

Submitted to:

Palestinian Water Authority
Project Management Unit Directorate building
Al Wehda Street, in front of Ministry of Health
Shaath building, 4th floor
Al Rimal, Gaza City

Prepared by:

EcoConServ
ENVIRONMENTAL SOLUTIONS

EcoConServ Environnemental Solutions
12 El-Saleh AyoubSt., Zamalek,
Cairo, Palestine 11211
Tel: + 20 2 27359078 – 2736 4818
Fax: + 20 2 2736 5397
E-mail: genena@ecoconserv.com



Universal Group-Gaza
Tel: 972-8-2825557
972-8-2820979
Mobile 972/ 599734817
E-mail: uggaza@palnet.com

North Gaza Emergency Sewage Treatment Project, Reuse System and Remediation Works

**Resettlement Action Plan
Final report (V4)**

May 2019

Contents

| | |
|--|-----------|
| LIST OF ACRONYMS..... | I |
| EXECUTIVE SUMMARY | IV |
| 1. INTRODUCTION..... | 1 |
| 1.1. PROJECT BACKGROUND | 1 |
| 1.2. GENERAL PROJECT INFORMATION | 1 |
| 1.3. PROJECT COMPONENTS..... | 1 |
| 1.4. DESCRIPTION OF THE PROJECT AREAS..... | 5 |
| 2. RESETTLEMENT IMPACTS | 7 |
| 2.1. PROJECT IMPACTS | 7 |
| 2.1.1 Potential positive impacts | 7 |
| 2.1.2 Potential negative impacts pertaining to land acquisition and livelihood deterioration | 7 |
| 2.1.3 Avoidance mechanism..... | 8 |
| 2.2. SOCIOECONOMIC SURVEY:..... | 10 |
| 2.2.1. Decision making | 10 |
| 2.2.2. Description of the project affected persons | 11 |
| 3. LEGAL FRAMEWORK | 14 |
| 3.1 THE INTERNATIONAL FINANCE CORPORATION (IFC) PERFORMANCE STANDARDS..... | 14 |
| 3.2 WORLD BANK SAFEGUARD POLICIES RELATED TO INVOLUNTARY RESETTLEMENT..... | 15 |
| 3.2.1 OP 4.12 on Involuntary Resettlement | 15 |
| 3.2.2 The principle policy objectives of OP 4.12 are:..... | 17 |
| 3.2.3 Eligibility Criteria..... | 17 |
| 3.3 EXISTING PALESTINIAN LEGAL AND POLICY FRAMEWORK FOR LAND ACQUISITION..... | 17 |
| 3.3.1 Actual procedures and mechanisms for land expropriation | 18 |
| 3.3.2 Guidelines for court mediation in case of compensation disputes..... | 21 |
| 3.3.3 Gaps between Palestine legislations and the World Bank OP 4.12..... | 22 |
| 4 ELIGIBILITY AND MODE OF COMPENSATION | 25 |
| 4.1 ELIGIBILITY CRITERIA AND ENTITLEMENT MATRIX..... | 25 |
| 4.2 METHODOLOGY OF ASSETS VALUATION AND THE COMPENSATION PACKAGES..... | 31 |
| 4.3 ARRANGEMENT FOR DELIVERY OF COMPENSATION..... | 31 |
| 4.4 TRANSITIONAL SUPPORT | 32 |
| 4.5 LIVELIHOOD RESTORATION MEASURES | 32 |
| 4.5.1 Economic displaced categories | 32 |
| 4.5.2 Proposed livelihood restoration scenarios | 32 |
| 4.5.3 Proposed monitoring indicators | 33 |
| 4.6 ARRANGEMENT FOR RECALCULATION OF COMPENSATION | 37 |
| 4.1 VULNERABLE GROUPS ASSISTANCE..... | 37 |
| 5 INSTITUTIONAL ARRANGEMENTS | 38 |
| 5.1. PROJECT INSTITUTIONAL SETUP..... | 38 |
| 5.2. INSTITUTIONAL RESPONSIBILITIES OF RAP IMPLEMENTATION | 40 |
| 5.3. CAPACITY BUILDING | 42 |
| 6 STAKEHOLDER ENGAGEMENT ACTIVITIES..... | 44 |
| 6.1 REGULATORY CONTEXT | 44 |
| 6.1.1 World Bank requirements for stakeholder engagement and public consultation | 44 |
| 6.1.2 IFI requirements for stakeholder engagement and public consultation | 44 |
| 6.2 STAKEHOLDER ENGAGEMENT OBJECTIVES..... | 44 |

| | | |
|----------|---|-----------|
| 6.3 | CONSULTATION METHODOLOGY AND ACTIVITIES | 45 |
| 6.4 | STRENGTHS AND LIMITATION OF CONSULTATION..... | 45 |
| 6.4.1 | Strengths of the consultation..... | 45 |
| 6.4.2 | Limitation of the consultation..... | 46 |
| 6.5 | PROJECT STAKEHOLDERS | 46 |
| 6.6 | SUMMARY OF KEY CONSULTATION ACTIVITIES CONDUCTED TO MAY 2018..... | 47 |
| 6.7 | THE SCOPING CONSULTATION EVENT..... | 51 |
| 6.8 | THE FINAL CONSULTATION EVENT..... | 54 |
| 6.9 | STAKEHOLDER ENGAGEMENT PROGRAM | 56 |
| 6.9.1 | Communication Methods | 56 |
| 6.9.2 | Proposed stakeholder engagement and disclosure activities..... | 56 |
| 6.10 | PROPOSED GRIEVANCE AND REDRESS MECHANISM | 59 |
| 6.10.1 | Institutional Responsibility for the Grievances..... | 60 |
| 6.10.2 | Grievances tiers..... | 60 |
| 6.10.3 | Grievances channels..... | 61 |
| 6.10.4 | Response to grievances..... | 61 |
| 6.10.5 | Monitoring of grievances | 62 |
| 6.10.6 | Disclosure of grievances..... | 62 |
| 6.10.7 | Responsibilities for Monitoring and Reporting..... | 62 |
| 7 | MONITORING AND EVALUATION (M&E) OF RAP ACTIVITIES..... | 63 |
| 7.1 | INTERNAL MONITORING | 63 |
| 7.2 | EXTERNAL MONITORING | 66 |
| 8 | BUDGET AND TIME PLAN..... | 67 |
| 8.1 | BUDGET..... | 67 |
| 8.2 | TENTATIVE TIME PLAN | 68 |

LIST OF TABLES, FIGURES AND BOXES

TABLES

| | |
|--|----|
| Table 2-1: Project impacts on lands..... | 8 |
| Table 2-2: Summary of project impacts | 9 |
| Table 3-1: Legal procedures adopted for land acquisition purposes | 18 |
| Table 3-2: Gaps between the Palestinian Legislations and the WB safeguards | 23 |
| Table 4-1: Entitlement matrix of the NGESTP Project..... | 26 |
| Table 4-2: Methodology of Asset valuation | 31 |
| Table 4-3: Vulnerable groups assistance | 37 |
| Table 5-1: Proposed capacity building activities..... | 43 |
| Table 6-1 Vulnerable Groups | 46 |
| Table 6-2: Description of project stakeholders | 47 |
| Table 6-3: Summary of consultation activities conducted to April 2018..... | 47 |
| Table 6-4: Summary of discussion of the scoping meeting conducted on the 23 rd of April 2019..... | 52 |
| Table 6-5: Summary of discussion conducted on the 4 th of May 2019 Consultation Event | 55 |
| Table 6-6: Stakeholders engagement & disclosure activities | 57 |
| Table 7-1: Internal monitoring scheme..... | 64 |
| Table 8-1: Total estimated budget | 67 |
| Table 8-2: Tentative time plan..... | 69 |

FIGURES

| | |
|---|----|
| Figure 1-1: Recovery wells..... | 2 |
| Figure 1-2: Photovoltaic land outside the WWTP adjacent to Booster Pumps\Recovery Scheme | 3 |
| Figure 1-3: Overview of the sub-systems at the WWTP | 4 |
| Figure 1-4: overview of the sub-systems at the recovery scheme | 4 |
| Figure 1-5: Project Area of Influence | 5 |
| Figure 3-1 :Requirements of Performance Standard 5: Land Acquisition and Involuntary Resettlement | 15 |
| Figure 5-1: Proposed Project Management Unit..... | 39 |
| Figure 6-1: Meeting with Endowment representative | 50 |
| Figure 6-2: Meeting with Jabalia municipality | 50 |
| Figure 6-3: Meeting with Beit Hanoun municipality | 50 |
| Figure 6-4: Meeting with Gaza municipality | 50 |
| Figure 6-5: Ministry of Agriculture | 50 |
| Figure 6-6: Palestinian Land Authority | 50 |
| Figure 6-7: Meeting with the PAPs on the 22 nd of April..... | 50 |
| Figure 6-8: Meeting with one of the PAPs..... | 50 |
| Figure 6-9: Final consultation event..... | 54 |
| Figure 6-10: Dr. Ahmed Abu Shaban | 54 |
| Figure 6-11: Eng. Nazik Rihan | 54 |
| Figure 6-12: Grievance and Redress Mechanism Cycle..... | 59 |

BOXES

| | |
|---|----|
| Box 7-1: Guidelines for the Monitoring Indicators | 63 |
|---|----|

Jordanian Dinar 1 = 1.4110 \$ (May 2018)

Israeli new shekel = 0.2803 \$ (May 2018)

LIST OF ACRONYMS

| | |
|--------|---|
| AFD | Agence Française de Développement |
| ARAP | Abbreviated Resettlement Action Plan |
| BLWWTP | Beit Lahia Wastewater Treatment Plant |
| CSO | Civil Society Organizations |
| ESIA | Environmental and Social Impact Assessment |
| FS | Feasibility Study |
| GMC | Grievance Mediation Committee |
| MDLF | Municipal Development and Lending Fund |
| MLG | Ministry of Local Governance |
| MoA | Ministry of Agriculture |
| MoE | Ministry of Endowment |
| MoF | Ministry of Finance |
| MoLG | Ministry of Local Governance |
| NGESTP | North Gaza Emergency Sewage Treatment Project |
| NGO | Non-Governmental Organization |
| OP | Operational Policy |
| PAP | Project Affected Persons |
| PLA | Palestinian Land Authority |
| PNA | Palestinian National Authority |
| PWA | Palestinian Water Authority |
| RAP | Resettlement Action Plan |
| ToRs | Terms of Reference |
| WB | World Bank |
| WWTP | Waste Water Treatment Plant |

GLOSSARY

| Words | Definition |
|---|--|
| Abbreviated Resettlement Plan | Establish a baseline through the census of PAPs that will comprise socio-economic data, the inventory of assets lost, and the compensation and resettlement benefits awarded to the PAPs. |
| Census | Household survey that covers all Project Affected Persons irrespective of entitlement or ownership. It provides a complete inventory of all project affected persons and their assets. It can be used to minimize fraudulent claims made by people who move into the area affected by the project in the hope of being compensated and/or resettled. |
| Compensation | Payment in cash or in kind to replace losses of land, housing income, and other assets caused by the project. |
| Cut-off Date | The date of the census prior to which, the occupation or use of the project area, qualifies residents or users of the project area as affected persons. |
| Displaced persons | Refers to all the people who, on account of the activities listed above, would have their (1) standard of living adversely affected ; or (2) right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed temporarily or permanently; (3) access to productive assets adversely affected, temporarily or permanently; or (4) business, occupation, work or place of residence or habitat adversely affected; and “displaced person” means any of the displaced persons. |
| Environmental Impact | An effect (both positive and negative) on an environmental resource or value resulting from infrastructure development projects. |
| Environmental and Social Impact Assessment (ESIA) | A systematic procedure for enabling the possible environmental and social impacts of development projects to be considered before a decision is made as to whether the project should be given approval to proceed. |
| Full replacement cost | Market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the 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. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under |

| | |
|--------------------------------|---|
| | domestic law is supplemented by additional measures so as to meet the replacement cost standard. |
| Involuntary Resettlement (IR) | The unavoidable displacement of people and/or impact on their livelihood, assets and common property resulting from development projects that create the need for rebuilding their livelihood, sources of income and asset bases. |
| Monitoring | The process of repeated observations and measurements of environmental and social quality parameters to assess and enable changes over a period of time. |
| Project Affected Person | Includes any people, households, firms or private institutions who, on account of changes that result from the project will have their (i) standard of living adversely affected, (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, and/or grazing land), water resources, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with or without displacement |
| Public Involvement | The dialogue encompassing consultation and communication between a project proponent and the public. It includes dissemination, solicitation and presentation of information |
| Rehabilitation/Resettlement | A term often used to describe the process of reestablishing lifestyles and livelihoods following resettlement. The term is also used to describe construction works that bring a deteriorated structure back to its original conditions. |
| Resettlement Action Plan (RAP) | A time-bound action plan with a budget, setting out resettlement strategy, objectives, options, entitlements, actions, approvals, responsibilities, monitoring and evaluation |
| Social Impact | An effect (both positive and negative) on a social issue resulting from infrastructure development projects. |
| Stakeholders | Those who have an interest in project development and who will be involved in the consultative process, and includes any individual or group affected by, or that believes it is affected by the project; and any individual or group that can play a significant role in shaping or affecting the project, either positively or negatively, including the host community/population. |
| Vulnerable Groups | Distinct groups of people who might suffer excessively from resettlement effects, such as, the old, the young, the handicapped, the poor, isolated groups and single parents. |

EXECUTIVE SUMMARY

1. Project Background

The Palestinian Water Authority (PWA) is executing the Northern Gaza Emergency Sewage Treatment (NGEST) Project. Initiated in 2004, the project is being implemented in three phases. Phase A of the project comprised the construction of the terminal sewage pumping station at the Beit Lahia Wastewater Treatment Plant site (BLWWTP), the construction of a pressure pipeline to a new site about seven kilometers to the East of Jabalia, the construction of nine infiltration ponds at the new site and the commissioning of the pipeline to allow a large and dangerous emergency partial effluent pond at Beit Lahia to be drained. This phase was entirely completed in 2010.

Phase B of the project included the construction of the North Gaza Emergency Waste Water Treatment Plant (NGWWTP) at the new site. The first component of the NGWWTP is almost completed and was fully functioning at the end of 2017, to treat up to 35,600 m³ of sewage daily. Future expansion of the plant would bring the total treatment capacity to 69,000 m³/day and will require the construction of an additional infiltration basin.

A third, supplementary phase was later added to the project to recover and reuse the treated effluent after the new WWTP is completed. The treated sewage effluent will be disposed of into infiltration ponds, the water will seep through an unsaturated zone of soil which will facilitate nutrient and pathogen removal, and eventually make its way to the unconfined aquifer. There, the water will be extracted by 28 recovery wells, put into two storage reservoirs, and distributed throughout the network for irrigated agriculture.

2. Potential negative impacts pertaining to land acquisition and livelihood deterioration

The project will result the following impacts:

1. Impact on the well owners whose wells will be terminated (12 wells). Faced by a sudden termination of their wells, these people are faced by a situation of losing source of water.
2. Impacts on the owners of small plots of lands who will be expropriated during the construction of the 14 wells. A total of 16 people are expected to be affected, some of whose lands are small plots with areas that do not exceed one dunum. Since wells will be constructed within the vicinity of the lands plot areas, the remaining plot of land will be of no use. The existence of a recovery well inside the land will additionally, result in a decline in the land value.
3. Economic impact on the operators of wells. Well termination will result in a total loss of income of those who made their living from operating the wells. The numbers of those faced with the situation is limited to 11 people; therefore, the magnitude of their vulnerability can be mitigated.
4. 30 dunums will be taken from Waqf land outside the waste water treatment plant. The land will be used to install solar plant in.

It worth mentioning that, to limit the adverse impacts on private land well owners and operators, PWA planned the locations of all monitoring wells on roads.

A comprehensive avoidance mechanism was adopted by PWA, through the following procedures:

- 1- Constructing the wells of phase one in state owned lands. As such, the first phase of the project resulted no impacts pertaining to land acquisition.
- 2- Selection of lands that are of less value for the PAPs, examples of those include lands that are located at a distance from the main roads.
- 3- Installing all monitoring wells in the roads to avoid impacts on the private lands.
- 4- As much as possible, avoided small plots of lands that might result in significant impacts on the PAPs
- 5- All physical assets were entirely avoided in order to minimize the unfavorable impacts.
- 6- El Shuhada graveyard was not accepted to be used to install the solar panels in. (see Annex X)

3. LEGAL FRAMEWORK

The project is governed by international and national regulations. They are as follows:

- The International Finance Corporation (IFC) performance standards: Performance Standard 5: Land Acquisition and Involuntary Resettlement;
- World Bank Safeguard policies related to involuntary resettlement: OP 4.12 on Involuntary Resettlement;
- Existing Palestinian legal and policy framework for land acquisition: According to Law (No.24) of year 1943 modified by Law (No. 2) of year 1953 on “Land Expropriation for Public Projects” and its articles (3) and (21), the Government can expropriate up to 25% of any privately-owned land for public interest reasons - without compensating the owners. Exceptions are made to owners who prove to be significantly damaged by land expropriation. Owners are however, entitled to ask for compensation for all crops and trees, buildings and fixed structures on the expropriated 25% area of the land.

4. ELIGIBILITY AND MODE OF COMPENSATION

The first criteria for eligibility will be the cut-off date:

1. Well owners’ cut-off date will be the 31st of May 2018
2. Well operators’ cut-off date will be defined upon operating the irrigation network
3. Land owners’ cut-off date will be the 31st of May 2018
4. Endowment (*Waqf*) land cut-off date is 29th of October 2015

The second criteria for eligibility will be the legality of the PAPs status. Identified PAPs are basically classified into the following categories in the donor policies:

- a. Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- b. Those who do not have formal legal rights to land at the commencement of the inventory, but have a claim to such land or assets; provided that such claims are recognized under the law of the country or process identified in the resettlement plan;

- **Arrangement for delivery of compensation**

The Permanent land acquisition and compensation will be applied as follows:

- 1- The Design Department of PWA has provided a detailed map on land acquisition scope in order to identify the land acquisition area.
- 2- The PAPs were consulted with during the preparation of the RAP in order to provide them with the information with regards to their rights, valuation procedures and grievances and redress mechanism.
- 3- After receiving the approval of the funding agency on the RAP, the document will be translated and disclosed to the PAPs in the municipalities, the PWA website and the funding agency info-shop. Thereafter, the resettlement activities will be executed.
- 4- A continuous dialogue will be applied with the PAPs as part of stakeholder engagement activities
- 5- The Compensation Committee will disburse the compensation value according to the following system:
 - a. Full compensation will be given before the construction,
 - b. Complete legal procedures for land acquisition will be documented by the PWA.

