

Annex 12

The Resettlement Policy Framework (RPF) and the Resettlement Action Plan (RAP)

Term of References (ToRs)



Submitted to:

Palestinian Water Authority

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

Prepared by



EcoConServ Environmental Solutions
12 El-Saleh Ayoub St., Zamalek,
Cairo, Egypt 11211
Tel: + 20 2 27359078 – 2736 4818
Fax: + 20 2 2736 5397
E-mail: genena@ecoconserv.com
URL: <http://www.ecoconserv.com>

**Supplementary Environmental and
Social Assessment of North Gaza Emergency
Sewage Treatment
Project, Effluent Recovery & Reuse
System and Remediation Works**



Universal Group-Gaza
Said El Ass Street, Flat 207
Nema Center Remal, Gaza, Palestine
Tel: +972-8-2825557, 2820979
Mobile +972/ 599734817
E-mail: ugaza@palnet.com

**Terms of Reference
RPF of NGESTP**

September 2012

Table of Contents

Acronyms.....	3
1. Introduction.....	5
2. Background Information about the project.....	5
2.1. Project Description	5
2.2. The Potential Impacts of the Project.....	6
3. Scope and objective of the Assignment.....	7
3.1. Objective and Rationale for the Assignment.....	7
3.2. Specific Requirements of the RPF	7
3.3. Scope of Assignment.....	7
4. Methodology.....	11
4.1. Secondary data collection method:.....	11
4.2. Primary data collection methods.....	12
5. Fundamental Structure and Composition of the Consultant team	14
6. The Proposed Activities to Achieve the Assignment.....	15
7. Duration of the Assignment and time plan.....	16
8. Deliverables and Outputs.....	16
9. Potential Table of Contents for the RPF	17

ACRONYMS

AHLC	Ad Hoc Liaison Committee
BLWWTP	Beit Lahia Wastewater Treatment Plant
BP	Bank Policy
CA	Civil Administration
CAP	Consolidated Appeal for Palestine
CMWU	Coastal Municipalities Water Utility
COGAT	Coordinator of Government Activities in the Territories
DCA	Department of Civil Administration
DCL	District coordination liaison
ECHO	European Community Humanitarian Aid Department
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
EQA	Environmental Quality Authority
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
EWASH	Emergency Water and Sanitation Group
FAO	Food and Agriculture Organization
GDP	Gross Domestic Product
GIS	Geographic Information System
GNI	Gross National Income
ISDS	Integrated Safeguards Data Sheet
IWA	Israeli Water Authority
JSC	Joint Service Council
JSET	Joint Supervision and Enforcement Team
JWC	Joint Water Committee
JWU	Jerusalem Water Undertaking
Lpcd	Liters per capita per day
MAS	Palestinian Economic Policy Research Institute
MCM	Millions of cubic meters
MoA	Ministry of Agriculture
MoP	Ministry of Planning
NGEST	North Gaza Emergency Sewage Treatment
NGO	Non Governmental Organization
NIS	New Israeli shekel
NSU	Negotiations Support Unit
NWC	National Water Council
OCHA	Office for the Coordination of Humanitarian Affairs
OP	Operation Policy
PA	Palestinian Authority

PAP	Project Affected Person
PCBS	Palestinian Central Bureau of Statistics
PHG	Palestine Hydrology Group
PMU	Project Management Unit
PNA	Palestinian National Authority
PRDP	Palestinian Reform and Development Plan
PSIA	Poverty and Social Impact Analysis
PWA	Palestinian Water Authority
RAP	Resettlement Action Plan
RFP	Request For Proposal
SLA	Sustainable Livelihoods Approach
SWAp	Sector Wide Approach
SWM	Solid Waste Management
ToR	Term of Reference
UNDP	United Nations Development Program
UNRWA	United Nations Relief and Works Agency
USAID	United States Agency for International Development
WaSH MP	Water, Sanitation and Hygiene Monitoring Program
WB	World Bank
WBG	West Bank and Gaza
WBWD	West Bank Water Department
WHO	World Health Organization
WSWG	Water Sector Working Group

1. INTRODUCTION

The Beit Lahia Wastewater Treatment Plant (BLWWTP) was established in 1976 with a design capacity of 5,000 m³/d. BLWWTP comprise 7 stabilization ponds (2 anaerobic ponds, 2 aeration ponds, 2 facultative ponds and one polishing pond) to provide biological treatment. The original plan was to use the treated effluents for irrigation of the agricultural lands located near the northern borders of Gaza. The rapid growth of population in Northern Gaza has led to raising the generated wastewater discharge much higher than the design capacity of BLWWTP, the influent of BLWWTP has been estimated by 12,000 m³/d in 2004 and reached about 24,000 m³/d later in 2009.

The large discharge of sewage to BLWWTP had two major consequences, the first was that the sewage was only partially treated because the load was much higher than the design capacity of the plant, and the second was that the effluent of the polishing pond (Pond 7) was directed to an adjacent area of sand dunes to be infiltrated, but the high effluent volumes and its low quality (especially high suspended solids which caused clogging of the soil in the sand dunes area) have led to accumulation of large amounts of partially treated wastewater forming a lake that has developed gradually to cover an area of about 35 ha north and west of BLWWTP. Because this effluent pond was higher in elevation than the surrounding areas, flooding hazard to the near settlements was high, and sand embankments that were placed at the borders of the lake did not prevent flooding hazard, as the southwest side of the lake has collapsed in an occasion causing casualties and damage to neighboring agricultural lands.

The flooding hazards, risks of drowning, especially to children, the nuisance caused to neighboring communities and the environmental risks to soil and groundwater were direct factors that led to the initiation of the Northern Gaza Emergency Sewage Treatment (NGEST) Project.

2. BACKGROUND INFORMATION ABOUT THE PROJECT

2.1. Project Description

The project has 2 main components and corresponding stages: Part A: which was an emergency intervention to drain off the effluent lake and direct the BLWWTP effluent to engineered infiltration ponds so that they could be safely drained to the groundwater, and Part B which included establishment of North Gaza Wastewater Treatment Plant (NGEST) with a treatment capacity starting with 35,600 m³/day, and reaching 70,000 m³/d in future extensions, to cover the sewage treatment requirements of North Gaza during the design period of the project.

Part A of the project comprised construction of a Terminal Pump Station next to BLWWTP, a Force main to discharge the water for a distance of about 8 km and 9 infiltration ponds with an area of about 81 donums near the eastern borders of Gaza.

Part A has started operation in April 2009 and was completed in 2010, the effluent lake north of BLWWTP has been completely drained off by the completion of the project in 2010. While Part B is currently under construction and is expected to be commissioned in 2013.

A detailed Environmental Assessment study has been prepared for the two parts of the project, and the project impacts were identified based on the initially proposed schedule of the project in which the time between the operation of Parts A and B was expected to be about 2 years. However, the political situation of Gaza strip and the closure of the borders have caused delays of construction works of Part B and accordingly the time lag between the two project phases is expected to be about 4 years. A direct impact of this delay is that the amount of partially treated effluent infiltrating to the groundwater will be, in reality, more than the previously assessed through groundwater modeling in the original EA of the project. Within this context, the Effluent Recovery, Irrigation Scheme and Remediation Works project, subject of this Supplementary Environmental and Social Assessment, was initiated.

