

REPUBLIC OF LEBANON

Council of Development and Reconstruction (CDR)

LEBANON: GREEN AGRI-FOOD TRANSFORMATION FOR ECONOMIC RECOVERY (GATE) (P180334)

DRAFT RESETTLEMENT FRAMEWORK (RF)

April 25th, 2023

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List of Acronyms

BPC	Biological Pest Control
CDR	Council for Development and Reconstruction
CERC	Contingency Emergency Response Component
CSA	Climate-Smart Agriculture
DPF	Displaced People Fund
ELARD	Earth Link and Advanced Resources Development
ESDF	Economic and Social Fund for Development
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
GAP	Good Agricultural Practices
GHG	Greenhouse Gas
GM	Grievance Mechanism
GMP	Good Manufacturing Practices
GOL	Government of Lebanon
HACCP	Hazard Analysis and Critical Control Points
IDAL	Investment Development Authority of Lebanon
IPF	Investment Project Financing
LEPAP	Lebanon Environmental Pollution Abatement Project
LRA	Litani River Authority
M&E	Monitoring and Evaluation
MoA	Ministry of Agriculture
MoE	Ministry of Environment
MoET	Ministry of Economy and Trade
MoEW	Ministry of Energy and Water
MoF	Ministry of Finance
MoSA	Ministry of Social Affairs
MRL	Maximum Residue Limit
NGO	Non-Governmental Organization
OP	Operational Policy
PAPs	Project-Affected Persons

CDR	Project Coordination Unit
PDO	Project Development Objective
PMU	Project Management Unit
POM	Project Operational Manual
RF	Resettlement Framework
RP	Resettlement Plan
SMEs	Small/Medium Entreprises
TOR	Terms of Reference
TPM	Third-Party Monitoring
UNHCR	United Nations High Commissioner for Refugees
UNDP	United Nations Development Program
WEs	Water Establishments
WB	World Bank

Glossary

Terminology	Explanation
Census	Household survey that covers all Project Affected Persons (PAPs) 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.
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

	<p>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.</p>
Grievance Mechanism (GM)	<p>Dispute resolving and feedback mechanism that is available at the project level for persons affected under the project to submit project related grievances and to seek redressal for these.</p>
Involuntary Resettlement (IR)	<p>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.</p>
Monitoring	<p>The process of repeated observations and measurements of environmental and social quality parameters to assess and enable changes over a period of time.</p>
Project Affected Person (PAPs) and Displaced persons	<p>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.</p>

	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 re-establishing 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 Plan (RP)	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 persons with disabilities, the poor, isolated groups and single parents.
Caza	Geographical subdivision of the territory equivalent to the district level in Lebanon
Qemmaqam	Local Authority representative acting as the Head of the Caza or District

A. Project Introduction and Scope

The project comprises the following components. For a more detailed description of the project components, refer to the Environmental and Social Management Framework (ESMF):

Component 1: Climate Smart Investments in Agri-food Value Chains (US\$ 74 million)

The objective of this component is to provide access to finance to strengthen the resilience and improve the competitiveness of agri-food value chains. The component would promote climate smart practices, creating higher value addition, improving links between farmers, agribusinesses and markets, and unlocking diversification opportunities through agri-tourism. The project would finance activities specifically designed to benefit women and will seek to contribute in reducing some of the gender gaps identified in terms of access to finance, inputs, markets, technical capacity building activities, improved confidence and negotiation skills as well as addressing social norms through carefully designed behaviorally-informed outreach campaign, also targeting men. This component is divided into 2 subcomponents: Subcomponent 1.1 Development of climate smart value chains through improved aggregations and Subcomponent 1.2 Support to Agrifood and Agritourism MSMEs. Sub-Component 1.1 will be implemented through MoA's technical leadership while CDR would delegate the implementation of sub-component 1.2 to Kafalat through a subsidiary agreement. Under subcomponent 1.2, the project will provide *reimbursable grants to MFIs*. The reimbursable grants will allow select MFIs to pilot new financing products focused on low-income farmers and micro businesses operating in agrifood value chain, based on market needs and demand. The funds will allow the deployment of around 6500 new microloans with an estimated average of US\$1700. It will also support small scale farmers to adopt climate smart practices to raise their production capacity and income. Moreover, the grants will help sustain the capacity of MFIs by helping them generate revenues during the project life. Through an ongoing WB funded project Building Beirut Businesses Back and Better (B5) Fund, three MFIs (Al Majmoua, Vitas, Ibdaa) were recently assessed by a specialized third party according to a methodology approved by the World Bank and were found to operate under good practice and were eligible to receive grants to cover part of their operational expenses over an 18 months period. The assessment focused on their institutional, financial, and social performance.

Component 2. Climate-Smart Infrastructure and Services for Agri-food Development (US\$ 100 million)

The objective of this component is to restore service delivery, build operational capacity and ensure the sustainability of public infrastructure underpinning the agri-food sector across necessary scales. It will be structured across two sub-components: Sub-component 2.1 Strengthening Rural Community Infrastructure; Sub-component, and 2.2 Restoring Access to Improved Services and Infrastructure Assets Underpinning Agriculture. Sub-Component 2.1 will be implemented by Green Plan while CDR will be responsible for the implementation of Sub-component 2.2.

The component would finance resilient investment in public rural infrastructure development and public services, deemed essential to enhancing competitiveness and sustainability of the agri-food sector. These would include the following types of investment: (i) rehabilitation and modernization of public irrigation infrastructure including small community-/farmer-led irrigation developments (FLID) as well as larger agency-managed public irrigation infrastructure; (ii) construction and rehabilitation of rural feeder roads; (iii) development of local agricultural markets; (iv) optimizing the operation of existing wastewater (WW) treatment systems (including sludge management and WW re-use for agriculture); (v) optimizing the operation of existing solid waste (SW) management systems, including composting and biogas production from manure to reduce soil and water pollution.

The component will generate large indirect benefits for host communities and displaced populations through several channels. Firstly, food production will likely increase, leading to greater availability and accessibility of food for host communities and displaced populations alike. Secondly, enhanced agricultural infrastructure will contribute to economic growth, leading to employment opportunities for both skilled and unskilled. Thirdly, restoring basic infrastructure will also ensure that host communities and displaced population have access to clean water, sanitation, and waste management services, critical for well-being and public health. Finally, investments in local infrastructure can help

foster social cohesion between host communities and displaced population by working together on shared objectives and benefiting from improved infrastructure, reducing tensions and promoting social integration.

Component 3: Improving the Enabling Environment and Restoring Support Services for Agri-food Development (US\$ 30 million)

The objective of this component is to restore and strengthen the capacity of sector institutions to support the agri-food sector transformation. The sub-components would be implemented by CDR PCU under the technical leadership of with the Ministry of Agriculture and Ministry of Industry (Sub-component 3.1 and 3.2) and the Ministry of Economy and Trade (Sub-component 3.3) who will provide the technical leadership for selected activities.