- **Transitional support**

Given the fact that the types of compensation and remedial actions will be implemented prior to any land acquisition or economic displacement. There will be no need for any types of transitional support.

- **Vulnerable groups assistance**

Vulnerable groups of this project are mainly females with limited access to job opportunities and contribution in public life, old people, households with disability burden and households below poverty line.

The PWA will provide sufficient information to all marginalized groups. They will also provide all compensation prior to any acquisition of lands or having any impact on their economic conditions.

5. INSTITUTIONAL ARRANGEMENTS

PWA managed to propose a project management unit that will be responsible for managing project activities, including compensation activities. As well as, two social development officers were assigned to manage social aspects. Additionally, PWA cooperates with various entities in the implementation of project resettlement activities.

Following are the key entities that will handle resettlement activities:

- 1- Palestinian Water Authority
- 2- Municipalities of Gaza and Jabalia
- 3- Palestinian Land Authority
- 4- Ministry of Local Governance
- 5- Ministry of Finance
- 6- Cabinet
- 7- Ministry of Agriculture

6. STAKEHOLDER ENGAGEMENT ACTIVITIES

The study research team undertook multi-dimensional consultation activities that included an exchange of information, providing the marginalized, voiceless, youth and women with information about the project as well, obtaining information on their concerns regarding the project's various implementation phases. Owing to time constraints, teams were mobilized to consult with both community people and stakeholders in parallel.

Following are the main consultation activities to date that will be supplemented by additional engagement activities:

- The study team visited the project area in order to define various stakeholders during April 2018
- Meetings were conducted during April 2018 in order to develop an engagement plan that is locally tailored for the residential communities with the study team members
- Based on the identification of stakeholders and PAPs, various questionnaires and guidelines were prepared in order to engage: i) the PAPs (land owners- well owners and well operators, ii) Governmental municipalities, iii) the Civil Society Organizations (CSOs), iv) health facility, v) Ministry of Endowment and Ministry of Agriculture
- The study team divided various engagement activities of the project to:
 - a. Screening
 - b. Scoping phase and data collection phase and,
 - c. Public consultation phase.
 - d. Final report disclosure

Following are the main concerns raised during the consultation activities:

| Issue raised | Comment raised | Response |
|--|--|---|
| Institutional set-up | The project should focus on the importance of the institutional framework as it is the basis for the operation and success of this project. He explained that the Palestinian legislation classifies this water as groundwater because it mixes with groundwater after its infiltration. | One of the outputs of the study is the environmental management plan, which assigns who will do what. I suggest forming an institutional body from all the stakeholders to manage, organize, monitor, and operate the project components. This study should result realistic and applicable procedures |
| Monitoring requirements | There is a lack of monitoring in all project stages. It's recommended to engage the relevant authorities in this progress. He mentioned the Ministry of Health, Agriculture, Environment, and the municipalities. | PWA will develop a detailed monitoring scheme for all project activities including E&S performance |
| Land acquisition and role of municipality | Municipalities should be involved in the process of land acquisition and compensation to contribute in resolving disputes, if any. The Ministry of Agriculture and other Agricultural Institutions should be involved in the development of the project operation plan. He focused on | In full compliance with the Palestinian land acquisition regulations, the municipalities will be engaged and consulted in the process of compensation |

| | | |
|---|--|---|
| Participation of community in the scoping session | developing a clear vision of water pricing and whether there is a cost recovery. | |
| | There is an absence of community institutions from all project activities! We recommend engaging the farmers in the consultative process of the project. | During scoping phase, we managed to meet with various community members in their premises. However, the scoping session is allocated for experts who might provide guidance to enrich the ESIA. This is in full compliance with EQA and IFC standards |
| Termination of private wells | The Private wells within the area of the recovery wells, Will it be closed or merged with system | Few number of private wells will be terminated |
| Pollutants | Is there any examination of the microbes (ex: hepatocellular virus) pollute the groundwater through infiltration? | PWA developed and will continue measuring various pollutants |
| Well operators mitigation measures | How well operators will be mitigated? | Well operators have been interviewed and mitigation measures will be proposed in the RAP study |

On the 4th of May 2019, final consultation event was conducted with 36 of the PAPs. Below is feedback of the PAPs:

- **Lands' owners:**

- Some of the land owners approved on the proposed compensation which was provision of monetary compensation under one condition that was provision of a fair evaluation of the meter square price
- The majority of them expressed their concerns about the value of their lands after expropriating the precious part of land that is overlooking main street. The remaining area of land will be of limited value.
- Landowners suggest that PWA should buy their full plot of lands.

- **Well operators:**

- Wells' operators, most of them approved on the proposed compensation that was a provision of job opportunity.
- They asked to enable one of their children to be employed as a replacement of old father above 50 years.
- Few of them recommended provision of additional monetary compensation plus the job opportunity.

- **Wells' owners:**

- Majority of them agreed on restricting the use of wells and receiving water instead. However, they recommended to retain the wells for emergency cases.
- Others preferred selling the wells' equipment to PWA who confirmed that the equipment will be sold according to the market value.

7. MONITORING AND EVALUATION (M&E) OF RAP ACTIVITIES

Monitoring and Evaluation (M&E) are key components of the RAP and have the following objectives:

- Monitoring specific situations or difficulties arising from implementation and aligning the implementation with objectives and methods set out in the RAP;
- To verify that project activities have been effectively completed with respect to quantity, quality and timeliness;
- Evaluation of medium and long-term impacts of resettlement on affected households' livelihood, environment, local capacities and economic development.

In carrying out all activities related to monitoring, evaluation and supervision, consideration will be given to the vulnerability issues. The different vulnerable groups referred to above should be consulted during the monitoring process to guarantee that their concerns are handled fairly.

8. BUDGET AND TIME PLAN

Budget

The total land compensation value is estimated to be 58,398US\$. There will be additional 15,000 US\$ for monitoring and evaluation, as well as, 21,000 US\$ for capacity building. There also will be 9440 US\$ for emergency or unplanned events. The total budget will be 103,838US\$

Tentative time plan

The third phase of the NGESTP includes the establishment of 14 recovery wells, termination of 12 wells, as well as establishing a water irrigation network system covering an area of 5,000 agricultural dunums. The system is expected to start its first stage operations by the end of 2019 for a period that ranges from 12 to 15 months.

1. INTRODUCTION

1.1. Project Background

The Palestinian Water Authority (PWA) is executing the Northern Gaza Emergency Sewage Treatment (NGEST) Project. Initiated in 2005, the project is being implemented in three phases. Phase A of the project comprised the construction of the terminal sewage pumping station at the Beit Lahia Wastewater Treatment Plant site (BLWWTP), the construction of a pressure pipeline to a new site about seven kilometers to the East of Jabalia, the construction of nine infiltration ponds at the new site and the commissioning of the pipeline to allow a large and dangerous emergency partial effluent pond at Beit Lahia to be drained. This phase was entirely completed in 2010.

Phase B of the project included the construction of the North Gaza Emergency Waste Water Treatment Plant (NGWWTP) at the new site. The first component of the NGWWTP is almost completed and was fully functioning at March, 2018, to treat up to 35,600 m³ of sewage daily. Future expansion of the plant would bring the total treatment capacity to 69,000 m³/day and will require the construction of an additional infiltration basin.

A third, supplementary phase was later added to the project to recover and reuse the treated effluent after the new Waste Water Treatment Plant (WWTP) is completed. The treated sewage effluent will be disposed of into infiltration ponds, the water will seep through an unsaturated zone of soil which will facilitate nutrient and pathogen removal, and eventually make its way to the unconfined aquifer. There, the water will be extracted by 28 recovery wells, put into two storage reservoirs, and distributed throughout the network for irrigated agriculture.

1.2. General Project Information

In 2013, a Supplementary Environmental and Social Impact Assessment Study was conducted to the North Gaza Emergency Sewage Treatment Project. The project consisted of three main Parts; Part 'A': Terminal Pump Station, Pressure line and seven infiltration basins, Part 'B', construction of New Waste Water Treatment Plan to replace the old Beit Lahia WWTP, and Part 'C': Recovery and Reuse Scheme.

Part 'A' was completed and is functioning since April 2009, pumping partially treated sewage from the old BLWWTP site to the new infiltration basins site. The project is connected with Part 'B', which is anticipated to function during the first quarter of 2018 and the sewage will be treated (through Part 'B' the new WWTP) then infiltrated in the basins (adjacent to Part 'B'). Part 'C' of the project was divided into two stages. Each stage consists of, 14 Recovery Wells, booster pump station, 4,000 m³ storage tank and irrigation network. Part 'C1' has been financed by World Bank and Part 'C2' (the Project) is anticipated to be financed by AfD and the Green Climate Fund.

1.3. Project Components

The recovery wells will capture the infiltrated water through the seven infiltrated basins (Part 'A') and convey the recovered water to the irrigation network to deliver for nearly 15,000 dunums.

The Project includes: rehabilitation of seven infiltration basins in the vicinity of the NGEST plant, drilling of 14 recovery wells “downstream” from the NGEST plant, drilling of 2 monitoring wells, storage in one reservoirs, installation of primary, secondary and tertiary (drip irrigation) distribution networks over 1200 ha, support the Palestinian government and the PWA, extension services to farmers. The drip irrigation network will be installed on farm level where the main trunks pipeline will be installed in the main roads and streets. However, the installation of irrigation network in the farms might require temporary access paths that will be limited to installing the network. These temporary access roads will be determined based on the willingness of farmers who will benefit from the project. It is worth mentioning that the access roads will be dependent on the streets that are already in place. The PWA and the contractor will put limitation to passing through the farms.

The processing loads at the WWTP and the pumps at the recovery scheme have relatively high-energy consumption rate. Yet, the overall power supply situation in Gaza is constrained due to general political circumstances and options for extending existing supply via the distribution network are limited because of the cost of fuel for the local power plant or due to difficulties in fuel availability, as well as, the limits to increase the supply from cross-border sources. Consequently, PWA together with the other responsible stakeholders; the Palestinian Energy and Natural Resource Authority (PENRA) – and support from the World Bank (WB) assessed various sources of energy, including the renewable sources. PWA decided to install a Photovoltaic system (5,1 MWp).

The Photovoltaic system will require 30 dunums outside the current wastewater treatment plant adjacent to the Booster Pumps yard from Southern side

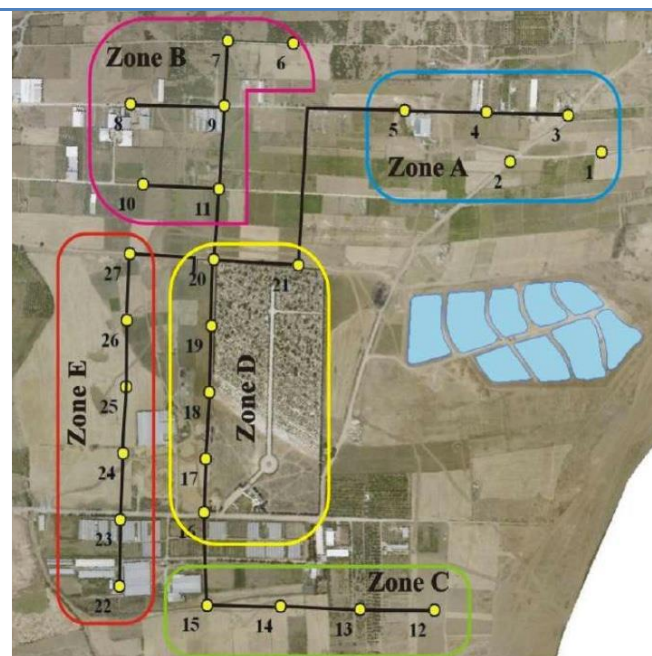


Figure 1-1: Recovery wells



Figure 1-2: Photovoltaic land outside the WWTP adjacent to Booster Pumps \Recovery Scheme

The Land for construction of Booster Pumps Building, 2 Reservoir and 14 Recovery wells has been acquired in 2013 based on the Ministerial Decree No 4/284/11 of year 2013 regarding the land acquisition of *Waqf* land was issued and stipulated that the ownership of 17.5 dunum are transferred to PWA from *Waqf* land (endowment land). The Photovoltaic system will require lands. The main outcome of this assessment is proposing to relay upon solar energy. The Power Generation (Solar PV) for North Gaza Emergency Sewage Treatment Plant Feasibility Study Report developed in July 2015 recommended to establish a Photovoltaic system that is composed of:

- PV Areas within the Treatment Plant Boundary: Within the treatment plant, suitable space is available on the roof-top of all major buildings with the exception of the power house (“Blower and Energy Building”). The areas around the facilities’ installations. Open space for ground-mounted systems are available at the boundaries of the plant. The total size of allocated land within the treatment plant is 47 dunums. The areas are shown in the following figure:

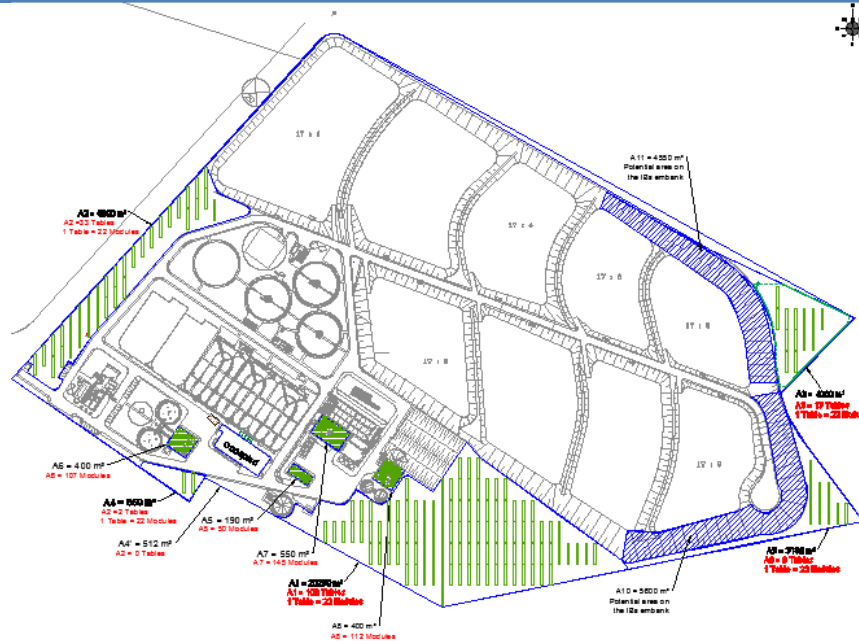


Figure 1-3: Overview of the sub-systems at the WWTP

Source: Power Generation (Solar PV) for North Gaza Emergency Sewage Treatment Plant Feasibility Study Report issued on July 2015

- Areas at Recovery Scheme: The second location with designated PV areas is the effluent recovery scheme behind the cemetery. The land is owned by the Ministry of the Endowment (*Anqaf*). PWA started negotiation to obtain this land in 2015. Annex IX shows in detail the communication between PWA, the Palestinian Land Authority and the *Anqaf*. These areas are illustrated in the figure below

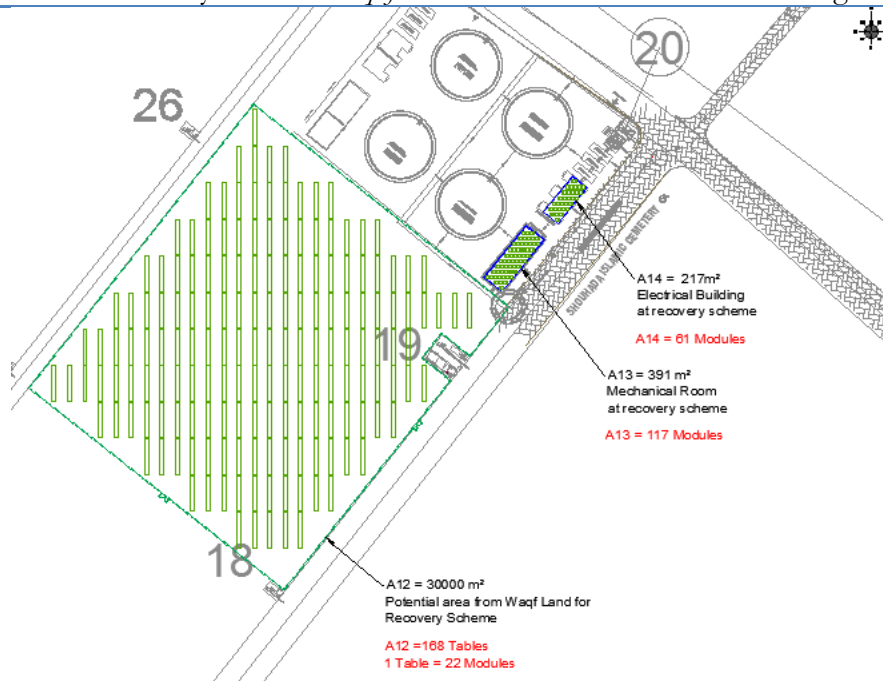


Figure 1-4: overview of the sub-systems at the recovery scheme

Source: Power Generation (Solar PV) for North Gaza Emergency Sewage Treatment Plant Feasibility Study Report issued on 16.07.2015

Recovery wells will be able to capture water infiltrated from the NGEST WWTP (i.e.: 35,600 m³/day) in addition to an extra 10% (i.e.: 39,160 m³/day) necessary to guarantee that all infiltrated water is captured by the wells.

The number of recovery wells was calculated based on the maximum quantity of water that should be recovered during the peak month of October, which is equal to 50,885 m³/day. The total number of wells is 28 where each should have a capacity of pumping between 180 m³/hr to 200 m³/hr. 25 out of the 28 wells are assumed to be operational always with a capacity of 180 m³/hr. The three additional wells are included to give more flexibility to the system and serve as a backup in the event of a failure.

The exact location of the 28 wells was determined based on the numerical modeling results, to guarantee that all the water infiltrated from the basin is recovered within 1000 days and cannot escape beyond the furthest row of wells (i.e. 750 m) from the infiltration basin.