Effluent Recovery, Irrigation Scheme and Remediation Works project is expected to have four main components with the following rationale:

1. Pumping out quantities of the infiltrated partially treated effluent from the groundwater to avoid potential long term irreversible impacts to the groundwater and surrounding areas
2. Reuse the abstracted water from the groundwater in irrigation according to sound environmental and public health practices
3. Remediate the land of the evacuated effluent lake at BLWWTP and use the land as a location for a suitable development project
4. Decommission BLWWTP and adequately develop the site for a subsequent use, after the operation of NGEST expected in 2013

2.2. The Potential Impacts of the Project

Between significant positive and negative impacts, direct and indirect impacts, and immediate and long-term impacts. Identify impacts that are unavoidable or irreversible. Wherever possible, describe impacts quantitatively, in terms of environmental and/or social costs and benefits. The environmental and social impacts should be classified for both the construction and operational phases of the project. Although not exhaustive, the main impacts to be investigated are:

1. Impacts on the livelihood of the affected people and their socio-economic conditions. Potential loss of income, wells, assets and lands
2. Impacts on water supply and water quality;
3. Impacts on the local agriculture industry;
4. Impacts on vehicle, donkey, foot traffic, and commerce in the project areas during the construction period;
5. Construction-related impacts (noise, dust, debris, increased accidents) during the

- construction phase;
6. Impacts related to construction of the effluent reuse pipeline, well field, and pumping of the effluent from beneath the infiltration ponds. Specific attention should be given to the possible impact on existing wells of groundwater level drawdown that may be caused by the effluent recovery wells;
 7. For the decommissioned site, explore consequences of keeping the site open including examination of safety issues for children;
 8. Public health negative and positive impacts anticipated.

3. SCOPE AND OBJECTIVE OF THE ASSIGNMENT

3.1. Objective and Rationale for the Assignment

This ToR is aimed at developing a Resettlement Policy Framework (RPF) for the Northern Gaza Emergency Sewage Treatment. The objective for the RPF is to set out the policies, principles, institutional arrangements, schedules and indicative budgets that will take care of anticipated resettlements. These arrangements are also to ensure that there is a systematic process (as against an adhoc one) for the different stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Palestine procedures and requirements, and outline compensation for affected persons.

The consultant is to develop the RPF taking into consideration the outlined objective and principles. This RPF will serve as the framework within which a resettlement action plan will be developed when the project is certain of the locations and specific impacts of the project.

3.2. Specific Requirements of the RPF

The preparation of this RPF shall follow the requirements of the World Bank's Operational Policy on Involuntary Resettlement, OP 4.12. The RPF shall also make reference to Palestinian legal and institutional requirements related to land acquisition. Any identified gaps between these two requirements are to be clearly captured, explaining how these gaps will be filled, and which should take precedence with reasons.

3.3. Scope of Assignment

The assignment by the consultant shall cover the following key areas as described in this ToR. Other areas considered relevant may be considered by the consultant so far as they add value to the outlined areas below.

a) *Project Description*

Provide a brief description of the project to place the RPF in the relevant context. This would include a summary of the background to the project and the different components. Most importantly, the consultant shall identify the possible resettlement issues that each component and subcomponents are likely to generate and for which reason this RPF is being developed.

b) ***Palestinian Legal and Institutional Guidelines and Requirements***

This will present a review of the national laws governing land acquisition and other assets. It shall also look at the various land tenure and ownership systems in Palestine, the different legal instruments regarding government and individual acquisitions and resettlement and compensation policies. The consultant shall describe any discrepancies identified in the different legal instruments.

The RPF shall also identify the legally mandated institutions associated with these legal instruments and their respective roles. This should be at all levels where implementation of project activities is likely to take place. Particular attention should be given to local-based institutions and structures at the project site(s). The institutional arrangements will include implementation and monitoring mechanisms that ensure inclusiveness and participation of all affected people, groups and communities.

c) ***World Bank Safeguards Policies***

The Consultant shall spell out the World Bank's policy on Involuntary Resettlement OP 4.12 and assess how this applies in the specific case of the NGEST. Attention should be paid to and documented on the gaps between the Bank's policy and policy on involuntary resettlement if applicable, noting that where the differences are significant whichever policy is considered to be of a comparatively higher standard shall apply.

d) ***Gaps Gaps Between the Palestinian Regulation and the World Bank Policies***

The Consultant shall present the gaps between the WB safeguard policy on involuntary resettlement and the Palestinian Legislations. Practical measures and recommendations to bridge the gap between the two sources of legislations should be explored.

e) ***Estimated Population, Displacement and Categories of Affected People***

This requires a record of the number of estimated people likely to be affected or displaced by the project activities (Project Affected Persons – PAP) as noted in the project component description above. The different categories of affected persons may include those who may be losing legal title to land and those without legal title but who use the land for economic activities or for residential purposes. There may be those who may be losing temporary access to property or business sites. These are only examples of those who are likely to be affected through displacement. The RPF shall identify the right categories based on the impacts noted or expected.

The Consultant will be encouraged to conduct an initial social and economic survey at the various proposed sites for the project activities required under the different components and subcomponents that trigger the involuntary resettlement policy. The survey shall cover issues

on the social structure, economic activities, social characterization of potential affected persons, and the numbers likely to be involved, the different social institutions, social capital and mechanism for social cohesion. The RPF shall also explore and describe existing conflict resolution mechanisms and potential for conflict situations arising as a result of the potential conflicts inherent in dealing with natural resources in general, and oil and gas in particular. This information will serve as critical baseline data for a future Resettlement Action Plan (RAP).

f) Eligibility Criteria for various Categories of Affected People

The consultant shall determine the method for setting a cut-off date for eligibility for compensation and also as a means for making this information (on cut-off date) reach the wider public. In addition, the consultant shall determine the compensation type for the different categories, losses and affected persons. These may include persons affected by land take, rights of access to resources or properties like housing, and water sources, loss of livelihood, and loss of cultural properties. The RPF shall take particular note of the multidimensional impact of the project and factor that into the analysis especially with regard to different sites and different forms of social impacts. The RPF shall pay particular attention to the different forms of impacts as a result of the nature of the project and explore the relevant issues appropriately.

The criteria for compensation should be in line with national legal requirements and provisions, World Bank OP 4.12, social sustainability and poverty reduction factors and fairness to avoid conflict and dissatisfaction. The section should also identify and document the unit of compensation that is whether individuals, families or groups and indicate the scenarios or cases for the application of each unit of analysis or a combination of units where appropriate.

g) Entitlement Matrix for proposed Resettlement and Compensation Policy

Following from the above, the RPF shall develop a matrix that detail the type of compensation that each identified PAP will be entitled to and a rationale as part of the matrix explaining the reasoning behind the entitlement as will be proposed in the Matrix.

h) Methods for Valuing Affected Assets

This section shall describe in detail the methods used in valuing those assets that will be eligible for compensation either as per national or World Bank policy on involuntary resettlement (OP4.12). This method shall be consistent with both national policy requirements and regulations and OP4.12. This process should capture the methodology for taking of inventory of assets, values assigned and agreement reached with each identified PAP and consider inflationary realities in the final determination of values. The RPF shall include a clear statement alluding to the possibility of revised values should there be major discrepancies between dates for value determination and actual date for payments. The PAPs should have an opportunity to do their own valuation if they have doubts or misgivings

through the facilitation of the project for further negotiations between the PAP(s) and the client. Valuing of assets should be a process of engagement with PAPs and not an imposition. The RPF shall demonstrate that the methods used for the exercise in its entirety were fully participatory and acceptable to all stakeholders.

i) Organizational Arrangements and Procedures for Delivery of Entitlements

The RPF shall describe the process for organizational arrangements, responsibilities and roles. The RPF shall describe the approval processes for the various stages of the compensation work including the various actors and their roles and responsibilities. This section will also spell out the actual process for delivering the entitlement including the roles for the different agencies and reporting formats.

j) Methods for Consultation with and participation of Affected People

The consultant should as a matter of importance, describe in clear terms the methodology for consultation and participation by the PAPs in the process until they have received their entitlements. This process should be elaborate and clear to avoid and minimize confusion and suspicion. This could be done according to the different levels of consultations, the expected outcome from the different stages of the consultation and participation approach that would be adopted.

