

PR 5: Land Acquisition, Involuntary Resettlement and Economic Displacement

Introduction

1. Involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition¹ or restriction of access to natural resources.²

2. Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that results in displacement. This occurs in cases of:

- (i) lawful expropriation or restrictions on land use based on eminent domain;³ 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.

3. Application of this Performance Requirement (PR) supports and is consistent with the universal respect for, and observance of, human rights and freedoms and specifically the right to adequate housing and the continuous improvement of living conditions.⁴ In cases where there has been displacement as a result of conflict, prior to the EBRD's involvement, this PR supports the application of the Guiding Principles on Internal Displacement.⁵

4. Unless properly managed, involuntary resettlement may result in long-term hardship and impoverishment for affected persons and communities, as well as environmental damage,

and adverse socio-economic impacts in areas to which they have been displaced. Under some circumstances, poorly executed involuntary resettlement may leave the client exposed to legal action in other jurisdictions. This is particularly so where the project is located in a jurisdiction where displaced persons may not have access to full legal remedy or procedural protections consistent with international human rights conventions. For these reasons, involuntary resettlement should be avoided or at least minimised. However, where it is unavoidable, appropriate measures to mitigate adverse impacts on displaced persons and host communities⁶ should be carefully planned and implemented. Experience demonstrates that the direct involvement of the client in resettlement activities and an assessment at the earliest stage possible in the project design, can result in cost-effective, efficient, and timely implementation of those activities, as well as promoting innovative approaches to improving the livelihoods and standards of living of those affected by resettlement.

5. Negotiated settlements help avoid expropriation and eliminate the need to use governmental authority to remove people forcibly. Negotiated settlements can usually be achieved by providing fair and appropriate compensation and other incentives or benefits to affected persons or communities, and by mitigating the risks of asymmetry of information and bargaining power. Clients are therefore encouraged to acquire land rights through negotiated settlements wherever possible, even if they have the legal means to gain access to the land without the seller's consent.

¹ Land acquisition includes both outright purchases of property and purchases of access rights, such as rights-of-way.

² Examples include loss of access to state-owned sub-surface mineral rights by artisanal miners; loss of access to marine fishing grounds due to project activities; restriction of access to resources located within state-determined exclusion zones not acquired by the client; and demonstrated decreases in agricultural, livestock, forest, hunting and fishing yields resulting from project-related disturbance and/or pollution.

³ Such restriction may include restrictions of access to legally designated nature conservation areas.

⁴ Universal Declaration of Human Rights (1948) and International Covenant on Economic, Social and Cultural Rights (1966).

⁵ Office of the High Commissioner for Human Rights: Guiding Principles on Internal Displacement.

⁶ A host community is any community receiving displaced persons.

Objectives

6. The objectives of this PR are:

- to avoid or, at least minimise,⁷ involuntary resettlement wherever feasible by exploring alternative project designs
- to mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons' use of and access to land by: (i) providing compensation for loss of assets at replacement cost;⁸ and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected
- to improve or, at a minimum, restore the livelihoods and standards of living of displaced persons⁹ to pre-project levels, through measures that can be enterprise-based, wage-based and/or enterprise based, so as to facilitate sustainable improvements to their socio-economic status
- to improve living conditions among displaced persons through provision of adequate housing¹⁰ with security of tenure¹¹ at resettlement sites.

Scope of application

7. This PR applies to physical or economic displacement, that can be full, partial, permanent, or temporary, resulting from the following types of transactions:

- land rights for a project acquired through expropriation or other compulsory procedures
- land rights for a project acquired through negotiated resettlements with property owners or those with legal rights to land, including customary or traditional rights recognised or recognisable under the laws of the country, if expropriation or other compulsory process would have resulted upon the failure of negotiation¹²
- imposition of restrictions that result in people experiencing loss of access to physical assets or natural resources irrespective of whether such rights of restriction are acquired through negotiation, expropriation, compulsory purchase, or by means of government regulation.

8. Requirements and responsibilities towards displaced persons with no recognisable legal right or claim to the land they occupy are contained in paragraphs 31, 36, and 39.

⁷ Unless in the Bank's view this would compromise the health and safety of affected persons.