1.4. Description of The Project Areas

The project area of influence¹ is located in North Gaza Governorate. The project will mainly influence three settlements, namely, Jabalia, Beit Lahia and Beit Hanoun as well as Um El Nasr village. The following map presents the project's areas of influence

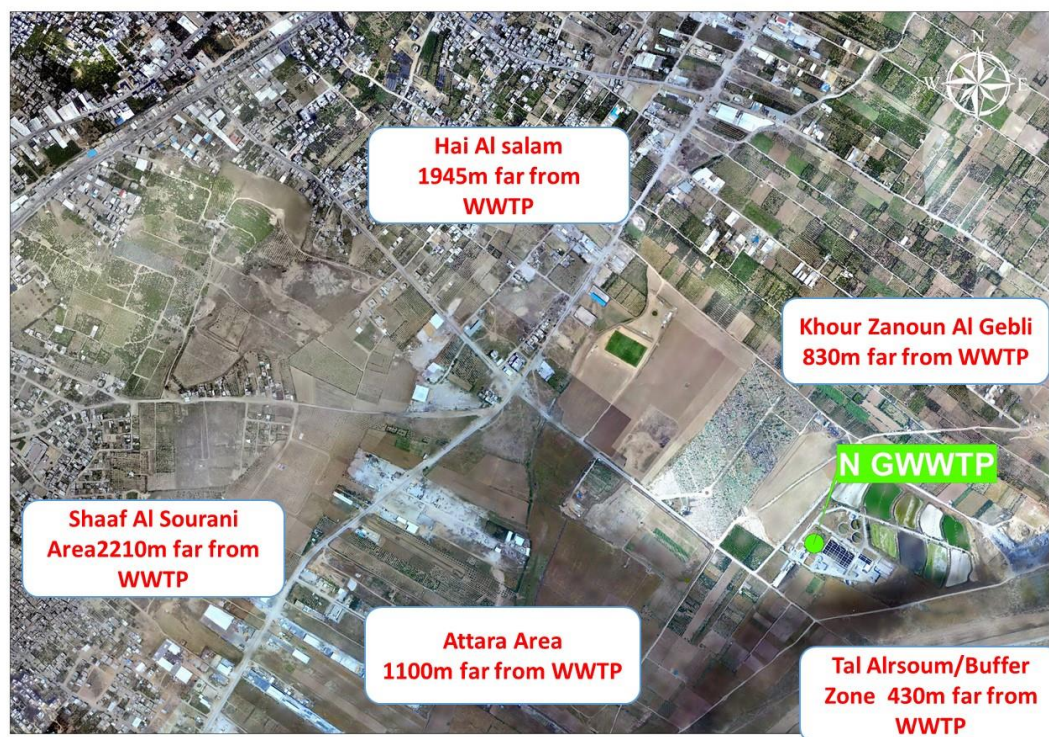


Figure 1-5: Project Area of Influence

¹ *Area of Influence OP 4.01, Annex A, para. 6: The area likely to be affected by the project, including all its ancillary aspects, such as power transmission corridors, pipelines, canals, tunnels, relocation and access roads, borrow and disposal areas, and construction camps, as well as unplanned developments induced by the project (e.g., spontaneous settlement, logging, or shifting agriculture along access roads).*

Demographic characteristics: In 2017, the Palestinian Census reported that 1,875,317 Palestinians reside in Gaza Strip. The population distribution reflected that the majority of people reside in Gaza Governorate 641,310 people. North Gaza Governorate's total population is 364,188 people. The other two main Governorates are Khan Younis (population 366,823) in central Gaza, and Rafah (population 233,166) in the South. Regarding North Governorate, the total population is 364,188 people. The majority of people live in refugee camps².

As could be observed from the table below, the population growth in project area of influence is high and was observed to increase during the last five years. The population projection calculated by the Feasibility Study was based on the assumption that a gradual decline in the population growth rate will be seen starting in 2012. It is anticipated that population growth will reach 1.11% by 2040, after peaking at 3.5% in 2011.

Economic Activities: With a growing population and a shrinking economy, real Gross Domestic Product (GDP) per capita is close to 30% below the 1999 level. The overall economic picture is one of negative growth. PCBS estimates that the GDP in 2006 had a negative growth rate of 6.6 %. It estimates that real GDP growth in 2007 was a mere 0.5%, while results from the first quarter suggest that growth in 2008 is slightly negative. Similarly, the International Monetary Fund (IMF) recorded a drop in GDP of 0.5 % in 2007, and a modest growth of 0.8 % in 2008. This is probably due to a continued, yet marginal drop in economic activity in Gaza, given its already low base, matched with a modest rise in economic activity (PCBS (2007) 'Economic forecasts for 2007'). These figures are representative of already severely limited economic activity before Operation Cast Lead, which resulted in the destruction of significant remaining economic assets, implying further declines.

Labor Force Conditions: With regards to human activities in the project sites, the estimations provided were based on the meetings conducted with the municipalities, and is to be considered only as guiding information. Agricultural activities are the main employment activities in Beit Hanoun, Um El Nasr and Beit Lahia. The governmental posts are, however, occupied by 62.4% of the labor force in Jabalia.

Statistical data showed that the majority of employees work in services (63.3%), while people working in commerce, hotels and restaurants are only 18.3%. Diversity according to gender is relatively high as 86.6% of the females work in services sector, while 59.6% of males work in the same sector. However, 20.7% of the males work in commerce versus null of the females in the same field.

²Environmental Assessment of Gaza Strip, following the escalation of hostilities in December 2008 – January 2009 United Nations Environment Programme

2. RESETTLEMENT IMPACTS

2.1. Project Impacts

2.1.1 Potential positive impacts

The reuse scheme project will result in various positive impacts that can be summarized as follows:

1. Contribute to solve the problem of water scarcity especially during summer time, as a source of water will be continuously available
2. Partially solve the problem of the disposal of wastewater, as it will be treated and injected for agricultural use,
3. The provision of good quality water will reduce the cost of water needed for irrigation in the area. The utilization of the recovered water of high quality and of less price might work for the benefit of the farmers, increasing their profits.
4. Sludge is one of the outputs of the project, and will increase the income for those who work in sludge trading
5. Sludge reuse will work for reduction of chemical fertilizers that affect the health of people.
6. Put limitation to importing sludge from abroad. Relying on the sludge might save money needed to import chemical fertilizers

2.1.2 Potential negative impacts pertaining to land acquisition and livelihood deterioration

The project will result the following impacts:

1. Impact on the owners of wells who will be terminated (12 wells). They will be affected due to losing a valuable source of water; However, they will be supplied by a permanent and sustainable source of water. Additionally, they will save time and effort exerted to extract water from their wells.
2. Impacts on the owners of small plots of lands who will be expropriated during the construction of the 14 wells. 16 people will be affected among which some of them own small plots of lands that don't exceed one dunum. As wells will be constructed inside the plots of lands, the remaining plot of land will not be of use. Additionally, the value of land will be declined due to the recovery well established inside the land.
3. Economic impact on the operators of wells. They will suffer due to the termination of wells. They will expose to completely loss of income. They are limited to 11 people; therefore, the magnitude of their vulnerability can be mitigated.
4. Impacts pertaining to lands that will be reallocated from Waqf land. The land will be used to construct the Photovoltaic system. 47 dunums are located inside the current treatment plant. The ownership of this land has already transferred to PWA. However, 30 dunums of land will be taken from the Ministry of Endowment (Waqf)

It worth mentioning that all monitoring wells will be constructed in the side roads. The PWA adopted this approach in order to put limitation to adverse impacts.

The PWA provided detailed information about the lands needed to implement the project and the numbers of wells that will be affected. Thereafter, the Study team applied a census survey using quantitative and qualitative tools that enabled the description of the Project Affected Families' socioeconomic conditions. It was

obvious that all land acquisition activities will be permanent, as well as, the expropriation of wells.

Summarizing the project impacts, the following table provides detailed information about the potential impacts:

Table 2-1: Project impacts on lands

| Item | Square meters |
|--|-----------------|
| Lands needed to construct the recovery component (recovery wells- monitoring wells) | |
| Wells within the area of the ground retrieval own / jurisdiction of the Municipality of Jabalia. | 1158m2 |
| Dripping irrigation network will be installed in the main roads and streets. Temporary access roads to connect farms to irrigation scheme will be dependent on the willingness of farmers. | Not defined yet |
| Photovoltaic land will be constructed inside the current wastewater plant and outside the plant. Additional area of land will be acquired. | 30,000 m2 |

Source: Palestinian Water Authority

The above mentioned impacts will influence the socioeconomic conditions of 11 well operators, 12 well owners who own wells with other partners and 16 land owners. The total directly affected persons are therefore estimated to be 39 people.

2.1.3 Avoidance mechanism

PWA adopted a comprehensive avoidance mechanism through the following procedures:

- 1- Constructing phase, one's wells in state owned lands. As such, the first phase of the project caused no impacts pertaining to land acquisition.
- 2- Lands selected are of less value for the PAPs, for example, the lands that are located far from the main roads.
- 3- All monitoring wells were installed in the roads to avoid affecting the private lands
- 4- Small plots of lands that might result in severe impacts on the PAPs were avoided
- 5- All physical assets were entirely avoided in order to minimize the unfavorable impacts.
- 6- They avoid El Shuhada graveyard lands that was proposed by Awqaf to be used for the installation of PV panels. They rejected Awqaf proposal due to the humanitarian value of the graveyard.

Table 2-2: Summary of project impacts

| Detailed list of impacts | | Permanent Land Acquisition | | | | Temporary Land Acquisition (during construction) | | | |
|--|----------------------|----------------------------|--|------------------------------------|---|--|-------------------|--------------------|--------------------------|
| | | Total land size | Total households affected | Total number of households members | # of businesses affected | Total land size | Total HH affected | Total HH displaced | # of businesses affected |
| Construction of recovery wells and monitoring wells | | | | | | | | | |
| Location Site | Jabalia Municipality | 1158 m ² | 16 | 81 | 0 | 0 | 0 | 0 | 0 |
| Installation of photovoltaic system | | | | | | | | | |
| | | 30,000 m ² | Ministry of Awqaf | | | | | | |
| Termination/ use limitation of wells | | | | | | | | | |
| | | 12 wells | 12 well owners+ 190 well users\ beneficiary. | | | 0 | 0 | 0 | 0 |
| | | | | | * (11) wells pumps' operators (households' members number are 79) | 0 | 0 | 0 | 0 |
| * Estimated number of households members based on the conducted interviews average | | | | | | | | | |

The study team conducted consultation meetings with the majority of project affected persons during the data collection process. A structured questionnaire was applied for each category namely, well operators, well owners and land owners. The determinants applied to define vulnerable groups were: 1) those who are below poverty line, and 2) marginalized groups i.e. women, old people and disabled persons.

The conducted survey indicated that:

- The vulnerability among well operators is relatively higher than the other two groups. The analysis of collected data reflected the following:
 - Four well operators out of 11 are below poverty line³;
 - Well operators' economic conditions and probability to lose their sole source of income is relatively high;
 - Four of them have been found to be old people (50+) who cannot find an alternative job;
 - Three of them have at least one disabled family member within their household.
- Concerning land owners, their vulnerable households are as follows:
 - Three of them can be classified as vulnerable as they suffer due to disability burden;
 - Two of them are women who can be classified as vulnerable;
 - One land owner will lose about 46% of his land;
 - Four of them are old people (60+ years old)
- Given the fact that well owners will not lose their wells, but they will not be able to extract water from their wells alternatively, they all will receive water from the recovered water. Consequently, the probability of affecting their living conditions is of no significance. Therefore, the well owners will not be classified as vulnerable to project negative impacts.

2.2. Socioeconomic Survey:

This section will summarize the results and findings of the socio-economic studies and surveys.

2.2.1. Decision making

The process of developing a decision on the level of the project communities is based on direct communication with the local municipalities. They are headed by a mayor who follows open door policy that enables community people to contact the municipality upon their need. Additionally, an active NGOs network work for the benefit of farmers and community people. As well as, there are many aid-based organizations i.e. the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) that provide support to vulnerable groups. Aside from all organizations, the community people pay due respect to their Families. They respect the head of family and obey his recommendations.

The municipality, the NGOs and heads of families might play a role in the process of resettlement through the provision of support to the PAPs.

³ The poverty line as stated by Palestinian Central Bureau of Statistics (PCBS) in 2011, is 2,293 NIS (\$637) per month for a family composed of five persons. This line is based on the average consumption of essential food, clothing, housing, housekeeping and personal supplies, health care, education, and transportation. However, the ultra-poor people were defined as those who spent 1,832 NIS(\$509)

Jabalia municipality is the key player in the resettlement and income restoration process as they define the lands needed by the project in full cooperation with the PWA and communicate with the PAPs. They also take part in the evaluation of lands in full cooperation with the Palestinian Land Authority. They also receive complaints from the affected persons and follow up the process of problems solutions.

2.2.2. Description of the project affected persons

Based on the definition provided by the WB about the Project Affected Persons, the total project affected owners of lands are 16 people. The operators of the pumps who extract water out of wells are 11 persons. Additionally, 12 well owners will be affected. Additionally, 190 well users will lose their source of water.

Given the fact that project impacts will influence the whole household members, the study team considered putting estimation of the total number of household members. The estimation was based on the average household members calculated for the interviewed households. The average number of family members is about 7.45 people per each household, as most of the PAPs live with extended families.

2.2.1.1 Land owners

Based on the list of land owners provided by the PWA, the total number of affected land owners is 16 persons. 14 of the PAPs are males and 2 are females. This section will present the results of conducted interviews:

- Two people will lose only 4 meters square each from their lands, while twelve people will lose 50 square meters each. Only Two persons will lose about 275 square meters of land each. The reason for land acquisition is mainly to establish a recovery well.
- All of the surveyed sample have legal ownership of their lands (*Tabou*)
- Their age category varies between 32 -75 years. The average age is estimated at 50.6 years old.
- Four of them have completed secondary education and five completed university level. The remaining completed preparatory education.
- The range of land ownership varies between 426 m²-10000 m². The average owned land is about 2801.1. m²
- It was essential to calculate the percentage of land to be taken by the project in comparison to the total area of land owned by the PAPs. Based on the final census conducted by PWA, 16 land owners will lose parts of their lands. They are segregated as follows:
 - Two of them did not inform about their total area of land;
 - Eleven will lose less than 5% of their lands;
 - Two will lose about 10% of their lands;
 - One will lose 46% of his land.
- The main occupation of the PAPs is farming; three of them, however, work as administrative staff, teacher, and businessperson. There is also one housewife who did not work.
- Three of the households' members reported having a disabled family member.

- Affected lands are mainly used for agricultural purposes. Few of the PAPs (2 persons) use their lands to raise poultry.
- The total estimated number of trees is 1200 (citrus-lemon-olive-stone fruit trees and other types of trees) to be re-calculated prior to the actual implementation.
- The average annual revenue of the lands cultivated by crops and trees is estimated at 800 \$. However, the cost of land expenses reported by the sample was 700 \$. That was an indication of the poor productivity of lands.
- The average price of the square meter in the affected land is about 38.5 JD (55 US\$)
- The majority of affected lands are cultivated by traditional crops. Few of them are cultivated by citrus, guava and other types of trees.

2.2.1.2 Well owners

Based in the Final Complementary Feasibility study, the sole source of water for irrigation in the project area is groundwater, which is abstracted from private wells evenly distributed throughout the project area. Typically, the same well ("collective well") is shared by more than one farmer; each farmer provides the fuel necessary for his own shift, while maintenance and administrative costs are equally shared among the group. The survey shows that 92% of the farmers depend on the "collective well" system owned by the remaining 8%. There is one well owner who is authorized to dig the well and hosts the well in his land. The remaining partners are classified as water users. There are 12 well owners and 190 water users\ beneficiary Wells must be authorized by the government. A legal well pays one-off 4,000 ILS plus 100 ILS/year license. However, there are also "non-legal" wells, estimated to be 3-4 times the number of the legal ones. The government does not close these wells but new unauthorized wells cannot be drilled.

The survey determined that water cost ranges⁴ from 1 to 1.5 ILS/m³. Therefore, use of water is worthwhile only for economically competitive crops.

- Wells anticipated to be terminated or limited in use are 12 wells, owned by 12 people and 190 people has a share in these wells. 74.8% of the owners are males, while 25.2% are females.
- Each well is owned by more than one person. A single well can be owned by up to 39 persons. On average the well was owned by 17 people.
- The 12 well owners declared the legality of ownership of their wells
- Well construction is significantly expensive in the Palestinian Territory. That was the motive of having more than one partial owner participating in well ownership.
- The average annual maintenance cost is 275 \$. However, in a few cases the maintenance cost might go up to 4500 \$.
- The PAPs reported that the well water extraction cost covers both the expenses of well operators and fuel. The cost does not, however, cover the price of water. The tariff of water is not defined to date as water sector is still under rehabilitation and upgrading. Upon completion of upgrading water sector, the farmers will pay the cost of water in full compliance with the national water tariff.
- Given the fact that PAPs use the wells' water to irrigate their farms, they were not able to calculate the annual revenue of the well. Additionally, providing water to irrigate their

⁴ The value is the average among the ones provided by farmers during the field survey. During the field survey, farmers provided the following rationale for their stated value for cost of water: a well's pump consumes 10 to 12 liters of diesel per hour to extract 40 to 60 m³/hours at an average depth of 60 to 70 meters. The cost of diesel, on average, is between 6 and 7 ILS/liter. For that reason, the cost of water ranges from a minimum of from 1 to a maximum of 2.1 ILS/m³. On average, it is therefore approximately 1.5 ILS/m³ or more.

lands will be proper compensation that enables them to restore their livelihood conditions.

2.2.1.3 Well operating workers

- The total number of well operators is 11 persons. They operate 12 wells. They have relatively the most vulnerable conditions. The study team managed to interview all well operators, all of whom were males.
- Most of the operators received limited education; 6 completed preparatory educations, 2 dropped out before completing primary school, 1 reached secondary education and only 1 completed university level education. 1 of the interviewed operators is completely illiterate. Such limited education will present a challenge to find alternative employment and possible job opportunities.
- The average household size is about 7 persons.
- Three of them have at least one disabled member of family, suffering either mental disorders or physical paralysis.
- The majority of them earn less than 267.5 US\$ per month. They however, spend about 322 US\$. This was an indication that they might have a secondary work. Each household has at least one working person.
- They allocate their whole salary to house expenses. However, their contribution represents only half of the required household expenses.
- Regarding social insurance, no one of them have any kind of social insurance. They can be described as daily wage workers.
- The well operators will be expected to lose their source of income with no potential compensation rather than the one mentioned in the Labor Law No. 7 of year 2000. Consequently, the Ministry of agriculture proposed to provide alternative jobs to those PAPs.