The consultation process includes that for the development of the RPF and subsequent RAPs. The RPF should categorically emphasize the importance of documentation and other evidential indication for the consultation and participation process for this RPF and for subsequent RAPs. The record of consultation and participation for this RPF should be attached as an annex to the final RPF report for the client. As part of this, the consultant will develop a program for the disclosure of the RPF to facilitate the work of the client on this matter. The responsibility for both the disclosure and dissemination however lies with the client.

k) Grievance Redress Mechanisms

Under the grievance redress mechanism, the consultant shall describe the options available to PAPs for grievance redress they may have about the process, the identification of eligible people for compensation, the valuing and compensation and any other complaints they may have with the entire process. The RPF shall indicate how these would be disseminated and accessible to them in a way that is clear and comprehensible to the PAPs. The grievance redress mechanism should also have an in-built monitoring mechanism to check on responsiveness to complaints or grievances lodged. The different forms of receiving the complaints should be clearly described together with the different stages of going through the process. In addition, the redress mechanism shall indicate alternatives, in case the proposed mechanism, for any reason, does not respond to all grievances and complaints

l) Budget and Funding Arrangements

The RPF should clearly state the sources of funding for subsequent RAPs, an overall cost estimates for resettlement including for monitoring of the resettlement activities. If there are multiple sites, the RPF should give an indicative budget for resettlement for each of the sites or communities. The financial responsibility of the relevant stakeholders, where applicable, should be categorically stated to avoid ambiguity of source of funds for resettlement activities. These budgets should take into consideration inflationary tendencies

m) Monitoring Arrangements

The RPF shall provide appropriate mechanism for monitoring the implementation of the resettlement activities. The consultant shall propose current and participatory monitoring methodologies that would involve the PAPs themselves. The roles of different players like the PAPs, civil society, traditional authorities, and local government authorities among others, in the implementation and monitoring process will need to be clarified. The RPF shall develop, as part of this, a template for monitoring with indicators based on the main issues identified and spelt out in the RPF.

n) Implementation Schedule

To avoid confusion with cut-off dates and other time lines especially because compensation will have to be paid prior to commencement of any civil works, it is important for the RPF to set out implementation schedule for the resettlement. Due to the fast track nature of this project, the RPF shall in addition to the implementation schedule identify potential risks that could militate against the smooth implementation of the resettlement actions and suggest plausible mitigation measures to serve as a guide to the client and the team who will be working on the implementation.

4. METHODOLOGY

The Consultant should be employing **a participatory bottom-up approach in the preparation of the Resettlement Policy Framework (RPF)**. Various qualitative and quantitative data collection tools will be used to engage various categories of Project Affected People (PAPs). In the meantime, the Consultant will utilize the available information by starting the assignment with thorough review and analysis for the baseline prepared as part of the ESIA prepared in 2006 and the additional SESIA that has been implemented during 2012¹ that is the one during which the RPF ToR was prepared. The main tools that will be deployed include but are not limited to:

4.1. Secondary data collection method:

Literature review: including laws, legislations that govern expropriation and land acquisition (both national and international guidelines and safeguard policies) trying to highlight the gaps and how to fill the gaps, socio-economic baseline data, all reports

¹ Included in the SESIA detailed results that were based on focus group discussions and In-depth interviews conducted with the Project Affected People

developed during the preparation of the project i.e. Palestinian Human Development Report, Environmental ESIA . Proposed reports and Legislations to be reviewed

- 1- Human Development Report 2009/10 Investing in Human Security for a Future State- occupied Palestinian territory
- 2- Palestinian Environmental Law . 7, 1999
- 3- Palestinian Laws
 - Basic laws
 - Basic Laws declaration for Palestinian Human Right
 - Expropriation Law (*Istmlak*)
 - Land Ownership Law 2/1953
 - Antiquities Law 1966
 - Law 21 Consumer protection laws
 - Palestinian Labor Laws 7/2000
 - Health and safety Law 3/2011
 - Palestinian Reform and Development Plan PRDP (2008 -2010)
 - Local Council Law 1/1997
- 4- Palestinian Environmental Assessment Policy
- 5- World Bank OP.4. 12 concerning Involuntary Resettlement

4.2. Primary data collection methods

Different surveying tools could be employed to collect the needed data, more deep information to be acquired from the entities responsible for compensation i.e. municipalities or other entities responsible for the relocation of farmers to other lands i.e. Awqaf Department. The qualitative methods are generally more interactive and participatory techniques that can pave the way with the local community to the introduction of the structured inventory survey.

The sample of the qualitative research is usually smaller but focused rather than large samples. The exact targeted number of FGDs and SSIs (sample size) will be determined among the team of experts and will be discussed with the Client.

Data analysis:

The data collected through various surveying methods explained above will be carefully recorded on questionnaire, interviews transcripts and other data sheets. Various software for the analysis of both qualitative and quantitative data will be used, most importantly SPSS.

The Consultant will also ensure thorough review for the qualitative raw information in order to extract useful experiences/quotations/lessons learnt and add to the analysis of the RPF wherever applicable.

C. Field Observation

The Consultant should also rely on field observations to enrich the findings on the current situation. Local surveyors (enumerators), local NGOs and natural/community leaders will be

mobilized to assist in this task and field observation checklists will be designed in order for the team to fill during the field observations.

- The Consultant should ensure adopting a consultative and participatory approach that allows the stakeholders for feedback and facilitate the process of endorsement of the studies. The following consultative workshops will be arranged

1) A kick-off workshop (Scoping) will be arranged by the beginning of the assignment with the main objective of bringing the various stakeholders together, introduce the assignment ToRs, review the ToRs and allow for feedback and for sharing special issues for the Consultant attention.

The kick off workshop will be a good opportunity for the Consultant to consider aspects that may not originally be included on the ToRs and that appear to be of concern and importance to the local stakeholders. In such cases, these aspects should be considered in the RPF.

2) Consultation for the draft RPF: This will aim to engage local key stakeholders and involve them in the revision of the draft findings of the RPF. This step is very important and a key disclosure requirement for the World Bank and other IFIs.

The requirements for arranging a public consultation including but not limited to:

- Identification and invitation of various groups of stakeholders and ensure balanced representation (according to affiliation, gender, interests, ..etc) for all the groups including those who will be encountering various types of negative impacts.
 - Selecting a venue which is neutral and convenient, provide transportation (if required) in order to encourage marginalized groups to participate.
 - Preparation and dissemination of Arabic non-technical executive summary before the workshop and uploading the executive summary to public domain like the Promoter or the Consultant's website.
 - Preparation and delivering a presentation for the findings of the RPF
 - Recording and addressing the comments and concerns that the participants will raise during the Consultation and ensure proper documentation for the event.
- It is crucial to adopt a gender sensitive approach with special attention to be paid to the affected women in general and the female headed households in particular.
 - The Consultant should consider local culture sensitive planning. In this regard, attention will be paid to develop alternative and plans in a culturally sensitive manner that is acceptable to the local population an that proved to be successful in the Palastenian context.

5. FUNDAMENTAL STRUCTURE AND COMPOSITION OF THE CONSULTANT TEAM

The Consultancy firm should be demonstrating capability to mobilize an experienced highly qualified team of experts to fulfill the ToRs requirements. The following table presents the team of the key experts, the required qualifications and the key tasks anticipated for each of the team members. The Consultant is encouraged to propose additional experts as needed and elaborate on the proposed tasks for both the fundamental and the additional experts in the technical proposal.

