



**Submitted to:**

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

**Prepared by:**

**EcoConServ Environmental 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](mailto:genena@ecoconserv.com)



**Universal Group-Gaza**  
 Tel: 972-8-2825557  
 972-8-2820979  
 Mobile 972/ 599734817  
 E-mail: [uggaza@palnet.com](mailto:uggaza@palnet.com)

**North Gaza Emergency Sewage Treatment  
 Project, Effluent Recovery &  
 Reuse  
 System and Remediation Works**

**Resettlement Action Plan**

**Final report  
 28 February 2014**

## Contents

<b>LIST OF ACRONYMS.....</b>	<b>1</b>
<b>EXECUTIVE SUMMARY .....</b>	<b>5</b>
<b>1. INTRODUCTION.....</b>	<b>8</b>
1.1. PROJECT BACKGROUND .....	8
1.2. DESCRIPTION OF THE PROJECT ACTIVITIES.....	8
1.3. OBJECTIVES OF RAP.....	9
1.4. DESCRIPTION OF THE PROJECT AREAS .....	9
1.3.1. <i>Beit Labia Wastewater Treatment Plant</i> .....	9
1.3.2. <i>Effluent Lake Adjacent to Beit Labia Wastewater Treatment Plant</i> .....	10
1.3.3. <i>Irrigation Land for Reuse System (Recovery Water and Sludge Reuse)</i> .....	11
<b>2. RESETTLEMENT IMPACTS .....</b>	<b>11</b>
2.1. PROJECT IMPACTS .....	11
2.2. SOCIO-ECONOMIC SURVEY:.....	16
2.2.1. <i>Methodology and Description of the project affected persons</i> .....	16
<b>3. POLICY OBJECTIVES, LEGAL FRAMEWORK, AND DEFINITIONS.....</b>	<b>21</b>
3.1 THE PRINCIPLE POLICY OBJECTIVES OF OP 4.12 ARE: .....	21
3.2 ELIGIBILITY CRITERIA.....	21
3.2.1. <i>Actual procedures and mechanisms for land expropriation</i> .....	23
3.2.2. <i>Gaps between Palestine legislations and the World Bank OP 4.12</i> .....	25
<b>4. VALUATION AND COMPENSATION.....</b>	<b>28</b>
4.1 ELIGIBILITY CRITERIA AND ENTITLEMENT MATRIX .....	28
4.2 METHODOLOGY OF ASSETS VALUATION AND THE COMPENSATION PACKAGES.....	34
4.3 ARRANGEMENT FOR DELIVERY OF COMPENSATION .....	35
4.4 TRANSITIONAL SUPPORT .....	35
4.5 ARRANGEMENT FOR RECALCULATION OF COMPENSATION.....	35
4.6 VULNERABLE GROUPS ASSISTANCE.....	35
<b>5. INSTITUTIONAL ARRANGEMENTS .....</b>	<b>37</b>
5.1. CAPACITY BUILDING.....	39
<b>6. CONSULTATION, DISCLOSURE AND GRIEVANCE PROCEDURES .....</b>	<b>41</b>
6.1 INTRODUCTION.....	41
6.1.1. STRATEGIES ADOPTED TO OUTREACH THE PAPs DURING THE RAP PREPARATION.....	44
6.1.2. <i>Comments and concerns raised during the RAP preparation</i> .....	44
6.2 DISCLOSURE OF THE RAP .....	45
6.3 GRIEVANCE MECHANISM.....	46
6.4 MONITORING AND EVALUATION (M&E) .....	49
6.5 BUDGET AND TIME PLAN.....	51
6.6.1 <i>Budget</i> .....	51

**List of tables, figures and boxes**

Table 1: Total Project Land Requirements (State/waqf and private).....	12
Table 2: Summary of project impacts .....	15
Table 3: % distribution of the PAPs by age categories .....	16
Table 4: % distribution of the PAPs by relation to the head .....	17
Table 5: % distribution of the PAPs by sex .....	17
Table 6: % distribution of the PAPs by ever been to school.....	17
Table 7: % distribution of the PAPs by type of school .....	18
Table 8: % distribution of the PAPs by Type of salary .....	19
Table 9: Legal procedures adopted for land acquisition purposes .....	23
Table 10: Gaps between the Palestinian Legislations and the WB safeguards.....	26
Table 11: Entitlement matrix of the NGESTP project .....	29
Table 12: Methodology of Asset valuation.....	34
Table 13: Proposed capacity building activities .....	40
Table 14: Stakeholder and project affected persons engaged .....	43
Table 15: Comments and concerns raised during the field consultation.....	45
Figure 1. Effluent Lake Adjacent to BLWWTP and BLWWTP sites .....	10
Photo 1: Mohammed Hashem Dardounch, Well operator, Q56, Survey # 101.....	44
Photo 2: Consultation with the Head of Jabalia Municipality.....	44
Box 1: Guidelines for the Monitoring Indicators .....	50

Jordanian Dinar 1 = 1.41343 \$  
 Israeli new shekel = 0.28577 \$

### List of Acronyms

AFD	Agence Française de Développement
ARAP	Abbreviated Resettlement Action Plan
ESIA	Environmental and Social Impact Assessment
FS	Feasibility Study
LAL	Land Acquisition Law
MDLF	Municipal Development and Lending Fund
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

## GLOSSARY

Words	Definition
<b>Abbreviated Resettlement Plan</b>	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.
<b>Census</b>	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.
<b>Compensation</b>	Payment in cash or in kind to replace losses of land, housing income, and other assets caused by the project.
<b>Cut-off Date</b>	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.
<b>Displaced persons</b>	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.
<b>Environmental Impact</b>	An effect (both positive and negative) on an environmental resource or value resulting from infrastructure development projects.
<b>Environmental and Social Impact Assessment (ESIA)</b>	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.
<b>Full replacement cost</b>	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

Words	Definition
	<p>transfer taxes.</p> <p>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.</p>
<p><b>Grievance Mechanism</b></p>	<p><b>Redressal</b> Dispute resolving 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>
<p><b>Involuntary (IR)</b></p>	<p><b>Resettlement</b> 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>
<p><b>Monitoring</b></p>	<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>
<p><b>Project Affected Person</b></p>	<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</p>

North Gaza Emergency Sewage Treatment Project (NGESTP)  
**Effluent Recovery and Reuse System and Remediation works Draft RAP**

Words	Definition
	resources, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently ore temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with or without displacement
<b>Public Involvement</b>	The dialogue encompassing consultation and communication between a project proponent and the public. It includes dissemination, solicitation and presentation of information
<b>Rehabilitation/Resettlement</b>	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.
<b>Resettlement Action Plan (RAP)</b>	A time-bound action plan with a budget, setting out resettlement strategy, objectives, options, entitlements, actions, approvals, responsibilities, monitoring and evaluation
<b>Social Impact</b>	An effect (both positive and negative) on a social issue resulting from infrastructure development projects.
<b>Stakeholders</b>	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 plan a significant role in shaping or affecting the project, either positively or negatively, including the host community/population.
<b>Vulnerable Groups</b>	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

Waste water for the Northern Gaza is currently treated at a wastewater treatment plant at Beit Lahia in the 1970s which is out of date and overloaded. In response to the high demand of Palestinian community for an appropriate sanitary system the World Bank, with co-financing from other donors has responded with a two-phase project. In the first phase, nine infiltration basins (with a total area of around 81 dunums) have been constructed around seven kilometers to the east of Gaza City, close to the eastern border. The sewage at Beit Lahia Wastewater Treatment Plant BLWWTP is transferred to the new basins via a pressure line connecting the two sites and a terminal pump station constructed at BLWWTP. Phase B of the project is to construct a new treatment plant near the infiltration basins to bring the quality of the effluent to a standard that can be reused for Agriculture or for recharge of the aquifer

The project will result in various positive impacts but some adverse impacts will be encountered among which some of them will trigger OP 4.12 related to the Bank's Policy on Involuntary Land Acquisition and Resettlement. **No temporary adverse impacts anticipated under this project.** Total project land requirement for construction of the recovery wells, tanks and booster station is 17,753 m<sup>2</sup> of which 16,575 m<sup>2</sup> were obtained through the Ministry of Endowment (Waqf). Additional areas will be required to maintain proper access for implementation of recovery wells transition lines and for future operation and maintenance. The total area of the access roads will be 7,294 m<sup>2</sup>. Some of the adverse impacts<sup>1</sup> which will be permanent include the following:

- *Recovery Well Land Acquisition:* 1,178 m<sup>2</sup> lands will be from privately owned lands that will be expropriated for the construction of recovery wells and monitoring wells. Total number of affected households is 21 land owners.
- *Access Road Construction:* Total area of 7,294 m<sup>2</sup> of privately owned lands will be expropriated in order to construct the access roads. Total number of affected HH from access roads construction is 15 HHs. Another three HHs will be affected from both well and access road land expropriation.
- *Impacts on existing well operators:* 17 existing privately owned agricultural wells will be closed. 15 individuals are currently employed to operate these wells.