2.2.1.4 Ministry of Endowment (*Awqaf*)

- They are the highest governmental entity responsible for managing the land designated for charity. Regarding the 30 dunums, Awqaf informally enabled group of people to use the land after the cut-off date disclosed on the 29th of October 2015 by the PWA in full cooperation with the municipality of Jabalia. They allowed those people to use this land under one condition which is evacuating the land upon Awqaf request.
- The land users amicably evacuated Awqaf land upon Awqaf request in full compliance with their promise to Awqaf. Thereafter, Jabalia municipality will move all plants upon PWA request.

3. LEGAL FRAMEWORK

This section aims at summarizing the social legislations, regulations, guidelines (that govern the implementation of the project. This will include reference to Palestinian legislation and major regulations, as well as to World Bank OP 4.12, Involuntary Resettlement.

3.1 The International Finance Corporation (IFC) performance standards

Performance Standard 5: Land Acquisition and Involuntary Resettlement:

Objectives:

- To avoid, and when avoidance is not possible, minimize displacement by exploring alternative project designs.
- To avoid forced eviction.
- To anticipate and avoid, or where avoidance is not possible, minimize adverse social and economic impacts from land acquisition or restrictions on land use by (i) providing compensation for loss of assets at replacement cost and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.
- To improve, or restore, the livelihoods and standards of living of displaced persons.
- To improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.

Requirements:

- Provision of detailed project design. The client feasible alternative project designs to avoid or minimize physical and/or economic displacement, while balancing environmental, social, and financial costs and benefits, paying particular attention to impacts on the poor and vulnerable.
- When displacement cannot be avoided, the client will offer displaced communities and person's compensation for loss of assets at full replacement cost and other assistance to help them improve or restore their standards of living or livelihoods, as provided in this Performance Standard.
- The client will engage with affected communities, including host communities, through the process of stakeholder engagement described in Performance Standard 1. Decision-making processes related to resettlement and livelihood restoration should include options and alternatives, where applicable. Disclosure of relevant information and participation of Affected Communities and persons will continue during the planning, implementation, monitoring, and evaluation of compensation payments, livelihood restoration activities, and resettlement to achieve outcomes that are consistent with the objectives of this Performance Standard.
- The client will establish a grievance mechanism consistent with Performance Standard 1 as early as possible in the project development phase. This will allow the client to receive and address specific concerns about compensation and relocation raised by displaced persons or members of host communities in a timely fashion, including a recourse mechanism designed to resolve disputes in an impartial manner.

- Where involuntary resettlement is unavoidable, either as a result of a negotiated settlement or expropriation, a census will be carried out to collect appropriate socio- economic baseline data to identify the persons who will be displaced by the project, determine who will be eligible for compensation and assistance and discourage ineligible persons, such as opportunistic settlers, from claiming benefits. In the absence of host government procedures, the client will establish a cut-off date for eligibility. Information regarding the cut-off date will be well documented and disseminated throughout the project area.



Figure 3-1 :Requirements of Performance Standard 5: Land Acquisition and Involuntary Resettlement

3.2 World Bank Safeguard policies related to involuntary resettlement

3.2.1 OP 4.12 on Involuntary Resettlement

World Bank BP/OP 4.12 on Involuntary Resettlement was developed with main common objectives of mitigating the negative social impacts resulting from land acquisition or affecting the sources of livelihoods as a result of development project. The thorough review for the mentioned guidelines showed the following:

- The policy was drawn with the general human rights framework in recognition for the protection of the ownerships and also safeguarding the interests of the poor and vulnerable groups in particular
- OP 4.12 harmonizes all the key principles and terminologies related to involuntary resettlement. The main guiding principle is that: where physical or economic displacement is unavoidable, the funding agency requires the promoter to develop an acceptable resettlement tool (this may include a Resettlement Policy Framework or a Resettlement Action Plan). The plan should incorporate and follow the right to due process, and to meaningful and culturally appropriate consultation and participation, including that of host communities.
- WB OP 4.12 is an important and key reference addressing the international funding agencies requirements for handling involuntary resettlement impacts.
- According to the WB's safeguard policy on Involuntary Resettlement, physical and economic dislocation resulting from WB funded developmental projects or sub-

projects should be avoided or minimized as much as possible. Unavoidable displacement should involve the preparation and implementation of an Abbreviated Resettlement Action Plan (RAP) or a Resettlement Policy Framework (RPF), to address the direct economic and social impacts resulting from the project or sub-project's activities causing involuntary resettlement.

The following instruments may be utilized to implement the resettlement activities:

- Resettlement Action Plan
- Resettlement Policy Framework
- Process Framework

In projects triggering OP 4.12 the task team must decide which of the above three instruments are appropriate for the project in question, and the necessary documentation must be prepared by appraisal.

A Resettlement Action Plan (RAP) or abbreviated RAP – depending upon the scale of impacts - is prepared when all the details of the project are known at appraisal.

In projects where the extent and location of resettlement and/or land acquisition cannot be known at appraisal, e.g. in projects with multiple sub projects, a Resettlement Policy Framework is prepared. An RPF should include information on how subsequent RAPs are developed both with regard to substance and process.

The third instrument, Process Framework that restricts access to legally designated parks or protected areas without acquiring the land outright is applied in conservation projects.

Involuntary resettlement resulting from development projects, if unmitigated, will give rise to difficult economic, social, and environmental risks which may lead to: i) dismantling production systems, ii) impoverishing people when their productive assets or income sources are lost, iii) relocating people to environments where their productive skills may be less applicable and the competition for resources is greater, iv) resettling people into community institutions and social networks are weakened, v) dispersing kin groups and, vi) diminishing or losing cultural identity, traditional authority, and the potential for mutual help.

On the other hand, well-designed and well-implemented resettlement programs may represent good development opportunities. By providing proactive mitigation measures, the policy is used to ensure that Project Affected Persons (PAPs) are not negatively affected by Bank financed projects. The Bank's involuntary resettlement policy is a road map to be used by practitioners in the identification, preparation, and implementation of WB funded programs with a focus on minimizing negative social and economic impacts on PAPs and their community as a whole.

With the above focus in mind, the following discussion presents a brief overview of OP 4.12 Policy Objective and Principles. The scope and coverage of the RPF and the subsequent process of preparing and approving a Resettlement Action Plan (RAP) are highlighted including the identification of different categories of PAPs, measures for protecting vulnerable PAPs, eligibility procedures and criteria as well as assets valuation.

3.2.2 The principle policy objectives of OP 4.12 are:

- Involuntary resettlement should be avoided where feasible, or minimized by exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

3.2.3 Eligibility Criteria

A project triggering OP 4.12 is required to develop a satisfactory procedure to the Bank, for establishing the criteria by which PAPs will be deemed eligible for compensation and other resettlement assistance. The procedure includes provisions for meaningful consultations with: (i) Project affected persons and communities, (ii) Local authorities, and, as appropriate, (iii) Nongovernmental organizations (NGOs), and (iv) grievance mechanisms.

The aim of including the eligibility criteria in the RAP is to ensure that PAPs suffering a complete or partial loss of assets or access to assets are clearly defined and recognized as eligible for some kind of assistance, according to their legal rights to the land, if established that they occupied the land before the claim cut-off date⁵. The Bank OP 4.12 specifically proposes general categories for eligibility, as follows:

- 1) Category One: Individuals who have formal legal rights to land are the owners of lands within the 28 km located in the agriculture area. They are entitled to receive full compensation defined in the price lists.
- 2) Category Two: Individuals, who do not have formal legal rights to land, but have a claim to such land or assets⁶. They are mainly the tenants who have no documents that declare the tenancy relation with the owners. They are entitled to receive compensation during the tenancy duration reported by the owner. The owner will delegate the tenants to receive the compensation.

3.3 Existing Palestinian Legal and Policy Framework for Land Acquisition

According to Law No. 2 of year 1953 on “Land Expropriation for Public Projects” and its articles (3) and (21), the Government can expropriate up to 25% of any privately-owned land for public interest reasons - without compensating the owners. Exceptions are made to owners who prove to be largely damaged by this land expropriation. However, owners

⁵ The community people who used the 30 dunums after the cutoff date will not be eligible for compensation, as they used the land after the cutoff date disclosed on the 29th of October 2015. Additionally, they did not claim any right to land as they agreed to evacuate the land upon Awqaf request

⁶ provided that such claims are recognized under Palestinian laws or become recognized through a process identified in the involuntary resettlement plan

are entitled to compensation for all crops and trees, buildings and fixed structures on the expropriated 25% area of the land.

In case the Government needs the whole plot of land, negotiations are made to reach an agreement with owners. However, in case of pressing time demands to expropriate land to a specific project serving public interest, the government is entitled to seize the land immediately and then to initiate compensation negotiations with owners/users (Law 2/1953, Article (12)).

3.3.1 Actual procedures and mechanisms for land expropriation

In order to be able to comprehend the land acquisition procedures, it is essential to identify the entities and authorities contributing to land acquisition process:

- 1- Palestinian Water Authority (the owner of the project) (PWA)
- 2- Municipality of Jabalia and Gaza
- 3- Ministry of Local Governance (MLG)
- 4- Palestinian Land Authority (PLA)
- 5- The Cabinet
- 6- The Central Committee
- 7- Ministry of Endowment (MoE)
- 8- Ministry of Agriculture (MoA)
- 9- Ministry of Finance (MoF)
- 10- Project affected persons (PAP)

Table 3-1: Legal procedures adopted for land acquisition purposes

| Procedures | Responsibility | Time frame |
|--|--|-----------------------------------|
| Land allocated for well construction | | |
| PWA identifies the lands required by the project. | PWA | Accomplished |
| PWA to define the cut-off date and disclose the cut-off date to the PAPs which is the 31 st of May 2018 | PAPs with the PWA in full cooperation with municipalities and ministries | Immediately |
| PWA communicate with the municipalities in order to identify the technical specifications of the required land | PWA in full cooperation with the municipalities | Six months before implementation |
| The municipalities develop the technical documents to the PWA. | PWA in full cooperation with the municipalities | Five months before implementation |

| Procedures | Responsibility | Time frame |
|---|--|------------------------------------|
| PWA forwards the documents to the Palestinian Land Authority and the Ministry of Local Governance who raise the land acquisition to the Central Committee responsible of land acquisition for public benefit. | PWA in full cooperation with PLA and MLG | Four months before implementation |
| The municipalities prepare an inventory survey to verify the ownership of lands after receiving the maps and coordinates from the PWA, | PWA in full cooperation with PLA and MLG | Four months before implementation |
| The municipalities apply the procedures required to change the type of land use. | PWA in full cooperation with PLA and MLG | Four months before implementation |
| PWA and the concerned Municipalities provide PLA with detailed information on the land and properties to be expropriated | PWA in full cooperation with PLA and MLG | Three months before implementation |
| The PWA announces in a daily newspaper the government's intent to expropriate the specified lands and provides full details about the project and grievance duration (60 days after publishing the advertisement) | PWA in full cooperation with PLA and MLG | Three months before implementation |
| The municipalities inform the PAPs with the exact period to submit their complaints related to land acquisition (60 days) | PWA in full cooperation with PLA and MLG | Three months before implementation |
| PLA investigate diversified complaints and propose solutions | PLA in cooperation with the PWA | Two months before implementation |
| Any objection on principle to the acquisition must be lodged within 60 days of publication of the Land Expropriation for Public Benefit. | PAPs with the PLA and PWA | Two months before implementation |
| 30 to 90 days later, the case is presented to the Prime Ministry for endorsement, which must take place within 6 months (starting 30 days after the announcement of Expropriation for Public Benefit). | PWA in full cooperation with PLA and MLG | Two months before implementation |
| The endorsed decision is published in the official newspaper | PWA in full cooperation with PLA and MLG | One month before implementation |

| Procedures | Responsibility | Time frame |
|---|---|------------------------------------|
| PLA and Municipality of Gaza form a committee of five officials to provide a compensation estimate ⁷ . Evaluations are based on current land values and prices to land of similar quality. | PWA in full cooperation with PLA, MOA and MLG | Three months before implementation |
| A valuation committee from the PWA and PLA evaluate the appropriate compensation of wells | PWA in full cooperation with PLA, MOA and MLG | Three months before implementation |
| In case of having any crops and trees, the Ministry of agriculture provides detailed valuation list of the affected crops/ trees | PWA in full cooperation with PLA, MOA and MLG | Three months before implementation |
| Details of all land units included in the Prime Ministerial decree are announced, including names of owners and the number and description of the units. | PWA in full cooperation with PLA, MOA and MLG | Three months before implementation |
| Affected persons have 30 days to discuss compensation with concerned authorities. | PAPs with the PWA in full cooperation with PLA, MOA and MLG | One month before implementation |
| Owners have the right to object to the offered compensation and may request mediation. | PAPs with the PWA in full cooperation with PLA, MOA and MLG | One month before implementation |
| Municipality/PLA may form a second committee to conduct a second evaluation | PAPs with the PWA in full cooperation with PLA, MOA, municipalities and MLG | One month before implementation |
| The level of compensation is finalised upon ratification by the Ministry of Finance | PAPs with the PWA in full cooperation with MOF | One month before implementation |
| If no agreement is reached, owners have the full right to recourse to Courts. | PAPs with the PWA in full cooperation with MOF | |

⁷The officials are the regional directors of the four ministries: Public Works; Finance; and Agriculture together with a representative of the PLA and the Audit Bureau. Although the composition is official, the law specifically empowers the Director of PLA to call upon any advice in a review of compensation if necessary.

| Procedures | Responsibility | Time frame |
|--|--|--------------------------------------|
| Judicial involvement when no agreement is reached. However, such ac | PAPs | |
| Wells operators/ owners | | |
| PWA to define the wells that will be terminated and conduct a census to define the current operators | PAPs with the PWA in full cooperation with municipalities | After operating irrigation scheme |
| PWA to define the cut-off date and disclose the cut-off date to the PAPs | PAPs with the PWA in full cooperation with municipalities and ministries | Upon operating the irrigation scheme |
| PWA to inform the municipalities about the wells to be terminated | PAPs with the PWA in full cooperation with municipalities | After operating irrigation scheme |
| The municipalities to negotiate with the owners and operators | PAPs with the PWA in full cooperation with municipalities | After operating irrigation scheme |
| Propose compensation mechanism and communicate with the PAPs: 1- Provision of water to well owners and users 2- Provide job opportunities to the operators | PAPs with the PWA in full cooperation with municipalities | After operating irrigation scheme |
| Upon reaching an agreement the PWA to apply remedial actions | PAPs with the PWA in full cooperation with municipalities | After operating irrigation scheme |
| Land allocated the Photovoltaic system | | |
| PWA informed both the PLA and Awqaf about the additional land needed (30 dunums) | PWA, PLA and Awqaf | Accomplished in 2015 |
| PWA disclose the cut-off date upon approval from Awqaf and PLA | PWA with the municipalities | Accomplished in 2015 |
| Transfer of ownership | PWA, PLA and Awqaf | In process |

3.3.2 Guidelines for court mediation in case of compensation disputes

In case no agreement is reached regarding the compensation, court mediation can be requested by one or both parties. In order to reach a compromise, the court must take into consideration the following guidelines:

- 1- The fact that the property was seized without the owner/user's consent should not

- influence the court in estimating the value of the compensation.
- 2- Fair compensation is to be achieved through assessing the current market value of the property at the day the government published its intention to expropriate the property in two national newspapers, and to disregard any improvements or developments made after that date.
 - 3- When estimating the leasing fees to be paid to the landowner, the Court appraises the yearly rental fees reflective of the value at the date of the official notification.
 - 4- When assessing the losses due to damage, the Court estimates the compensation based on the amount of decrease in the property's value as in the previous points.
 - 5- Reduction in the value of the portion of the property not expropriated must be compensated for. The related compensation estimate should not exceed half of the compensation originally entitled to the landowner for the expropriated section.
 - 6- Considering the harm done to the owner as a result of dividing the land property or as a result of the practices delegated by this Law.
 - 7- The accrued amount is not to be paid to those concerned before the Registrar of Titles issues a certificate that states that the property is not subject to any mortgage payments. In that case, the amount must be deposited in the State Treasury.
 - 8- If the amount is deposited in the State Treasury - since the owner did not present official documents or for any other reason - it must be kept for one year from the date of the final verdict. Exceptions are made if the Court decides that the amount can be disbursed before the one-year deadline, i.e., in cases where the compensated person was able to present an official document from the Land Registration Department stating the ownership of the land or infrastructure proving the entitlement to compensation.
 - 9- The compensation or leasing fees paid to the State Treasury or the entitled person(s) frees the condemner from any claims related to the land.

Finally, and after the compensation has been paid to the land owners by the State Treasury – or temporarily deposited in the State Treasury, the title to the land in question is transferred to the Condemner.

3.3.3 Gaps between Palestine legislations and the World Bank OP 4.12

The revision of OP 4.12 safeguard policy against the Palestinian legislations concluded to having limited gaps between WB legislations and the Palestinian laws. The basic assessment reflected that Palestine enforced land acquisition laws that discuss most of the articles included in the WB's OP 4.12. Both national and WB legislations agreed upon the following:

- The requirement to pay compensation where land is compulsorily acquired
- The need to compensate for the acquired property based on full market value of the property at the data of the verdict;
- The requirement to compensate for losses, whether temporary or permanent in production or damage to productive assets and crops; and
- The provision for pre-judicial avenues for resolution of disputes and rights of appeal.