Table 1: Resettlement Policy Framework Fundamental Team

Consultant	Minimum Required Qualifications	Main responsibilities within the assignment
Team Leader	<ul style="list-style-type: none"> Relevant postgraduate degree At least 15 years experience in similar types of assignments Tracked expertise and knowledge in safeguard policies of international institutes. 	<ol style="list-style-type: none"> Mobilize surveying team Coordinate among the team Revise the final report for quality assurance Reporting for the client
Resettlement Specialist and principle investigator	<ul style="list-style-type: none"> Relevant university degree in social development and preferably a postgraduate degree At least 10 years experience in similar types of assignments Tracked record of experience on involuntary resettlement like Resettlement Policy Framework (RPF) and Resettlement Action Plan (RAP). 	<ol style="list-style-type: none"> Prepare all survey tools in cooperation with the other team members Review the legal framework that govern the resettlement activities Develop the final report Disseminate the results
Social community specialist and household survey expert	<ul style="list-style-type: none"> Relevant university degree in social development and preferably a postgraduate degree Expertise in areas related to community mobilization, participatory tools and consultation with stakeholders 	<ol style="list-style-type: none"> Prepare the surveying tools Test the survey tools
Data analyst		<ol style="list-style-type: none"> Software experts who will develop the

Team of field surveyors and quality control supervisors	1- University graduates 2- Experience not less than 5 years in data collection using quantitative and qualitative tools	data entry programs 3- Participate in testing the tools 4- Collect data (qualitative , quantitative and observation sheets) 5- Supervise data collection process and monitor the quality of data.
Team of data processing personnel	6- University graduates 1- Experience not less than 5 years in data processing (editing – coding – cleaning ..etc)	2- Responsible for editing, coding, data entry and re-entry 3- Transcription of the qualitative data 4- Summarizing the qualitative data

6. THE PROPOSED ACTIVITIES TO ACHIEVE THE ASSIGNMENT

The project ToRs included a comprehensive list of activities that the Consultant needs to accomplish within the frame of working in this assignment. The Consultant will be fully responsible for conducting the various activities include in the ToRs, The presentation below for the proposed activities is concentrating only on the general activities, both the general ones and those of relevance to specific three tasks stated in the ToRs.

General activities

- Review for the Palestinian legislations related to various types of lands and assets acquisition including the various entitlements
- Review the international safeguard policies related to the assignment including the WB OP 4.12 regarding Involuntary Resettlement
- Review previous reports and action taken as part of ESIA 2006 and SESIA 2012 to ensure orientation with the lessons learnt from these phases. Identifying the gaps in these documents regarding the discussion of the PAPs in order to fill the gaps during field work
- Conduct the various data collection activities to ensure that the RPF and the RAP are founded on comprehensive baseline information. This may involve conducting any complementary activities to fill in any information gaps (e.g. interviews, meetings, field observations).
- Ensure that the RPF is providing a comprehensive package that meets the WB social principles and standards and that sufficiently cover the following:
 - Identification for the PAPs
 - Parameters/criteria for the entitlements package (both monetary and non-monetary) for those project affected persons (PAPs),

- Institutional framework adopted,
- Mechanisms for consultation and grievance resolution,
- The time frame (especially in relation to other project activities)
- Cost estimates
- Monitoring and evaluation mechanisms and tools

The Consultant should make sure that PWA is supported technically and is becoming fully aware of the compensations requirements with the WB policies.

7. DURATION OF THE ASSIGNMENT AND TIME PLAN

The team of experts will be collaborating together with other stakeholders in order to submit the required input and meet the deliverable schedule. The assignment should involve close collaboration with PWA with their capacity as the project proponent. The assignment shall be completed within eight (8) weeks after signing of contract.

8. DELIVERABLES AND OUTPUTS

The team of experts will be collaborating together and with other stakeholders in order to submit the required input and meet the deliverable schedule briefly presented on Table 2 below.

The Consultant is expected to have the following deliverables:

Inception Report with detailed work plan and indicators of performance. This will be discussed by consultant, client and other experts to ensure quality of final outcome. This should be delivered one (1) week after signing of contract;

Draft RPF Report This will be circulated for comments and relevant issues raised incorporated into revised version. This will be delivered three (3) weeks after submission of inception report.

Final RPF Report The final report should include a concise Executive Summary and should have all annexes and bibliography and the dissemination/disclosure plan. This will be delivered two (2) weeks after submission of draft report.

Table 2: List of deliverables and outputs for the assignment of the preparation of the RPF

RPF assignment	Due date
Inception report	1weeks
Draft Resettlement Policy Framework	6 weeks
Final RPF Report	8 weeks

9. POTENTIAL TABLE OF CONTENTS FOR THE RPF

Box 1: Tentative Table of Contents for the RPF²

Executive Summary

An executive summary will be prepared to be used as a stand-alone document in a manner that can be accessible to non-technical readers both in English and Arabic languages.

Chapter One: Project Description

This Chapter sheds the light on the project, the objectives of the RPF, project background, anticipated sub-phases and location, assessment of associated facilities and RPF implementing arrangements

Chapter Two: RPF Purpose and Objectives

This Chapter presents the main objectives of the framework, direct and indirect social impacts and the Consultant methodology that has been used in the preparation of the RPF. Additionally it should include:

- Principles and Objectives governing resettlement
- Methodology of preparation and implementation
- Review of the National Legislation governing land acquisition and resettlement
- Requirements of the Lenders for resettlement
- Gaps between national and Lenders' legal requirements

Chapter Three: legislative Framework for the Resettlement in Palestine

This Chapter presents summary about the key relevant laws in relation to the land ownership, expropriation, transfer of ownership and compensation issues. It also presents the main administrative and institutional framework for the issue related to land management and resettlement in Palestine.

Chapter Four: The World Bank Safeguard Policies

OP 4.12 on involuntary resettlement is the key safeguard policy for the World Bank. This Chapter of the RPF presents in details the various principles related to this safeguard policy including, but not limited to, the resettlement instruments, scope and coverage of the RPF, RAP preparation and approval, Project affected persons and the vulnerable groups, the eligibility procedures and criteria, valuation of assets, implementation procedures, grievance and redress mechanism, budget and funding, disclosure requirements and the WB resettlement document, consultation and implementation process and monitoring and evaluation.

² The Box includes an idea about the main requirements for the RPF driven from the Consultant previous experience in preparing RPF/RAP. It also considers the requirements under this project ToRs The Consultant will be tailoring these requirements to fit with the project needs and context

Chapter Five: Gaps Between the Palestinian Regulation and the World Bank Policies

This chapter aims to present the gaps between the WB safeguard policy on involuntary resettlement and the Palestinian Legislations. It also aims to present some measures and recommendations to bridge the gap between the two sources of legislations.

Chapter Six : Social Assessment and socio-economic surveys

This Chapter should include the baseline, socio-economic data, and census and the steps for the preparation of sub-phase PAPs

Chapter Seven: Estimated Population Displacement, Eligibility categories and Methods of Valuing Affected Assets.

This Chapter should present the estimate of displaced population, land acquisition and likely categories of impact, eligibility criteria for various categories of PAPs, the valuation of Land used by the Public and the calculations for Compensation Payments and related Considerations

Chapter Eight: Organizational Elements and Procedures for Delivery of Entitlements

Under this Chapter the RAPs submittal and approval process should be explained. It also should link between the RAP and the actual project execution including how resettlement will be linked to the civil works.

Chapter Nine: Methods for Consultation with and participation of Affected People

This chapter describes in clear terms the methodology for consultation and participation by the PAPs in the process until they have received their entitlements. This process should be elaborate and clear to avoid and minimize confusion and suspicion. This could be done according to the different levels of consultations, the expected outcome form the different stages of the consultation and participation approach that would be adopted.

Chapter ten: Grievance Redress Mechanisms

Under the grievance redress mechanism chapter, detailed description for the options available to PAPs for grievance redress should be highlighted. The identification of eligible people for compensation, the valuing and compensation and any other complaints they may have with the entire process should be mentioned

Chapter Eleven :Budget and Funding Arrangements and time plan

This chapter states the sources of funding for subsequent RAPs, an overall cost estimates for resettlement including for monitoring of the resettlement activities. If there are multiple sites, the RPF should give an indicative budget for resettlement for each of the sites or communities. The financial responsibility of the relevant stakeholders, where applicable, should be categorically stated to avoid ambiguity of source of funds for resettlement activities. These budgets should take into consideration inflationary tendencies.

The cut-off dates and other time lines especially because compensation will have to be paid prior to commencement of any civil works, it is important for the RPF to set out implementation schedule for the resettlement.