It should be noted that some of the affected PAPs are impacted by more than one of the impacts listed above. This means that the total number of PAPs is less than the sum of the PAPs affected in each category above. Surrounding farmers currently use water from the existing 17 wells for irrigation and incur expenses for diesel fuel and/or electricity to operate the wells. These farmers can expect to benefit from increased availability of irrigation water from a more reliable source likely at a lower cost from the project. The water availability is also expected to increase.

The nature of the impact for well operators is loss of income. 64% of affected land owners will lose less than 20% of their lands, while 22% will lose more than 20% of their lands with maximum of 60% of the land in one of the cases. For five landowners (14%),

- 
- <sup>1</sup> Should there is any adverse effects on loss of trees or crops, the, Ministry of Agriculture will provide an estimation table for compensating for loss of trees. Farmers will be able to harvest all crops before the lands are acquired.

the exact percentage of how they will be impacted could not be determined because they were unable to participate in the survey process (i.e. they were invited, but did not show, or were not at home at the time of the meetings). Several attempts from the RAP consultant and PWA were made.

### **Entities Responsible for Resettlement Action Plan Implementation**

The Palestinian Land Authority in cooperation with the municipalities and Ministry of Agriculture are the main entities/stakeholders responsible for implementation of the RAP. The PLA is responsible for will follow the provisions under OP 4.12 to define the appropriate methods of compensation for land acquisition. The Palestinian national legislation covering adverse impacts such as those described above are highly robust, including on identifying affected parties, their assets, and placing in appropriate measures for compensation. The capacity of project entities, including of the counterpart is strong but it is noted that there is limited experience with addressing compensation for livelihoods impacts such as that noted for the well operators. *It should be noted that the Bank's principles and procedures as per OP 4.12 will be fully complied with.*

Valuation of affected lands and assets is handled by the PLA. The Central Committee is a permanent entity that is responsible for land acquisition issues. They have a representation of Ministry of Local Governance, Ministry of Public Works and Housing, Planning, Transportation, Environment, Health, Engineering and Civil Defense. It should be noted that the PLA also uses independent evaluators for assessments to ensure transparency in land valuation.

Following the census of affected parties, consultations have been carried out to describe the benefits as well as adverse impacts of the project, to elicit affected parties and wide community views on the project including on the compensation details. Specifically, for PAPs affected by land acquisition, the following are the cut-off dates:

- 15th of September 2013 in Gaza Municipality
- 13th of May 2013 in Jabalia Municipality

In addition, well operators and owners were notified prior to November 15, 2013.

### **Summary of Entitlement Applied by Affected Category**

- **Construction of recovery wells and monitoring wells:** The 21 households affected by 1,178 m<sup>2</sup> land acquisition will be provided either cash compensation per market price or alternative land.
- **Construction of access roads:** For the total area of 7,294 m<sup>2</sup> of privately owned lands will be expropriated, cash compensation as per market price will be made available.
- **Termination/use limitation of wells:** 17 existing privately owned agricultural wells will be closed which will impact the operators hired by owner(s) of these 17 wells. The 15 operators of such wells are anticipated to lose their jobs; they will be compensated at the rate of one month of their highest salary per year of service. According to labor law No. 7 of year 2000, PWA will consider these operators for training and to be hired as operators of the new wells.

### **Consultation Summary**

As mentioned above, multi-phase and multi stakeholder consultations were carried out during the project's early preparation phase including through the ESIA process but also during the course of this RAP preparation. Among the objectives of the consultation was to ensure that all interested stakeholders, including project affected people were informed about the project's impacts and had an opportunity to convey their viewpoints, including on issues related to their compensation.

The main parties consulted were directly affected parties, local government officials (Land Authority, Ministry of Waqf, Ministry of Housing and Public Works and Ministry of Agriculture, North Gaza Municipalities (in total five) among others.

Among the issues raised, especially by the directly affected parties related mainly to nature of land acquisition and the compensation principles. Robust discussions were held on the project's anticipated benefits as well as adverse impacts. The project's timeline as well as monitoring have also been raised. It should be noted that the consultations followed the principles established by the World Bank policies.

### **Grievance Redressal Mechanism:**

The project also includes the establishment of a grievance redressal or complaints handling mechanism. The purpose of this system is to ensure that affected parties (and others) have access a system to air project level grievances and to also acquire resolution. There are several tiers available (those are part of the formal system, and the court system). In addition, the project has established mechanisms such as a website grievance system and a committee at the project level which are described in detail in the main report.

## 1. INTRODUCTION

### *1.1. Project Background*

The Palestinian Water Authority (PWA) is executing the Northern Gaza Emergency Sewage Treatment (NGEST) Project initiated in 2004 and being implemented in two phases. Part A of the project is comprised of the construction of the terminal sewage pumping station at the Beit Lahia Wastewater Treatment Plant site, construction of a pressure pipeline to a new site about seven kilometers to the East of Jabalia, construction of nine infiltration ponds at the new site, and commissioning of the pipeline to allow a large and dangerous emergency partial effluent pond at Beit Lahia to be drained. This phase had been in operation since April 2009 and was entirely completed in 2010.

For decades, the Beit Lahia Wastewater Treatment Plant has been receiving the wastewater from the communities in north Gaza, i.e. Jabalia, Beit Lahia, Beit Hanoun, and Um-Al-Nassr. The original design of the plant in the late 1970s was to accommodate a few thousand cubic meters of sewage daily. The inflow rate has increased over time, reaching around 24,000 cubic meters daily in 2009. The treatment plant could not handle this inflow rate; the sewage outflow quality deteriorated and was discharged to the nearby sand dunes, forming a huge lake of sewage which contained around 2.5-3 million cubic meters of poorly treated sewage by 2004.

The World Bank, with co-financing from other donors,<sup>2</sup> responded to the urgent need of sanitation in North Gaza with a two-phase project. In the first phase, nine infiltration basins (with a total area of around 81 dunums) have been constructed around seven kilometers to the east, close to the eastern border. The sewage at BLWWTP and the effluent lake is transferred to the new basins via a pressure line connecting the two sites and a terminal pump station constructed near BLWWTP. The lake completely drained in September 2009. Phase B of the project is to construct a new treatment plant near the infiltration basins to bring the quality of the effluent to a standard that can be reused for agriculture or for recharge of the aquifer.

### *1.2. Description of the project activities*

Part B of the project includes constructing of a wastewater treatment plant at the new site capable of treating up to 70,000 cubic meters of sewage daily.<sup>3</sup> Funding has also been provided for remediation of the land that was formerly covered by a large partial effluent at Beit Lahia and for a pilot program to recover treated and infiltrated effluent from the ponds. This will be done via a well field designed to provide interim

---

<sup>2</sup> AFD, Sida, EC, Belgium

<sup>3</sup> Treatment capacity of 35,600m<sup>3</sup> will be achieved at the completion of Part B.

protection for the underlying aquifer and to provide treated effluent for reuse in irrigation. Part B is expected to be completed 2014.

An additional component of the project is to expand the effluent recovery and reuse scheme to the full planned effluent flow from the plant and provide long-term protection for the underlying aquifer.

A new component has been added to the project to recover and reuse the treated effluent after the new WWTP is completed. This system is composed of a chain of 27 recovery wells surrounding the basins to capture the effluent after it passes through the effluent ponds, storage reservoirs and a distribution network for agricultural reuse. The recovered effluent is expected to irrigate around 15,000 dunums of adjacent agricultural land.

### ***1.3. Objectives of RAP***

The objective for the RAP is to set out the policies, principles, institutional arrangements, schedules and indicative budgets that will take care of anticipated resettlements. These arrangements are also meant to ensure that there is a systematic process (as against an Ad-hoc one) for the different stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Palestine procedures and requirements, and outline compensation for affected persons.

The main goal of the RAP is to identify the Project Affected Persons, strategies for compensation/restoration of business and to compensate losses adequately according the correspondent legislations and safeguard policies, and to apply the project activities with the least disturbance to the communities hosting the project.

### ***1.4. Description of the project areas***

The project will traverse two main administrative areas, namely, Jabalia and Gaza municipalities. Jabalia is located 4 kilometers (2.5 mi) north of Gaza City. It is under the jurisdiction of the North Gaza Governorate, in the Gaza Strip. According to the Palestinian Central Bureau of Statistics, Jabalia had a population of 82,877 in mid-2006. The Jabalia refugee camp is adjacent to the city to the north. The nearby town of Nazla is a part of the Jabalia municipality. The project areas are mainly agricultural lands.

Gaza city is the second administrative area that will host the project. It is affiliated to Gaza Governorate. The city is located north Gaza Strip. The total population of Gaza is about 409,680 people according to the CBS census 2006. The total area is about 56 km<sup>2</sup>. Consequently, the city is considered as one of the most populated areas in the world. The project areas are mainly farmlands.