Component 4: Project and Knowledge Management (US\$ 8 million)

This component would support the coordination and management of the implementation of the project. It would finance the overall project management, including the following aspects: (i) project management and coordination among different actors and stakeholders; (ii) monitoring and evaluation, including periodic beneficiary satisfaction surveys, and establishing a baseline, mid-term, and final survey six months before project completion (including gender and nationality disaggregated data); (iii) project environmental and social standards; (iv) gender specialist (to ensure activities are gender sensitive in their design and implementation as well as monitor results related to gender); (v) project fiduciary administration, internal controls, and audits; (vi) communication and information activities, and (vii) the establishment and maintenance of a grievance mechanism (GM) and a citizen's engagement mechanism. This component will also finance timely communication of results (e.g., publishing and disseminating project results, best practices, and success stories). This component will also finance a third-party monitoring (TPM) mechanism. It will also enhance coordination and knowledge sharing among stakeholders across government, private sector, local communities, and civil society (including to develop an action plan to combat child labor and a roadmap to improve social protection for farmers). The project would also recruit a Service Provider (NGO) specialized in child labor prevention and response and who will be responsible for supporting the project in preventing, mitigating, monitoring, and responding to such risks during implementation.

Component 5: CERC

This component would have zero funding allocation at the onset and would only be triggered in emergency circumstances; the IPF would support the preparation of a procedure manual governing the CERC operations.

B. Principles and Objectives of the RF

In World Bank assisted projects, borrowers are expected to take all necessary measures to mitigate adverse social impacts. The costs associated with mitigation of adverse social impacts on project affected people, such as relocation of affected persons or restoration of livelihoods, will be met by the borrowers. The general guidelines of this RF are to be followed by all components under the Loan involving involuntary resettlement. Where adverse social impacts are identified, plans for resettlement and rehabilitation (R&R) will need to be prepared based on policies and procedures laid out in this framework.

Every effort will be made to avoid or minimize the need for land acquisition and resettlement for any components. In the unlikely and exceptional event that any of the activities under the GATE Project require additional land or other assets that become unavoidable, the borrowers shall adopt this RF.

Guiding Principles of RF include:

(a) Minimizing and avoiding resettlement impacts

Efforts shall be made to avoid and/or minimize land acquisition during the development of the subproject activities. When land acquisition cannot be avoided, the design of the sub-project should include measures to minimize impacts of resettlement on project-affected persons and vulnerable groups.

(b) Participation of and consultation with PAPs

PAPs shall be informed, early in the project life cycle and throughout, about the sub-project activities that will require land acquisition. PAPs shall be consulted and informed about feasible resettlement options.

(c) Sharing project benefits

In cases where resettlement is unavoidable, resettlement activities should be considered and implemented as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in its benefits. In this regard, the displaced persons should be implicitly consulted and should have opportunities to participate in the planning and implementation of the resettlement activities.

(d) Rehabilitation of livelihoods to levels prior to project construction

Rehabilitation refers to compensatory measures provided under a RF to improve, or at least restore, livelihoods and living conditions of PAPs to pre-project levels. Rehabilitation measures include:

- Cash compensation for loss of land and structures at full replacement cost based on current market value;
- Cash compensation for crops, trees and other agricultural products at current market rates;
- Relocation and transition subsidies to cover the living expenses and transport costs for the period required for the affected person to relocate to a new place; and
- Additional rehabilitation measures to compensate for livelihood loss and/or impacts.

(e) Lack of legal rights.

In case the PAPs do not have the formal legal rights to land or assets but have a claim to land or assets that is recognized or recognizable under national law or PAPs who have no recognizable legal right or claim to the land or assets they occupy or use, they will still receive compensation, rehabilitation, and relocation packages.

The principal objective of the RF is to ensure that all PAPs will be compensated for their losses and provided with rehabilitation measures to assist them to improve, or at least maintain, their pre-project living standards and income earning capacity.

The PAPs include the following persons to be identified by the baseline information collected prior to project implementation by the CDRCDR Project Coordination Unit (CDR):

- (a) The persons whose place of business or employment, and/or agricultural land is in part or in total affected (permanently or temporarily) by the subprojects;
- (b) Persons whose houses are in part or in total affected by the subprojects;
- (c) Persons whose business are affected in part or in total (temporarily or permanently) by the subprojects; and

- (d) Persons whose crops (annual and perennial), trees and fixed assets are affected in part or in total by the subprojects.

Information to be collected shall include the PAPs and related household members or dependents, total land holdings, and affected assets and livelihoods amongst other things. This information will be put in writing and shall be used in determining the appropriate compensation and assistance for each affected individual/household.

- (a) The resettlement policy framework, based on the ESF Framework ESS5, covers the following elements: a brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a resettlement policy framework rather than a resettlement plan is being prepared;
- (b) principles and objectives governing resettlement preparation and implementation;
- (c) a description of the process for preparing and approving resettlement plans;
- (d) estimated displacement impacts and estimated numbers and categories of displaced persons, to the extent feasible;
- (e) eligibility criteria for defining various categories of displaced persons;
- (f) a legal framework reviewing the fit between borrower laws and regulations and Bank policy requirements, and measures proposed to bridge any gaps between them;
- (g) methods of valuing affected assets;
- (h) organizational procedures for delivery of compensation and other resettlement assistance, including, for projects involving private sector intermediaries, the responsibilities of the financial intermediary, the government, and the private developer;
- (i) a description of the implementation process, linking resettlement implementation to civil works;
- (j) a description of grievance redress mechanisms;
- (k) a description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements;
- (l) a description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and
- (m) arrangements for monitoring by the implementing agency and, if required, by third-party monitors.

C. Process for Preparing and Approving Resettlement Plans

Any subproject that results in either the physical/economic displacement of people or loss/ restriction of access to private or communal resources will require the preparation of a Resettlement Plan (RP – depending on the number of people affected or the significance of the resettlement impacts. The client is responsible for the preparation of the Resettlement Plan for a project.

As a minimum requirement, a RP must ensure that the livelihoods of people affected by the project are restored to levels before project inception. However, simple restoration of livelihoods may be insufficient to protect affected populations from adverse project impacts, especially induced effects such as competition for resources and employment, inflation, and the breakdown of social support networks.

The CDR/CDR environmental and social specialist is responsible for the preparation of the RPs. In case RPs are outsourced by the CDR/CDR, Terms of Reference should be prepared first and sent to the World Bank for review and clearance, before engaging the specialist in the preparation of the RP.

The RP should include assessment of the number of PAPs, alternative locations for the sub-projects (if possible), identification of the eligibility criteria, and provisions for compensation and assistance. It should also address the means by which the subproject monitoring and evaluation will take place to ensure that the PAPs receive compensation/assistance and that their grievances are heard and addressed.

The essential components of a RP are found in Appendix A. These are based on the World Bank Environmental and Social Framework for IPF Operations- Environmental and Social Standard (ESS) 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (World Bank, 2017).

The borrower shall provide the World Bank with a RP which conforms to ESS5 and make it accessible to displaced persons and local NGOs, in a form, manner, and language that is understandable to them.

Once the RP is accepted by the Bank as providing an adequate basis for project appraisal, the Bank discloses it to the public through its external website. Once the Final RP is approved, the Bank and the borrower disclose it again in the same manner.

