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Egyptian Electricity Transmission Company
(EETC)

Submitted by:

EcoConServ
ENVIRONMENTAL SOLUTIONS

Resettlement Policy Framework (RPF)

10th of Ramadan 500 GIS Substation and its
interconnecting Overhead Transmission
lines

Final Report

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List of Abbreviations

Abbreviation	Abbreviation Full wording
EETC	Egyptian Electricity Transmission Company
EIB	European Investment Bank
ESIA	Environmental and Social Impact Assessment
FGD	Focus Group Discussion
NGO	Non-Governmental Organization
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
ARAP	Abbreviated Resettlement Action Plan
ROW	Right of Way
SS	Substation
OHTL	Over Head Transmission Line
SDO	Social Development Officer
PAPs	Project Affected Persons

Glossary

Terminology	Explanation
Abbreviated Resettlement Plan	Establish a baseline through the census of PAPs that will comprise socio-economic data, the inventory of assets lost, and the compensation and resettlement benefits awarded to the PAPs.
Census	Household survey that covers all Project Affected Persons irrespective of entitlement or ownership. It provides a complete inventory of all project affected persons and their assets. It can be used to minimize fraudulent claims made by people who move into the area affected by the project in the hope of being compensated and/or resettled.
Compensation	Payment in cash or in kind to replace losses of land, housing income, and other assets caused by the project.
Cut-off Date	The date of the census prior to which, the occupation or use of the project area, Qualifies residents or users of the project area as affected persons. When persons are not eligible for compensation or resettlement assistance.
Environmental and Social Impact Assessment (ESIA)	A systematic procedure for enabling the possible environmental and social impacts of development projects to be considered before a decision is made as to whether the project should be given approval to proceed.
Full replacement cost	<p>Market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.</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</p>

	law is supplemented by additional measures so as to meet the replacement cost standard.
Grievance Redressal Mechanism	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.
Involuntary Resettlement (IR)	The unavoidable displacement of people and/or impact on their livelihood, assets and common property resulting from development projects that create the need for rebuilding their livelihood, sources of income and asset bases. When it occurs without the informed consent or if they give their consent without having the power to refuse resettlement.
Monitoring	The process of repeated observations and measurements of environmental and social quality parameters to assess and enable changes over a period of time.
Project Affected Person (PAPs) and Displaced persons	<p>Refers to all the people who, on account of the activities listed above, would have their (1) standard of living adversely affected ; or (2) right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed temporarily or permanently; (3) access to productive assets adversely affected, temporarily or permanently; or (4) business, occupation, work or place of residence or habitat adversely affected; and “displaced person” means any of the displaced persons.</p> <p>Includes any people, households, firms or private institutions who, on account of changes that result from the project will have their (i) standard of living adversely affected, (ii) right, title, or interest in any house, land (including residential, commercial, agricultural, forest, and/or grazing land), water resources, or any other moveable or fixed assets acquired, possessed, restricted, or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence, or habitat adversely affected, with or without displacement.</p>
Rehabilitation/Resettlement	A term often used to describe the process of re-establishing lifestyles and livelihoods following resettlement. The term is also used to describe construction works that bring a deteriorated structure back to its original conditions.
Resettlement Action Plan (RAP)	A time-bound action plan with a budget, setting out resettlement strategy, objectives, options, entitlements, actions, approvals, responsibilities, monitoring and evaluation. A document in which the project sponsor or other responsible entity specifies procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development

	benefits to persons and communities affected by an investment project
Resettlement Policy Framework	A resettlement policy framework RPF is required for projects with subprojects or multiple components that cannot be identified before project approval. This instrument may also be appropriate where there are valid reasons for delaying the implementation of the resettlement, provided that the implementing party provides an appropriate and concrete commitment for its future implementation. The policy framework should be consistent with the principles and objectives of OD 4.30.
Social Impact	An effect (both positive and negative) on a social issue resulting from infrastructure development projects.
Stakeholders	Those who have an interest in project development and who will be involved in the consultative process, and includes any individual or group affected by, or that believes it is affected by the project; and any individual or group that can play a significant role in shaping or affecting the project, either positively or negatively, including the host community/population.
Vulnerable Groups	Distinct groups of people who might suffer excessively from resettlement effects, such as, the old, the young, the persons with disabilities, the poor, isolated groups and single parents.

Executive Summary

I. Project Background

In order to meet the forecasted demand and secure the electricity stability in addition to the commitment to supply electricity to slum areas and informal buildings, the Egyptian Electricity Transmission Company (EETC) together with the distribution companies need to provide additional substations and their interconnections to evacuate newly produced energy and deliver to the final consumer.

The EETC is one of sixteen affiliated Companies under the Egyptian Electricity Holding Company (EEHC). The main role of the EEHC is the management, operation and maintenance of electric power transmission grids on extra high voltage and high voltage all over the country, for the optimal economic usage of those grids. EEHC's goal is to meet the growth in electricity demand while optimizing the use of all resources and maximizing the profit.

In response to the growing demand for electricity and in support for EEHC's plan to expand the existing electricity infrastructure of power stations, substations and interconnecting lines/cables, the European Investment Bank (EIB) is funding the construction of several substations in cooperation with the EETC.

In line with EIB environmental and social standards, EETC is committed to carrying out an Environmental and Social Impact Assessment (ESIA) for construction of 10th Ramadan substation and its interconnecting Over Head Transmission Lines (OHTLs) to different existing substations. In principle, a Resettlement Action Plan (RAP) should be prepared for the components of the project where persons, communities, lands and economical activities are affected.

The Resettlement Policy Framework (RPF) should the project activities trigger Egyptian legislations and/or EIB instruments relevant to resettlement. In this stage The consultant prepared the RPF, and The RAP study will be prepared when all the data required are available. The RPF could be considered as a preparation phase to prepare the RAP (identification of related legislation and procedures of compensation of the eventual involuntary resettlement)

EcoConServ environmental services (hereinafter referred to as 'the consultant') has been contracted to carry out the ESIA study and RAP in accordance with national legislations as well as EIB standards.

– Project Overview

As part of the current project, the 10th of Ramadan 500 GIS Substation will be connected to the national electricity network through 500 kV and this is through

- Construction of OHTL double circuit, quadruple connector, 10th of Ramadan /East Banha 500 with approximately 52 kilometer long (IN/OUT);
- Construction of OHTL double circuit, quarter connector, 10th of Ramadan /East Ismailia 500 with approximately 97 kilometer (IN/OUT).

Moreover, 10th of Ramadan 500 GIS Substation will be connected to the national electricity network through 220 kV and this is through

- Construction of OHTL double circuit, triple connector, 10th of Ramadan 500/Zezenia 200 kv with approximately 12 kilometer (IN/OUT);
- Construction of OHTL double circuit, triple connector, 10th of Ramadan 500/Belbees 200 kv with approximately 8 kilometer (IN/OUT).

The site of the substation is located northwest of 10th of Ramadan city. It is 14 and a half km away from 10th of Ramadan residential area, and about 500 meters from Belbees – 10th of Ramadan road.

II. The Resettlement Policy Framework

It is a widely accepted fact that involuntary resettlement under development projects if left unmitigated, may lead to economic, social and environmental risks. The purpose of a Resettlement Policy Framework (RPF) is to provide an adequate framework for addressing any future cases of involuntary resettlement that may arise in the context of the project, as well as clarifying the organizational arrangements that may be needed during sub-projects preparation and implementation phases. This includes mapping and compensating all Project Affected Persons (PAPs) for the loss of lands, properties, and livelihoods resulting from displacement and resettlement, as well as assisting them in relocation and rehabilitation in the case of physical resettlement. The specific objectives of the Resettlement Policy Framework according to EIB Environmental and Social Handbook 2013, standard 6 on Involuntary Resettlement p.62 are:

- A. The resettlement principles to be observed;
- B. Organizational arrangements guiding resettlement action;
- C. The associated legal framework, due process, entitlements, procedures;
- D. Design criteria to be applied to sub-projects;
- E. Estimate – to the extent feasible – of the total population to be displaced and the overall resettlement impacts and costs;
- F. Disclosure, consultation and participation principles; and,
- G. Grievance redress provisions.

III. The Policy, Legal and Institutional Framework

A. Egyptian legislation related to Involuntary Resettlement

- Law 1/2015 On the amendment of some provisions of Law No. 10 of 1990 on the land acquisition
- Law 10/1990 On Property Expropriation for Public Benefit identifies
- Law 577 of year 1954 and Law 27 of year 1956 for land acquisition
- Law 27 of year 1956
- The new Egyptian Constitution
- Civil code 131 of year 1948
- Electricity Law 63 of year 1974
- Electricity Law 67 of Year 2006
- Electricity Law No. 87 of Year 2015

B. EIB/WB and IFC guidelines

- Environmental and Social Handbook – 2013 EIB
- IFC book 5, handbook for preparing a resettlement action plan
- WB OP4.12

C. Gaps between Egyptian Legislation and the EIB standards

- **Property Valuation/compensation:** The EETC is required to calculate the compensation value throughout the life of the project (digging, construction, and operation). In case of providing cash compensation, EETC has to ensure that the value of the crops and trees is equivalent to the market price. This is in order to be consistent with the “full replacement cost requirement. "Replacement cost" refers to the value determined to be fair compensation for: (i) land, based on its productive potential; (ii) houses and structures, based on the current market price of building materials, and labor without depreciation or deductions for salvaged building material, and (iii) residential land, crops, trees, and other commodities, based on their market value. Such cost needs to be further accounted for in case of any removal costs, utility connection costs, taxation costs imposed on new housing/re-established businesses etc. Where markets do not exist, surrogate values must be determined (see EIB Handbook 2013 standard 6, p. 54). **Temporary loss of structure (For title and non-title holders):** Dialogue with Egyptian authority on the Bank's policy in involuntary resettlement with focus on compensation for: (i) temporary land acquisition with minor inconvenience; (ii) structures that are temporarily acquired; (iii) precluding use of the structure and (iii) moving and restoration expenses.
- EETC is committed to compensating all PAPs whether they are title or non-title holders so to restore their livelihoods in accordance to the Bank's requirements. **The right of squatters:** Egyptian practices regarding the right of squatters can be employed to deepen discussion leading toward legislative solutions. The Bank's discussion with Egyptian authorities may help address and formalize the treatment of squatters in line with the Bank standards. EETC is committed to compensating all PAPs whether they are title or non-title holders so to restore their livelihoods in accordance to the Bank's requirements.
- **Livelihood/income restoration and assistance:** EETC is to define livelihood restoration, provide selection criteria for the members of the compensation committee, and describe future engagement of EETC with committee to the satisfaction of the Bank. **Calculation of Compensation:** EETC should build their estimation on full replacement cost to be adopted to the EIB standards.
- **Vulnerable groups:** Poor marginalized people and those with handicaps were engaged in this project through inviting them to the stakeholder engagement activities and consultations. In the coming stage, EETC needs to conduct a social survey covering the entire transmission line in order to identify all vulnerable groups. Subsequently, the impacts of the project have to be assessed so to inform EETC of the compensation and assistance that will be provided to vulnerable groups. Specifically, site visits have to be paid to the vulnerable groups in order to inform them about the project and its positive and adverse impacts. Additionally, they are to be informed about the grievance mechanism and given the contacts of the compensation committee in order to get the needed information.
- **Access to timely and relevant information:** EETC launched comprehensive Stakeholder engagement activities that will continue along the life of the project. Integration of community based organization will be the key to provide satisfactory level of information.
- **Grievances & redress mechanisms:** EETC will establish a GRM acceptable and accessible to the communities. All petitions will be listened and responded to. A due procedure of handling and managing grievances will be established. Moreover, their social development officers will gain information about how to document the grievances, and how to transfer them to the interested entity. The grievance mechanism should be set up and maintain in line with the Standard 10 of the EIB.
- **Monitoring and Evaluation:** It is imperative the Bank move toward advancing the monitoring and evaluation principles stated in EIB standard 10 As such, the EETC is to develop an M&E and reporting system for the project that is to the satisfaction of the EIB. This is to ensure that the monitoring and reporting should be take place according to the EIB standards.

IV. RAP Preparation and Approval Process

A RAP is something that needs to be done/carried out as soon as the actual footprint of the Project (or one of its components) is known, but of course on the basis of the guidelines provided in this RPF. The RAP process involves the following and should be done early at the design stage of the project component:

- Categorize project activities with respect to land needs
- Conduct socio-economic survey/census to determine assets and households affected
- Organize and conduct stakeholders consultation
- A grievance mechanism should be devised
- The arrangements for the resettlement action plan extend throughout the Project Cycle

V. Eligibility Criteria for Affected Persons

All PAPs who suffer a complete or partial loss of assets or access to assets shall be eligible for some kind of assistance, according to their legal rights to the land, if it can be proven that they occupied the land before the claim cut-off date. The EIB standards specifically proposes three general categories for eligibility as illustrated in the following table.

Criteria for Eligibility EIB Requirements

Displacement Category	Entitlement
<u>The first criterion for eligibility will be those with legal title</u> People with formal land title, land use rights, customary or traditional rights (recognized under the Egyptian laws) to the land	<ul style="list-style-type: none"> • Compensation for loss in land and assets at full replacement cost. • In case of physical relocation, provide assistance during relocation (i.e. moving allowances) and residential housing and / or agricultural sites with productive and location advantages equivalent to the lost sites. • Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels. • Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities).
<u>The second criterion for eligibility will be the legal status.</u> Those who occupy/use the land but have no formal title for objective reasons are eligible for compensation for land.	<ul style="list-style-type: none"> • Compensation for loss in land and assets at full replacement cost. • In case of physical relocation, provide assistance during relocation (i.e. moving allowances) and residential housing and / or agricultural sites with productive and locational advantages equivalent to the lost sites. • Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels. • Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities).
<u>The Third criterion for eligibility will be,</u> People who occupy the land but have no formal or informal claim to it, such as squatters	<ul style="list-style-type: none"> • They shall be provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives of the resettlement standards laid out in this Standard, if they occupy the project area prior to a cut-off date established by the promoter and acceptable to the EIB.

	<ul style="list-style-type: none"> Such affected persons shall not be compensated for land but for their land improvements or structures, such as houses and/or small businesses, and may qualify for other resettlement and rehabilitation assistance. Resettlement assistance can consist of land, cash, jobs, or other forms of assistance determined in consultation with affected people and acceptable to the promoter. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.
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VI. Methods of Valuation of Affected Assets and Compensation

EIB standards requires that resettlement and compensation plans provide prompt and effective compensation at full replacement cost for losses of assets attributable directly to a Bank-financed project.

Where Egyptian law does not meet the standard of compensation at full replacement cost, compensation under Egyptian law is supplemented by additional measures necessary to meet the replacement cost standard defined in EIB standard 6, as the EETC will provide compensations according to the EIB standards.

The valuation of losses in assets depends on the type of the lost asset. For physical assets, market value should be assessed to estimate the replacement cost. This should consider any associated costs to bring the asset to its pre-displacement value.

Compensation will be provided to all individuals whose assets or access to assets is affected or damaged, as a consequence of land acquisition or any other activities undertaken by the projects. The compensation for the loss of physical and nonphysical assets will vary depending on the type of loss, and eligibility of the PAPs. Compensation may come in the form of cash compensation, in-kind compensation, and/or assistance.

All PAPs will be entitled to monetary compensation at replacement cost, at market value (at the entitlement cut-off date) for affected tangible assets. Another option may be in-kind compensation where the affected assets would be replaced with an asset of similar size, value, and quality. The decision on which type of compensation is used should be jointly agreed upon between the project staff and the PAPs and shall be subject to the availability of replaceable assets.

It should be noted here that compensation for losses in communal property shall only be in-kind for the community as a whole, and shall take the form of reconstruction of the affected or damaged facility (i.e. public school buildings, markets, etc.) to - at least - the same standard it was on prior to the project's implementation. Each RAP should develop a resettlement matrix that identifies the expected negative impacts from the project, the eligible persons for compensation, and the compensation policy that is to be applied. The entitlement to compensation and assistance of livelihood stabilization shall be defined according to the Egyptian regulations in compliance with EIB standards "livelihoods should be improved or at least restored to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher". Entitlement shall be categorized based on the proposed eligibility to the loss.

• The Entities and Authorities Contributing To Land Acquisition Process

The EETC work team who is responsible for the compensations and the Grievance and Redress Mechanism (GRM) who are:

- Head of Projects Sector (Head of committee),
- Director General of Civil Administration,

- Director General of projects' OHTLs,
- The Engineer responsible for civil works,
- The Engineer responsible for projects' OHTLs,
- The Financial member,
- The Legal member, and
- Compensation Coordinators for Canal Zone "SDOs 4 members at least" (they are responsible for coordination between the agricultural associations and the PAPs).

The SDOs is the key player who ensure diligent implementation of the RAP, ongoing consultation with the PAPs, and responsible for the following:

- Works in both compensation and mediation committees
- Is responsible for handling the first tier of grievances along with the Site Project Manager as well as conducting awareness raising activities among PAPs to inform them about the grievance mechanism
- Responsible for monitoring the progress of the RAP implementation
- Work with the EETC team to ensure that land is restored to the same conditions as before the OHTL installation.
- Conducting further consultations during the implementation and monitoring of the RAP (including affected persons of vulnerable groups such as women and poor people)

VII. Consultation Activities

The Consultation Activities chapter aims at highlighting the key consultation and community engagement activities and their outcomes, in addition to outlining the validity and reliability of the collected data. The Stakeholder engagement activities were conducted reference to the standard 10 of the environmental and social standards of EIB¹. All future consultations should continue in accordance with Standard 10 on Stakeholder Engagement and during the implementation and monitoring of the resettlement process. Stakeholder Engagement Plan should be prepared according to Annex 6 of the EIB Environmental and Social Handbook 2013.

Key principles of effective engagement include

- Disseminate comprehensive information in a format and language that is understandable about the project to enable potential affected persons to identify their concerns, needs, and recommendations;
- Listen to their comments, ideas and concerns and recording the same for follow up;
- Identify the most effective outreach channels that support continuous dialogue with the community;
- Inclusiveness in representation of views, including ages, women and men, vulnerable and/or minority groups;
- Processes free of intimidation or coercion;
- Clear mechanisms for responding to people's concerns, suggestions, and grievances.

¹ http://www.eib.org/attachments/strategies/environmental_and_social_overview_en.pdf

- Discuss potential resettlement plans and impacts of involuntary resettlement.

Community engagement plan has been developed for the different Stakeholders through Two phases :

- Phase I: Consultation activities conducted on the SS and the surrounding areas (August 2017),
- Phase II: During the preparation of the RPF study, the areas located along the routes of the OHTLs; were included on April 2018.

The results of the previous consultation activities are presented in (Annex 4).

Consultation Methodology and Activities

The research team has adopted multi-dimensional consultation activities that enabled the marginalized, voiceless, youth and women to gain information about the project. In addition to, gaining information about their concerns and worries regarding the project during various implementation phases, through the following methods: Focus Group Discussions (FGDs) with community members and surrounding farming-related stakeholders, Group Meetings and Semi-Structured Interviews with community stakeholders.

VIII. Grievance Redress Mechanisms (GRM)

Grievances and redress represent one of the important processes that should be tackled carefully during the project implementation. The community people became more active and willing to be heard. Grievance system is also important for EETC to ensure that complaints are properly handled without delay that may negatively affect the project. Moreover, to ensure that information is shared transparently and that they are accountable to the hosting communities.

Grievances activities to be applied under the project should handle all types of grievances. Including but not limited to the grievances related to involuntary resettlement. The grievance mechanism should be set up and maintain in line with the Standard 10 of the EIB, EETC will ensure that a grievance mechanism is introduced at project level, irrespective of other complementary linkages or access to existing public grievance channels. The grievances mechanism should be designed as follows:

- It is expected that such a mechanism is introduced by EETC at the very outset of project design. In terms of scope, it should possess a life-span similar to that of the operation, whilst it should be open to serve all interested parties bearing concerns that arise out of the project's scope.
- Where a complaint is not admissible or relevant, EETC will refer the aggrieved parties to the relevant authority or other grievance process.
- The grievance mechanism, process or procedure should not impede access to independent judicial or administrative remedies outside any project specific context; quite the contrary, it should complement and facilitate access to independent bodies.
- Such mechanism, process, or procedure will document and address concerns communicated to EETC promptly and effectively, using an understandable and transparent process that is culturally appropriate and readily accessible to all stakeholders, at no cost and without retribution. This is critical for it to be able to deliver on its intended purpose, namely the strengthening of non-judicial access to grievance at the project level. For the grievance redress to function well, the mechanism should be adequately planned for, budgeted and staffed.
- EETC will introduce an effective feedback system to the mechanism, informing the affected communities about the project grievance process and its outcomes and reporting regularly to the

public on its implementation, while protecting the privacy of individuals. EETC will also inform the affected communities of their right to independent judicial recourse in the event that grievances cannot satisfactorily be resolved using the project-specific mechanisms. Resolution of a grievance should be confirmed by way of evidence of the satisfaction of the stakeholder/aggrieved party. It is required that EETC diligently documents this process.

In each of the electricity zones, there is a unit designated for handling compensations as well as grievances. The head of the unit is the manager of the transmission lines project. This unit is the work team of the EETC; it will address all grievances raised by community people related to project interventions. The SDOs will be from three areas which are:

Line	Zone
500 kV OHTL 10 th Ramadan SS /East Banha	Canal Zone Area
500 kV OHTL 10 th Ramadan SS /East Ismailia	Canal Zone Area
220 kV OHTL 10 th Ramadan SS /Proposed Belbees SS	Canal Zone Area
220 kV OHTL 10 th Ramadan SS /Zezinia	Canal Zone Area

Compensation Coordinators (Social Development Officers) for Canal Zone they are responsible for coordination between the agricultural associations and the PAPs. The PAPs can communicate directly with the coordinators and the project manager as the communication with the PAPs is within their responsibilities.

The RPF team suggests appointing a "Social Development Officers" at least 4 members who should be working on full time basis during the project construction to ensure the social management plan is sufficiently addressed. The Social Development Officers might be a EETC staff with relevant background (e.g. a background in social development or social science). It is required that the "Social Officers" be aware of the EIB safeguard policy on involuntary resettlement and the associated procedures. Training courses on participatory approaches and the aspects of awareness and communication skills might be needed in order to build his/her capacity to efficiently follow up the implementation of the social management plan. The Social Development Officers will be working closely with the Consultant who will be preparing the RAP. Social Development Officers will be the key player to ensure diligent implementation of the RAP and ongoing consultation with the PAPs, In addition to being responsible for:

- Raise people's awareness about the exact grievances mechanism
- Collect the grievances received by each communication channel
- Document grievances received
- Direct the grievance to the responsible entities to solve the problem
- Follow up on status of the complaint and its resolution
- Document, report and disseminate the report
- Monitoring of grievances activities

The PAPs can communicate directly with the coordinators (from the work team of the EETC) and the project manager as the communication with the PAPs is within their responsibilities. The RAP will include the numbers of those SDOs.

