

**Arab Republic of Egypt
Ministry of Transport
Egyptian National Railways**

Resettlement Policy Framework

Egypt National Railways Restructuring Project

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LIST OF ACRONYMS AND ABBREVIATIONS

ARAP	Abbreviated Resettlement Action Plan
ESIA	Environmental and Social Impact Assessment
ENR	Egyptian National Railways
GRM	Grievance and Redress Mechanism
OP	Operational Policy
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
TOR	Terms of Reference
WB	World Bank

GLOSSARY

Census: Household survey that covers all affected persons irrespective of entitlement or ownership. It provides a complete inventory of all affected persons and their assets. It can be used to minimize fraudulent claims made by people who move into the area affected by the project in the hope of being compensated and/or resettled.

Displaced Persons: Persons who are affected by the involuntary taking of land and / or the involuntary restriction of access to legally designated parks and protected areas.

Environmental Impact: An effect (both positive and negative) on an environmental resource or value resulting from infrastructure development projects.

Environmental and Social Impact Assessment (ESIA): A systematic procedure for enabling the possible environmental and social impacts of development projects to be considered before a decision is made as to whether the project should be given approval to proceed.

Involuntary: Actions that may be taken without the displaced person's informed consent or power of choice.

Involuntary Resettlement: The unavoidable displacement of people and/or impact on their livelihood, assets and common property resulting from development projects that create the need for rebuilding their livelihood, sources of income and asset bases.

Land Acquisition: refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: (a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; and (b) repossession of public land that is used or occupied by individuals or households. "Land" includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements.

Restrictions on Land Use: refers to changes in or prohibitions on agricultural, residential, commercial or other land uses that are directly introduced and put into effect as part of the implementation of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements or safety zones, etc.

Livelihood: refers to the full range of means that individuals, families and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade and bartering.

Monitoring: The process of repeated observations and measurements of environmental and social quality parameters to assess and enable changes over a period of time.

Public Involvement: The dialogue encompassing consultation and communication between a project proponent and the public. It includes dissemination, solicitation and presentation of information.

Rehabilitation/Resettlement: A term often used to describe the process of reestablishing lifestyles and livelihoods following resettlement. The term is also used to describe construction works that bring a deteriorated structure back to its original conditions.

Replacement Cost: A method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons.

Resettlement Action Plan (RAP): A time-bound action plan with a budget, setting out resettlement strategy, objectives, options, entitlements, actions, approvals, responsibilities, monitoring and evaluation.

Social Impact: An effect (both positive and negative) on a social issue resulting from infrastructure development projects

Stakeholders: Those who have an interest in project development and who will be involved in the consultative process, and includes any individual or group affected by, or that believes it is affected by the project; and any individual or group that can play a significant role in shaping or affecting the project, either positively or negatively, including the host community/population.

Vulnerable Groups: Distinct groups of people who might suffer excessively from resettlement effects, such as, the old, the young, individuals with disabilities, the poor, isolated groups and female headed households (single-mothers, widows, etc.).

1. INTRODUCTION

1.1. Background on the Project

The Egypt National Railways Restructuring Project (ENRRP) aims to assist the Government in improving the reliability, efficiency and safety of the railways' services through signaling and track renewal investments by ENR and the modernization of its management and operating practices in order to enhance the railways' sector responsiveness to economic and social needs and to strengthen the financial viability of the Project Implementing Entity.

The principal target beneficiaries include: i) passengers (in particular, low-income passengers) who will benefit from safer, more reliable and faster services; ii) businesses, with respect to freight transport, which will have access to a much larger range of more reliable rail services; and iii) the government, with respect to the accountability of financial support to ENR, since at term ENR should become financially self-sustainable after payment of compensations for contractual Public Service Obligations.

The ENRRP would finance key elements of ENR's transformation plan, with particular emphasis on investments that are critical to improving operational efficiency and safety for passengers, and on increasing revenue, as well as on initiatives modernizing management practices.

The Project consists of three components:

Component 1: Signaling Modernization

Component 1 of the Project will finance needed investments in signaling systems from Arab el-Raml to Alexandria and centralized traffic control (CTC) for that section and Cairo – Banha (on the Cairo-Alexandria line). The section was selected on the basis of a multi-criteria assessment of the network giving special attention to congestion levels and safety situation. When completed, this section will be the most modern part of the Egyptian railway network in terms of signaling and safety standards. The total investment cost for goods and some works of this component is estimated to be US\$185 million, financed by the IBRD loan.