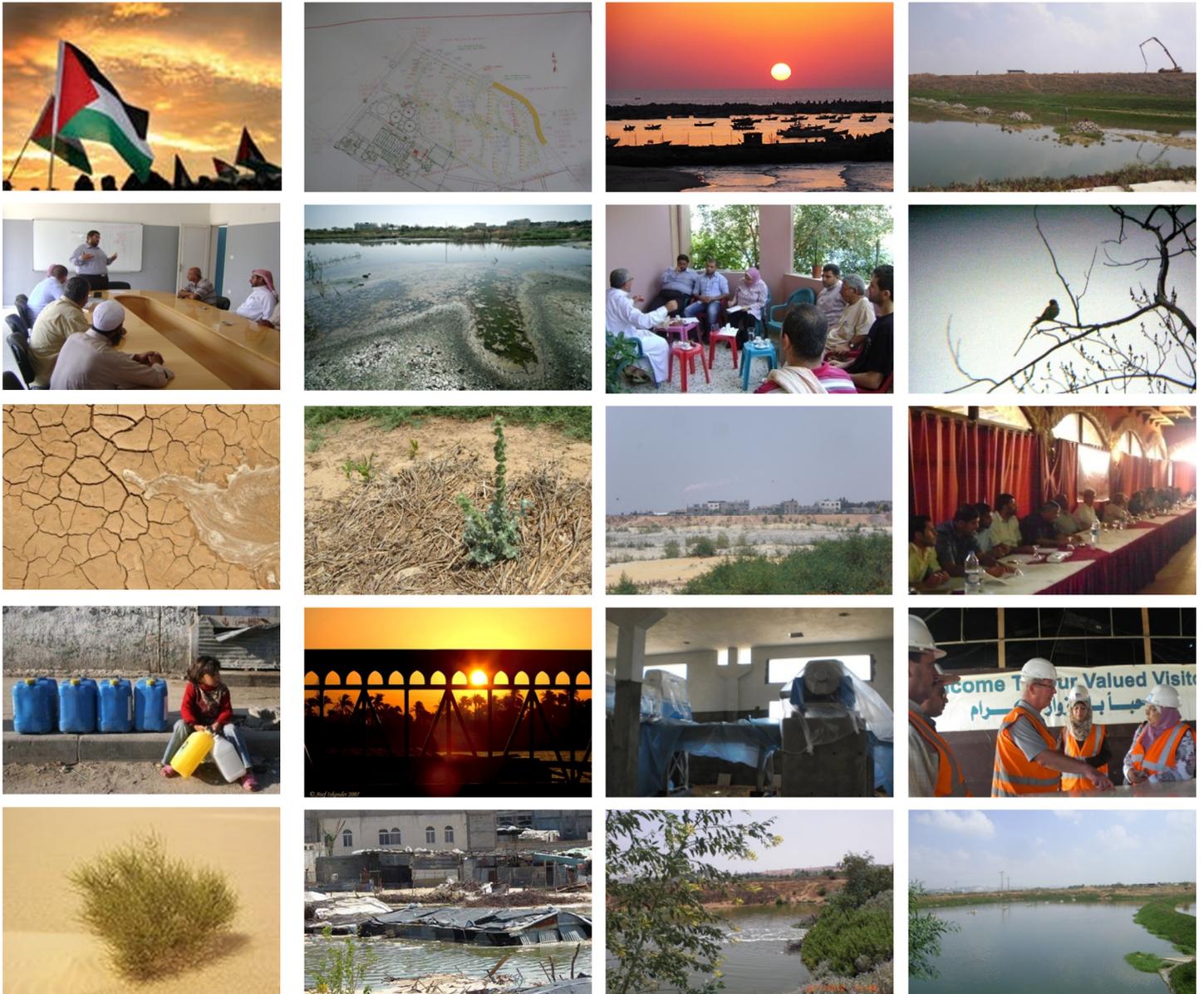
Chapter Twelve : Resettlement Action Plans (RAPs)

This Chapter explains the various steps of preparing the RAP and the key elements that should be covered by the RAP including the timeframe, resettlement and the project schedule, grievance redress mechanism, method for consultation and participation, monitoring and evaluation arrangements

Annexes

The RPF annexes could include:

- The Eligibility criteria for the PAPs
- Method of valuating of affected assets and compensation
- Entitlement matrix
- Resettlement and compensation planning
- Budgeting and sources of funding for the RAPs



Submitted to:

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

Prepared by

EcoConServ
 ENVIRONMENTAL SOLUTIONS

EcoConServ Environmental Solutions
 12 El-Saleh Ayoub St., Zamalek,
 Cairo, Palestin 11211
 Tel: + 20 2 27359078 – 2736 4818
 Fax: + 20 2 2736 5397
 E-mail: genena@ecoconserv.com
 URL: <http://www.ecoconserv.com>

Supplementary Environmental and Social Assessment of North Gaza Emergency Sewage Treatment Project, Effluent Recovery & Reuse System and Remediation Works



Universal Group-Gaza
 Said El Ass Street, Flat 207
 Nema Center Remal, Gaza, Palestine
 Tel: +972-8-2825557, 2820979
 Mobile +972/ 599734817
 E-mail: ugaza@palnet.com

**Terms of Reference
 Resettlement Action Plan
 of NGESTP**

December 2012

Table of Contents

Acronyms..... 3

1. Introduction..... 5

2. Background Information about the project 5

 2.1. Project Description 5

 2.2. The Potential Impacts of the Project 6

5. Scope and objective of the Assignment 7

 5.1. Objective and Rationale for the Assignment..... 7

 5.2. Specific Requirements for the RAP 8

6. Methodology..... 12

 6.1. Secondary data collection method:..... 12

 6.2. Primary data collection methods..... 12

7. Composition of the Consultant team..... 14

8. The Proposed Activities to Achieve the Assignment..... 15

9. Duration of the Assignment and time plan..... 16

10. Deliverables and Outputs..... 16

ACRONYMS

AHLC	Ad Hoc Liaison Committee
BLWWTP	Beit Lahia Wastewater Treatment Plant
BP	Bank Policy
CA	Civil Administration
CAP	Consolidated Appeal for Palestine
CMWU	Coastal Municipalities Water Utility
COGAT	Coordinator of Government Activities in the Territories
DCA	Department of Civil Administration
DCL	District coordination liaison
ECHO	European Community Humanitarian Aid Department
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
EQA	Environmental Quality Authority
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
EWASH	Emergency Water and Sanitation Group
FAO	Food and Agriculture Organization
GDP	Gross Domestic Product
GIS	Geographic Information System
GNI	Gross National Income
ISDS	Integrated Safeguards Data Sheet
IWA	Israeli Water Authority
JSC	Joint Service Council
JSET	Joint Supervision and Enforcement Team
JWC	Joint Water Committee
JWU	Jerusalem Water Undertaking
Lpcd	Liters per capita per day
MAS	Palestinian Economic Policy Research Institute
MCM	Millions of cubic meters
MoA	Ministry of Agriculture
MoP	Ministry of Planning
NGEST	North Gaza Emergency Sewage Treatment
NGO	Non Governmental Organization
NIS	New Israeli shekel
NSU	Negotiations Support Unit
NWC	National Water Council
OCHA	Office for the Coordination of Humanitarian Affairs
OP	Operation Policy
PA	Palestinian Authority

PAP	Project Affected Person
PCBS	Palestinian Central Bureau of Statistics
PHG	Palestine Hydrology Group
PMU	Project Management Unit
PNA	Palestinian National Authority
PRDP	Palestinian Reform and Development Plan
PSIA	Poverty and Social Impact Analysis
PWA	Palestinian Water Authority
RAP	Resettlement Action Plan
RFP	Request For Proposal
RPF	Resettlement Policy Framework
SLA	Sustainable Livelihoods Approach
SWAp	Sector Wide Approach
SWM	Solid Waste Management
ToR	Term of Reference
UNDP	United Nations Development Program
UNRWA	United Nations Relief and Works Agency
USAID	United States Agency for International Development
WaSH MP	Water, Sanitation and Hygiene Monitoring Program
WB	World Bank
WBG	West Bank and Gaza
WBWD	West Bank Water Department
WHO	World Health Organization
WSWG	Water Sector Working Group

1. INTRODUCTION

The Beit Lahia Wastewater Treatment Plant (BLWWTP) was established in 1976 with a design capacity of 5,000 m³/d. BLWWTP comprise 7 stabilization ponds (2 anaerobic ponds, 2 aeration ponds, 2 facultative ponds and one polishing pond) to provide biological treatment. The original plan was to use the treated effluents for irrigation of the agricultural lands located near the northern borders of Gaza. The rapid growth of population in Northern Gaza has led to raising the generated wastewater discharge much higher than the design capacity of BLWWTP, the influent of BLWWTP has been estimated by 12,000 m³/d in 2004 and reached about 24,000 m³/d later in 2009.

