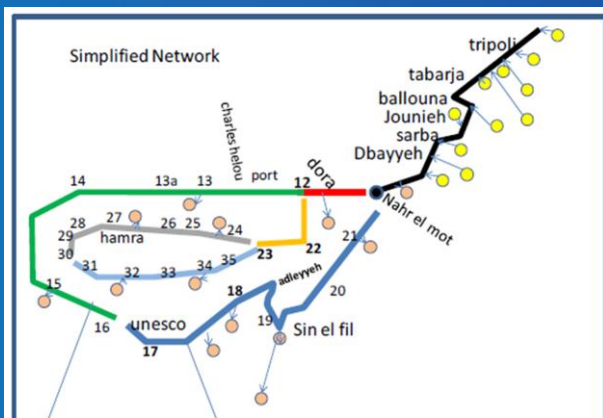


COUNCIL FOR DEVELOPMENT AND RECONSTRUCTION

RESETTLEMENT ACTION PLAN (RAP) FOR THE BUS RAPID TRANSIT (BRT) SYSTEM BETWEEN TABARJA AND BEIRUT AND FEEDER BUS SERVICES



RESETTLEMENT ACTION PLAN

FINAL REPORT

October 16, 2017



ELARD LEBANON			
COUNCIL FOR DEVELOPMENT AND RECONSTRUCTION		Document Type:	Report
		Contract Ref:	19707
Resettlement Action Plan for the Bus Rapid Transit System between Tabarja and Beirut and Feeder Bus Services		No. of Pages:	60
Final Report		Version no.:	D
Document Control			
Revision / Date	Issued by:	Reviewed by:	Approved by:
A-for Client Review August 16, 2017	Ghida Chami	Hanadi Musharrafiyeh	
B-for Client Approval September 19, 2017	Ghida Chami	Hanadi Musharrafiyeh	
C-for Client Approval October 10, 2017	Ghida Chami	Hanadi Musharrafiyeh	
D-for Disclosure October 19, 2017	Ghida Chami	Hanadi Musharrafiyeh	
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LIST OF ACRONYMS

BRT	Bus Rapid Transit
CBO	Community-based Organization
CDR	Council for Development and Reconstruction
CoM	Council of Ministers
DLRC	Directorate of Land Registration and Cadastre
DP	Displaced Persons
EC	Expropriation Committee
ED	Expropriation Department (of CDR)
ESIA	Environmental and Social Impact Assessment
GBA	Greater Beirut Area
GoL	Government of Lebanon
GRM	Grievance Redress Mechanism
ITS	Intelligent Transportation System
MoE	Ministry of Environment
MoF	Ministry of Finance
MoIM	Ministry of Interior and Municipalities
MoPWT	Ministry of Public Works and Transport
NGO	Non-Governmental Organization
OP	Operating Policy
PAP	Project Affected Persons
P&R	Park and Ride
PIU	Project Information Unit
PT	Public Transport
RAP	Resettlement Action Plan
RPTA	Railway and Public Transport Authority
USD	US Dollars
WB	World Bank

EXECUTIVE SUMMARY

This Resettlement Action Plan (RAP) was prepared in alignment with the Terms of Reference, Part 3 on Resettlement Action Plan (RAP) of the Bus Rapid Transit System for the Northern Corridor of Greater Beirut linking Beirut to Tabarja. This RAP sets forth the procedures required for land acquisitions and resettlement as part of project implementation, and related compensation in accordance with Lebanese legislation and the Operational Policies (OP) of the World Bank (WB) defined under OP 4.12 on Involuntary Resettlement.

A RAP includes measures to ensure that the affected people are:

- Informed about their options and rights pertaining to resettlement;
- Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
- Provided prompt and effective compensation at full replacement cost for losses of assets directly attributable to the project and before the start of the project activity.

In some cases, Lebanese legislation may differ from World Bank rules and regulations, as those pertaining to the extent of stakeholder consultation/participation in the resettlement process, payment of compensation, grievance redress mechanisms, and encroachments. For all these instances, the requirements of the World Bank Policy on Involuntary Resettlement OP 4.12, will take precedence over the Lebanese regulations.

Earth Link and Advanced Resources Development s.a.l. (ELARD), in cooperation with Egis International, were selected by the Council for Development and Reconstruction (CDR) (the "Project Proponent") to conduct an Environmental and Social Impact Assessment (ESIA) and prepare a Resettlement Action Plan (RAP) for the Bus Rapid Transit (BRT) System between Tabarja and Beirut and feeders buses services (the "Project").

In light of the initiative to reduce traffic congestion levels, authorities are investing in a comprehensive national public transport program. Implementation of a Bus Rapid Transit (BRT) System has been identified as one of the potential investments to improve mobility and traffic circulation. The BRT System network will consist of three (3) trunk BRT lines in the center of the highway on the Northern, Southern, and Eastern entrances to Beirut. In the first phase, the proposed Project addresses the Northern Entrance. The remaining two (2) entrances will be studied at later stages.

The Project, subject of this RAP, is the implementation of a BRT System for the Northern Corridor of Greater Beirut linking Beirut to Tabarja. In addition, the BRT corridor will continue into the city of Beirut in an Outer Ring and an Inner Ring. It is to be noted that the proposed BRT System is enlisted as one of the projects within the Land Transport Sector Strategy of the Support Program for Infrastructure Sector Strategies and Alternative Financing (SISSAF) project that has been developed recently for the Ministry of Public Works and Transport.

The BRT Project is planned for the Northern Highway from Tabarja to Beirut and then continues into the city of Beirut in an Outer Ring and an Inner Ring:

- The section along the Northern Highway runs from Tabarja to Beirut (Charles Helou) with a length of 24 km and crosses through the jurisdictions of the municipalities of Tabarja, Ghazir, Adma, Jounieh, Zouk Mosbeh, Zouk Mkayel, Dbayeh, Antelias, Jal El Dib, Zalka, Jdeideh, Daoura, and Beirut.
- The Beirut Outer Ring with a length of 18 km follows the Mirna Chalouhi Road: Mirna Chalouhi - Emile Edde - Jisr El Wati - Corniche Al Mazraa - Corniche Al Baher -

Charles Helou - Nahr Al Mot; thus, crosses through the jurisdictions of the municipalities of Beirut, Sin Fil, Dekweneh, Jdeideh-Baouchrieh, and Daoura.

- The Beirut Inner Ring with a length of 16 km stays within the administrative boundaries of the city of Beirut. It passes through the following streets and avenues: Independence, Charles Malek, General Fouad Chehab, Spears, Omar Bin Abdel Aziz, Bani Maarouf, and Algeria.

The BRT System components comprise the following:

- Component 1: BRT infrastructure, fleet, and systems
- Component 2: Feeder and regular bus services and integration in urban environment
- Component 3: Capacity building and project management

Component 1 of the Project will entail the acquisition of land, through expropriation, resulting in the potential displacement of individuals (residents). As mentioned earlier, Component 1 of the Project will include the civil works involving the: construction of BRT lanes on existing roads, bus stops, bus stations, Park-and-Ride Facilities, Bus Depot, BRT Terminal, bus stop signs, and street furniture. The majority of these sub-components are located on state-owned lands (i.e. existing roads), except for a total of five (5) privately owned plots proposed for the establishment of the northern Bus Depot and northern BRT Terminal

Activities associated with Component 2 of the Project will comprise civil works including the installation of bus stops, street furniture, and shelters. All works will be executed on existing roads and will not involve land acquisition.

No land acquisition is associated with the implementation of Component 3 of the Project.

The ESIA/RAP Consultant carried out during the period of April - May 2017 and in September 2017 a detailed and complete Cadastral Survey and Assets Census of 100% of the lands affected by the Project. The main purpose of conducting the Cadastral Survey and Assets Census was for the preparation of an inventory database of the affected lands and assets that will serve as foundation for resettlement planning.

Findings of the Cadastral Survey revealed that a total surface area of approximately 22,244 m² are subject to expropriation from a total area of potentially affected plots of approximately 60,220 m² to establish road widening for the BRT stations, Bus Depot in Safra, and BRT Terminal in Tabarja under Component 1. No occupants or households have been identified to be affected by land expropriation of privately-owned lands. Nevertheless, a total of 26 persons currently residing in 5 housings on state-owned land will be displaced and involuntarily resettled due to the Project (Component 1). A total of 81 productive trees and 42 non-productive/ornamental trees will be removed. As for the demolition of fixed assets from the execution of works, approximately 361.5 m² of concrete fence will be removed, 255 m² of steel mesh, 420 m² of concrete sidewalks, and around 610.1 m² of concrete temporary housings.

Given the potential impact of the Project on the displacement of individuals, and as a requirement of the RAP preparation as per WB OP 4.12, a socio-economic survey (SES) was initiated with identified PAPs within the Project area to map the demographic, social, and economic baseline conditions at the level of towns and villages with the use of a questionnaire as the SES tool. The SES was carried out on August 14, 2017 in the form of in-depth one-on-one interviews with the potential displaced persons (DPs). The socio-economic data was obtained to assist in assessing their current livelihoods and well-being, where

potential displacement and resettlement of individuals will result in implications on their livelihoods and quality of life.

In the context of involuntary resettlement, a replacement cost is the cost of replacing the lost assets, considering the market value of the assets if applicable, in addition to any transaction costs related to returning the asset to pre-resettlement level.

For the valuation of compensation and the calculation of replacement costs incurred by Project implementation (Component 1), the Lebanese Law requires that compensation takes into account any factor that might affect the value of the loss. In determining the replacement cost of lost assets for which compensation should be paid the Expropriation Committee will make reference to the following:

- Plans of individual buildings, related structures and support services.
- Average replacement costs of different types of buildings and structures based on the quantity and type of materials used for construction.
- Prices of these items collected in different local markets.
- Costs for transportation and delivery of these items to acquire/replace land.
- Estimates of construction of new buildings, including labor.

However, in accordance with the Lebanese expropriation procedures, the actual compensation rate will be determined by the Expropriation Committee upon the receipt of approval on Expropriation Decree and based on the prevailing market prices at the time of actual expropriation. Indicative compensation rates are provided in the RAP for guidance and will not commit the CDR or the PAPs, as the final rates will be established based on the assessment and valuation of the Expropriation Committee. Nevertheless, compensation rates should not be lower than the rates provided in the RAP.

Based on the above, the estimated total resettlement budget for the implementation of Component 1 of the Project is summarized in the following table.

Resettlement Budgetary Estimate

Compensation Costs	Total (in LBP)
Lands acquired	28,520,865,000
Trees removed (productive and non-productive)	48,825,000
Built-up structures/Fixed Assets demolished	103,162,500
Total Compensation Costs	28,672,852,500
Other Costs	Total (in LBP)
RAP Implementation monitoring and evaluation ⁽¹⁾	95,400,000
Relocation Allowance / Transitional Support ⁽²⁾	15,000,000
Total Other Costs	110,400,000
Total Costs	28,783,252,500
Grand Total Costs (including 10% Contingency)	31,661,577,750

⁽¹⁾ RAP implementation period of 1 calendar year; 2 contracted third-party/external experts.

⁽²⁾ A relocation allowance of 3,750,000 LBP per household based on actual relocation costs; total of 5 households.

The CDR is responsible for financing the resettlement compensation because they are responsible for the impacts of the Project on affected persons' livelihood. The CDR may reserve the money from the Government of Lebanon or the financing loan or donation for the expropriation purposes of the BRT project. Disbursements will be made by the CDR, based on budget requirements established by the RAP in consultation with PAPs and municipalities.

PAPs will be informed of a Grievance Redress Mechanism established for addressing complaints and expressing dissatisfaction at the time that the RAP is approved and individual compensation contracts are signed.

At last, for determining the fulfillment of the objectives of the RAP, upon the completion of the Project, the Borrower (in this case, the CDR) will conduct monitoring and evaluation of the RAP implementation, taking into consideration the baseline conditions prior to project implementation and the results of the involuntary resettlement. Monitoring and evaluation of the RAP implementation will focus on the Project compliance with the Lebanese legislation and the stipulations of the WB OP 4.12.

1. INTRODUCTION

1.1 OVERVIEW

This Resettlement Action Plan (RAP) was prepared in alignment with the Terms of Reference, Part 3 on Resettlement Action Plan (RAP) of the Bus Rapid Transit System for the Northern Corridor of Greater Beirut linking Beirut to Tabarja. This RAP sets forth the procedures required for land acquisitions and resettlement as part of project implementation, and related compensation in accordance with Lebanese Law and the Operational Policies (OP) of the World Bank (WB) defined under OP 4.12 on Involuntary Resettlement.

The World Bank's OP 4.12 deals with economic and social consequences directly resulting from investment projects financed by the WB and caused by involuntary taking of land leading to relocation or loss of shelter, loss of assets or access to assets, loss of income sources or means of livelihood, whether or not the affected persons must move to another location. Through the application of this policy, the WB aims at ensuring that the project will have no negative socioeconomic impact on the people. If people undergo negative impacts, they will receive support for resettlement and compensation in such a way that their socioeconomic position will be at least as favorable as in the absence of a project. A RAP is prepared to mitigate the effects derived either from the loss of access to such property, or from the loss of income, or livelihood. A RAP includes measures to ensure that the affected people are:

- Informed about their options and rights pertaining to resettlement;
- Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
- Provided prompt and effective compensation at full replacement cost for losses of assets directly attributable to the project and before the start of the project activity.