D. Estimated Population Displacement

i. Activities acquiring land on both a temporary and permanent basis

The proposed Project supports investments in several subprojects across multiple locations. While the locations and detailed designs of these subprojects have not been determined at this stage, they might involve land acquisition (on both a temporary and permanent basis) and livelihood impacts.

ii. Types and size of the impacts

In order to identify the type and the size of impacts of each sub-project, a survey shall be carried out to recognize the persons affected by the project activities. The survey shall provide information on:

- Anyone arriving in the project area after the establishment of the cut-off date will not be eligible for compensation.

- Characteristics of displaced households such as household organization, production systems, in addition to baseline information on livelihoods;
- The extent of the expected loss of assets (partial or total), the type of impact (physical or economic);
- Vulnerable groups or persons (especially those below the poverty line, the landless, the elderly, women and children, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation), for whom special provisions may have to be made in line with ESS5; and
- Livelihoods and standard of living of the persons affected by the project at consistent intervals to have the latest information at the time of the project impact.

Monitor and evaluate the continuation of assistance after resettlement and ensure that compensation/livelihood restoration has taken place.

iii. Anticipated number of persons to be affected

Since the specific locations of the subprojects have not been finalized yet, the size of the affected population remains undetermined at this stage.

The purpose of this RF is to establish the mechanisms by which the appropriate tools, screening checklists and Resettlement Plans (RPs) will be implemented to mitigate potential social and economic impacts once subproject locations have been identified.

E. Eligibility Criteria

Under this framework, the project affected persons (PAPs) include:

- a. Individuals who have formal legal rights to land or assets;
- b. Individuals who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law;
- c. Individuals who have no recognizable legal right or claim to the land or assets they occupy or use.

Where land acquisition or restrictions on land use are unavoidable, the implementing agency (CDR CDRC DR) will conduct a census to identify the persons who will be affected by the sub-projects, to establish an inventory of land and assets to be affected. In conjunction with the census, CDRC DR CDR will indicate a cutoff date for eligibility in order to prevent opportunistic migration into the project area for the purposes of claiming compensation or other assistance. Persons entering the project area, or initiating improvements to property, after the established cut-off date are not considered eligible for compensation or other assistance. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages (Arabic and English). This will include posted warnings that persons settling in the project area after the cutoff date will be subject to removal.

1. This RF covers direct economic and social impacts that both result from Bank-assisted investment projects, and are caused by:

- a. The involuntary taking of land resulting in:
 - i. Relocation or loss of shelter;
 - ii. Loss of assets or access to assets; or
 - iii. Loss of income sources or means of livelihood, whether or not the affected persons must move to another location.
2. This RF applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation:
 - a. Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
 - b. Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures;
 - c. Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
 - d. Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;
 - e. Displacement of people as a result of project impacts that render their land unusable or inaccessible;
 - f. Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds, and grazing and cropping areas;
 - g. Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation; and
 - h. Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.

F. Legal Framework

This section assesses the national laws governing land acquisition, various land tenure and ownership systems in Lebanon, the different legal instruments regarding government and individual acquisitions and resettlement and compensation policies. It also includes a review of the World Bank Environmental and Social Framework for IPF Operations - Environmental and Social Standard ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (World Bank, 2017), the policy gaps

between the Bank's policy and Lebanese laws and regulations, and measures needed to bridge the gaps.

i. Description of relevant Lebanese laws and regulations

Lebanon's legislation provides the legal framework for the implementation of the proposed Project and its related subprojects. It provides for expropriation only by due legal process and after compensation has been paid for all tangible losses of property and economic prejudice at current market rates or better; and it provides for a mechanism of appeal and review. The relevant laws and regulations are as follows:

- **Expropriation:** Lebanese law protects the right of private property, including land. Law No. 58 (1991) authorizes the expropriation of private property in the public interest, but only after fair compensation has been made. The compensation is determined through an assessment by an independent judicial committee and is always a monetary award, comprising two components: (i) identification of damage or loss to improvements (buildings, trees, fences, etc.) and (ii) compensation for the value of the land. Under Lebanese Law, the expropriation is considered final unless the public interest claim is itself challenged by an individual directly affected (an association, municipality, NGO, etc., does not have the right to appeal).

A decree is published in the Government Official Gazette announcing and authorizing the expropriation with a timeline which should not exceed 8 years from the publication of the announcement. Annexed to the decree are the following: a) a sketch of the entire project area proposed; b) a detailed plan of the properties to be expropriated; c) a list showing the registration numbers of each property, its location, the names of all the owners and right holders in the Land Registry; and d) a detailed list of the immovable contents of the property as well as a detailed plan of buildings constructed prior to the date of the decree's publication. The complete document is made available for public access at the government offices. In addition, these documents are posted at the municipalities where the properties to be expropriated are located.

- **Compensation:** Compensation is determined by an Expropriation Committee set up by a decree in accordance with proposals from the relevant ministers. The members of the commission consist of (i) a chairperson (a judge or a magistrate of at least the 10th degree¹), (ii) an engineer, and (iii) a property valuator. If the affected person is not satisfied with the compensation, he or she can appeal to a higher-level committee, the Appeal Committee, which consists of (i) a chairperson (a magistrate of at least the 6th degree), (ii) an engineer, and (iii) an expert in land law and valuation. Each committee is assigned alternates for each of its members, as well as a clerk and a messenger.

The Expropriation Committee determines all compensation for any economic prejudice arising from expropriation, decides on requests by owners for total expropriation and full compensation, and determines the value of small portions of land which cannot be used for building and resolves disputes over the division of compensation between shareholders. Its awards are always based on prevailing local market rates.

Compensation payments are always monetary awards and comprise two components:

¹ The judges or a magistrate get promoted one degree every year during their career. A judge or a magistrate of the 10th degree has at least 10 years of experience.

- Payment for damage to or loss of assets, such as buildings, trees and fences; and
- Compensation value of the land.
- **Land Tenure:** There is generally little contestation over ownership, legal rights or boundaries of land because plots are usually well surveyed, and a deed is recorded at an administrative service based in the Ministry of Finance (with the exception of areas affected by uncontrolled movement and settlement due to the civil war). The survey unit also maintains cadastral maps that are regularly updated. Since land ownership is recorded in shares, along with all those who ever held title to it, the exact value of any transaction for an individual owner can be determined. In addition, land laws in Lebanon are gender neutral. However, the situation with regard to historic urban cores is much less clear, with informal land subdivisions not represented in the cadaster, and complex vertical layers that do not always correspond to horizontal boundaries. The project would therefore need to conduct careful and detailed empirical research, consultations, tailoring the project actions to the social realities on the ground, if it were to carry out activities in urban centers.
- **Tenancy Laws:** A rent law enacted in 1991 relaxed rent control and gave the landowner the right to repossess the property at the end of the contract. Rent laws prior to 1992, however, permitted tenants automatically to renew their contracts and capped rent increases. Moreover, tenants could sublease the property to third parties with only minor increases in the rent at the signing of each new contract. As a result, rent contracts signed after 1991 favor the landlord and those signed previously favor the tenant. Where expropriation causes loss of tenancy, expropriation commissions divide their awards between landowners and tenants according to the economic value of the tenancy, enabling tenants to secure alternative housing by rental or down payment against purchase.
- **Antiquities Laws:** According to the Antiquities Law of 1933, historic monuments, even those on the General Inventory List, can be either publicly or privately owned. Although archaeological finds are considered state property, the parcels on which archaeological discoveries are made can remain the property of private individuals or institutions. Under this law, private property owners of listed historical buildings are responsible for the repair and maintenance of the structure. The discovery of important archaeological remains could also lead to the expropriation of private property or to limitations on its use. If a building is placed on the list of classified monuments, the owner receives no compensation for the freezing of development rights. However, if the listing is erroneous, the owner may eventually be compensated. This disposition of the Antiquity Law would be contrary to the World Bank Environmental and Social Framework for IPF Operations ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.

