Ninguno de los anteriores _____

¿Cuanto considera que recibe por utilidades netas mensuales aproximadamente? (sujeto a verificación): _____

En caso de que exista la posibilidad física y legal de continuar el desarrollo de la actividad productiva en el mismo inmueble, estaría interesado en continuar posteriormente? SI _____ NO _____ ¿Porque? _____

(En caso de requerirse más espacio escriba al reverso de este formato)

3 ARRENDADORES
(Esta información se recoge en la entrevista al Arrendador de una parte o la totalidad de inmueble)

Nombre del Arrendador: _____ Identificación: _____

Datos de contacto y verificación (Dirección de residencia/Tel / Cel / e-mail): _____

Contratos de arrendamiento en ejecución (sujeto a verificación):

Nombre e identificación del arrendatario ¹	Objeto del Contrato	Fecha de Suscripción	Fecha prevista de Terminación	Valor del Canon Mensual	Valor por Terminación Anticipada

¹ Solicitar fotocopia de los documentos de identidad

(En caso de requerirse más espacio escriba al reverso de este formato)

4.. APORTE DE DOCUMENTOS

Relacionar los documentos aportados por la Unidad Social en el desarrollo de la entrevista, como documentos de identidad, copias de contratos o declaraciones tributarias, etc. (En caso de no contar con éstos el responsable podrá aportarlos durante el mes siguiente al levantamiento de la presente Ficha):

(En caso de más información escriba al reverso de este formato)

Fecha de levantamiento de la información:	El Profesional Social certifica que en la fecha levantó la información contenida en el presente documento:	El titular de la actividad certifica que en la fecha atendió personalmente la entrevista, y verificó la información contenida en el presente documento:
DÍA / MES / AÑO	Nombre: Firma: C.C.	Nombre: Firma: C.C.

D.4 Form GCSP-F-015 – Photo registry

	SISTEMA INTEGRADO DE GESTIÓN		Código: GCSP-F-015
	PROCESO	GESTIÓN CONTRACTUAL Y SEGUIMIENTO DE PROYECTOS DE INFRAESTRUCTURA DE TRANSPORTE	Versión: 001
	FORMATO	FICHA SOCIAL - REGISTRO FOTOGRAFICO	Fecha: 13/11/2013

Formato No. 3 de la Ficha Social.- incorpora las fotografías tomadas en la visita al inmueble y en la entrevista a unidades sociales, según el caso:


I. DATOS GENERALES			
Proyecto _____	Ficha Predial _____	Trayecto _____	
Municipio _____	Vereda/ Barrio _____	Dirección _____	
*Unidad Social No. _____	*Relación con el inmueble _____		
*(De acuerdo con la información contenida en el numeral 3 de la Ficha de Caracterización General del Inmueble)			

Las siguientes fotografías constituyen evidencia visual de la visita al inmueble y entrevista unidades sociales así: I. Condiciones externas del inmueble, mínimo dos (2) fotos; II. Condiciones internas del inmueble (cuando existan edificaciones) mínimo dos (2) fotos; III. En caso de existir actividades productivas, mínimo dos (2) fotos que permitan evidenciar la infraestructura; IV. Composición de Unidades Sociales relacionadas con el inmueble, mínimo una (1) foto por cada unidad social. En todo caso el registro fotográfico será a color y tamaño 8 x 7, registrando la fecha de la foto, que debe coincidir con la de levantamiento de la ficha social:

Registro No	Registro No
Descripción:	Descripción:
Registro No	Registro No

Fecha de levantamiento de la información:	El Profesional Social certifica que en la fecha levantó la información contenida en el presente documento:	
	Nombre / Cargo	Firma / C.C.
DÍA / MES / AÑO		

D.5 Form GCSP-F-016 Socioeconomic Diagnostics

	SISTEMA INTEGRADO DE GESTIÓN		Código: GCSP-F-016
	PROCESO	GESTIÓN CONTRACTUAL Y SEGUIMIENTO DE PROYECTOS DE INFRAESTRUCTURA DE TRANSPORTE	Versión: 001
	FORMATO	DIAGNOSTICO SOCIOECONÓMICO	Fecha: 13/11/2013

Este Formato se diligenciará a razón de uno por cada unidad social relacionada con el inmueble. Constituye el análisis socioeconómico de la información recogida en ficha social y su documentación, a la cual se adjuntará una vez verificada la información, como resultado del estudio correspondiente:

1. DATOS GENERALES		
Proyecto _____	Ficha Predial _____ Trayecto _____	
Municipio _____	Vereda/ Barrio _____ Dirección _____	
*Unidad Social No. _____	*Relación con el inmueble _____	
<small>*(De acuerdo con la información contenida en el numeral 3 de la Ficha de Caracterización General del Inmueble)</small>		
2. IDENTIFICACIÓN DE IMPACTOS Y DIAGNOSTICO SOCIOECONÓMICOS		
<p>Análisis de la información recogida en la entrevista domiciliar y los documentos allegados, identificación de los impactos socioeconómicos (la pérdida de la vivienda, afectación de los servicios sociales básicos, la suspensión de las actividades productivas, entre otras) que enfrentará la unidad social por causa de la ejecución del proyecto y determinación de su capacidad para enfrentarlos, asimilarlos o manejarlos, y recomendación de uno, varios o ningún factor social.</p>		
<small>(En caso de requerirse más espacio escriba al reverso de este formato)</small>		
3. APLICACIÓN DE FACTORES SOCIALES		
En caso de recomendarse la aplicación de Factores Sociales, sujeta al cumplimiento de las condiciones generales, particulares y procedimiento establecido:		
FACTOR SOCIAL	APLICACIÓN DEL FACTOR Y OBSERVACIONES	
Factor de Apoyo al Restablecimiento de Vivienda ¹	Subtotal	
Factor de Apoyo a Moradores	Subtotal	
Factor de Apoyo para Trámites ²	Subtotal	
Factor de Apoyo por Movilización	Subtotal	
Restablecimiento de Servicios ³	Subtotal	
Restablecimiento de Medios Económicos ⁴	Subtotal	
Apoyo a Arrendadores ⁵	Subtotal	
VALOR TOTAL DE LA PROPUESTA DE APLICACIÓN DE FACTORES SOCIALES	\$	
¹ Para hacer la aplicación requiere como mínimo contar, entre otros, con el avalúo de adquisición predial y certificación de VISP. ² Para hacer la aplicación requiere como mínimo contar, entre otros, con el avalúo de adquisición predial. ³ Para hacer la aplicación requiere como mínimo contar, entre otros, con las certificaciones de las instituciones prestadoras de los servicios. ⁴ En el caso de actividades formales, para hacer la aplicación requiere como mínimo contar con la determinación de la utilidad mensual neta. ⁵ Para hacer la aplicación requiere como mínimo contar, entre otros, con los contratos de arrendamiento.		
<small>(En caso de requerirse más espacio escriba al reverso de este formato)</small>		
Fecha de elaboración del Diagnóstico	Profesional Social que elabora el Diagnóstico:	Profesional Social de Interventoría:
DÍA / MES / AÑO	Nombre: Firma: C.C.	Nombre: Firma: C.C.

E. INFORMATION DISCLOSURE DOCUMENTS

Figure 8: DEVIMAR Bulletin Issue #7



Source: DEVIMAR
Figure 9: Land acquisition flyer



Source: DEVIMAR

Figure 10: Real estate portfolio

Source: DEVIMAR
Figure 11: Family life project handbook

Source: DEVIMAR

F. MINUTES OF CONSULTATION MEETINGS 57



ACTA DE REUNIÓN

FECHA: 06 de Febrero de 2017

TEMA: Afectación predial y medidas de mitigación.

ASISTENTES: Devimar, SAPS, Consejo Comunitario de la Vereda Guaymaral, CORAMA.

AGENDA DE LA REUNIÓN:

1. Saludo.
2. Presentación Devimar.
3. Propuesta.
4. Lectura del acta.

OBJETIVO DE LA REUNIÓN:

DESARROLLO DE LA REUNIÓN:

La reunión da inicio con un saludo por parte del representante legal Duber hacia la comunidad, seguidamente el saludo por parte del Ingeniero Andrés quienes manifiestan que es importante preguntar y que todas las preguntas sean respondidas. Por ultimo saluda a la comunidad CORAMA manifestando la importancia del dialogo con respeto en lo que resta de la consulta previa.

Toma la palabra Carolina de SAPS para dar lectura al orden del día el cual fue aceptado por la comunidad.

A continuación toma la palabra Edwin de SAPS para dar inicio a la presentación de Devimar con relación a los predios que se van a requerir para la ejecución del proyecto. Primero comienza con una contextualización de la vida actual y de la nueva en el polígono correspondiente al consejo





comunitario, recordando por medio de una imagen que lo encerrado con la línea morada corresponde a lo requerido para el proyecto. Explica también que las divisiones azules son la información catastral entregada por el Municipio. Hace alusión a la división de los lotes 165, 166 y el 168, los cuales son los predios donde se encuentran las 11 viviendas de las familias del consejo comunitario.