Component 2: Renewal of 200 km of Track

Component 2 of the Project will finance priority track-renewal works for 200 km of track along the Cairo-Aswan line (149 km on four sections of track) and the Banha-Port Said line (51 km on two sections of track), and supervision of those works. Track sections to be renewed have been identified based on current conditions, traffic levels, and contiguity with track in similar condition. The rationale for the Bank involvement is to help ENR modernize working methods and transfer know-how from specialized engineering firms involved in the design and the supervision of works. The identified sections will be fully renewed, including installation of long-welded rail, concrete sleepers, elastic fastenings, and ballast without any land acquisition. The renewal will significantly decrease the risk of derailments and decrease track maintenance cost while increasing train speed (notably through elimination of speed restrictions due to the bas quality of track). Investment costs are estimated at US\$80 million for works of which US\$60 million will be financed by the loan and US\$20 million to be financed by ENR (rails and turnouts).

Component 3: Modernization of Management and Operating Practices

Activities under this component, which is being financed by ENR for the largest part are directed toward developing and cementing changes in managerial and staff practices that reflect the operational and financial restructuring of ENR. They are therefore designed to complement changes and new structures elsewhere in the institution, as well as to develop longer-term and continuous training programs in managerial and operating practices.

Project Restructuring

Due to previously highly successful competitive bidding processes, the Project is realizing about a US\$180 million savings which ENR is using to procure an additional signaling modernization contract on the Assiut-Sohag-Nag' Hammadi line (which was not part of the original design of the project). The contract has been signed and will be completed in three years, ending in October 2020. With this contract, all Project funds have been committed. The above three signaling modernization contracts are essential to improve the safety and reliability of the railway in Egypt, especially in view of the recent horrific accidents¹.

The Closing Date of the Project will be extended from January 31, 2019 to December 31, 2020 to complete all activities financed under the Project (ongoing signaling contracts and the new contract funded by the Project savings) and to achieve the Project Development Objective. More specifically, the original loan (Loan 7656-EG) will be extended from January 31, 2019 to December 31, 2020 and the Additional Financing loan (Loan 7982-EG) will be extended from January 31, 2019 to December 31, 2020.

1.2. Background on the Resettlement Policy Framework

The purpose of the Resettlement Policy Framework (RPF) is to lay out the necessary principles for social impact mitigation, and clarify the organizational arrangements that may be needed during implementation phases of the project in case the land acquisition was deemed as a necessary option that may result in impacts on assets and/or livelihoods. This includes compensating all project affected persons (PAPs) for the loss of properties and livelihoods resulting from displacement and resettlement, as well as assisting the affected people in relocation and rehabilitation.

This RPF is prepared based on the requirements of World Bank Operational Policy on Involuntary Resettlement (OP 4.12)² and related Egyptian laws and regulations as a guide for resettlement preparation and implementation, if there is any. The RPF may be triggered whenever any of the project's activities entails the acquisition of land and/or the displacement of people, causing the loss of property, income, or sources of livelihood. The RPF is usually prepared when the exact activities of the project are not clearly known at the project appraisal. The RPF also outlines a proposed approach and work plan to guide the implementation, handover, and monitoring and evaluation of the resettlement process, in case land acquisition becomes a necessity and leads to impacts on assets or livelihoods at any point.

¹ For example, train crash killed more than 40 and injured more than 130 persons near Alexandria in August 2017 <https://www.theguardian.com/world/2017/aug/11/dozens-killed-injured-two-trains-collide-alexandria-egypt>

² <https://policies.worldbank.org/sites/ppf3/PPFDocuments/090224b0822f89db.pdf>

Resettlement and land acquisition issues under the Project will be addressed under the guidance of the laws governing the Arab Republic of Egypt to this regard and the WB's OP 4.12. The RPF represents the reference to be used in managing land acquisition issues and addressing the involuntary resettlement and displacement of people related to WB-funded projects. In case of discrepancies between the national laws and requirements of OP 4.12, the latter should supersede.