Lebanese law provides for legal process: i) expropriation is effected after compensation has been determined and deposit decisions have been made, ii) prior warning and public disclosure is made, iii) full judicial compensation is independently awarded, and iv) payment is transferred to a special account in a Bank and citizens can retrieve their payments, and v) citizens have the right to appeal. There are however, several sequencing features of Lebanese procedures which are commonly encountered in many countries that differ slightly from the World Bank Policy. Expropriation is initiated by

a ministerial decree and signed by the President with no prior public debate. However, informal public consultations may precede the decree. The compensation levels made through an independent judicial process are situation specific and are determined as part of the expropriation process.

The Lebanese law of expropriation only compensates those with legal rights. However, mechanisms exist that protect various forms of customary rights made on a case by case basis to the Expropriation Committee. In practice, since squatters cannot be evicted without an order from the governor, resettlement is most often done through amicable negotiation, by agreeing on a level of compensation or inducement that will encourage voluntary departure, that varies according to legal eligibility. Widespread displacement of people during the civil war led to a proliferation of squatting between 1975 and 1991. As part of the reconciliation process, a Displaced Peoples Fund (DPF) was established to encourage squatters to return to their villages. However, since many did not wish to return to their respective villages, the DPF provides them with financial support to relocate wherever they choose.

- **Appeals Procedures:** The decisions of the Expropriation Committee may be appealed to the Appeals Committee by either party (the project proponent or the individual property owner, but not by public bodies, NGOs or municipalities) and the decisions of the Appeals Committee are binding on both parties. The appellant must be represented by a lawyer. The appeals fee was equivalent to about USD 125 before the economic and financial crisis (at a conversion rate of LBP 1,500/USD) including stamp and insurance fees to initiate the appeal), plus 3.5% of the increased compensation amount demanded in the appeals case. The appeals Committee may make upward adjustments in the level of compensation awarded and must make a decision within three months of the lodging of the appeal. This appeals process might be too onerous for project affected people, especially in poor areas where average monthly family income is below the poverty line. Hence, it is important to set up a robust grievance mechanism upstream from the appeals mechanism.
 - **Payment of compensation:** Where there is an appeal, at least 65% (sixty five percent) of the compensation is paid in advance, and if no structures are found to be existing within expropriation limits, an additional 25% are paid and the expropriation party reserves the right (only if it wishes so) to hold the remaining 10% till the decision of takeover is issued, but the process of expropriation itself cannot be halted unless the validity of the public interest decree itself is challenged.
- ii. Description of requirements of the Environmental and Social Framework for IPF Operations ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.

Resettlement requirements and principles which should be considered and fully applied include the following:

- **Eligibility Classification:** affected persons may be classified as per section F.
The census described above will establish the status of the affected persons.
- In the project design, the Borrower should demonstrate that involuntary land acquisition or restrictions on land use which are limited to direct project requirements and clearly specify project purposes within a clearly specified

period of time. The Borrower should consider feasible alternative project designs to avoid or minimize land acquisition or restrictions on land use.

- When it comes to the compensation and benefits for PAPs for land acquisition or restrictions on land use (whether permanent or temporary) which cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods.
- Compensation standards for categories of land and fixed assets should be disclosed and applied consistently. Compensation rates may be subject to upward adjustment where negotiation strategies are employed. A clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.
- Where livelihoods of displaced persons are land-based or where land is collectively owned, the Borrower should offer the displaced persons an option for replacement land, unless it can be demonstrated to the Bank's satisfaction that equivalent replacement land is unavailable. The Borrower will also provide opportunities to displaced communities and persons to derive appropriate development benefits from the project. In the case of PAPs who have no recognizable legal right or claim to the land or assets they occupy or use, resettlement assistance will be provided in lieu of compensation for land.
- The Borrower should take possession of acquired land and related assets only after compensation in accordance with this ESS has been made available and, where applicable, displaced people have been resettled and moving allowances have been provided to the displaced persons in addition to compensation. In addition, livelihood restoration and improvement programs will commence in a timely fashion in order to ensure that affected persons are sufficiently prepared to take advantage of alternative livelihood opportunities as the need to do so arises.
- On an exceptional basis, when there may be significant difficulties related to the payment of compensation to particular affected persons, with prior agreement of the Bank, and where the Borrower demonstrates that all reasonable efforts to resolve such matters have been taken, the Borrower may deposit compensation funds as required by the plan (plus a reasonable additional amount for contingencies) into an interest-bearing escrow or other deposit account and proceed with the relevant project activities. Compensation placed in escrow will be made available to eligible persons in a timely manner as issues are resolved.
- The Borrower will engage with affected communities, including host communities, through the process of stakeholder engagement described in the Stakeholder Engagement Plan (SEP) required under ESS10. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process.

- The consultation process should ensure that women’s perspectives are obtained and their interests factored into all aspects of resettlement planning and implementation.
- The Borrower will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation, or livelihood restoration measures raised by displaced persons (or others) in a timely fashion.
- Where land acquisition or restrictions on land use are unavoidable, the Borrower will under ESS5 requirements, conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits. In conjunction with the census, the Borrower will establish a cutoff date for eligibility, as mentioned above.
- To address the issues identified in the environmental and social assessment, the Borrower will prepare a plan proportionate to the risks and impacts associated with the project. Refer to RPs in section D Process for Preparing and Approving Resettlement Plans.
- The Borrower’s plan will establish the roles and responsibilities relating to financing and implementation, and include arrangements for contingency financing to meet unanticipated costs, as well as arrangements for timely and coordinated response to unforeseen circumstances impeding progress toward desired outcomes.
- The Borrower will establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation to achieve the objectives of this ESS. The extent of monitoring activities will be proportionate to the project’s risks and impacts. Affected persons will be consulted during the monitoring process. Periodic monitoring reports will be prepared and affected persons will be informed about monitoring results in a timely manner.
- Implementation of the Borrower’s plan will be considered complete when the adverse impacts of resettlement have been addressed in a manner that is consistent with the relevant plan, as well as the objectives of this ESS.
- Where the likely nature or magnitude of the land acquisition or restrictions on land use related to a project with potential to cause physical and/or economic displacement is unknown during project preparation, the Borrower will develop a framework establishing general principles and procedures compatible with this ESS. Once the individual project components are defined and the necessary information becomes available, such a framework will be expanded into one or more specific plans proportionate to potential risks and impacts. No physical and/or economic displacement will occur until plans required by this ESS have been finalized and approved by the Bank.

iii. Key policy gaps between Government of Lebanon regulations and World Bank Environmental and Social Framework for IPF Operations ESS5: Land

Acquisition, Restrictions on Land Use and Involuntary Resettlement

The following table compares Lebanese regulations to World Bank Environmental and Social Framework for IPF Operations ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, suggests measures to fill any gaps, and highlights constraints to the actual implementation of gap filling measures that require special provisions to overcome.