Earth Link and Advanced Resources Development s.a.l. (ELARD), in cooperation with Egis International, were selected by the Council for Development and Reconstruction (CDR) (the "Project Proponent") to conduct an Environmental and Social Impact Assessment (ESIA) and prepare a Resettlement Action Plan (RAP) for the Bus Rapid Transit (BRT) System between Tabarja and Beirut and feeders buses services (the "Project").

1.2 OBJECTIVES OF THE RAP

A RAP identifies the impacts on residences, economic activities and assets from acquisition of land by the exercise of the Government power of eminent domain, namely the state's expropriation of land in the public interest as well as temporary and longer term restrictions placed on land from the different project components. A RAP identifies people affected by the project, describes the nature of project-related impacts, identifies the mitigation measures to be taken to restore and rehabilitate the livelihoods of affected persons. It further specifies the legal and institutional responsibilities that, together, will ensure that losses incurred by the taking of land or imposition of other restrictions are fully compensated to ensure that affected persons do not face diminution of livelihoods or assets. This implies that:

- All owner-occupiers and tenants of residences should be able, through full and prior cash entitlements, to re-establish residence in another location of their choice and in an equivalent owned or rented property; and absentee owners will be able to acquire equivalent residential property.

- All owner-occupier entrepreneurs and tenant entrepreneurs should be able, through full and prior cash compensation, to re-establish their enterprise elsewhere in an equivalent owned or rented property of their choice, and to cover all associated costs including lost time; and absentee owners will be able to acquire equivalent premises.
- All minor business impacts (e.g. fences, impacts on fuel station structures) would be compensated in cash or fully remedied by the project according to the business owner choice.
- All net losses of asset value through expropriation of land only would be fully compensated.

1.3 STRUCTURE OF THE RAP

This RAP document was prepared based on the requirements of the WB OP 4.12 and those stipulated in the Terms of Reference (Part 3 on Resettlement Action Plan – RAP). This document comprises the following sections:

1. Introduction, including Project and RAP overview and the objectives of the RAP;
2. Description of the Project, including its main objective, location and geographic extent, and components;
3. Project Potential Impacts, describing the impact quantification methodology and types;
4. Socio-economic Survey, showing the methodology adopted in its implementation and findings;
5. Legal and Policy Framework, governing the RAP and Project implementation in general;
6. Valuation and Compensation for Losses, outlining the methods used for valuation estimations, eligibility criteria for compensation entitlements, and cut-off dates;
7. Livelihood Rehabilitation Measures, tailored to meet the identified needs of affected persons in lieu with the local and WB requirements;
8. Institutional Arrangements, outlining the institutions involved in RAP implementation and their responsibilities and capacities;
9. Budget and Funding Arrangements, needed for the securing fund resources needed for compensations and land acquisition;
10. Public Consultation, Disclosure, and Grievance Redress Procedures, describing the procedures implemented for engaging the public, disclosing information the public is deemed eligible to, and the grievance redress mechanisms for addressing and resolving grievances; and
11. Monitoring and Evaluation Arrangements for RAP Implementation, determining if the objectives of the RAP were achieved, upon the completion of the Project.

2. DESCRIPTION OF THE PROJECT

2.1 BACKGROUND AND KEY OBJECTIVES OF THE PROJECT

Lebanon is experiencing a rapid increase in private car ownership reflected in traffic congestion facing commuters in their daily trips. The Northern Corridor of Greater Beirut is the most congested road in Lebanon; in terms of the density of population, services, industrial activities, and other trade activities which take place in this area. On a daily basis, about 350,000 vehicles enter Beirut through the Northern Corridor, 225,000 vehicles enter Beirut through the Southern Corridor, and more than 90,000 cars enter Beirut from Bekaa.

The Beirut-Tabarja corridor accounts for more than 24% of employment opportunities across Lebanon, which makes it an important economic axis. This axis also accounts for 25% of the total number of cars in Lebanon, excluding motorcycles, vans, pick-up trucks and/or other conveyances.

In the next 30 years, both the vehicle fleet and the average number of daily motorized trips per person are expected to increase by almost 60%. The expected demographic growth will double the total number of motorized trips. This would severely hamper the mobility of people and goods particularly along the Northern Corridor of the Greater Beirut Area (GBA).

The main challenge for this urban area is to organize the transportation system in order to accommodate the existing demand for road trips and account for the envisaged urbanization and demographic pressures in the northern suburbs of the GBA.

To reduce congestion levels, authorities are investing in a comprehensive national public transport program. Implementation of a Bus Rapid Transit (BRT) System has been identified as one of the potential investments to improve mobility and traffic circulation. The BRT system network will consist of three (3) trunk BRT lines in the center of the highway on the Northern, Southern, and Eastern entrances to Beirut. In the first phase, the proposed Project addresses the Northern Entrance. The remaining two (2) entrances will be studied at later stages.

The Project, subject of this RAP, is the implementation of a BRT System for the Northern Corridor of Greater Beirut linking Beirut to Tabarja. In addition, the BRT corridor will continue into the city of Beirut in an Outer Ring and an Inner Ring. It is to be noted that the proposed BRT System is enlisted as one of the projects within the Land Transport Sector Strategy of the Support Program for Infrastructure Sector Strategies and Alternative Financing (SISSAF) project that has been developed recently for the Ministry of Public Works and Transport (MoPWT).

The proposed project will directly benefit the Lebanese and displaced Syrian persons living in Beirut, Mount Lebanon, and Northern Lebanon which represent between 50 percent to 70 percent of all Lebanese and displaced Syrians in Lebanon.

2.2 PROJECT LOCATION AND GEOGRAPHIC EXTENT

A BRT is a bus-based mass transit system with large transport capacities that meets certain conditions. To be considered BRT, buses should operate for a significant part of their journey within a fully dedicated right of way (bus-way) to avoid traffic congestion. In addition, a BRT System usually has the following elements:

- Alignment in the center of the road (to avoid typical curb-side delays);

- Stations with off-board fare collection (to reduce boarding and alighting delay related to paying the driver);
- Station platforms level with the bus floor and multiple bus doors for entry (to reduce boarding and alighting delay caused by steps and queuing); and
- Bus priority at intersections (to avoid intersection signal delay).

The BRT System is a popular mass transit system because it provides large transport capacities for relatively reasonable investment costs and proven operating techniques.

The BRT Project is planned for the Northern Highway from Tabarja to Beirut and then continues into the city of Beirut in an Outer Ring and an Inner Ring:

The section along the Northern Highway runs from Tabarja to Beirut (Charles Helou) with a length of 24 km and crosses through the jurisdictions of the municipalities of Tabarja, Ghazir, Adma, Jounieh, Zouk Mosbeh, Zouk Mkayel, Dbayeh, Antelias, Jal El Dib, Zalka, Jdeideh, Daoura, and Beirut.

The Beirut Outer Ring with a length of 18 km follows the Mirna Chalouhi Road: Mirna Chalouhi - Emile Edde - Jisr El Wati - Corniche Al Mazraa - Corniche Al Baher - Charles Helou - Nahr Al Mot; thus, crosses through the jurisdictions of the municipalities of Beirut, Sin Fil, Dekweneh, Jdeideh-Baouchrieh, and Daoura.

The Beirut Inner Ring with a length of 16 km stays within the administrative boundaries of the city of Beirut. It passes through the following streets and avenues: Independence, Charles Malek, General Fouad Chehab, Spears, Omar Bin Abdel Aziz, Bani Maarouf, and Algeria.

The overall BRT alignment is shown in Figure 2-1. The bus stations along the Northern Highway alignment are presented in Figure 2-2. The Bus Depot in Safra and BRT Terminal in Tabarja are presented in Figure 2-3 and Figure 2-4 respectively.

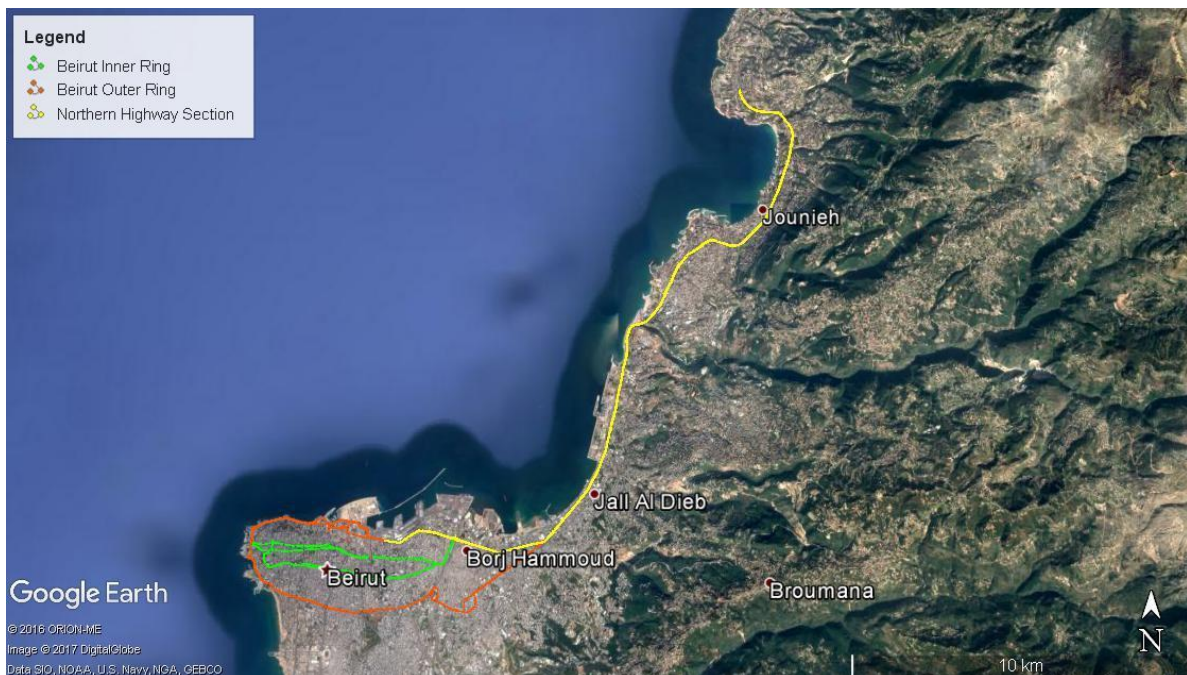


Figure 2-1. Overall BRT Alignment

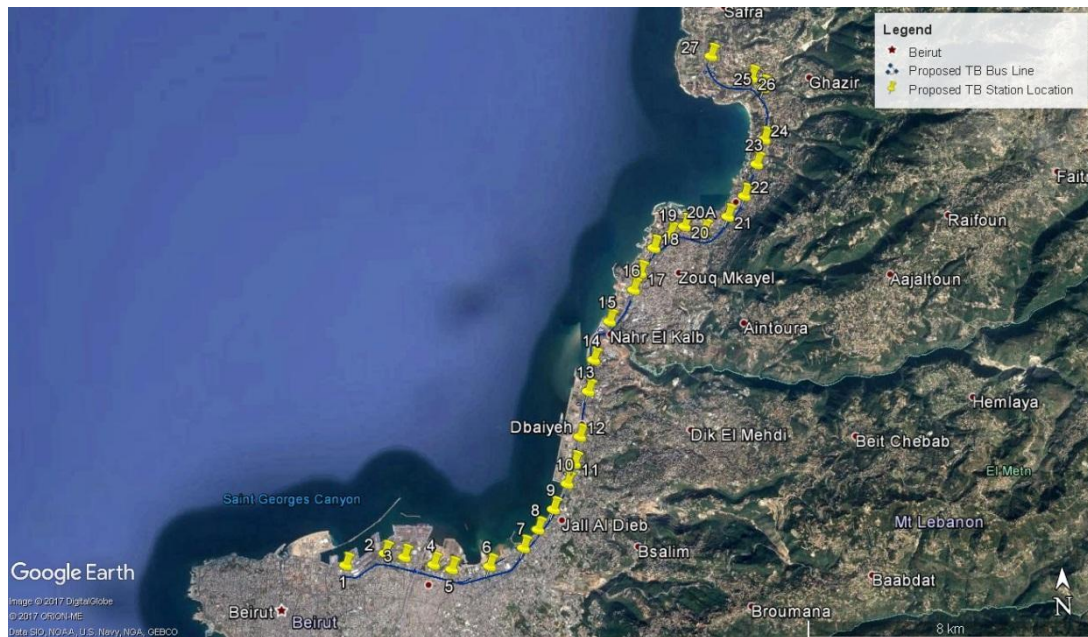


Figure 2-2. Bus Stations along the Northern Highway Alignment



Figure 2-3. Bus Depot Site in Safra



Figure 2-4. BRT Terminal Site in Wata Slam - Tabarja

2.3 PROJECT COMPONENTS

The BRT System components comprise the following:

- Component 1: BRT infrastructure, fleet, and, systems
- Component 2: Feeder and regular bus services and integration in urban environment
- Component 3: Capacity building and project management

The main components of the BRT System under study are described in Table 2-1 below.