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 valuation of losses in physical assets will be carried out by assessing the market value of the assets, if known, and estimating the replacement cost. Replacement cost is simply calculated as the cost of replacing the lost assets plus any transaction costs associated with bringing the asset to pre-displacement value. However, the valuation of crops will be mainly relied upon the price lists developed by the Agriculture Directorate and revisited annually. ENR will be requested to conduct a case by case rapid assessment to verify if the values of the crops as stipulated in the price list are matching the market price and the replacement cost. This should be done in consultation with farmers. ENR will need to make sure that the value of the compensation to be offered is matching the price list or the market and replacement value whichever is higher. The Resettlement Action Plan (RAP) that ENR will prepare should explain how the assessment has been conducted and how the compensation has been valued.

During the RPF preparation, it is difficult to estimate the total resettlement cost. The actual resettlement cost and budget will be included in the RAP which will be prepared during project implementation. The budget shall consider the anticipated impacts under the project and calculated cost (compensation, administrative costs and monitoring, etc.) according to actual replacement costs (at market value). ENR shall be fully responsible for any compensation for land acquisition.

Concerning vulnerable groups, these are the people who are typically disadvantaged or marginalized based on their economic, ethnic, social, or cultural characteristics. The RAP will adopt the Sustainable Livelihood Approach (which aims to improve understanding of the poor people's livelihoods) that will help in vulnerability identification.

In line with WB requirements, internal and external resettlement monitoring and evaluation will be carried out during implementation of the RAP and ensure that all PAPs are compensated adequately.

This RPF covers all the project's activities, and shall apply to all displaced persons regardless of the total number affected, the severity of impact, and whether or not the affected persons have formal utilization papers. Since resettlement often affects the most vulnerable and marginalized groups (economically, politically, and socially), the RPF shall be particularly sensitive to the impacts of displacement that can occur to these groups, including the poor, landless, elderly, women, children, ethnic minorities, or persons with specific mental or physical disabilities.

1.2.1 World Bank Safeguard Policies

The WB's policy on Involuntary Resettlement as mentioned in different sections of the framework sets forth all the resettlement requirements and principles which will be well considered and fully applied in the proposed project.

1.2.2 Objectives of OP 4.12

Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank's policy on involuntary resettlement are the following:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

1.2.3 Key Principles of OP 4.12

The principles outlined in the World Bank's OP 4.12 have been adopted in preparing this RPF. In this regard the following principles would be applied:

- a) Acquisition of land and other assets, and resettlement of people will be minimized as much as possible. Where land acquisition is unavoidable, it will be undertaken in a manner that minimizes adverse impact on the PAPs, especially the vulnerable groups;
- b) All PAPs will be compensated, relocated and rehabilitated, if required, so as to improve their standard of living, income earning capacity and production capacity, or at least to restore them to pre-Project or pre-displacement levels, whichever is higher;
- c) All PAPs residing in, or cultivating land, or having rights over resources within the components' area are entitled to compensation for their losses and/or income rehabilitation. Lack of legal right to the assets lost will not bar the PAP from entitlement to such compensation, rehabilitation and relocation measures;
- d) The rehabilitation measures to be provided are (i) compensation at full replacement cost³ for houses and other structures; (ii) compensation for land acquisition or restoration and resettlement subsidy for the affected farmers; (iii) dislocation allowance and transition subsidies; (iv) full compensation for crops, trees and other similar agricultural products at market value; and (v) other assets, and appropriate rehabilitation measures to compensate for loss of livelihood;
- e) Replacement house-plots, place of business and agricultural land will be as close as possible to the land that was lost, and acceptable to the PAPs;

³ Replacement cost is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons.

- f) Land-for-land is the preferred option. Land-for-land may be substituted by cash provided that: (i) land is not available in the proximity of the project area; (ii) PAP willingly accept cash compensation for all assets on the land; and receive full replacement value without any deductions for depreciation; and (iii) cash compensation is accompanied by appropriate rehabilitation measures which together with project benefits results in restoration of incomes to at least pre-project levels;
- g) The resettlement transition period will be minimized, land-for-land and/or cash compensation provided to the PAP completed prior to the expected start-up date of works in the respective components;
- h) Resettlement plans will be implemented following consultations with the PAPs, and will have the endorsement of the PAPs;
- i) The previous level of community services and access to resources will be maintained or improved after resettlement;
- j) Any acquisition of, or restriction on access to resources owned or managed by PAP as common property will be mitigated by arrangements ensuring access of those PAP to equivalent resources on a continuing basis;
- k) Financial and physical resources for resettlement and rehabilitation will be made available as and when required;
- l) Resettlement program will include adequate institutional arrangements to ensure effective and timely design, planning and implementation of resettlement and rehabilitation measures;
- m) Adequate arrangements for effective and timely internal and external monitoring will be made on implementation of all resettlement measures.