#### **1.3.1. Beit Lahia Wastewater Treatment Plant**

Beit Lahia Wastewater Treatment Plant (BLWWTP) was constructed in 1976 in the northern part of Gaza Strip at the outskirts of town of Beit Lahia. The system was designed as a secondary treatment plant with a capacity of 5,000 m<sup>3</sup>/day to serve a population of 50,000 in the municipality of Jabalia and surrounding area. According to the original design, the treatment plant receives the sewage water from (1) Nazla, Okad (with future plant of receiving sewage from El Ghabary); (2) Jabalia Camp (Abu Rashid and EL-Amay); (3) Beit Lahia and future connection from Beit Hanoun. During the original design phase of the plant, the idea was to use the effluent of the treatment plant for irrigation of the neighboring agricultural areas. This idea, however, was never realized.

During the past few years the situation escalated. Many communities were provided with sewage networks and were connected to the BLWWTP. The presently served population of more than 200,000 and includes the municipalities of Jabalia (including refugee camp), Beit Lahia, Beit Hanoun and Um Al Nasser.

Consequently, the volume of wastewater inflow to the treatment plant (that is estimated to be more than 24,000 m<sup>3</sup> /day in 2009) has far exceeded the plant's treatment capacity. Increasing volumes of generated wastewater and insufficient treatment capacity at the BLWWTP have led to deterioration of the effluent quality. The great volumes of poorly treated wastewater have led to clogging effects in the neighboring sand dune areas.

The ongoing decrease of the infiltration capacity of the flooded areas and the increasing wastewater volumes have resulted in the formation of enduring ponds and finally a lake.

### 1.3.2. Effluent Lake Adjacent to Beit Lahia Wastewater Treatment Plant

More communities were provided with sewage networks, which were subsequently connected to the BLWWTP. Consequently, as of April 2007, the volume of influents to the BLWWTP had exceeded 20,000m<sup>3</sup>/day, which is substantially beyond the plant's capacity. Currently, the plant is serving a population of more than 200,000 from the municipalities of Jabalia (including the refugee camp), Beit Lahia, Beit Hanoun and Um Al Nasser.



Figure 1. Effluent Lake Adjacent to BLWWTP and BLWWTP sites

The effluent lake has a volume of about 2 million cubic meters of foul wastewater, which covers around 300 dunums. The water level in this poorly treated effluent lake has continued to rise, and was threatening to flood the whole sewage collection system and the neighboring communities.

The Activities to overcome the catastrophe include the construction of two infiltration basins toward northern of Om Alnasser village in order to pump part of the effluent collected in the lake. In addition, the pressure pipeline from the existing effluent pumping station to the new infiltration basins has been constructed.

### **1.3.3. Irrigation Land for Reuse System (Recovery Water and Sludge Reuse)**

The area in the vicinity of NGWWTP is designated to benefit from the recovery water and the

treated sewage sludge in the agricultural activities. The existing situation of this area is illustrated hereafter according to a study (PWA, 2010) prepared during the NGWWTP effluent recovery system.

The proposed agricultural area for reuse activities is divided into two zones (A and B) according to its location from NGWWTP. Zone A is the part located north of NGWWTP with about 10,100 dunum whereas, Zone B is located south of NGWWTP with about 5,000 dunum

## **2. RESETTLEMENT IMPACTS**

### ***2.1. Project impacts***

The project will result in various positive impacts but some adverse impacts will be encountered among which some of them will trigger OP 4.12 related to the Bank's Policy on Involuntary Land Acquisition and Resettlement. Some of the adverse impacts which will be permanent include the following::

- *Recovery Well Land Acquisition:* 1,178 m<sup>2</sup> land will be from privately owned lands that will be expropriated for the construction of recovery wells, monitoring wells and water reservoirs. Total number of affected households/persons is 21 land owners.
- *Access Road Construction:* Total area of 7,294 m<sup>2</sup> of privately owned lands will be expropriated in order to construct the access streets. Total number of affected persons/households here is 15 from access road only and 3 from access road and well.
- *Impacts on existing well operators:* 17 existing privately owned agricultural wells will be closed. 15 individuals are currently employed to operate these wells. Well owners lands will not be expropriated by the project.

It should be noted that some of the affected PAPs are impacted by more than one of the impacts listed above. This means that the total number of PAPs is less than the sum of the PAPs affected in each category above. Surrounding farmers currently use water from the existing 15 wells for irrigation and incur expenses for diesel fuel and/or electricity to operate the wells. These farmers, which also include well owners, can expect to benefit from increased availability of irrigation water from a more reliable source likely at a lower

cost from the project. The water availability is also expected to increase. *It should also be noted that the lands where these wells are located will not be expropriated.*

The nature of the impact for well operators is loss of income. The majority of affected land owners will lose less than 20% of their lands, while a small percentage will lose 80% and more. Some land owners will lose a portion of their crops and trees.

### **Entities Responsible for Resettlement Action Plan Implementation**

The Palestinian Land Authority in cooperation with the municipalities and Ministry of Agriculture are the main entities/stakeholders responsible for implementation of the RAP. The PLA is responsible for defining the appropriate methods of compensation for land acquisition and related impacts defined under OP 4.12. The Palestinian national legislation covering adverse impacts such as those described above are highly robust, including on identifying affected parties, their assets, and placing in appropriate measures for compensation. The capacity of project entities, including of the counterpart is strong but it is noted that there is limited experience with addressing compensation for livelihoods impacts such as that noted for the well operators. *It should be noted that the Bank's principles and procedures as per OP 4.12 will be fully complied with.*

Valuation of affected lands and assets is handled by the PLA. The Central Committee is a permanent entity that is responsible for land acquisition issues. They have a representation of Ministry of Local Governance, Ministry of Public Works and Housing, Planning, Transportation, Environment, Health, Engineering and Civil Defense. It should be noted that the PLA also uses independent evaluators for assessments to ensure transparency in land valuation.

Following the census of affected parties (January 15, 2013), consultations have been carried out to describe the benefits as well as adverse impacts of the project, to elicit affected parties and wide community views on the project including on the compensation details. PAPs likely affected by land acquisition were informed by the following dates that project lands were required for the project:

- 15<sup>th</sup> of September 2013 in Gaza Municipality
- 13<sup>th</sup> of May 2013 in Jabalia Municipality

In addition, well operators and owners were notified prior to November 15, 2013 regarding the livelihoods adverse impact that they will experience.

The PWA provided detailed information about the lands needed to 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 sufficient 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 1: Total Project Land Requirements (State/waqf and private)**

Item	Square
------	--------

North Gaza Emergency Sewage Treatment Project (NGESTP)  
**Effluent Recovery and Reuse System and Remediation works Draft RAP**

	meters
<b>1- Lands needed to construct the recovery component (recovery wells- monitoring wells- water reservoirs and the pump)</b>	
Wells within the area of the land endowment/jurisdiction of the Municipality of Gaza (CRW14, RW15, RW16, RW17, RW18, CRW19, RW22, RW23, RW24, CRW25, RW26, RW27)	1,275
Area of reservoirs and pumps within the land endowment/jurisdiction of the Municipality of Gaza	15,300
<b>The total area within the land of Endowment</b>	<b>16,575 m<sup>2</sup></b>
Wells within the area of the ground retrieval own/jurisdiction of the Municipality of Jabalia (RW1, RW2, RW3, CRW4, RW5, RW6, RW7, RW8, CRW9, RW10, RW11, RW21)	1,050
Monitoring wells within the area of land in the influence of the special municipality of Jabalia (MW10, MW7, MW6, MW5, MW4)	20
Recovery Wells within the jurisdiction of Gaza Municipality (RW12, RW13)	100
Monitoring wells within the area of private land affiliated to Gaza Municipality (MW1, MW9)	8
<b>The total area within the private land</b>	<b>1,178 m<sup>2</sup></b>
<b>The total area of Endowment + private land)</b>	<b>17,753 m<sup>2</sup></b>
<b>2- Lands required to construct access streets</b>	
Private lands within the jurisdiction of Jabalia	4143 m <sup>2</sup>
Private lands within the jurisdiction of Gaza	3151 m <sup>2</sup>
<b>The total area within the private land</b>	<b>7,294 m<sup>2</sup></b>
Endowment lands (Waqf)	36,615 m <sup>2</sup>
<b>The total area of Endowment +private land)</b>	<b>43,909 m<sup>2</sup></b>

Source: Palestinian Water Authority

CRW: Central Recovery Well (area 275 m<sup>2</sup>); RW: Recovery Well (area 50 m<sup>2</sup>); MW: Monitoring Well (area 4 m<sup>2</sup>)

In addition to the above mentioned impacts, for phase 1, 8 wells will face immediate restriction to be used or complete termination (specifically Agricultural wells Q56, Q54b, Q14, Q15, Q16, Q52, Q53 and Q86) once phase 1 of the recovery scheme is functioning. The remaining existing agricultural wells, a decision will be made upon them in the second phase of the project. However, it is worth to mention that the PWA follows an extensive avoidance mechanism in order to minimize the land acquisition. The project is expected to result in great benefits from the community since the quality of infiltrated water is expected to be significantly improved which will further enhance the quality of recovered water..