Table 2-1. Components of the BRT System

BRT System Component	Description
<u>Component 1</u> : BRT infrastructure, fleet, and systems	<ul style="list-style-type: none"> • BRT infrastructure on the Northern Highway and the Beirut Outer Ring including stations, Park-and-Ride facilities in eight locations, intersections, pedestrian crossings and pedestrian bridges, BRT terminals in Beirut (Charles Helou Bus Station) and in Tabarja, bus depots in Beirut (Mar Mkhael Train Station bus depot) and in Safra, and corridor traffic management system. • BRT network will be also complemented by about 20 lines of a regular and feeder bus network (Component 1) • Provision of 120 modern, low-floor, left-door articulated buses with a capacity of around 150 passengers each • Intelligent Transportation System (ITS) and fare collection systems based on smart card technology and operations control with automatic vehicle location based on GPS technology that will enable centralized control of bus operations and fare management. • Land acquisition for the widening of few sections along the highway, a Bus Depot sited in Safra (Figure 2-3), and a BRT Terminal sited in Wata Slam - Tabarja (Figure 2-4).

BRT System Component	Description
<u>Component 2:</u> Feeder and regular bus services and integration in urban environment	<ul style="list-style-type: none"> Bus stops and shelters, street furniture, and road works as needed along the bus roads. Total estimated bus fleet required for operating the 20 regular and feeder lines is about 750 buses. Feeder and regular bus system specifications include 10.5 m long buses with GPS and fare collection equipment. Technical assistance for better integration of BRT System in the urban environment including: Non-Motorized Transport (NMT) plan, fares integration, parking management, road safety, public transport (PT) network restructuring, Master Plan, professionalization of local operators, and licenses issuance reforms.
<u>Component 3:</u> Capacity building and project management	<ul style="list-style-type: none"> Institutional strengthening for the supervision of BRT/feeder operations (primarily RPTA, MoPWT, and other relevant agencies). Additional studies to improve the planning and implementation of public transport in Lebanon and to further assess the potential and opportunities for private sector investments in the sector. A communication campaign to promote public transport in Lebanon. A Project Implementation Unit (PIU) within CDR and other technical assistance and operational support for management of project implementation.

2.4 KEY ACTIVITIES

As part of the BRT project implementation, specific project components / sub-projects are expected to give rise to land acquisition, through expropriation. As abovementioned in Section 2.3, the implementation of BRT Project Component 1 is expected to dictate the acquisition of land. Meanwhile, the implementation of Components 2 and 3 do not involve land acquisition.

As part of the BRT Project Component 1, the construction of BRT stations will cause road constrictions at certain points along the Northern corridor around these stations. As a result, narrow strips of lands will be permanently acquired at the right-hand side of the highway, through expropriation, for maintaining sufficient road width on both sides.

The following sub-projects/components falling under Component 1 - BRT stations, P&R facilities, Bus Depot in Beirut, BRT Terminal in Beirut, bus stops, stop signs, street furniture, and shelters - are established on plots that are state-owned and managed. The northern Bus Depot, to be located in Safra, and the northern BRT Terminal to be located in Tabarja are located on privately-owned land, and hence are to be expropriated.

The establishment of the northern Bus Depot and the northern BRT Terminal in Safra and Tabarja respectively will involve permanent land acquisition for the areas needed. Land requirements are estimated at approximately 14,000 m² for the establishment of the Bus Depot and approximately 8,000 m² for the BRT Terminal.

3. PROJECT POTENTIAL IMPACTS

3.1 INTRODUCTION

In general, projects of linear nature, such as roads, railways, transmission lines, irrigation canals and others, have long but relatively narrow "corridor of impact". Typically, resettlement impacts of linear projects are often less severe than those of large-area projects, such as dams, residential compounds or large-scale industries, because narrow corridors tend to require acquisition of only parts of people's properties. Land acquired in linear projects frequently consists of a strip along property frontages.

This section of the RAP assesses project potential impacts, pertaining to land acquisition and the displaced of individuals and/or assets, that are expected to be associated with the Project realization.

3.2 IMPACT QUANTIFICATION AND TYPES OF ASSOCIATED POTENTIAL IMPACTS

The ESIA/RAP Consultant carried out during the period of April - May 2017 a detailed and complete Cadastral Survey and Assets Census of 100% of the lands affected by the Project. The main purpose of conducting the Cadastral Survey and Assets Census was for the preparation of an inventory data base of all affected lands and assets that will serve as foundation for resettlement planning.

Component 1 of the Project will entail the acquisition of land, through expropriation, resulting in the potential displacement of individuals (residents). As mentioned earlier, Component 1 of the Project will include the civil works involving the: construction of BRT lanes on existing roads, bus stops, bus stations, Park-and-Ride Facilities, Bus Depot, BRT Terminal, bus stop signs, and street furniture. The majority of these sub-components are located on state-owned lands (i.e. existing roads), except for a total of five (5) private-owned plots proposed for the establishment of the northern Bus Depot and northern BRT Terminal (details presented in Table 3-1 below).

Activities associated with Component 2 of the Project will comprise of civil works including the installation of bus stops, street furniture, and shelters. All works will be executed on existing roads and will not involve land acquisition.

No land acquisition is associated with the implementation of Component 3 of the Project.

The sections below present best estimates on categories and amounts of significant adverse impacts and the number of affected persons associated with each category.

This RAP is considered a live reference document and will be subject to revision(s) or update(s) shall there be any future changes in the final detailed design of the BRT Project and in any of its components involving the acquisition of land and subsequent socioeconomic implications. The revised/updated RAP document will be then submitted to the WB for review and clearance.

3.2.1 *Number and Areas of Affected Plots*

Affected plots, their total areas, parts to be expropriated, and total estimated areas to be expropriated from the total affected plots, per location, are provided in Table 3-1 below.

In the Kesserouan District, the localities of Zouk Mosbeh and Zouk Mikael have the largest share of number of affected plots (5 plots each), followed by Ghadir and Wata Slam-Tabarja (4 plots each), Haret Sakher (3 plots), Sarba (2 plots), and then Safra (1 plot).

Permanent land acquisition will be a result of the construction of BRT stations which will cause road constrictions at certain points along the Northern corridor around these stations. Moreover, land acquisition will be associated with the construction of the Bus Depot in Safra and the BRT Terminal in Wata Slam - Tabarja.

Table 3-1. Land Affected by Project

Project Component	Plot Number	Location	Size (m ²)	Partial / Complete Expropriation	Ownership	Number of Households/ People Affected
Component 1: Widening of the road to accommodate BRT Stations (*)	/2068/	Zouk Mosbeh, Kesserouan	75	Partial	Municipal: Municipality of Zouk Mosbeh	-
	/1918/		430	Partial	Religious: Maronite Patriarch Council	-
	/228/		11,359	Partial	Private	4 landowners
	/229/		1,196	Partial	Private	3 landowners
	/1706/		1,223	None	State / public	-
	/2205/	Zouk Mikael, Kesserouan	90	None	Public domain	-
	/2654/		884	Partial	Private	1 landowner
	/2653/		891	Partial	Private	1 landowner
	/905/		1,681	Partial	Private	4 landowners
	/906/		1,419	Partial	Private	1 landowner
	/1911/	Sarba, Kesserouan	2,163	Partial	Private	1 landowner
	/1912/		2,663	Partial	Private	1 landowner
	/1118/	Ghadir, Kesserouan	627	Partial	Private	4 landowners
	/1116/		505	Partial	Private	9 occupants (**)
	/920/		2,719	Partial	Private	1 landowner
	/958/		316	Partial	Private	2 landowners
	/1239/	Haret Sakher, Kesserouan	647	Partial	Private	5 landowners
	/447/		911	Partial	Religious: The Church of Our Lady of Aid to the Maronite Church, the Patriarch of Baalbek	-
	/437/		868	Partial	Private	29 occupants (**)

Project Component	Plot Number	Location	Size (m ²)	Partial / Complete Expropriation	Ownership	Number of Households/ People Affected
Component 1: P&R facilities	-	Bourj Hammoud-Baouchrieh	4,684	None	Public Domain	-
	-	Baouchrieh	3,473	None	Public Domain	-
	/2069/	Antelias - Naccache	1,729	None	Public Domain	-
	/2070/		1,385	None	Public Domain	-
	/2071/		1,394	None	Public Domain	-
	/2072/		1,729	None	Public Domain	-
	/2073/		1,961	None	Public Domain	-
	/856/	Dbayeh	1,420	None	Public Domain	-
	/857/		1,500	None	Public Domain	-
	/858/		1,500	None	Public Domain	-
	/859/		1,497	None	Public Domain	-
	/860/		1,361	None	Public Domain	-
	/861/		1,142	None	Public Domain	-
	/862/		1,142	None	Public Domain	-
	/863/		1,667	None	Public Domain	-
	/157/		1,521	None	Public Domain	-
	/158/		1,415	None	State	-
	/260/		136	None	Public Domain	-
	-	Kfar Yassine	205	None	Public Domain	-
	/28/		4,924	None	Public Domain	-
	/29/		584	None	Public Domain	-
	/30/		1,200	None	Public Domain	-
	/31/		1,889	None	Public Domain	6 occupants non-owners (Illegal tenants)
	/34/		621	None	Public Domain	12 occupants non-owners (Illegal tenants)
	/39/		99	None	Public Domain	-
	/153/		957	None	Public Domain	-
	/160/		446	None	Public Domain	-
	/161/		3,766	None	State	-
	/174/		385	None	State	8 occupants non-owners (Illegal tenants)
	/175/		228	None	State	
	/178/		668	None	Public Domain	-

Project Component	Plot Number	Location	Size (m ²)	Partial / Complete Expropriation	Ownership	Number of Households/ People Affected
Component 1: Bus Depot in Safra	/642/	Safra, Kesserouan	14,049	Partial	Private	3 landowners
Component 1: BRT Terminal in Tabarja	/530/	Wata Slam - Tabarja, Kesserouan	5,200	Complete	Private	2 landowners
	/531/		757	Complete	Private	1 landowner
	/532/		1,216	Complete	Mar Mikhael Amchit Maronite Hospital	-
	/533/		8,331	Partial	Private	4 landowners
Component 2 (***)	-	-	-	-	-	-
Component 3 (***)	-	-	-	-	-	-

* Affected Plots of BRT stations are located adjacent to the existing road trajectory of the proposed BRT system

** Affected Plot with residential building that is unaffected by the minor land acquisition of overall Plot

*** No land acquisition impacts

The route alignment as provided at this stage of the project specification and the Cadastral Survey and Assets Census revealed that a total surface area of approximately 22,244 m² is subject to expropriation. The plots affected by partial or complete expropriation as indicated in Table 3-1 and Table 3-2 have a total area of approximately 60,220 m². A breakdown of expropriated areas per plot per location is presented in Table 3-2. The size of land (needed for road widening at BRT stations) to be expropriated for any individual plot ranges from 0.02% to 4.0% of the plot area, where the plot for the Bus Depot in Safra and three out of four plots for the BRT Terminal in Tabarja will be fully expropriated (100%). The total area to be expropriated makes up nearly 37% of the areas of the affected plots.

Table 3-2. Plots Affected by Land Acquisition and Expropriated Areas

Location	Plot Number	Individual Total Plot Area (m ²)	Area to be Expropriated (m ²)	Percentage of Expropriated Land from Individual Total Plot Area (%)
Zouk Mosbeh, Kesserouan	/2068/	75	0.5	0.7
	/1918/	430	17.2	4.0
	/228/	11,359	11	0.1
	/229/	1,196	36	3.0
	/1706/	1,223	0.7	0.1
	Count: 5	14,283	65.4	0.5 (of total Plots in Zouk Mosbeh)
Zouk Mikael, Kesserouan	/2205/	90	2	2.2

Location	Plot Number	Individual Total Plot Area (m ²)	Area to be Expropriated (m ²)	Percentage of Expropriated Land from Individual Total Plot Area (%)
	/2654/	884	8.2	0.9
	/2653/	891	0.2	0.02
	/905/	1,681	3.6	0.2
	/906/	1,419	10.3	0.7
	Count: 5	4,965	24.3	0.5 (of total Plots in Zouk Mikael)
Sarba, Kesserouan	/1911/	2,163	19.2	0.9
	/1912/	2,663	16.3	0.6
	Count: 2	4,826	35.5	0.7 (of total Plots in Safra)
Ghadir, Kesserouan	/1118/	627	4.8	0.8
	/1116/	505	16.6	3.3
	/920/	2,719	24.3	0.9
	/958/	316	10.2	3.2
	Count: 4	4,167	55.9	1.3 (of total Plots in Ghadir)
Haret Sakher, Kesserouan	/1239/	647	23.5	3.6
	/447/	911	22.2	2.4
	/437/	868	8.2	0.9
	Count: 3	2,426	53.9	2.2 (of total Plots in Haret Sakher)
Safra, Kesserouan	/642/ Count: 1	14,049	13,986 ⁽¹⁾	99.7
Wata Slam –Tabarja, Kesserouan	/530/	5,200	5,200	100
	/531/	757	757	100
	/532/	1,216	1,216	100
	/533/	8,331	850	10.2
	Count: 4	15,504	8,023	51.7 (of total Plots in Wata Slam - Tabarja)
TOTAL Area of Affected Plots		60,220	-	
TOTAL Area to be Expropriated		-	22,244	36.9 (of total area of affected plots)

⁽¹⁾ An area of 63 m² of total area (14,049 m²) of Plot /642/ is state owned; therefore, this area was deducted from total area to be expropriated.