Various tiers of grievances should be adopted by the EETC. The affected person can target his/her complaint to one or more tiers at the same time. Following are the various tiers of grievances:

- **Grievances channels**

Comments and concerns regarding the project can be submitted verbally or in writing to EETC through the following channels.

1. Hotline (a mobile number for the SDO will be included in the RAP to be informed to project affected areas).
2. Agricultural associations
3. The compensation committee in the EETC
4. By post or hand delivered to: Egyptian Energy Transmission Company, Emtedad Ramsis st., Abbasiya, Cairo
5. During construction to site manager (Contractors' side, who will be responsible to relay the grievance to EETC's project management)

- **Response to grievances**

All comments and complaints will be responded to either verbally or in writing, in accordance to preferred method of communication specified by the complainant. The grievance should be responded to within 15 days. Comments will be reviewed and taken into account in the project preparation; an individual response should be presented to each aggrieved person. The grievances should be documented in a Grievance log.

- **Monitoring Response to grievances**

All grievances activities should be monitored in order to verify the process. Monitoring will be for the following indicators:

1. Efficiency of grievances recipients monthly (Channel, gender, age, basic economic status of the complainants should be mentioned)
2. Type of grievance received (according to the topic of the complaint)
3. Number of grievances solved
4. Number of unsolved grievances and the reasons behind not solving them
5. Satisfaction levels with proposed solutions
6. Documentation efficiency
7. Time consumed to solve the problem
8. Efficiency of response to received grievance dissemination activities undertaken

IX. Funding Arrangements

At this stage, where the locations of the transmission line towers have not yet been determined, and when the number of PAPs cannot be identified, it is not possible to provide an estimated budget for the total costs of resettlement that may be associated with the implementation of the project. Therefore, activities for resettlement plan will be funded like any other project. Funding will be processed and effected through the project's financial processing arrangements.

Funds for implementing inventory assessments and resettlement plans will be provided by the implementing agency (EETC).

X. Monitoring and Evaluation Arrangements

In order to assess whether the goals of the resettlement and compensation plan are being met, a monitoring plan and completion audit (!!) will be required. The monitoring plan includes indicators to be monitored, introduces milestones, and provides resources including responsible persons or institutions to carry out the monitoring activities. The arrangements for monitoring resettlement and compensation activities will be part of the monitoring and reporting process of the project, which will fall under the overall responsibility of the executing agency (EETC).

- **Record Keeping**

Financial records will be maintained by EETC.

The records will permit the verification of the final cost of resettlement and compensation per individual or household. Each person receiving compensation will have a dossier containing:

- Individual bio-data information,
- Number of people s/he claiming to own or benefit from the land,
- Amount of land available to the individual or household when the dossier is opened.
- Level of income and of production through an inventory of material assets and improvements in land, and debts.

1 CHAPTER ONE: THE PROJECT

1.1 Project Description and Components

1.1.1 Background

In order to meet the forecasted demand and secure the electricity stability in addition to the commitment to supply electricity to slum areas and informal buildings, the Egyptian Electricity Transmission Company (EETC) together with the distribution companies need to provide additional substations and their interconnections to evacuate newly produced energy and deliver to the final consumer.

The EETC is one of sixteen affiliated Companies under the Egyptian Electricity Holding Company (EEHC). The main role of the EEHC is the management, operation and maintenance of electric power transmission grids on extra high voltage and high voltage all over the country, for the optimal economic usage of those grids. EEHC's goal is to meet the growth in electricity demand while optimizing the use of all resources and maximizing the profit.

In response to the growing demand for electricity and in support for EEHC's plan to expand the existing electricity infrastructure of power stations, substations and interconnecting lines/cables, the European Investment Bank (EIB) is funding the construction of several substations in cooperation with the EETC.

In line with EIB environmental and social standards, EETC is committed to carrying out an Environmental and Social Impact Assessment (ESIA) for construction of 10th Ramadan substation and its interconnecting Over Head Transmission Lines (OHTLs) to different existing substations. In principle a Resettlement Action Plan (RAP) should be prepared for the components of the project where persons, communities, lands and economical activities are affected.

The Resettlement Policy Framework (RPF) should the project activities trigger Egyptian legislations and/or EIB instruments relevant to resettlement. In this stage The consultant prepared the RPF, and The RAP study will be prepared when all the data required are available. The RPF could be considered as a preparation phase to prepare the RAP (identification of related legislation and procedures of compensation of the eventual involuntary resettlement)

EcoConServ environmental services (hereinafter referred to as 'the consultant') has been contracted to carry out the ESIA study and RAP in accordance with national legislations as well as EIB standards.

1.1.2 Project Overview

As part of the current project, the 10th of Ramadan 500 GIS Substation will be connected to the national electricity network through 500 kV and this is through

- Construction of OHTL double circuit, quadruple connector, 10th of Ramadan /East Banha 500 kv with approximately 52 kilometer long (IN/OUT);
- Construction of OHTL double circuit, quarter connector, 10th of Ramadan /East Ismailia 500 kv with approximately 97 kilometer (IN/OUT).

Moreover, 10th of Ramadan 500 GIS Substation will be connected to the national electricity network through 220 kV and this is through

- Construction of OHTL double circuit, triple connector, 10th of Ramadan 500/Zezenia 200 kv with approximately 12 kilometer (IN/OUT);

- Construction of OHTL double circuit, triple connector, 10th of Ramadan 500/Belbees 200 kv with approximately 8 kilometer (IN/OUT).

The site of the substation is located northwest of 10th of Ramadan city. It is 14,500 km away from 10th of Ramadan residential area, and about 500 meters from Belbees – 10th of Ramadan road.

The RPF study will cover the above mentioned interconnection lines.

1.2 Description of 10th of Ramadan 500 GIS Substation and the Over Head Transmission Lines

The project land is located in the area allocated for facilities and services in the strategic planning of West area of 10th of Ramadan City. The area is devoid of facilities excluding the new water station which is adjacent to the project site from the north and about 50 meters away from it. There is an agricultural area adjacent to the project site from East and North. The nearest residential block to the project site is located in the East and it is about 5 km away from the project site, the area represents youth housing area and land zoning of “Build your Own Home” project.

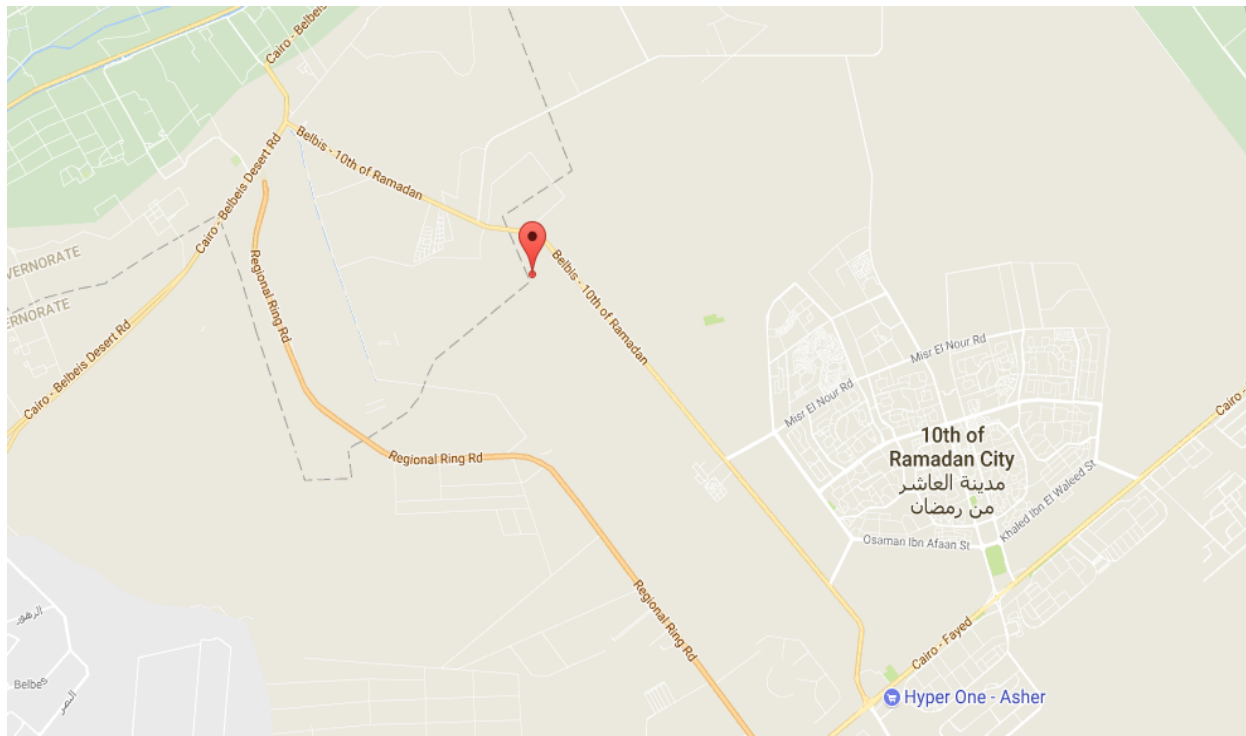


Figure 1-1: proposed location of 10th Ramadan SS

1.2.1 Overhead Transmission Lines

Design of the Overhead transmission towers will vary in terms of Height, foundations, usage (suspension, tension, and crossing towers). The heights of suspension towers and tension angle terminal towers will range from 42 m to 47 m, while the crossing towers height will be 197 m (according to coordination between EETC and Suez Canal Authority). It is anticipated that distance between transmission towers is approximately 400 m.

1.2.1.1 500kV OHTL 10th Ramadan SS /East Banha

The OHTL from 10th Ramadan SS to East banha is about 52 km. It originates from banha power station in Qalyubia Governorate on agricultural plots varies between crops and trees with approximately distance

53 km , crosses Zazazik-Banha Road heading to Ismailia- Cairo road to cross Belbis- 10th Ramdan Road to reach 10th Ramadan SS in Sharqiyah Governorate.

According to the site visits the OHTL will pass by several agriculture lands and the towers will be constructed on these lands. The ROW along the overhead lines may require cut off some crops or tall trees. Accordingly, a resettlement action plan (RAP) will be prepared with full detailed about the types of these crops and the acquired compensations.

The agricultural areas of the transmission line route is approximately 96% of the total length of the line, while the remaining 10% lies on unoccupied desert lands.



Figure 1-2: Route of 500kV from 10th Ramadan SS to East Banha power plant



Figure 1-3: the agricultural plots where the line route will pass through

1.2.1.2 500 kV OHTL 10th Ramadan SS /East Ismailia

The OHTL from/to Ismailia power plant. Originates from Ismailia power plant, runs parallel to Ras sedr road-Al Qantara Shark road on agricultural lands. Then the line crosses port said-Suez canal road and continues its path on agricultural lands. After that, the line crosses Hurgada –Ismailia road heading to Cairo –Fayed road and runs parallel to Cairo –Fayed road on uninhibited, uncultivated state-owned desert lands to cross Cairo-Ismailia road and passes through agricultural plots. then passes along the borders of 10th of Ramadan city on the road reserve to reach 10th Ramadan SS.

A coordination will take place between the Electricity District and 10th of Ramadan City, in order to allocate areas to install the electric towers away from the residential areas.

The OHTL route is of 97 km distance, about 37 km of the line route passes through agricultural lands varies between crops and trees, 1.5 km crosses port said-Suez canal road, 20.5 km of the line passes along the borders of 10th of Ramadan city. The remaining passes through uninhibited, uncultivated state-owned desert lands.



Figure 1-4: 500 kV OHTL 10th Ramadan SS /East Ismailia





Figure 1-5: the agricultural plots where the line route will pass through

1.2.1.3 220 kV OHTL 10th Ramadan SS /Proposed Belbees SS

The OHTL from 10th Ramadan SS to the proposed Belbees SS originates 1 km far from 10th Ramadan SS running parallel to a branch from a drainage canal through agriculture lands then crossing the drainage canal to be running parallel to Regional ring road. The OHTL continues in agriculture lands heading to the proposed location of Belbees SS. The OHTL is with estimate 8 km. The OHTL will pass by several agriculture lands and the towers will be constructed on these lands. Construction the towers may require cut off some crops or tall trees. Accordingly, a resettlement action plan (RAP) will be prepared with full detailed about the types of these crops and the acquired compensations.

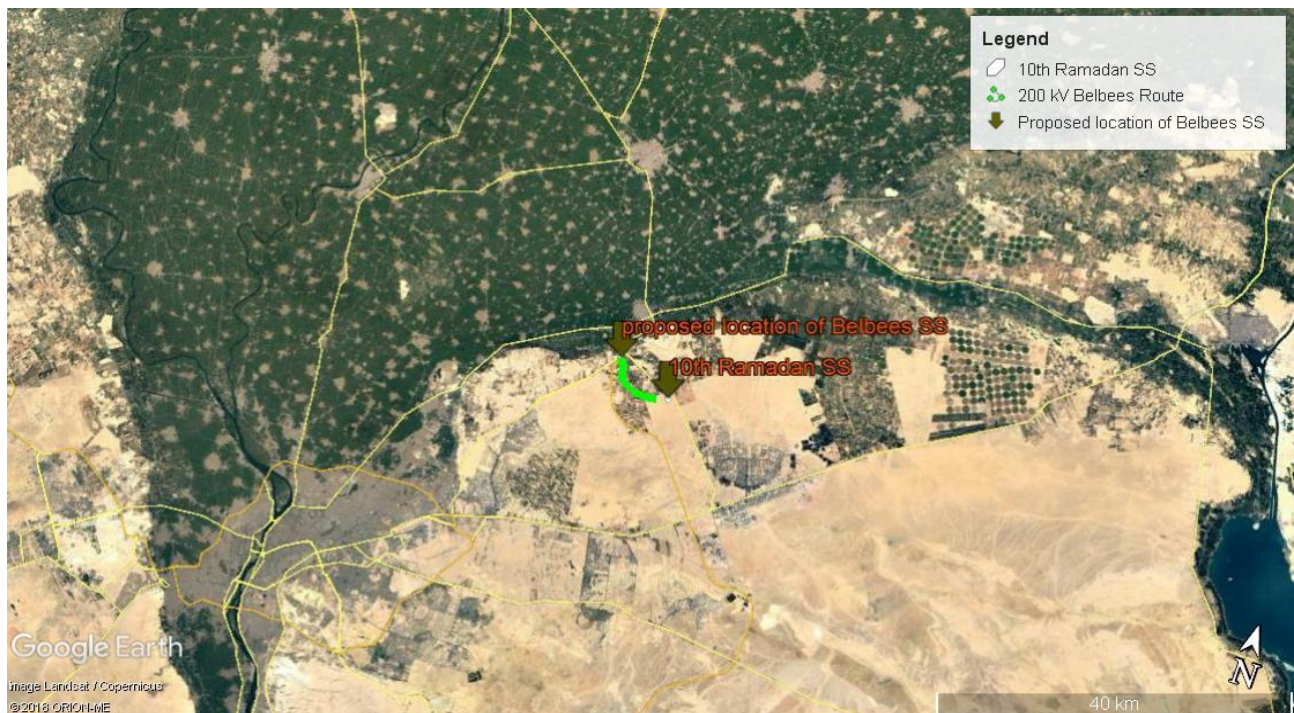


Figure 1-6: Route of 200 kV from 10th Ramadan SS to proposed Belbees SS



Figure 1-7: the agricultural plots where the line route will pass through

1.2.1.4 220 kV OHTL 10th Ramadan SS /Zezinia

The OHTL 10th Ramadan /Zezinia originates from a distance of 0.25 km from 10 Ramadan SS running parallel to Belbees- 10 th Ramadan uninhabited, uncultivated stated-owned desert road for a distance of 12 km passing by Asher power plant. The OHTL route runs in desert land and parallel to the main road, therefore no land acquisition is required for this line.



Figure 1-8 Route of 200 kV from 10th Ramadan SS/ Zezinia



Figure 1-9: the unoccupied desert lands where the line route will pass through

2 CHAPTER TWO: RPF Purpose and Objectives

2.1 The Justification of Preparing a RPF

Since some of the sub-components of the project may result in temporary or permanent land acquisition, EIB standard on involuntary Resettlement has been triggered. Framework (RPF) has been prepared. In this stage The consultant prepared the RPF, and The RAP study will be prepared when all the data required are available. An RPF is the instrument used because the nature and extent of land acquisition resulting from the above infrastructure is not known at this stage of the project and will be only know once the projects active. The purpose of the RPF is to establish resettlement objectives, organizational arrangements and funding mechanisms for any resettlement operation that may be deemed as necessary. During the implementation when the exact extent of land acquisition is known, a Resettlement Action Plan (RAP) or abbreviated RAP will be developed. Depending on the scale and severity of impacts.

2.2 RPF Framework

It is a widely accepted fact, if left unmitigated, involuntary resettlement under development projects may give rise to economic, social and environmental risks. The purpose of the Resettlement Policy Framework (RPF) is to address any cases of involuntary resettlement that may arise, as well as clarify the organizational arrangements that may be needed during sub-projects preparation and implementation phases.

This includes compensating all Project Affected Persons (PAPs) for the loss of lands, properties, and livelihoods resulting from displacement and resettlement, as well as assisting these people in relocation and rehabilitation. The RPF may be triggered whenever any of the project's activities entail the acquisition of land and / or the displacement of people, causing the loss of land, property, assets, access (to land, property, and assets), income, or sources of livelihood.

This framework shall cover all the project's activities, and shall apply to all Project Affected Persons regardless of the total number affected, the severity of impact, and whether or not the Project Affected Persons have legal title to the land. Since resettlement often affects the most vulnerable and marginalized groups (economically, politically, and socially), the RPF shall be particularly sensitive to the affects which displacement may have on these groups, including the poor, landless, elderly, women, children, ethnic minorities, or persons with specific mental or physical disabilities.

2.3 Objectives of the RPF

The overall aim of RPF is to provide a process to be used in identifying individuals likely impacted by EETC activities as well as the type and magnitude/severity of the impact and outline the process for preparing Resettlement Action Plans. Further, the RPF aims at ensuring that project affected people (PAP) are fairly/appropriately and transparently compensated for their loss of land (whether permanently or temporarily), assets and loss of access to natural resources which affect their livelihood. The specific objectives of the Resettlement Policy Framework according to EIB Environmental and Social Handbook 2013, standard 6 on Involuntary Resettlement p.62 are:

- a) The resettlement principles to be observed;
- b) Organizational arrangements guiding resettlement action;
- c) The associated legal framework, due process, entitlements, procedures;
- d) Design criteria to be applied to sub-projects;
- e) Estimate – to the extent feasible – of the total population to be displaced and the overall resettlement impacts and costs;

- f) Disclosure, consultation and participation principles; and,
- g) Grievance redress provisions.

2.4 RPF Preparation and Methodology

The RPF has been prepared by conducting several field visits and consultation activities with concerned Governmental departments, Potential affected persons PAPs, neighboring communities and EETC. The preparation of the RPF is also based on the experience of previous experience in other similar projects. The discussion with the concerned bodies included information about the Egyptian Laws, views on the application methods and timing of execution. Moreover, the consultant depend on desktop review of various data sources.