It should also be noted that private wells **will not be limited/closed** until the recovery scheme can deliver water to those farmers. Therefore farmers are not expected to experience any negative impacts from either insufficient water amounts (either from their own wells or from the recovery wells) as the Soil Aquifer Treatment System will act as storage of the infiltrated water to be made available to farmers.

The above mentioned impacts will influence the socioeconomic conditions of 15 well operators and 36 land owners.<sup>4</sup>

The PWA was purposeful in seeking to ensure that adverse impacts on people and their communities *was minimized* including through some of the following methods:

- 1- Ensure that most lands were acquired through the Ministry of Religious Affairs (*waqf lands*) in efforts to minimize private land acquisition; Seek to avoid impacting individuals and their assets;
- 2- In cases where lands had to be expropriated, ensure that either lands of less value of PAPs was taken (i.e., located from main roads), or try to re-route impacts where possible).

---

<sup>4</sup> If all family members of the well operators (150) and land owners (390) are factored in, the total total of affected persons is 441 which also accounts for children, elderly family etc.

**Table 2: Summary of project impacts**

Detailed list of impacts		Permanent Land Acquisition		
		Total amount of land (m <sup>2</sup> )	Total land owning HH affected	Total affected persons
<b>Construction of recovery wells and monitoring wells</b>				
Location Site	Jabalia Municipality	1070*	17	124
	Gaza Municipality	108	4	20
<b>Construction of access roads</b>				
Location Site	Jabalia Municipality	4143	8	58
	Gaza Municipality	3151	7	38
<b>Termination/ use limitation of wells</b>				
Location Site	Both in Gaza & Jabalia	17 wells	15 **	150
<p>* 1072 m<sup>2</sup> comes from 10 recovery wells with an area of 50m<sup>2</sup> plus 2 central recovery wells with 275m<sup>2</sup> each and 5 monitoring wells with 4m<sup>2</sup> each.                      Please note that the same person might lose his land due to well construction or due to access roads                      Those who will stop working as well operators some of them also own their wells.                      **The 254 Owners of the 17 wells (that are expected to be terminated/closed) use the water only for their land. These owners will not suffer negative impact because the wells will only be closed after they have received the new replacement water from the recovery scheme. Persons adversely affected by well closure are only the well operators.</p>				

The study team conducted consultation meetings with all those people during the data collection process. A structured questionnaire was applied with each category of affected persons. The survey indicated that the vulnerability among well operators may be high since they will lose their full time employment. This is considered the main category of affected persons that are also vulnerable. Some of these affected parties may be employed (including older operators and in some cases, women) in the operation and maintenance of the effluent reuse scheme.

**2.2. Socio-economic survey:**

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

**2.2.1. Methodology and Description of the project affected persons**

The process for identifying who the affected people are is a result of community consultations and also the census conducted by the consulting firm preparing the Resettlement Action Plan. All the necessary data (i.e. contact information, names of potential PAPs and any relevant data) were collected. The total number surveyed persons were 305 (36 land owners, 15 operators and 254 well users). But not all persons surveyed are adversely affected under the project. A structured questionnaire was used to collect the required information and statistical analysis using SPSS were conducted to draw the results. The process took place starting in November 2013 and ended in January 2014.

Based on the definition provided by the WB about the Project Affected Persons, the total number of households affected by some form of land acquisition is 36 with 15 persons experiencing livelihood impacts since they will lose their jobs as well operators. These are the individuals that will experience loss of livelihood because operating these wells for the communities is their main source of income. It should be noted that the average family size is about 10 per each household and most individuals live in extended families.

The data collected revealed that the majority of the project affected persons are less than 20 years old. 8.5% of the total PAPs are less than 5 years, while the well operators PAPs of the same age category reached 13.4%. Those who are more than 60 represent 11.8% of the total PAPs.

Age distribution reflects the probability of having vulnerable groups, particularly,

Age categories	loss of land	Loss of well operation work	Total
0-4	6.00%	13.40%	8.5%
5-9	7.10%	14.80%	9.7%
10-14	11.20%	13.40%	12.0%
15-19	17.90%	12.80%	16.1%
20-24	18.30%	11.40%	15.9%
25-29	3.40%	5.40%	4.1%
30-34	3.40%	4.00%	3.6%
35-39	2.20%	5.40%	3.3%
40-44	3.70%	4.00%	3.8%
45-49	5.20%	2.70%	4.3%
50-54	6.30%	3.40%	5.3%
55-59	1.90%	0.70%	1.5%
60+	13.40%	8.70%	11.8%

among the older groups. As well, the age distribution reflects the economic burden result due to having more people out of labor force.

It was predicted that the household members will reflect the pattern of extended families. The relation to households reflected that type. 11.18% of the PAPs were grandsons, and 13.71% were the spouses of the household head. Such pattern is typically the extended family pattern of housing.

Such type of living arrangement make the PAPs rely upon the head of household who is in most of cases is the direct project affected person

The distribution of PAPs by their sex reflected that about 51.40% of the PAPs are males while 48.60% were females.

92.26% of the total PAPs have ever been to school. The percentage varies among each affected category. Among those who will lose their private lands 91.5%

Relation to the head of HH	loss of land	Loss of well operation work	Total
Head of household	14.20%	11.40%	13.23%
spouse	14.20%	12.80%	13.71%
Son/daughter	54.10%	51.70%	53.22%
Grandson	9.30%	14.80%	11.18%
father/mother	3.40%	4.00%	3.60%
Sisters/brother	0.40%	2.00%	0.95%
Other relatives	0.70%		0.46%
Not relatives	0.40%		0.26%
Spouse of HHH children	3.40%	3.40%	3.40%

Sex	loss of land	Loss of well operation work	Total
Male	53.70%	47.00%	51.40%
Female	46.30%	53.00%	48.60%

Ever been to school	loss of land	Loss of well operation work	Total
Yes	91.50%	93.70%	92.26%
No	8.50%	6.30%	7.74%

have been to school, whereas, 93.7% of the well operators PAPs ever been to school

56.9% of the well operators PAPS have been to governmental school. Yet 84.7% of the land owners have been to governmental school.

13.67% of the samples have been to schools affiliated to the United nation relief and works agency.

Education is one of the main shields against poor condition. Educated people are of less vulnerable and fragile conditions

Type of school	loss of land	Loss of well operation work	Total
Governmental	84.70%	56.90%	75.10%
Excremental	0.50%		0.33%
Private	12.50%	6.90%	10.57%
One class	0.50%		0.33%
Do not know			0.00%
Schools affiliated to UNRWA	1.90%	36.20%	13.67%

Well operators represented 29.4% of the PAPs. While farmers/land owners represent about 70.6% of the PAPS.

Among those who work 29.83% of them have fixed salary, while 58.83% have unstable salary

Type of salary	loss of land	Loss of well operation work	Total
No salary	4.20%	25.00%	11.34%
Fixed salary	16.70%	55.00%	29.83%
unfixed salary	79.20%	20.00%	58.83%

A socio-economic summary of the main project affected persons is as follows. Detailed socio-economic data is provided in Annex I:

### 1- Land owners

- a. 36 households will experience some form of land loss. Of these owners, 28 of them are males while 8 are females
- b. Their age varied between 30-93 years. The average age is 56.9 year
- c. The range of land ownership varies between 400 m<sup>2</sup>-13500 m<sup>2</sup>. The average owned land is about 3780 m<sup>2</sup>
- d. 23 land owners will lose less than 20% of their lands. 5 land owners will lose 22%-33% of their land. Another 3 landowners will lose 47%, 48% and 61% of their lands respectively. There are 5 cases who refused to give information about their land.
- e. The average annual revenue of the lands cultivated by crops and trees is estimated of 737.8 \$. However, the cost of land expenses was 726.5 \$. That was an indication of the poor conditions of lands.
- f. The total number of trees is 397 (citrus, olive and grapes)
- g. The discussion of lands with the PAPS reflected that the price of their lands that will be expropriated should be estimated based on the calculation of similar land's price.
- h. Additional few assets located were reported by the PAPs, However, the PWA reported that they will avoid damaging any assets. Consequently, The PAPs should be informed about doing no harm to their assets.

### 2- Well Operators

- a. The total number of well operators is 15 persons. They operate 17 wells. They are relatively of most vulnerable conditions. All of them are males with intermediate education. Five of them attained above intermediate.
- b. Five of them have at least one disabled member of family. They suffer due to mentally disorder and paralyzed persons.