Table F-1 Comparison of Lebanese regulations with the World Bank Environmental and Social Framework for IPF Operations ESS5:

Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
Cut-off date	There is no cut-off date under the Lebanese laws. Under law number 58 that authorizes the expropriation of private property in the public interest, expropriation is announced and authorized in the Government Official Gazette with a timeline which should not exceed 8 years from the publication of the announcement. This announcement could be the date after which the land is considered public, but it does not consider 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 to prevent wasting of resources. The Lebanese laws never set a cut-off date. The cut-off date is the day the census starts.	The cut-off date will be the day when the census starts for the preparation of the site-specific RPs. The cut-off date will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages (Arabic and English).	-

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
Monitoring and Evaluation	Monitoring or evaluation measures are not stipulated in Lebanese regulation. Lack of the necessary legal provision needed to put in place for monitoring and evaluation measures can negatively impact the accountability and transparency of the programs.	Under ESS5 the projects including resettlement or land acquisition need to follow up arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank.	The RP will include a M&E section that will explain the mechanisms and indicators for the monitoring of the resettlement activities during the project implementation, as detailed in this RF.	-
Resettlement planning and procedural requirements	There is presently no requirement to prepare a formal Resettlement Plan (RP) under the Lebanese 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	When there is impact on land and livelihoods as a result of a WB funded project, the project requires to prepare a formal Resettlement Plan (RP). In order to prepare the RP, it is necessary to undertake the component activities of a resettlement plan such as a ‘census’, socio-economic survey, consultation	A screening will need to be conducted to determine whether a RP should be prepared. Once this is determined, the CDR/CDR in compliance with the WB procedures should prepare site-specific Resettlement plans when and if needed. In addition, the consultation activities will be implemented	-

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
	<p>or reporting. Moreover, there are no specific references in the legislation to ‘involuntary resettlement’. Also, there is no explicit consultation requirement in the Lebanese law.</p>	<p>with project affected people, monitoring and reporting.</p>	<p>throughout the project life-cycle and as part of the preparation of the RPs. To determine the need for possible RPs, CDR/CDR will conduct a preliminary survey of the selected sites.</p>	
Compensation eligibility	<p>Under Lebanese legislation, only those with legal title are entitled for compensation. In Lebanon there is generally little contestation over ownership, legal rights or boundaries of land because plots are generally well surveyed and title is recorded at an administrative service based in the Ministry of Finance (with the exception of areas affected by uncontrolled</p>	<p>Eligibility Criteria for compensation under ESS5: (a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country) or assets; (b) those who do not have formal legal rights to land, at the time the census begins, court cases, which may take several years, will not stop project implementation; provided that such claims are</p>	<p>The categories of people who must be compensated under Lebanese legislation are narrower than those defined under ESS5. Under this project, all the categories listed under the previous column (a,b, c) will be considered for compensation in accordance to ESS5. To address the issue related to the historical urban cores (if any), the project will conduct</p>	<p>For cases that prevent immediate collection of compensation by PAPs prior to acquisition of assets (e.g., death, non-completion of inheritance paperwork, outstanding taxes, presence abroad, appeal cases), take over can take place once deposit decisions are made and the money is transferred to an escrow bank account, which</p>

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
	<p>movement and settlement due to the civil war). The survey unit also maintains cadastral maps that are regularly updated. Since land ownership is recorded in shares, along with all those who ever held title to it, the exact value of any transaction for an individual owner can be determined. In addition, land laws in Lebanon are gender neutral. However, the situation with regard to historic urban cores is much less clear, with informal land subdivisions not represented in the cadastre, and complex vertical layers that do not always correspond to horizontal boundaries.</p>	<p>recognized or recognizable under the laws of the country; (c) those who have no recognizable legal right or claim to the land or assets they are occupying or using. To determine eligibility: Carry out a resettlement census. Cut-off date for eligibility is the day when the census begins. Under the ESS5, all the land needed for a project is subject to compensation</p>	<p>careful and detailed empirical research, consultations, tailoring the project actions to the social realities on the ground if it were to carry out activities in urban centres.</p> <p>Resettlement assistance should be provided in order to improve the PAPs livelihoods <i>or at least to restore them to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</i></p> <p>Accordingly, individuals under category a and b, should be compensated at full replacement cost and WB requires payment prior to acquisition.</p>	<p>guarantees the rights of PAPs. But court cases, which may take several years, will not stop project implementation. Provisions for resettlement assistance must also be made by the Project Proponent.</p>

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
			<p>While those who are using land but have no recognizable legal rights or claim (i.e. individuals under category c) will be compensated for their investments on the land in order to improve their livelihoods or at least to restore them to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p>	
Provisions for squatters and land users	<p>Lebanese legislation 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 should adhere to the ESS5;</p>	<p>Those who have no recognizable legal right or claim to the land are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance as necessary in a way that they are not worse off from before.</p>	<p>All project affected persons should be compensated for their loss of assets, regardless of their legal status. Compensation includes financial or technical support so that PAPs are able to restore their livelihood to pre-displacement levels or to levels</p>	-

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
	<p>but as it is not in law, it is conducted on a discretionary case-by-case basis and is not systematically monitored. The scope and amount of compensation vary according to legal eligibility.</p>		<p>prevailing prior to the beginning of project implementation, whichever is higher.</p>	
Income restoration	<p>Lebanese laws recognize the income from land or assets from the owners; however, they have not made clear provision for restoring loss of income sources or means of livelihood.</p>	<p>Under the ESS5, loss of income resulting directly from project implementation should be compensated for. ESS5 makes provisions for loss of income sources or means of livelihood, whether or not the affected persons must move to another location. It requires that PAPs 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</p>	<p>Lebanese law does not discuss compensation for loss of income, only land and assets. Hence, ESS5 principle regarding income restoration shall be applied. Therefore, those whose income is going to be affected will be compensated for the loss of profit and income.</p>	<p>Special provision must be made to enable compensation for loss of income in addition to assets.</p>