⁸ This is usually calculated as the market value of the assets plus the transaction costs related to restoring such assets. The calculation of replacement costs is complex due to the potential variety of land, land use claimants, and the differing levels of land market development across member countries. For this reason clients should identify and consult with all persons and communities that shall be displaced by land acquisition as well as host communities who shall receive those who are to be resettled, so as to obtain adequate information about land titles, claims and use. In applying this method of valuation, depreciation of structures and assets should not be taken into account. Where land markets are still in a formative stage, clients should seek valuation by external independent professional valuation experts (or if there are no professional valuation experts, other professionals with relevant expertise acceptable to EBRD and the client). See also footnote 17.

⁹ These may include those who have legally recognisable rights or claims to the land, those with customary claims to the land, those with no legally recognisable rights or claims to the land, seasonal resource users such as herders/fishing families, hunter and gatherers who may have interdependent economic relations with communities located within the project area.

¹⁰ Adequate housing or shelter can be measured by quality, safety, affordability, habitability, cultural appropriateness, accessibility, and locational characteristics. Adequate housing should allow access to employment options, markets, and basic infrastructure and services, such as water, electricity, sanitation, healthcare, and education. This PR affords adequate housing and security of tenure to displaced persons at resettlement sites. Clients should include one or more of the aspects of adequate housing in this paragraph in order to offer improved living conditions at the resettlement site, particularly to those without recognisable legal right or claim to the land they occupy.

¹¹ A resettlement site offers security of tenure if it protects, to the greatest extent possible, the resettled persons from forced evictions.

¹² These negotiations can be carried out by the private sector company acquiring the land or by an agent of the company. In the case of private sector projects in which land rights are acquired by the government, the negotiations may be carried out by the government or by the private company as an agent of the government.

9. This PR does not apply to resettlement resulting from voluntary land transactions (that is, market transactions in which the seller is not obliged to sell and the buyer cannot resort to expropriation or other compulsory procedures if negotiations fail).

10. The applicability of this PR will be determined by the EBRD according to the criteria set out in Paragraphs 7 to 9 during the environmental and social appraisal process. Implementation of the actions necessary to meet this PR is managed through the client's Environmental and Social Action Plan (ESAP) and/or Management System. Where involuntary resettlement has occurred prior to the Bank's involvement, due diligence will be carried out to identify a) any gaps and b) the corrective actions that may be required to ensure compliance with this PR.

An action plan shall then be agreed.

The assessment and management of the resettlement process are outlined in this PR. The environmental and social appraisal and management requirements are outlined in PR 1 and PR 10.

Requirements

General requirements

Project design

11. The client will consider feasible alternative project designs to avoid or at least minimise physical and/or economic displacement, while balancing environmental, social, and financial costs and benefits.

Consultation

12. Following disclosure of all relevant information, the client will consult with affected persons and communities, including host communities, and facilitate their early and informed participation in decision-making processes related to resettlement, in accordance with PR 10:

- Affected persons¹³ shall be given the opportunity to participate in the negotiation of the compensation packages, eligibility requirements, resettlement assistance, suitability of proposed resettlement sites and the proposed timing.
- Special provisions shall apply to consultations which involve Indigenous Peoples (See PR 7) as well as individuals belonging to vulnerable groups.¹⁴

Consultation will continue during the implementation, monitoring, and evaluation of compensation payment and resettlement so as to achieve outcomes that are consistent with the objectives of this PR.

Grievance mechanism

13. The grievance mechanism to be established by the client in accordance with PR 10 will be set up as early as possible in the process, consistent with this PR, to receive and address in a timely fashion specific concerns about compensation and relocation that are raised by displaced persons and/or members of host communities, including a recourse mechanism

¹³ Including those who may not be physically present due, for example to displacement as result of a previous or current conflict.