- c. The majority of them earn less than 282 \$ per month. They have been working as well operators for more than 20 years. One of them have worked for 46 years.
- d. They devote their whole salary to house expenses. However, their contribution represents half of the household expenses. Four of them can hardly fulfill less than half of the house expenses.
- e. Regarding social insurance, no one of them have any kind of social insurance. However, 12 of them have health insurance.
- f. The well operators will lose their source of income will be compensated according to the Labor Law No. 7 of year 2000. In addition to compensation offered under this Labor Law, the PWA will assess training needs and potential of the existing operators for mainstreaming them into new jobs as well operators of the more complicated wells that will be established under the project.
- g. It is proposed that where feasible, well operators will be provided with employment opportunities in addition to the cash compensation measures that are in place.

### **3. POLICY OBJECTIVES, LEGAL FRAMEWORK, AND DEFINITIONS**

This Resettlement Action Plan (RAP) follows the provisions specified under OP 4.12 which is the World Bank Policy on *Involuntary Land Acquisition and Resettlement*. This policy's objectives include mitigating negative impacts resulting from land acquisition and/or livelihoods impacts.

#### ***3.1 The principle policy objectives of OP 4.12 are:***

- Involuntary resettlement should be avoided where feasible, or minimized, 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 Eligibility Criteria***

Any Bank financed project which triggers OP 4.12 is required to follow the provisions outlined in the policy and develop the appropriate instruments (called safeguards instruments). These instruments, either a Resettlement Policy Framework (RPF), Resettlement Action Plan (RAP), or Process Framework (ProcF) or some combination thereof establish criteria for identifying who the affected persons are; their entitlements, consultation mechanism, grievance redressal mechanism, monitoring of implementation, budget, and timeline.

This policy 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; or

(b) the involuntary restriction of access<sup>9</sup> to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

The Bank's Operational Policy 4.12 applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement that in the judgment of the Bank, are:

- (a) Directly and significantly related to the Bank-assisted project,
- (b) Necessary to achieve its objectives as set forth in the project documents; and
- (c) Carried out, or planned to be carried out, contemporaneously with the project.

The aim of including the eligibility criteria in the RAP is to ensure that PAPs who suffer a complete or partial loss of assets or access to assets are clearly defined and recognized as eligible for assistance as per the provisions of OP 4.12 once it is established, among other criteria, that they occupied the land, or their livelihoods/assets were affected before the claim cut-off date. are those:(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 time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan; and

(c) those who have no recognizable legal right or claim to the land they are occupying.

### **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 largely damaged by this land expropriation. However, owners 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)).

### 3.2.1. 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 9: Legal procedures adopted for land acquisition purposes**

<b>Lands affiliated to the Ministry of Endowment</b>
<p><b>Lands are owned by the Ministry of Endowment (Religious Authority) are called Waqf lands (see Annex II for maps of these lands). Such lands are not covered under OP 4.12. However, according to the agreement signed with the Ministry of Endowment and the Presidential decree, it is crucial to shed light on the restrictions to rent the lands. According to the presidential decree 4/284/11 of year 2013 related to transfer of ownership to the PWA, it is restricted for the Ministry of Endowment to rent the transferred lands. Consequently, any tenants (who rented the land after the decree) will not be entitled for compensation.</b></p> <p>The procedures adopted to obtain the Waqf land was as follow:</p> <ol style="list-style-type: none"><li>1- PWA identifies the lands required by the project. Thereafter, they communicate with the municipalities in order to identify the technical specifications of the required land.</li><li>2- The municipalities send the technical documents to the PWA. Thereafter, they forward 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</li><li>3- Transfer of ownership decree is issued by the cabinet and an alternative land is assigned to the Ministry of Endowment</li><li>4- A contract will be signed with the Ministry of Endowment that contains the total area of lands needed and the alternative land</li><li>5- The tenancy relation between the Ministry of Endowment and the tenants who rent Waqf lands on annual bases is suspended. Thereafter, the Ministry of</li></ol>

Endowment receives the alternative lands. They will be able to continue renting the alternative land

#### **Private lands and wells acquisition procedures**

- 1- PWA identifies the lands required by the project. Thereafter, they communicate with the municipalities in order to identify the technical specifications of the required land.
- 2- The municipalities develop the technical documents to the PWA. Thereafter, they forward 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.
- 3- The municipalities prepare an inventory survey to verify the ownership of lands after receiving the maps and coordinates from the PWA,
- 4- The municipalities apply the procedures required to change the type of land use.
- 5- PWA and the concerned Municipalities provide PLA with detailed information on the land and properties to be expropriated
- 6- The PWA announces in a daily newspapers 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)
- 7- The municipalities inform the PAPs with the exact period to submit their complaints related to land acquisition (60 days)
- 8- PLA investigate diversified complaints and propose solutions
- 9- Any objection on principle to the acquisition must be lodged within 60 days of publication of the Land Expropriation for Public Benefit.
- 10- 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).
- 11- The endorsed decision is published in the official newspaper
- 12- PLA and Municipality of Gaza form a committee of five officials to provide a compensation estimate<sup>5</sup>. Evaluations are based on current land values and prices to land of similar quality.
- 13- A valuation committee from the PWA and PLA evaluate the appropriate compensation of wells
- 14- In case of having any crops and trees, the Ministry of agriculture provides detailed valuation list of the affected crops/ trees
- 15- 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.
- 16- Affected persons have 30 days to discuss compensation with concerned authorities. Owners have the right to object to the offered compensation and

<sup>5</sup>The 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.

may request mediation.

17- Municipality/PLA may form a second committee to conduct a second evaluation

18- They propose the alternative lands to be given to the PAPs

19- The level of compensation is finalised upon ratification by the Ministry of Finance

20- If no agreement is reached, owners have recourse to Courts.

21- Judicial involvement when no agreement is reached

### **3.2.2. Gaps between Palestine legislations and the World Bank OP 4.12**

Palestinian legislations are broadly consistent with the WB's OP 4.12. This includes:

- 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 specific areas where provisions required under OP 4.12 extend beyond those required under Palestinian legislation. These are as follows:**

**Table 10: Gaps between the Palestinian Legislations and the WB safeguards**

Gaps	Strategies to bridge the gap
<p><b>The cut-off date:</b> 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</p>	<p>The cut- off date has been determined to be on the 15<sup>th</sup> of January 2014 as the point at which there are no new renters on the Waqf lands. The Municipalities of Jabalia and Gaza have communicated the notification of willingness to expropriate the lands with the PAPs on the following dates:</p> <ol style="list-style-type: none"> <li>1- 15<sup>th</sup> of September 2013 in Gaza Municipality</li> <li>2- 13 of May 2013 in Jabalia Municipality</li> </ol>
<p><b>Monitoring and Evaluation:</b> 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</p>	<p>The client will ensure that appropriate monitoring and evaluation mechanisms are in place to ensure that principles and stated objectives of the RAP are met.</p>
<p><b>Resettlement planning and procedural requirements</b>            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</p>	<p>PWA in compliance with the WB procedures prepared a Resettlement Action plan            The project carried out informed consultations with affected parties and other stakeholders during early project preparation, through ESIA and RAP consultation.</p>
<p><b>Compensation eligibility in Palestine</b>            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.</p>	<p>This does not apply to the current project since all identified PAPs and their assets are legal residents in the project area and have legal title to their assets for which compensation is proposed.</p>
<p><b>Provisions for illegal land use in Palestine</b>            Palestinian law does not make provision for people with no legal title, although there have been some cases where</p>	<p>All project affected persons should be compensated for their loss of assets, regardless to their legal status. This however</p>

Gaps	Strategies to bridge the gap
<p>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.</p>	<p>does not apply to this project context.</p>
<p><b>Property valuation</b>            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.</p>	<p>The regulations of the WB should be considered during the process of property valuation. Full replacement cost should be highlighted</p>
<p><b>Income restoration</b>            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</p>	<p>The regulations of the WB should be considered during the process of compensation. Income restoration of the well operators should be considered</p>
<p>The Palestinian Law related to expropriation does not stipulate any transitional support activities. As well as, the owner of the project (the Palestinian Water Authority is not the implementing agency for land acquisition) consequently, the provision of transitional support will be relatively difficult to be obtained.</p>	<p>If such individuals are found in the project as needing transitional support, they will be covered by the project.</p>

#### **4. VALUATION AND 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) under this project
- 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, other fixed assets

##### ***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 census for the RAP was completed on the 15<sup>th</sup> of January 2014. This census was carried out to ensure that all adversely affected people were correctly enumerated. If the residency was identified through the census survey, the owners will be entitled for compensation for their loss of properties and/or assistance for livelihood stabilization. This date of the census is considered the cut-off date which has been announced by the PWA and this date will not enable the Ministry of Endowment to give their lands to be rented. As well, the wells and lands will not be entitled for selling or buying activities
- 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;