2. LEGISLATIVE FRAMEWORK FOR RESETTLEMENT

This section refers to the Egyptian legislative framework at large, and does not necessarily apply to the ENR, since the land plots necessary for the signaling buildings are owned by ENR.

Generally, ENR does not acquire private land plots or resort to expropriation—instead, they use their right-of-way, for construction of the buildings, which is sometimes squatted or rented out for modest fees.

Resettlement and land acquisition issues under the Project will be addressed under the guidance of the related laws governing the Arab Republic of Egypt to this regard and the WB's OP 4.12. The RPF represents the reference to be used in managing land acquisition issues and addressing the involuntary resettlement and displacement of people related to WB-financed projects. ENR shall be committed to complying with the national and WB laws and policies.

2.1. Government of Egypt's Relevant Legislation

It is the Government of Egypt's policy to pay compensation or offer assistance to people whose properties are affected by projects undertaken by the Government. This section pertains to the

means, causes, and the competent authorities entrusted with the implementation of the provisions and rules of the administrative law, civil law, in addition to the law related to the expropriation of private property for public interest. In addition, this section also covers the restrictions, the conditions of the legality of procedures applied by the administration at its disposal, and the consequences of property expropriation, in addition to the legal procedures for the possession of private property.

2.1.1. Administrative Authority's Decision Making Responsibilities

The main objective of the state, represented by its executive authority through the issuance of administrative decisions for the public benefit, is to achieve public interest. The state (administrative authority) uses various means to exercise this diversified activity that is readily perceived in the administrative affairs and reflected in the legal affairs.

In accordance with Article 35 of the 2014 Constitution "Private property is protected, and the right to inherit property is guaranteed. Private property may not be sequestered except in cases specified by law, and by a court order. Ownership of property may not be confiscated except for the public good and with just compensation that is paid in advance as per the law." As well as, article 63 of the Constitution: "All forms of arbitrary forced migration of citizens are forbidden. Violations of such are a crime without a statute of limitations." According to this article, it is understood that amicable procedures for the private property expropriation is guaranteed by law. The competent jurisdiction shall be entitled to take cognizance of the lawsuits raised by individuals against the administration for appropriate compensations.

Other relevant laws governing expropriation and consequent compensation procedures include:

- Law 577/1954, which was later amended by Law 252/1960 and Law 13/1962, lays down the provisions pertaining to the expropriation of real estate property for public benefit and improvement,
- Law No. 27 of 1956, which stipulates the provisions for expropriation of districts for re-planning, upgrading, and improvement, and the amended and comprehensive Law No.10 of 1990 on the expropriation of real estate for public interest.

The general provisions guiding expropriation of private property (according to Law 577/1954, Law No. 27 of 1956, Law No. 252 of the year 1960, and Law 577/1954) include the following:

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

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

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

Moreover, the first article of Law No. 27 of 1956 allows for the expropriation of districts for their improvement, upgrading, re-planning, and reconstruction. Article 24 of Law 577/1954 also stipulates that in case only partial expropriation of real estate property is required, and the remaining un-expropriated part will not be of benefit to the owner; the owner shall be given the right to submit a request within 30 calendar days (beginning from the date of final disclosure of the list of the expropriated property) for the purchase of the entire area.

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

Law No. 252 of the year 1960, amended by Law 577/1954 was promulgated to equilibrate the rights and guarantees for individuals with the rights of the state in expropriating private property. Moreover, this law has stipulated that the assessment of public benefit / interest, which justifies property expropriation, shall be emanated in all cases by a Presidential Decree, while previously it was made by the competent minister.

2.1.2. Legal and Administrative Procedures for Transfer of Ownership and Compensation

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

Article 1 of Law 252/1960 (amended by Law 577/1954) states that the determination of public benefit for the expropriation of private real estate property is subject to Presidential Decree. On the other hand, according to Article 2 of Law 27/1956, the determination of public interest for the expropriation of districts for re-planning and upgrading is subject to a Decree from the Cabinet of Ministers.