Nos cuenta Edwin que el lote 165 tiene un área a adquirir de 2638.44 m2, con un valor aproximado de \$45.000 m2, teniendo un valor total aproximado de \$118'729.800.

El lote 166 tiene un área a adquirir de 472.37 m2 aproximadamente, teniendo un valor total de \$21'256.650. Con relación al 168, este cuenta con un área a adquirir de 5316.17 teniendo un valor de \$239'227.650 aproximadamente.

Aclara además que como empresa sólo harán adquisición de los predios o mejoras que requieran para la ejecución del proyecto. Los valores anteriores hacen referencia sólo al valor comercial de los predios solamente, más no de viviendas y compensaciones.

Con referencia a las casas, empezando nuevamente con el lote 165, este tiene 6 viviendas correspondientes a: María Montoya, Jhon Montoya, Dora Montoya, Magnolia Quintero, Diego Alejandro Montoya y Esneider Montoya. Una integrante de la comunidad pregunta por la vivienda de Mauricio Montoya, a lo que se le responde que más adelante se le dará respuesta.

En el lote 166, se encuentran 2 viviendas las viviendas de Juan de la Cruz y Diana Consuelo.

En el lote 168, se tienen 2 viviendas, la casa de Milena Echavarría, Leonel Pérez. Los integrantes de esta familia preguntan por la vivienda de la señora Fabiola Montoya, la cual después de argumentar que esta es una casa aparte de las anteriormente mencionadas se tendrá en cuenta más adelante de la presentación cuando vean casa a casa.

Finalmente se tiene el caso especial de la señora Jessica Flórez el cual está muy cerca de la línea de compra. Se aclara también que la gestión predial del señor Luis Ángel Pérez no se muestra en la presentación puesto que esta adquisición se hará por fuera del consejo comunitario.





Se tienen entonces en total 11 unidades sociales residenciales que habitan las viviendas a adquirir.

Seguidamente se muestra un registro fotográfico de las viviendas correspondientes a un trabajo previo realizado por la empresa y se explica también sobre la realización de una ficha técnica de las viviendas. Con la presentación de las fotos se pretende que cada familia corrobore que son las fotos de su casa.

Se inicia con la casa de la señora Magnolia, en donde esta se encuentra asociada a la de la casa de Mauricio Montoya. Duber pregunta el porqué de esta asociación, a lo que se le responde que este al ser dependiente de su familia se hará una negociación conjunta, en donde la compensación y pagos se harán a la familia.

La señora Magda pregunta sobre la compensación social, a lo que se le responde que al ser compensación predial se hace acorde a las características de los predios y se hará entrega a la señora Magnolia.

Seguidamente el mismo ejercicio se hace con las demás viviendas y familias, quienes responden estar de acuerdo con que estas son las fotos de sus viviendas.

Se aclara en el caso del señor Leonel, que estos son una gran familia y se entiende que las dos construcciones están distribuidas para habitarlas por la misma familia y no para dividir las. La compensación se hará a este mismo dando cobertura a toda la familia.

Edwin aclara que las construcciones se tienen en cuenta, sólo que algunas se encuentran asociadas.

Se pregunta por la construcción de la señora Beatriz, a lo que se le responde que esta al no estar habitada no se encuentra en la presentación, además de que este es un informe preliminar, pero en el momento de hacer la ficha predial esta será incluida y reconocida en la gestión predial, ya que los pagos de las viviendas habitadas son diferentes a las que se encuentran en construcción.

Edwin siguiendo con la presentación nos cuenta que hay varios tipos de viviendas y que serán evaluados de acuerdo a su tipo. Se encontraron en el consejo comunitario:





- ✓ Vivienda unifamiliar tipo 1: con un valor de \$346.000 m2
- ✓ Vivienda tipo 2: con un valor de \$521.000 m2
- ✓ Vivienda unifamiliar tipo 2: con un valor de \$922.000 m2
- ✓ Vivienda tipo 3: \$1'056.844 m2

Las especificaciones de los tipos de vivienda se anexan al acta.