No occupants or households have been identified to be affected by land expropriation of the above-listed private lands (as shown in section 3.2.7 below).

3.2.2 Loss of Productive Lands / Crop Losses

The realization of the Project does not entail any losses of productive lands affected by land acquisition. The Assets Survey identified the land use / cover of the plots affected by land acquisition as shown in Table 3-3.

Table 3-3. Land Use / Cover of Plots affected by Land Acquisition

Plot Number	Cadastral Area	District, Governorate	Land Use / Cover
/2068/	Zouk Mosbeh	Kesserouan, Mount Lebanon	Non-constructed
/1918/			Non-irrigated land/ shrub land
/228/			Non-constructed
/229/			Rocky land
/1706/			Non-constructed
/2205/			Non-constructed
/2654/	Zouk Mikael	Kesserouan, Mount Lebanon	Non-constructed
/2653/			Constructed
/905/			Constructed
/906/			Non-constructed
/1911/	Sarba	Kesserouan, Mount Lebanon	Constructed
/1912/			Constructed
/1118/	Ghadir	Kesserouan, Mount Lebanon	Planted olive trees (abandoned)
/1116/			Non-constructed
/920/			Constructed
/958/			Non-constructed
/1239/	Haret Sakher	Kesserouan, Mount Lebanon	Constructed
/447/			Non-constructed
/437/			Constructed
/642/	Safra	Kesserouan, Mount Lebanon	Non-constructed / shrub land
/530/	Wata Slam – Tabarja	Kesserouan, Mount Lebanon	Non-constructed / shrub land
/531/			Non-constructed / shrub land
/532/			Non-constructed / shrub land
/533/			Shrub land (majority of plot) Constructed

3.2.3 Loss of Existing Built-up or Installed Structures (Fixed Assets)

Based on the Cadastral Survey and Assets Census, an inventory was prepared for the identified and surveyed built-up and installed structures that were present during the time of

survey (refer to Table 3-4 below). These assets will be removed, in full or part, from the implementation of Component 1.

It is to be noted that fixed assets lost from the Project implementation (Component 1) that are located on state-owned land are not compensated for. Assets in the form of steel containers, traffic signage, or other portable structures will be relocated and reinstalled.

Table 3-4. Inventory of Fixed Assets Fully and Partially Affected by Land Acquisition

Plot Number	Cadastral Area	Fixed Assets				
		Fence – concrete (in m ³) ¹	Fence – mesh (in m ²) ²	Sidewalk – Concrete (in m ³) ³	Housings (in m ²)	Remarks
/229/	Zouk Mosbeh	-	-	-	-	Complete removal of existing steel containers
/920/	Ghadir	14 m	-	-	-	Partial intersection with existing fixed assets (fence)
/958/	Ghadir	2.5 m	-	-	-	Partial intersection with existing fixed assets (fence)
/447/	Haret Sakher	-	-	-	-	Complete removal of existing steel containers
/31/ /34/ /174/ /175/	Kfaryassine	-	-	-	587.1	Complete removal of a total of five (5) informal ground-level houses with non-permanent roofing constructed on previously expropriated land
/642/	Safra	-	-	-	23	Complete removal of a small concrete abandoned room previously used for irrigation purposes.
Public Domain	Bourj Hammoud - Baouchrieh	100 m	-	-	-	Partial intersection with existing fixed assets (fence and steel containers)
Public Domain	Baouchrieh	-	-	-	-	Complete removal of existing fixed asset (steel kiosk)
Public Domain	Baouchrieh – Amaret Chalhoub	-	85 m	40 m ²	-	Partial intersection with existing fixed assets (fence and sidewalk)
Public Domain	Dbayeh	4 m	-	350 m ²	-	Partial intersection with existing fixed assets (fence and sidewalk) Complete removal of traffic signage units
Maritime Public Domain	Nahr el Kalb	-	-	30 m ²	-	Partial intersection with existing fixed assets (sidewalk) Complete removal of existing steel containers
TOTAL		61.5 m³	255 m²	71.4 m³	610.1 m²	

¹ Assuming a typical concrete fence height of 3 m and a thickness of 0.17 m

² Assuming a typical steel mesh fence height of 3 m

³ Assuming a typical concrete pedestrian side walk of concrete depth 0.17 m

3.2.4 Crop Losses

As mentioned earlier under Section 3.2.2, no substantial losses of productive land will result from land acquisition. Moreover, no cultivated agricultural lands were present along the survey trajectory carried out for this RAP. As such, there are no current or foreseen crop losses from the execution of the Project.

3.2.5 Removal of Planted Trees

Based on the findings of the Cadastral Survey and Assets Census and the ecological survey carried as part of the ESIA, no endemic planted trees of significant value to natural heritage or of economic value will be affected or removed along the proposed trajectory of the Project.

Nevertheless, the potential P&R site in the cadastral area of Kfaryassine in Kesserouan District, which involves the displacement of persons, is also likely to induce the destruction and removal of planted productive trees, as presented in Table 3-5 below. It is to be noted that these trees were planted by encroaching households located on the state-owned land and are used as supplementary sources of vegetables and fruits. Households reported that harvests from these trees do not provide a significant or sole supply of their consumption necessary for their sustenance. Moreover, harvests from these trees are not sold (no revenue/income). Non-productive/ornamental trees were also found to be planted around productive trees and will be removed due to the execution of works and compensated for (see Table 6-2 below).

All productive/non-productive trees that were planted by the household residents are not owned by the Municipality of Kfaryassine; hence, compensation for the removal of these trees should be channeled to these affected persons.

Table 3-5. Inventory of Surveyed Productive Trees in Affected Plots

Plot Number (Ownership)	Cadastral Area	Fruit Tree Type	Count	Remarks
/34/ (state-owned)	Kfaryassine	Raspberry	3	Trees are older than 30 years
		Guava tree	1	Tree older than 30 years
		Pomegranate	13	-
		Jujube	4	-
		Loquat	7	-
		Avocado	1	-
		Fig	4	Trees are older than 30 years
		Olive	1	Tree older than 30 years
		Peach	1	-
		Grape vine	3	Area of each vine around 9 m ²
		Date Palm	1	-

Plot Number (Ownership)	Cadastral Area	Fruit Tree Type	Count	Remarks
Subtotal:			39	Total number of fruit trees in affected plots
/31/ (state- owned)	Kfaryassine	Peach	1	-
		Date Palm	1	-
		Olive	2	-
		Apricot	2	-
		Orange	3	-
		Lemon	1	-
		Loquat	3	-
		Fig	1	-
		Grape vine	2	Area of each vine around 9 m²
Subtotal:			16	Total number of fruit trees of affected plot
/174/ & /175/ (state- owned)	Kfaryassine	Avocado	2	-
		Apricot	2	One of the two trees is an old tree
		Grape vines	3	Area of each vine around 9 m²
		Pomelo	3	-
		Orange	5	-
		Plum	1	-
		Loquat	8	-
		Olive	1	-
		Date Palm	1	-
Subtotal:			26	Total number of fruit trees of affected plot
TOTAL PRODUCTIVE TREES:			81	Total number of fruit trees of all affected plots
TOTAL NON-PRODUCTIVE/ORNAMENTAL TREES			42	Total number of ornamental trees of all affected plots

3.2.6 Impacts on Land Value

Given the location of affected plots along the Northern highway linking Tabarja to Beirut, which is a very active trajectory outlined by hundreds of businesses, commercial centers, and residences, the present value of land in this coastal area is considered relatively very high.

All 24 affected plots that will be expropriated (20 plots partially expropriated and 4 fully expropriated) have a combined area of approximately 60,220 m², from which an area of 22,244 m² will be expropriated. This accounts for around 37% of the total area of affected plots. Nevertheless, the four (4) plots that will be fully expropriated make up around 95% of the overall area to be expropriated (21,159 m² out of 22,244 m²) while the remaining 20 plots make up around 5% of total area to be expropriated (a combined area of 1,074 m² out of 22,244 m²). As such, no fragmentation of lands will take place as a result of limited expropriation, and no major impacts on land value are expected.

3.2.7 *Impacts on Residential Displacement*

The Cadastral Survey and Assets Census, results showed the presence of five (5) inhabited temporary housings in one of the proposed P&R facility site in the village of Kfaryassine that will be affected by the implementation of the Project.

These temporary housings, in the form of ground-level houses with concrete walls and non-permanent roofing, have ineligibly occupied the lands for more than 30 years. The lands on which these temporary housing units stand are owned by the state through published expropriation decrees. The majority of these state-owned lands have been taken over by the Government of Lebanon (GoL), more than 50 years ago, as per a published "Take-over Decision".

These housings currently shelter a total of 26 inhabitants (with an addition of 4 newborns in the near future), which will reach to 30 with the birth of 4 prospective babies in the near future. Regaining the lands from encroachment for the purpose of the Project will result in the displacement and involuntary resettlement of these individuals, which will directly affect their shelter requirements.

Section 4 on the Socioeconomic Survey (SES) presents the findings of the census.

The necessary mitigation measures for the restoration of displaced persons (26 individuals becoming 30) housing needs are presented in section 7 below on Livelihood Rehabilitation Measures.

4. SOCIO-ECONOMIC SURVEY

A socio-economic survey (SES) was initiated with identified PAPs within the Project area to map the demographic, social, and economic baseline conditions at the level of towns and villages.

As mentioned earlier, Component 1 of the Project will instigate the involuntary displacement of 26 persons, at time of SES, to 30 (near future), from their homes. The socio-economic survey identified the owners, occupants (owners and non-owners), and fixed assets/structures that will be affected by the implementation of Component 1.

The findings of the SES for the Component 1 are presented in Table 4-1.

Table 4-1. SES results of Affected Plots and Corresponding Number of Households / Businesses and Project Affected Persons related to Project Component 1

Location	Plot Number	Total Plot Area (m ²)	Number of Affected Households/ Businesses	Project Affected Persons (owners, non-occupants, occupants non-owners, etc.)
Zouk Mosbeh, Kesserouan	/2068/	75	0	0
	/1918/	430	0	Maronite Patriarch Council
	/228/	11,359	0	4 landowners
	/229/	1,196	0	3 landowners
	/1706/	1,223	0	0
	/2205/	90	0	0
Zouk Mikael, Kesserouan	/2654/	884	0	1 landowner
	/2653/	881	0	1 landowner
	/905/	1,681	0	4 landowners
	/906/	1,419	0	1 landowner
Sarba, Kesserouan	/1911/	2,163	0	1 landowner
	/1912/	2,663	0	1 landowner
Ghadir, Kesserouan	/1118/	627	0	4 landowners
	/1116/	505	0	0
	/920/	2,719	0	1 landowner
	/958/	316	0	2 landowners
Haret Sakher, Kesserouan	/1239/	647	0	5 landowners
	/447/	911	0	The Church of Our Lady of Aid to the Maronite Church, the Patriarch of Baalbek
	/437/	868	0	0
Kfaryassine, Kesserouan	/31/	1,889	1 household	6 occupants non-owners (Illegal tenants)
	/34/	621	3 households	12 occupants non-owners (Illegal tenants)

Location	Plot Number	Total Plot Area (m ²)	Number of Affected Households/ Businesses	Project Affected Persons (owners, non-occupants, occupants non-owners, etc.)
	/174/	385	1 household	8 occupants non-owners (Illegal tenants)
	/175/	228		
	/28/	4,924	0	0
Safra, Kesserouan	/642/	14,049	0	3 landowners
Wata Slam - Tabarja, Kesserouan	/530/	5,200	0	2 landowners
	/531/	757	0	1 landowner
	/532/	1,216	0	Mar Mikhael Amchit Maronite Hospital
	/533/	8,331	0	4 landowners

With the use of a questionnaire as the SES tool (Appendix 1 of this RAP document), affected persons from displacement and involuntary resettlement were interviewed on August 14, 2017. In-depth interviews were limited to the five (5) households currently present on the Plots /31/, /34/, /174/, and /175/ in the village of Kfaryassine, which will be affected from the implementation of Component 1 of the Project (P&R facility site).

Socio-economic data was obtained to assist in assessing their current livelihoods and well-being, where displacement and resettlement of individuals will result in implications on their livelihoods and quality of life. Reported socio-economic data of persons affected by displacement are presented in Table 4-2.

As shown in Table 4-2, implementation of the proposed Project, namely Component 1, will incur the physical involuntary relocation of families who are of a low socio-economic status and with no alternative houses to relocate to.

In accordance with Article 22 of the Lebanese Expropriation Law No. 58/91 described below, the Expropriation Committee will assess the compensation awarded to the affected persons.

Appendix 2 of this RAP document presents two images taken of some of the households after consent of owners.