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
		beginning of project implementation, whichever is higher. The Borrower shall also provide opportunities to displaced communities and persons to derive appropriate development benefits from the project.		
Compensation terms	<p>Lebanese laws make no provision for compensation in kind, land swaps, housing provision, or payment over time.</p> <p>Moreover, Lebanese Law states that where there is an appeal, at least 65% (sixty five percent) of the compensation is paid in advance, and if no structures are found to be existing within expropriation limits, an additional 25% are paid, and the expropriation party</p>	<p>Alternatives to cash compensation are to be offered where practical (i.e. land swap, housing provision) and if preferred by PAPs. Resettled PAPs are also eligible for additional payments; e.g. moving expenses, transport, small business development support, skills training, etc.</p> <p>Moreover, compensation for land and other assets should be fully paid prior to acquisition. Where applicable, taking of land and related assets may take place only after resettlement sites and</p>	<p>ESS5 principle regarding in kind compensation shall be applied where preferred by PAPs and no other solution is feasible.</p> <p>Similarly, the principle of full payment of compensation prior to acquisition of assets shall be applied.</p>	<p>In kind compensation has never been practiced in Lebanon. Expropriation is carried out by an independent judicial committee. In Lebanon, the PAP freely chooses where to resettle, and is not bound by a pre-assigned replacement location. For cases that prevent immediate collection of compensation by PAPs prior to acquisition of assets (e.g., death, non-completion</p>

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
	<p>reserves the right (only if it wishes so) to hold the remaining 10% till the decision of takeover is issued, but the process of expropriation itself cannot be halted unless the validity of the public interest decree itself is challenged.</p> <p>Upon determination of the compensation value, payment is transferred to a special account in a Bank and PAPs can retrieve their payment.</p>	<p>moving allowances have been provided to the displaced persons.</p>		<p>of inheritance paperwork, outstanding taxes, presence abroad, appeal cases), take over can take place once deposit decisions are made and the money is transferred to an escrow bank account, which guarantees the rights of PAPs.</p>
Disclosure	<p>The Lebanese laws do not have any requirement for disclosure of resettlement documents</p>	<p>The ESS5 requires the provision of the relevant draft resettlement instrument which conforms to this ESS and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that</p>	<p>Providing information to, and consulting with, affected persons is essential to a process intended to enable affected persons to adapt to changed living conditions following land acquisition or</p>	-

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
		<p>is understandable to them. Once the Bank accepts this instrument as providing an adequate basis for project appraisal, the Bank makes it available to the public through its Bank’s external website. After the Bank has approved the final resettlement instrument, the Bank and the borrower disclose it again in the same manner</p>	<p>resettlement. ESS5 requires borrowers to consult with affected persons during the RP preparation process, through monitoring or other means, throughout the resettlement implementation period. The RP, in draft and final versions, is disclosed in a manner accessible to affected persons.</p>	
Grievance mechanisms	<p>Lebanese laws provide for formal appeal if the PAPs do not agree with the compensation. However, there is no provision for a Grievances System under the project.</p> <p>Poor PAPs on low incomes are deterred from appealing by (i) the requirement to be legally represented, and ii) the appeal application fee.</p>	<p>The ESS5 requires the creation of procedures that are free and easy to access by the affected people and communities. This GM is set up to address the grievances and disputes related to land and asset acquisitions and livelihoods.</p>	<p>The absence of a project level grievance mechanism in the Lebanese law means there are difficulties to access grievance mechanisms addressing minor issues that otherwise should be resolved within a short period of time. To address this, a GM that will be accessible and easy to use will be established under the project. This allows PAPs to have access to direct</p>	<p>The GM and the role of its relevant players shall not impinge on or overlap with the role of the Expropriation Committee.</p>

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
	(The provision for the Appeal Committee to take 0.3% of any additional award is no longer implemented)		<p>channels to voice their grievances in an appropriate time prior to resettlement.</p> <p>In order to avoid delay in dispute resolution, it is essential for the implementing agency to establish a GM that is acceptable, easy to use, and free. This GM will serve as the first stop for people who have a grievance. All complaints and concerns will be listed, documented and responded to, and a due procedure for handling and managing grievances will be set.</p> <p>To have accessible GM, the information of where and how to lodge complaints will be posted on the CDR's</p>	

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
			<p>website as well as subprojects billboards at construction sites in both English and Arabic. PAPs should be informed that they can take the case to the court if need arises. Aggrieved people would however remain free to open a Court case without having registered their grievance through the GM. For poor PAPs, in some cases, the (free) GM can constitute an alternative to the appeal process that involves an application fee and legal representation.</p>	
Consultation	<p>There is no explicit consultation requirement in the Lebanese law. However, people in the affected communities are usually informed about the project.</p>	<p>Under ESS5, the affected communities and individuals should be consulted and should contribute to the processes of land acquisition and resettlement.</p>	<p>Affected groups should have access to full information about the resettlement process and options for compensation. Participatory planning and decision making should be</p>	<p>Lebanese law stipulates that the process in Lebanon is carried out by an independent Expropriation Committee, and that compensation is a monetary</p>

Topic	Lebanese legislative requirements	World Bank policies	Practical measures to fill the gaps	Constraints to the implementation of gap filling measures requiring special provisions
		<p>Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process. Consultation with the affected PAPs should be documented.</p>	<p>applied in resettlement options and compensation. Consultation is a continuous process that will be done in the affected communities throughout the project implementation and be documented.</p>	<p>award. This will require making special provisions for meeting WB ESS5 requirements.</p>

G. Organizational Procedures

The primary responsibility for the enforcement of the RF rests with the Council for Development and Reconstruction (CDR) Project Coordination Unit (CDR). Moreover, CDR CDR will be responsible for implementation and oversight CDR CDR. CDR CDR CDR would lead the overall project management and coordination, including by: (i) ensuring strategic oversight of overall project implementation; (ii) ensuring coordination and cooperation among all participating agencies and institutions (MoA, LARI, MoET); (iii) providing overall guidance during project implementation; and (iv) endorsing financial, programmatic, and monitoring reports to be presented to the World Bank and national stakeholders to ensure transparency and accountability.

Once the projects and their locations are identified, the Project Coordination Unit (CDR) within the CDR CDR will obtain all permits/approvals related to each sub-project. Thereafter, the CDR will carry out social screening to determine whether or not the subprojects will result in any resettlement impact, and accordingly the CDR will decide on the need for a Resettlement Plan (RP). The Environment and Social (E&S) specialist is responsible for the follow up on the monitoring of the environmental and social risks and the implementation of the ESSs in line with the ESCP. Particularly, he/she will be responsible for the preparation of the RPs and monitoring the proper implementation of these RPs.

Following the identification of the subprojects that may involve involuntary resettlement, the CDR will carry out the needed census survey and baseline socio-economic study, in which household-level data within the subprojects target areas is collected.

H. Implementation Process

A detailed implementation schedule of the various activities to be undertaken will be included in the resettlement Plan. Payment of compensation and furnishing of other rehabilitation entitlements (in cash or in-kind), and relocation if that be the case, will be completed at least one month prior to the scheduled start-up date of works in the respective sub-projects sites.