There are, however, seven broad areas where provisions required under OP 4.12 extend beyond those required under Palestinian legislation. These are as follows:

Table 3-2: Gaps between the Palestinian Legislations and the WB safeguards

| Aspects | Gaps | Strategies adopted by PWA to bridge the gap |
|--|--|---|
| Resettlement planning and procedural requirements | There is presently no requirement to prepare a formal Resettlement Action Plan (RAP) under Palestinian law, nor to undertake any of the component activities of a resettlement action plan such as, a 'census', socio-economic survey, consultation with project affected people, monitoring or reporting. There are no specific references in the legislation to 'involuntary resettlement'. Also, there is no explicit consultation requirement in Palestinian law | <ul style="list-style-type: none"> • PWA in compliance with the WB procedures managed to prepare a Resettlement Action plan. • The consultation activities were implemented along the life of the project. During the ESIA, the Supplementary ESIA and the RAP multi-levels of compensations were adopted. • The consultation activities have been implemented based on "Open Door" approach where PAPs are able to communicate with project owners upon PAPs convenience |
| The cut-off date | The WB identifies a cut-off date in order to prevent people influx to the project area. This measure is stipulated in order to protect the project owner and preventing wasting of resources. The Palestinian laws never set a cut-off date | <ul style="list-style-type: none"> • The cut- off date was as follows: <ul style="list-style-type: none"> ○ Well owners cut-off date was the 31st of May 2018 ○ Well operators' cut-off date will be defined upon operating the irrigation network ○ Land owners cut-off date was the 31st of May 2018 ○ Awqaf land required for the PV was the 29th of October 2015 |
| Monitoring and Evaluation: | Monitoring or evaluation measures are not stipulated in Palestinian regulation. Lack of the necessary legal provision needed to put in place monitoring and evaluation measures can negatively impact the accountability and transparency programs and plans may not be able to benefit from corrective action in cases of mistakes nor receive rewards in cases of good performance | <ul style="list-style-type: none"> • It is imperative for the Bank to move toward advancing the monitoring and evaluation principles stated in OP 4.12. Social and economic impacts will have to be measured; the amounts of compensation will have to be known and accounted; the efficiency and effectiveness of grievances and redress mechanisms will have to be evaluated and progress in the resettlement process will have to be reported and known • Key monitoring indicators are presented in the RAP |

| Aspects | Gaps | Strategies adopted by PWA to bridge the gap |
|---|--|--|
| Compensation eligibility in Palestine | The categories of people who must be compensated under Palestinian legislation are narrower than those defined under OP 4.12. Under the legislation, the only people and entities entitled for compensation are those with registered property rights, for example, registered landowners, occupants, users and those with registered third party rights or those who have legally obtained the right to register their title but whom, for some reason, have not completed registration. This potentially disqualifies many categories of affected people that would be entitled to compensation under the OP 4.12. | PWA negotiated with the PLA in order to develop fair mechanism that enable the project affected persons to restore their economic conditions |
| Provisions for illegal land use in Palestine | Palestinian law does not make provision for people with no legal title, although there have been some cases where practice on the ground has differed from the legislation. This practice on the ground does adhere to the World Bank OP 4.12; but as it is not in law, it is conducted on a discretionary case-by-case basis and is not systematically monitored. | All project affected persons would be compensated for their loss of assets, regardless to their legal status. The PWA should initiate a comprehensive dialogue with the Palestinian Land Authority |
| Property valuation | Under the WB safeguard policies, compensation for lost properties will be calculated based on full replacement cost, in other words, compensation should be equal to what enables the Project Affected People (PAP) to restore their livelihood at the level prior to the resettlement. Under the Palestinian law, compensation is equal to the market value of lost properties, but there is no explicit reference to depreciation. | The regulations of the WB were considered during the process of property valuation. Full replacement cost should be highlighted |
| Income restoration | Under the OP 4.12, loss of income resulting directly from project implementation should be compensated for. Palestinian law, however, does not recognize compensation for such lost income. The well operators and tenants of lands will be unable to restore their income due to having no mechanism for income restoration | The regulations of the WB were considered during the process of compensation. Income restoration of the well operators was considered |

Source: OP 4.12 WB and North Gaza Emergency Sewage Treatment

Resettlement Action Plan, Effluent Recovery & Reuse System and Remediation Works project, January 2014

4 ELIGIBILITY AND MODE OF COMPENSATION

This section provides information about the following issues:

- Eligibility criteria of persons entitled to receive compensation (or other forms of assistance in lieu of compensation).
- Description of valuation procedures used to establish compensation rates for land, structures or other fixed assets.
- Description of arrangements for delivery of compensation to displaced persons
- Compensation rates for all categories of land acquisition, affected structures, and other fixed assets.
- Transitional support.
- Arrangements for recalculation of compensation rates in case of prolonged delay in delivery of compensation.

4.1 Eligibility Criteria and Entitlement Matrix

The aim of including the eligibility criteria in the RAP is to ensure the PAPs who suffer a complete or partial loss of lands, crops, trees and assets or access to them will be clearly defined and recognized as eligible for some kind of assistance regardless to their legal rights to the land.

- The first criteria for eligibility will be the cut-off date:
 - Well owners' cut-off date was the 31st of May 2018
 - Well operator's cut-off date will be defined upon operating the irrigation network
 - Land owners' cut-off date was the 31st of May 2018
 - Awqaf land required for the PV was the 29th of October 2015

The cut-off date was communicated to the municipalities and the project affected persons upon completion of the census survey. Additionally, it was disclosed to the PAPs in the consultation activity conducted on the 12th of July 2018. As well as, during the continuous meeting conducted between the PWA and the PAPs.

- The second criteria for eligibility will be the legality of the PAPs status. Identified PAPs are basically classified into the following categories in the donor policies:
 - Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
 - Those who do not have formal legal rights to land at the commencement of the inventory, but **have a claim** to such land or assets; provided that such claims are recognized under the law of the country or process identified in the resettlement plan; **Those who don't claim any right to the land will not be entitled for any remedial action.**

Although Palestinian legislation has not mentioned the entitlement to compensation for those who do not have legal rights, such persons have been compensated in the course of operational practice if they were previously regarded as the apparent owners of the affected properties.

The following table will present the people entitled for compensation, assistance and livelihood restoration as they were previously affected by the project

Table 4-1: Entitlement matrix of the NGESTP Project

| No | Type of Losses | Level of Impact | Entitled Person(s) | Compensation Standards | Policy & Type of compensation to be applied | Responsible entity |
|-------------------------------------|--|---|--|--|--|---|
| A. LOSS OF AGRICULTURAL LAND | | | | | | |
| a.1 | Loss of arable and grazing agricultural land or access to it | Permanent (complete or partial) loss of all or part of arable and grazing land located in the ROW | Farmers / Individuals who have formal legal ownership rights to land (Tenants or owners). As indicated by the PAPs and PWA, all land owners have formal legal ownership. No tenancy or customary ownership was detected | Four scenarios of compensation were consulted with the PAPs in April 2018: 1- Provision of Alternative land Provide alternative lands equivalent to the same expropriated Lands. The owners should receive the alternative lands. Thereafter, they will arrange for the compensation of tenants (if any) This scenario was rejected by all PAPs 2- Provide cash compensation equivalent to the market price. This proposal was approved by PAPs under condition of applying fair market value 3- Provide job opportunity to one of the HH members, particularly if | Alternative land Cash compensation Job opportunity Provision of water | Palestinian Land Authority Municipality PWA |

| No | Type of Losses | Level of Impact | Entitled Person(s) | Compensation Policy & Standards | Type of compensation to be applied | Responsible entity |
|----------------------------------|----------------|-----------------|--------------------|--|------------------------------------|--------------------|
| | | | | <p>the plot of land is too limited</p> <p>4- Provision of water. This proposal was rejected by all PAPs</p> <p>The PAPs were consulted on the 4th of May 2019 and agreed on the monetary compensation. However, they requested the following:</p> <p>1- The necessity to have specific valuation standards to be applied (land fertility – land location to the main streets)</p> <p>2- They also asked not to purchase only the land needed to construct the well, but the whole land owned by the PAP if its area is less than one dunum as the remaining parts of land will be useless</p> | | |
| B. LOSS OF ASSETS (wells) | | | | | | |

| No | Type of Losses | Level of Impact | Entitled Person(s) | Compensation Policy & Standards | Type of compensation to be applied | Responsible entity |
|---|--|--|--|--|--|---|
| b.1 | Restriction to use the wells | Permanent limitation of well (complete or partially limitation) | Well owners who have legal ownership of wells (partial ownership) | <ul style="list-style-type: none"> Given the fact that the wells will be owned by the PAPs, as extracting water will be restricted. The type of impact is loss of extracted water from wells. PWA will provide water from the irrigation scheme. The PAPs also have the full right to sell well's equipment and retain well land | Provision of an alternative source of water. | PWA Municipalities Palestinian Land Authority |
| C. Loss of Standing Crops, Trees, and Plants | | | | | | |
| c.1 | Loss of standing crops, trees, or plants or access to them | Permanent (complete or partial) loss of standing crops, trees, or plants | Farmers or individuals who cultivate the land and who have formal legal ownership rights to the crops on which the crops are | <p>Crops</p> <ul style="list-style-type: none"> Enable the farmers to harvest their crops. Compensate for the damaged crops <p>Trees</p> <ul style="list-style-type: none"> The Ministry of Agriculture provides price lists that will be adopted along with the project activities. | <p>Allowance to harvest crops</p> <p>Cash compensation and allowance to move trees</p> | PLA Ministry of Agriculture |

| No | Type of Losses | Level of Impact | Entitled Person(s) | Compensation Policy & Standards | Type of compensation to be applied | Responsible entity |
|------------------------------------|--|------------------------------------|--------------------|---|--|--|
| | | | | Thereafter cash compensation is delivered. The price lists were developed in full coordination with the farmers and Agriculture NGOs working in Jabalia. The price covers the cost of tree of the same age. However, the farmer have the full right to move the trees to alternative place in their land. | | |
| D. Loss of source of income | | | | | | |
| D.1 | Loss of source of income due to well termination | Permanent impact on well operators | Well operators | <ul style="list-style-type: none"> The PWA will provide them with permanent job opportunity in order to support them to restore their source of income They will also be trained to be fit for the new job opportunity | In kind compensation (Job opportunity) | Project contractor/ PWA Municipalities |

| No | Type of Losses | Level of Impact | Entitled Person(s) | Compensation Policy & Standards | Type of compensation to be applied | Responsible entity |
|----|----------------|-----------------|--------------------|---|------------------------------------|--------------------|
| | | | | <ul style="list-style-type: none"> They will also have the opt. to employ one of their children (upon their request) | | |

4.2 Methodology of Assets valuation and the compensation packages

The valuation methodology of the crops and assets' compensation is vital for the RAP study in order to facilitate the compensation process. Following is a summary of valuation process for various types of impacts:

Table 4-2: Methodology of Asset valuation

| Type of loss | Valuation mechanism | Entity responsible for valuation |
|-----------------|---|---|
| Private lands | <p>The land value is estimated on average at 50 US\$.</p> <p>A committee will be formulated from PWA, the municipality, PARC, PLA, PAPs representatives and Ministry of Finance to evaluate the land. Below are the main determinants to evaluate the land price:</p> <ul style="list-style-type: none"> - Land fertility - Location of land to the main road - Being subject to any previous land acquisition - Quality of crops located in the land | Palestinian Land Authority |
| Well | The wells will not be expropriated. Therefore, no evaluation of wells is required | Not applicable |
| Crops and trees | <p>The Ministry of Agriculture develops price lists of the affected crops and trees (see sample in Annex VI)</p> <p>The lists will be updated and provided to the PLA and Ministry of Finance to be the basis of compensation</p> | Ministry of Agriculture PWA Ministry of finance |

4.3 Arrangement for delivery of compensation

The Permanent land acquisition and compensation will be applied as follows:

- 1- The Design Department in PWA has provided a detailed map on land acquisition scope in order to identify the land acquisition area.
- 2- The PAPs were consulted with during the preparation of the RAP to provide them with the information regarding their rights, valuation procedures and grievances and redress mechanism.
- 3- After receiving the approval of the WB on the addendum and the RAP, the documents will be translated and disclosed to the PAPs in the Municipalities, the PWA website and the World Bank info-shop. Thereafter, the resettlement activities will be executed.
- 4- A continuous dialogue will be applied with the PAPs as part of stakeholder engagement activities

- 5- The Compensation Committee will disburse the compensation value according to the following system) Full compensation will be given before the construction, 2) complete legal procedures for land acquisition will be documented by the PWA.

4.4 Transitional support

Based on WB OP 4.12 that stipulated (*In cases where land acquisition or restrictions on land use affect commercial enterprises, affected business owners will be compensated for the cost of identifying a viable alternative location; for lost net income during the period of transition; for the cost of the transfer and reinstallation of the plant, machinery, or other equipment; and for reestablishing commercial activities. Affected employees will receive assistance for temporary loss of wages and, if necessary, assistance in identifying alternative employment opportunities*)

Regarding the NGESTP project, the only group of PAPs who will lose their source of income are well operators. They will be affected due to restricting water extraction from wells. They, therefore, will be in need to restore their income. They will get permanent job opportunities in the project. Based on the assessment of their severity of loss, they will not be affected unless the irrigation network is fully functioning. PWA asserted that they will not terminate the wells unless all affected well operators receive their permanent jobs. As such, there will be no transitional period for well operators.

With regard to land owners, they will receive their full compensation prior to land acquisition. Therefore, there is no transitional period.

As for well owners, extracting water from their wells will not be prohibited until the irrigation network is functioning. Therefore, they will not be entitled for any transitional support.

Based on the aforementioned discussion, there will be no need for any kinds of transitional support.

4.5 Livelihood restoration measures

4.5.1 Economic displaced categories

- 11 well operators will lose their source of income due to the termination of wells. Reference to section 2.2.1.2 of this report, their average total expenditure is 322 US\$. The study team discussed with them the proposed remedial actions. They expressed their willingness to be employed by the project. Basically, the study team investigated their capacity. The main finding is that the majority of them are skilled mechanics. However, four of them are above 50 years old. The PWA proposed to train them and employ them in the maintenance of the project on full time basis. They will have social and health insurance and pension. This proposal is viable as they are skilled mechanics. Additionally, the social protection will support them in case of reaching pension age.
- Well owners will be restricted to extract water from their wells. Therefore, they will be obliged to secure an alternative source of water to irrigate their lands. PWA, prior to any termination of wells, will provide them with an alternative source of water.

4.5.2 Proposed livelihood restoration scenarios

A. Well operators:

PWA will provide well operators with permanent job opportunities at least one month prior to the termination of wells. Reference to consultation event conducted on the 4th of May 2019, the PAPs asked to employ one of their male children in the jobs allocated

for well operators. PWA, therefore, will provide one job opportunity to each well operator who have the full right to define either them or their sons can get this job. The jobs will be of technical nature i.e. maintenance and observation of the monitoring wells in order to be suitable for well operators capacity. They will be trained to be fit for the requirement of job opportunity.

If the well operator is illiterate, he can be employed in low skilled jobs. Alternatively, he can receive a training on maintenance and work in the waste water plant.

The job opportunity required to be provided to the PAPs should generate a monthly income not less than 322\$ in order to satisfy the basic needs of well operators.

The PAPs should be covered with social protection (social insurance and health insurance)

B. Well owners:

The well owners will be deprived from a vital source of water due to termination/restriction to use their wells. There will be no well acquisition. On the other hand, they will be able to benefit from the project irrigation network. It is worth mentioning that, on the national level, the farmers will be obliged to pay the cost of irrigation water in Gaza Strip⁸. Water tariff system is being discussed on the level of decision makers in Gaza Strip.

PWA proposed three alternatives that were discussed with the well owners to mitigate for the loss of water source on the 4th of May 2019. They are as follows:

- 1- Terminate the well but keep it for emergency cases
- 2- Sell the well equipment to any one
- 3- Sell well equipment to PWA

The majority of project affected persons approved to terminate the well and maintain it for emergency. Additionally, the majority of them approved to sell well equipment to PWA in full compliance with the market value. The depreciation cost will be considered in the valuation of wells equipment.

For more details about the project economic impacts, please refer to the Final Complementary Feasibility study developed in January 2015 section related to project economic and financial sustainability.

Grievance mechanism should be made available to all PAPs. As well as, they must be informed about it prior to any remedial actions are in place. Basically, all complaints to be raised must be documented and carefully handled.

4.5.3 Proposed monitoring indicators

Upon approval from the PAPs on the suitable scenario, the PWA should prepare robust livelihood monitoring indicators either by the project management unit or by an independent consultant.

⁸ National Water Strategy for Palestine, Toward Building a Palestinian State from Water Perspective, 2012

Table 4-3: Monitoring and Evaluation Matrix

| Inputs | Outputs | Outputs Targets | Means of monitoring | Schedule for monitoring | Responsibility |
|---------------------------------------|---|---|---|---|-------------------------------------|
| Land acquisition | PAPs received full compensation value that is in consistent with the market value | Land owners affected by the project will be mitigated | <ul style="list-style-type: none"> ○ Lists of land prices ○ Determinants played a role in valuation process ○ Minutes of meetings with the PAPs ○ Contracts signed with the PAPs ○ Maps of acquired lands | On monthly basis upon starting of compensation activities | PWA and the Ministry of Agriculture |
| | PAPs received full compensation for trees and standing crops | | <ul style="list-style-type: none"> ○ Price lists developed by the Ministry of Agriculture ○ Census of affected PAPs by type of crops and trees ○ Total compensation disbursed for each PAP ○ Receipts from the PAPs that verify recipient of compensation | | |
| Jobs to be provided to well operators | PAPs have access to the jobs | 12 jobs allocated to PAPs as part of the compensation agreement | <ul style="list-style-type: none"> ○ Contracts signed with the well operators ○ Training provided to well operators ○ The monthly salary of the PAPs ○ Questionnaire guiding checklist that can be filled with the PAPs on bi-annual basis | Three months prior to terminating the wells | PWA social development officer |

| Inputs | Outputs | Outputs Targets | Means of monitoring | Schedule monitoring for | Responsibility |
|-------------|--------------------|---|--|-------------------------|--------------------------------|
| Well owners | Provision of water | The well owners PAPs can have their living conditions restored by relying on the irrigation network | <ul style="list-style-type: none"> ○ Total amount of water consumed on monthly basis by the PAPs ○ List of PAPs received water on monthly basis ○ Meetings to be conducted with a selected sample of the PAPs on bi annual basis to measure: <ol style="list-style-type: none"> 1. Their level of satisfaction and economic conditions; 2. New crop patterns adopted after using the treated water; 3. Total revenue achieved after adopting new cropping patterns in comparison with the previous pattern; 4. Compare the cost of irrigation water now, versus the past irrigation cost; 5. Barriers faced the farmers to restore their living conditions and how they were managed; 6. Additional recommendations from the PAPs. | Bi annual | PWA social development officer |

| Inputs | Outputs | Outputs Targets | Means of monitoring | Schedule for monitoring | Responsibility |
|---|---|--|---|--|--------------------------------|
| A Grievance Mechanism for recourse on any issues related to land acquisition | PAPs with grievances, especially vulnerable groups and those who may have been left out of the compensation process or those who may not believe they were compensated fairly, have recourse through the GM | All PAPs report an understanding of the GM and how to access it All land acquisition and livelihoods related grievances are responded to within the 30 days | Feedback at meetings Grievance tracking system | Three months prior to termination of the wells Quarterly | PWA social development officer |
| Consultation, disclosure and engagement | PAPs are informed of the progress and their feedback is documented | PAPs reported their understanding of the RAP and livelihood restoration system and whom to contact with questions; Monitoring meetings to be held with the PAPs and PWA | Minutes of meetings (list of participants- photos) | Quarterly meetings with PAPs and semi-annually with the municipalities for two years | PWA social development officer |

4.6 Arrangement for recalculation of compensation

In case of any prolonged delay related to the project implementation the following procedures will be applied:

- Verification of the inventory developed for the PAPs
- Palestinian Land Authority in cooperation with the Ministry of Agriculture should update crops and trees price lists.
- The PLA in cooperation with the interested municipalities will inform the PAPs about the modified project time plan. In addition, the value of compensation of the potential affected lands/crops/trees and assets will be defined and forwarded to the financial department in the PWA.