Table 4-2. SES results of Affected Persons related to Project Component 1 (P&R facility site in Kfaryassine)

Cadastral Area	Plot Number	Name of Person Interviewed	Nationality	Phone Number	Type of Tenancy	Household Constructed Area (m²)	Number of Persons in Household	Number of children below 12	Number of Elderly Persons	Number of Pregnant Women	Persons with medical condition	Household Income (LBP/year)	Source of Household Income	Interviewer Judgment of socio-economic status	Major Household Expenditures	Household Connectivity	Satisfaction with Current Housing Conditions	Remarks
Kfar-yassine	/31/	Abeer Kadiiri	Palestinian (*) (children registered as Lebanese)	03/504 860	Illegal tenancy on expropriated land	70.7	6	3	0	0	1 woman with spinal complications	Not fixed / Unknown	Sells apparels on a free-lance basis	Poor	Food	Household close to Jbeil city where most of clients are located	The only house they have. No rental expenses to worry about.	No medical insurance or social security coverage. Single mother raising 5 children. Has spinal complications and has no alternative place to go to.
	/34/	Fadi Bekaakafri	Lebanese	70/761 963	Illegal tenancy on expropriated land	90.2	4	0	0	0	1 girl with asthma	21,600,000	Husband: Worker/driver at local factory Wife: Worker at a local kindergarten	Poor	Food and urgencies	Household close to highway (ease of use of public transportation) and close to workplace	The only shelter they have with no other place to go to. Deteriorated housing conditions (molds)	Financially responsible for brother and mother medical expenses (living adjacent to his house)
		Johnny Bekaakafri	Lebanese	-	Illegal tenancy on expropriated land	90.2	3	1	0	1	-	10,800,000	Taxi driver	Poor	Food and urgencies	Household close to highway, nearby grocery stores and pharmacy	The only owned house with no other substitute. Not the ideal house but suffices to their need of shelter.	Low monthly income that is insufficient for household expenses and prospective baby.
		Naziha Mouallem	Lebanese	-	Illegal tenancy on expropriated land	90.2	5	2	1	1	Elderly woman with chronic diseases. Man with stage 4 cancer	9,600,000	Employee at a local groceries store	Poor	Medication for diabetes, cardiovascular and cancer diseases	Household close to workplace (lowers transportation expenses)	No rental expenses that would have been challenging given the very limited household income and high expenses on medication.	Very limited household income that does not provide the medication and treatment needed along with the other daily expenses. Brothers assist this household with few expenses. Cancer medications are extremely expensive.
	/174/ and /175/	Therese Taouk	Lebanese	03/938 622	Illegal tenancy on expropriated land	245.7	8	0	2	1	Elderly woman with spinal complications	30,600,000	Husband: Worker at local factory Sons: internal forces and army	Less than average	Food	Household close to workplace, grocery stores, and school	The only shelter they have with no other place to go to. Have invested money in making it a better place to live in. Houses 3 families with no alternative place to go to	Household too small for a family of 8 with a prospective baby in the near future

* As per the Lebanese Law, displaced persons who have been identified as eligible for compensation, are entitled to such disregarding their nationalities or ethnicities.

5. LEGAL AND POLICY FRAMEWORK

Land acquisition and resettlement issues under the proposed Project are addressed through relevant laws and regulations of Government of Lebanon and the World Bank Group Safeguard Policies. CDR shall be committed to complying with the national laws and WB policies.

5.1 DESCRIPTION OF RELEVANT LEBANESE LAWS AND REGULATIONS

National legislative texts that directly instrument the processes of land acquisition and involuntary resettlement are the Expropriation Law No. 58 dated 29/05/1991 which was amended on 08/12/2006 and the Tenancy Law of year 1991, both summarized below.

5.1.1 *Expropriation Law No. 58 dated 29/05/1991 (amended on 8/12/2006)*

The Lebanese Constitution guards and protects the right of private property including landed property and the rights associated with it. The exercise of eminent domain, in Lebanon, for expropriating private property in the public interest, is governed by this Law. This Law is comprehensive and governs many cases.

The State may only expropriate land rights when it is to be declared in the public interest, and against payment of a prior and equitable compensation. All compensation is a financial award through legal assessment. Nevertheless, the process of expropriation itself cannot be halted unless the validity of the public interest decree itself is challenged. In instances of legal appeals, at least 50% of the compensation is paid in advance while in cases where no structures are found to be existing within expropriation limits, an additional 25% is paid and the expropriation party reserves the right (only if it wishes so) to hold the remaining 25% until the decision of takeover is issued.

The Expropriation Law establishes general provisions for prior compensation of expropriated assets, and easement fees for other restrictions imposed on property. The mode of payment when compensating for acquisition of land will in practice be in several phases, but no defined time lag exists between taking over of land and final payment.

The decisions of the Expropriation Committee may be appealed to the Appeals Committee by the CDR or the individual property owner and the appellant must be represented by a lawyer. Compensation is determined by an Expropriation Committee set up by a decree according to proposals from the relevant ministers from each Governorate.

5.1.2 *Tenancy Laws (Pre/Post 1991)*

The tenancy / rent law was enacted in 1991 and gives the land owner the right to retrieve the property at the end of the contract. Where expropriation causes loss of tenancy, expropriation commissions divide their awards between landlords and tenants according to the economic value of the tenancy, enabling tenants to secure alternative housing by rental or down-payment for the purchase of a housing alternative.

Prior to the Tenancy Law enacted in 1991, rent laws permitted tenants to spontaneously renew their contracts and even sublease property to third parties; thus, restricting the ability of landlords to raise rent other than by minor increments at each contract renewal. Pre-1991 tenancy laws also permitted inheriting tenancies to descendants dwelling at the rented property.

As for the new tenancy Law that was enacted in 1991, landlords were given the right to reclaim their property at the end of each contract (every three years for long-term rental contracts). As a result, rent contracts signed after 1991 favor the landlord and those signed previously favor the tenant. When expropriation induces loss of tenancy, Expropriation Commissions divide their awards between landlords and tenants according to the economic value of the tenancy, enabling tenants to secure alternative housing by rental or down payment against purchase.

5.1.3 *Procedures Governing Compensation, Land Tenure, and Appeals*

1. Compensation

Compensation is determined by an Expropriation Committee (EC) set up by a decree in accordance with proposals from the relevant ministers for each Governorate. The decisions of the Expropriation Committee may be appealed to the Appeals Committee by either party.

The EC determines all compensation for any economic predisposition resulting from expropriation, decides on requests by owners for total expropriation and full compensation, and determines the value of small portions of land which cannot be exploited. It also resolves disputes over the division of compensation between shareholders. It provides for expropriation only by due legal process and after compensation has been paid for all tangible losses of property and economic prejudice at current market rates or better; and it provides for a mechanism of appeal and review.

The Expropriation Committee determines compensation based on prevalent local market rates. Every factor that affects its value is taken into consideration, and transition costs are accounted for. Replacement cost for an affected asset is calculated based on the cost of replacing the lost asset plus any transaction costs associated with bringing the asset to its pre-displacement value. Indemnities are paid after signing of the "Take-over Decision" by the Head of the Expropriation Committee and take-over can be executed within 15 calendar days of the date of Notification for vacant lands and within 30 calendar days for lands and buildings.

The Expropriation Commission proceeds on the basis of a proposal which they invite the expropriated party to make. They consider any loss or damage to a legal entitlement which can be reasonably demonstrated. The law requires the compensation to take into account any factor that might affect the value of the loss. The major assets concerned in are land, buildings, and businesses.

i. Land:

Land is valued at current local market rates, and every factor that affects its value is taken into consideration: size, shape, location (even whether it is on the left or the right hand side of the street). Nevertheless, the basis of land valuation does not align

with the requirements of the WB OP 4.12 where the latter specifies that compensatory value of acquired land should reflect the actual replacement cost of the affected asset.

ii. Buildings:

Buildings are valued by the square meter, taking into consideration age, condition, materials, purpose (commercial properties are generally valued more highly than residential ones), fixtures and interior decoration. Again, national law and WB OP 4.12 compensation requirements differ when it comes to the valuation of affected buildings.

iii. Businesses:

Business evaluation is based on business accounts, or where unavailable, on the evidence gathered onsite inspection; compensation includes provision for the loss of business and clientele, the loss of productive time, moving and other incidental expenses associated with relocation.

Transition costs are included: these include the full costs of relocation of residences and business enterprises, which would be valued separately, the costs and time involved in purchasing a new property are taken into consideration, normally by adding a certain percentage to the market value of the land. The costs of re-establishing a business in another area include not only the direct costs of relocation, but the reestablishment of goodwill in another location and the value of business lost in the transition. A large number of specific examples testify to this practice.

2. Land Tenure

In Lebanon there is generally little dispute over ownership, legal rights or boundaries of land. Generally, lands are well surveyed and title is recorded at an administrative service based in the Ministry of Finance (with the exception of areas affected by uncontrolled movement and settlement due to the civil war). Since land ownership is recorded in shares, along with all those whoever held title to it, the exact value of any transaction for an individual owner can be determined. In terms of compensation, in cases where there is two or more land owners of an affected plot, as shown on the title deed or cadastral certificate, compensation is given on the basis of shares of each landowner. Moreover, land laws in Lebanon are gender neutral.

3. Appeals

Decisions made by the Expropriation Committee may be appealed to the Appeals Committee by either party (the CDR or the individual property owner, but not by public bodies, NGOs or municipalities) and the decisions of the Appeals Committee are binding on both parties. The grievant must be represented by a lawyer.

5.2 DESCRIPTION OF REQUIREMENTS OF WORLD BANK OP 4.12 ON INVOLUNTARY RESETTLEMENT

The objectives of the World Bank Policy OP 4.12 on Involuntary Resettlement are set as follows:

- Avoid or minimize resettlement or explore all possible alternative project designs;
- Resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits, if resettlement

avoidance is not feasible. And as such, displaced persons should be consulted and have opportunities to participate in planning and implementing resettlement programs;

- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

Furthermore, the World Bank's Policy requires that a Resettlement Action Plan (RAP) be prepared and cleared by the Bank prior to implementing resettlement activities. The Bank also requires that the provision of compensation and other assistance to Project Affected Persons (PAPs), to restore livelihoods when these are affected appreciably, be done prior to the displacement of people. In particular, the policy requires that possession of land for project activities may take place only after compensation has been paid. Resettlement sites, new homes and related infrastructure, public services and moving allowances must be provided to the affected persons in accordance with the provisions of the RAP.

5.3 KEY POLICY GAPS BETWEEN GOL REGULATIONS AND WB OP 4.12: MEASURES TO BRIDGE GAPS

Lebanese laws and regulations differ from World Bank OP 4.12 in the following areas:

- Extent of stakeholder consultation/participation in the resettlement process;
- Payment of compensation;
- Loss of income sources or means of livelihood;
- Encroachers with no legal rights to lands or assets.

Gaps identified between the WB OP 4.12 and the GoL Expropriation Law No. 58 are outlined in Table 5-1.

Table 5-1. Policy Gaps between WB OP 4.12 and GoL Legislation

World Bank OP 4.12	Lebanese Expropriation Law No. 58
In terms of Consultation and Participation	
PAPs should be consulted and should participate in planning and implementing resettlement programs. It further requires that the resettlement process include measures to ensure that the PAPs are offered technically and economically feasible resettlement alternatives.	Expropriation is initiated by a ministerial decree and signed by the President with no prior public debate. However, informal public consultations may precede the decree.
In terms of Compensation	
Resettlement and compensation plans provide prompt and effective compensation at full replacement cost for losses of assets directly attributable to Bank-financed projects. It also stipulates that "the implementation of resettlement activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before	The Expropriation Committee determines compensation based on prevailing local market rates. Every factor that affects its value is taken into consideration, and transition costs are accounted for. Indemnities however are paid after the Take-over Decision is signed by the Head of the Expropriating Administration, and take-over can be executed within 15 calendar days of the date of Notification for vacant lands and within 30

World Bank OP 4.12	Lebanese Expropriation Law No. 58
<p>necessary measures for resettlement are in place.</p>	<p>calendar days for lands and buildings. Nevertheless, indemnification money is placed and secured in an account before the take-over decision is signed and concerned parties are informed that they can cash their indemnities. Concerned parties have the right to appeal should they not be satisfied with the compensation amount.</p>
<p>Compensation is provided for those who have formal legal rights to land; those who have a claim to such land or assets; and those who have no recognizable legal right or claim to the land they are occupying are provided resettlement assistance.</p>	<p>Provides compensation to those with legal rights. Squatters and occupants without official rent contracts have no legal right and therefore are not compensated for eviction. However, resettlement is most often done through amicable negotiation, by agreeing on a level of compensation or inducement that will encourage voluntary departure.</p>
<p>Makes provisions for loss of income sources or means of livelihood, whether or not the affected persons must move to another location. It requires that PAPs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p>	<p>Compensation & acquisition for the loss of income and the damage resulting directly is evaluated based on the location, size and shape, the topic of investment, loss of customers and loss of profits, however, it does not have clear provision for restoring loss of income sources or means of livelihood.</p>

In some cases, Lebanese laws may differ from World Bank rules and regulations, as those pertaining to the extent of stakeholder consultation/participation in the resettlement process, payment of compensation, grievance redress mechanisms, and encroachments. For all these instances, the requirements of the World Bank Policy on Involuntary Resettlement OP 4.12, will take precedence over the Lebanese regulations.