Enclosed with the decree is:

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

technical and surveying operations and all the necessary demarcations of the expropriated real estate.

The steps for ownership transfer are highlighted below:

- 1. Preparation of a census of all property:** The census shall be performed by commissions which consist of a delegate of the entity commissioned to perform the expropriation (i.e. the Governorate, Ministry of Agriculture, etc.) and one of the local officials from the Governorate. A registered notice shall be sent to notify the concerned person. All owners and those with rights or entitlements to the expropriated property shall meet up with the commission in the project area during the census process in order to guide the commission members with regards to their property rights. The commission shall report the minutes of the procedures, which shall include all property and their owner names and addresses. The members of the commission and the owners shall sign the census report. If anyone refuses to sign, this will be noted in the minutes of the session by justifying the reason for refusal. Entering the expropriated properties from then on shall be subject to the notification of the concerned person.
- 2. Preparation of statements and evacuation warnings:** The expropriating entity shall prepare statements with the number and types of property that shall be expropriated, their size, location, owner's names and addresses, and compensation values (as per the census report). These statements shall be published in an official newspaper. The owners and tenants shall be warned that they must evacuate the property within a period of maximum 5 months. The owners shall be given a period of 30 calendar days (from the date of submission of the statements) to present their complaints or grievances regarding the data in the statement. If the complaints were not submitted during this 30-day calendar period, the data included in the statements shall be considered conclusive and shall not be subject to any litigation or claim, and in this case the compensation amounts indicated in the statements shall be sent to the identified owners.
- 3. Transfer of ownership:** For those owners with no complains or contestations, the transfer of ownership is simply made by having them sign specific forms for ownership transfer. For property which the owners have not signed the proper forms, the competent minister shall emanate a decision to expropriate the property. The forms and the Ministerial decrees shall then be deposited in the relevant Notary Office. This deposit regarding the real estates shall generate the effects caused by the declaration of the sale contract. According to it, the property shall be transferred to the administrative authority that expropriates the property, and the rights incumbent on the real estates shall be transferred to the compensation amounts.
- 4. Compensation assessment:** Property expropriation shall only be made against a fair compensation in accordance to constitutional provisions. The legislator has put forth some principles which should be taken into consideration with regards to compensation assessment:
 - a) The compensation assessment for property expropriation shall not include structures, plants / crops, improvements / additions, or tenant agreements if it has been proved that the aforementioned acts were performed in order to acquire higher compensation. The legislator has provisioned that every act taken to this regard, after the publication of the decision for expropriation for public benefit in the official newspaper, shall be considered as an act performed for increasing the compensation value. Accordingly,

these acts should be ruled out in the assessment of the compensation amount (Article 25: Law No. 577 of 1954, and Article 7: Law No. 27 of 1956).

- b) If the compensation amount for the un-expropriated part, in projects other than urban planning, increases or decreases (due to activities causing general public benefit), the increase or decrease in amount should be taken into consideration so that the amount to be added or reduced shall not exceed 50% of the compensation value of the expropriated property (Article 19: Law No. 577 of 1954).
- c) If the value of the property subject to expropriation for the upgrading or re-planning of districts /cities is increased as a result of the implementation of a public benefit project, the increase in value shall not be calculated in the compensation assessment if the property expropriation is performed within 5 years from the date of implementation in the previous project (Article 20: Law No. 477 of 1954).
- d) For real estate subject to improvement due to public benefit works (district/city re-planning and upgrading projects), the owners shall be obliged to pay for the improvements, provided that the payment does not exceed 50% of the actual expenses for establishing or expanding the street or square which resulted in the improvement. This provision shall also be applicable if only part of the property within the district/city re-planning/upgrading projects is expropriated, and the authority in charge has deemed that
- e) Keeping part of the real estate by the owner does not conflict with the purpose of the intended project. The assessment of the aforementioned charges made by the authority in charge of organizing affairs shall not be subject to any appeal (Law No. 577 of 1954).

2.1.3. Disputes

The procedures for expropriation are administrative by nature and usually rapidly implemented. Accordingly, the abrogation proceedings, compensation disputes, and all actions related to the expropriation property will not stop the expropriation procedures nor prevent its consequences; rather, the owner's right for compensation is addressed (Article 26: Law No. 577 of 1954). However, the rapidity of these procedures should not prevent the owners and concerned persons from claiming and ensuring their rights.