4.1 Vulnerable groups assistance

The Palestinian Law related to expropriation requires the implementing agencies to avoid the vulnerable groups. Regarding the NGEST project, it is anticipated that the vulnerable groups and strategies to support them are as follows:

Table 4-3: Vulnerable groups assistance

| Project affected category | Vulnerable group | Proposed type of assistance |
|---------------------------|---|---|
| Well operators | <ul style="list-style-type: none"> Four household are below poverty line Four are old people Three have disability burden | <ul style="list-style-type: none"> The salary of alternative job should be more or at least the same of current revenue Old people should be enabled to recruit one of their children (who is financially supports the households) |
| Land owners | <ul style="list-style-type: none"> Those who will lose more than 25% of their lands Two women One of low income Four old people (60+) Three have disability burden | <p>The PWA tries to avoid or minimize the impacts on those groups through modifying the route of the streets, avoiding entering into the middle of lands, as well as, avoiding well construction in the areas located directly on the roads.</p> <p>Enabling women to get information upon their convenience</p> <p>Old people are supported by providing them with clear information about mitigation measures</p> |
| Well owners | <ul style="list-style-type: none"> 51 of well owners and those who have partially ownership are women | <ul style="list-style-type: none"> They are supported by facilitating paper work required to benefit from project They also will receive clear information about the project |

5 INSTITUTIONAL ARRANGEMENTS

This section identifies the organizations and/or agencies primarily responsible for resettlement implementation. It describes the capacity of these entities for effective implementation by reference to links to authority, prior experience with resettlement, and number of training to be provided to their personnel. There will be also an overall presentation of the Project Management Unit that was proposed by the PWA and their full roles and responsibilities were defined.

5.1. *Project Institutional Setup*

Based on the Institutional Capacity Assessment for effluent recovery, the proposed institutional set up for project management is comprised of the following main features:

- The PMU, during construction of the project components, shall include an Environmental Manager (PMU-EM) who will have the overall responsibility for implementing the ESMP and shall report directly to the PMU Director. The PMU-EM will have a supervisory role over different stakeholders and will be responsible to include the proposed mitigation measures and monitoring activities in the tender documents and equipment supply contracts.
- During the construction phase (before starting) the contract of the Engineering Consultant (EC), who will supervise construction work, should include supervision component on the relevant mitigation measures that will be implemented by the construction contractor. The EC representative in each construction site should report directly to the PMU-EM about the performance of the contractor in implementing ESMP measures during his work, the approval of the contractor's invoices should include the signature of the PMU-EM based on the reports he receives about the contractor performance in implementing the ESMP measures.
- The PMU-EM should not totally depend on the reports he receives from the EC, but he should also make site visits on regular basis to confirm the reports he receives about the implementation of the ESMP measures by the construction contractor.
- Efficient implementation for the social management plan should involve tailored efforts for maximizing the positive social impacts and ensuring that they are reaching the local communities and minimizing the negative impacts that may hit the poor and vulnerable groups. The potentially-affected groups (particularly farmers and villagers and communities surrounding the project component and land owners) should be consulted along the process in order to ensure that their views are considered and that suitable measures are in place to eliminate the severity of negative impacts. Efficient consultations with stakeholders and high level of participation are seen as a prerequisite for a successful ESMP. It is strongly recommended to appoint a Social Development Officer (SDO) within the PMU. The SDO should be leading the various participatory activities.
- During operation, different authorities responsible for the operation and maintenance of the project components shall appoint the manager who will generally be responsible for implementing mitigation measures and monitoring activities during operation phase. The managers will supervise the ESMP measures at the different project sites, in addition to corresponding and cooperating with different authorities for monitoring the operation of the site, and will be the staff in charge of implementing the social mitigation measures.

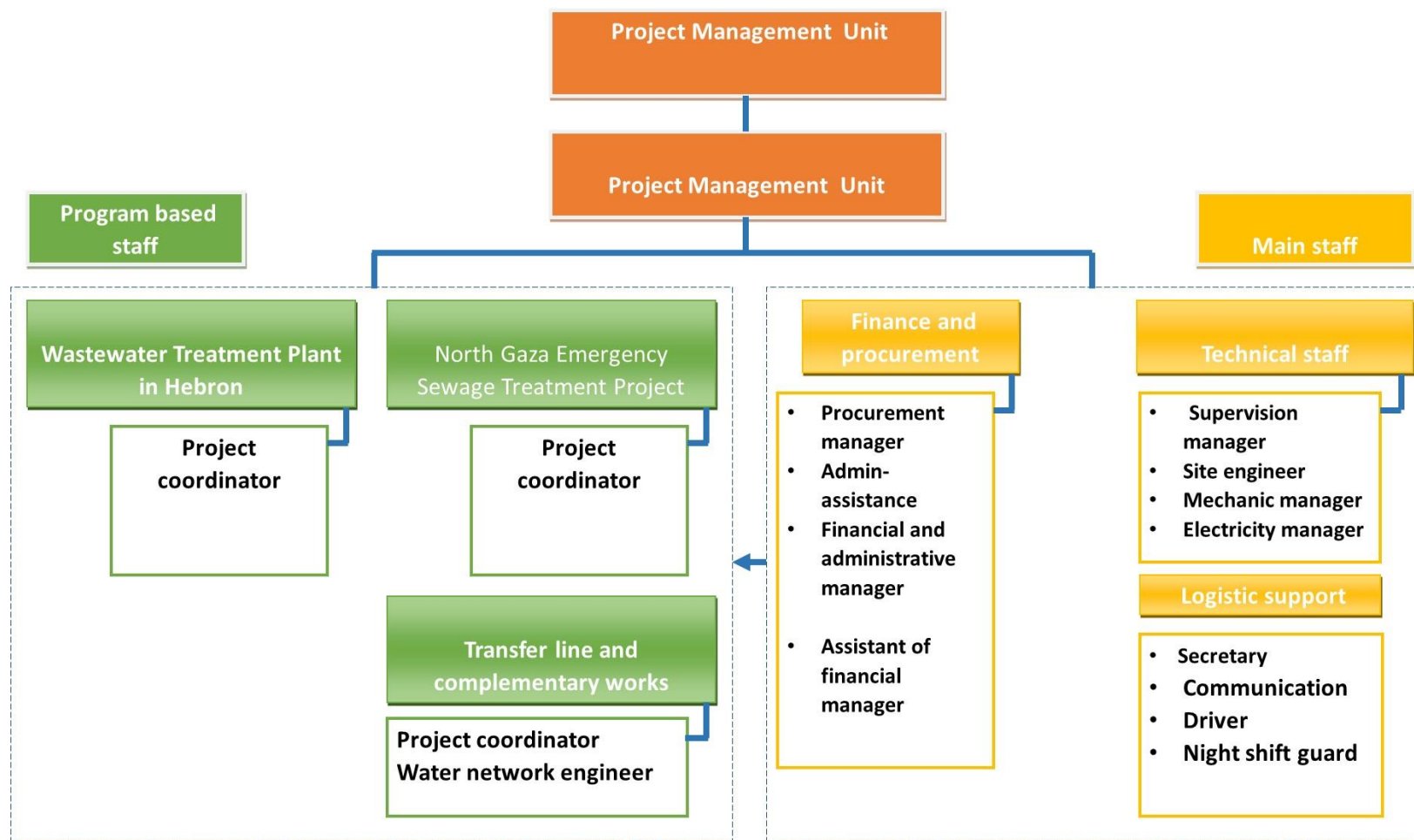


Figure 5-1: Proposed Project Management Unit

Source: PWA 2017

5.2. Institutional Responsibilities of RAP Implementation

The following scheme provides an overview of the institutional responsibilities for implementation the Resettlement Action Plan.

| Authorities and Responsibilities Agencies | |
|---|--|
| During planning phase | |
| Palestinian Water Authority | <ul style="list-style-type: none"> Describe the scope of lands and assets required by the project Communicate with other governmental entities Prepare a RAP in cooperation with independent consultant Shed light on the proposed compensation Apply maximum avoidance mechanism to reduce the involuntary resettlement Propose the best strategies to consult with the community Prepare the permissions and decrees in cooperation with other entities |
| Municipalities of Gaza and Jabalia | <ul style="list-style-type: none"> Final definition of lands and conditions for acquisition Verifying the need of lands and prepare an inventory Prepare the technical documents related to the project components |
| Ministry of Local Governance | <ul style="list-style-type: none"> Final confirmation of land ownerships of the land to be acquired Contribute with the Palestinian Land Authority along with the project life |
| Palestinian Land Authority | <ul style="list-style-type: none"> Identify all affected persons, advising them of their rights, Follow-up on all matters of the public and PAPs concern and with regard to any complaints that may arise during the implementation process. Directly contact affected persons either individually or in groups. |
| Ministry of Finance | <ul style="list-style-type: none"> Allocate budget for compensation |
| Cabinet | <ul style="list-style-type: none"> Develop the land expropriation decree Endorse the final land acquisition profile of the project |
| Ministry of Agriculture | <ul style="list-style-type: none"> Provide price lists of the crops and trees Propose the compensation of wells Coordinate with the Ministry of finance regarding the proposed compensation |
| During negotiation and grievances | |
| Municipalities | <ul style="list-style-type: none"> Conduct consultation meetings with the project affected people at the project areas, inform them about the RAP and their right to obtain compensations, and explore their priorities and preferences Collect the grievances to be shared with the PLA |
| Palestinian Land Authority | <ul style="list-style-type: none"> Disclose grievances channels to the community Identify all affected persons, advising them of their rights. Follow-up on PAPs concerns and with regards to complaints that may arise during the implementation process. Directly contact affected persons, either individually or in groups. Develop a grievance lodger |
| Palestinian Water Authority | <ul style="list-style-type: none"> Participate in the process of negotiations and grievances Document all activities related to the negotiations and grievances Prepare quarterly reports |

| Authorities and Responsibilities Agencies | | |
|--|--|---|
| <i>During the RAP implementation phase</i> | | |
| Municipalities | | <ul style="list-style-type: none"> • Undertake community liaison (day to day operation) • Collaborate with the other entities • Transfer received complaints to the PLA |
| Palestinian Land Authority | | <ul style="list-style-type: none"> • Establish values for compensation • Adjudicate on grievances • Plan negotiation and establish final offer • Recommend acceptance of compensation- package to Ministry of Finance or land authority • Adjudicate on appeal against land acquisition values to courts |
| Ministry of Finance | | <ul style="list-style-type: none"> • Certify compensation agreements and transfer funds to PAPs |
| Palestinian Water Authority | | <ul style="list-style-type: none"> • Certify the compensation agreement and develop the required compensation • Collect the grievances raised by the PAPs, document and report them to the bank • Monitor PAPs implementation procedures |
| External Monitoring consultant | | <ul style="list-style-type: none"> • Ensure compliance with funding agreements • Evaluate and monitor the process |

5.3. Capacity building

According to a rapid needs assessment conducted for the above mentioned entities, it was obvious that they are capable to conduct most of RAP related activities. It was found however, that they still lack information on certain activities. Training modules are proposed to enhance the capacity of the interested entities, as well as, enable them to fulfill the requirements of the WB. Four training courses are the core of the RAP; they are as follows:

- WB policies related to resettlement activities: OP 4.12 and resettlement instruments. As well as, IFC performance standard 5 pertaining to land acquisition and involuntary resettlement
- Communication and negotiation skills
- Skills of documentation and filing: this module attempts to provide the entities with filing skills that will be needed for reporting and auditing missions of the WB. Documentation of grievances and compensation documents both on the central and regional level will facilitate reporting to the bank
- Monitoring and evaluation: Is one of the most crucial trainings required to enhance the monitoring skills of PWA staff

In addition to the above trainings, it is important that the Social Development Officers working within the Project Management Unit in the PWA are provided with information on the community issues related to the project through the following two courses to enable:

- Participatory approach: to engage the community in taking part in the project activities. This approach will be useful to enhance the dialogue between the PWA and the communities hosting the project
- Awareness and communication skills: Awareness and communication are important for the nature of the project, especially for informing the community on restrictions imposed on land use, constraint that is unknown to most people. Provision of such training will therefore be useful to the SDOs in order to provide PAP's with information on the restriction of land use.

Table 5-1: Proposed capacity building activities

| Training module | Learning objectives | Duration& date | Proposed trainees | Proposed cost |
|--|--|---|---|---------------|
| WB policies and IFC standards related to resettlement activities | <ul style="list-style-type: none"> Acquire a full understanding of the OP 4.12 regulations Obtain a full understanding of the needed actions within this policy and its instruments (RPF-RAP) | 1 day for the theoretical part 2 days for the on the job training <i>Prior to the resettlement implementation</i> | PWA – PLA- Municipalities- MoA- MoF- MoLG | 5000 \$ |
| Communication and negotiation skills | <ul style="list-style-type: none"> Obtain proper understanding of communication methods, strategy and outreaching Train on negotiation skills needed with the PAPs | 1 day for the theoretical part 2 days for the on the job training <i>Prior to the resettlement implementation</i> | PWA – PLA- Municipalities- MoA- MoF- MoLG | 5000 \$ |
| Skills of documentation and filling | <ul style="list-style-type: none"> Obtain a full understanding of the filing process Obtain a full understanding of the needed items to apply a good and comprehensive documentation Gain the ability to develop a report about the grievance and redress Keep records and document various compensation related documents | 1 day for the theoretical part 2 days for the on the job training <i>Prior to the resettlement implementation</i> | PWA – PLA- Municipalities- MoA- MoF- MoLG | 5000 \$ |
| Monitoring and evaluation | <ul style="list-style-type: none"> To understand the monitoring definition and the role of monitoring and evaluation in the project To learn about effective monitoring and evaluation tools and reporting formats | 2 days for the workshop 2 days on the job training <i>Prior to the resettlement implementation</i> | PWA – PLA- Municipalities- MoA- MoF- MoLG | 6000 \$ |

6 STAKEHOLDER ENGAGEMENT ACTIVITIES

The stakeholder engagement chapter aims at highlighting the key consultations, community engagement activities and their outcomes, in addition to outlining the validity and reliability of the collected data.

6.1 Regulatory Context

6.1.1 World Bank requirements for stakeholder engagement and public consultation

The policies pertaining to stakeholder engagement activities according to the World Bank are:

- World Bank Procedure (BP 17.50)
- World Bank Operational Policy (OP 4.01)

6.1.2 IFI requirements for stakeholder engagement and public consultation

PWA has committed to developing the Project in line with good international practice standards and in particular the IFC PS 2012. The specific standard of reference is:

- PS1: Assessment and Management of Environmental and Social Risks and Impacts
- PS1 requires a systematic approach to stakeholder engagement, which considers the views, interests and concerns of stakeholders, particularly those within the AOI. Such an approach is designed to help build and maintain a constructive relationship with Project stakeholders. PS1 also requires the development of a Grievance Mechanism (GM) for the Project, which needs to be disclosed to affected communities and project workers, as appropriate, to ensure there is good understanding of the process.
- PS1 also states that in addition to meeting the requirements of the Performance Standards, 'clients must comply with applicable national law, including those laws implementing host country obligations under international law'.⁹

6.2 Stakeholder Engagement Objectives

The objective of the Stakeholder Engagement is to ensure safe and successful Project delivery by:

- **Informing** stakeholders, including persons or groups who are directly or indirectly affected by a project, as well as those who may have interests in a project and/or the ability to influence its outcome, either positively or negatively;
- **Listening** to their comments, ideas and concerns and recording the same for follow up;
- **Communicating and implementing** a viable community grievance mechanism.
- **Avoiding** conflict by addressing impacts and issues raised by stakeholders promptly; particularly with the communities that will not be served by the project
- Ensuring that fears and anxieties about the nature, scale and impact of the operation have been properly considered in the development and management of the Project;
- **Accessing** and making good use of existing local knowledge of the area;

⁹ IFC PS (2012): Overview (Para 5, page ii).

- **Avoiding** any misconceptions about the project and properly manage expectations;

Thereafter the results will provide proper documentation of stakeholder feedback and accordingly, enhance the resettlement activities.

6.3 Consultation Methodology and Activities

The study research team undertook multi-dimensional consultation activities that included an exchange of information, providing the marginalized, voiceless, youth and women with information about the project as well, obtaining information on their concerns regarding the project's various implementation phases. Owing to time constraints, teams were mobilized to consult with both community people and stakeholders in parallel.

Following are the main consultation activities to date that will be supplemented by additional engagement activities:

- The study team visited the project area in order to define various stakeholders during April 2018
- Meetings were conducted during April 2018 in order to develop an engagement plan that is locally tailored for the residential communities with the study team members
- Based on the identification of stakeholders and PAPs, various questionnaires and guidelines were prepared in order to engage: i) the PAPs (land owners- well owners and well operators, ii) Governmental municipalities, iii) the CSOs, iv) health facility, v) Ministry of Endowment and Ministry of Agriculture
- The study team divided various engagement activities of the project to:
 - a. Screening
 - b. Scoping phase and data collection phase and,
 - c. Public consultation phase.
 - d. Final report disclosure
- All activities conducted were documented with photos and lists of participants in order to warrant appropriate level of transparency.

6.4 Strengths and Limitation of consultation

6.4.1 Strengths of the consultation

- 1- Local mobilizers were recruited from Gaza Strip to facilitate conducting consultation meetings and collecting primary data
- 2- The local mobilizers proposed the main stakeholders that will play role or have interest in the project based on a list of potential stakeholders provided by the consultant
- 3- They managed to facilitate various meetings conducted with the governmental and non-governmental entities in their premises
- 4- Prior to each consultation event, the local mobilizers exert remarkable effort to invite the community people. This is made by the distribution of flyers, posters and meeting with the local authorities

- 5- The community liaison officer recruited managed to facilitate all permissions required to meet with any of stakeholders

6.4.2 Limitation of the consultation

- 1- Consultation activities did not manage to meet with All PAPs who will lose their wells, lands...etc.
- 2- Concerns raised about the cost of water and the detailed of project implementation were not responded to due to the absence of information

6.5 Project Stakeholders

The RAP focuses on various stakeholders who might be affected by the project and the municipalities that will participate in resettlement activities.