The large discharge of sewage to BLWWTP had two major consequences, the first was that the sewage was only partially treated because the load was much higher than the design capacity of the plant, and the second was that the effluent of the polishing pond (Pond 7) was directed to an adjacent area of sand dunes to be infiltrated, but the high effluent volumes and its low quality (especially high suspended solids which caused clogging of the soil in the sand dunes area) have led to accumulation of large amounts of partially treated wastewater forming a lake that has developed gradually to cover an area of about 35 ha north and west of BLWWTP. Because this effluent pond was higher in elevation than the surrounding areas, flooding hazard to the near settlements was high, and sand embankments that were placed at the borders of the lake did not prevent flooding hazard, as the southwest side of the lake has collapsed in an occasion causing casualties and damage to neighboring agricultural lands.

The flooding hazards, risks of drowning, especially to children, the nuisance caused to neighboring communities and the environmental risks to soil and groundwater were direct factors that led to the initiation of the Northern Gaza Emergency Sewage Treatment (NGEST) Project.

2. BACKGROUND INFORMATION ABOUT THE PROJECT

2.1. Project Description

The project has 2 main components and corresponding stages: Part A: which was an emergency intervention to drain off the effluent lake and direct the BLWWTP effluent to engineered infiltration ponds so that they could be safely drained to the groundwater, and Part B which included establishment of North Gaza Wastewater Treatment Plant (NGEST) with a treatment capacity starting with 35,600 m³/day, and reaching 70,000 m³/d in future extensions, to cover the sewage treatment requirements of North Gaza during the design period of the project.

Part A of the project comprised construction of a Terminal Pump Station next to BLWWTP, a Force main to discharge the water for a distance of about 8 km and 9 infiltration ponds with an area of about 81 donums near the eastern borders of Gaza.

Part A has started operation in April 2009 and was completed in 2010, the effluent lake north of BLWWTP has been completely drained off by the completion of the project in 2010. While Part B is currently under construction and is expected to be commissioned in 2013.

A detailed Environmental Assessment study has been prepared for the two parts of the project, and the project impacts were identified based on the initially proposed schedule of the project in which the time between the operation of Parts A and B was expected to be about 2 years. However, the political situation of Gaza strip and the closure of the borders have caused delays of construction works of Part B and accordingly the time lag between the two project phases is expected to be about 4 years. A direct impact of this delay is that the amount of partially treated effluent infiltrating to the groundwater will be, in reality, more than the previously assessed through groundwater modeling in the original EA of the project. Within this context, the Effluent Recovery, Irrigation Scheme and Remediation Works project, subject of this Supplementary Environmental and Social Assessment, was initiated.

Effluent Recovery, Irrigation Scheme and Remediation Works project is expected to have four main components with the following rationale:

1. Pumping out quantities of the infiltrated partially treated effluent from the groundwater to avoid potential long term irreversible impacts to the groundwater and surrounding areas
2. Reuse the abstracted water from the groundwater in irrigation according to sound environmental and public health practices
3. Remediate the land of the evacuated effluent lake at BLWWTP and use the land as a location for a suitable development project
4. Decommission BLWWTP and adequately develop the site for a subsequent use, after the operation of NGEST expected in 2013

2.2. The Potential Impacts of the Project

The environmental and social impacts have been classified during the ESIA and the Supplementary ESIA consequently the following are the potential positive impacts:

1. The recovered effluent from the groundwater will be an important source of irrigation water, as water resources in the Gaza Strip are scarce.
2. The groundwater quality is suitable for Unrestricted Use. The only restriction is the Total-N, > 15 mg/l. (considered as an advantage for agricultural use). However, it is advisable not to be used for uncooked vegetables.
3. The recovery will limit the horizontal dispersion and the vertical building up of the water table, which without recovery will have a negative impact on current land use.
4. Sludge has a high content of organic matter that can help conserving soil organic matter, and sludge stimulates biological activity in the soil.

5. The fertilizer effect of sludge enables a reduction in cost for nitrogen and phosphorus mineral fertilizers and may improve crops yield on sludge treated at low costs. Moreover, the sludge will be reliably available compared to imported fertilizers.
6. Sludge reuse is the best environmental solution than landfill disposal /incineration.

Among a number of negative impacts that are expected to result from the project, certain impacts were perceived to attribute to involuntary resettlement resulting from physical or livelihoods resettlement. This mainly involves:

1. **Sever potential impact on the tenants who rent lands from Awkaf** for a few amount of money that includes the cost of water. They will be affected in sense of losing their lands and paying for water.
2. **The owners of small plots of lands** who will be expropriated during the construction of the 27 wells. Some of the land owners have small plot of lands that don't exceed one dunum. When the wells pass in the middle of such plots of lands, it will not be able to make use of their lands
3. **Sever potential impact on the owners of wells** who might be terminated will be badly affected due to losing a valuable asset (the well) As well as, being in critical need for alternative source of water which will cost a lot. In addition, some of the well's owners used to gain his income through selling water will be badly affected
4. **Sever potential impact on the operators of wells** who are untrained might suffer due the termination of wells. They are maximum 10 people, therefore, the magnitude of their vulnerability might be mitigated

5. SCOPE AND OBJECTIVE OF THE ASSIGNMENT

5.1. Objective and Rationale for the Assignment

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

The consultant is to develop the RAP taking into consideration the outlined objective and principles. The main goal of the RAP is to identify the Project Affected Persons, strategies for compensation/ restoration of business and to compensate losses adequately according the correspondent legislations and safeguard policies, and to apply the project activities with the least disturbance to the communities hosting the project. In order to achieve this goal the following has to be considered:

1. Describe the existing Palestinian legal and policy framework for land acquisition; As well as, reviewing the laws, regulations that apply to reclaiming informally settled public land and involuntary eviction and resettlement.
2. Reviewing the World Bank policies related to resettlement in order to ensure that the RAP is developed in full compliance with these policies.
3. Identify the gaps between the national legislations and the World Bank policies related to involuntary resettlement and propose practical procedures to bridge these gaps.
4. Identify the key social impacts that will associate with the involuntary resettlement process and the main categories to encounter these impacts.
5. Prepare socioeconomic/inventory/census survey for the PAPs to identify and quantify different categories of different categories of project affected people (PAPs) who would require some form of assistance, compensation, rehabilitation or relocation.
6. Prepare an entitlements matrix listing all likely effects as per relevant typologies to be developed on assets and resources.
7. Prepare standards for compensation and restoration of the social and economic base of the PAPs to replace all types of loss, as appropriate.
8. Develop clear executive time plan for the RAP implementation linking the various steps to the various project components and execution plan, including institutional responsibilities, and monitoring parameters.
9. Document the various consultation activities to be conducted as part of the RAP and ensuring that information has been shared transparently through an active and informative consultation process.
10. Develop communication and consultation plan to be adopted by the project promoter along the various stages of the project cycle.
11. Identify the institutional responsibility for implementation and procedures for the grievance redress, arrangements for monitoring and implementation of the monitoring system.
12. Consult the agencies responsible for land acquisition within the promoter company and the other institutes participating in the arrangement of resettlement activities. Their roles and responsibilities will be assessed.

