

## **Towards a Just Recovery for Puerto Rico // #RecuperaciónJusta**

Hurricanes Irma and Maria unveiled the vulnerability caused by long-standing measures that promote austerity, inequity, forgo investment in public infrastructure while benefiting foreign speculation and that discriminate against already marginalized communities. Since then, the government has dedicated their efforts to disguise disaster capitalism under the banner of "reconstruction" and "building back better". The question of Puerto Rico for whom remains. State and private enterprise sponsored recovery plans present a Caribbean Island that rejects the poor while it is suitable for investors and tourists, while empty of the poor.

The displacement of the people in the archipelago of Puerto Rico - 14% of whom have left in the past decade- is promoted by post-disaster policies that deny assistance based on discriminatory grounds, hinder the right to housing and incentive the taking of land by the rich.

### **Action Plan for the use of CDBG-DR funds**

One of the engines for the displacement of vulnerable communities is the Action Plan proposed by the Puerto Rico government and approved by the federal Housing Department for the use of the \$9.2 billion in CDBG-DR funds assigned to Puerto Rico. The main initiative included in the Plan is the Repair, Reconstruction or Recovery Program (R3), which is supposed to provide aid to homes who have unmet needs related to damages caused by the 2017 hurricanes. The eligibility requirements established by the local Housing Department (PRDOH) will exclude thousands of families who still have blue tarps as roofing and damages which make their houses unsafe or unsanitary. In summary, the R3 program guidelines:

- require those who apply to present a valid title as proof of ownership of the home.
- prohibit reconstruction, defined as repairs that cost more than half the value of the home, in the 100-year floodplain and landslide-prone areas (over 250,000 are located in these areas)
- do not include an anti-displacement policy.
- do not consider mitigation and/or adaptation measures before relocation.

The application process also presents great obstacles to people's access as it can only be filed online. It requires a steady high speed internet connection, which is not always available in the areas where there is more need, as well as access to an email address. The applicant has to scan all documents (such as proof of citizenship, income, ownership, insurance) and upload them at the moment to be able to complete the process. Meanwhile, the four US companies hired to manage the R3 program have only opened 9 help centers that are not accessible for people who do not have transportation means or who work during the day.

These policies disproportionately affect poor, black and immigrant communities in Puerto Rico, which are characterized by undocumented tenure and informal construction in rescued lands abandoned either by private individuals, municipalities or the state.

### **Opportunity Zones and Zoning Maps**

Both federal and state legislation have classified over 98% of Puerto Rico as Opportunity Zones, opening most of the territory to speculation by vulture funds who do not have to provide proof of benefit to the community to obtain tax breaks for their investments and developments in the

classified areas. The virtual flash sale of Puerto Rican lands is happening as the Planning Board considers changes to zoning maps that will allow development in previously protected zones.

These policies will undoubtedly produce the displacement of the vulnerable and poor. Even if the connection was not easily made, it becomes evident when the Secretary of Housing and other government officials related to the recovery process happily appear with vulture fund representatives and hotel developers in investments summits and conferences. In fact, the ousted former governor of Puerto Rico, Ricardo Rosselló, was quoted by the business press as telling Opportunity Funds to envision Puerto Rico as a blank canvas.

### **We demand Just Recovery for Puerto Rico**

Our peoples are entitled to the just recovery of Puerto Rico. **We define just recovery as the right of peoples and communities to plans that focus on their needs, wants and human rights.**

### **We fight for the right to decide and the right to stay.**

The **first objective** refers to the continuous participation of groups and communities that fight for equitable access to funds at both individual and collective levels.

The **second objective** refers to the prevention of forced displacements, which are defined as those that are performed without protecting the rights of individuals or communities and without considering strategies such as mitigation or adaptation.

We **can and need to act** to influence the public policies on the recovery of Puerto Rico. This is the route that we suggest.

- Eliminate the prohibition of reconstruction in zones that are at risk of floods and landslides.
- Adopt statements under oath as an alternative method of showing ownership or title.
- Adopt a policy for minimizing displacements and include standards for mitigation
- Adopt human rights criteria for relocations.
- Create regional community councils to oversee the recovery process

**Ayuda Legal Puerto Rico** is a non profit organization which provides free and accessible legal education and support to communities. We accompany organizations, groups and communities in the defense of their fundamental rights. We believe that there is power in knowing your rights and that social impact advocacy is a tool to promote change.

In February 2018, we founded the **Jornada de Participación Comunitaria**, a space to educate and build power for communities and groups interested in actively participating in the recovery process. We dedicate nearly 60% of our resources to the Just Recovery program, committed to guaranteeing equitable access to funds and preventing forced displacements.

### **We have a right to our land and we will defend it.**

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