A systematic approach has been adopted to identify Project stakeholder, including:

- defining the Project's AOI which basically covers Jabalia, Um El Nasr, Beit Hanoun and Beit Lahia;
- scoping and identifying stakeholder group that could be affected (directly or indirectly) by the Project, or have an interest in it;
- identifying vulnerable groups; and
- reviewing AOI, stakeholders and vulnerable groups during each Stakeholder Engagement Plan update and, if necessary, revise based on current Project context.

In order to ensure that the engagement process is inclusive, individuals and groups who may find it more difficult to participate and those who may be 'directly and differentially or disproportionately affected by the Project, or disadvantaged in sharing development benefits and opportunities, because of their vulnerable status' were identified.¹⁰ It will be important for the Project to ensure specific steps are taken to access these groups and offer them the opportunity to engage in discussion about the Project and their interactions with it.

Table 6-1 Vulnerable Groups

| Vulnerable Group | Description and Relationship to the Project |
|--|--|
| Women and Female-headed households, and low-income women | Women might lose their source of income or lands. They tend to be vulnerable. Particularly, if they own small plots of lands. |
| People with disabilities or chronic diseases | People with disabilities/ or have at least one family member with disability or chronic diseases often have a lower ability to gain employment and generate income. The physically disabled are likely to be particularly vulnerable members of the community as they tend to need more support and often rely on family care. |
| Elderly (men and women) | Elderly (men and women) are likely to have a more limited ability to work; there may be challenges for them to gain employment with the Project. |

The following table summarizes various stakeholders who have interest/influence of the project or might be affected by project activities.

¹⁰ IFC PS 1: Assessment and Management of Environmental and Social Risks and Impacts; para. 12

Table 6-2: Description of project stakeholders

| Stakeholder Category | Stakeholder Group | Potential Implications for Stakeholder Groups |
|---|--|--|
| PAPs | <ul style="list-style-type: none"> The owners of wells The owners of lands Well operators | This group are the ones affected by project activities and their livelihood might be deteriorated They will have interest and will be impacted by project activities |
| | Vulnerable groups within the local communities | Vulnerable groups may be likely to be adversely affected by environmental and social impacts, while also being least likely to benefit from the Project. They will have interest and will be impacted by project activities |
| National government stakeholders | Palestinian Authority | Water Project owner |
| | Palestinian Authority | Land Responsible for provision of alternative lands to the affected land owners (if any) |
| | Ministry of Finance | Responsible for provision of any monetary compensation |
| Local/provincial government stakeholders | Ministry of Agriculture / Agricultural Directorate | This Ministry is involved in crop valuation and irrigation scheme cost Have shown interest in the project |
| | Municipalities in Gaza, Jabalia, Beit Lahia | Responsible for provision of lands and other facilities to the project. They will participate in the operation phase Have interest and will be positively impacted by project activities |
| Civil society organization | Palestinian non-governmental network | Responsible for raising farmers' awareness about irrigation water Have interest and will be positively impacted by project activities |
| | Water Users Association | The direct beneficiary of the project and will participate actively in project implementation procedures |

6.6 Summary of Key Consultation Activities Conducted to May 2018

The key consultation activities during the course of the project could be divided into the following:

Table 6-3: Summary of consultation activities conducted to April 2018

| No | Stakeholder | Date | Meeting objectives | Meeting outcome |
|----|-------------|-------------------------------|--|--|
| 1. | PWA | 8 th of April 2018 | <ul style="list-style-type: none"> A preliminary meeting to introduce the study objective and update the data required in the inception phase | <ul style="list-style-type: none"> PWA shared information about issues related to: <ol style="list-style-type: none"> Updating project information Challenges Land required |

| No | Stakeholder | Date | Meeting objectives | Meeting outcome |
|----|--|--------------------------------|---|--|
| | | | | d. Mitigation of unfavorable impacts |
| 2. | The Ministry of Endowment representative | 10 th of April 2018 | <ul style="list-style-type: none"> To inform the participants about the project To define any land needed by the project | <ul style="list-style-type: none"> They are a charity organization that manage endowment lands in Gaza Strip. They provide the project with the lands needed. |
| 3. | Jabalia municipality | 10 th of April 2018 | <ul style="list-style-type: none"> Sharing information about the project rehabilitation activities Collect information about their perception of the project Awareness strategies and community participation Capacity building of the municipality to monitor project activities | <ul style="list-style-type: none"> The project positive impacts pertaining to environmental aspects Potential measures required to put limitation of the adverse impacts |
| 4. | Beit Hanoun municipality | 11 th of April 2018 | <ul style="list-style-type: none"> Sharing information about the project rehabilitation activities Collect information about their perception of the project Awareness strategies and community participation Capacity building of the municipality to monitor project activities | <ul style="list-style-type: none"> The project positive impacts pertaining to environmental aspects Potential measures required to put limitation of the adverse impacts |
| 5. | Gaza municipality | 11 th of April 2018 | <ul style="list-style-type: none"> Sharing information about the project rehabilitation activities Collect information about their perception of the project | <ul style="list-style-type: none"> The project positive impacts pertaining to environmental aspects Potential measures required to put limitation of the adverse impacts |
| 6. | Ministry of Agriculture | 11 th of April 2018 | <ul style="list-style-type: none"> Land acquisition related to the project The price of generated water Farmers' perception of the reused water Awareness raising requirement | <ul style="list-style-type: none"> Limited reluctance from the farmers was reported Awareness raising activities are essential The exact water tariff to be shared with the farmers |

| No | Stakeholder | Date | Meeting objectives | Meeting outcome |
|----|---|--------------------------------|---|---|
| 7. | Palestinian Land Authority | 15th of April 2018 | <ul style="list-style-type: none"> Land acquisition related to the project procedures and responsibility Price of lands Responsibility for compensating wells operators and crops | <ul style="list-style-type: none"> Land acquisition procedures to be adopted by the PLA |
| 8. | Ministry of Local Government | 16th of April 2018 | <ul style="list-style-type: none"> Defining the role of MLG Identify the proposed compensation and responsibility of compensation | <ul style="list-style-type: none"> MLG role is limited to expropriation of lands They review the urban development plans and assure no transactions with the project |
| 9. | PWA, the consultant with the PAPs This meeting was supplemented with site visits and additional meetings | 22 nd of April 2018 | <ul style="list-style-type: none"> Provide information about the project Respond to farmers and PAPs concern | <ul style="list-style-type: none"> PWA provided the available information to date PWA and the consultant documented various concerns raised: <ul style="list-style-type: none"> a. Land required to construct the wells b. Remedial actions c. The need not to terminate the private well until the project is fully and properly functioning d. Reduce water cost |
| 10 | Palestinian non-governmental organizations network | 24 th of April 2018 | <ul style="list-style-type: none"> Provide information about the project Define further engagement with the community Define the required data to be shared with farmers Propose awareness raising role in full cooperation with the NGOs | <ul style="list-style-type: none"> The required data needed was mainly: <ul style="list-style-type: none"> a. Information about pricing system b. Required lands c. Compensation for lands |



Figure 6-1: Meeting with Endowment representative



Figure 6-2: Meeting with Jabalia municipality



Figure 6-3: Meeting with Beit Hanoun municipality



Figure 6-4: Meeting with Gaza municipality



Figure 6-5: Ministry of Agriculture



Figure 6-6: Palestinian Land Authority



Figure 6-7: Meeting with the PAPs on the 22nd of April



Figure 6-8: Meeting with one of the PAPs

The above mentioned activities supplemented consultation activities conducted in 2012. Additionally, a scoping session was prepared and implemented.

6.7 The Scoping Consultation Event

The scoping meeting was held on the 23rd of April 2018 and was attended by a wide range of stakeholders including various municipalities, academics, NGOs, Palestinian Water Authority, Ministries and consultation firms.

Following is a summary of the main issues raised during the scoping session related to resettlement

Table 6-4: Summary of discussion of the scoping meeting conducted on the 23rd of April 2019

| Issue raised | Comment raised | Response |
|--|--|--|
| Institutional set-up | The project should focus on the importance of the institutional framework as it is the basis for the operation and success of this project. He explained that the Palestinian legislation classifies this water as groundwater because it mixes with groundwater after its infiltration. | One of the outputs of the study is the environmental management plan, which assign who will do what. I suggest forming an institutional body from all the stakeholders to manage, organize, monitor, and operate the project components. This study should result realistic and applicable procedures |
| Monitoring requirements | There is a lack of monitoring in all project stages. It's recommended to engage the relevant authorities in this progress. He mentioned the Ministry of Health, Agriculture, Environment, and the municipalities. | PWA will develop a detailed monitoring scheme for all project activities including E&S performance |
| Land acquisition and role of municipality | Municipalities should be involved in the process of land acquisition and compensation to contribute in resolving disputes, if any. The Ministry of Agriculture and other Agricultural Institutions should be involved in the development of the project operation plan. He focuses on Developing a clear vision of water pricing and whether there is a cost recovery. | In full compliance with the Palestinian land acquisition regulations, the municipalities will be engaged and consulted in the process of compensation |

| | | |
|--|--|---|
| Participation of community in the scoping session | The absence of community institutions from all project activities! We recommend engaging the farmers in the consultative process of the project. | During scoping phase, we managed to meet with various community members in their premises. However, the scoping session is allocated for experts who might provide guidance to enrich the ESIA. This is in full compliance with EQA and IFC standards |
| Termination of private wells | The Private wells within the area of the recovery wells, Will it be closed or merged with system | Few number of private wells will be terminated |
| Pollutants | Is there any examination of the microbes (ex: hepatocellular virus) pollute the groundwater through infiltration? | PWA developed and will continue measuring various pollutants |
| Well operators mitigation measures | How well operators will be mitigated? | Well operators have been interviewed and mitigation measures will be proposed in the RAP study |

By the end of this session the PWA and ESIA consultant (UG/ ECOCONSERV) made it clear that all comments raised will be fully and properly addressed .

6.8 The Final Consultation Event

The final consultation event was held on the 4th of May 2019. Prior to conducting the meeting, a factsheet was prepared about compensation methods and a comment sheet was prepared.

PWA communicated with and invited the PAPs to attend the final event. 36 PAPs attended the final event. They represent land owners, well owners and well operators.



Figure 6-9: Final consultation event

The workshop was organized as per AFD requirements. The workshop took place from 10:00 to 12:00 at the recovery wells site.

The speakers were the following:

- Engineer Nazik Rehan, PWA
- Dr. Ahmed Abu Shaban, EcoConServ-UG (Social expert)



Figure 6-10: Dr. Ahmed Abu Shaban



Figure 6-11: Eng. Nazik Rehan

- Eng. Nazik from PWA started the session welcoming the attendees and mentioned that the main aim of the session is to present the compensation plans and measure the extent to which compensations are approved by the project affected people.
- Dr. Ahmed Abu Shaban (the social expert): started presenting the compensation plans with the three categories separately as follows:
 1. Lands owners
 2. Wells operators
 3. Wells owners
- The comment sheet to measure the extent to which compensations are approved by the project affected people were filled with each one of the affected people.

Table 6-5: Summary of discussion conducted on the 4th of May 2019 Consultation Event

| Comment | Responses |
|--|--|
| <ul style="list-style-type: none"> - Lands' owners: <ul style="list-style-type: none"> o Some of the land owners approved on the proposed compensation which was provision of monetary compensation under one condition that was provision of a fair evaluation of the meter square price o The majority of them expressed their concerns about the value of their lands after expropriating the precious part of land that is overlooking main street. The remaining area of land will be of limited value. o Landowners suggest that PWA should buy their full plot of lands. | <p>Actually, purchasing of land is advisable on the level of small plots of lands (less than 1 durum) However, purchasing the plot of lands 2 dunums+ will be wasting of resources as the project will not benefit from big plots of lands.</p> |
| <ul style="list-style-type: none"> - Well operators: <ul style="list-style-type: none"> o Wells operators, most of them approved on the proposed compensation that was a provision of job opportunity. o They asked to enable one of their children to be employed as a replacement of old father above 50 years. o Few of them recommended provision of additional monetary compensation plus the job opportunity. | <p>Given the type of impact, economic impacts and loss of income, provision of job opportunity is appropriate compensation method that will enable them to restore their livelihood condition.</p> <p>Monetary compensation is recommended in the transitional period. However, there will be no transitional period</p> |

| Comment | Responses |
|--|--|
| <p>- Wells' owners, Majority of them agreed on restricting the use of wells and receiving water instead. However, they recommended to retain the wells for emergency cases.</p> <p>Others preferred selling the wells' equipment to PWA who confirmed that the equipment will be sold according to the market value.</p> | <p>PWA will provide them with an alternative source of water.</p> <p>Regarding purchasing well equipment, PWA will not be able to purchase the equipment as no impacts will occurred to the wells and the equipment. Additionally, most of wells' equipment are depreciated.</p> |

The final consultation event reflected the provisional approval of the PAPs on proposed compensation methods. It is essential to build on the active communication and consultation activities by continuing and implementing a comprehensive stakeholder engagement program.

6.9 Stakeholder Engagement Program

The section of the SEP provides details of the engagement to be undertaken during planning, construction and operation of the Project

6.9.1 Communication Methods

Community members indicated that they are comfortable receiving information about the Project via local leaders (family heads), teachers, religious leaders, representatives of civil society organisations, as well as elected members of parliament. They also suggested that a "SDO" should be put in place by the Project. Since this suggestion was received, the Project has hired and put in place the Social team¹¹ to liaise with the community on a regular basis.

Stakeholder engagement activities are being / planned to be conducted through the following engagement methods:

- Public hearing
- letters and phone calls;
- notice boards;
- distribution of Project Information Documents (PIDs);
- key informant interviews (KIIs);
- focus group discussions (FGDs) with key stakeholders (including vulnerable);
- Comment forms as part of the grievance mechanism

6.9.2 Proposed stakeholder engagement and disclosure activities

Following is a preliminary stakeholder engagement program that will be fine-tuned on quarterly basis during the construction and operation phases:

Table 6-6: Stakeholders engagement & disclosure activities

| Issue | Information Documents & for Disclosure | Disclosure timeframe | Responsibility | Target groups | Communication Channel |
|--|--|--|------------------------|--|---|
| Preparation Phase | | | | | |
| Land required and termination of private wells | <ul style="list-style-type: none"> ○ Brief summary about the lands required and potential impacts ○ Lists of project affected persons (well owners- land owners –well operators) | Three months prior to any land acquisition | PWA | <ul style="list-style-type: none"> ○ PAPs ○ Municipalities ○ Ministry of Agriculture ○ Palestinian Land Authority ○ Endowment (<i>Waqf</i>) ○ Ministry of Local Government | <ul style="list-style-type: none"> ○ Face to face meetings ○ Group meetings ○ Posters to be disclosed on the billboard |
| Proposed remedial actions and compensation | <ul style="list-style-type: none"> ○ Summary of remedial actions ○ Discussion and negotiation about proposed actions | Three months prior to any land acquisition | PWA | <ul style="list-style-type: none"> ○ PAPs ○ Municipalities ○ Ministry of Agriculture ○ Palestinian Land Authority ○ Endowment (<i>Waqf</i>) ○ Ministry of Local Government | <ul style="list-style-type: none"> ○ Face to face meetings ○ Group meetings ○ Posters to be disclosed on the billboard |
| Resettlement Timeframe | <ul style="list-style-type: none"> ○ Time line of project activities | One month prior to construction activities | PWA and the contractor | <ul style="list-style-type: none"> ○ Municipalities and local community people | <ul style="list-style-type: none"> ○ Provide a time plan to the municipalities |

| Issue | Information Documents & for Disclosure | Disclosure timeframe | Responsibility | Target groups | Communication Channel |
|---------------------------|---|---|---|--|--|
| Job opportunities | <ul style="list-style-type: none"> ○ List of available opportunities including duration and application details ○ Monitoring reports; ○ Health and safety instructions; ○ Labour rights | 1 month prior to beginning of construction | Social Development Officer in PWA and the contractors | <ul style="list-style-type: none"> ○ Young people ○ Workers unions | <ul style="list-style-type: none"> ○ List of available opportunities at SDO office ○ Posters in the municipalities and PWA premises ○ Advertisement |
| Construction Phase | | | | | |
| Job opportunities | <ul style="list-style-type: none"> ○ List of available opportunities including duration and application details | 3 weeks-1 month prior to beginning of operation | Social Development Officer in PWA and the contractors | <ul style="list-style-type: none"> ○ Young people ○ Workers unions | <ul style="list-style-type: none"> ○ List of available opportunities at SDO office ○ Posters in the municipalities and PWA premises ○ Advertisement |

6.10 Proposed Grievance and Redress Mechanism

Grievances are a problematic issue for the majority of developmental projects. Thus, this section should be handled carefully in order to settle any potential disputes that might rise with the hosting communities. This section will cover the following issues:

1. Responsible entity for implementing the grievances' mechanism
2. Grievances tiers that encourage inclusion of marginalized group (women, poor, illiterate and handicapped groups)
3. Grievances channels that are locally tailored
4. Response to grievances procedures
5. The role of locally based organizations
6. Dissemination of the results of the submitted grievances to the community
7. Monitoring of grievances activities

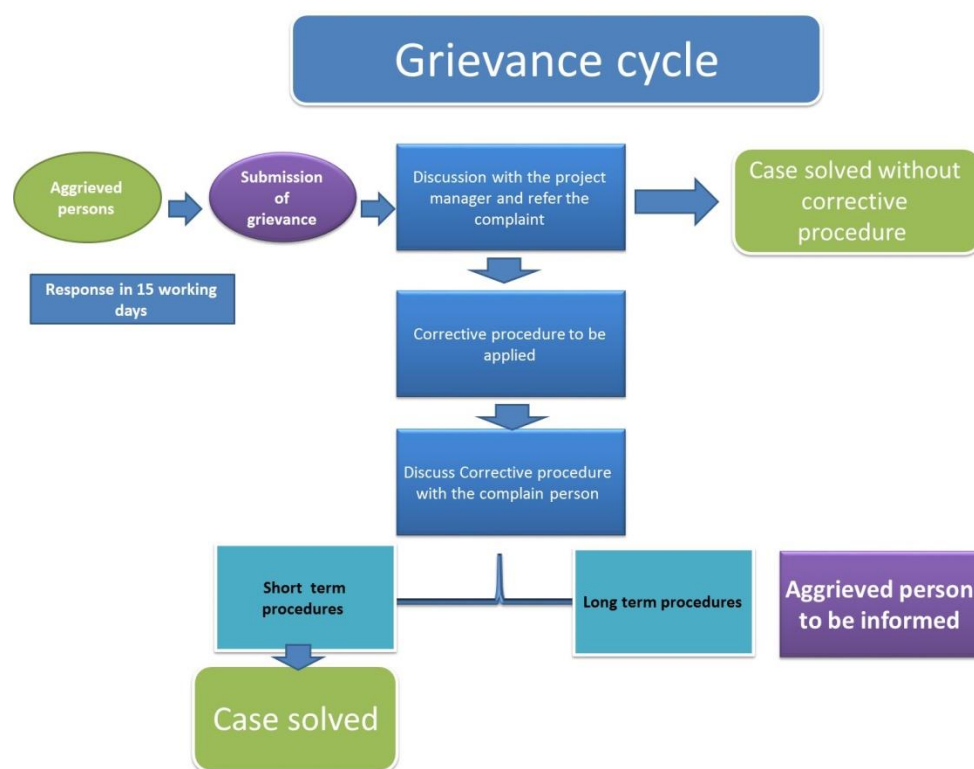


Figure 6-12: Grievance and Redress Mechanism Cycle

Generally speaking, all grievances received verbally or in written shall be documented in a grievance register, handled by the Social Development Officer in the PMU in PWA. It is of ultimate importance to react as quickly as possible to the grievance of the citizens.