6. VALUATION AND COMPENSATION FOR LOSSES

The components of the Project covered under this RAP document will be implemented according to a compensation eligibility and entitlements framework in agreement with the relevant Lebanese legislation and the stipulations of WB OP 4.12.

This section will present the eligibility criteria for compensation from losses, and the cut-off date for resettlement entitlements, in addition to the valuation procedure and methodology used in valuing losses needed to determine their replacement cost. Compensation rates will be provided for the categories identified in the Cadastral Survey and Assets Census.

6.1 ELIGIBILITY CRITERIA

According to the WB OP 4.12, PAPs are categorized in one of the following three groups, in terms of their land ownership status that determines their eligibility for resettlement entitlements (compensation and assistance).

- People with formal legal rights to land (including customary and traditional rights recognized under the Lebanese laws);
- People who have no formal legal rights to land at the time the socio-economic survey/census begins but have a claim to such land or assets under the condition that such claims are recognized under the Lebanese laws or become recognized through a process identified in the resettlement action plan; and
- People who have no recognizable legal right or claim to the land they are occupying.

Individuals excluded from involuntary resettlement compensation and assistance entitlements in areas undergoing land acquisition are those who have encroached on the areas to be acquired post the announced cut-off date.

In accordance with Article 22 of the Lebanese Expropriation Law No. 58/1991 (described below), the Expropriation Committee will assess the compensation awarded to the affected landowner based not only on the value of the land, but also taking into consideration other ongoing affected activities and/or individuals, if any.

PAPs entitled to compensation and/or rehabilitation under the Project are:

- Land owners, PAPs having property rights including the leaseholders, all APs deprived of the right to use the land or deprived of the opportunity to use it or those who possess and use the land on a "de facto" basis regardless of the rights registered on the land.
- PAPs owning buildings/structures, possessing property right including renters, the constructors, "de facto" possessors and users of buildings/structures.
- All PAPs losing business (entrepreneurship), income and salary.
- PAPs without formal title on affected land or businesses but their livelihoods are directly dependent on the affected land or businesses (e.g., those working on affected agricultural land or working in the affected businesses).

6.2 CUT-OFF DATE

With reference to the WB OP 4.12, the cut-off date is the date when the socio-economic census is initiated or prior to census, provided that there has been an effective dissemination of information in the area undergoing land acquisition. 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 set cut-off date is **August 14, 2017** which is date the SES was completed. Normally, the Project cut-off date will be the date of the publication of the expropriation decree of the acquired lands; nevertheless, given that the expropriation completion duration and publication date of the decree are unknown at this stage, the cut-off date is considered to be the date the SES was completed.

6.3 METHODS FOR VALUING AFFECTED ASSETS

In the context of involuntary resettlement, a replacement cost is the cost of replacing the lost assets, considering the market value of the assets if applicable, in addition to any transaction costs related to returning the asset to pre-resettlement level.

A summary of the WB Policy's (Involuntary Resettlement OP 4.12 (Endnote 1)) elaboration on the replacement cost for different assets is illustrated in Figure 6-1 below.

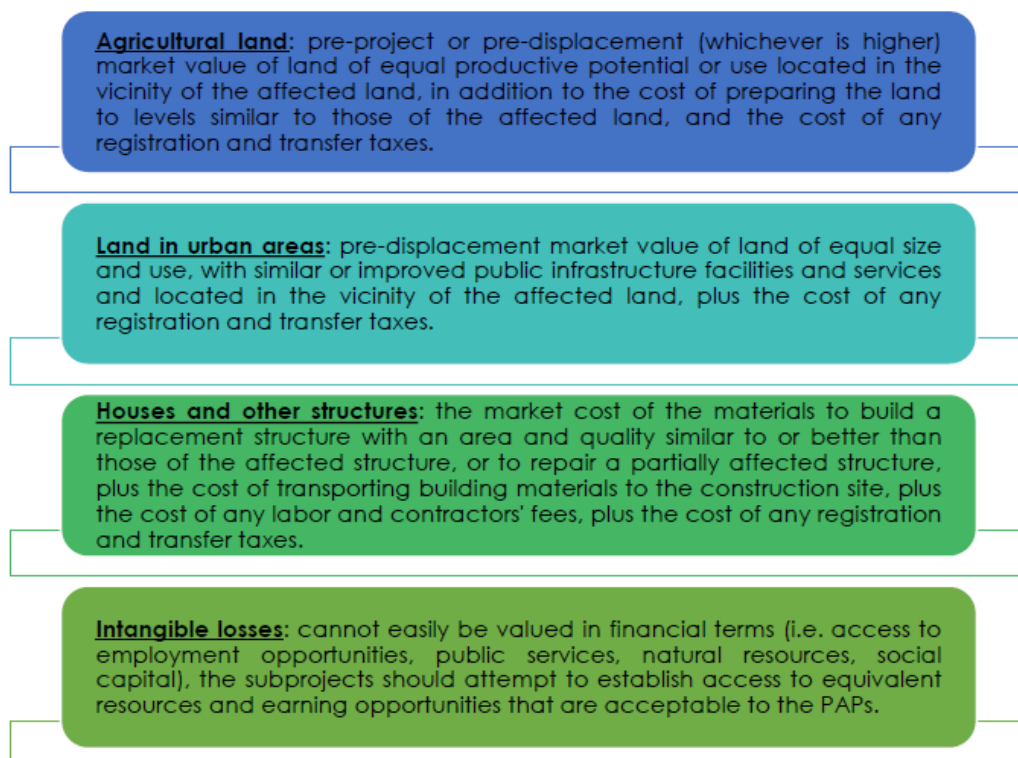


Figure 6-1. Replacement Costs of Different Assets (as defined in WB OP 4.12)

The Lebanese Law requires that compensation takes into account any factor that might affect the value of the loss (as discussed in section 5.1.3 above). The major assets concerned are land, buildings, and businesses.

The actual payable compensation value will be re-assessed by the Expropriation Committee based on the market price at the time of actual land expropriation execution.

In determining the replacement cost of lost assets for which compensation should be paid, the Expropriation Committee will make reference to the following:

- Plans of individual buildings, related structures and support services.
- Average replacement costs of different types of buildings and structures based on the quantity and type of materials used for construction.
- Prices of these items collected in different local markets.
- Costs for transportation and delivery of these items to acquire/replace land.
- Estimates of construction of new buildings, including labor.

The compensation rates set below (refer to Table 6-1, Table 6-2, and Table 6-3) were determined based on the existing prevailing market prices of affected assets. Indicative compensation values were calculated and include the costs for acquiring the lands and compensation for all lost assets.

However, in accordance with the Lebanese expropriation procedures, the actual compensation rate will be determined by the Expropriation Committee upon the receipt of approval on Expropriation Decree and based on the prevailing market prices at the time of actual expropriation. Indicative compensation rates are included in this RAP document for guidance and will not commit the CDR or the PAPs, as the final rates will be established based on the assessment and valuation of the Expropriation Committee. Nevertheless, compensation rates should not be lower than the rates provided in this RAP (Tables 6-1, 6-2, and 6-3). Otherwise, the Borrower (the CDR) will have to provide justification to the WB in case of substantial deviations from the indicative compensation rates provided herewith.

Table 6-1. Indicative Compensation Rates of Land based on Local Market Values

Asset	Description	Rate (LBP/ m ²)*
Land	Zouk Mosbeh (coastal part – adjacent to highway)	3,500,000 – 4,000,000
	Zouk Mikael (coastal part – adjacent to highway)	3,500,000 – 4,000,000
	Sarba (coastal part – adjacent to highway)	4,000,000
	Ghadir (coastal part – adjacent to highway)	3,500,000
	Haret Sakher (coastal part – adjacent to highway)	3,000,000
	Safra	965,000
	Wata Slam - Tabarja	1,800,000

* Rough general estimates that do not take into consideration other determinants such as plot size, plot shape, zone classification, among others.

Table 6-2. Indicative Compensation Rates of Productive Trees based on Local Market Values

Asset	Rate (LBP / tree) *
Productive	300,000 – 750,000
Non-productive / Ornamental	100,000 – 200,000

* Rough general estimates that do not take into consideration other determinants such as tree age, height, among others

Table 6-3. Indicative Compensation Rates of Constructed Fixed Assets based on Local Market Values

Asset	Description	Rate (LBP / unit of measurement)
Fixed assets / Structures	Concrete linear structure (sidewalk, fence)	375,000 LBP/m ³
	Steel mesh fence	15,000/m ²
	Steel container	900,000 LBP/ton
	Steel traffic signage	Depends on thickness of pole
	Steel kiosk	900,000 LBP/ton
	Housing: <ul style="list-style-type: none"> Temporary concrete housing / shelter Old degrading house/ old house 	Housing unit of area <100 m ² : 9,000,000 LBP/housing unit Housing unit of area >100 m ² : 13,500,000 LBP/housing unit

All Project identified PAPs considered eligible for compensation, will be recompensed for their lost assets. As for displaced persons (total of 5 households; 26 persons (present) – 30 (near future)) will be compensated for at full replacement cost in addition to relocation allowance/transitional support dispensed to each household of 3,750,000 LBP.

7. LIVELIHOOD REHABILITATION MEASURES

As mentioned earlier, activities associated with Component 1 of the Project will instigate inevitable impacts on land acquisition and site clearance. On the other hand, the proposed Project is not expected to incur direct impacts on businesses and sources of income from land acquisition and replacement. Mitigation measures that target PAPs and displaced persons (DP) who will be subjected to involuntary displacement and resettlement are outlined below:

- Assignment of a cut-off date that is publically announced by the CDR.
- Assist DPs in accessing information sources addressing the potential impacts and benefits of the project.
- Avoid displacement impacts by carefully designing and planning for different Project components by avoiding inhabited private-owned lands or buildings and favoring state-owned lands.
- Conduct several public consultation rounds involving all PAPs, DPs and local authorities for discussing all potential impacts and the measures proposed to mitigate them.
- Lack of legal title, permit or registration to the land does not hinder eligibility for compensation.
- Compensation of lands and assets will be carried out at the replacement cost following the valuation of lands and assets by the CDR.
- Compensation for fixed assets will be paid without depreciation because of age or use.
- Relocation allowance/ transitional support will be dispensed to every displaced household as assistance to involuntary displacement sufficient to cover actual relocation costs.
- Any households affected by housing demolition caused by the Project will be provided with transitional assistance, which will consist of a moving allowance sufficient to cover relocation expenses, a temporary living allowance sufficient to cover living costs for a reasonable period in which replacement housing can be purchased or constructed, and other technical assistance that may be needed to prepare a replacement site for construction or habitation.
- Identified vulnerable persons (in this case the elderly, young children, persons with ailments, and pregnant women) that will be considered less resilient to the impacts of displacement and relocation are considered eligible to receive additional assistance which varies across the form and extent of vulnerability.
- Ensure proper timing of implementation of works, namely in areas that will be undergoing earlier planned works, i.e. areas where the proposed Northern Coastal Highway, Section Nahr el Kalb - Tabarja project. This is expected to reduce the duration of works that are likely to impact the existing infrastructure, facilities, and services. Affected public services, facilities, and infrastructures resulting from the project-associated works should be replaced or restored to pre-works conditions.

8. INSTITUTIONAL ARRANGEMENTS

This section identifies the institutions primarily responsible for involuntary resettlement effective implementation within their capacities that are demonstrated to previous experience in resettlement and the availability of well trained personnel.

8.1 CDR EXPROPRIATION DEPARTMENT (CDR ED)

The Council for Development and Reconstruction (CDR) is the exclusive party responsible for expropriation procedures and the issuance of administrative authorizations and licenses, except in the case where the Council of Ministers (CoM) issues them.

The CDR Expropriation Unit staff members work closely with the CDR Projects Department Engineers and the Legal Department from the initiation of the decree process until payment of settlements.

The duties of the Expropriation Unit are to ensure that all tasks related to expropriation are completed in accordance with Lebanese Law and the World Bank Policy on Involuntary Resettlement OP 4.12 and to verify the details of the expropriation files. During the project development phase, and as the need for expropriation arises, the Expropriation Unit, along with the engineers from the Projects Department, formulate the draft expropriation decrees along with consultants commissioned to prepare the expropriation plans and files. Upon approval of the draft expropriation decrees, the Unit sends the decrees to the board of CDR for official approval. The decrees are then sent to the CoM for approval and issue. The Unit continues to verify the expropriation files after approval. Upon issuance of the Decree by the CoM, the Expropriation Unit forwards the Decree along with the expropriation files to the Expropriation Committee.

The Unit also provides advice and information to the owners of properties affected by the Decree so that they may present themselves before the Commission, and provides proof of their legal rights (as owner, tenant, etc.).

Expropriation procedures as per the Lebanese law are presented in Figure 8-1.