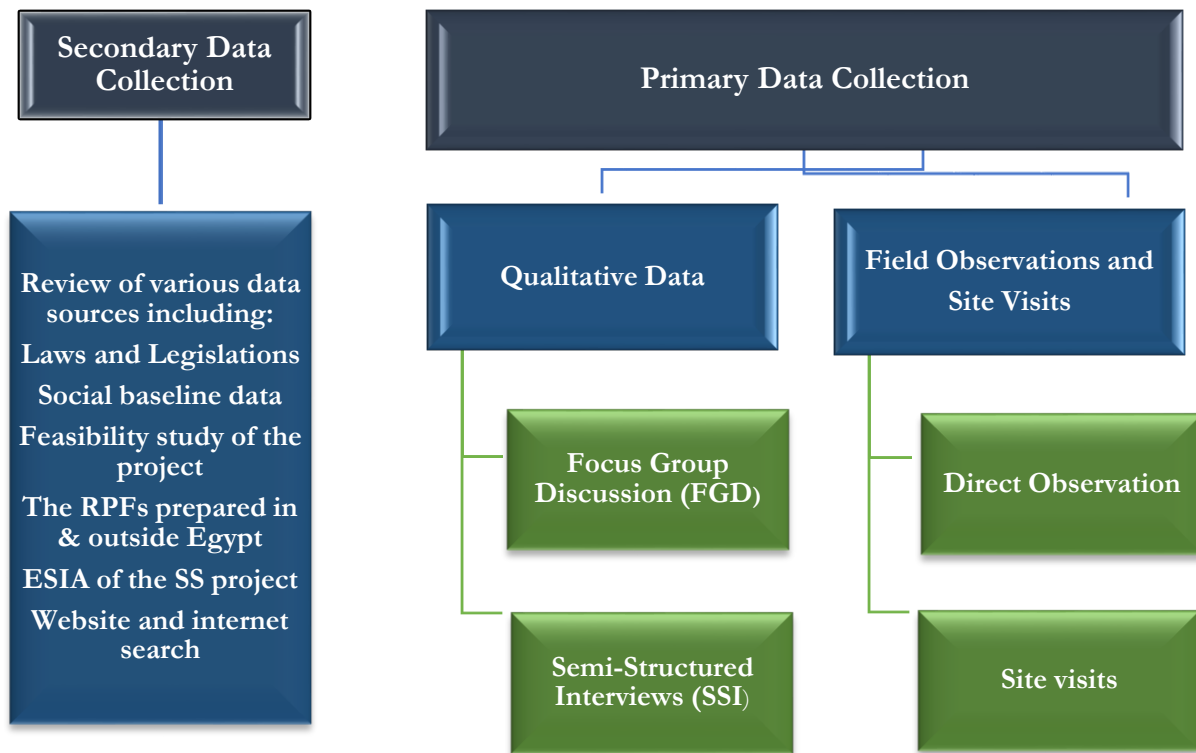


Figure 2-1: Data Scheme of the Resettlement Policy Framework (RPF)

3 CHAPTER THREE: Legislative Framework for Resettlement in Egypt

Resettlement and land acquisition issues under the proposed Project will be addressed under the guidance of the laws governing the Arab Republic of Egypt to this regard, The international standards, rules and guidelines (EIB, WB and IFC safeguard policies in involuntary resettlement), e.g. EIB (Environmental and Social Standards (ESS) 6, 7 and 10. The RPF represents the reference to be used in managing land acquisition issues and addressing the involuntary resettlement and displacement of people related to bank financed projects. EETC be committed to complying with the national and bank laws and policies and to any future amendments to them. This chapter will discuss in detail the Egyptian legal framework

The main legislations and guidelines that will be discussed under this section are as follow:

3.1 Egyptian legislation related to Involuntary Resettlement

- Law 1/2015 On the amendment of some provisions of Law No. 10 of 1990 on the land acquisition
- Law 10/1990 On Property Expropriation for Public Benefit identifies
- Law 577 of year 1954 and Law 27 of year 1956 for land acquisition
- Law 27 of year 1956
- The new Egyptian Constitution
- Civil code 131 of year 1948
- Electricity Law 63 of year 1974
- Electricity Law 67 of Year 2006
- Electricity Law No. 87 of Year 2015

It is the Government of Egypt's policy to pay compensation or offer assistance to people whose lands and properties are affected by projects undertaken by the Government. This section pertains to the means, causes, and the competent authorities entrusted with the implementation of the provisions and rules of the administrative law, civil law, in addition to the law related to the expropriation of private property for public interest. In addition, this section also covers the restrictions, the conditions of the legality of procedures applied by the administration at its disposal, and the consequences of property expropriation, in addition to the legal procedures for the possession of private property. (For more details see Annex 1)

Table 3-1: National regulations related to Involuntary Resettlement

Title of legislation	Summary and how this legislation applies to this project
Law 1/2015	<p>On the amendment of some provisions of Law No. 10 of 1990 on the land acquisition due to public interest. The amendments provided:</p> <ul style="list-style-type: none"> - The first section of article 7 of the law states that: After depositing the compensation, the entity in acquisition charge shall prepare lists with the real estate subject to acquisition, areas, locations, names of owners and property holders, their addresses, and the value of compensations stipulated. These lists and respective maps showing the location of all properties, shall be sited in the head office of the entity in charge, - while article 8 after amendment stated that: "The concerned

	owners and holders of rights have the right to object to the information contained in such lists within 15 days from the date of posting and publishing the lists and information of the expropriated properties.
Law 10/1990	<p>On Property Expropriation for Public Benefit identifies transportation projects as public benefit activities. It describes acquisition procedures as follows:</p> <ol style="list-style-type: none"> 1. The procedures start with the declaration of public interest pursuant to the presidential decree accompanied with memorandum on the required project and the complete plan for the project and its structures (Law 59/1979 and Law 3/1982 provided that the Prime Minister issues the decree); 2. The decree and the accompanying memorandum must be published in the official newspapers; a copy for the public is placed in the main offices of the concerned local Government unit. <p>This law has specified, through Article 6, the members of the Compensation Assessment Commission. The commission is made at the Governorate level, and consisting of a delegate from the concerned Ministry's Surveying Body (as President), a delegate from the Agricultural Directorate, a delegate from the Housing and Utilities Directorate, and a delegate from the Real Estate Taxes Directorate in the Governorate. The compensation shall be estimated according to the prevailing market prices at the time of the issuance of the Decree for Expropriation.</p>
Law 577/1954	Law 577/54 , which was later amended by Law 252/60 and Law 13/162, and establishes the provisions pertaining to the expropriation of real estate property for public benefit and improvement.
Law 27 of year 1956	<p>Law No. 27 of 1956, which stipulates the provisions for expropriation of districts for re-planning, upgrading, and improvement, and the amended and comprehensive Law No.10 of 1990 on the expropriation of real estate for public interest.</p> <p>The first article of Law No. 27 of 1956 allows for the expropriation of districts for their improvement, upgrading, re-planning, and reconstruction. Article 24 of Law 577/54 also stipulates that in case only partial expropriation of real estate property is required, and the remaining un-expropriated part will not be of benefit to the owner; the owner shall be given the right to submit a request within 30 days (beginning from the date of final disclosure of the list of the expropriated property) for the purchase of the entire area.</p> <p>It should be noted, that the new law has not restricted the right to request the purchase of the remaining un-expropriated portion of real estate whether it is a building or land.</p>
Egyptian Constitution (That was cancelled after the 25th of January Revolution but main	<p>The Constitution Chapter Two Part One: Social and Moral components</p> <p>The State shall guarantee equality of opportunity to all Egyptians and coordination between woman's duties towards her family and her work in the society, considering her equal to man in the political, social, cultural and economic spheres without detriment to the rules of Islamic jurisprudence</p>

<p>issues related to private ownership was included in the new constitution declaration 2011</p>	<p>The Constitution Chapter Two: Economical components</p> <p>Article 29</p> <p>States that ownership subject to the control of people is protected by the State, and is divided into three types: public, co-operative and private property.</p>
<p>Civil code 131 of year 1948</p>	<p>Articles 802-805 recognizes private ownership right.</p> <ul style="list-style-type: none"> • Article 802 states that the owner, pursuant to the Law, has the sole right of using and/or disposing his property. • Article 803 defines what is meant by land property • Article 805 states that no one may be deprived of his property except in cases prescribed by Law and would take place with an equitable compensation.
<p>Electricity Law 63 of year 1974</p>	<p>The People Assembly passes the bill of Electricity Law 63 of year 1974 (article 1 and 2) that regulates mechanism and the responsibilities of the owner or squatter that passes the land (overhead or underground cable) and the limit of the distance set for the different capacity of the power lines.</p> <p>The law has discussed in article 6, the limits of distances to be measured from the axis of the overhead /aerial lines route as well as the cables to be as follows:</p> <ol style="list-style-type: none"> 1) Twenty five meters in the case of overhead ultrahigh voltage lines. 2) Thirteen meters in the case of overhead high voltage lines. 3) Five meters from the medium voltage lines. 4) Five meters in the case of High Voltage Cables. 5) Two meters in the case of Medium and Low Voltage Cables. <p>Both articles 7 and 8 have discussed the compensation that shall be paid the owners of shareholders if any damage caused to them. It also discussed the estimation of the compensation through a committee to be selected by the Minister of Electricity and Energy, with the membership of (a representative of Ministry of Agriculture and Land Reclamation- a representative of the Egyptian Survey Authority- a representative of the Governorate- and representatives of the Local Popular Council- plus an invitee to be selected by the committee).</p> <p>Articles 10 and 11 of the Law emphasized on the importance of reaching an agreement with the owners on the compensation amount.</p> <p>This law is applicable in RAP as it might necessitate certain mitigation measures to the farmers who will not be able to plant trees under the ROW.</p>
<p>Electricity Law No. 67 of Year 2006</p>	<p>Electricity Law 67/2006 was issued for the sake of protecting the consumer. Article 2 of this law, states that the consumer's rights must not be compromised, including the consumer's right to access to knowledge on the protection of his legitimate rights and interests in order to ensure that he is</p>

	<p>aware of the party whom he can refer to in case of any complaints. The consumer also has the right to bring lawsuits on all that would prejudice or damage his rights or restrict them. The service provider also must supply the consumer with correct information about the nature and characteristics of the product – which is indicated in this report as "the electricity" - to avoid misleading the consumers or the beneficiaries of the service causing them to fall into error or mistake.</p> <p>Under this law, an agency should be established for the protection of the consumer and his interests. The Egyptian Electric Utility & Consumer Protection Regulatory Agency is the authority competent for the protection of the consumer in the electricity sector. In regard of electricity tariff and collection fee, EETC is already provides the certain fees regulation and fees collection system, to provide all diverse consumers.</p> <p>In addition to the previously mentioned laws, the following laws and decrees are applicable to the proposed project:</p> <ul style="list-style-type: none"> • Decree 458/2007; Egyptian Drinking Water Quality Standards adopted by the Ministry of Health; • Law 102/1983; Natural Protectorates; • Law 12/2003, Articles 204-207; Construction Work License; and • Law 66/1973; Traffic law according to noise and emissions.
<p>Electricity Law No. 87 of Year 2015</p>	<p>Electricity Law 87/2015 addresses the limits of distances to be measured from the axis of the OHTL routes as well as the underground cables, which should be kept away from the infrastructures and development areas.</p> <p>Chapter 5 of law 87/2015 stipulates proceedings as follows:</p> <p><u>Land Acquisition:</u> Article 53, 55 and 62 addresses matters pertaining to land acquisition resulting from electricity projects and covers the compensation, the formation and responsibilities of the compensation committee, addressing grievances as well as specifications for the right of way.</p> <p><u>Addressing Grievances:</u> Article 53 further stipulates the owner/the tenants may submit written grievances/objections within 15 days from receiving the notice of forthcoming construction activities. Rejected objections will need a decision from the relevant minister to be implemented. Further grievances may be taken to the specialized courts.</p> <p><u>Right of Way:</u> Article 55 of the law specifies the distances to be measured and cleared from the axis of the OHTL routes as well as the underground cables, which should be kept away from the infrastructures and development areas tall trees, buildings and structures for the axis of the overhead/aerial lines routes as well as the cables. These paths are called the Right of Way (RoW). Following are the specifications:</p> <ul style="list-style-type: none"> • Twenty five meters in the case of overhead ultrahigh voltage lines (OUHVL). (132+kV)

	<ul style="list-style-type: none"> • Thirteen meters in the case of overhead high voltage lines (HVL). (33kv – 66kv) • Five meters from the medium voltage lines (MVL). (1kv – 33kv) • Two meters in the case of low voltage lines (HVL). (up to 1kv)
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According to the Egyptian law the following table presents the types of lands ownership in Egypt:

Table 3-2: Type of land ownership in Egypt

Land ownership type	Description
Public or State land²	(in Arabic <i>Amlak Amiriya</i>), which is divided into the State's public domain that cannot be alienated and the State's private domain, which can be alienated generally through sale, lease, <i>Takhsiss</i> (i.e. transfer of ownership conditional on meeting certain criteria, such as keeping the land use unchanged and paying the remaining installments of the land price) or through <i>Haq Intifaa</i> ,
Private land	(in Arabic <i>Mulk horr</i>), which may be alienated/transferred freely
Endowment land	<i>Waqf</i> and (land held as a trust/endowment for religious or charitable purposes), which is often subject to covenants on transfer or use, and which is typically transferred through leasehold or usufruct.
Customary rights	There are some areas in Sinai and in the northern coast with implicitly recognized to land (<i>Urf</i>) to the benefit of Bedouins. In these areas, someone wishing to acquire land often has to make two payments, first to the Bedouin claimant(s) for the right of use and then to the State to regularize and register their land tenure/ownership and be able to obtain services.

It is important to note that the Civil Code (No. 131 of 1948) recognizes (*Hiyaḥa*) (i.e. possession of immovable/movable property without ownership) as a legitimate channel to acquire ownership of the property in question through adverse possession, provided that the (*Hiyaḥa*) has been “peaceful, unchallenged and uninterrupted” for a period of 15 years³. By Law, ownership through adverse possession does not, however, apply to State lands.

²The large majority of land in Egypt is public or State-owned desert land that is for the most part undeveloped (estimated to be 90-95% of the national territory).

³ The large majority of land in Egypt is public or State-owned desert land that is for the most part undeveloped (estimated to be 90-95% of the national territory).

4 CHAPTER FOUR: The EIB Environmental and Social Handbook (2013)

The standards and guidelines of EIB published in the EIB environmental and social handbook 2013, and also IFC handbook for preparation of RAP should be used as basic knowledge and references to develop your RPF methodology and detailed preparation of RAP related to the concrete situation along the lines

4.1 EIB Standard 6: Involuntary Resettlement

Projects often necessitate land acquisition, expropriation and/or restrictions on land use, resulting in the temporary or permanent resettlement of people from their original places of residence or their economic activities or subsistence practices. When affected persons and communities do not have the choice to refuse such displacement, this process is known as involuntary resettlement.

The complexity of displacement must be duly appreciated and its impact and remedy carefully analyzed, planned and delivered as it may negatively affect the economic and social well-being of affected people and provoke severe economic and social problems in the origin and host communities. Income sources can be irreparably lost, people can be relocated to environments where their skills may be less applicable and monetary compensation may not be sufficient to prevent long-term hardship or disadvantage.

Project-induced involuntary resettlement should be avoided by analyzing alternative project designs and locations. If it is unavoidable, the promoter, with full involvement in the decision-making process of all stakeholders, and in particular the affected people, should adopt adequate steps to minimize and mitigate its adverse impacts from an early stage. Resettlement is a process to assist those displaced to replace their housing, assets, livelihoods, land, access to resources and services and to improve or at least restore their socioeconomic and cultural conditions to those levels existing prior to the project.

4.2 Screening and Appraisal

The applicability of Standard 6 to the promoter will be determined during the EIB's environmental and social screening process. The promoter will indicate to the EIB, as early as possible, any expropriation, land acquisition and leasing and/or involuntary movement of people and likely restrictions on access to land, shelter and/or livelihood and subsistence strategies resulting from the proposed investment. If one or more of these potential impacts is identified, the standards laid out in this document will be applied. It is essential that such communication occurs at the very outset of the EIB's engagement, so as to allow for a timely introduction of ex-ante resettlement action. In so doing, the promoter will:

- Identify the nature and magnitude of the likely involuntary resettlement, explore alternative designs that might minimize displacement and provide information on the capacity of Sponsors or the competent public authorities to support the processes involved (e.g. approaches to issues of land acquisition and compulsory purchase; procedures for handling disputes, land registration, and the provision of social safety nets).
- Outline the required resources, including funding, staff, and time required to carry out any resettlement activities as per EIB standards, including the type and cost of needed technical assistance.
- Address the impoverishment risks (e.g. those resulting from changes from land-based livelihood strategies to wage-based strategies, the sustainability and security of alternative employment strategies, opportunities for employment during project implementation or

resulting from the project) and suggest proposed measures for restoring and preferably improving livelihoods.

- When resettlements relating to the operation have taken place prior to the EIB's involvement, the promoter will provide all relevant information in relation thereto upon request from the EIB.
- Provide the EIB with adequate documentation in relation thereto, namely an acceptable Resettlement Policy Framework (RPF) or Resettlement Action Plan(s) (RAP). No work activities shall commence before the promoter has addressed the involuntary resettlement in a manner consistent with the principles and standards presented here and satisfactory to the EIB.

4.3 Prior to loan approval

This implies that the Team should typically request the receipt of a satisfactory resettlement policy framework/plan during appraisal (i.e. prior to Board approval). This is especially important in cases where:

1. There are identified gaps between national land-acquisition, expropriation and compensation standards and practices and EIB Standard 6;
2. The institutional responsibilities regarding resettlement are unclear or complex with several different governmental or non-governmental agencies involved in the process;
3. There is a risk of underestimating the scope of the required resettlement; and/or no sufficient resources, i.e. budget, time and/or competent staff, are set aside for resettlement planning and implementation.

In cases where the screening process and discussions with the promoter have revealed a satisfactory approach and capacity to handle involuntary resettlement, the appropriate conditionality can be set for the receipt of a satisfactory resettlement action plan (RAP). However should a resettlement policy framework (RPF) be required, this should be prepared and consulted upon to the satisfaction of the EIB, prior to Board approval.

4.4 Resettlement Action plan

Displaying due regard for the equal protection of women and vulnerable groups or minority rights, the RAP delineates measures to:

1. Mitigate the negative impacts of resettlement and identify potential development benefits;
2. Assure that the rights and interests of project-affected people are respected and protected, in particular those deemed vulnerable;
3. Establish the entitlements of all categories of affected people, including the host communities;
4. Introduce any additional accompanying measures for vulnerable affected persons, if relevant;
5. Document all compensation measures and relocation activities;
6. Establish procedures to document all compensation measures and relocation activities and guarantee due process to the affected people, such as meaningful consultation, adequate information to the affected people and sufficient notice before eviction, together with a free and independent grievance mechanism; and

7. Establish organizational arrangements and procedures to monitor the implementation of resettlement plans and take corrective actions as necessary.

At a minimum, the RAP should:

1. State the resettlement guiding principles and objectives;
2. Describe the nature and magnitude of project impacts and identify all people to be displaced, paying special attention to vulnerable groups;
3. Carry out a census to establish the number of people to be displaced, livelihoods affected, property to be compensated and the cut-off date for eligibility claims;
4. Describe the legal framework expected to guide this Plan's land acquisition (when applicable), compensation, resolution of conflicts and appeals procedures;
5. Include an analysis of applicable national legislation, highlighting gaps with EIB requirements and required bridging measures;
6. Propose how to fill the gaps between national law and EIB requirements should such gaps be identified;
7. Describe institutional set-up and responsibilities;
8. Establish the eligibility criteria and describe the entitlements for all categories of displaced people and types of impacts suffered;
9. Describe how affected populations, including women, minorities and other vulnerable groups, have been effectively consulted and how their views were taken into account;
10. Include valuation of and compensation for lost assets and loss of income and demonstrate that these rates are adequate, i.e. at least equal to the replacement cost of lost assets/income or meeting minimum average wage thresholds;
11. Provide details of sustainable arrangements for improving the standards of living of displaced persons;
12. Provide details of sustainable arrangement for improving or, at minimum, restoring livelihoods;
13. Prepare a grievance mechanism for the settlement of disputes arising from resettlement related issues¹⁸ ensuring access to grievance and recourse for all affected persons; and,
14. Include implementation schedule, budgets, and arrangements for monitoring and evaluation.

4.5 Resettlement Framework

The RPF is a document clarifying:

1. The resettlement principles to be observed;
2. Organizational arrangements guiding resettlement action;
3. The associated legal framework, due process, entitlements, procedures;
4. Design criteria to be applied to sub-projects;
5. Estimate – to the extent feasible – of the total population to be displaced and the overall resettlement impacts and costs;
6. Disclosure, consultation and participation principles; and,

7. Grievance redress provisions.

4.6 Implementation and Monitoring

The promoter's obligations to implement a RAP and to report to the EIB on implementation progress will be provided for in the project's legal agreements. The promoter shall set up necessary systems (i.e. resources, staff, and procedures) to monitor the implementation of a RAP on a regular basis and take corrective action as necessary. Affected persons will be consulted as part of the monitoring activities. The implementation and effectiveness of the resettlement action plan shall be subject to monitoring and review by qualified resettlement specialists and/or other independent third parties as appropriate and commensurate to the scale and risks involved in the resettlement.

Implementation of a RAP will be considered completed when the adverse impacts of resettlement have been addressed in a manner that is consistent with the relevant plan and requirements outlined in this Standard. It is good practice for the promoter to present to the EIB an accountability report upon the completion of the RAP implementation, prepared by an external party. The accountability audit will include, at a minimum, a review of the mitigation measures implemented by the promoter, a comparison of implementation outcomes against agreed objectives, and a conclusion as to whether any follow-up actions and further monitoring are needed.

4.7 Standard 7: Rights and Interests of Vulnerable Groups

Standard 7 sets out to avoid or minimize, or otherwise mitigate and remedy²¹, potential harmful effects of EIB operations to vulnerable individuals and groups whilst seeking that these populations duly benefit from such operations. As a means to foster those project outcomes, Standard 7 proposes a framework and tools to address inequalities and other factors contributing to vulnerability, and, as appropriate, to allow for equal access to and enjoyment of project benefits for those individuals and groups.

4.8 Specific objectives are to

1. Affirm, respect, and protect the rights and interests of vulnerable individuals and groups within the designated operational scope, throughout the project lifecycle. Such rights include the right to non-discrimination, the right to equal treatment between women and men and the rights of indigenous peoples;
2. Adopt a gender-sensitive approach to the management of environmental and social impacts, that takes into account the rights and interests of women and girls, men and boys, including specific attention to the differentiated burden of impacts that women and girls might face;
3. Identify and avoid adverse impacts of EIB operations on the lives and livelihoods of vulnerable individuals and groups, including women and girls, minorities and indigenous peoples. Where avoidance is not feasible, to reduce, minimize, mitigate or effectively remedy impacts;
4. Ensure that vulnerable individuals and groups are duly and early on identified in EIB operations and that engagement is meaningful, taking into account individuals' and communities' specificities, and delivered in an appropriate form, manner and language; and
5. Enable vulnerable groups, including women and girls, minorities and indigenous peoples to benefit from EIB-financed operations.

4.9 Minority rights and non-discrimination in the EU.

On the basis of the initial screening and in line with Standard 7, the Team will determine, in consultation with the promoter, the approach to be adopted to appropriately manage the potential adverse impacts resulting from project activities and/or associated facilities on vulnerable groups, including on indigenous populations and minorities. Where relevant and feasible, such an approach should also seek to promote inclusive development and benefit-sharing.

Types of harmful impacts

- Land invasions by external groups;
- Adverse health impacts of in-migration;
- Exclusion from receipt of development benefits;
- Increased divisions within minority groups;
- Unequal receipt of royalties in favour of particular groups; and
- Creation of dependent communities.

Types of benefits to enhance minority interests

- Provision of better educational and health facilities;
- Creation of particular employment opportunities;
- Development of indigenous technical knowledge and cultural programs; and
- Community development work to increase self-sufficiency and sustainability (provision of micro-finance, development of indigenous crafts).

Particular attention is to be given to vulnerable groups' cultural rights to maintain control over ancestral territory and to secure access to culturally appropriate sustainable livelihoods. A focus on, for instance, indigenous groups, like the focus on women, is of particular importance in the wider EU policies supporting social inclusion, non-discrimination and the rights of indigenous peoples expressed in the UN Human Rights Conventions.

5 CHAPTER FIVE: Gaps between Egyptian Legislations and the EIB standards

The analysis of the aforementioned legislations showed that the project will face minor discrepancy between Egyptian legislation and EIB standards. Therefore, it was relatively crucial to present the gaps between various legislations and the mechanism that will be adopted by EETC in order to bridge those gaps.