A best standard practice is to acknowledge all complaints within 10 days. However, due to the different nature of the complaints, not all can be resolved immediately. In this case medium or long-term

corrective actions are required, necessitating a formal procedure, recommended to be implemented within 30 days:

1. The petitioner has to be informed of the proposed corrective measure.
2. In case if a corrective action is not required, the petitioner also has to be informed.
3. Implementation of the corrective measure and its follow up has to be communicated to the complainant and recorded in the grievance register

In order to enable the PWA to implement the grievances mechanism appropriately, a Social Development Officer should be hired and integrated in the PMU

6.10.1 Institutional Responsibility for the Grievances

PMU within the implementing agency (PWA) will be the main entity responsible for handling the grievances. The Social Development Officer (SDO) working within the PWA in cooperation with the municipalities will address all grievances raised by community people, particularly the ones related to resettlement activities. The main tasks of the SDO are:

1. Raise people's awareness about the exact grievances mechanisms
2. Collect the grievances received through different communication channel
3. Document grievances received
4. Direct the grievance to the responsible entities to solve the problem
5. Follow up how the problem was addressed and solved
6. Document, report and disseminate the grievances results
7. Monitoring of grievances activities

Raising community awareness about the grievance mechanism should be handled as follows: brochures should be developed and sent to the main stakeholders, PAPs, Community Based Organizations i.e. Agriculture Development Organization PARC, municipalities, mosques and churches.

Documentation of the activities should be handled carefully and thoroughly. A monthly report should be prepared about received grievances, how they were solved and the level of satisfaction of the affected person towards the solution. This report should be published on the website.

For more details, please see the Resettlement Action Plan developed in 2014.

6.10.2 Grievances tiers

The World Bank's OP 4.12 advances a "first tier grievance management mechanism", which will be a function of the Project, to provide aggrieved people with an avenue for amicable settlement without necessarily pursuing a court case.

The absence of a first tier grievance mechanism in Palestinian law means there are difficulties addressing minor issues that otherwise should be resolved within a short period of time. The absence of such mechanism denies project affected groups the direct channel for grievance and delays resolution of disputes in an appropriate time prior to resettlement. In order to avoid delay in dispute resolution, it is essential for the government to consider adopting the first tier grievance redress mechanism advanced by the Bank OP 4.12. If need arises, aggrieved people would however remain free to open a Court case without having registered their grievance with this first-tier mechanism.

A grievance is an important process that should be tackled carefully. The PWA receives grievances from the petitioners, and any other channels. According on information collected during the site visits, the Project affected persons showed no knowledge of appropriate channels through which they can submit their grievances. The following procedures will therefore be applied in order to have clear grievance's mechanisms:

First tier of grievances:

1. The PWA will assign a Social Development Officer (might be more than one) who will be responsible of receiving all grievances from all different stakeholders.
 - o Ms. Rana Abu Al Soud (Mobile No. 0598928299)
 - o Mr. Abdel Nasser Kahla in the PWA
2. The SDO will inform the community about grievances mechanism, they also will refer complaints to the responsible entity to solve the complaints, solution for the problems and document all grievances received. Moreover, the SDO will be responsible for following up the problem until it is solved. The turnaround time for the response /resolution should be 15 days.

Second tier of grievances:

In case of having unsolved complain, the affected person might follow the second level of grievances:

1. A Grievance Mediation Committee (GMC) should be formed among the municipalities and other entities. It is composed of PWA, Jabalia municipality, PARC and PAPs representatives. GMC will be responsible for the discussion of the unsolved complains, propose solutions, take decisions and play a mediation role with the affected persons. The mediation committee
2. A regular meeting should be assigned by the Compensation Committee. The complainants can attend these meetings.

6.10.3 Grievances channels

Due to the diversity of the socioeconomic characteristics of the PAPs, the communication channels to receive grievances were locally tailored to address all affected groups. The following are the main channels through which grievances will be received:

1. Hotline (Mobile No. 0598928299) (a mobile number for the SDO to be informed to project affected areas).
2. The second channel is through religious institutes in the area (mosque or church)
3. CSOs will be appropriate channel among rural areas
4. Regular meetings with community people to be conducted and applied by the influence stakeholders
5. Website for educated people who have access to the internet (<http://www.pwa.ps>)
6. Community leaders

6.10.4 Response to grievances

Response to grievance will be through the following channels

1. The response of the grievance will be through the same channel used to submit the problem. For example, those who sent their grievances in writing should receive their response in written form, those who used the website should receive an email, those who

phoned should receive a telephone call from the SDO telling the solution of their problems

2. The second channel is through religious institutes in the area (mosque or church)
3. Response to grievances should be handled in appropriate time frames to communicate to community people feelings of quick and efficient responsiveness to their concerns. This could possible limit the problems arising.

6.10.5 Monitoring of grievances

All grievances activities should be monitored by the PMU in PWA in order to verify the process. Monitoring will be carried out for the following indicators:

1. Number of received grievances monthly (Channel, gender, age, basic economic status of the complainants should be mentioned)
2. Type of grievance received (according to the topic of the complaint)
3. Number of grievances solved
4. Number of unsolved complaints
5. Dissemination activities that were implemented
6. Satisfaction with solutions
7. Documentation efficiency
8. Efficiency of response to grievance provided

6.10.6 Disclosure of grievances

All grievances activities should be disclosed in the municipalities, civil society organizations (CSOs) and PWA website. A monthly report should be prepared for the most frequent grievances faced and how they were solved. This report will be disclosed through the PWA website, CSOs, municipalities.

6.10.7 Responsibilities for Monitoring and Reporting

Monitoring and documenting activities to be undertaken by the Social Development Officer in the environmental and social unit are described below:

- reviewing and revising, as needed, the list of stakeholders to ensure that the register is accurate and complete;
- monitoring consultation activities conducted with government representatives and local communities;
- monitoring the effectiveness of the engagement process in managing impacts by tracking feedback received during engagement activities;
- reviewing/auditing the implementation of SEP;
- monitoring and responding to grievances received; and
- reviewing and revising, as needed, the engagement activities programme to determine if additional activities are required.

All engagement activities are being documented by the E&S Team, in order to review records and track performance.

The E&S will measure the performance of the SEP by documenting and tracking the indicators outlined in Box 7.1 below.

7 MONITORING AND EVALUATION (M&E) OF RAP ACTIVITIES

Monitoring and Evaluation (M&E) are key components of the RAP and have the following objectives:

- Monitoring of specific situations or difficulties arising from implementation and of the compliance of implementation with objectives and methods set out in the RAP;
- To verify that project activities have been effectively completed with respect to quantity, quality and timeliness;
- Evaluation of medium and long-term impacts of resettlement on affected households' livelihood, environment, local capacities and economic development.

In carrying out all activities related to monitoring, evaluation and supervision, consideration will be given to the vulnerability issues. The different vulnerable groups referred to above should be consulted during the monitoring process in order to insure that their concerns are handled fairly.

7.1 Internal Monitoring

A wide range of tools could serve for monitoring purposes. The previously mentioned socio-economic survey can serve as a participatory tool for defining monitoring indicators. Moreover, periodic Participatory Rapid Appraisals (PRA) will allow the consulting with the various stakeholders (local government, Local Committees, community leaders and PAPs). These will involve obtaining information, identifying problems and finding solutions through participatory means, which may include key informant interviews, focus group discussions (FGD), community public meetings, structured direct field observation, and in-depth case studies of problems or success stories.

Box 7-1: Guidelines for the Monitoring Indicators

The main indicators that will be monitored regularly are the following:

- Checking that the **screening activities that have been carried out** in order to determine the need for the preparation of a RAP
- Payment of compensation** to PAPs in various categories, according to the compensation policy described in the RAP; with special focus on the vulnerable groups and no discrimination according to gender, tribal backgrounds or any other factor
- Delivery of technical assistance**, relocation, payment of subsistence and moving allowances
- Delivery of **income restoration** and social support entitlements
- Public information dissemination** and consultation procedures
- Adherence to **grievance procedures** and outstanding issues requiring management's attention and equality of access
- Attention given to **the priorities of PAPs** regarding the options offered
- Co-ordination and **completion of resettlement activities** and award of civil works contracts

The following table will present the proposed monitoring scheme to be applied by PWA PMU:

Table 7-1: Internal monitoring scheme

| Indicator | Means of verification | Duration | Responsibility |
|---|---|-----------|------------------------------------|
| Efficiency of valuation process | <ul style="list-style-type: none"> - Minutes of meeting for valuation committee - Grievance and redress related to the valuation - Minutes of meeting to be conducted with the PAPs | Quarterly | PWA PMU Social Development Officer |
| Transparency and efficiency of stakeholder engagement activities | <ul style="list-style-type: none"> - Consultation activities to be conducted with the PAPs <ul style="list-style-type: none"> o Lists of participants o Photos o Comments and feedback o Minutes of discussion - Description of stakeholders segregated by sex, age, educational level and type of impact - Information shared with the PAPs - Questions raised by PAPs - Letters officially sent to the PAPs | Quarterly | PWA PMU Social Development Officer |
| Efficiency of disclosure and information sharing activities | <ul style="list-style-type: none"> - RAP is disclosed on PWA PMU website - Total number of people logged into the website - Questions raised by the PAPs - Information shared with the PAPs segregated by type and date | Quarterly | PWA PMU Social Development Officer |

| Indicator | Means of verification | Duration | Responsibility |
|--|--|-----------|------------------------------------|
| Capacity of PWA PMU staff is enhanced | <ul style="list-style-type: none"> - Training and workshops conducted with PWA PMU staff <ul style="list-style-type: none"> o Lists of participants o Photos o Pre and post evaluation o Training report - Social Performance indicator of PWA PMU | Quarterly | PWA PMU Social Development Officer |
| Effectiveness of the mitigation measures | <ul style="list-style-type: none"> - Total number of affected persons - Total number of the PAPs reluctant to be relocated - Total number of PAPs complained - Total number of those raised petition to court | Quarterly | PWA PMU Social Development Officer |
| Efficiency and accessibility of the grievance and redress mechanism | <ul style="list-style-type: none"> - Total number of grievances received from each channel segregated by sex, age, educational level and area - Total number of solved complaints - Total number of unsolved ones - Obstacles and constraints met to solve the problem (to be segregated by the interested entity) | Quarterly | PWA PMU Social Development Officer |

PWA PMU will also be committed to providing all data needed to apply the mid-term evaluation and final assessment. The data will be prepared to an independent consultant. The needed data is:

- List of affected people
- Type of compensation/ assistance provided
- Consultation documents
- Letters sent to the PAPs
- Signed documents that reflect the recipient of compensation

7.2 External Monitoring

In accordance with WB requirements for consultant procurement, an organization for the independent monitoring and evaluation of RAP implementation should be hired. The organization should be specialized in social sciences and experienced in resettlement monitoring. The organization should start its work as soon as the updated RAP has been approved. Monitoring and evaluation will be implemented twice: 1) immediately after starting the implementation of compensation activities and 2) by the end of resettlement activities. It is, therefore, essential that the PWA keeps records of all resettlement activities including but not limited to minutes of meetings with the PAPs, approvals on compensation, receipts of compensation, Grievance Mediation Committee minutes of meetings, transfer of lands and grievances received.

The rationale behind hiring an external institution is to ensure that the overall objective of the resettlement plan is achieved in an equitable and transparent manner. In addition to reviewing the issues covered by the internal monitoring progress report, the external agency shall also evaluate and assess:

- The competence and effectiveness of the project implementing agencies
- Adequacy of compensation, development and transitional assistance techniques provided for the PAPs
- Ability to reach the most vulnerable PAPs
- Consultation and public disclosure of the RAP
- Effectiveness of the grievance redresses mechanism

Evaluation, however, is intended to ensure that policies (both Palestinian and the WB's) have been adhered to and provide the feedback needed for adjusting strategic directions. Evaluation, thus, has the following objectives:

- General assessment of the compliance of resettlement activities with the objectives and methods as set out in this RAP
- Assessment of the compliance of resettlement activities with the laws, regulations and safeguard policies cited above
- Assessment of resettlement and relocation procedures as they have been implemented
- Evaluation of the impact resettlement and relocation has on incomes and standard of living, with the focus on the poor and the most vulnerable
- Identification of actions to improve the positive impacts of the program and mitigate its possible negative impacts

The evaluation of resettlement activities will be part of general assessment and review activities undertaken for the project as a whole.

8 BUDGET AND TIME PLAN

8.1 Budget

The Waqf land was substituted by an alternative land in the 14th of June 2016 (see Annex VIII, land substitution by PLA). The 30 dunums also will be substituted for by the Palestinian Land Authority.

As previously explained, the Palestinian Land Authority is challenged by a lack of financial resources, limiting its ability to cover the high costs. The situation is no better in the Ministry of Finance, as the current political situation causes significant shortage in the government's financial resources. The intention is therefore, to exchange the expropriated land with other governmental land. This process is to be coordinated with the Palestinian Land Authority and through the Ministry of Local Governance. However, the estimated amount of the expropriated land is 1158 meter square. Based on updated land price estimates in the project area, the meter costs on average 50.43 US\$. Therefore, total land compensation value is estimated to be 58,398US\$. There will be additional 15,000 US\$ for monitoring and evaluation, as well as, 21,000 US\$ for capacity building. There also will be 9440 US\$ for emergency or unplanned events. The total budget will be 103,838US\$. Below is a summary of estimated budget.

Table 8-1: Total estimated budget

| Budget item | Total affected land and assets | Compensation amount in US |
|--------------------------------|--|--|
| Expropriated land | | |
| Construction of wells | 1158 m ² | 58,398US\$ |
| Solar plant | 30 dunums will be replaced by alternative land 26 Jordanian Dinar per meter square (36.66US\$). Total amount of (1,099,800US\$). They will receive an alternative land | Alternative land |
| Stretching of pipelines | Lands will be within main streets | 0 |
| Livelihood restoration | | |
| Well operators jobs | 11 well operators will receive job opportunities. | To be defined based on the type of job |

| Budget item | Total affected land and assets | Compensation amount in US |
|---|--------------------------------|---|
| Well owners to get water | Owners of 12 wells | To be defined based on the amount of water consumed and water tariff to be adopted by PWA |
| Monitoring and evaluation | | |
| Monitoring and evaluation | | 15,000 US\$ |
| Capacity building activities | | |
| Capacity building activities | | 21,000 US\$ |
| Contingency and unforeseen events | | |
| Contingency and unforeseen events (10% of the total budget) | | 9,440 US\$ |
| Total budget | | 103,838US\$ |

Given the fact that there will be no transitional period, it is not anticipated to apply any transitional support strategy.

8.2 Tentative Time Plan

The third phase of the NGESTP includes the establishment of 14 recovery wells, and termination of 12 wells, as well as a portion of the water system and will cover an area of 5,000 agricultural dunums. It is expected to start work at this stage by the end of 2019 for a period ranging from 12 to 15 months.

Table 8-2: Tentative time plan

| Activities | Year 2019 | 1-Jan | 1-Feb | 1-Mar | 1-Apr | 1-May | 1-Jun | 1-Jul | 1-Aug | 1-Sep | 1-Oct | 1-Nov | 1-Dec | 1-Jan | 1-Feb | 1-Mar | 1-Apr | 1-May | 1-Jun |
|--|-----------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| <i>During the preparation phase</i> | | | | | | | | | | | | | | | | | | | |
| a-1 Consulting with the governorate and the municipality | | | | | | | | | | | | | | | | | | | |
| a-2 Agriculture directorate developed the price lists of crops and trees | | | | | | | | | | | | | | | | | | | |
| a-3 Conducting the RAP inventory | | | | | | | | | | | | | | | | | | | |
| a-4 Formation of the GRM | | | | | | | | | | | | | | | | | | | |
| a-5 Consultation with the PAPs | | | | | | | | | | | | | | | | | | | |
| a-6 Capacity building to the SDOs | | | | | | | | | | | | | | | | | | | |
| <i>During the resettlement implementation</i> | | | | | | | | | | | | | | | | | | | |
| b-1 Consultation with the PAPs | | | | | | | | | | | | | | | | | | | |
| b-2 Compensation delivered to the PAPs | | | | | | | | | | | | | | | | | | | |
| b-3 Documentation of the compensation activities | | | | | | | | | | | | | | | | | | | |
| b-4 Documentation of Grievances recipients and responses | | | | | | | | | | | | | | | | | | | |
| b-5 Documentation of operation and efficiency assessment of the RAP | | | | | | | | | | | | | | | | | | | |
| <i>During Monitoring and evaluation</i> | | | | | | | | | | | | | | | | | | | |
| c-1 Quarterly reports to be developed | | | | | | | | | | | | | | | | | | | |
| c-2 Evaluation activities | | | | | | | | | | | | | | | | | | | |
| Mid-term evaluation | | | | | | | | | | | | | | | | | | | |
| Final impact | | | | | | | | | | | | | | | | | | | |