¹⁴ Vulnerable or 'at-risk' groups includes people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more adversely affected by displacement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits. Vulnerable groups in the context of displacement also include people living below the poverty line, the landless, the elderly, women- and children-headed households, ethnic minorities, natural resource dependent communities or other displaced persons who may not be protected through national land compensation or land titling legislation. These groups should be identified through the process of environmental and social appraisal (see PR 1). Special measures in terms of consultation and development assistance may be needed to allow such groups to participate in resettlement planning meaningfully and to benefit from development opportunities. Persons identified as vulnerable should be assisted to fully understand their options for resettlement and compensation, and encouraged to choose the option with the lowest risk.

designed to resolve disputes in an impartial manner. A summary of complaints and the measures taken to resolve them shall be made public on a regular basis, in accordance with PR 10.

Resettlement planning and implementation

14. Where involuntary resettlement is unavoidable, the client will engage a suitably qualified specialist to carry out a census and a socio-economic baseline assessment within a defined affected area, and assist in the preparation of the Resettlement Action Plan or Livelihood Restoration Framework:

- The census and socio-economic baseline assessment will identify the persons who will be displaced (fully or partially) by the project, determine who will be eligible for compensation and assistance and, by setting a cut-off date, discourage inflow of people¹⁵ who are ineligible for these benefits.
- In the absence of national government procedures, the date of completion of the census and assets inventory represents the cut-off date for eligibility. Information regarding the cut-off date will be well-documented and disseminated throughout the project area.
- Seasonal resource users may not be present in the project area during the time of the census and so special consideration should be given to the claims of these communities.

Resettlement Action Plan (RAP)

15. In the case of transactions as described in paragraph 7 that involve the physical displacement of people, the client will, based on the environmental and social impact assessment, develop a Resettlement Action Plan (RAP) that covers, at a minimum, the applicable requirements of this PR, regardless of the number of people affected.

16. The RAP will:

- be designed to mitigate the negative impacts of displacement, identify potential development benefits and establish the entitlements of all categories of affected persons (including host communities), with particular attention paid to the needs of the poor and the vulnerable
- document all transactions to acquire land rights, as well as compensation measures and relocation activities
- establish procedures to monitor and evaluate the implementation of resettlement plans and take corrective action as necessary.

17. The scope and level of detail of the RAP will vary with the magnitude of displacement and the complexity of the measures required to mitigate adverse impacts. In all cases, it will describe the manner in which the objectives of this PR will be achieved. At a minimum, the RAP should:

- state the resettlement objectives
- describe project impacts, identify all people to be displaced and provide an inventory of affected assets
- demonstrate that displacement is unavoidable and has been minimised
- describe the legal framework for land acquisition and compensation
- describe the process of consultation with affected people regarding acceptable resettlement alternatives, and the level of their participation in the decision-making process
- describe the entitlements for all categories of displaced people

¹⁵ Such as opportunistic squatters and recently arrived economic migrants who occupy the land after the cut-off.

- enumerate the rates of compensation for lost assets and demonstrate that these rates are adequate, that is, at least equal to the replacement cost of lost assets
- describe the process for selection, allocation, preparation and land titles relating to housing replacement
- describe relocation assistance to be provided
- provide details of arrangements for improving or, at a minimum, restoring the livelihoods and standards of living of displaced persons
- outline the institutional/organisational responsibility for the implementation of the RAP and procedures for grievance redress
- provide a timetable and budget for the implementation of the RAP
- provide details of arrangements for monitoring, evaluation and reporting
- where the land acquisitions does not result in any loss of livelihoods or loss of income, provide fair compensation for the acquired land and any lost assets on such land at their replacement cost.

18. The RAP should specifically take into account any individuals or groups that may be disadvantaged or vulnerable. In particular, the RAP should include measures to ensure that vulnerable and 'at-risk' groups¹⁶ and women are not disadvantaged in the resettlement process, are fully informed and aware of their rights, and are able to benefit equally from the resettlement opportunities and benefits, by ensuring in particular that the documentation for ownership or occupancy, such as title deeds and lease agreements, and compensation (including the bank accounts established for payment of compensation) is issued in the names of both spouses or women single head of households, as relevant to each situation, and that other resettlement assistance, such as skills training,

access to credit and job opportunities are equally available to women and adapted to their needs. Under circumstances in which national law and tenure systems do not recognise the rights of women to hold or contract in property, provision should be made to ensure, to the extent possible, that the access of women to security of tenure is equivalent to that of men.