Table 5-1: Comparison of Egyptian regulations with the EIB requirements and measures for bridging the gaps

Topic	Egyptian legislative requirements	EIB policy requirement	Measures for bridging the gaps
Property Valuation/compensation	The unit rates used for compensating property and assets are based on the concept of full market price. This is not consistent with the full replacement cost adopted by the lender.	<p>For the EIB, those people whose livelihoods are negatively affected by a project should have their livelihoods improved or at minimum restored and/or adequately compensated for any losses incurred. As such, where physical or economic displacement is unavoidable, the Bank requires the promoter to develop an acceptable Resettlement Action Plan. The plan should incorporate and follow the right to due process, and to meaningful and culturally appropriate consultation and participation, including that of host communities.</p> <p>In cases of loss of land for households with land-based livelihoods, affected people must first be offered alternative land of better or equal quality.</p> <p>In cases of loss of housing, compensation for houses and other structures should be equivalent to replacement cost plus relocation costs. Depreciation of assets or the value of salvage materials shall not be deducted from the value of replacement cost.</p> <p>Where the option of cash compensation or alternative accommodation is provided, the cost estimates for providing alternative accommodation could be used for calculating cash compensation payable. For movable structures, such as kiosks or stalls, comparable replacement</p>	<p>The EETC is required to calculate the compensation value throughout the life of the project (digging, construction, and operation); with full replacement cost, in accordance to the market value at the time of compensation.</p> <p>In case of providing cash compensation, EETC has to ensure that the value of the crops and trees is equivalent to the market price. This is in order to be consistent with the "full replacement cost requirement. "Replacement cost" refers to the value determined to be fair compensation for: (i) land, based on its productive potential; (ii) houses and structures, based on the current market price of building materials, and labor without depreciation or deductions for salvaged building material, and (iii) residential land, crops, trees, and other commodities, based on their market value. Such cost needs to be further accounted for in case of any removal costs, utility connection costs, taxation costs imposed on new housing/re-established businesses etc. Where markets do not exist, surrogate values must be determined (see EIB Handbook 2013 standard 6, p. 54).</p>

Topic	Egyptian legislative requirements	EIB policy requirement	Measures for bridging the gaps
		sites should be offered. A good practice is to calculate replacement cost for such structures as the cost of alternative sites, the cost of replacing improvements (such as foundations), and relocation expenses or other transaction costs.	
The cut-off date	There is no cut-off date under the Egyptian laws.	The WB identifies a cut-off date in order to prevent people influx to the project area. This measure is stipulated in order to protect the project owner and to prevent wasting of resources. The Egyptian laws never set a cut-off date. The cut-off date is the day the census starts.	The cut-off date will be differing according to the project and the OHTL. It will be determined separately for each OHTL. The cut-off date will be the day when the census starts for the preparation of the site-specific RAPs or ARAPs
Temporary loss of structure (For title and non-title holders)	In compensating temporarily occupied structure, Egyptian law requires determination of the price per room or area to arrive at the market value. The law also provides tenants with an option to acquire alternative shelter but requires them to pay the difference, if any, in price.	The Bank's policy in involuntary resettlement requires: (i) compensation to restore the structure to its original condition, (ii) inconvenience allowance if the temporary land acquisition produces minor difficulties and, (iii) alternative comparable accommodations, rental allowance for equivalent temporary housing, or payment for constructing temporary housing of a reasonable equivalent standard can be provided. If structures themselves are temporarily acquired, or use of the structure is precluded, compensation for moving and restoration expenses are covered.	Dialogue with Egyptian authority on the Bank's policy in involuntary resettlement with focus on compensation for: (i) temporary land acquisition with minor inconvenience; (ii) structures that are temporarily acquired; (iii) precluding use of the structure and (iii) moving and restoration expenses. EETC is committed to compensating all PAPs whether they are title or non-title holders so to restore their livelihoods in accordance to the Bank's requirements EIB.
Compensation eligibility	Under Egyptian law, the only people and entities entitled for compensation are those with registered property rights, for	<ul style="list-style-type: none"> Eligibility Criteria for compensation under EIB/IFC/ OP 4.12: <ul style="list-style-type: none"> (a) those who have formal legal rights to land (including customary and 	The categories of people who must be compensated under Egyptian legislation are narrower than those defined under EIB/IFC/ OP 4.12.

Topic	Egyptian legislative requirements	EIB policy requirement	Measures for bridging the gaps
	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 EIB and the OP 4.12.	<p>traditional rights recognized under the laws of the country);</p> <p>(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;</p> <p>(c) those who have no recognizable legal right or claim to the land they are occupying.</p> <ul style="list-style-type: none"> • To determine eligibility: • Carry out resettlement census. Cut-off date for eligibility is the day when the census begins. <p>Under the EIB/ IFC and OP 4.12 all the land needed for a project is subject to compensation</p>	<p>Under this project all the categories (a,b,c) will be considered for compensation in accordance to EIB/IFC/ OP4.,12.</p> <p>Resettlement assistance should be provided in order to improve the PAPs livelihoods or at least to restore to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p> <p>Accordingly, individuals under category a and b, should be compensated at full replacement cost and EIB requires payment prior to acquisition.</p> <p>While those who are using land but have no recognizable legal rights or claim (i.e. individuals under category c) will be compensated for their investments on the land in order to improve their livelihoods or at least to restore to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p>

Topic	Egyptian legislative requirements	EIB policy requirement	Measures for bridging the gaps
The right of squatters	Not included in the legislation (Applied cases for resettlements revealed that squatters have been compensated as a result of political sensitivity)	The right of squatters is not addressed in Egyptian law, the Bank's policy requires squatters be provided with compensation for loss of structures/loss of economic activities/livelihoods and resettlement assistance when they are affected by projects financed by the Bank, but no compensation for the land the squatters are occupying. Egyptian legislation has not recognized the rights of squatters. There have been resettlement cases in which the Egyptian government compensated squatters because of political sensitivity to the problem rather than because of provisions in the law or in compliance with the Bank's policy.	Egyptian practices regarding the right of squatters can be employed to deepen discussion leading toward legislative solutions. Bank's discussion with Egyptian authorities may help address and formalize the treatment of squatters in line with the Bank standards. EETC is committed to compensating all PAPs whether they are title or non-title holders so to restore their livelihoods in accordance to the Bank's requirements EIB.
Livelihood/income restoration and assistance	Egyptian regulations do not specify income restoration allowances where the PAPs incurred losses of business income.	EIB standard 6, p.57 requires that all affected persons will be paid fair compensation in good time for expropriated assets. Compensation should be provided for any loss of personal, real or other property, goods or assets, including rights or interests in property, for instance, land plots and house structures, contents, infrastructure, mortgage or other debt penalties. Where land has been taken, affected persons should be compensated with land of commensurate quality, size and value, or better.	EETC is to define livelihood restoration, provide selection criteria for the members of the compensation committee, and describe future engagement of EETC with committee to the satisfaction of the Bank. Hence, EIB principle regarding income restoration will be considered. Therefore, those whose income is going to be affected will be compensated for the loss of profit and income.

Topic	Egyptian legislative requirements	EIB policy requirement	Measures for bridging the gaps
Calculation of Compensation	According to prevailing prices in the affected area and assessed by a specialized committee for that purpose	Full replacement cost	EETC should build their estimation on full replacement cost to be adopted to the EIB standards
Vulnerable groups	Egyptian regulations have not addressed how vulnerable groups affected by expropriation of property should be treated	The EIB standard 7 stipulates the importance of paying attention to the minority rights and non-discrimination in the EU. Minority protection and participation are inherent in the EU's founding principles and in the principles of subsidiarity. The evolution of human rights protection has strengthened anti-discrimination legislation particularly with respect to women and to employment. Similar protection remains to be developed for ethno-cultural diversity. Protection of minorities and indigenous peoples is limited to dealings with external partners.	<p>Poor and marginalized people such as single-headed households and those with handicaps also have to be engaged in this project by inviting them to the stakeholder engagement activities and consultations.</p> <p>In the coming stage, EETC needs to conduct a social survey covering the entire transmission line in order to identify all vulnerable groups. Subsequently, the impacts of the project have to be assessed so to inform EETC of the compensation and assistance that will be provided to vulnerable groups.</p> <p>Specifically, site visits have to be paid to the vulnerable groups in order to inform them about the project and its positive and adverse impacts. Additionally, they are to be informed about the grievance mechanism and given the contacts of the compensation committee in order to get the needed information.</p>
Access to timely and relevant information	Egyptian law stipulates that PAPs be provided with timely and relevant information.	EIB standard 10 on Stakeholder Engagement P.89 focuses on that "the timely disclosure of relevant project information enables stakeholders to	EETC launched comprehensive Stakeholder engagement activities that will continue along the life of the project. Integration of community based

Topic	Egyptian legislative requirements	EIB policy requirement	Measures for bridging the gaps
		understand the project's risks, impacts and opportunities. Mindful of this and as foreseen in the Stakeholder Engagement Plan, the promoter will provide identified stakeholders with relevant information in a timely and appropriate manner. The promoter will further disclose and grant access to relevant information to any other interested party as appropriate.	organization will be the key to provide satisfactory level of information. All the consultation activities that EETC will take in the context of this project should be included in RAP study,
Grievances & redress mechanisms	<p>Egyptian law allows the creation of "Specialized Committees" to address grievances originating from misunderstandings of project policy, or resulting from conflicts among neighbors. The law allows one month to object to the decision of resettlement, four months to seek redress to the compensation value and three months in case of dispute between several individuals or parties on a single property.</p> <p>Court cases in Egypt are known to require long periods of time before settlements can be reached. With intent to address the lengthy time the Egyptian court may require to process and resolve disputes.</p>	The Grievance Mechanism according to EIB standard 6 on Involuntary Resettlement p. 59 is "The promoter shall set up and maintain a grievance mechanism that is independent, free and in line with the requirements set out in Standard 10 and that will allow prompt addressing of specific concerns about compensation and relocation from the affected people and host communities and other directly involved entities. The mechanism should be easily accessible, culturally appropriate, widely publicized, and well integrated in the promoter's project management system. It should enable the promoter to receive and resolve specific grievances related to compensation and relocation by affected persons or members of host communities, and use the grievance log to monitor cases and improve the resettlement process.	<p>It is essential for the EETC to establish a GRM that is acceptable and accessible to community members. It would serve as the first stop for people who have a grievance and will have several channels for them to complain.⁴ All petitions will be listened and responded to and a due procedure of handling and managing grievances will be set. Moreover, their social development officers will gain information about how to document the grievances, and how to transfer them to the interested entity.</p> <p>They should be informed that they can take the case to the court If need arises, aggrieved people would however remain free to open a Court case without having registered their grievance with the GRM. The grievance mechanism should be set up and maintain in line with the Standard 10 of the EIB</p>

⁴ The GRM is fully discussed in Chapter 10.

Topic	Egyptian legislative requirements	EIB policy requirement	Measures for bridging the gaps
Consultation	There is no explicit consultation requirement in the Egyptian law. However, people in the affected communities are usually informed about the project.	<ul style="list-style-type: none"> Under EIB/IFC/OP 4.12 the affected communities and individuals should be consulted and contribute to the processes of land acquisition and resettlement. <p>Consultation with the affected PAP should be documented.</p>	<p>Affected groups should have access to full information about the resettlement process and options for compensation.</p> <p>Participatory planning and decision making should be applied in resettlement options and compensation</p>
Monitoring and Evaluation	The absence of monitoring and evaluation measures in Egyptian laws illustrates differences between the two systems. The lack of legally authorized resources can constrain accountability and governance mechanisms of Bank financed projects. The lack of equivalency between the Bank's and Egyptian policy can negatively impact on the very idea of the consultation, decision making and disclosure principles charted in the Bank's OP 4.12.	<p>According to EIB standard 10 on Stakeholder Engagement P. 92 the engagement with stakeholders during the life of a project is a dynamic and challenging process. Promoters are required to monitor the implementation of the stakeholder engagement plan and the performance of the grievance mechanism and report on both. In accordance to and as an integral component of a project's Environmental and Social Management System, monitoring and reporting procedures must be established early on in the operation by the promoter.</p> <p>In terms of monitoring, the promoter will arrange for all necessary provisions to assure stakeholder engagement during the monitoring phase. Thereby, the promoter will endeavor to involve independent third parties (e.g. CSOs, NGOs, and national human rights institutions) or to facilitate community-driven monitoring, where practical and acceptable by the communities concerned.</p>	<p>It is imperative that EETC moves toward advancing its monitoring and evaluation principles as stated in EIB standard 10.</p> <p>As such, the EETC is to develop an M&E and reporting system for the project that is to the satisfaction of the EIB. This is to ensure that the monitoring and reporting that is to take place is done according to EIB standards.</p> <p>There be monitoring of the resettlement activities during the project implementation as detailed in this RPF.</p>

Topic	Egyptian legislative requirements	EIB policy requirement	Measures for bridging the gaps
		In terms of reporting, the promoter will establish regular communication and reporting channels back to the communities and individuals impacted and concerned, whether through non-technical summaries of progress updates, engagement activities, public meetings, targeted issue-based hearings.	

6 CHAPTER SIX: RAP Preparation, Review and Approval

6.1 About Resettlement Action Plan

The RAP/ Abbreviated RAP is the most important resettlement instrument that should be undertaken. RAP/ARAP should assess the number of PAPs, propose alternative locations for the sub-projects if possible, identify the eligibility criteria, include provisions for compensation and assistance, and address the means by which the project monitoring and evaluation will take place to ensure that the PAPs receive their compensation and that their grievances are heard and addressed. The mitigation measures and compensation policies proposed in the RAP shall be disclosed to the PAPs for feedback and comments.

Once the EETC started to determine the dates of the civil works and the coordinates of the electric towers. The EETC will start the preparations of the RAP. For the purpose of this RPF, the following section will present the main steps for the preparation of the RAP/ARAP.

The sub-project RAP should consider the following design criteria:

Box 1: Design Criteria for RAP

Design Criteria for RAP

- A description of the sub-project and a discussion of how the displaced will maintain or upgrade their living standards
- Identification of potential impacts
- Objectives of RAP
- Site selection for new settlement, along with relocation risks and reconstruction;
- A census survey of displaced persons and valuation of assets
- Relevant findings of the socio-economic study
- Legal framework
- Institutional framework
- Eligibility criteria and eligible PAPs
- Valuation and compensation for losses
- Services offered after relocation (e.g. employment, electricity, etc.) based on an assessment of their needs
- Resettlement measures
- Site selection, site preparation, relocation, provision of services (facilitation of relocation)
- Housing, infrastructure, and social services
- Environmental protection and management
- Community participation
- Integration with host populations
- Grievance procedures
- Organizational responsibilities and timetable (what institution is responsible for implementation of the relocation)
- Implementation schedule
- Costs and budget
- Monitoring implementation and outcomes
- Evaluation

The key minimum elements that an abbreviated plan (ARAP) should cover. This is listed in the figure below.

Box 2: Minimum Elements to be included in ARAP**Minimum Elements to be included in ARAP**

- Project activities requiring acquisition of land or other assets with required details such as sketch maps
- A census survey of displaced persons and valuation of assets
- Officially certified enumeration of the persons affected and the types of impact
- Entitlements, description of compensation and other resettlement assistance to be provided and the bases of compensation rates
- Consultations with displaced people about acceptable alternatives
- Institutional responsibility for implementation and procedures for grievance redress
- Time table for implementation of the action
- Arrangements for monitoring and implementation
- A timetable and budget

6.2 RAP and the Project Cycle**6.2.1 Rap during Project Identification****➤ Project Screening**

During the screening phase, cadastral information might involve gathering information about land ownership, types of crops that would be directly affected by the works, either temporarily or permanently. This information shall be verified by a qualified consultant who shall provide written and visual records and enumerate all economic, residential or other ownerships and uses of the land that would be affected, along with an estimation of the number of people affected by this type of impact.

This same phase should also include conducting introductory meetings with communities, including PAPs and vulnerable groups, in order to inform them about the project and to disseminate the prepared RPF and inform people about their rights and entitlements.

➤ Preparation of the Socio-economic Survey

Following the identification of the project component that may necessitate involuntary resettlement, the next step would be preparing a socio-economic study, in which baseline data within the project's target areas is collected. The study should be carried out by a social and resettlement consultant assisted by the local community leaders. It should examine the nature of the impacts; the socio-economic and cultural setting, local organizations, social risks, total land holdings and affected assets as well as the indicators that would ensure that the project affected people, at minimum, regain their former quality of life or, preferably, are enabled to improve it. The information should be collected from PAPs and related household members or dependents. This information will be documented in writing, used in the preparation of the RAP and in determining the appropriate compensation and assistance for each affected individual/ household. The figure below demonstrates the objectives of the socio-economic survey.

Box 3: The Socio-economic Survey Objectives**The Socio-economic Survey Objectives**

- Introduce the project to the PAPs
- Collect census data to identify PAPs on individual and household levels
- Description of the affected households including information about livelihoods, production and labor systems, standards of living, an analysis of their legal rights and informal entitlements, and any issues of potential conflict
- Collect census data to identify vulnerable and severely affected PAPs
- Collect census data on the overall socio-economic environment of the affected communities
- Statement of the magnitude of the expected loss (total or partial) of assets and the extent of physical or economic displacement
- Identify stakeholders
- Identify impacts of the sub-project on the livelihoods of the PAP (i.e. property, structures, income...etc.)
- Identify any concerns or worries the PAPs may have
- Identify the resettlement preferences of the PAPs

➤ Preparation of RAP

For projects that will require the preparation of the RAP/ARAP, their preparation should be considered prior to the appraisal phase. The preparation of the RAP/ARAP should consider the key design criteria previously presented in Box 1 and 2.

6.2.2 RAP during Project Appraisal

The prepared RAP/ARAP needs to be reviewed by an appraisal committee from the project team as well as other relevant local or central authorities and then submitted for final approval by the Bank. The RAP/ARAP shall include the proposed mitigation measures which will help in making a decision regarding the implementation of the project or not. The prepared RAP/ARAP shall take into consideration the communities concerns and worries raised in the process of conducting the socio-economic survey.

6.2.3 RAP during Project Implementation

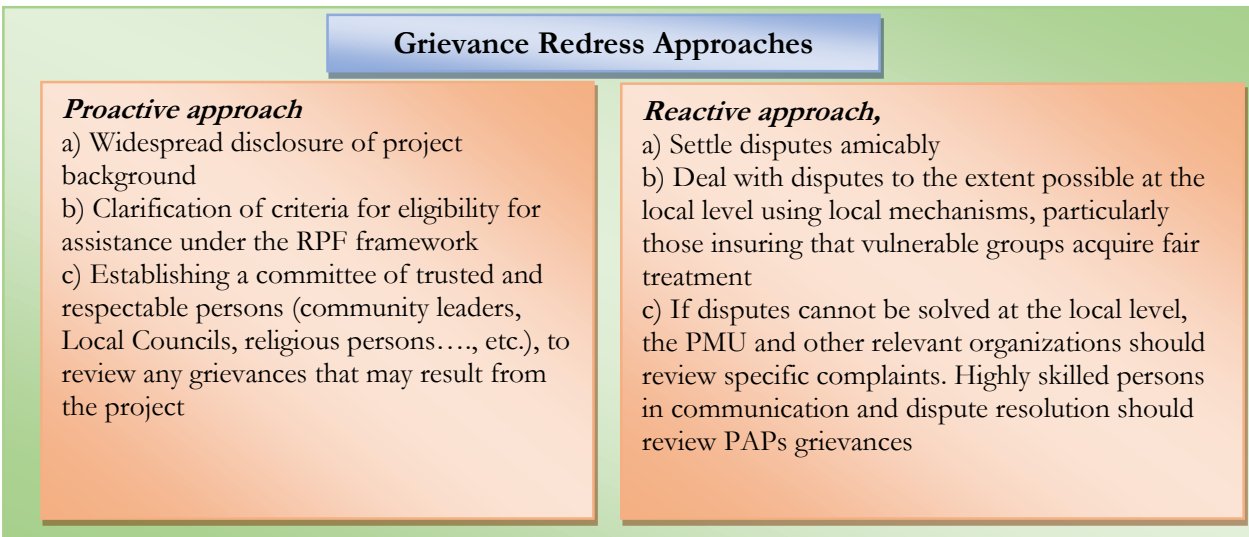
In the case of the project:

- 1- Prior to the project implementation, PAPs that have been determined to be identified as eligible for compensation should be compensated in accordance with EETC laws and EIB standards as detailed in this RPF.
- 2- A cut-off date should be determined as the time when the census starts. Persons who encroach onto the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. Affected individuals, households, and communities, who have been identified earlier under the socio-economic survey, will be consulted about their compensation preferences.
- 3- The PAPs will be formally informed through written or verbal notification (in case some of the PAPs are illiterate) delivered in the presence of at least one public official. LGU as well as any local resettlement mechanism that might be initiated (e.g. Local Resettlement Committee) will arrange meetings with the affected individuals/ households to document the lands acquired by the sub-project throughout the implementation period and discuss the compensation process.

- 4- The PAP will be required to sign a contract detailing the acquired land plots and/ or partially or completely affected structures and the corresponding types of compensation (i.e. cash or in-kind). The signature of the compensation contracts as well as the actual payments and in-kind transfers shall be made in the presence of at least one public official from the city authorities. In the case of illiterate PAPs, fingerprint stamps substitute for written signatures and additional witnesses should be present. The contracts may also include contracts on possible transitional or developmental assistance and income restoration measures that will be given to the PAPs.
- 5- A grievance mechanism should be devised in order for the PAPs to be able to voice their concerns, complaints, or dissatisfaction with any part of the compensation process and to seek redress. The grievances should be addressed to local mechanisms or special committees that could be formed as an independent instrument for the purpose of receiving and responding to grievances, to ensure that PAPs grievances are treated fairly and timely. The committee should collect and review the grievances (in coordination with the local public official representative) monthly and EETC should also perform a role in facilitating the response to these grievances. Particular attention will be paid to vulnerable groups. It is also important for the committees to ensure proper documentation for all grievances and reach their resolution within the timeframe allotted to responding to grievances (i.e. 15 calendar days).

If the grievances or other disputes cannot be resolved through administrative action, the PAPs can initiate legal proceedings in accordance with the provincial and the national law and have recourse to the Appellate Courts and the Supreme Court but this should be maintained as a last option. The grievance redress approaches could be divided into proactive and reactive approaches as illustrated under in the figure below.

Box 4: Main Approaches for the Grievance Redress



6.2.4 RAP during Monitoring and Evaluation (M&E)

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

- Monitoring of specific situations or difficulties arising from implementation and how it complies with the objectives and methods set out in the RAP/ARAP;

- Verifying that project activities have been effectively completed with respect to quantity, quality and time;
- Evaluation of medium and long-term impacts of resettlement on the livelihood, environment, local capacities and economic development of the affected households

In carrying out all activities related to monitoring, evaluation and supervision, consideration will be given to the vulnerability issues. The different vulnerable groups referred to above should be consulted during the monitoring process to ensure that their concerns are handled fairly. Regular monitoring of the RAP implementation will be conducted internally, by EETC, as well as externally by an independent monitoring agency.