5.2. Specific Requirements for the RAP

The preparation of this RAP shall follow the requirements of the World Bank's Operational Policy on Involuntary Resettlement, OP 4.12. The RAP shall also make reference to Palestinian legal and institutional requirements related to land acquisition. Any identified

gaps between these two requirements are to be clearly captured, explaining how these gaps will be filled, and which should take precedence with reasons.

The main objective of the census survey for the RAP is to help in establishing a comprehensive quantitative descriptive baseline for the PAPs. It also helps in providing in-depth understanding for the current socioeconomic situation related to project PAPs including their livelihoods and living conditions and the appropriate compensation tools. The RAP census questionnaire (socio-economic survey) will be designed to investigate a number of issues in order to assist in establishing a full profile about the PAPs. It will also help in establishing baseline conditions to help in measuring the impacts of resettlement of PAPs during later stage of the project. Box 1 below presents the main aspects that should be covered as part of the RAP inventory survey

Box 1: Key issues to be considered in designing the RAP inventory questionnaire

- Profile of the affected person including names, gender, age, education, place of residence, occupation, family size, profile of family members,
- Nature of displacement (physical or economic) including the location, number and types of persons and assets affected
- Magnitude of expected impacts on them and their families including total or partial loss of assets
- Income and expenditure (livelihoods pattern including both formal and informal sources of income)
- Social organisations including NGOs and other community organisations that are having a role/could play a role with PAPs, particularly during the compensation phase.
- Views on the appropriate and acceptable types of compensation.

The Consultant will tailor the questionnaire of the socio-economic (census/inventory) survey to reflect the various types of assets within the framework of the Sustainable Livelihoods Approach (SLA). The questions will be structured to address the various examples of assets to the extent possible.

Moreover, and in addition to the socio-economic (census/inventory) survey, the Consultant is expected to utilize additional qualitative tools for data collection including, but not limited to, Focus Group Discussion (FGDs) and Semi-Structured Interviews (SSI). Box 2 below presents and tentative table of contents for the RAP.

Box 2: Tentative Table of Contents for the RAP

Executive Summary – Non-Technical Summary

An executive summary will be prepared to be used as a stand-alone document in a manner

that can be accessible to non-technical readers both in English and Arabic languages.

Chapter 1 – Introduction

The introduction of the RAP will include presentation for the project objectives, the project components and a general description of the project and identification of the project impact area.

Chapter 2 – Approach and Methodology

This chapter sheds the light on the objectives and scope of the RAP and the methodology and tools that the consultant used in preparing the RAP. Tools include but are not limited to thematic maps, households and land use inventories, surveys and studies.

Chapter 3 – Policies, Regulations and Guidelines

This chapter of the RAP include the various Palestinian land acquisition act and regulations, the World Bank OP 4.12 on involuntary resettlement. It will also include a comparison between the Palestinian and the WB legislations and recommend some local measures to bridge these gaps.

Chapter 4 – Stakeholder Consultation and Identification of Social Impacts

Describe the various stakeholders, the potentially affected groups and the various social impacts and the mitigation arrangements to identify a project's adverse impacts and the populations that will be affected.

This chapter will also describe the process of promoting consultation/participation of affected populations and stakeholders in resettlement preparation and planning and the plan for disseminating RAP information to affected populations and stakeholders.

Chapter 5 – Resettlement Action Plan

- *Description and objectives:* This will include a socio-economic baseline including people who will be affected by the project and all adverse impacts on their livelihoods associated with the project's land acquisition. Negative impacts might include breakup of communities and social support networks; loss of dwellings, farm buildings, and other structures, loss of business; loss of access to public infrastructure or services; and reduced income resulting from these losses. This part also will describe the results of these impacts and the mechanisms used to minimize displacement during implementation.
- *PAPs inventory/census survey:* This part of Chapter 5 involves the results of the conducted registration survey/inventory/census of the PAPs. It involves full profile about the families of the PAPs, size of the families, ages, occupation, their assets, ownerships, the impact that they will encounter...etc.
- *Eligibility criteria and entitlement policy matrix:* The RAP will establish and disclose the criteria by which affected people will be considered eligible for compensation and other resettlement assistance. This procedure should include provisions for consultations with affected persons, households, and community leaders, local authorities, and, as appropriate, NGOs. Eligible PAPs could be divided into 1) those who have formal legal rights to land or other affected assets and 2) those

who do not have formal legal rights to land or other assets at the time of the census, but who have claim to such legal rights by virtue of occupation or use of those assets.

- *Organizational arrangements:* This section of the Chapter describes the institution(s) responsible for delivery of each item/activity in the entitlement policy; implementation of the RAP and the various coordination activities. The section will also identify the agency that will coordinate all implementing agencies and investigate if it has the necessary mandate and resources.
- *Grievance redress mechanism:* Describes the step-by-step process for registering and addressing grievances and provide specific details regarding a cost-free process for registering complaints, response time, and communication modes. It also describes the mechanism for appeal, provisions for approaching civil courts if other options fail.
- *Monitoring and evaluation:* This section describes the internal/performance monitoring process of the RAP. It defines key monitoring indicators derived from baseline survey, frequency of reporting and content for internal monitoring. It also defines methodology, key indicators and arrangements for external monitoring and the final external evaluation
- *Timetable and budget:* This part includes list the chronological steps in implementation of the RAP with a brief explanation of each activity. It describes the linkage between resettlement implementation and initiation of civil works for each of the project components. It provides a clear statement of financial responsibility and authority and lists the sources of funds for resettlement and describes the flow of funds and identifies resettlement costs, if any, to be funded by the government.

Chapter 6 – Consultation with affected groups

This Chapter presents all the consultation and participatory activities that have been carried out as part of the RAP preparation.

Appendices

- List of Project Affected Persons
- Summary of consultation
- Socio-economic household census survey questionnaire
- Socio-economic and census survey
- Record of interagency/forum/consultation meetings (including place and date of the meeting and number of participants attend the meeting)
- Legal Frame work that Governs the project
- RAP team and **report structure**
- Consultation with stakeholders and PAPs
 - a. Consultation during the ESIA
 - b. Consultation during the RAP
- Approvals needed for the project

6. METHODOLOGY

The Consultant should be employing **a participatory bottom-up transparent approach in the preparation of the Resettlement Action Plan (RAP)**. Various qualitative and quantitative data collection tools will be used to engage various categories of Project Affected People (PAPs). In the meantime, the Consultant will utilize the available information by starting the assignment with thorough review and analysis for the baseline prepared as part of the ESIA prepared in 2006 and the additional SESIA that has been implemented during 2012¹ part of which these RAP ToRs were prepared. The main tools that will be deployed include but are not limited to:

6.1. Secondary data collection method:

Literature review: including laws, legislations that govern expropriation and land acquisition (both national and international guidelines and safeguard policies) trying to highlight the gaps and how to fill the gaps with practical measures. Proposed reports and Legislations to be reviewed

- 1- Human Development Report 2009/10 Investing in Human Security for a Future State- occupied Palestinian territory
- 2- Palestinian Environmental Law 7, 1999
- 3- Palestinian Laws
 - Basic laws
 - Basic Laws declaration for Palestinian Human Right
 - Expropriation Law (*Istmlak*)
 - Land Ownership Law 2/1953
 - Antiquities Law 1966
 - Law 21 Consumer protection laws
 - Palestinian Labor Laws 7/2000
 - Health and safety Law 3/2011
 - Palestinian Reform and Development Plan PRDP (2008 -2010)
 - Local Council Law 1/1997
- 4- Palestinian Environmental Assessment Policy
- 5- World Bank OP.4. 12 concerning Involuntary Resettlement

6.2. Primary data collection methods

Tools

Different surveying tools could be employed to collect the needed data, more deep information to be acquired from the entities responsible for compensation i.e. municipalities

¹ Included in the SESIA detailed results that were based on focus group discussions and in-depth interviews conducted with PAPs

or other entities responsible for the relocation of farmers to other lands i.e. Awqaf Department. A combination of both qualitative and quantitative data collection methods will be employed, The qualitative methods will aim to collect in-depth understanding and are generally more interactive and participatory techniques that will help in paving the way to the introduction of the structured inventory survey. The exact targeted number of FGDs and SSIs (sample size) will be determined before starting the RAP.