19. The RAP should incorporate measures to ensure that displaced people are provided, where possible, with legal assistance to enable them to complete administrative requirements prior to land acquisition and, if needed, to seek redress from the courts.

20. The client should summarise the information contained in the RAP for public disclosure to ensure that affected people understand the compensation procedures and know what to expect at the various stages of the project (for example, when an offer will be made to them, how long they will have to respond, grievance procedures, legal procedures to be followed if negotiations fail).

21. Monitoring of the RAP will be carried out in accordance with PR 1 and may involve the participation of key stakeholders such as affected communities.

22. Resettlement will be considered complete when the adverse impacts of resettlement have been addressed in a manner that is consistent with the objectives stated in the RAP as well as the objectives of this PR.

23. Depending on the scale of a project's resettlement, it may be appropriate for the client to commission an external completion audit of the RAP to determine that the provisions have been met. The completion audit should be undertaken after all inputs in the RAP – including any developmental initiatives – have been completed, but well before the client's financial commitments to the EBRD have been met.

¹⁶ As defined in footnote 14.

The timing of the audit will enable the client to complete corrective actions, if any, as recommended by the auditors before the project is complete. Based on the outcome of the completion audit, EBRD and the client shall jointly determine if the objectives of this PR have been met. In the majority of cases, the completion of corrective actions identified by the completion audit should bring the client's responsibility for resettlement, compensation, livelihood restoration and development benefits to a close.

Livelihood Restoration Framework (LRF)

24. In the case of transactions as described in paragraph 7 involving economic (but not physical) displacement of people the client will develop procedures to offer to the affected persons and communities compensation and other assistance that meet the objectives of this PR. This shall take the form of a Livelihood Restoration Framework (LRF).

25. The LRF will establish the entitlements of affected persons or communities and will ensure that these are provided in a transparent, consistent, and equitable manner. The client should document the procedures for determining and awarding compensation in a LRF that:

- states the LRF objectives
 - describes project impacts, identifies all people to be economically displaced and provides an inventory of affected assets or resources
 - demonstrates that displacement is unavoidable and has been minimised
 - describes the legal framework for compensation
 - describes the process for consultation with affected people regarding alternatives, and their level of participation in the decision-making process
 - describes the entitlements for all categories of displaced people
 - describes the methods applied for valuing affected assets or resources, or the access thereto, at full replacement cost and enumerates the rates of compensation to be paid
 - describes other measures for improving or, at a minimum, restoring the livelihoods and standards of living of displaced persons
 - outlines a schedule for land take (or application of restrictions) and compensation payments
 - describes the process whereby affected people can appeal against valuations they deem to be inadequate
 - outlines the institutional/organisational responsibility for the implementation of the LRF and procedures for grievance redress
 - provide details of arrangements for monitoring, evaluation and reporting
 - provides a timetable and budget for the implementation of the LRF.
26. The client should summarise the information contained in the LRF for public disclosure to ensure that affected people understand the compensation procedures and know what to expect at the various stages of the project (for example, when an offer will be made to them, how long they will have to respond, grievance procedures, legal procedures to be followed if negotiations fail).
27. The client should provide the affected communities the opportunity to participate in the negotiations based on the established procedures.
28. In cases where affected persons reject compensation offers that meet the requirements of this PR and, as a result, expropriation or

other legal procedures are initiated, the client will explore opportunities to collaborate with the responsible government agency, and if permitted by the agency, play an active role in the resettlement planning, implementation, and monitoring.

29. The implementation of the LRF will be considered complete when the adverse impacts of displacement have been addressed in a manner that is consistent with the objectives stated in the LRF as well as the objectives of this PR.

Compensation and benefits for displaced persons

30. When displacement cannot be avoided, the client will offer displaced persons and communities compensation for loss of assets at full replacement cost¹⁷ and other assistance to help them improve or at least restore their standards of living or livelihoods, as provided in this PR. Standards for compensation will be transparent and consistent within the project. Where livelihoods of displaced persons are land-based, or where land is collectively owned, the client will offer land-based compensation, where feasible. The client will make every effort to provide opportunities to displaced persons and communities to derive appropriate development benefits from the project.