Box 5: Guidelines for the Monitoring Indicators

Guidelines for Monitoring Indicators

The main indicators that will be monitored regularly are as follows:

- A. Check that the screening activities have been carried out 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 avoiding discrimination based on gender, tribal backgrounds or any other factors
- C. Delivery of income restoration and social support entitlements
- D. Dissemination of public information and consultation procedures
- E. Committing to grievance procedures and outstanding issues requiring management's attention and equity of access
- F. Attention given to the priorities of PAPs regarding the proposed alternatives
- G. Co-ordination and completion of resettlement activities and award contracts of civil works

6.2.5 RAP development

The RAP should include a time schedule; it includes EDF/AETS/EIB review and clearance, and approval by the bank. Implementation of a RAP will be considered completed when the adverse impacts of resettlement have been addressed in a manner that is consistent with the relevant plan and requirements outlined in this Standard. It is good practice for the promoter to present to the EIB an accountability report upon the completion of the RAP implementation, prepared by an external party. The accountability audit will include, at a minimum, a review of the mitigation measures implemented by the promoter, a comparison of implementation outcomes against agreed objectives, and a conclusion as to whether any follow-up actions and further monitoring are needed.

The rap should include a detailed budget for all costs of the compensation.

7 CHAPTER SEVEN: Eligibility Criteria for Affected Persons

The aim of determining an eligibility criteria in the RPF is to ensure that the PAPs who suffer a partial loss of lands, crops, and trees, will be clearly defined and recognized as eligible for some kind of assistance regardless their legal rights to the land.

7.1 Defining Affected Persons

Project-affected persons (*PAPs*) are defined in this policy framework according to EIB standards⁵ refers to all persons impacted by the involuntary resettlement, including all members of a household (women, men, girls, boys, incl. several generations in the case of extended households); the owner and employees of a business; members of an ethnic minority group; tenants; land owners and sharecroppers; informal settlers (i.e. lacking formal titles); holders of customary land-rights; informal business-operators and their employees/assistants.

Eligible PAPs may be in any of the following situations: (i) have formal legal rights to the land/structure they occupy; (ii) do not have formal legal rights to land, but have a claim to land that is recognized or recognizable under the national laws (e.g. ancestral, traditional lands); (iii) are dependent on the impacted land for their livelihood by way of customary access to natural resources; (iv) have no recognizable legal right or claim to the land or structure they occupy; and/or (v) economically displaced persons who face loss of assets or access to assets. It is important to note that PAPs are not household units or merely heads of households and different individuals will be differently impacted by the resettlement. For example, gender dynamics need to be duly observed and taken into account throughout the process.

The Environmental and Social Officer shall assist in the provision of development assistance to severely affected PAPs and vulnerable groups as specific attention should be paid to the needs of the following vulnerable groups, including: i) Persons below the poverty line, the landless. ii) Elderly, women and children, indigenous peoples, ethnic minorities. iii) Project affected persons who may not be protected through national land compensation legislation.

Table 7-1: Possible Losses from Land Acquisition

Land	<ul style="list-style-type: none"> • Agricultural land (rented or owned) • Access to land
Income	<ul style="list-style-type: none"> • Income from crops • Income from wage earnings • Income from affected business • Access to formal employment opportunities
Environmental	<ul style="list-style-type: none"> • Access to natural resources • Negative environmental impacts resulting from land acquisition or from the project itself

⁵ European Investment Bank - Environmental and Social Handbook - Version 9.0 of 02/12/2013 – P.54

7.2 Eligibility Criteria

All PAPs who suffer a complete or partial loss of assets or access to assets shall be eligible for some kind of assistance, according to their legal rights to the land, if it can be proven that they occupied the land before the claim cut-off date. The cut-off date will be differing according to the project and the OHTL. It will be determined separately for each OHTL. The cut-off date will be the day when the census starts for the preparation of the site-specific RAP or ARAP.

The EIB standards specifically proposes three general categories for eligibility.

Table 7-2: Criteria for Eligibility EIB Requirements

Displacement Category	Entitlement
<p><u>The first criterion for eligibility will be those with legal title</u> People with formal land title, land use rights, customary or traditional rights (recognized under the Egyptian laws) to the land</p>	<ul style="list-style-type: none"> • Compensation for loss in land and assets at full replacement cost. • In case of physical relocation, provide assistance during relocation (i.e. moving allowances) and residential housing and / or agricultural sites with productive and location advantages equivalent to the lost sites. • Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels. • Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities).
<p><u>The second criterion for eligibility will be the legal status.</u> Those who occupy/use the land but have no formal title for objective reasons are eligible for compensation for land.</p>	<ul style="list-style-type: none"> • Compensation for loss in land and assets at full replacement cost. • In case of physical relocation, provide assistance during relocation (i.e. moving allowances) and residential housing and / or agricultural sites with productive and locational advantages equivalent to the lost sites. • Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels. • Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities).
<p><u>The Third criterion for eligibility will be,</u> People who occupy the land but have no formal or informal claim to it, such as squatters</p>	<ul style="list-style-type: none"> • They shall be provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives of the resettlement standards laid out in this Standard, if they occupy the project area prior to a cut-off date established by the promoter and acceptable to the EIB. • Such affected persons shall not be compensated for land but for their land improvements or structures, such as houses and/or small businesses, and may qualify for other resettlement and rehabilitation assistance. Resettlement assistance can consist of land, cash, jobs, or other forms of assistance determined in consultation with affected people and acceptable to the promoter. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

8 CHAPTER EIGHT: Methods of Valuation of Affected Assets and Compensation

8.1 Policies

EIB standards requires that resettlement and compensation plans provide prompt and effective compensation at full replacement cost for losses of assets attributable directly to a Bank-financed project.

Replacement Cost refers to the value determined to be fair compensation for: (i) land, based on its productive potential; (ii) houses and structures, based on the current market price of building materials and labor without depreciation or deductions for salvaged building material, and (iii) residential land, crops, trees, and other commodities, based on their market value. Such cost needs to further account for any removal costs, utility connection costs, taxation costs imposed on new housing/re-established businesses etc. Where markets do not exist, surrogate values must be determined⁶.

Where Egyptian law does not meet the standard of compensation at full replacement cost, compensation under Egyptian law is supplemented by additional measures necessary to meet the replacement cost standard defined in EIB standard 6, as the EETC will provide compensations according to the EIB standards.

Land and crops will be valued and compensated according to the EIB standard 6, Egyptian regulations, the policies of land acquisition and involuntary resettlement to be applied for the Project are described as follows:

- Land and property acquisition shall be avoided or minimized as much as possible by examining all possible alternatives from engineering as well as environmental and social perspectives.
- PAPs shall be meaningfully consulted in appropriate timing in order to reflect their opinions and preferences on resettlement plans and options, whereby their participation for planning and implementing the resettlement plan shall be promoted.
- Compensation shall be provided in timely manner based on the agreement with PAPs, and will be finalized before the date of evacuation.
- Compensation on loss of assets shall be equal to the replacement cost. In the case of impact on livelihoods, standards of living, income opportunities, the compensation should be as such to at least restore to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- All PAPs living, working, doing business in the project area at the time of cut-off date⁷ will have entitlement of compensation and/or assistance.

⁶European Investment Bank - Environmental and Social Handbook - Version 9.0 of 02/12/2013 – standard 6 on Involuntary Resettlement - P.54

⁷ Cut-off date is set primarily to determine the affected population and their eligibility needs. It is usually the date of the census for identification of persons who will be affected by the project. The cut-off date may also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx (as provided in European Investment Bank - Environmental and Social Handbook - Version 9.0 of 02/12/2013 – standard 6 on Involuntary Resettlement - P.53)

- All affected people will be eligible for compensation and rehabilitation assistance, irrespective of the tenure status.
- Necessary institutional arrangement shall be ensured for preparation and implementation of resettlement in timely manner.
- Adequate financial arrangement shall be ensured and enforced within the time frame of covering the cost of land acquisition, resettlement, and rehabilitation.
- Appropriate mechanisms for monitoring, reporting, and evaluation shall be developed and ensured within the resettlement management system.
- Appropriate mechanism for grievance shall be established.

8.2 Asset Valuation

The valuation of losses in assets depends on the type of the lost asset. For physical assets, market value should be assessed to estimate the replacement cost. This should consider any associated costs to bring the asset to its pre-displacement value.

Table 8-1: Types and Examples of Affected Assets and the Method of Valuation

Type of lost asset	Examples on assets	Replacement cost
Tangible/physical asset	Agricultural Land	Equals the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, in addition to the cost of any registration and transfer taxes.
	Urban Land	Equals the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
	Houses/Other Structures	Equals 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. In addition to the cost of transporting the building materials to the construction site, the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes.

Source: WB OP 4.12

To assess the value of compensation to be paid to PAPs and based on the Egyptian Law concerning Land and Real Estate, an Estimation Committee (EC) should be in charge of estimating the value of the compensation. Also, it helps in other considerations like the cases when the affected asset is owned by more than one owner.

8.3 Compensation

Compensation will be provided to all individuals whose assets or access to assets is affected or damaged, as a consequence of land acquisition or any other activities undertaken by the projects. The compensation for the loss of physical and nonphysical assets will vary depending on the type of loss,

and eligibility of the PAPs. Compensation may come in the form of cash compensation, in-kind compensation, and/or assistance.

All PAPs will be entitled to monetary compensation at replacement cost, at market value (at the entitlement cut-off date) for affected tangible assets. Another option may be in-kind compensation where the affected assets would be replaced with an asset of similar size, value, and quality. The decision on which type of compensation is used should be jointly agreed upon between the project staff and the PAPs and shall be subject to the availability of replaceable assets.

It should be noted here that compensation for losses in communal property shall only be in-kind for the community as a whole, and shall take the form of reconstruction of the affected or damaged facility (i.e. public school buildings, markets, etc.) to - at least - the same standard it was on prior to the project's implementation.

8.3.1 Forms and Calculation of Compensation

Although the type of compensation may be an individual's choice, compensation in kind (such as land-for-land) is preferred. Compensation refers to both compensation for expropriated assets and restoration of income.

Table 8-2: Forms of compensation and calculation methods

Types of Compensation	Calculation Method
Cash Payments	Compensation will be calculated and paid in local currency. Rates will be adjusted for inflation
In-Kind Compensation	Compensation may include items such as land, houses other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment.
Other Assistance	Assistance may include moving allowance, transportation and labor, title fees, or other related costs.

8.3.2 Land Compensation

Compensation for land is aimed at providing for loss of crop and labor used to prepare the land and cultivate the crop. The term "Land" refers to an area or homestead in cultivation, being prepared for cultivation, or cultivated during the last agricultural season.

Land and assets are valued and compensated for according to the following guidelines and as appropriate for the project:

- Compensation cost values are based on full replacement cost, as of the date that the full replacement is to be provided or at the date of project or subproject identification, whichever is higher,
- Full market prices for cash crops have to be determined based on their values as determined by the appropriate agency. Often this is the Ministry of Agriculture.
- PAPs that lose farmland allotted by the village under customary tenure are provided an equivalent plot.
- In case of land-based livelihoods, land-for-land compensation is preferred.

8.3.3 Crop and Trees Compensation

As the project will result in a temporary impact on the crops and agricultural lands, the study team will rely upon the pricing lists during the execution time provided for the crops in the RAP study. (Examples of the pricing lists provided for the crops will be illustrate in Annex 3)

The price lists are developed by the Agriculture Directorate. Prior to developing such lists, the Agriculture Directorate had a dialogue with the Agriculture Associations within the jurisdiction of the governorate in order to identify the prevailing market price. Such dialogue is not documented by the Agriculture Directorate; however, it is reflected on the developed price list.

8.3.4 Compensation for Buildings and Structures

The EETC will avoid as much as possible the buildings and structures during determining the line routes

8.4 Entitlement Matrix

Each RAP should develop a resettlement matrix that identifies the expected negative impacts from the project, the eligible persons for compensation, and the compensation policy that is to be applied. The entitlement to compensation and assistance of livelihood stabilization shall be defined according to the Egyptian regulations in compliance with EIB standards “livelihoods should be improved or at least restored to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher” .Entitlement shall be categorized based on the proposed eligibility to the loss. Since the detailed activities under this project have not yet been specifically identified, Table 8 is entitlement matrix that may serve as a generic tool for identifying the possible losses arising from the expected projects and the respective entitlement benefits of the PAPs.

Table 8-3: Entitlement Matrix for Affected Persons

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Agricultural Land				
Loss of arable and grazing agricultural land or access to it	Permanent (complete or partial) loss of arable and grazing land located in the sub-project site	Farmers/Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> Provide cash compensation at replacement cost for the lost land⁸, in addition to the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. Provide cash compensation for loss of crops or trees at replacement cost. 	<ul style="list-style-type: none"> A list of available arable and grazing land in each affected area Consultations and formal agreement with PAPs on type of compensation (cash or in-kind) If available and requested by the PAPs and agreed to by the sub-project and concerned authorities: provide equivalent land nearby, of similar size, value, and quality
Loss of arable and grazing agricultural land or access to it	Permanent (complete or partial) loss of arable and grazing land located in the sub-project site	Farmers/Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<ul style="list-style-type: none"> Provide development and transitional assistance in locating new replacement lease land. Provide cash compensation for loss of crops or trees at replacement cost. 	<ul style="list-style-type: none"> In case of relocation, provide assistance to farmers during and after the relocation process Provision of assistance to farmers to develop new crops and improve production for both crops and livestock
Loss of arable and grazing agricultural land or access to it	Permanent (complete or partial) loss of arable and grazing land located in the sub-project site	Farmers/Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> No compensation for land. Provide landless PAPs with resettlement assistance in securing temporary or lease rights to replacement land Provide cash compensation for loss of crops or trees at replacement cost. 	<ul style="list-style-type: none"> Poor and vulnerable PAPs (including the landless) will not be displaced until replacement land is provided For the transitional period, it is recommended that: Transitional assistance should be provided at least six months are

⁸Calculated at entitlement cut-off date.

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
				<p>provided if not more for all PAPs. Market value of the crops should be considered</p> <p>Which is calculated based on besides the transitional cycle of re-growing the same type of crop, plus cost involved.</p>
Loss of arable and grazing agricultural land or access to it	Temporary (complete or partial) loss of all or part of arable and grazing land located in the sub-project site	Farmers/Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> • No compensation for land if returned to owner in less than one year. • Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use. • Provide cash compensation for loss of crops or trees at replacement cost and compensation for loss of net income from subsequent crops that cannot be planted for the duration of the lease. 	<ul style="list-style-type: none"> • If the temporary loss continues for more than one year, PAPs will be given a choice of either continuing with the temporary arrangements, or selling the affected land to the sub-project at full replacement cost at current market value • Provision of development assistance to enable farmers/land owners to restore land to its previous condition or better quality by providing measures to improve land quality in cases of land being adversely affected.
Loss of arable and grazing agricultural land or access to it	Temporary (complete or partial) loss of all or part of arable and grazing land located in the sub-project site	Farmers/Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<ul style="list-style-type: none"> • No compensation for land if returned to owner in less than one year. • Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use. • Provide cash compensation for loss of crops or trees at replacement cost and compensation for loss of net income from subsequent crops that cannot be planted for the duration of the lease. 	

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Loss of arable and grazing agricultural land or access to it	Temporary (complete or partial) loss of all or part of arable and grazing land located in the sub-project site	Farmers/Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> No compensation for land if returned to owner in less than one year. Provide cash compensation for loss of crops or trees at replacement cost. 	<ul style="list-style-type: none"> Provision of development and resettlement assistance to landless PAPs with no legal rights.
Urban Land (Residential and/or Commercial)				
Loss of urban residential or commercial non-arable land or access to it	Permanent (complete or partial) loss of urban residential or commercial non-arable land	Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> Provide cash compensation at replacement cost 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. In the case that there are structures on the land, provide cash compensation at replacement cost for the materials used to rebuild the structures or to partially repair an affected structure. 	<ul style="list-style-type: none"> A list of available non-arable land in each affected area A list of PAP and entitled persons Consultations and formal agreement with PAPs on type of compensation (cash or in-kind) If available and requested by the PAPs and agreed to by the sub-project and concerned authorities: provide equivalent land nearby, of similar size, value, and quality
Loss of urban residential or commercial non-arable land or access to it	Permanent (complete or partial) loss of urban residential or commercial non-arable land	Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<ul style="list-style-type: none"> In the case where there are structures on the land which have been built by the users, provide cash compensation at replacement cost for the materials used to rebuild the structures or to partially repair an affected structure. Provide development and transitional assistance in locating new replacement lease land 	<ul style="list-style-type: none"> Provision of development and resettlement assistance, mainly in form of transition allowances for severely affected PAPs (transition

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Loss of urban residential or commercial non-arable land or access to it	Permanent (complete or partial) loss of urban residential or commercial non-arable land	Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> Provide no compensation for land. In case that there are structures on the land which have been built by the users, provide cash compensation at replacement cost for the materials used to rebuild the structures or to partially repair an affected structure. Provide landless PAPs with resettlement and transitional assistance to secure alternative commercial or residential land and to restore their livelihoods. 	<p>subsistence allowance for food, moving incentive allowance, assistance in locating new residential or commercial leasing, and income transition allowance if businesses are affected).</p> <ul style="list-style-type: none"> For the transitional period, it is recommended that: Transitional assistance should be provided at least six months are provided if not more for all PAPs.
Loss of urban residential or commercial non-arable land or access to it	Temporary (complete or partial) loss of urban residential or commercial non-arable land	Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> No compensation for land if returned to owner in less than one year. Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use Provide cash compensation for loss of crops, trees, or structures at replacement cost 	<ul style="list-style-type: none"> If the temporary loss continues for more than one year, PAPs will be given a choice of either continuing with the temporary arrangements, or selling the affected land to the sub-project at full replacement cost at current market value Provision of assistance to enable the land users owners to restore land to its pre-subproject condition by providing measures to improve land quality in cases where land is adversely affected
Loss of urban residential or commercial non-arable land or access to it	Temporary (complete or partial) loss of urban residential or commercial non-arable land	Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<ul style="list-style-type: none"> No compensation for land if returned to owner in less than one year. Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use Provide cash compensation for loss of crops, trees, or structures at replacement cost 	

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Loss of urban residential or commercial non-arable land or access to it	Temporary (complete or partial) loss of urban residential or commercial non-arable land	Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> No compensation for land if returned to owner in less than one year. Provide cash compensation for loss of crops, trees, or structures at replacement cost 	<ul style="list-style-type: none"> Provision of resettlement assistance to landless PAPs with no legal rights
Structures or Buildings (Commercial, Business, Industrial, or Residential)				
Loss of structures or access to them	Permanent (complete or partial) loss of structures	Individuals who have formal legal ownership rights to the structures	<ul style="list-style-type: none"> Provide cash compensation at replacement cost which is equal to the market cost of materials used to build a replacement structure of similar area, and quality, or to repair a partially affected structure. In addition to the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, and the cost of any registration and transfer taxes. 	<ul style="list-style-type: none"> A list of available structures in each affected area A list of PAP and entitled persons Consultations and formal agreement with PAPs on type of compensation (cash or in-kind, i.e relocation)
Loss of structures or access to them	Permanent (complete or partial) loss of urban residential or commercial non-arable land	Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights (tenants)	<ul style="list-style-type: none"> Provide assistance in moving and finding similar and affordable rental accommodation (this may include moving allowance and rental allowance for a transitional period). 	<ul style="list-style-type: none"> A 3-months' notice - at least - to be given to the tenants.
Loss of structures or access to them	Permanent (complete or partial) loss of urban	Individuals who do not have any recognizable legal right or claim to the	<ul style="list-style-type: none"> Provide cash compensation at replacement cost for the structures if they were built by the users. 	<ul style="list-style-type: none"> The Environmental and Social Officer may look into the

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
	residential or commercial non-arable land	land (squatters and persons in ownership dispute)	<ul style="list-style-type: none"> Provide assistance in moving and finding similar and affordable rental accommodation (this may include moving allowance and rental allowance for a transitional period). 	possibilities of formalizing the structures following their repair.
Standing Crops, Trees, and Plants				
Loss of standing crops, trees, or plants or access to them	Permanent (complete or partial) loss of standing crops, trees, or plants	Farmers or individuals who cultivate the land and who have formal legal ownership rights to the land on which the crops are planted	<ul style="list-style-type: none"> Provide cash compensation for loss of crops, trees, or plants at replacement cost. 	<ul style="list-style-type: none"> A comparative list of the prices of agricultural products in local markets. A list of tree and plant species in the area. The sub-project activities should take into consideration the cropping patterns and seasons in order to avoid partial or complete loss if possible.
Loss of standing crops, trees, or plants or access to them	Permanent (complete or partial) loss of standing crops, trees, or plants	Farmers or individuals who do not have formal legal ownership rights to land on which the crops are planted but have temporary or leasing rights (tenants)	<ul style="list-style-type: none"> Provide cash compensation for loss of crops, trees, or plants at replacement cost. 	
Loss of standing crops, trees, or plants	Permanent (complete or partial) loss of standing crops, trees, or plants	Farmers or individuals who do not have any recognizable legal right or claim to the	<ul style="list-style-type: none"> Provide cash compensation for loss of crops, trees, or plants at replacement cost. 	