I. Methods of Valuation of Affected Assets and Compensation

1. Asset Valuation

Losses in physical assets can be valued by assessing the market value of those assets, if possible, and estimating their replacement cost. Replacement cost is calculated as the cost of replacing the lost assets including any transaction costs associated with bringing the asset to pre-displacement value. For the tangible / physical assets, the compensation at replacement cost is defined as follows:

- Agricultural land: the pre-project or pre-displacement, whichever is higher, 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;
- Land in urban area: 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;

- Houses and other structures: 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. For intangible losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, employment opportunities, or access to grazing or forest areas), sub-projects shall attempt to establish access to equivalent resources and earning opportunities that are acceptable to the affected persons. If this is not possible under the Lebanese law, the sub-projects shall establish fair compensation standards that consider necessary additional measures to meet the replacement costs. In addition, alternative opportunities should be provided to PAPs to establish access to equivalent resources and earning opportunities as a way for compensating their loss for intangible assets.

2. Compensation

Compensation will be provided to all individuals whose assets or access to assets is affected or damaged, because of land acquisition or any other activities undertaken by the project. The compensation for the loss of physical and non-physical assets will vary depending on the type of loss, and eligibility of the PAPs. Compensation may come in the form of cash compensation, in-kind compensation, and/or assistance. All PAPs will be entitled to monetary compensation at replacement cost, (at the entitlement cut-off date) for affected tangible assets. Another option may be in-kind compensation where the affected assets would be replaced with an asset of similar size, value, and quality. The decision on which type of compensation is used should be jointly agreed upon between the project staff and the PAPs and should be subject to the availability of replaceable assets. Moreover, development and resettlement transitional assistance needed to restore the livelihood² and standard of living of PAPs under the subproject to pre-project levels (i.e., short-term jobs, subsistence support, moving allowance, salary maintenance, food assistance, etc.). Once the RAP has been approved and disclosed by the World Bank, the MoE / PCU shall notify the PAPs regarding compensation procedures. The suggested steps for the disbursement of compensation for all eligible PAPs are the following:

- a) Obtaining financial resources which is based on the final budget of each RAP.
- b) Verifying the list of qualified PAPs to guarantee that all eligible PAPs will be compensated and to exclude non-eligible PAPs.
- c) Notifying each affected person of a detailed compensation package.
- d) Locating absentee owners of affected assets.
- e) Informing the public that lands for which the corresponding owners will be affected by the subproject will be announced through media and bulletin boards. Sufficient time for any opposing appellants on affected lands to raise their opposition or claims must be given.
- f) Compensation shall be made in cash, in kind, or through any other means agreed by the PAP. For in-kind compensation, the timing and alternative locations shall be decided and agreed upon with each PAP.

Following compensation, the PMU shall update the database of PAPs, accordingly, indicating where and when compensation was completed, with supporting documents.

Measures shall be taken to ensure that no individual or affected household would be displaced before compensation is deposited and the PAP notified, and if necessary, before resettlement sites with adequate facilities are prepared and provided for individuals affected by the subproject.

Each RAP shall include an implementation schedule covering all resettlement activities, from the preparation to completion of works, through implementation, including target dates for the achievement of expected benefits both for PAPs and the local population and termination of the various forms of assistance.

J. Grievance Mechanisms

The GM aims to provide individuals and communities who feel aggrieved by Project activities with accessible, timely, effective and culturally appropriate opportunities to raise their complaints, feedback, concerns and questions about the Project. It also aims to identify, propose and implement fair and appropriate solutions in response to the complaints and concerns raised.

The GM handling process will consist of the following steps:

- Receive grievance through a variety of uptake channels (phone call; sms and e-mail to the CDR GM officer) and register in a centralized database;
- Acknowledge receipt, Assess eligibility, Assign responsibility for the received complaint;
- Develop a proposed response and seek agreement on the response;
- Review the response if unsuccessful; and
- Close out or refer the grievance.

The process for addressing complaints would typically be along the following lines:

- The CDR GM Officer will keep SEA/SH allegation reports confidential and, unless the complaint was received through the GBV service provider or other identified reporting channels, refer the survivor immediately to the GBV service provider, depending on the consent of the complainant/survivor.
- The GBV service providers accompany survivors throughout the process and play a critical role by updating them on the grievance management progress and on safety planning, especially when sanctions are envisaged or will soon be implemented.
- As part of the established resolution mechanism SEA/SH allegations are considered and assessed, paying attention to due process for all involved, and in coordination with the accountability framework of the employer of the subject of the complaint. Agreement is reached on a plan for resolution as well as the appropriate disciplinary action for the perpetrator, all within the shortest timeframe possible to avoid further trauma to the survivor.

The detailed GM for this project is disclosed as part of section 6 of the Stakeholder Engagement Plan (SEP) and will be made publicly available. The GM will be accessible to all relevant stakeholders including project-affected persons (PAP) who can use this mechanism to send their suggestions, concerns and complaints related to the project.

An example of a grievance mechanism leaflet for resettlement-related grievances is provided in SEP.

K. Funding Arrangement

The proposed project overall budget amounts to US\$ 200 million USD.

At this stage, as the subprojects have not been determined and the number of PAPs cannot be identified, it is not possible to provide an estimated budget for the total costs of resettlement associated with the implementation of the Project. Once the subprojects are identified, the associated costs can be better determined. The costs of funding for all associated resettlement and acquisition will be borne by the CDR.

The possible types of activities for budgeting could include compensation for land, livelihoods, trees, crops, assistance to the vulnerable groups, land preparation if crops are damaged, capacity building for the RP implementation, and establishment of GM, among others.

Funds for implementing inventory assessments and resettlement plans will be provided by the implementing agency (CDR). Compensation gets set by an expropriation committee including a judge, engineers, and experts such as valuers. The decision is then sent to CDR for payment and the land is acquired.

Once sub-projects are selected, a resettlement plan will be prepared for those that trigger [ESS5](#) (those that involve land acquisition and impact livelihoods). The resettlement plan for a Bank financed project should include an itemized, indicative budget. This budget will be subject to the approval by the CDRCDRCDR; CDR will finance it through the administrative and financial management rules and manuals like any other activity eligible for payment under the Bank financed project. The CDR will also have to finance the resettlement compensation. Disbursements, based on decisions established by the Expropriation Committee, will be made through CDRCDR.

L. Participation and Consultation

Acquisition of land or other assets and the RPs preparation require consultation with the project-affected population (PAPs). In addition to tenants, residents, and business owners affected, the CDRCDR CDR must also consult with concerned municipalities, associations, NGOs and other representatives of civil society within the affected areas. All consultations will be informed, inclusive of all groups and gender, and a two-way dialogue will be adopted to provide information and receive feedback. Responses will be provided by the project for all the queries raised and the participants will subsequently be informed on how their suggestions were incorporated into the design/mitigation measures. To ensure inclusion of all groups, separate consultation sessions should be arranged as needed for women and vulnerable groups. The RP will cover information on the number of participants who attended (gender-disaggregated data) with locations/time of the consultation, along with a summary of the different consultations held (issues raised and responses to the issues).

Please consider the SEP report under section 2 “Brief Summary of Previous Stakeholder Engagement Activities”.

i. Public consultation in resettlement planning and implementation

Public consultation must be an on-going activity taking place throughout the entire project cycle. Thus, public consultation shall take place during the:

- Project planning
- Screening process

- Feasibility study
- Preparation of subprojects designs
- Post compensation monitoring and as relevant community support activities.