Displacement

31. Displaced persons may be classified as persons: (i) who have formal legal rights to the land (including customary and traditional rights recognised under national laws); (ii) who do not have formal legal rights to land at the time of the census, but who have a claim to land that is recognised or recognisable under the national laws;¹⁸ or (iii) who have no recognisable legal right or claim to the land they occupy.¹⁹ The census will establish the status of the displaced persons. Persons moving into the project location after the cut-off date (see paragraph 14) such as opportunistic squatters and recently arrived economic migrants are not entitled to compensation or other assistance.

32. Persons covered under paragraph 31 (i) and (ii) are provided compensation for the land they lose, and other assistance in accordance with paragraphs 34 and 35. Persons covered under paragraph 31 (iii) are not entitled to compensation for land, but they should be compensated for the structures that they own and occupy and for any other improvements to land at full replacement cost. In addition, they should be offered resettlement assistance sufficient to restore their standards of living at a suitable alternative site. Options for resettlement assistance should be generated through consultation with the displaced persons

¹⁷ The rate of compensation for lost assets should be calculated at full replacement cost, that is to say, the market value of the assets plus transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. For losses that cannot easily be valued or compensated for in monetary terms, in-kind compensation may be appropriate. However, this compensation should be made in goods or resources that are of equivalent or greater value and that are culturally appropriate. With regard to land and structures, replacement costs are defined as follows:

- *Agricultural land* – 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, and transaction costs such as registration and transfer taxes.
- *Land in urban areas* – the market value of land of equivalent area and use, with similar or improved infrastructure and services preferably located in the vicinity of the affected land, plus transaction costs such as registration and transfer taxes.
- *Houses and other structures* – the cost of purchasing or building a new structure, with an area and quality similar to or better than those of the affected structure, or of repairing a partially affected structure, including labour and contractors' fees and transaction costs such as registration and transfer taxes.

¹⁸ Such claims could be derived from adverse possession or from customary or traditional law.

¹⁹ Such as indigenous groups, customary users, pastoralists, internally displaced persons or squatters who claim or make use of land without formal legal rights, and others, who may have usufruct or customary claims to affected land or other resources not recognised or recognisable under national laws.

and reflect their priorities and preferences. These provisions apply to persons who are occupying all or part of the project area prior to the cut-off date.

33. Land acquisition for the project may result in the physical displacement of people as well as their economic displacement. As a result, requirements for both physical displacement and economic displacement may apply.

Physical displacement

34. If people living in the project area must move to another location, the client will:

- (i) offer displaced persons choices among feasible resettlement options, including adequate replacement housing or cash compensation where appropriate; and
- (ii) provide relocation assistance suited to the needs of each group of displaced persons, with particular attention paid to the needs of the poor and the vulnerable. Alternative housing and/or cash compensation will be made available prior to relocation. New resettlement sites built for displaced persons will offer improved living conditions.

35. In the case of physically displaced persons under paragraph 31 (i) or (ii), the client will offer the choice of replacement property of equal or higher value, with equivalent or better characteristics and advantages of location, or cash compensation at full replacement value where appropriate.²⁰

36. In the case of physically displaced persons under paragraph 31 (iii), the client will offer them a choice of options for adequate housing with security of tenure so that they can resettle legally without having to face the risk of forced eviction.

Where these displaced persons own and occupy structures, the client will compensate them for the loss of assets other than land, such as dwellings and other improvements to the land, at full replacement cost, provided that these people occupy the project area prior to the cut-off date for eligibility.

Compensation in kind will be offered in lieu of cash compensation where feasible, unless the conditions described in footnote 20 can be demonstrated to exist at a level acceptable to the EBRD. This applies to those who have customary and traditional rights recognised under the laws of the country; to claimants who, prior to the cut-off date, do not have formal legal rights to land, but who have a claim to such land or assets, for example, though adverse possession;²¹ and, subject to the qualifications noted in paragraph 31, to those who have no recognisable legal right or claim to the land they occupy.