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
or access to them		land on which the crops are planted		
Income or Access to Income (Commercial, Business, and Industrial Activities)				
Loss of source of income or access to source of income	Permanent loss of income source or access to it	Owner or workers in formal registered businesses	<ul style="list-style-type: none"> • Provide transitional cash compensation until new permanent employment is secured based on net income (at least six months are provided if not more). • Provide development assistance to PAPs (i.e. training in specific areas) in order to help them to maintain and/or improve their income generation potential and access to gainful employment. 	<ul style="list-style-type: none"> • A list of available commercial, industrial, and business activities in each affected area • A list of PAP and entitled persons. • The Environmental and Social Officer shall assist in the provision of development assistance to severely affected PAPs and vulnerable groups as specific attention should be paid to the needs of the following vulnerable groups, including: <ol style="list-style-type: none"> i) Persons below the poverty line, the landless, ii) Elderly, women and children, indigenous peoples, ethnic minorities, iii) Project affected persons who may not be protected through national land compensation legislation. iv) persons with disabilities
Loss of source of income or access to source of income	Permanent loss of income source or access to it	Owner or workers in informal not registered businesses	<ul style="list-style-type: none"> • Provide transitional cash compensation until new employment is secured based on minimum wage per month in the respective district (at least six months are provided if not more) • Priority shall be given to severely affected PAPs in the provision of any relevant employment in the activities related to the sub-project. 	
Loss of source of income or access to source of income	Temporary loss of income source or access to it	Owner or workers in formal registered businesses	<ul style="list-style-type: none"> • Provide cash compensation for the duration of business/income generation that is disrupted based on net income. 	
Loss of source of income or	Temporary loss of income	Owner or workers in informal unregistered businesses	<ul style="list-style-type: none"> • Provide cash compensation for the duration of business/income generation that is 	The RAPs will include these vulnerable groups and take into consideration their individual circumstances. Subsequently, the provision of development assistance to

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
access to source of income	source or access to it		disrupted based on the minimum wage per month in the respective district.	<p>severely affected PAPs and vulnerable groups will be through design training programs, formalizing informal activities, and access to credit.</p> <ul style="list-style-type: none"> • If the transitional cash compensation 6 month period expires without the PAPs having restored their living standard, then the period could be extended to another 3 months. However, this extension is to be granted on a case-by-case basis. Therefore, it is recommended that an Environmental and Social Officer has to make a case study for each PAP prior to the decision.

8.5 Notification Procedure

The appropriate authorities involved in identifying the land will notify the PAPs. Land or assets users will be informed through both written and verbal formal notification delivered in the presence of the appropriate village/Governorate official, community level organizations, or representative. In addition, the Governorates, and individuals who control land will accompany the survey teams to identify sensitive areas.

8.5.1 Documentation

The consultant reviewed the results of compensations in the previous electricity projects, as well as, the methods and steps by which the compensations are paid, and it was shown that there is a negotiation notice between delegates from EETC and the affected person. This notice includes the names of the delegates from EETC, the necessary personal information on the affected party, the numbers of electric towers that will be installed in the lands, the type of compensation and the ways of payment. The ownership of the lands (Agricultural associations are responsible for providing documentations which prove the land ownership, the type of crops, the number of affected crops, and the area of affected lands) Based on the negotiation notice the affected party can be receiving his compensation (see Annex 2).

8.5.2 Agreement on compensation and preparation of contracts

All types of compensation are clearly explained to the PAPs. The appropriate authority draws up a contract, listing all property and land being surrendered and/or assets impacted, and the types of compensation (cash and/or in-kind) selected.

A person selecting in-kind compensation has an order form, which is signed and witnessed. The compensation contract is read aloud in the presence of the affected party and the respective of appropriate organizations' representative, Governmental officials and, other community leaders prior to signing.

8.5.3 Compensation payments

All compensation payments must be made in the presence of the affected party and the Governorate officials.

8.5.4 The Entities and Authorities Contributing To Land Acquisition Process

The EETC work team who is responsible for the compensations and the Grievance and Redress Mechanism (GRM) who are:

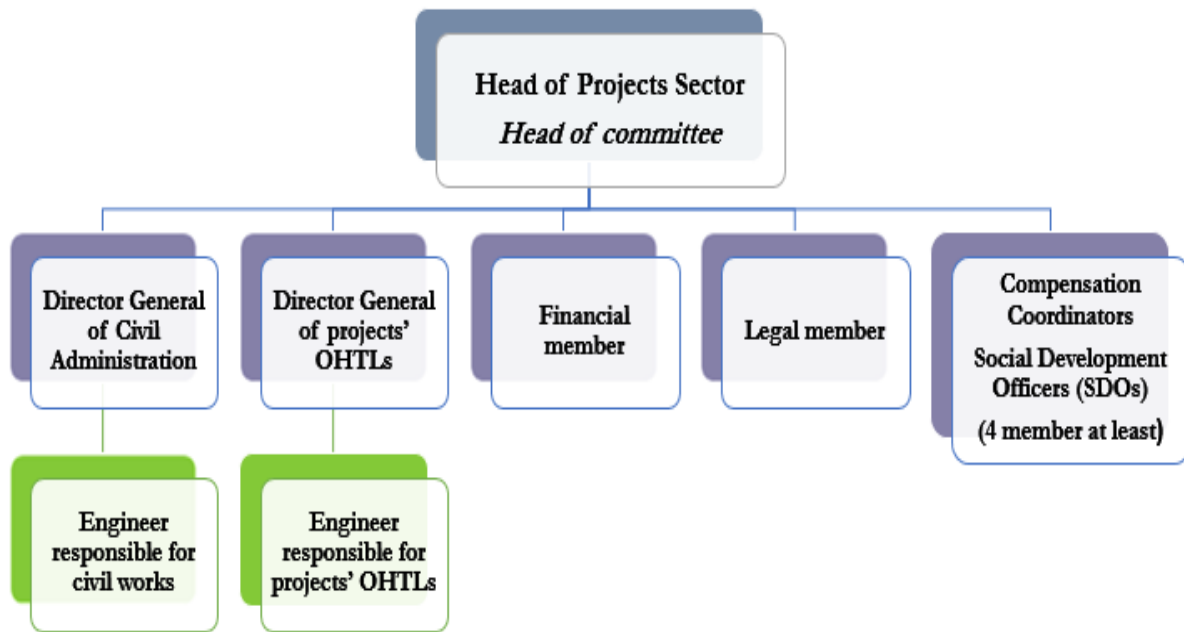


Figure 8-1: Institutional Scheme EETC level

The PAPs can communicate directly with the coordinators and the project manager as the communication with the PAPs is within their responsibilities.

The SDOs is the key player who ensure diligent implementation of the RAP, ongoing consultation with the PAPs, and responsible for the following:

- Works in both compensation and mediation committees
- Is responsible for handling the first tier of grievances along with the Site Project Manager as well as conducting awareness raising activities among PAPs to inform them about the grievance mechanism
- Responsible for monitoring the progress of the RAP implementation
- Work with the EETC team to ensure that land is restored to the same conditions as before the OHTL installation.
- Conducting further consultations during the implementation and monitoring of the RAP (including affected persons of vulnerable groups such as women and poor people)

• **Other support entities**

1. Egyptian Power System Engineering company

They develop the project profile, including the exact location of towers. They accompany the Compensation Committee in order to show them the exact areas that will be affected by the project

2. Ministry of Agriculture

i. The Agriculture Directorate

Their role is limited to developing price lists for all types of crops that might be affected

ii. The agriculture associations:

At least one of the employees working in the agriculture association accompany the compensation committee as an active member of the committee. The agriculture associations⁹ are responsible for: the following activities:

- Accompanying the Compensation Committee during the inventory,
- Estimate the value of crops and trees according to their actual conditions
- Participate with the Compensation Committee during the payment of compensation
- They attend all individual consultation related to the resettlement
- The PAPs lists are published in the agriculture association
- Provide a proof of property documentation for lands and crops

3. The governorate

The Compensation Committee developed by the EETC is supported by the representatives of the following:

- i. Department of Real Estate *Amlak*
- ii. Egyptian Land Survey Authority

⁹ The agriculture association is a governmental entities responsible for provision of seeds and fertilizers to the farmers. Each one of them is responsible for the agriculture activities in a zone comprises of 175 Feddan (agriculture lands). They work also in the compensation process as a representative for the Ministry of Agriculture.

9 CHAPTER NINE: Consultation Activities

The Consultation Activities chapter aims at highlighting the key consultation and community engagement activities and their outcomes, in addition to outlining the validity and reliability of the collected data. The Stakeholder engagement activities were conducted reference to the standard 10 of the environmental and social standards of EIB¹⁰.

Key principles of effective engagement include

- Disseminate comprehensive information in a format and language that is understandable about the project to enable potential affected persons to identify their concerns, needs, and recommendations;
- Listen to their comments, ideas and concerns and recording the same for follow up;
- Identify the most effective outreach channels that support continuous dialogue with the community;
- Inclusiveness in representation of views, including ages, women and men, vulnerable and/or minority groups;
- Processes free of intimidation or coercion;
- Clear mechanisms for responding to people's concerns, suggestions, and grievances.
- Discuss potential resettlement plans and impacts of involuntary resettlement.

Community engagement plan has been developed for the different Stakeholders through Two phases:

- Phase I: Consultation activities conducted on the SS and the surrounding areas (August 2017),
- Phase II: During the preparation of the RPF study, the areas located along the routes of the OHTLs; were included on April 2018.
- The consultant will undertake the third phase of the consultation by preparing for the Resettlement Action Plan RAP.

The results of the previous consultation activities are presented in (Annex 4). Consultation should continue in accordance with Standard 10 on Stakeholder Engagement and during the implementation and monitoring of the resettlement process. Stakeholder Engagement Plan should be prepared according the Annex 6 of the EIB Environmental and Social Handbook 2013.

Based on the identification of stakeholders, various questionnaires and guidelines were prepared in order to engage:

1. The residents in the project areas include:
 - Community leaders
 - The community people
 - Women
 - Young people and Elderly
 - The owners and workers of the nearby farms

¹⁰ http://www.eib.org/attachments/strategies/environmental_and_social_overview_en.pdf

2. Governmental Organizations and Authorities
 - Sharqiyah , Qalyubiyah and Ismailia Governorates
 - 10th of Ramadan, Fayed, Ismailia, Banha, Belbees cities Authorities
3. NGOs
4. Environmental administrations
5. Project owner (Egyptian Electricity Transmission company)

The consultation outcomes will be useful:

- Define/refine potential project stakeholders and suggest their possible project roles
- Identify the most effective outreach channels that support continuous dialogue with the community
- Meaningful consultation and disclosure which will be based on the disclosure of information relevant project activities, and will be undertaken in a manner that is inclusive and culturally appropriate for all stakeholders, and achieve basic requirements for disclosure requirements and dissemination of project information; at the level of all affected persons.

Thereafter the results will provide proper documentation of stakeholder feedback and enhance future stakeholder engagement activities accordingly.

All activities conducted were documented with photos and lists of participants in order to guarantee an appropriate level of transparency.

9.1 Stakeholder Identification

The project is recognized as an important electricity distribution project, accordingly, it is essential to realize, within the context of this project the importance of engaging the wide base of ‘stakeholders’ in the process which aims to bring these stakeholders together from the local and national levels to inform and support project implementation.

A stakeholder is defined, in the EIB handbook, Standard 10, 2013 as:

“Are those who will be or are likely to be directly or indirectly affected, positively or negatively, by a project (commonly referred to as project-affected people or project-affected communities), as well as those who might have an interest in, or may influence, the project.”

The following table summarizes all potential project stakeholders.

Table 9-1: potential project stakeholders

Categories	Stakeholder groups	Role
<i>Primary stakeholders</i>		
Potential affected communities in 10th of Ramadan, Banha, Ismailia, Belbees cities	Major Investors and Head of cities Authorities	<ul style="list-style-type: none"> • They are the community leaders of the project affected communities • They will be responsible of communicating with the Project and sharing information with their community people

Categories	Stakeholder groups	Role
	The community people living in 10 th of Ramadan, Banha, Ismailia, Belbees cities	<ul style="list-style-type: none"> Households and communities that will receive impacts (positive/negative) as a result of the project.
	Women	<ul style="list-style-type: none"> They will receive the impacts of the project. Additionally given their vulnerable status they might be severely affected by positive or negative impacts
	Young people (from age of 18 to 35 year)	<ul style="list-style-type: none"> They have interests in the project as they might get a job opportunities
	Elderly	<ul style="list-style-type: none"> They will receive the impacts of the project. Additionally given their vulnerable status they might be severely affected by positive or negative impacts
	Owners of farms, and workers	<ul style="list-style-type: none"> They will receive the impacts of the project. they might be severely affected by positive or negative impacts
	10 th of Ramadan, Fayed, Ismailia, Banha, Belbees cities Authorities	<ul style="list-style-type: none"> Permissions for the road cut during the implementation Rehabilitation of roads, which is one of the major issues raised by the community.
	Information Centers in 10 th of Ramadan and Ismailia Cities	<ul style="list-style-type: none"> Provide the project with the underground utilities and infrastructure maps. As well as, providing information about the surrounding communities
Project owner	Egyptian Electricity Transmission company	<ul style="list-style-type: none"> Project owner
Financial institutes	European investment bank (EIB)	<ul style="list-style-type: none"> Financiers and regulators
<i>Secondary stakeholders</i>		

Categories	Stakeholder groups	Role
Civil society	Local NGOs	<ul style="list-style-type: none"> • They are responsible of sharing information with the community. • NGO's are a good method for spreading awareness messages to the local community. Regular meetings are held regularly every two months with the NGO's and community leaders. Publications will be distributed (project fact sheets and grievance forms).

9.2 Defining/refining the stakeholder

In order to ensure an inclusive and meaningful consultation process, a stakeholder's analysis was conducted to get better understanding of the various groups and their roles, interests and influence on the project.

A focused stakeholders' identification was conducted to identify the key groups of relevance to the project in this specific location. The main identified groups are very similar to those identified on the governorate level but on a smaller scale. In the meantime, local communities of both men and women of projects beneficiaries, local NGOs were among the key stakeholders on the local level.

The abovementioned stakeholders were consulted using various tools (i.e. Individual Interviews, Group Meetings, and Focus Group Discussion).

Various interviews were conducted with the stakeholders. The diversity of community representation was taken into account.

9.3 Consultation Methodology and Activities

The research team has adopted multi-dimensional consultation activities that enabled the marginalized, voiceless, youth and women to gain information about the project. In addition to, gaining information about their concerns and worries regarding the project during various implementation phases, through the following methods: Focus Group Discussions (FGDs) with community members and surrounding farming-related stakeholders, Group Meetings and Semi-Structured Interviews with community stakeholders.

Through this stage of consultation activities it was preapprehension for the next phase in the RAP study. It is based on the following methodology:

Secondary Data Collection Method

Literature review

Including laws, legislations (both national and international guidelines and safeguard policies), social baseline data, and the feasibility study of the project as well as previously prepared RAP for projects in and outside of Egypt. Moreover, review all basic information related to the PAPs as presented by EETC.

Primary Data Collection Methods

A. Quantitative data: Census/Inventory/Socio Economic Survey

The Study team will design the survey Census/inventory/socio-economic Survey questionnaires for the PAPs. The survey will cover the whole of PAPs' population regardless of the legal status of the affected persons and the affected asset. The survey will include the family members along the OHTLs. The quantitative data will cover various segments of land-owners, as well as the nature of and the use of their land (the types of crops and trees planted in their lands, the number of structures on plot, if any).

B. Qualitative Data

In addition to the conventional method of preparing the RAP, namely the inventory survey, the study team will utilize additional qualitative research methods, which aimed at assisting the study team in gaining an in-depth understanding of the current socioeconomic and legal conditions of the PAPs, their livelihood dynamics, as well as their compensation preferences.

Qualitative methods could also be employed to investigate the persons that are indirectly affected by the project. Qualitative methods are generally more interactive and provide participatory techniques that can pave the way for the introduction of the structured inventory surveys to the local community, and identify PAPs' attitudes towards resettlement activities.

The suggested qualitative methods that will be used; include:

- Focus Group Discussions (FGDs) with all PAPs
- In-depth Interviews (SSIs) that will be applied with:
 - Compensation committee in EETC in order to collect the needed data about the procedures applied for compensation, as well as getting the needed information about the potential PAPs;
 - Representatives of the governorates and the Agricultural associations in order to identify their operational role in the compensation process;
 - NGOs, and community leaders in order to identify their role and their perception towards the proposed mitigation measures. The aim of these consultations is to disclosure about the project widely in the affected communities,

10 CHAPTER TEN: Grievance Redress Mechanisms (GRM)

According to EIB standard 6, the promoter shall set up and maintain a grievance mechanism that is independent, free and in line with the requirements set out in Standard 10 on Stakeholder Engagement and that will allow prompt addressing of specific concerns about compensation and relocation from the affected people and host communities and other directly involved entities. The mechanism should be easily accessible, culturally appropriate, widely publicized, and well integrated in the promoter's project management system. It should enable the promoter to receive and resolve specific grievances related to compensation and relocation by affected persons or members of host communities, and use the grievance log to monitor cases and improve the resettlement process¹¹.

Grievances and redress represent one of the important processes that should be tackled carefully during the project implementation. The community people became more active and willing to be heard. Grievance system is also important for EETC to ensure that complaints are properly handled without delay that may negatively affect the project. Moreover, to ensure that information is shared transparently and that they are accountable to the hosting communities.

Grievances activities to be applied under the project should handle all types of grievances. Including but not limited to the grievances related to involuntary resettlement. The grievance mechanism should be set up and maintain in line with the Standard 10 of the EIB, In each of the electricity zones, there is a unit designated for handling compensations as well as grievances. The head of the unit is the manager of the transmission lines project. The unit is made up of 7-9 personnel. The responsibilities of this unit include:

- Communicating with agricultural cooperatives to retrieve information on land ownership.
- Contacting the agricultural administration to retrieve information on the prices of different crop harvests.
- Distributing and recording compensation payments.
- Receiving, logging, and responding to grievances.

This unit is responsible for the above-stated matters throughout all phases of the project. This unit is the work team of the EETC; it will address all grievances raised by community people related to project interventions.

10.1 Institutional Responsibility for the Grievances

Regarding the responsible entity that will handle the grievances, it will be mainly the implementing agency (EETC). The Social Development Officers (SDOs) working within the EETC in cooperation with the agriculture associations, local government units, governorate, NGOs and the resident engineers will address all grievances raised by community people related to project interventions. The SDOs will be from three areas which are:

Line	Zone
500 kv OHTL 10 th Ramadan SS /East Banha	Canal Zone Area
500 kV OHTL 10 th Ramadan SS /East Ismailia	Canal Zone Area

¹¹ EIB standards on Involuntary Resettlement as part of the EIB Environmental And Social standards, Environmental and Social Handbook Version 9.0 of 02/12/2013 – P.59

Line	Zone
220 kV OHTL 10 th Ramadan SS /Proposed Belbees SS	Canal Zone Area
220 kV OHTL 10 th Ramadan SS /Zezinia	Canal Zone Area

Compensation Coordinators (Social Development Officers) for Canal Zone they are responsible for coordination between the agricultural associations and the PAPs. The PAPs can communicate directly with the coordinators and the project manager as the communication with the PAPs is within their responsibilities.

The consultant suggests appointing a "Social Development Officers" at least 4 member; who should be working on full time basis during the project construction to ensure the social management plan is sufficiently addressed. The Social Development Officers might be a EETC staff with relevant background (e.g. a background in social development or social science). It is required that the "Social Officers" be aware of the EIB safeguard policy on involuntary resettlement and the associated procedures. Training courses on participatory approaches and the aspects of awareness and communication skills might be needed in order to build his/her capacity to efficiently follow up the implementation of the social management plan. The Social Development Officers will be working closely with the Consultant who will be preparing the RAP. Social Development Officers will be the key player to ensure diligent implementation of the RAP and ongoing consultation with the PAPs, In addition to being responsible for:

- Raise people's awareness about the exact grievances mechanism
- Collect the grievances received by each communication channel
- Document grievances received
- Direct the grievance to the responsible entities to solve the problem
- Follow up on status of the complaint and its resolution
- Document, report and disseminate the report
- Monitoring of grievances activities

The RAP will include the numbers of those SDOs

10.2 Grievances tiers

Various tiers of grievances should be adopted by the EETC. The affected person can target his/her complaint to one or more tiers at the same time. Following are the various tiers of grievances:

First tier of grievances:

- 1- The EETC will assign a Social Development Officer (might be more than one) who will be responsible to receive all grievances from all categories of stakeholders.
- 2- The SDO will inform the community about grievances, whom to address to solve the complaints. The status of the resolution of the complaints will be documented for all grievances received. Moreover, he will follow up until the complaint has been resolved. The turnaround time for the response /resolution will be 15 days.

Furthermore, grievance procedures might be applied after construction related complaints for cases affecting crops or lands, other than those already compensated. The response to grievances will be through applying re-measuring procedures. Based on the re-measuring; compensations will be paying to the PAPs who will be included in the RAP.

Second tier of grievances:

In case of having unresolved complaint, the affected person might follow the second level of grievances:

- 1- The compensation committee in the EETC which includes an accountant and a legal member) along with a representative of a governorate, representative of the Local Governmental Council and an influential stakeholder (maximum five people) will form a Grievance Mediation Committee that will be responsible for the discussion of the unresolved complaints.
- 2- The Grievance Mediation Committee will take decision and play a mediation role with the affected persons. This Committee will be composed of 1)head of agriculture directorate/ association, 2) active NGOs/PAP, 3) mayor,4) head of EETC compensation committee, 5) representative of the contractor
- 3- A regular meeting will be announced by the Compensation Committee. The complainants can attend these meetings
- 4- In case no grievances are submitted during the grievance period, the crop and land compensation register is approved by the concerned committee and the relevant directorate is mandated to proceed with the payment of crop compensations to the affected farmers at the office of the agricultural association or the village council and in the presence of village leader and representatives from the Ministry of Agriculture and Land Reclamation.

10.3 Grievances channels

Comments and concerns regarding the project can be submitted verbally or in writing to EETC through the following channels.

1. Hotline (a mobile number for the SDO will be included in the RAP to be informed to project affected areas).
2. Agricultural associations
3. The compensation committee in the EETC
4. By post or hand delivered to: Egyptian Energy Transmission Company, Emtedad Ramsis st., Abbasiya, Cairo
5. Using grievance boxes that are installed at the LGU/NGOs in the nearby areas
6. During construction to site manager (Contractors' side, who will be responsible to relay the grievance to EETC's project management)

10.4 Response to grievances

All comments and complaints will be responded to either verbally or in writing, in accordance to preferred method of communication specified by the complainant. The grievance should be responded to within a month maximum. Comments will be reviewed and taken into account in the

project preparation; an individual response should be presented to each aggrieved person. The grievances should be documented in a Grievance log.

10.5 Disclosure of grievances

All grievances activities should be disclosed on the EETC. A quarterly report should be prepared for the most frequent grievances faced and how they were solved. This report will be disclosed through EETC website and the local governmental unit.

A best practice standard is to acknowledge all complaints within 15 calendar days. Due to the complexity of some of the complaints, not all of them can be resolved immediately. In this case medium or long-term corrective actions are required, which need a formal procedure recommended to be implemented within 30 calendar days:

1. The aggrieved person has to be informed of the proposed corrective measure.
2. In case no corrective action is required, the petitioner should also be informed accordingly.
3. Implementation of the corrective measure and its follow up has to be communicated to the complainant and recorded in the grievance register

All grievances and communications, received by the EETC social 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 EETC responsiveness and reporting to stakeholders on the resolution of grievances.