2.1.4. Temporary Expropriation of Real Estate

The right of the public authority to expropriate needed real estate property also includes the right to temporarily occupy / take over this privately owned property. Law No. 577 of 1954, Law No. 27 of 1956, and Law No. 10 of 1990 and its amendments in 2015 pertaining to property expropriation, include provisions regarding temporarily occupying property:

Summarized below are the legal provisions for two particular cases:

Occupation of Real Estate Property Prior to Expropriation: If the administration resorts to interim or temporary occupation of privately owned real estate, the time frame should be identified. However, if the temporary occupation is conclusive, the administration shall resort to the regular expropriation procedures (mentioned above). In order to save time, the new legislation has allowed the administration to occupy prior to the completion of the expropriation procedures (Article 16: Law No. 577 of 1954). According to the amendment of Law No. 252 of 1960, "except

in emergencies and hasty cases that require the occupation of real estates to perform necessary reparation works, upgrading, and other work, temporary occupation of real estate for public benefit is subject to a Presidential Decree (to be published in an official newspaper). The legislator has included some provisions guiding this case:

- a) The administration cannot resort to this before the issuance of the decision that the expropriation of this specific property is considered to be of public benefit.
- b) The real estate owner has the right to compensation for not being able to get access or use his / her property, starting from the date of actual occupation until the payment of the due compensation as a result of the property expropriation.
- c) The owner of the real estate has the right to dispute / contest the value of the assessed compensation, for preventing him/ her from using or gaining access to his / her property, through the same process for grievance redress on the assessed compensation for property expropriation. In this case, it will not be allowed to remove any structures or buildings (which have been occupied) until the re-estimation of value has been conclusively made.
- d) In the case of expropriation of districts, the property and buildings will not be expropriated until alternative dwellings have been provided for those who lost their homes.
- e) Temporary Occupation: If the administration needs to manage a real estates for an interim / temporary period that does not justify the expropriation of the property, and accordingly the administration takes over only the management while the ownership remains with its official owner.

Summarized below are the legal provisions for two particular cases:

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

However, if no agreement is reached the property shall be expropriated and the administration shall be responsible for returning the property to the owner in its original status, at the time of occupation, along with compensation for any of spoilage or decrease in its value.

2.1.5. Introduction of New Articles to the Law on Property Expropriation for Public Benefit No. 10 of 1990

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

The new amendment of this law states that the authority requesting the property expropriation shall be responsible for the payment of compensation value and in representing itself in legal litigations before the jurisdiction.

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

- Construction of roads, streets, squares, or their broadening, modification, paving, or the constructing of entirely new districts.
- Sanitary drainage and water projects
- Irrigation and drainage projects
- Electricity / power projects
- Construction of bridges and the surface paths (slides, lower passages, or modifying them)
- Transportation projects
- Urban / rural planning and improvement of infrastructure
- All activities that are considered to be of public benefit as per any other law
- Other public benefit activities may be added as per Cabinet of Ministries Decree(s)
- The decision ruling public benefit activities shall be in accordance with a Presidential decree and shall have a memorandum of the project enclosed.

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

2.2. Gaps between Egyptian Regulations and World Bank Policies

The gaps between Egyptian regulations and World Bank policies are summarized in Table 2-1:

Table 2-1: Comparison of Egyptian Regulations with World Bank policies

Topic	Egyptian legislative requirements	World Bank policy requirement	Measures to bridge the gaps
Calculation of Compensation	According to prevailing prices in the affected area and assessed by a specialized committee for that purpose	Full replacement cost	In most cases, prevailing market price can reflect the replacement cost of affected assets. In case, there is no market price as reference for some affected assets, the compensation rate will be determined based on actual cost in consultation with affected persons
Squatters	Not included in the legislation (Applied cases for resettlements revealed that squatters have been compensated as a result of political sensitivity)	To be provided with resettlement assistance (but no compensation for land). The assistance should be sufficient for PAPs to improve or at least restore their living standards to pre-displacement or pre-project levels, whichever is higher.	This has to be clearly considered in any resettlement action and offered options whether through alternative shelters or fair compensation that enables them to find other shelter
Tenants	The old version of the tenancy contract template stipulates that dues shall be paid back to the tenant and he shall be proactively notified, however the new version omits that	Compensation and prior notice	Tenants shall be proactively notified of resettlement and duly compensated
Resettlement assistance	Not included	Affected people are to be offered support after displacement, for a transition period	Specific assistance will be designed and included in the Resettlement Action Plan
Vulnerable Groups	Not Included	Particular attention to be paid to vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities	Provisions on assistance to vulnerable groups will be included in the resettlement action plan