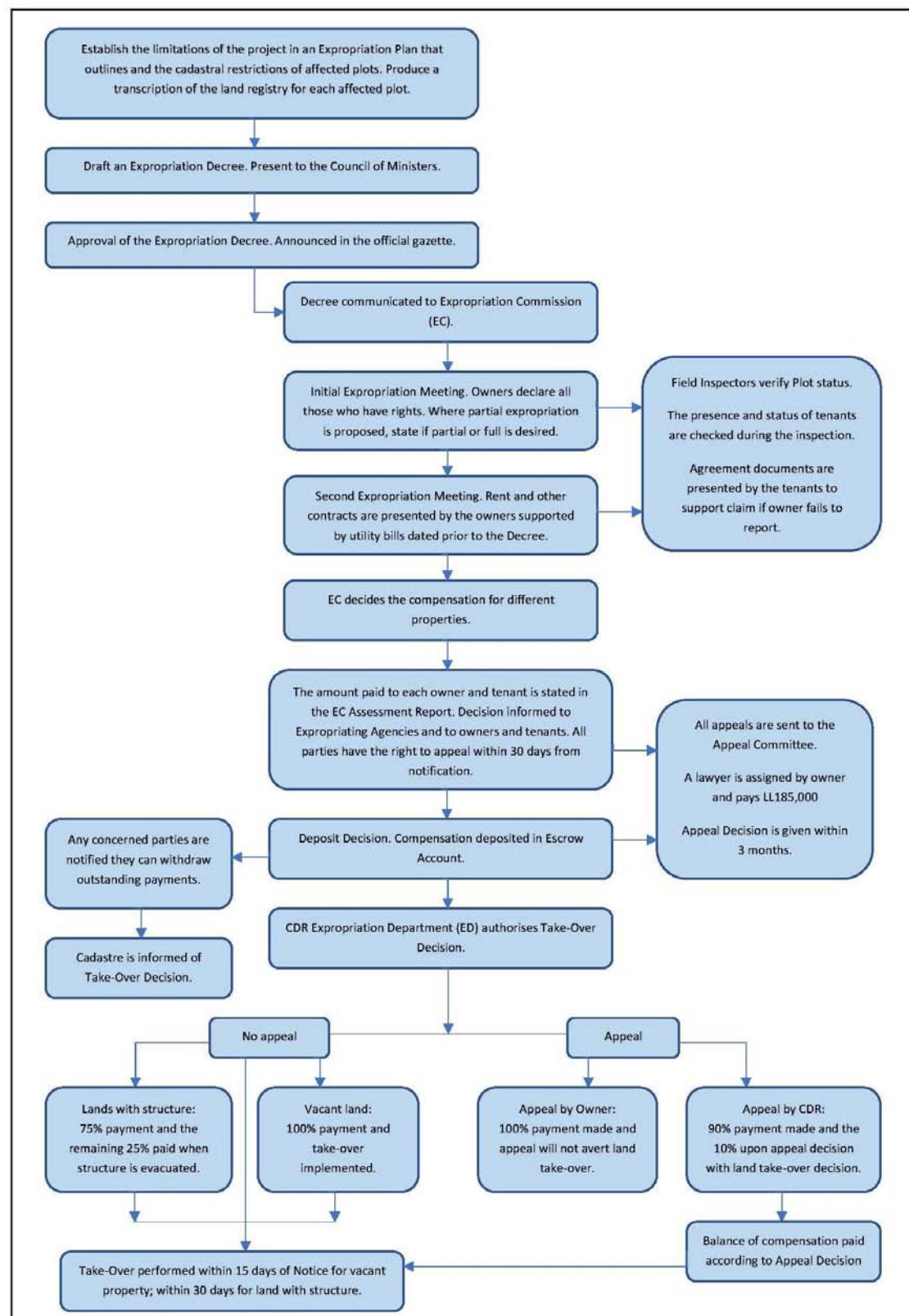


Figure 8-1. Expropriation Procedures within the Context of Lebanese Legislation

8.2 EXPROPRIATION COMMITTEE (EC)

The Expropriation Committee (EC) is set up by decree, in accordance with proposals from the competent ministers for each Governorate. They comprise:

- A Committee of the first instance composed of a chairperson (a judge or magistrate of at least the 10th degree) and two members (an engineer and an assessor);
- One or more Expropriation Appeals Committees, consisting of a magistrate of at least the 6th degree as chairperson, an engineer and an expert in land law and valuation; and
- A chairperson and two other members named as alternates in case of absence.

Compensation is determined through a judicial process. When the Expropriating Authority, in this case the CDR, wishes to implement a decree, the files are sent to the Expropriation Commission for adjudication of compensation.

The Expropriation Committee takes into account every relevant factor. They may, in addition to the value of major assets (land, buildings, and businesses), consider specific items whose value can be determined: the loss of a parking facility, the value of a tree taking into account its species and age, the approximate hiring costs of a vehicle to move a person's belongings to a new location taking account of the location, time, distance and the size of the vehicle required, or the number of working days that would be lost to a business enterprise.

If satisfactory proof is provided that the Commission will consider compensation, then the owner is required to demonstrate some *prima facie* evidence of the loss or injury suffered or to be incurred. For example, the Commission may consider the loss of a parking space if it was included in the construction permit for a building, but not if it was absent. After having established the right on the basis of documentation, the Commission visits the site to verify the facts and also the prevailing prices, using for example information gained from questioning people in the vicinity.

In addition, and as mentioned above, the expropriating authorities will provide advice and information to the owners of properties affected by the Decree so that they may present themselves before the Commission and provide proof of their legal rights.

The Commission does not summon expert witnesses to assist it in arriving at its conclusions, except in cases where highly technical matters clearly exceed its competence.

The Commission does not prepare a detailed bill of goods, but rather arrives at its best estimate in the light of experience and judgment. When the Commission reaches its decision, a formal written and numbered decision is issued, which specifies the amount of compensation, the reasoning on which it was based, and a notification of the entitlements of different shareholders to different proportions of the total compensation. The parties are formally notified and the Administration deposits the whole amount of the compensation awarded, and to notify the person compensated of this fact, together with notice to quit the property.

The real value of the compensation awarded is legally protected. If within the space of six months after notification of the Commission's decision, the administration has not deposited the compensation, it is required under force of law to deposit the legal interest accumulated

from the date of the Decision. If the administration has not deposited the amount within two years from the date of notification initiating the Expropriation process, the owner may request the Commission to undertake a new evaluation on the basis of current valuation. Property owners are made aware of this provision.

8.3 APPEALS COMMITTEE

Decisions made by of the EC may be appealed to the Appeals Committee by either party (the CDR or the individual rights owner, but not by public bodies, municipalities or NGOs). Decision outcomes of the Appeals Committee are considered binding on both parties. The appellant must be legally represented by a lawyer at appeals hearings. The appeals fee is about USD 125 (initiation fees including insurance and stamp fees) in addition to a 3.5% of the increased compensation amount demanded in the appeals case.

The right to appeal granted by the Lebanese Law is within 30 calendar days from decision notification. While the CDR's ED or PAPs may appeal an EC decision, the process of expropriation cannot be ceased unless the fundamental validity of public interest is challenged. Following filing the appeal, the Appeals Committee must reach a decision within three months of the date the appeal is lodged.

8.4 DIRECTORATE OF LAND REGISTRATION AND CADASTRE

The Directorate of Land Registration and Cadastre (DLRC) is a department falling under the auspices of the Ministry of Finance (MoF). DLRC manages real estate properties on the Lebanese territory, updating and securing records of title deeds, cadastral mapping, and administers public properties of the GoL including its investment, lease, or rehabilitation.

In close cooperation with the CDR, the DLRC, which has an extensive collaboration history with the former, is also responsible for the supervision, monitoring and evaluation of planned expropriation and resettlement activities.

8.5 LOCAL COMMUNITIES: NGOs AND CBOs

The disclosed RAP and other RAP-relevant documents will be made available at NGOs' local centers. As earlier mentioned, NGOs and CBOs are not entitled to appeal to the Appeals Committee. NGOs and CBOs roles will be related to their contribution to the monitoring and evaluation of PAPs after resettlement and compensation has taken place (upon request), assist PAPs in relocation and resettlement, and screening and identifying PAPs that are considered at risk of spending disbursed compensations on purposes other than resettlement and livelihood restoration.

9. BUDGET AND FUNDING ARRANGEMENTS

This section of the RAP presents the mechanism adopted by both CDR and the MoPWT for securing that a budget is set aside to provide compensation in accordance with the WB OP 4.12. It includes a budget breakdown estimation of all resettlement-related costs, RAP implementation and monitoring, relocation allowances/transitional support, and contingencies. Financial responsibilities towards fulfilling resettlement obligations are identified in this section along with the relevant funding flow arrangements.

9.1 BUDGET BREAKDOWN

The estimated budget for expropriations related to land acquisition and fixed assets/structures was based on a valuation that takes into consideration the replacement costs and current market values of lands.

The CDR may reserve the money from the Government of Lebanon or the financing loan or donation for the expropriation purposes of the BRT project. Funds should be transferred prior to initiating expropriation procedures i.e. before the Commission proceeds with the assessment activities. The funds remain deposited until the issuance of the "Take-over decision" following which affected people will be paid their indemnities as soon as they claim their right to it by revealing relevant documents proving their ownership of the land.

With reference to the findings of the Cadastral Survey and Assets Census (section 3 above), the estimated compensation costs for lost assets, in the form of land, fixed assets, and planted productive trees are presented in Table 9-1, Table 9-2, and Table 9-3 respectively.

Total budget summary of all compensation costs of the proposed BRT Project are presented in Table 9-4.

Table 9-1. Estimated Compensation Costs for Acquired Land

Asset	Location	Expropriated Area (m ²)	Average Rate (LBP/m ²)	Total Compensation Costs from Land Acquisition (LBP)
Land (Private-owned)	Zouk Mosbeh	67.4	3,750,000	252,750,000
	Zouk Mikael	22.3	3,750,000	83,625,000
	Sarba	35.5	4,000,000	142,000,000
	Ghadir	55.9	3,500,000	195,650,000
	Haret Sakher	53.9	3,000,000	161,700,000
	Safra	13,986	965,000	13,496,490,000
	Wata Slam - Tabarja	8,023	1,800,000	14,441,400,000
TOTAL		22,244	-	28,520,865,000

Table 9-2. Estimated Compensation Costs for Removed Trees

Asset	Type	Count	Average Rate (LBP/tree)	Total Compensation Costs from Tree Removal (LBP)
Trees	Productive	81	525,000	42,525,000
	Non-productive Ornamental	42	150,000	6,300,000
TOTAL		123	-	48,825,000

Table 9-3. Estimated Compensation Costs for Demolished Built Structures/Fixed Assets

Asset	Area Demolished	Average Rate (LBP/unit of measurement)	Total Compensation Costs from Fixed Asset Demolition (LBP)
Fence – concrete	61.5 m ³	375,000 LBP / m ³	23,062,500
Fence – steel mesh	255 m ²	15,000 LBP / m ²	3,825,000
Sidewalk – concrete	71.4 m ³	375,000 LBP / m ³	26,775,000
Buildings <ul style="list-style-type: none"> Temporary concrete housing / shelter Old degrading house/ old house 	5 households/ housing units (4 housing units of area <100 m ² each; 1 housing unit of area >100m ²)	Housing unit of area <100 m ² : 9,000,000 LBP/housing unit Housing unit of area >100 m ² : 13,500,000 LBP/housing unit	49,500,000
TOTAL			103,162,500

Table 9-4. Project Total Resettlement Budget Summary

Compensation Costs	Total (in LBP)
Lands acquired	28,520,865,000
Trees removed (productive and non-productive)	48,825,000
Built-up structures/Fixed Assets demolished	103,162,500
Total Compensation Costs	28,672,852,500
Other Costs	Total (in LBP)
RAP Implementation monitoring and evaluation ⁽¹⁾	95,400,000
Relocation Allowance / Transitional Support ⁽²⁾	15,000,000
Total Other Costs	110,400,000
Total Costs	28,783,252,500
Grand Total Costs (including 10% Contingency)	31,661,577,750

⁽¹⁾ RAP implementation period of 1 calendar year; 2 contracted third-party/external experts.

⁽²⁾ A relocation allowance of 3,750,000 LBP per household based on actual relocation costs; total of 5 households.

9.2 ARRANGEMENTS FOR FUNDING RESETTLEMENT

Funds assessments and the resettlement action plan will be provided by the CDR and the cost of compensation will be borne by the Project. The CDR is responsible for financing the resettlement compensation because they are responsible for the impacts of the Project on affected persons' livelihood.

9.3 FLOW OF FUNDS

Disbursements will be made by the CDR, based on budget requirements established by the resettlement action plan in consultation with PAPs and municipalities.

10. PUBLIC CONSULTATION, DISCLOSURE, AND GRIEVANCE REDRESS PROCEDURES

According to the existing laws and regulations, international conventions and good practice, the public has the right to be properly and timely informed about any type of project that can cause an impact on livelihoods, socio-economic conditions, and the environment.