All grievances received shall be documented in a grievance register.

10.6 Monitoring Response to grievances

All grievances activities should be monitored in order to verify the process. Monitoring will be for the following indicators:

9. Efficiency of grievances recipients monthly (Channel, gender, age, basic economic status of the complainants should be mentioned)
10. Type of grievance received (according to the topic of the complaint)
11. Number of grievances solved
12. Number of unsolved grievances and the reasons behind not solving them
13. Satisfaction levels with proposed solutions
14. Documentation efficiency
15. Time consumed to solve the problem
16. Efficiency of response to received grievance dissemination activities undertaken

11 CHAPTER ELEVEN: Funding Arrangements

At this stage, where the locations of the transmission line towers have not yet been determined, and when the number of PAPs cannot be identified, it is not possible to provide an estimated budget for the total costs of resettlement that may be associated with the implementation of the project. Therefore, activities for resettlement plan will be funded like any other project. Funding will be processed and effected through the project's financial processing arrangements.

Funds for implementing inventory assessments and resettlement plans will be provided by the implementing agency (EETC).

The resettlement plan for a Bank financed project should include an itemized, indicative budget and the implementing agency (EETC) will finance this budget through the administrative and financial management rules and manuals like any other activity eligible for payment under the Bank financed project. This budget will be subject to the approval by the implementing agency (EETC).

The implementing agency (EETC) will have to finance the resettlement compensation because they will be impacting on the people's livelihoods. Disbursements based on budgetary requirements, established by the resettlement plan in consultation with PAPs and local leaders, will be made through the relevant Governorate and implementation agency (EETC).

12 CHAPTER TWELVE: Monitoring and Evaluation Arrangements

In order to assess whether the goals of the resettlement and compensation plan are being met, a monitoring plan will be required. The monitoring and evaluation arrangements aim to monitor and report on the effectiveness of RAP implementation, including the physical progress of resettlement and rehabilitation activities, the disbursement of compensation, the effectiveness of public consultation and participation activities, and the sustainability of income restoration and development efforts among affected communities. The objective of monitoring is to provide the sponsor with feedback on RAP implementation and to identify problems and successes as early as possible to allow timely adjustment of implementation arrangements.

The monitoring plan includes indicators to be monitored, introduces milestones, and provides resources including responsible persons or institutions to carry out the monitoring activities. The arrangements for monitoring resettlement and compensation activities will be part of the monitoring and reporting process of the project, which will fall under the overall responsibility of the executing agency (EETC).

In order to enhance the monitoring and evaluation function, the implementing agencies – EETC will include the following staff:

- Field Supervision Engineers, and
- Public Awareness and Communication Specialist
- Procurement Experts
- Financial Management Experts
- Legal expert

The implementing agencies (EETC), with support from the Resettlement Specialist, M&E specialist, and the above-mentioned staff, will institute an administrative reporting system that:

- a. Alerts the project authorities on the necessity and procedures for land acquisition for the project activities and the need to incorporate land acquisition, resettlement, loss of assets and impact on livelihood provisions in design specifications and budgets.
- b. Provides timely information about asset valuation and negotiation process.
- c. Maintains records of any grievances that require resolution.
- d. Documents timely completion of project resettlement obligations (e.g., payment of the agreed-upon sums, construction of new structures) for all permanent and temporary losses, as well as unanticipated, additional construction damage.
- e. Updates database with respect to the changes that occur on the RPF require that where appropriate and where determined to be cost effective, EETC should host the monitoring and evaluation of the project.

The monitoring objective will be to make a final evaluation in order to determine if affected people have been paid in full and before implementation of the project.

The evaluation should ensure that policies have been complied with in addition to providing the needed feedback for adjusting strategic directions. Monitoring Arrangements will depend on:

- **EETC Internal monitoring:** The evaluation should ensure that policies have been complied with in addition to providing the needed feedback for adjusting strategic directions. EETC SDOs will

monitor the RAP process during all its phases. They will be responsible for ensuring efficient consultation with all land owners, their representatives, fairness of agreement, proper implementation of the compensation process and its effects on the PAPs socioeconomic status.

- **External monitoring:** The EETC develops in cooperation with the RAP consultant a detailed list of indicators as the RAP will be the baseline study for the project affected people. Halfway through the RAP process, an independent consulting firm will be contracted by EETC in order to apply a rapid assessment for the activities done under the RAP, as well as, the impact of involuntary resettlement on the livelihood of community people.

Box 6: Proposed indicators needed for monitoring activities (Implementation Checklist)

Examples of proposed indicators during RAP implementation

Quantitative and qualitative indicators

1. Number of persons compensated for a) land, b) crops, c) trees, etc.
2. Number of persons not yet compensated (by types of losses)
3. Number of consultations held
 - Number of participants (According to the communication channel)
 - Gender of participants
 - Age of participants
 - Occupation of participants
 - Their comments
4. Number of complaints received (by types)
 - Number of complainants
 - Gender of complainants
 - Main complains raised
 - Number of solved complains
 - Number of complains left unsolved (reasons should be reported)
5. Number of grievances resolved
6. Number of grievances outstanding
7. Level of satisfaction of affected people with the compensation
8. Number of awareness sessions held

Examples of proposed indicators during the final evaluation and assessment

1. Total Number of persons compensated for a) land b) crops c) trees, etc. versus the baseline information provided in the RAP
2. Number of persons left with no compensation (by types of losses) and reasons
3. Number of consultations held (A full assessment about their characteristics of participants, reason for holding consultation, comments, where they held different consultation
4. Number of complaints received (by types) (How they were dealt with
5. Number of grievances resolved
6. Number of grievances outstanding
7. Income change due to land acquisition
8. Appropriate application of entitlement matrix

12.1 Indicators

In order to assess whether these goals are met, indicators capable of measuring RAP performance will have to be developed.

A number of objectively verifiable indicators must be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs, to determine and guide improvement in their social and economic wellbeing.

Table 12-1: Sample indicators

Monitoring	Evaluation
Public information dissemination and consultation procedures	Timeliness, quality, and effectiveness of consultation and information disclosure
Payment of compensation to PAPs in various categories	Conformance to compensation policies described in the RAP
Completion dates of the RAP activities.	Actual completion of resettlement activities compared with the RAP time schedule
Number of grievances	Timeliness and quality of decisions made on grievances
Grievances recognized as legitimate out of all complaints lodged	All legitimate grievances rectified
Pre- project production and income (year before land used) versus present production and income of PAPs, off farm-income trainees, and users of improved production or agricultural techniques	Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation.
Pre- project production versus present production (crop for crop, land for land).	Equal or improved production per household.

12.2 Record Keeping

Financial records will be maintained by EETC.

The records will permit the verification of the final cost of resettlement and compensation per individual or household. Each person receiving compensation will have a dossier containing:

- Individual bio-data information,
- Number of people s/he claiming to own or benefit from the land,
- Amount of land available to the individual or household when the dossier is opened.
- Level of income and of production through an inventory of material assets and improvements in land, and debts.

13 Annexes

Annex 1: Summary of national regulations related to socio-economic environment

Administrative Authority's Decision Making Responsibilities

Main relevant laws governing expropriation and consequent compensation procedures include:

- **Physical Planning Law (Law3/1982)**

Law No. 3, 1982 for Physical Planning, in its Sixth chapter concerning District Renewal (this also applies for slums' redevelopment or resettlement projects) has obliged the concerned local body entitled to renewal to first plan and prepare the proposed relocation sites where the occupants of the original area under renewal or redevelopment, would be resettled. The concerned local body should first prepare these relocation sites to be suitable for housing and proceeding different activities of the relocates prior to their transfer to the new site.

Article 40 of this law stated that it is not allowed to commence with the resettlement before at least one month from officially notifying the PAPs with their new destination. Any occupant, who would be subjected to the resettlement and receives a new housing unit, has the right to complain of its unsuitability within 15 days of receiving the notification to a specialized committee formulated by the concerned governor. The committee should reach its decision concerning the complaint within a maximum one month period. However, the right to complaint does not include the location of the new resettlement site, rather it is only limited to the unit itself.

Law 3/1982 allows compensation by: (i) taking the value of the property; or (ii) postponing the taking of such value in full or in part until all or part of the area in question is sold.

Article 47 of Law 3, 1982 authorized the concerned Governor to formulate compensation committee.

In addition:

- Law 3 of 1982: added to the foregoing list acts aiming at the establishment of green areas and public parking.
- Prime Ministerial Decree No. 160 of 1991: added to the list the establishment of governmental educational buildings
- Prime Ministerial Decree No. 2166 of 1994: added fishery farms established by ministries, governmental departments, local government units, and public authorities.
- Law 577/54, which was later amended by Law 252/60 and Law 13/62, lays down the provisions pertaining to the expropriation of real estate property for public benefit and improvement.
- Law No. 27 of 1956, which stipulates the provisions for expropriation of districts for re-planning, upgrading, and improvement, and the amended and comprehensive
- Law No.10 of 1990 on the expropriation of real estate for public interest.

Expropriation of Ownership for Public Interest (Law 10/1990)

Although, the constitution prohibits the expropriation of private property except for public interest against compensation determined pursuant to the law, Law 10 of 1990 concerning the Expropriation of Ownership for Public Interest was issued to reflect this constitutional mandate. In addition, expropriation of property is further regulated by Law 59 of 1979 concerning the Establishment of New Urban Communities and Law 3 of 1982 concerning Urban Planning.

The term “**public interest**” in the context of expropriation has been defined in Article 2 of Law 10/1990. The Article specifies the acts that are considered for public interest. These include:

- Constructing, widening, improving, or extending roads, streets, or squares, or the construction of new districts.
- Water supply and sewage projects, irrigation and drainages projects.
- Energy projects.
- Construction or improvement of bridges, cross roads for railway and tunnels
- Transportation and telecommunication projects.
- Urban planning purposes and improvements to public utilities.
- Other acts considered as acts for public interests mentioned in other laws.

Article 2 of law 10, 1990, further delegates the Cabinet of Ministers to add other acts to the foregoing lists. Expropriation may not be limited to those land or buildings directly subjected to the previous acts but it could include also any other neighboring properties that are deemed useful for the acts.

The law further stated that expropriation can be exercised only with respect to:

- Real property and not movable property. The term real property means, “Anything that is fixed in its space affirmed therein, which may not be moved without being damaged.” Accordingly, real property includes only land (whether agricultural or vacant, whether in urban or rural areas) and buildings above this land.
- Real property belonging to private persons (individuals or corporate) or to State private property.
- State public property may not be expropriated; rather the concerned administrative parties would enter into an agreement with respect to such property either by divesting the property in question from its public characterization or by re-appropriating the said property to another public use or entity.

According to Article 3 of the Executive Regulation of Law 10, a committee will be formed to determine the properties required for the public interest.

Article 6 of Law 10/1990, requires the Minister of Public Works and Water Resources to form a Committee within each governorate to be charged with the determination of compensation.

Article (20) of Law 10/1990 requires compensation to be determined on the basis of prevailing prices at the date of issuance of the expropriation decree.

- Law No. 63 of 1974 concerning safe distances on both sides of transmission lines and prohibited areas around transformers and electrical equipment according to their voltage levels.

The general provisions guiding expropriation of private property (according to Law 577/54, Law No. 27 of 1956, Law No. 252 of the year 1960, and Law 577/54) include the following:

1. Property expropriation shall be only on tangible real estate property, there shall be no expropriation of movable possessions.
2. Applicable only to property privately owned by individuals, thus, public property is excluded from the procedures.
3. The expropriation shall include land and constructions (structures).
4. The purpose of expropriation shall only be for realizing public interest.
5. The administrative authority has the right to assess the circumstances related to expropriation as well as the authority for implementation of property expropriation, which is justifiable by the objective of achieving public benefit. The administrative authority may not be challenged or judged on the grounds that it could have chosen more appropriate real estate property to achieve public benefit than the one that it has already chosen.

6. The administration shall estimate the area it sees necessary for the establishment of a project. This right shall not be only restricted to the real estate property required for the project; but the legislator empowered the administration to also include expropriated property.

According to Article 23 of Law 577/1954: “If the purpose of the property expropriation is the establishment of a squares, streets, or their expansion, modification, demarcation, or the establishment of a new district, or for its improvement/ upgrading or beautification, or for any health related matter; property expropriation may include, in addition to the real-estate property needed for the project, any other real-estate property which the administration in charge seems to be necessary to achieve the project’s objective or any other property whose current state (whether in size or form) is not consistent with the required improvement.

Moreover, the first article of Law No. 27 of 1956 allows for the expropriation of districts for their improvement, upgrading, re-planning, and reconstruction. Article 24 of Law 577/54 also stipulates that in case only partial expropriation of real estate property is required, and the remaining un-expropriated part will not be of benefit to the owner; the owner shall be given the right to submit a request within 30 days (beginning from the date of final disclosure of the list of the expropriated property) for the purchase of the entire area.

It should be noted that the new law has not restricted the right to request the purchase the remaining un-expropriated portion of real estate to buildings only, but it was also extended to include land as well.

Law No. 252 of the year 1960, amended by Law 577/54 was promulgated to equilibrate the rights and guarantees for individuals with the rights of the state in expropriating private property. Moreover, this law has stipulated that the assessment of public benefit / interest, which justifies property expropriation, shall be emanated in all cases by a Presidential Decree, while previously it was made by the competent minister.

The legislator deemed it necessary to amend the law to reflect new developments that have occurred, beginning from the administrative decentralization process in the local governance system and the transformation of many public entities into separate public bodies, each being a separate legal entity, independent from the state, and a budget, independent from the public budget.

This law was promulgated when the Egyptian Public Entity for Survey, one of the subsidiary departments for the Ministry of Water Resources and Irrigation, was the competent authority for performing the expropriation procedures. It is required that the Entity allocate the compensations values in its budget. The new amendment of this law states that the authority requesting the property expropriation shall be responsible for the payment of compensation value and in representing itself in legal litigations before the jurisdiction.

Article 2 of the Law No. 10 of 1990 has identified public benefit activities to be:

- Construction of roads, streets, squares, or their broadening, modification, paving, or the constructing of entirely new districts.
- Sanitary drainage and water projects
- Irrigation and drainage projects
- Electricity / power projects
- Construction of bridges and the surface paths (slides, lower passages, or modifying them)
- Transportation projects
- Urban / rural planning and improvement of infrastructure
- All activities that are considered to be of public benefit as per any other law

- Other public benefit activities may be added as per Cabinet of Ministries Decree(s)
- The decision ruling public benefit activities shall be in accordance with a Presidential decree and shall have a memorandum of the project enclosed.

The new law has introduced / specified, through Article 6, the members of the compensation assessment commission. The commission is made at the Governorate level, upon a Decree by the Minister of Water Resources and Irrigation (identified by the Law as an issuing body), and consisting of a delegate from the Ministry's Surveying Body (as President), a delegate from the Agricultural Directorate, a delegate from the Housing and Utilities Directorate, and a delegate from the Real Estate Taxes Directorate in the Governorate. The compensation shall be estimated according to the prevailing market prices at the time of the issuance of the Decree for expropriation

Legal and Administrative Procedures for Transfer of Ownership and Compensation

The procedures taken to this regard are administrative, with no judicial interference except in the assessment of the compensation amount.

Article 1 of Law 252/60 (amended by Law 577/54) states that the determination of public benefit for the expropriation of private real estate property is subject to Presidential Decree. On the other hand, according to Article 2 of Law 27/1956, the determination of public interest for the expropriation of districts for re-planning and upgrading is subject to a Decree from the Cabinet.

Enclosed with the decree is:

- A memorandum demonstrating that the required project shall be considered of public benefit / interest (to be published with the Decree in an official newspaper and in relevant local administrative units).
- A map delineating the project scope
- Two weeks following the publication and promulgation, the official commissioned to the expropriation property procedures is permitted to enter into the real estate to perform the technical and surveying operations and all the necessary demarcations of the expropriated real estate.

The steps for ownership transfer are highlighted below:

1. Preparation of a census of all property: The census shall be performed by commissions which consist of a delegate of the entity commissioned to perform the expropriation (i.e. the Governorate, Ministry of Agriculture, etc.) and one of the local officials from the Governorate. A registered notice shall be sent to notify the concerned person. All owners and those with rights or entitlements to the expropriated property shall meet up with the commission in the project area during the census process in order to guide the commission members with regards to their property rights. The commission shall report the minutes of the procedures, which shall include all property and their owner names and addresses. The members of the commission and the owners shall sign the census report. If anyone refuses to sign, this will be noted in the minutes of the session by justifying the reason for refusal. Entering the expropriated properties from then on shall be subject to the notification of the concerned person.
2. Preparation of statements and evacuation warnings: The expropriating entity shall prepare statements with the number and types of property that shall be expropriated, their size, location, owner's names and addresses, and compensation values (as per the census report). These statements shall be published in an official newspaper. The owners and tenants shall be warned that they must evacuate the property within a period of maximum 5 months. The owners shall be

given a period of 30 days (from the date of submission of the statements) to present their complaints or grievances regarding the data in the statement. If the complaints were not submitted during this 30-day period, the data included in the statements shall be considered conclusive and shall not be subject to any litigation or claim, and in this case the compensation amounts indicated in the statements shall be sent to the identified owners.

3. Transfer of ownership: For those owners with no complains or contestations, the transfer of ownership is simply made by having them sign specific forms for ownership transfer. For property which the owners have not signed the proper forms, the competent minister shall emanate a decision to expropriate the property. The forms and the Ministerial decrees shall then be deposited in the relevant Notary Office. This deposit regarding the real estate shall generate the effects caused by the declaration of the sale contract. According to it, the property shall be transferred to the administrative authority that expropriates the property, and the rights incumbent on the real estate shall be transferred to the compensation amounts.
4. Compensation assessment: Property expropriation shall only be made against a fair compensation in accordance to constitutional provisions. The legislator has put forth some principles which should be taken into consideration with regards to compensation assessment:
 - a. The compensation assessment for property expropriation shall not include structures, plants / crops, improvements / additions, or tenant agreements if it has been proved that the aforementioned acts were performed in order to acquire higher compensation. The legislator has provisioned that every act taken to this regard, after the publication of the decision for expropriation for public benefit in the official newspaper, shall be considered as an act performed for increasing the compensation value. Accordingly, these acts should be ruled out in the assessment of the compensation amount (Article 25: Law No. 577 of 1954, and Article 7: Law No. 27 of 1956).
 - b. If the compensation amount for the un-expropriated part, in projects other than urban planning, increases or decreases (due to activities causing general public benefit), the increase or decrease in amount should be taken into consideration so that the amount to be added or reduced shall not exceed 50% of the compensation value of the expropriated property (Article 19: Law No. 577 of 1954).
 - c. If the value of the property subject to expropriation for the upgrading or re-planning of districts / cities is increased as a result of the implementation of a public benefit project, the increase in value shall not be calculated in the compensation assessment if the property expropriation is performed within 5 years from the date of implementation in the previous project (Article 20: Law No. 477 of 1954).
 - d. For real estate subject to improvement due to public benefit works (district/city re-planning and upgrading projects), the owners shall be obliged to pay for the improvements, provided that the payment does not exceed 50% of the actual expenses for establishing or expanding the street or square which resulted in the improvement. This provision shall also be applicable if only part of the property within the district/city re-planning/upgrading projects is expropriated, and the authority in charge has deemed that that keeping part of the real estate by the owner does not conflict with the purpose of the intended project. The assessment of the aforementioned charges made by the authority in charge of organizing affairs shall not be subject to any appeal (Law No. 577 of 1954).

In order to avoid delays, which may prevent owners from acquiring their compensation in due time, Law No. 14 of 1962 has provided for a new provision in Article 21', which states that "Half of the value of the expropriated property that has entered into the improvements areas shall be disbursed, while the second half of the value shall be deposited in the trust funds of the competent authority, until the owner submits a certificate issued from the competent authority that demonstrates the payment in return for the improvements made to the property.

Disputes

The procedures for expropriation are administrative by nature and usually rapidly implemented. Accordingly, the abrogation proceedings, compensation disputes, and all actions related to the expropriation property will not stop the expropriation procedures nor prevent its consequences; rather, the owner's right for compensation is

Addressed (*Article 26: Law No. 577 of 1954*). However, the rapidity of these procedures should not prevent the owners and concerned persons from claiming and ensuring their rights. Accordingly, the legislator has distinguished two different the redress mechanism:

1. For compensations not related to the compensation assessment: Such as those pertaining to the actual right of the expropriation. In this case, the authority in charge of the expropriation process shall be responsible for investigating these disputes in order to pay the due compensation value (*Article 11: Law No. 11 of 1954 and Law No. 11 of 1956*).
2. Disputes over compensation assessment: These disputes are subject to legal jurisdiction as follows: The authority in charge of the expropriation procedures shall refer the disputes over the compensation assessment submitted to court. The court shall examine the complaint quickly and its judgment shall be conclusive.

Temporary Expropriation of Real Estate

The right of the public authority to expropriate needed real estate property also includes the right to temporarily occupy / take over this privately owned property. Law No. 577 of 1954, Law No. 27 of 1956, and the new Law No. 10 of 1990 pertaining to property expropriation, include provisions regarding temporarily occupying property:

Summarized below are the legal provisions for particular cases:

1. Occupation of Real Estate Property Prior to Expropriation: If the administration resorts to interim or temporary occupation of privately owned real estate, the time frame should be identified. However, if the temporary occupation is conclusive, the administration shall resort to the regular expropriation procedures (mentioned above). In order to save time, the new legislation has allowed the administration to occupy prior to the completion of the expropriation procedures (*Article 16: Law No. 577 of 1954*). According to the amendment of Law No. 252 of 1960, "except in emergencies and hasty cases that require the occupation of real estate to perform necessary preparation works, upgrading, and other work, temporary occupation of real estate for public benefit is subject to a Presidential Decree (to be published in an official newspaper). **The legislator has included some provisions guiding this case:**

- a. The administration cannot resort to this before the issuance of the decision that the expropriation of this specific property is considered to be of public benefit.
- b. The real estate owner has the right to compensation for not being able to get access or use his / her property, starting from the date of actual occupation until the payment of the due compensation as a result of the property expropriation.

c. The owner of the real estate has the right to dispute / contest the value of the assessed compensation, for preventing him/ her from using or gaining access to his / her property, through the same process for grievance redress on the assessed compensation for property expropriation. In this case, it will not be allowed to remove any structures or buildings (which have been occupied) until the re-estimation of value has been conclusively made.

d. In the case of expropriation of districts, the property and buildings will not be expropriated until alternative dwellings have been provided for those who lost their homes.

e. Temporary Occupation: If the administration needs to manage a real estate for an interim / temporary period that does not justify the expropriation of the property, and accordingly the administration takes over only the management while the ownership remains with its official owner.