The Consultant should employ a gender sensitive approach with special attention to be paid to the affected women in general and the female headed households in particular.

The inventory survey should be covering a case by case of the PAPs with the aim of setting quantitative baseline conditions that allows for planning the various resettlement aspects including the allocations needed for compensation,

Data analysis:

The data collected through various surveying methods explained above will be carefully recorded on questionnaire, interviews transcripts and other data sheets. Various software for the analysis of both qualitative and quantitative data will be used, most importantly SPSS.

The Consultant will also ensure thorough review for the qualitative raw information in order to extract useful experiences/quotations/lessons learnt and add to the analysis of the RAP wherever applicable.

C. Field Observation

The Consultant will also rely on field observations to enrich the findings on the current situation. Local surveyors (enumerators), local NGOs and natural/community leaders will be mobilized to assist in this task and field observation checklists will be designed in order for the team to fill during the field observations.

D. Consultation for the draft RAP:

The Consultant should employ a consultative and participatory approach that allows the stakeholders for feedback and facilitate the process of endorsement of the studies. A consultation meeting for presenting the RAPs findings will be planned. This will aim to engage local key stakeholders and involve them in the revision of the draft findings of the RAP. This step is very important and a key disclosure requirement for the World Bank. . The requirement for arranging a public consultation include but are not limited to:

- Identification and invitation of various groups of stakeholders and ensure balanced representation (according to affiliation, gender, interests, ..etc) for all the groups including those who will be encountering various types of negative impacts.

- Selecting a venue which is neutral and convenient, provide transportation (if required) in order to encourage marginalized groups to participate.
- Preparation and dissemination of Arabic non-technical executive summary before the workshop and uploading the executive summary to public domain like the Promoter or the Consultant’s website.
- Preparation and delivering a presentation for the findings of the RAP
- Recording and addressing the comments and concerns that the participants will raise during the Consultation and ensure proper documentation for the event.

7. COMPOSITION OF THE CONSULTANT TEAM

The Consultancy firm should be demonstrating capability to mobilize an experienced highly qualified team of experts to fulfill the ToRs requirements. The following table presents the team of the key experts, the required qualifications and the key tasks anticipated for each of the team members. The Consultant is encouraged to propose additional experts as needed and elaborate on the proposed tasks for both the core and the additional experts in the technical proposal.

Table 1: Resettlement Action Plan Core Team

Consultant	Minimum Required Qualifications	Main responsibilities within the assignment
Team Leader	<ul style="list-style-type: none"> • Relevant postgraduate degree • At least 15 years’ experience in similar types of assignments • Tracked expertise and knowledge in safeguard policies of international institutes. 	<ol style="list-style-type: none"> 1- Set plan for the assignment 2- Coordinate among the team of experts 3- Revise the final report for quality assurance 4- Reporting for the client
Resettlement Specialist and Principal Investigator	<ul style="list-style-type: none"> • Relevant university degree in social development and preferably a postgraduate degree • At least 10 years’ experience in similar types of assignments • Tracked record of experience on involuntary resettlement like Resettlement Action Plan (RAP) and Resettlement Action Plan (RAP). 	<ol style="list-style-type: none"> 1- Prepare all survey tools in cooperation with the other team members 2- Review the legal framework that govern the resettlement activities 3- Develop the final report 4- Disseminate the results
Social Development	<ul style="list-style-type: none"> • Relevant university 	<ol style="list-style-type: none"> 1- Prepare the surveying tools

and Household Survey Specialist	<ul style="list-style-type: none"> degree in social development and preferably a postgraduate degree • Expertise in areas related to community mobilization, participatory tools and consultation with stakeholders 	2- Test the survey tools
Data Analyst	<ul style="list-style-type: none"> • University graduate • Experience not less than 5 years in analysing data using SPSS/STATA • High ability to analyse qualitative data • Experience outside Egypt will be preferable • 	1- Software experts who will develop the data entry programs
Team of field surveyors and quality control supervisors	<ul style="list-style-type: none"> • University graduates • Experience not less than 5 years in data collection using quantitative and qualitative tools 	<ol style="list-style-type: none"> 1- Participate in testing the tools 2- Collect data (qualitative , quantitative and observation sheets) 3- Supervise data collection process and monitor the quality of data.
Team of data processing personnel	<ul style="list-style-type: none"> • University graduates • Experience not less than 5 years in data processing (editing – coding – cleaning ..etc) 	<ol style="list-style-type: none"> 1- Responsible for editing, coding, data entry and re-entry 2- Transcription of the qualitative data 3- Summarizing the qualitative data

8. THE PROPOSED ACTIVITIES TO ACHIEVE THE ASSIGNMENT

The project ToRs included a comprehensive list of activities that the Consultant needs to accomplish within the frame of working in this assignment. The Consultant should be fully responsible for conducting the various activities included in the ToRs, The presentation below concerns only on the general activities that the Consultant is needed to fulfil as part of the assignment

General activities

- Review for the Palestinian legislations related to various types of lands and assets acquisition including the various entitlements
- Review the international safeguard policies related to the assignment including the WB OP 4.12 regarding Involuntary Resettlement

- Review previous reports and action taken as part of ESIA 2006 and SESIA 2012 to ensure orientation with the lessons learnt from these phases. Identifying the gaps in these documents regarding the discussion of the PAPs in order to fill the gaps during field work
- Conduct the various data collection activities to ensure that the RAP is founded on comprehensive baseline information. This may involve conducting any complementary activities to fill in any information gaps (e.g. interviews, meetings, field observations).
- Ensure that the RAP is providing a comprehensive package that meets the WB social principles and standards and that sufficiently cover the following:
 - Identification for the PAPs
 - Parameters/criteria for the entitlements package (both monetary and non-monetary) for those project affected persons (PAPs),
 - Institutional framework adopted,
 - Mechanisms for consultation and grievance resolution,
 - The time frame (especially in relation to other project activities)
 - Cost estimates
 - Monitoring and evaluation mechanisms and tools

The Consultant should make sure that PWA is supported technically and is becoming fully aware of the compensations requirements with the WB policies.

9. DURATION OF THE ASSIGNMENT AND TIME PLAN

The team of experts will be collaborating together with other stakeholders in order to submit the required input and meet the deliverable schedule. The assignment should involve close collaboration with PWA with their capacity as the project proponent. The assignment shall be completed within Twelve (12) weeks from signing of contract.

10. DELIVERABLES AND OUTPUTS

The team of experts will be collaborating together and with other stakeholders in order to submit the required input and meet the deliverable schedule briefly presented on Table 2 below.

The Consultant is expected to submit the following deliverables:

Inception Report: The report should reflect detailed work plan and indicators of performance. This should be delivered two (2) week after signing of contract;

Draft RAP Report: This will be circulated for comments and relevant issues raised incorporated into revised version. This will be delivered five (5) weeks after submission of inception report.

Conducting Consultation and preparing report: This should be planned in two (2) weeks from the submission of the draft RAP

Final RAP Report The final report should include a concise Executive Summary and should have all annexes and bibliography and the dissemination/disclosure plan. This will be delivered two (3) weeks after conducting the consultation.

Table 2: List of deliverables and outputs for the assignment of the preparation of the RAP

RAP assignment	Due date from the start of the assignment
Inception report	2 weeks
Draft Resettlement Action Plan	7 weeks
Conducting Consultation and preparing report	9 weeks
Final RAP Report	12 weeks