The BRT System has primarily a general public interest for commuters. Its implementation aims at enhancing public transport thereby easing traffic flows, reducing emissions of pollutants and GHGs to the atmosphere, reducing travel time, and improving road safety conditions. Social, environmental and economic impacts, both beneficial and negative, are expected to be generated from the Project's establishment; directly or indirectly affecting various stakeholders. As a result, it is crucial to capture the opinion of public, community and private stakeholders concerned with the Project at an early stage.

This section of the RAP will present the public consultation procedures and measures taken towards displaced persons regarding the proposed resettlement arrangements, RAP and information disclosure arrangements to the public, and the Grievance Redress Mechanism (GRM) regarding resettlement implementation.

10.1 PUBLIC CONSULTATION AND PARTICIPATION PROCEDURE

Public consultation is an on-going process that takes place throughout the entire Project lifecycle; during project planning, resettlement planning, setting the compensation, drafting and signing the contracts, paying the compensation, implementing the resettlement activities and during monitoring and evaluation.

PAPs, DPs, and concerned municipalities within the affected areas were consulted via one-on-one meetings on the resettlement process. Representatives of the Union of Municipalities of Kesserouan-El Ftouh were invited to an introductory presentation and consultation meetings on the proposed BRT System Project on August 10, 2017 in the presence of a representative from CDR, the Feasibility Study Consultant and the ESIA/RAP Consultant.

In-depths interviews were carried out on August 14, 2017 with DPs that will be displaced from the execution of Component 1 of the Project. Socio-economic data was gathered and analyzed as part of the SES process for the RAP. Risks and benefits associated with the Project realization, namely Component 1, were clearly outlined and discussed during these meetings.

The main concerns propagated during the meetings are presented below.

- Reliability of the proposed BRT system
- Affordability of the proposed BRT system
- Duration of civil works and how they will impact the pre-existing traffic congestion along the BRT Northern Corridor.
- Trust in the Government of Lebanon regarding the resettlement compensations, sufficient notification period, and facilitations.
- Assistance in finding appropriate housing substitutes.

- Special considerations to the elderly and the sick individuals that will be involuntarily displaced.
- Grievance and appeals procedures that can be followed.

The above concerns have been addressed and incorporated when preparing this RAP document, namely in section 7 on Livelihood Rehabilitation Measures.

10.2 PUBLIC INFORMATION DISCLOSURE PROCEDURE

The Project Implementation Unit (PIU) will take steps to ensure that affected persons and communities can easily access all information relevant to the Project in general and to the land acquisition and resettlement arrangements in particular. Information disclosure is expected to create a well-informed public base, PAPs, municipalities, NGOs and CBOs, and other concerned entities.

Bi-lingual copies of the full-text RAP document will be made accessible to the public in the Project area. External monitoring reports on RAP implementation will also be publically disclosed.

10.3 GRIEVANCE REDRESS MECHANISM AND INSTITUTIONAL ARRANGEMENTS

The present practice towards addressing grievances and complaints falls short at meeting the requirements of the WB OP 4.12. As such, it is key that CDR establishes a well-tailored and independent Grievance Redress Mechanism (GRM) against compensation, assistance, land acquisition, and resettlement prior to the Project implementation.

The main objective of establishing a GRM is to permit an aggrieved affected person to appeal against any unlikable decision or activity arising from compensation of acquired land or other assets. The GRM is also designed to secure that PAPs are fairly compensated and to resolve any resettlement-resolved) implementation of the Project. The GRM also improves the accountability of the Project, increases the level of satisfaction of beneficiaries from the Project, guides the PMU to handle complaints and allows it (the PMU) to take corrective actions towards continuous improvement.

PAPs will be informed of the established GRM for addressing complaints and expressing dissatisfaction at the time that the resettlement action plan is approved and individual compensation contracts are signed.

In general, PAP-related dissatisfaction, complaints and conflicts which might occur during land acquisition are outlined below and should be in a fair and timely manner:

- Refusing to leave a land or accept restrictions on property;
- Refusing the financial compensation proposed by the government;
- Title deeds not up-to-date and old land titles;
- Conflicts between land owners; and
- Absence of land owners.

If the affected person feels that their rights are discriminated, they can follow the procedures below outlining the proposed GRM relevant to the Project:

Investigatory stage:

1. Following the RAP approval and disclosure, affected persons and households will have been informed of the process for expressing dissatisfaction and to seek redress.

2. The affected person/complainant should file an oral and/or written grievance note to the concerned municipalities which can facilitate the grievance between the complainant and the CDR. The Legal Department at the CDR is the division to which grievance notes are received, recorded, and processed. The Legal Department at CDR is reached on the land line phone number 00 (961) 1 980 096.
3. The grievance note should be dated and, preferably, retained anonymous without any identification of the aggrieved person.

Response stage:

4. Within a period of 14 calendar days, meetings and discussions should be held between the CDR and complainant with the affected person, and a response should be issued by the end of this period.
5. If the aggrieved person does not receive a response within the specified period (14 days) or is displeased with the outcome, the aggrieved person settles their grievance with the CDR Expropriation Unit.
6. The CDR Expropriation Unit will then attempt to resolve the problem, through communication and negotiation, within 14 calendar days of the complaint being forwarded to them by the complainant.
7. Grievances unresolved by the CDR Expropriation Committee must be submitted to the Appeals Committee by either the CDR or the concerned municipality or the individual right holder.
8. The decisions of the Expropriation Committee may be appealed to the Appeals Committee by either the CDR or right holder. The Appeals Committee may keep the same level of compensation or increase it, and must make a decision within three months of lodging of the appeal.
9. The owner is required to evacuate the property, with rights of sale but not of development, and with access to 75% of the compensation. Until the Appeals Committee reaches its final decision these funds should be set aside in a special escrow account.

Court Settlement stage:

10. If no agreement is reached at this stage, then the complaint can be referred to the Courts of Law according to Lebanese Law.

The GRM implementation will be monitored through RAP implementation internal and external monitoring (discussed below). Main indicators for monitoring of GRM are number and type of complaints, number of resolved cases and the time taken to settle each.

11. MONITORING AND EVALUATION ARRANGEMENTS: RAP IMPLEMENTATION

To determine if the objectives of the Resettlement Action Plan were achieved, upon the completion of the Project, the Borrower will conduct monitoring and evaluation of the RAP implementation, taking into consideration the baseline conditions prior to Project implementation and the results of the involuntary resettlement. Monitoring and evaluation of the RAP implementation will focus on the Project compliance with the Lebanese Laws and the stipulations of the WB OP 4.12.

11.1 INDICATORS OF RAP IMPLEMENTATION MONITORING AND EVALUATION

The CDR will be the entity responsible for monitoring and evaluation and for ensuring that these are being reported to the World Bank on a regular basis. Resettlement monitoring of the BRT Project will mainly verify that affected people receive adequate compensation within agreed terms. The following indicators are suggested to be monitored and evaluated:

- Public information dissemination and consultation procedures and the degree of involvement of the beneficiaries;
- Suggested means of payment, and conformity with compensation policies;
- Facilitation of access to technical and development assistance and transitional allowances;
- Level of satisfaction of affected people with the resettlement process (reflected in the number and types of grievances resolved); and
- Types of complaints identified after the implementation, how they were handled and their outcomes.

11.2 RAP IMPLEMENTATION MONITORING

The monitoring process of RAP implementation of the Project will comprise of internal and external/independent monitoring.

11.2.1 Internal Monitoring

The CDR, through its Expropriation Department (ED), will be conducting internal monitoring for the implementation of the resettlement activities. The communities can conduct their own monitoring (participatory monitoring) based on their involvement in the planning and compensation of expropriation and based on their expectations and agreements. Quarterly or appropriately timed progress reports will include the results and findings, and will mainly cover:

- Resettlement policies and compensation standards;
- Resettlement progress and delivery of resettlement compensation;
- Provision of development and transitional assistance to PAPs;
- Implementation schedule (to be prepared once a clear timeline of all civil works is defined, following the issuance of the Project Expropriation Decree and the disbursement of compensation to displaced individuals);
- Land or structure allocation and fund disbursements; and
- Grievances and decisions made to handle complaints.

11.2.2 External Monitoring

To ensure the fulfillment of the overall objectives of the Resettlement Action Plan in a fair way and to guarantee an effective monitoring and evaluation process, external monitoring, by an independent external monitoring agency contracted by the CDR other than the consultant who prepared the RAP document, might be required to prepare the external monitoring report on a regular basis. The allocated budget estimate for the RAP external monitoring is presented in the budget breakdown above (Table 9-4).

External monitoring process of RAP implementation will cover:

- Confirmation of the outcomes of the Project internal monitoring.
- Surveying a selected group of land owners from across all affected cadastral regions at fixed intervals, to assess their stand towards the expropriation procedure, the rates of compensation disbursed to them, and the usefulness of professional support and advice given to them.
- Site inspections of lands that have been taken over by the Project following the completion of the expropriation process and the disbursement of compensation.
- Review of filed grievances filed by the Project PAPs and communicate them to the CDR.

11.3 RAP IMPLEMENTATION EVALUATION

The key indicators to be used for evaluating the RAP implementation will cover: compensation, assistance to eligible individuals, livelihoods (restoration to pre-displacement conditions), relocation and living conditions (of replacement housings); accessibility to resources and infrastructure services, and grievances (filed, addressed, and resolved).

The process of the RAP implementation evaluation will comprise the evaluation of:

- Compliance with Lebanese legislation and procedures.
- Compliance with WB safeguard policies (OP 4.12).
- Conformity with the RAP that has been disclosed to the public by CDR.
- Implementation of expropriation and resettlement procedures.
- Resettlement impacts on displaced persons and their living conditions.
- Measures to mitigate residual negative impacts and augment beneficial impacts.

11.4 MONITORING AND EVALUATION REPORTING

Monitoring and evaluation reports will be submitted to the CDR, where the latter will then forward these submissions to the WB acting as the RAP primary reviewing and approving entity. Submitted reports will also be circulated – by the CDR – to all other concerned entities namely the MoPWT (RPTA), the MoIM, the MoF, and the MoE.

RAP-related reporting deliverables will include:

- RAP Internal Monitoring Progress Report (Quarterly; prepared by the CDR ED and DLRC)
- RAP External Monitoring Progress Report (Semi-annually; prepared by external monitoring agency)
- RAP Implementation Mid-term Evaluation Review (mid-term of the approved implementation/construction program; prepared jointly by CDR ED, DLRC, and external monitoring agency)

- RAP Implementation Full-term Evaluation Review (prior to the approved implementation/construction completion date; prepared jointly by CDR ED, DLRC, and external monitoring agency)

12. APPENDICES

APPENDIX 1

SOCIO-ECONOMIC SURVEY QUESTIONNAIRE

SURVEY QUESTIONNAIRE FOR RESIDENTIAL PROPERTY

APPENDIX 2

PHOTOGRAPHIC DOCUMENTATION OF SOME AFFECTED HOUSEHOLDS



Socio-Economic Census Questionnaire

1. Name of the cadastral region -----

2. Number of cadastral plot -----
(Further description if any – i.e.: where it is located)

3. Surface of the plot (in m²) -----

4. Type of land use

- ☐ Residential
- ☐ Commercial
- ☐ Residential and commercial
- ☐ Vacant land

5. If the Unit is a residential property : Type of residency

- ☐ Landowners
- ☐ Renters
- ☐ Illegal occupants
- ☐ Vacant

6. Names of the owner, tenants, their shares and the affected area

#	Name of Tenant	Nationality	Type of Unit (Business / Residential)	Shares of the Plot	Affected surface area of the plot (m ²)	Legal Status of Affected Structure

7. How does the Project affect the residential land or the businesses

8. Number of people affected through land acquisition

9. Number of decree for expropriation

10. Remarks

Survey Questionnaire for Residential Property
(Following the Socio-Economic Census Questionnaire)

Date and time of the interview -----

1. Number of cadastral plot -----
2. Name of person who provided the information
3. Address
4. Phone number
5. Type of tenancy
 - ☐ Resident landowners
 - ☐ Renters / Rent per year -----
 - ☐ Illegal occupants
6. Gross area of the building _____m²
7. Year of construction/reconstruction of building _____
8. How long have you been living in this house? -----
9. How many persons live in this house? -----

10. Characteristics of the persons living in the household

Name	Gender	Relation to household responsible	Age	Marital Status	Education	Occupation	Employment status	Monthly Household Income

11. Does any member in the household suffer from a health problem?
12. What are you major expenditures?
13. Please, provide us if possible with data on how you distribute and what do you spend monthly income on:

a. Food _____ / month

- b. Costs of lodgment _____ / month
- c. Clothes, footwear _____ / month
- d. Hygiene _____ / month
- e. Education _____ / month
- f. Transportation _____ / month
- g. Medicines and medical treatment _____ / month
- h. Other, fill in _____ / month

14. Credit indebtedness of household. Does the household have the obligation to repay credit on a monthly basis?

☐ Yes

☐ No

If Yes,

What is the amount of monthly payment -----

and what is the amount of total credit indebtedness -----

15. How does the household estimate its social and economic position:

- a. Above average
- b. Average
- c. Very modest
- d. Poor

16. What are the places that you visit most in your area?

17. Is any member of your household a member of any local association? What are the social activities that you are engaged in?