Summarized below are the legal provisions for two particular cases:

- Necessity (Hastiness / Rapidity): As stated in Article 17 “...in case of sinking, or severing of a bridge, or the outbreak of an epidemic, and in all emergency cases, it is permissible to temporarily take over / occupy the needed real estate to perform reparation works, prevention, or other kinds of work”.
- Public Benefit Project: Law No. 577 of 1954 states that the occupation decision in both cases aforementioned shall be issued by the “Director” or the Governor (Article 17), while Article 2 of the previous law concerning the occupation decisions identified the Governor as the person in charge issuing temporary occupation decisions in case of emergency / hastiness. In any other case, the aforementioned law designates a Presidential Decree for the implementation of temporary occupation.
- Procedures: Real estate temporary occupation only requires that a representative from the competent entity to identify the type of real estate, size, and condition upon occupation. If this is done, the competent entity is then able to occupy the real estate without having to take other measures.” To simplify the procedures to the previous figure, that could be justified in the occupation case for emergency or rapidity.
- Compensation: Within a week of the occupation date, the competent authority shall determine the compensation value for the concerned persons / owners in return for losing access and use to their property temporarily. The owners shall have the right to dispute the assessed compensation as previously noted.
- Occupation Period: The maximum period for temporary occupation is 3 years, beginning from the actual occupation date. If the administration deemed it necessary to extend the occupation period for over 3 years, this may be done through agreement with the owner. However, if no agreement is reached the property shall be expropriated and the administration shall be responsible for returning the property to the owner in its original status, at the time of occupation, along with compensation for any of spoilage or decrease in its value.

Expropriation Procedures

According to the Law 10, 1990 the expropriation procedures involves (i) declaration of public interest pursuant to a Presidential Decree accompanied with a memorandum on the required project and a complete plan for the project and its buildings (*Law 59/1979 and Law 3/1982 provide that the Prime Minister issues the decree*) and, (ii) the decree and the accompanying memorandum must be published in the Official

Gazette. A copy for the public is placed in the main offices of the concerned local government unit. Based on these procedures, the operational steps go as follows:

1. The entity requesting the expropriation of the ownership of a real property for public interest ("Expropriating Entity") submits a memorandum with the request to the President or the Prime Minister (if a delegation of authority by the President is granted). The Egyptian General Authority for Land Survey ("ESA") has been defined as the Expropriation Entity, except for projects handled by other entities pursuant to a law to be issued in this respect.
2. The memorandum would explain the reasons for the request, stating the compensation to be offered to the concerned owner of the property, together with evidence that the compensation amount has been issued in the form a bank check in favor of Egyptian General Authority for Land Survey "ESA.
3. The compensation is usually determined in accordance to the prevailing price for land surrounding the expropriated land (the market price). These prices are taken from recorded contracts in the Real Estate & Authentication Offices. However, usually this entails a crucial problem that always faces such expropriation projects, as these prices are, in most cases, not real, since the parties to the contracts usually state lower prices in order to reduce charges and fees decided on the basis of data recorded in the contracts. Also it should be noted that the representatives of Egyptian Survey Authority (ESA) are assumed to be experts in evaluating land prices.
4. If approved, the President or the Prime Minister would issue the required decree declaring the property in question appropriated in the public interest and authorizing taking the property pursuant to direct enforcement procedures by the Expropriating Entity.
5. Once the authorizing decree is published, the concerned Expropriating Entity is authorized to enter into the property in question in the case of long-term projects and after giving notice of its intention to do so for other projects. The objective of such immediate authorization is to conduct necessary technical and survey operations, position landmarks, and obtain information on the property.
6. The Expropriating Entity shall communicate the authorizing decree to ESA, together with the information on the project to be executed and a drawing of the full project and the real property needed in order to take procedures for expropriating the property in question.
7. A committee will be formed to determine the properties required for the public interest. The committee is to be composed of:
 - a- A representative of ESA,
 - b- A representative of the local government unit within which jurisdiction the project is located,
 - c- The treasurer of the local area in question.
8. The committee shall declare its activities to the public 15 days prior to the commencement of its works.
9. The land survey department shall verify the information collected by the committee referred to in the preceding paragraph by comparing such information with that found in the official records.
10. The General Department for Appraisal within ESA shall inspect the property of the project in question, examine and complete the appraisal maps and lists of transactions concerning the property within the area of the project. It shall also prepare a consultative report with the estimated compensation for consideration by the Compensation Estimation Committee within ESA.
11. After depositing the compensation amount by the Expropriating Entity within ESA-the concerned local office—lists of all real properties and facilities being identified shall be prepared, their areas,

location, description, names of their owners, and holders of property rights therein, their addresses, and the compensation determined by the Compensation Estimation Committee.

12. ESA shall thereafter officially notify the property owners, other concerned parties and the Expropriating Entity with the dates on which the lists prepared in accordance with the preceding paragraph shall be presented to them, at least 1 week prior to such presentation. These lists will be posted for a period of 1 month in the offices of the concerned local government unit and shall also be published in the Official Gazette and two widespread daily newspapers.
13. Owners of the properties and holders of rights therein shall be officially notified with an evacuation request within a period not to exceed 5 months from the date of their notification.
14. The holders of rights include: owners of beneficiary rights, using rights, housing rights, mortgaging rights, concession rights, hekr right holders.
15. Court of Cassation decisions have resolved that rights holders are those who hold rights on the tenement and that, accordingly, the holders of leasing rights are regarded as right holders since they are holders of personal rights.
16. It is further resolved that lease agreements are terminated upon expropriation. Examples are: Court of Cassation, session of 1 January 1981 Technical office year 32 and Court of Cassation, session of 25 May 1967 Technical office year 18 no. 167.
17. Article (26) of Law 577 of 1954 states, "All the real suits shall not stop the procedures of the expropriation and shall not stop its results. The rights of the right holders are transferred to the compensation."

Valuation and Compensation Methods

Determination of the valuation methods and compensation to be given to PAPs is made at two separate levels:

- The first is made by the Expropriating Entity in order to meet the requirement that the estimated compensation amount is deposited with ESA prior to proceeding with the remaining formalities as described in the preceding section.
- The second level is a review of that estimated compensation by the Compensation Estimation Committee within ESA.

The first level, as stated in Article 6 of Law 10/1990, requires the Minister of Public Works and Water Resources to form a Committee within each governorate to be charged with the determination of compensation (this contradict with Article 47 of Law 3, 1982 which authorized the concerned Governor to formulate this committee!). The Committee shall be composed of a representative of ESA as chairman and the membership of representatives of certain departments within the governorate: The Agricultural, Housing and Infrastructure, and the Real Estate Tax Departments (in law 3, 1982, the committee is headed by the representative of Housing department and includes representative of Surveying Department, Real Estate Tax Department, Land Registration Department and local unit).

Compensation is determined pursuant to prevailing prices at the time the expropriation decree is issued and the estimated compensation amount shall be deposited with ESA within one month from the date of such decree. It is possible, if approved by the property owners or right holders to obtain in-kind compensation either in full or in part.

The second level is conducted by ESA. The Compensation Estimation Committee within ESA makes a final administrative determination of the compensation to be granted to property owners and rights' holders after having received a consultative report from the General Department for Appraisal within ESA.

All concerned parties, including the Expropriating Entity, have the right to object to the compensation determined in accordance with the foregoing rules before ESA and, thereafter, to ESA' ruling on the objection before the competent court. The following section describes the objection procedures.

The following rules concerning the determination of the compensation for expropriation of ownership are worth noting:

- Should the value of the un-expropriated part of the expropriated property increase or decrease due to the public interest works in projects other than zoning projects within cities, such decrease or increase shall be taken into consideration when determining the compensation amount.
- Compensation is determined in accordance with Article (20) of Law 10/1990 on the basis of prevailing prices at the date of issuance of the expropriation decree in question. The committee and the courts would look to expert opinion in determining the prevailing prices, taking into account prices stated in recorded contracts.
- Should the value of the expropriated property increase due to prior public interest works in a previous project, such increase shall not be calculated in determining the compensation value if expropriation is exercised within 5 years from the date of executing the previous public interest project.
- Compensation under Law 3/1982 can be in one of two ways: (i) taking the value of the property; or (ii) postponing the taking of such value in full or in part until all or part of the area in question is sold. In such event, the owner or holder of rights deserves compensation equal to the said value in proportion to the total value of the properties in question together with on behalf of the difference between the two values after deducting the costs of executing the project.

Grievance & Redress Procedures

The current Egyptian laws and regulation stated that the concerned owners and holders of rights have the right, within 30 days from the date of posting and publishing the lists and information of the expropriated properties, to object to the information contained in such lists. The objection is made to the main offices of the Expropriating Entity or the administration to which it is attached within the governorate in which the property is located.

In case of dispute between several individuals or parties on a single property, each party should present all evidences or documents that proof his/her rights within the next 90 days from submitting the memorandum of objection/ grievance. In case of failing to submit those required evidences, the grievance would be considered as not submitted. The responsible body for expropriation has the right to request additional documents deemed necessary and define proper period for submitting these documents. Usually in cases of informal settlements or illegal positions these documents might include:

- Registered contracts
- Cadaster registers, to determine source of ownership (or the history of the properties)
- Real estate tax registers (the compilation of these registers depended on the cadaster registers)

- “Forms of Change,” which enabled the authorities to determine the changes in ownership of each property before the date of completing cadastre.
- Any official documents recognizing the rights of the claimers such as court decision "Seha wa Nafaz".

The ruling of the Expropriating Entity on the grievance can be appealed to the court of first instance within whose jurisdiction the expropriated property is located. The appeal must be made within 60 days from the date of notifying the concerned parties with the Expropriating Entity’s ruling on their objection.

1. The Expropriating Entity and the concerned owners and holders of rights have the right within 4 months from the last date on which the lists and other information are posted (1 month after the posting date) to object to the determination of compensation by ESA before the competent court of first instance.
2. A list of properties for which no objection or appeal is made shall be prepared. No objection or dispute may thereafter arise with respect to these particular properties. Payment made to the owners and holders of rights in these properties shall be conclusive as to the fulfillment of the Expropriating Entity’s payment obligations.
3. Non-objecting concerned persons shall execute and sign transfer of title forms in favor of the Expropriating Entity. For properties for which signed forms cannot be obtained, a ministerial decree declaring such transfer shall be issued in lieu thereof. The signed forms and the ministerial decree shall be deposited with the concerned Real Estate Office. The deposit thereof shall result in the full transfer of title ordinarily associated with a recordation of a deed of sale.
4. The non-deposit of the executed forms or ministerial decree with the concerned Real Estate Office for a period exceeding 2 years from the date of publishing the expropriating decree shall render the decree as null and void with respect to the properties for which the executed forms or the decree have not been deposited.
5. No objection or appeal shall prevent the property owner or holder of rights therein from collecting the estimated compensation amount.
6. Under current law and practice, the Government has wide powers in determining whether a project is a public interest project. This falls within the full discretion of the Government. Accordingly, objections to an expropriation decree cannot interfere with or limit the Government powers in this respect except where there is a clear misuse or abuse of this right that amount to bad faith on the part of the Government. An example of this bad faith is a case where a property is merely expropriated to harm the owner of the property. Allowable objections are usually based on whether the amount of compensation is sufficient or whether the property falls within the area defined under the expropriation decree.
7. The involvement of right holders usually results in one of the following scenarios with respect to objection procedures:
 - The holders of rights may object to the amount of compensation in the event that they are of the opinion that the decided amount is not fair and that the title owner has not taken any objection. In such case, the holders of rights may use the right of their debtor (the titleholder) to preserve their interest.

- If the holders of rights decide not to object to the amount of compensation on behalf of the titleholder, they effect an attachment of the compensation amount to repay amounts due to them from the titleholders, if any.

Administrative Mechanisms and Appeal to Court

The Egyptian constitution allows any aggrieved person the right of access to Court of law as described by Law 10/1990 as follows:

1. The concerned owners and holders of rights have the right, within 30 days from the date of posting and publishing the lists and information of the expropriated properties, to object to the information contained in such lists. The objection is made to the main offices of the Expropriating Entity or the administration to which it is attached within the governorate in which the property is located.
2. The ruling of the Expropriating Entity on the objection can be appealed to the court of first instance within whose jurisdiction the expropriated property is located. The appeal must be made within 60 days from the date of notifying the concerned parties with the Expropriating Entity's ruling on their objection.
3. The Expropriating Entity and the concerned owners and holders of rights have the right within 4 months from the last date on which the lists and other information are posted (1 month after the posting date) to object to the determination of compensation by ESA before the competent court of first instance.
4. A list of properties for which no objection or appeal is made shall be prepared. No objection or dispute may thereafter arise with respect to these particular properties. Payment made to the owners and holders of rights in these properties shall be conclusive as to the fulfillment of the Expropriating Entity's payment obligations.

The following are principles set by the Administrative Courts:

- The competent administrative authority has freedom in selecting the appropriate property for expropriation. Accordingly, it was ruled that as long as the administration is not abusing its powers, its decision to select a particular plot to build a hospital is not subject to review. Similarly, the administration selection of a particular site to build a water treatment plant is not subject to review.
- The determination of the exact area (in square meters) to be expropriated is subject to the discretion of the administration and not subject to judicial review.
- Expropriating the ownership of land to extend sewage pipelines underneath it does not prevent the administration from appropriating the surface of the same land for public use.
- Courts have asserted their judicial review authority whenever the administration's exercises of its discretionary powers are for political or personal objectives aimed at spite.

The State Council opined that the administration might not expropriate property for merely achieving monetary gains. Accordingly, it opined that the expropriation act by the local council of an area adjacent to the location where a new station will be relocated aiming merely at making a profit was void.

Legal Requirements for Disclosure

The Egyptian legal requirements for disclosure as stated in Law 10/1990 can be explained in the following steps:

1. After depositing the compensation amount by the expropriating entity with ESA -the concerned local office- lists of all real properties and facilities being identified shall be prepared, their areas, location, description, names of their owners, and holders of property rights therein, their addresses, and the compensation determined by the compensation estimation committee.
2. ESA shall thereafter officially notify the property owners, other concerned parties and the expropriating entity with the dates on which the lists prepared in accordance with the preceding paragraph shall be presented to them, at least 1 week prior to such presentation. These lists will be posted for a period of 1 month in the offices of the concerned local government unit and shall also be published in the official gazette and two widespread daily newspapers.
3. Owners of the properties and holders of rights therein shall be officially notified with an evacuation request within a period not to exceed 5 months from the date of their notification.

Annex 2: A Form of estimation of compensations for the affected Crops

Details of compensation have been removed by EIB

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Annex 3: Negotiation notice form

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Annex 4: Summary of Consultation Activities in project area phase I & phase II

Table 13-1: Summary of Consultation Activities in project area

Stakeholders		Number		Method
		Males	Females	
Governmental Organizations and Authorities	10th of Ramadan city Authority	8	2	In-depth interviews
	Fayed city Authority	2	0	
	Ismailia city Authority	3	0	
	Belbees city Authority	1	1	
	Banha city District Authority	2	1	
The residents in the project areas	Women	0	30	- In-depth interviews - Focus Group Discussion
	Young people and Elderly	35	0	- In-depth interviews - Focus Group Discussion
	The owners and workers of the nearby farms	25	0	- In-depth interviews - Focus Group Discussion
Local Governmental Units (LGUs) and NGOs	Environmental administrations	2	0	In-depth interviews
	Local NGOs	1	2	
	Information Centers	1	1	
Project owner	Egyptian Electricity Transmission company	2	0	In-depth interviews
	Canal Zone Area	2	0	

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Figure 13-1: Interview with the assistant of Roads and the official of Information Center in 10th of Ramadan Authority

Figure 13-2: Interview with the official of planning administration in 10th of Ramadan Authority

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Figure 13-3: Focus Group with the officials of Electric Administration and Engineering Department in 10th of Ramadan Authority

Figure 13-4: Interview with one of the workers in Al Ramly Farm

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**Figure 13-5: Interview with one of the women
of Al Halal farm**

**Figure 13-6: Interview with one of the
workers in Al Sawaf Farm**

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**Figure 13-7: Interview with one of the farmers
in Abdel Hamid Amar Farm**

**Figure 13-8:: In-depth interview with one
of the officials in one of the NGOs in
Banha city**

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**Figure 13-9: In-depth interview with one of the
officials in one of the NGOs in Ismailia city**

**Figure 13-10: In-depth interview with one
of the officials in the information center in
10th of Ramadan city**

Consultation processes

The results of the consultation activities are presented as follows**Table 13-2: Key comments and concerns that raised during the Consultation activities**

Stakeholders	Comments/Concerns Raised
<ul style="list-style-type: none"> - Governmental entities in Sharqiyah , Qalyubiyah and Ismailia Governorates - District Authorities in 10th of Ramadan, Fayed, Ismailia, Banha, Belbees cities - NGOs 	<p>According to the interviews conducted with the Governmental entities, Authorities, and NGOs, all of the officials stressed on the importance of power generation projects, as they play a crucial role in the development and economic growth of the country as a whole. The benefits of the project are as follows:</p> <ol style="list-style-type: none"> 1. Encourage the establishment of new factories and workshops, galvanize production, and providing coverage to a greater number of the population 2. Encouraging and increasing investment 3. Create job opportunities to the unemployed people. 4. Solving the power outage problem, especially during summer, as the project is going to result in the stability of the electricity current 5. Urban development of deserted areas, outside the Nile valley and delta 6. Maintaining home appliances, and preserving foodstuffs and commodities from damage 7. Encouraging entrepreneurship and helping small businesses that create more job opportunities for the youths 8. Providing stable and efficient electricity service to households and industrial zones; 9. Benefiting the state, as surplus in electric energy production will encourage exports. 10. Providing necessary information, relating to the energy sector, to community members 11. The implementation of this kind of projects shall lead to demographic development, especially, that are characterized by population low-density. <p>The officials interviewed emphasized on stressed on the necessity of providing fair compensations to farmers who incurred any damage or loss affected by the project.</p> <p>For NGOs, the meetings conducted with them showed that, they are interested in the project and in raising the awareness of the community people about the project and the adopted grievance Mechanism, as well as, how the individuals can obtain their rights in case of any impacts occurred.</p>

Stakeholders	Comments/Concerns Raised
	<p>The consultation activities with the officials, and the representatives of the local NGOs revealed that they harbor great interest in the project and the importance of spreading awareness among local community members. They, also, stressed that local communities must be provided all necessary information regarding EETC's grievance mechanism; and the way through which PAPs can claim their rights, in case any damage fell upon them.</p>
<p>The residents in the project areas</p> <ul style="list-style-type: none"> - Women - Young people - The elderly - Owners and tenants of the farms 	<p>The meetings with the stakeholders in the project areas revealed their remarkable and overwhelming acceptance of the project, due to its importance to the electricity sector in the project areas.</p> <p>The stakeholders reported that the project will improve the social conditions of the community people and increase the Investment opportunities in the project areas as the electricity is considered one of the basic infrastructures.</p> <p>They reported that the implementation of the project will help in establishing new projects, constructing factories and workshops, therefore the project will provide job opportunities in all fields.</p> <p>The owners of the farms reported that, the implementation of the project will have adverse impacts on them, as the extension of the high pressure lines which may affect their lands</p> <p>The owners of the farms in Fayed and Abo Sultan requested to not being affected by the extending of the OHTLs, especially that their lands are cultivated in old fruit trees such as (mango- citrus- guava- and palms) and they should have fair compensations in case of their lands are affected.</p> <p>The owners of the farms said that there are no stable families in the farm area except some farmers and guards (who are not exceed 10 persons in each farm).</p> <p>All of the stakeholders in the project areas agreed to participate in disclosure information about the importance of the projects and its impacts through conduct social meetings in the places that are preferred by the population such as mosques, cafes, restaurants, and NGOs</p>
<p>Project owner Egyptian Electricity Transmission company</p>	<p>Meetings were held with the officials of the Egyptian Electricity Transmission Company, in order to:</p> <ul style="list-style-type: none"> • Provide possible facilities for field work and extract the necessary permits to facilitate the task of researchers • Discuss the cognitive information to be disseminated among citizens about the project, and to clarify it in a simple way and in a language that appropriate with their culture,

Stakeholders	Comments/Concerns Raised
	Discuss and explain the grievance system in the Egyptian Electricity Transmission Company, in order to be discussed and explained to citizens in a simple way and in a language appropriate with their culture.

Summary of consultation outcomes

The consultation outcomes revealed that:

- A. The key message from the consultation events carried out for this project is that Public and government acceptance for and support to the project are very strong.
- B. The community people expressed their need to understand more about the overhead transmission line projects associated with the substation and in the area in general. In order to reduce the concerns of the community people and spread the knowledge the following is recommended:
 - Conduct orientation session in the project area, especially in the places that are preferred by the population such as mosques that guarantee the presence of large number of people.
 - Engage the stakeholders from NGOs that are working in the project area in the awareness programs, due to their ability to communicate with large number of citizens.
 - The study recommends the importance of the religious men participation in the dissemination of knowledge and awareness among the individuals because they have the ability to persuade and consult
- C. The interviews and the focus group discussion revealed some concerns raised by the community regarding the project such as:
 - The sample surveyed expressed their concerns in case of the project does not provide them with communication channels
 - Concerns regarding Environmental Health and Safety that resulted from the activities of the project
 - Future concerns of the community people regarding encroachment on agricultural lands and destruction of crops, especially in case of the project will not provide them appropriate compensation, which have been conducted within the framework of other projects related to the construction of OHTLs
- D. The study recommends the participation of the community people in sharing information about project with the other people especially the illiterate groups. (the recommendation is not obligated for the project)
- E. The study tried to raise awareness about the importance of the project, and inform the community people about grievance mechanism through individual and public consultation activities with the stakeholders.
- F. The study aimed to identify the most effective outreach channels that support continuous dialogue with the community, these channels are represented in:
 - Religious men and mayors

- NGOs in the project area
 - Some government officials in the local units.
- D. Consultation activities in the next phase should be based on project disclosure requirements, and provide clear and adequate information to the affected communities.