Although Palestinian legislation has not mention of 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 11: ENTITLEMENT MATRIX OF THE NGESTP PROJECT

No	Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Responsible entity
<b>A. LOSS OF AGRICULTURAL LAND</b>					
a.1	Permanent Loss of productive land	<p>Most land owners are expected to lose less than 20%.                      A few may lose more than 20% (put the exact numbers)                      Permanent (complete or partial) loss of all or part of arable and grazing land located in the ROW</p>	All affected farmers have formal legal ownership right to land.	<p><b>Compensation for farmers losing less than 20%:</b>                      There are 23 landowners (out of 36) will be losing 20% or less of their land either from street or well.                      Full replacement value for land will be offered (this means market value plus any tax or fees). Market prices are determined to estimations explained in Annex I.*</p> <p><b>Compensation for farmers losing 20% or more:</b>                      There are only 8 landowners will be losing 20% or more of their lands. Five landowners could not be met with during the research and consultation process despite repeated attempts by the PWA and the</p>	<p>Palestinian Land Authority                      Municipality                      PWA</p>

No	Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Responsible entity
				<p>RAP consultant. 1</p> <p>Full replacement value for land will be offered (this means market value plus any tax or fees). Market prices are determined by a process explained in Annex I.*</p> <p>Or chose to get land for land. In addition, if enough land is acquired from any owner leaving the remaining land not viable the project will offer to acquire all of the land.</p> <p>As preliminary stated by PLA, in case of land for land compensation option, the available land most likely would be in the Southern Governorates as the available land in Gaza and North Gaza are scares</p> <p>Or possibility of employment within the project.</p>	

No	Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Responsible entity
				<p>For any of the severely affected, should any asset to be affected such as a fence, they will be compensated.</p> <p>A transitional support will be considered, if needed between the period when income is lost and it is reestablished. It is calculated on the basis on the average monthly income of the affected farmer.</p>	
<b>B. LOSS OF EMPLOYMENT (Well Operators)</b>					
b.1	Well closure will result in the loss of jobs for well operators	These are among the potentially most affected PAPs. If alternatives are not found, they may suffer significantly.	Well operators who work for the well owners.	Palestinian law stipulates severance which is a months' salary for each year of their employment based on their most recent monthly rate (according to Labor Law No. 7 of year 2000).	PWA Municipalities Palestinian Land Authority

No	Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Responsible entity
				<p>They will offered another permanent job of at least equal to their current job income</p> <p>If job training is required, this will be provided. It is possible they made need some transitional support which will of value of one month salary.</p>	
<b>C. Loss of Standing Crops, Trees, and Plants</b>					
c.1	Loss of standing crops, trees, or plants or access to them	Permanent (complete or partial) loss of standing crops, trees, or plants	<p>Farmers or individuals who cultivate the land and who have formal legal ownership rights to the crops on which the crops are,</p> <p>See Annex IV which provides an example</p>	<p>Crops Enable the farmers to harvest their crops.</p> <p>Trees Ministry of Agriculture provides price lists that will be adopted along with the project activities. Thereafter cash</p>	PLA Ministry of Agriculture

No	Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Responsible entity
			of crop price estimation given by the Ministry of Agriculture which provides the basis for negotiation. This table is updated regularly according to seasonality and market value.	compensation is delivered Every effort will be made to minimize crop impact. Details of affected trees are listed in Annex I.	
<p>* Due to the nature of land acquisition for the recovery wells most of the areas are small (precisely 50 or 275 m<sup>2</sup>) and it is not possible to find an acceptable replacement land for this area. From the survey no renters were found in the private land due to the fact that these lands are mainly family business (the farmer and his family works in the land).                      The owners of the wells (which will be limited/closed) are not considered as PAPs as they will not experience any loss of water. No private wells owned by farmers will be closed until an alternative source of water is simultaneously made available to them (from the recovery scheme). Because a more secure and reliable source of water is anticipated, well owners are considered as project beneficiaries.</p>					

#### 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 12: Methodology of Asset valuation**

Type of loss	Valuation mechanism	Entity responsible for valuation
Waqf and private owned lands	The Palestinian Land Authority provides alternative lands taken from the Ministry of Endowment where a land for land swap has occurred. For lands expropriated from private owners, cash compensation will be given to the owners.	Palestinian Land Authority
Wells	Well owners are not considered as PAPs as explained above because they will not experience any adverse impacts. In fact, they will have access to increased volumes of treated effluent water for irrigation thus they are considered beneficiaries of the project. Well operators are considered PAPs because they are adversely affected due to their loss of livelihoods. They will receive alternative job opportunity. PWA can consider offering job replacement for most potential operators who has the capacity to be trained as operator for the new wells.	Ministry of Agriculture PWA Ministry of finance
Crops and trees	Any affected tree(s) or standing crops will be compensation for. The Ministry of Agriculture develops price lists of the affected crops and trees (see sample in Annex VI) The lists will be updated and provided to the PLA and Ministry of Finance to be the basis of compensation	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 in order to provide them with the required information regarding their rights, valuation procedures and grievances and redress mechanism.
- 3- This document is translated into Arabic and is made available in places that are accessible to all project affected people (thus meeting the Bank's translation and disclosure requirement). All affected parties described in this RAP will receive their compensation prior to incurring the adverse impact (loss of job, land take etc.).

#### ***4.4 Transitional support***

The Palestinian Law related to expropriation does not stipulate any transitional support activities. As well as, the owner of the project (the Palestinian Water Authority is not the implementing agency for land acquisition) consequently, the provision of transitional support will be relatively difficult to be obtained. The client has agreed that if it occurs, it will be covered.

#### ***4.5 Arrangement for recalculation of compensation***

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

- a. Verification of the inventory developed for the PAPs
- b. Palestinian Land Authority in cooperation with the Ministry of Agriculture should update crops and trees price lists.
- c. 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.

#### ***4.6 Vulnerable groups assistance***

It is the Palestinian Law related to expropriation allows the implementing agencies to avoid the vulnerable groups. Regarding the NGEST project, it is anticipated that the vulnerable groups are:

- 1- The owners of small plots of lands that the project will penetrate are defined as vulnerable due to going through the middle of their lands. The surplus of lands will be of no use to the

PAPs. The PWA tries to avoid or minimize the impacts on those groups through modifying the route of the streets. They apply an effective avoidance mechanism through avoid going into the middle of land, As well as, avoid constructing wells in the areas located directly on the roads. (The price of plots of lands located directly on the road is relatively higher)

- 2- The owners of lands who were entitled to expropriate their lands under the Excretion Law "Ifraz". Those categories suffer due to the loss of 25.0% of their lands due to the implementation of other projects in their lands. In case of expropriating another 25.0% of their lands, that will be a complete critical impact. Such category should be avoided
- 3- Female headed families who own small plots of lands should obtain an alternative land similar to their lands nearby their expropriated lands. However, the provision of job to one of the sons will be much useful. For persons over age of 60, the PWA will examine if there are family members eligible for employment with the project.

## 5. INSTITUTIONAL ARRANGEMENTS

This section identifies the organizations and/or agencies primarily responsible for resettlement implementation and also the implementation timetable. It describes the capacity of these entities for effective implementation by reference to links to authority, prior experience with resettlement, and number and training of their personnel.

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

Authorities and Agencies	Responsibilities
<b><i>During planning phase</i></b>	
Palestinian Water Authority	<ul style="list-style-type: none"> <li>• Describing the scope of lands and assets required by the project</li> <li>• Communicating with other governmental entities</li> <li>• Prepare a RAP in cooperation with independent consultant</li> <li>• Shed light on the proposed compensation</li> <li>• Apply maximum avoidance mechanism to reduce the involuntary resettlement</li> <li>• Propose the best strategies to consult with the community</li> <li>• Prepare the permissions and decrees in cooperation with other entities</li> </ul>
Municipalities of Gaza and Jabalia	<ul style="list-style-type: none"> <li>• Final definition of lands and conditions for acquisition</li> <li>• Verifying the need of lands and prepare an inventory</li> <li>• Prepare the technical documents related to the project components</li> </ul>
Ministry of Local Governance	<ul style="list-style-type: none"> <li>• Final confirmation of land ownerships of the land to be acquired</li> <li>• Contribute with the Palestinian Land Authority along with the project life</li> </ul>
Palestinian Land Authority	<ul style="list-style-type: none"> <li>• Identification all affected persons, advising them of their rights,</li> <li>• Follow-up all matters of public and PAPs concern with regard to any complaints that may arise during the implementation process.</li> <li>• Direct contacts with affected persons either individually or in groups.</li> <li>• Propose alternative lands to replace the affected lands</li> </ul>
Ministry of Finance	<ul style="list-style-type: none"> <li>• Allocate budget for compensation</li> </ul>
Cabinet and Central Committee	<ul style="list-style-type: none"> <li>• Develop the land expropriation decree</li> <li>• Endorse the final land acquisition profile of the project</li> </ul>
Ministry of Agriculture	<ul style="list-style-type: none"> <li>• Provide price lists of the crops and trees</li> <li>• Propose the compensation of wells</li> </ul>