Based on consultation with such displaced persons, the client will provide relocation assistance sufficient for them to restore their standards of living at an adequate alternative site.²²

37. The client is not required to compensate or assist those who encroach on the project area after the cut-off date.

38. Where communities of Indigenous Peoples are to be physically displaced from their communally held traditional or customary lands under use, the client will meet the applicable requirements of this PR as well as those of PR 7.

²⁰ Payment of cash compensation for lost assets may be appropriate where: (a) livelihoods are not land-based; (b) livelihoods are land-based but the land taken for the project is a small fraction of the affected asset and the residual land is economically viable; or (c) active markets for land, housing, and labour exist, displaced persons use such markets, and there is sufficient supply of land and housing. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.

²¹ A method of acquisition of title to real property by possession for a statutory period under certain conditions.

²² Relocation of informal settlers in urban areas often has trade-offs. For example, the relocated families may gain security of tenure, but they may lose advantages of location.

Economic displacement

39. If a transaction of the types described in paragraph 7 causes loss of income or livelihood, through for example interruption or elimination of a person's access to his/her employment or productive assets, regardless of whether or not the affected people are physically displaced, the client will:

- Promptly compensate economically displaced persons for loss of assets or access to assets at full replacement cost. Where compensation is to be paid by a responsible government agency, the client should collaborate with the agency to help accelerate the payments. Where prompt compensation payments cannot be made due to government policy or practice, the client shall explore resettlement assistance options to help the displaced people with temporary loss of income.
- Compensate, in cases where land acquisition affects commercial structures, the affected business owner for (i) the cost of re-establishing commercial activities elsewhere, (ii) lost net income during the period of transition, and (iii) the costs of the transfer and reinstallation of the plant, machinery or other equipment, as applicable.
- Provide replacement property (for example, agricultural or commercial sites) of equal or greater value, or cash compensation at full replacement cost where appropriate, to persons with legal rights or claims to land which are recognised or recognisable under the national laws (see paragraph 31 (i) and (ii)).
- Provide assistance that will off-set any loss of a community's commonly held resources.²³ This could take the form of initiatives that enhance the productivity of the remaining resources to which the community has access, in-kind or cash compensation for loss of access or provision of access to alternative sources of the lost resource.
- Compensate economically displaced persons who are without legally recognisable claims to land (see paragraph 31 (iii)) for lost assets (such as crops, irrigation infrastructure and other improvements made to the land) other than land, at full replacement cost. The client is not required to compensate or assist opportunistic settlers who encroach on the project area after the cut-off date.
- Provide additional targeted assistance (for example, credit facilities, training, or job opportunities) and opportunities to improve or at least restore their income-earning capacity, production levels, and standards of living to economically displaced persons whose livelihoods or income levels are adversely affected. In case of businesses experiencing downtime or having to close as a result of project-related displacement, both the owner of the business and employees losing pay or employment are eligible for such assistance.
- Provide transitional support to economically displaced persons, as necessary, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.

40. Where communities of Indigenous Peoples are economically displaced (but not relocated) as a result of project-related land acquisition, the client will meet the applicable principles of this PR, as well as those of PR 7.

²³ Examples of these include rangeland and pasture, non-timber forest resources (for example, medicinal plants, construction and handicraft materials), woodlots for timber and fuelwood or fishing grounds.

Loss of public amenities²⁴

41. Where a project involves the loss of public amenities, the client shall undertake meaningful consultation, in accordance with PR 10, with the locally affected community to identify and agree upon a suitable alternative where possible.

Private sector responsibilities under government-managed resettlement

42. There may be cases where land acquisition and resettlement are the responsibility of the host government. In such cases, the client will collaborate with the responsible government agency, to the extent permitted by the agency, to achieve outcomes that are consistent with the objectives of this PR. In addition, where government capacity is limited, the client will play an active role during resettlement planning, implementation and monitoring. The client will prepare a plan (or a framework) that, together with the documents prepared by the responsible government agency, will meet the requirements of this PR. The client may need to include in its plan: (i) a description of the entitlements of displaced persons provided under applicable laws and regulations; (ii) the measures proposed to bridge any gaps between such entitlements and the requirements of this PR; and (iii) the financial and implementation responsibilities of the government agency and/or the client.

²⁴ Loss of cultural heritage is covered in PR 8.