The public consultations must take into account low literacy levels prevalent in rural communities. Consultation records must be kept by the CDR and include attendance sheets, photographic evidence, a summary of any presentation delivered, as well as a list of questions and answers.

ii. Outcomes of the public consultation

Consultation meetings were conducted in Baalbek for the Baalbek, Hermel and Bekaa governorates (February 15, 2023 at Yahfoufi Hall); Halba for Akkar (February 16, 2023 at Halba Municipality); and Nabatiyeh (February 17, 2023 at Al Malak Resort in Nabatiyeh) to present the project, its components and budget, rationale, beneficiaries, potential environmental and social impacts and mitigation measures; and to collect participants' suggestions relating to the planned components and sub-components. Participants from the private, public, academic sectors and civil society attended and took part of the discussions. The following table summarizes the main issues raised and their share of the discussions in each of the areas. A complete section about consultation and its outcomes is available in Section 5 (and Appendix G) of the ESMF and SEP (Annex 3) where outcomes from consultations related to the RF are included.

No comments relating to resettlement were raised during the public consultation meetings.

Table L-1 Summary of the Main Issues Raised and their Share of the Discussions in each of the Consultation Meetings held

Valid Challenges	Baalbeck	Halba - Aakkar	Ansarieh - South of Lebanon
	%	%	%
Competitiveness: Difficulty in purchase of inputs High production cost and price fluctuations	32.81	23.07	28.09
Commercialization: Difficulty in commercialization of production Severe competition from imported products Poor commercialization system	17.18	27.25	23.14
Irrigation: Lack of water for irrigation Lack of clean water Lack of water harvesting facilities	14.06	13.46	9.91
Energy: Lack of public electricity and difficulty financing the use of renewable energy	13.28	8.65	7.43
Agricultural orientation and advice: Weakness in extension services Weakness in capacity building	5.47	11.53	14.04
Collapse of the national currency	4.68	0	4.13
Lack of post-harvest units	3.90	4.80	3.30
Agricultural infrastructure & services: Poor conditions for agricultural infrastructure roads & Difficulty in rehabilitation of agricultural lands	3.12	2.88	0.82
Labor: Labor availability	2.34	0.96	0.82

Valid Challenges	Baalbeck	Halba - Aakkar	Ansariéh - South of Lebanon
	%	%	%
Qualified/Skilled labor			
Climate: Climate change Severe climatic conditions	1.56	1.92	4.95
Finance: Lack of financial support, grants and loans	1.56	6.73	3.30
Total	100.00	100.00	100.00

iii. Notification procedures

The CDR/CDR shall notify the public of its intention to acquire land assigned for the project. Thus, a public notice must be announced to the beneficiaries and PAPs concerning physical resettlement and temporary relocation. Public documents must be made available in English and Arabic at relevant locations to ensure easy access to them by PAPs. Refer to SEP section 4 “Stakeholder Engagement Program”.

The notice must state:

- a) The Government’s proposal to acquire the land;
- b) The public purpose for which the land is needed;
- c) That the proposal or plan may be inspected by CDR/CDR; and
- d) That any person affected may, by written notice, object to the transaction giving reasons for doing so, to the CDR within 14 days of the first public announcement or appearance of the notice. Assurances must be made that affected persons have actually received this information and notification.

iv. Documentation of compensation process

For each individual or household affected, the CDR completes a compensation dossier containing necessary personal information on the affected party and those that s/he claims as household members, dependents, total land holdings, inventory of assets affected, and information for monitoring their future situation.

This information is confirmed and witnessed by CDR/CDR. Dossiers must be kept current and must include documentation of all assets surrendered and/or impacted. Each individual will be provided a copy of the dossier at the time of negotiations. This is necessary because it is one way in which individuals and households can be monitored over time. All claims and assets must be documented in writing.

v. Disclosure

The CDR/CDR will ensure that affected persons and communities can obtain relevant information relating to the project in general and the land acquisition and resettlement arrangements in particular. The RP (excluding individual names and the amounts of monetary awards) must be made publicly available in Arabic and English and will be posted in an accessible and prominent place accessible to project affected persons. The RPs must be cleared by the Bank prior to disclosure and the implementation of the resettlement activities.

When RPs are prepared prior to project implementation, they will be disseminated to the project-affected persons in a manner accessible to them. Information disseminated to the project-affected persons will include: (i) compensation rates for all categories of affected assets; (ii) eligibility criteria for all other forms of assistance that may be provided; and (iii) grievance procedures. The resettlement and environment consultation and disclosure requirements will also be streamlined as appropriate.

M. Monitoring and Evaluation

1. Content and indicators of monitoring and evaluation

According to [ESS5](#), arrangements for monitoring of displacement and resettlement activities by the implementing agency should be set up, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes of resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation. Resettlement monitoring shall include verifiable Indicators for monitoring and evaluating implementation of Resettlement Activities, such as:

- Number of relocated PAPs;
- Number of supported vulnerable individuals;
- Type of assistance provided to PAPs and its value (where it can be estimated/ documented);
- Number of complaints filed by PAPs; whether resolved, unresolved or pending;
- Effectiveness of the GM (number of grievances registered, and those closed whether satisfactorily or with court appeal);
- Compensation payment disbursement out of total;
- Compensated PAPs living standard (improved or worsened); and
- Status of resettlement plan implementation.

2. Arrangements for monitoring & evaluation

Monitoring of social indicators will be mainstreamed into the overall monitoring and evaluation system for the project implementation. The RF shall set the following socio-economic aims to evaluate their success:

- Whether affected persons, families, and communities are able to maintain their pre-project standard of living;
- Level of support of local communities to the project; and
- Absence or prevalence of conflicts.
- A well-functioning and well disseminated GM.

N. References

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APPENDIX A: RP OUTLINE based on Annex 1: Environmental & Social Framework for IPF Operations ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

1. Description of the project and project area.
2. Potential impacts.
3. The main objectives of the resettlement program.
4. Census survey and baseline socioeconomic studies.
5. Legal framework.
6. Institutional framework.
7. Eligibility.
8. Valuation of and compensation for losses.
9. Community participation.
10. Implementation schedule.
11. Costs and budget.
12. Grievance redress mechanism.
13. Monitoring and evaluation.
14. Arrangements for adaptive management.

When project circumstances require the *physical relocation* of residents (or businesses), resettlement plans require additional information and planning elements. Additional requirements include:

15. Transitional Assistance
16. Site selection, site preparation and relocation
17. Housing, infrastructure, and social services
18. Environmental protection and management
19. Consultation on relocation arrangements
20. Integration with host populations.

If *land acquisition or restrictions on use of, or access to, land or natural resources* may cause significant economic displacement, arrangements to provide displaced persons with sufficient opportunity to improve, or at least restore, their livelihoods are also incorporated into the resettlement plan, or into a separate livelihoods improvement plan. These include:

21. Direct land replacement
22. Loss of access to land or resources
23. Support for alternative livelihoods
24. Consideration of economic development opportunities
25. Transitional support.