Authorities and Agencies	Responsibilities
	<ul style="list-style-type: none"> <li>Coordinate with the Ministry of finance regarding the proposed compensation</li> </ul>
<b><i>During negotiation and grievances</i></b>	
Municipalities	<ul style="list-style-type: none"> <li>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</li> <li>Collect the grievances to be shared with the PLA</li> </ul>
Palestinian Land Authority	<ul style="list-style-type: none"> <li>Disclose grievances channels to the community</li> <li>Identification all affected persons, advising them of their rights,</li> <li>Follow-up all matters of PAPs concern with regard to any complaints that may arise during the implementation process.</li> <li>Direct contacts with affected persons either individually or in groups.</li> <li>Develop a grievance lodger</li> </ul>
Palestinian Water Authority	<ul style="list-style-type: none"> <li>Participate in the process of negotiations and grievances</li> <li>Document all activities related to the negotiations and grievances</li> <li>Prepare quarterly reports</li> </ul>
<b><i>During the RAP implementation phase</i></b>	
Municipalities	<ul style="list-style-type: none"> <li>Undertake community liaison (day to day operation)</li> <li>Collaborate with the other entities</li> <li>Transfer received complaints to the PLA</li> </ul>
Palestinian Land Authority	<ul style="list-style-type: none"> <li>Establish values for compensation</li> <li>Adjudicate on grievances</li> <li>Plan negotiation and establish final offer</li> <li>Recommend acceptance of compensation- package to Ministry of Finance or land authority</li> <li>Adjudicate on appeal against land acquisition values to courts</li> </ul>
Ministry of Finance	<ul style="list-style-type: none"> <li>Certify compensation agreements and transfer funds to PAPs</li> </ul>
Palestinian Water Authority	<ul style="list-style-type: none"> <li>Certify the compensation agreement in consistency with the RAP relevancy</li> <li>Collect the grievances raised by the PAPs, document and report them to the bank</li> <li>Monitoring of RAP implementation procedures</li> </ul>
External Monitoring consultant	<ul style="list-style-type: none"> <li>Ensure compliance with funding agreements</li> <li>Evaluate and monitor the process</li> </ul>

### ***5.1. Capacity building***

A capacity needs assessment of the key entities involved with RAP implementation indicates that while strong capacity exists among the Palestinian entities in key areas of RAP preparation and implementation (carrying out the census, identifying adverse impacts, carrying out consultations, etc); there is still scope to learn about the specificities of OP 4.12 including ensuring that when a gap is evident between the OP 4.12 and Palestinian legislation, that the principles of OP 4.12 are followed. Capacity building is proposed through safeguards related training on OP 4.12, documenting of information related to grievance redressal; and also monitoring data.

**Table 13: Proposed capacity building activities**

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

## 6. CONSULTATION, DISCLOSURE AND GRIEVANCE PROCEDURES

### 6.1 Introduction

Project stakeholders were consulted during the life of this project including during early preparation and through the ESIA phase. Consultations were also carried out in the context of RAP preparation. Consultations that were conducted during the ESIA and SESIA phase consisted of

- Scoping meetings
- Individual and group meetings conducted during the data collection phase
- Public consultations

These were aimed at building a dialogue with the local stakeholders, heads of popular councils, local leaders, as well as citizens and farmers. These covered issues related to anticipated resettlement impacts, disclosure arrangement, grievance redressal mechanisms, anticipated project benefits

### Resettlement Action Plan (RAP) Consultations

- Consultations with project affected people were carried out to ensure that the views and interests of all project affected persons are taken into accounts, to ensure that once the census was completed and correct adversely affected enumerated, that project impacts were described to them as well as their entitlements. The purpose was also to elicit their views on all measures available to them and also to explain the available of a complaints handling or a project level grievance redressal mechanism. The objectives of such consultations carried to prepare this RAP were to:
  - improve communications with the community members,
  - obtain wider community support to projects,
  - gather useful data and ideas,
  - enhance public sector or corporate reputation,
  - provide for more sustainable decision-making.

The following principles were applied:

- **Informative:** Providing expressive information about the project in a format and language that is understandable and tailored to the needs of the target stakeholder group(s)
  - **Proactive:** Providing information prior to the consultation activities and decision-making is a proactive and protective strategy, as most of the potential problems might originate due to the lack of information
  - **Accessibility:** Disseminating information in ways and locations that make it easy for stakeholders to access it
  - **Valuing:** Respect for local traditions, languages, timeframes, and decision-making processes
  - **Comprehensive Engagement:** Inclusiveness in representation of views, including women, vulnerable and/or minority groups. Moreover, special care should be taken to identify, invite and engage all categories of local stakeholders, particularly those categories (e.g. special needs citizens, people living in poverty and minorities) who may be unable or intimidated to attend public consultations and lack effective representation. Special attention should also be given to those who might be affected negatively by the project. They should be involved in a way that their concerns are taken into consideration.
  - **Continuity:** Stakeholder engagement should be a long-term commitment by local government and responsible authorities. It should be well planned, begin prior to the completion of design and alignment decisions, continue actively throughout the construction phase, and be effectively institutionalized for sustained dialogue and responsiveness to stakeholder needs and concerns during service operations;
  - **Mutual understanding:** Two-way dialogue should be adopted to give the community and the implementing agency the opportunity to exchange views and information, to listen, and to have their issues heard and addressed
- 1- RAP consultations with affected people covered the following broad categories: provision of generic information about the project activities that will result in land acquisition; type of impacts on their own lands, crops and assets;
  - 2- the type of compensation needed to restore their living conditions and the valuation process; responsible entities for conducting the inventory, value and pay the compensation; and information about grievance redressal mechanisms available at the project levels.

The above mentioned topics were shared with the community people, particularly, the PAPs. Consequently following categories were consulted up to 14<sup>th</sup> of January 2014.

More specifically, approximately 1,700 persons were consulted with including directly affected people, relevant government staff, and members from the Ministry of Endowment among others. The below were the main dates of the formal consultations that were carried out. Affected persons and others were invited to meetings using a variety of means including word-of-mouth invitations, flyers, brochures made available in places where community members go among others. During consultations, the main issues or concerns that affected people raised was regarding the adverse impacts they might experience, how compensation would be calculated and by whom compensation would be provided; timeline for impacts. The community members emphasized that they were aware of project benefits, including that effluent reuse water would be available to them for irrigating their lands thus positive impacts were expected of greater quantities of water and at less expense. The methods used to consult with people included in-depth focus discussions intended to elicit their viewpoints, structured questionnaires that covered project knowledge, knowledge on land procedures, needed capacity on the part of the authorities. With affected people, it covered basic information on family demographics, income, asset related questions, opinions about the context.

**Table 14: Stakeholder and project affected persons engaged**

Stakeholder and PAPs	Date	Tools used
Jabalia municipality	19th of Dec. 2013	In-depth guideline
Gaza municipality	22nd of Dec. 2013	In-depth guideline
Ministry of Endowment	23rd of Dec. 2013	In-depth guideline
Ministry of Local Governance	22nd of Dec. 2013	In-depth guideline
Palestinian Land Authority	14th of Jan 2014	In-depth guideline
15 well operators	December 2013	Structured questionnaire
254well owners (16 of them were consulted twice)	December- January 2014	Structured questionnaire
43* land owners	December 2013	Structured questionnaire

\* This includes the land owners who were going to be affected by opening of the access road (20 m) in Jabalia as one of the proposed scenarios for laying recovered water collection pipes. However, this access road will not be used to layout water collection pipes for the project. Thus the number of affected landowner was reduced to only 36.



Photo 1: Mohammed Hashem Dardounch, Well operator, Q56, Survey # 101



Photo 2: Consultation with the Head of Jabalia Municipality Eng. Yousef Khella

\* More photos are attached in Annex VII

#### **6.1.1. Strategies adopted to outreach the PAPs during the RAP preparation**

The consultation activities conducted during the RAP outreach all PAPs and entities participating with the PWA in expropriation activities. Following are the implemented activities:

- 1- The first strategy adopted was paying visits to the project affected persons in their premises
- 2- Conduct meetings with the entities responsible for applying involuntary resettlement activities.