Edwin continua diciéndonos que el valor mínimo a recibir por una vivienda de interés prioritario esta por 70 SMMLV, dando un total de \$51'640.190. Aclara que todas las viviendas que en su avalúo den por debajo de este valor y que no tenga más viviendas en esta propiedad se les aplicarán la normatividad correspondiente a los 70 SMMLV.

El señor Jaime de Devimar amplía la explicación diciendo que los predios están distribuidos y que por ende la familia deberá ponerse de acuerdo en cuanto a la repartición de los valores dando como resultado un documento, en el cual estará consignado quien habita cada casa y cuánto vale cada casa. Explica además que las viviendas que tengan un valor menor a \$51'640.190 el gobierno le dará el excedente para que la familia pueda tener una vivienda digna.

Explica también que a los mejoratarios se les da solo el valor de las mejoras, mientras que a los propietarios se les suma el predio. La compensación por vivienda se da solo para ajustar los 70 SMMLV.

Un integrante de la comunidad pregunta si con ese dinero le alcanzará para comprar terreno y hacer su casa, a lo que se le responde que ese monto de dinero es sólo para las viviendas.

Fabian de SAPS, toma la palabra para aclarar que estas son situaciones legales que acreditan la legalidad de documentos y la situación de las familias y sus predios con este aspecto.

La señora Magda pregunta qué pasará con los negocios que se encuentran dentro de las viviendas, a lo que Jaime de Devimar responde poniendo el ejemplo de la señora Sindy, dando a conocer que este entra en avalúo y se da una indemnización por 6 meses al ser un negocio formal mientras esta familia se organiza económicamente nuevamente. Al igual que con los negocios informales se debe hacer una certificación por parte de un contador que soporte los ingresos y utilidad neta generados por los negocios. Los que





sean informales y no cuenten con ningún documento la compensación se hará acorde a la resolución 545.

La señora Dora Montoya pregunta sobre la compensación con relación a su padre quien ha vivido toda su vida en este terreno. El equipo de Devimar y SAPS responde que no sólo habrá entrega de dinero sino también acompañamiento psicosocial.

Otro integrante de la comunidad pregunta sobre su negocio de cerdos, a lo que se le responde que este tipo de negocios pueden trasladarse de predio, diferente a negocios como cultivos, tiendas, por esto estas no son compensables.

Duber pregunta, que al tener viviendas con múltiples familias que pasa con la compensación, el señor Jaime responde que la empresa deberá hacer seguimiento de acuerdo a la resolución de compensación, donde se garanticen y conserven las condiciones que ya se tenían e incluso mejorarlas, es decir que se debe garantizar que estas familias se mantengan unidas. Sin embargo estas no tendrán una compensación extra ya que estas tienen una tipología ya definida y debe conservarse.

Edwin continúa con la presentación, contando que se hará una mesa de trabajo donde se le dará a conocer a cada familia una estimación sobre el valor aproximado a entregar por la adquisición de sus viviendas y predios. Se pregunta a la comunidad si prefieren que se haga familia por familia o en comunidad.

Juan el asesor aporta a esta pregunta que todo se ha venido haciendo en comunidad y que el asunto de confidencialidad no es tan relevante en la comunidad ya que todos han estado de acuerdo en manejar todo en comunidad.

Fabián pregunta a propietario por propietario si desean en privado o en comunidad a lo que todos responden estar de acuerdo en leer los valores estimados en público. Los valores de las viviendas son los siguientes: (Se anexa la presentación)

Se aclara que quienes no puedan demostrar titularidad se les dará el excedente mencionado anteriormente.





Se aclara que en el caso de sucesión de predios, cuando se entregue a cada dueño su parte, la empresa mirará si el propietario requiere del excedente mencionado anteriormente.

En el caso de Leonel Pérez, con referencia al avalúo se pregunta en cuanto a este valor ya que son casas de dos dueños diferentes, a lo que se le recuerda que estas propiedades fueron tomadas como una unidad social. Doña Fabiola siendo como una de las dueñas manifiesta tener la documentación necesaria para corroborar que tiene titularidad de su casa y por ende se haría un avalúo por aparte.

Toma la palabra el señor Jaime, quien manifiesta que la información preliminar dice que están conformados como una familia y no separados, para ello se necesitarán testigos y levantamiento nuevamente de la información. Por lo tanto esta será tomada en cuenta.

Al finalizar el ejercicio anterior, la señora Beatriz pregunta sobre las casas en construcción con relación a los pagos, se le responde que éstas serán tomadas en cuenta para el avalúo y se asocian a las construcciones que se encuentran en este mismo terreno.