#### **6.1.2. Comments and concerns raised during the RAP preparation**

The study team felt it was important to highlight the main issues raised during the various activities

**Table 15: Comments and concerns raised during the field consultation**

Topic	Concern/question
<b>Job opportunity</b>	Probability to provide alternative job to the well operators or other project affected persons
<b>Alternative source of water</b>	Is that possible to provide alternative source of water. It should be free of charge
<b>Rights of well operators</b>	We have financial rights, in case of well termination will the PWA assist us to get our rights
<b>Time plan</b>	You have already postponed this project more than one time.
<b>Type of compensation proposed</b>	<ol style="list-style-type: none"> <li>1- In kind compensation</li> <li>2- Alternative job to be provided</li> <li>3- Alternative land</li> <li>4- Minimize the lands required</li> <li>5- Provide assistance to adopt new farming techniques</li> </ol>
<b>Reluctance to host the project</b>	I don't want you to take my land
<b>Information sharing</b>	<p>More information about the project should be disseminated about:</p> <ol style="list-style-type: none"> <li>1- Project exact areas</li> <li>2- Methods of compensation</li> <li>3- Limitation of land taken</li> </ol>
<p>These concerns were responded to during the interview with PAPs. To ensure PAPs satisfactions the report will be translated into Arabic and will be made available to Public and to PAPS, PWA will conduct a final public consultation after publishing the translated version.</p>	

## **6.2 Disclosure of the RAP**

The World Bank has transparency and accountability measures in place including that clients make available, project safeguards documentation that is translated into the local language and made available in a highly accessible manner to ensure that all project affected people and the broader stakeholder community have access to information contained in these documents. PAPs should be meaningfully consulted and should be given the opportunity to participate in both planning and implementation of resettlement programs. The Palestinian Water Authority will make this RAP available in the concerned municipality in their local offices; it will be in the Land Authority Office; and at the NGEST project site, and at the project entity's web site. It will also be made available at an NGO which is well known in North Gaza.

### **6.3 Grievance mechanism**

The project includes a grievance redressal or complaints handling mechanism with the following main features to ensure that affected parties and others have access to a viable system to air grievances and to seek resolution. A grievance system is also important for PWA to ensure they are accountable to complaints and that these are handled transparently and also in an efficient manner.

#### **A. While various tiers of more formal mechanisms to handle grievances exist and which can be used by PAPs such as through the:**

- 1- Palestinian Land Authority Main Office
- 2- Municipalities of Gaza and Jabalia
- 3- The headquarter of the PWA in cooperation with a representative of municipalities

At this level, project affected people can seek redress without going through the court system and the aggrieved person is expected to receive the response to his/her complaint within 15 days for each level of grievances' committees.

If his grievance was not appropriately solved, the submitting party would be able to raise their complaint to court. However, in addition to the formalized systems of seeking redress, the project will establish project level channels including through:

#### **Project Level Grievance Redressal Mechanism**

A project level complaints handling mechanism has been development with a Project Level Safeguards Office in place and available on site that is known to the local community members including adversely affected people. This is the first contact point for receiving grievances. This safeguards officer will receive written and oral complaints that are project related from the community and will be responsible for documenting these. A three-person Steering Committee which includes a representative from the local community has been established. This Steering Committee is responsible for reviewing all written and oral complaints that have been received.

#### **B. Response to grievances**

The response time for project level grievances is 15 days; if not; s/he has the right to take the grievance to a higher level. The higher level might be the head of municipalities, PWA or PLA. All grievances will be **Monitoring Response to Grievance** monitored with the following indicators applied:

- 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- Dissemination activities done
- 5- Level of satisfaction with solutions
- 6- Documentation efficiency
- 7- Efficiency of response to grievance provided ( efficiency in time and action taken)

A Grievance Monitoring Report will be developed on a quarterly basis by a designated person from the PMU. Grievances will be disclosed on the PWA and PLA office and will be made available locally including on the PWA website and the local governmental unit.

All grievances and communications, received by the PWA safeguards officer, will be registered and the actions taken/responses given will be tracked and recorded for each. Proper administration and internal records of stakeholder complaints and communications are essential for transparency and quality of PWA responsiveness and reporting to stakeholders on the resolution of grievances.

Proposed Project Complaints Tracking System

Written Complaints and Grievances	Verbal Complaints and Grievances
<p>STEP 1: The Grievance Officer receives the written complaint and enters the date of receipt on each letter</p>	<p>STEP 1: Receive complaints from 7:30 – 9:30 a.m. (Sundays - Thursday)</p>
<p>STEP 2: The Grievance Officer enters the complaint in a database</p>	<p>STEP 2: Person at Complaints Desk (NGEST Site ) fills out the complaint form by stating the complaint/issue in brief</p>
<p>STEP 3: The Grievance Officer acknowledges receipt of each complaint within 7 days. This response must be drafted by Friday of the week of receipt. The date of acknowledgment is entered into the database</p>	<p>STEP 3: The complainant is directed to the appropriate office by phone or in person immediately (if the officer in charge agrees to deal with the complaint/issue), or an appointment is secured for a different date and time</p>
<p>STEP 4: The Grievance Officer files all complaint letters in a hard copy chronology. The chronology is divided into three parts -- for groundwater, construction disturbances, and other complaints</p>	<p>STEP 4: The person who addresses the complaint/issue writes all responses on the complaint form and returns this to the front desk officer</p>
<p>STEP 5: The Grievance Officer (Safeguards Officer) photocopies and directs every complaint by email to the PWA</p>	<p>STEP 5: The complainant receives the feedback directly from the person addressing the complaint/issue or from the front desk. This is immediate if the complaint was dealt with on the spot, or at a later date, if the person to address the complaint was not available.</p>
<p>STEP 6: The responsible officer is given a maximum of 20 days to prepare each response</p>	<p>STEP 6: The front desk officer cross-checks all responses from the person addressing the complaint/issue, signs and files the forms</p>
<p>STEP 7: The Grievance Officer follows up each outstanding complaint every Tuesday by email</p>	<p>STEP 7: The forms are submitted to the grievance officer for data entry and follow up</p>
<p>STEP 8: The Grievance Officer updates the database as proposed, and emails are returned to the Grievance Officer by the responsible officers.</p>	<p>STEP 8: The front desk officer gives a weekly report on the following as a cross-checking mechanism: Number of complaints/issues addressed and those outstanding (and by whom); nature of complaints/issues; and other related issues and recommendations to improve the system.</p>
<p>STEP 9: The Grievance Officer makes a judgment call on proposed resolutions. If the proposed resolution requires cash expenditure, Management consent and approval is sought</p> <p>STEP 10: The Grievance Officer issues a written response to the Complainant. This response is to be made within 30 days of receipt of complaint.</p>	

<p>The written response is hand carried and includes a form for the complainant to (1) acknowledge receipt, and (2) agree to the terms of the proposed resolution. In the event the complainant refuses to agree to the terms, he/she is invited to resubmit the complaint with explanation, and the process is repeated</p> <p>STEP 11: The Grievance Officer updates the database and sends any further action required for complaint resolution to the responsible officer</p> <p>STEP 12: Resolved cases are documented and filed in hard copy as well as being updated in the database.</p>	
--	--

#### ***6.4 Monitoring and Evaluation (M&E)***

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.

#### ***- 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 consulting with the various stakeholders (local government, Local Committees, community leaders and PAPs). They 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 1: Guidelines for the Monitoring Indicators**

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

- a) Checking that the **screening activities that have been carried out** in order to determine the need for the preparation of a RAP
- b) **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
- c) **Delivery of technical assistance**, relocation, payment of subsistence and moving allowances
- d) Delivery of **income restoration** and social support entitlements
- e) **Public information dissemination** and consultation procedures
- f) Adherence to **grievance procedures** and outstanding issues requiring management's attention and equality of access
- g) Attention given to **the priorities of PAPs** regarding the options offered
- h) Co-ordination and **completion of resettlement activities** and award of civil works contracts

#### ***- 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.

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 insure 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.

## ***6.5 Budget and time plan***

### **6.6.1 Budget**

The estimated budget for RAP implementation under NGEST is \$382,170. An allocation for these costs has been made in the project budget financed by the contributing donors. Monitoring and evaluation of RAP implementation is budgeted at \$15,000. Capacity building associated with RAP implementation is expected to cost \$11,000. If the budget is not sufficient to all mitigations, project funds will be made available.

**Itemized Budget Estimate**

No	Line Item	Estimate
1.	Compensation for Land Acquisition (access road and wells)	\$249,040
2.	Compensation for Loss of Livelihoods (well operators)*	\$84,600
3.	Compensation for Loss of productive trees	\$22,530
4.	Capacity Building	\$11,000
5.	Monitoring of RAP and contingency	\$15,000
		\$382,170.00

\* Average working years are 20years multiplied by average operator salary of \$282. Having to pay one month salary for each working year gives \$84,600

**6.6.2 Time plan**

Land acquisition and related impacts described will completed (including compensation) prior to May 31, 2014.

North Gaza Emergency Sewage Treatment Project (NGESTP)  
**Effluent Recovery and Reuse System and Remediation works Draft RAP**

**Tentative time plan**

Activities	Year 2014	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																				
Evaluation activities																				
c-2 Mid-term evaluation																				
Final impact																				