La señora Dora pregunta sobre la compensación de Mauricio a lo que se le responde que esta se encuentra en las áreas construidas anexas y su valor ya está anexado al valor de la señora Magnolia, el cual corresponde a \$7'800.000 aproximadamente.

Seguidamente, Edwin nos cuenta la propuesta de Devimar, siendo la siguiente:

Como primera parte realizar el proceso de gestión predial de manera individual con cada unidad social y adicionalmente adquirir un lote aproximado de 500 m2 para el consejo comunitario. Fabián propone la realización de un espacio autónomo para pensar la propuesta de la empresa.

La comunidad manifiesta no entender la propuesta y por ello Carolina de SAPS explica de nuevo.

Un integrante de la comunidad manifiesta la preocupación de que le paguen su predio y viviendas pero irse a vivir a un predio del consejo comunitario, a lo que el ingeniero responde poniendo el ejemplo del señor Leonel, en donde como familia con este dinero podrían irse a vivir juntos como lo están





actualmente, puesto que con el dinero por el predio, las viviendas y las compensaciones se puede vivir en iguales o mejores condiciones.

En este mismo sentido la comunidad manifiesta preocupación por la cuestión de ubicación de sus familias y por no encontrar un predio dentro de la comunidad para vivir.

Un integrante de la comunidad pregunta si este es un avalúo comercial de los lotes o es catastral, a lo que se le responde que este es solo un aproximado que se realizó para presentarle a la comunidad y realizar el ejercicio. Además Edwin complementa que quien no esté de acuerdo con el avalúo puede hacer sus respectivas reclamaciones a la longa y solicitar nuevamente un avalúo a otra entidad similar a las características de ésta.

Con este comentario se da paso a un espacio autónomo a la comunidad para discutir el tema.

Del espacio autónomo la comunidad mediante la vocería del representante legal se tiene la siguiente propuesta a la empresa: Metro cuadrado ocupado por la vía, metro cuadrado entregado a la comunidad. Vivienda digna de 70 m2 para un total de 12 casas. La comunidad reitera que no desea dinero por los lotes ni por las viviendas sino que estas sean entregadas a las familias afectadas.

A esto el ingeniero Andrés pregunta a nombre de quien quedarían los lotes, a lo que se le responde que quedarían a nombre de cada propietario y no del consejo comunitario.

El ingeniero Andrés pregunta a la comunidad si renuncia a sus compensaciones prediales, a lo que se le responde que siempre y cuando las condiciones sean para mejorar y mantener la integridad comunitaria y familiar la respuesta es sí.

Con relación al tema, Edwin le pregunta al asesor Elkin sobre la titulación predial y de las viviendas de las familias, a lo que se le responde que con la compraventa o el permiso del propietario para que varias familias vivan en los predios como lo han estado haciendo es suficiente.

El asesor Juan complementa que las garantías legales hacia la empresa de la comunidad también serán tomadas en cuenta. Lo importante es buscar la





forma jurídica de que la empresa y la comunidad se beneficien y por ende esta última conserve iguales o mejores condiciones de vida.

La empresa pregunta sobre la disponibilidad de lotes, a lo que Juan Cuesta el asesor responde que inicialmente es ponerse de acuerdo y luego buscar los lotes.


El ingeniero Andrés, nos cuenta que esta propuesta debe ser analizada y de ser aceptada por la empresa, cada propietario deberá firmar un documento donde manifiesten estar de acuerdo en la renuncia de los pagos por los predios, viviendas y compensaciones prediales y este dinero será destinado a una cuenta de Devimar, para que esta se haga cargo de la compra del lote y la construcción de las casas. Sin embargo deja abierta la posibilidad de aceptar la propuesta de Devimar.


El asesor Juan ante esto propone reunirse para hacer un modelo de carta donde se describa la propuesta dirigida a las familias y viviendas afectadas, la cual será socializada más adelante en un espacio autónomo con la comunidad. La empresa manifiesta estar de acuerdo.

Con la lectura y aprobación el acta se da por terminada la reunión siendo las 10:10 pm.

COMPROMISOS:

Para constancia se deja firmada por parte de:


DUVER ARLEY LONDOÑO MONTOYA
Representante Legal Consejo Comunitario Guaymaral


ANDRES HENCKELL






C. C. DE LA COMUNIDAD
NECEDA DE CHIAMBAL



Gerente Técnico DEVIMAR


EDWIN GIOVANNI GALVIS U.
Gerente General SAPS

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