Topic	Egyptian legislative requirements	World Bank policy requirement	Measures to bridge the gaps
Information and Consultation	<p>Displaced persons are provided timely and relevant information</p> <p>Not consulted on resettlement options</p> <p>Not able to participate in planning, implementing and monitoring resettlement</p>	<p>Displaced persons and their communities are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement</p>	<p>Affected groups should get access to full information about the resettlement process and options for compensation</p> <p>Participatory planning and decision making will be applied in resettlement options and compensation</p>
Grievances	<p>Specialized committees for that purpose and time</p> <p>One month to object to the decision of resettlement</p> <p>Four months to object to the compensation value</p>	<p>Appropriate and accessible grievance mechanisms to be established</p>	<p>The affected groups are offered the direct channel for grievance and receive redress in proper time prior to resettlement</p>

3. ELIGIBILITY CRITERIA FOR AFFECTED PERSONS

3.1. Definition of Affected Persons

Affected persons may be classified as persons:

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

Where land acquisition or restrictions on land use are unavoidable, as a part of the site specific environmental and social assessment, a census will be conducted to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits.

The social assessment will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users. In conjunction with the census, a cut-off date will be established for eligibility. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and non-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cutoff date may be subject to removal.

To address the issues identified in the environmental and social assessment, a Resettlement Action Plan (RAP) will be prepared proportionate to the risks and impacts associated with the project. According to the nature of the project and the fact that the land is owned by ENR, it is predicted that the project will be of minor land acquisition or restriction on land use, as a result of which there will be no significant impact on incomes or livelihoods. The plan will establish eligibility criteria for affected persons, set out procedures and standards for compensation, and incorporate arrangements for consultations, monitoring and addressing grievances.

Table 3-1: Means of livelihood that may be affected due to Land Acquisition

Land	<ul style="list-style-type: none"> ▪ Agricultural land (rented or owned) ▪ Access to land
Structures	<ul style="list-style-type: none"> ▪ Houses or living quarters (rented or owned) ▪ Other physical structures (rented or owned)
Income	<ul style="list-style-type: none"> ▪ Income from crops ▪ Income from wage earnings ▪ Income from raising animals ▪ Income from affected business ▪ Access to formal employment opportunities
Communal⁴	<ul style="list-style-type: none"> ▪ Public Schools

⁴ The project should not be permitted to infringe on or damage in any way public cemeteries or private graveyards or graves physical assets. If extremely necessary, such cases shall be subject to the laws of the Government of Egypt to this regard.

	<ul style="list-style-type: none"> ▪ Public Hospitals ▪ Markets ▪ Cemeteries ▪ Social capital: networks, activities, relationships
Environmental	<ul style="list-style-type: none"> ▪ Access to natural resources ▪ Negative environmental impacts resulting from land acquisition or from the project itself

3.2. Eligibility Criteria

All PAPs who suffer a complete or partial loss of assets or access to assets shall be eligible for some kind of assistance, according to their legal rights to the land, if it can be proven that they occupied the land before the claim cut-off date. The Bank OP4.12 specifically proposes three general categories for eligibility as illustrated in Table 3-2.

Table 3-2: Eligibility Criteria (OP 4.12)

Displacement Category	Entitlement
Individuals who have formal legal rights to land (including customary and traditional rights recognized under the laws of Egypt)	<ul style="list-style-type: none"> ▪ Compensation for loss in land and assets at full replacement cost. ▪ In case of physical relocation, provide assistance during relocation (i.e. moving allowances) and residential housing and / or agricultural sites with productive and location advantages equivalent to the lost sites. ▪ Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels. ▪ Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities).
Individuals who do not have formal legal rights to land, but have a claim to such land or assets (provided that such claims are recognized under Egyptian laws or become recognized through a process identified in the resettlement plan)	<ul style="list-style-type: none"> ▪ Compensation for loss in land and assets at full replacement cost. ▪ In case of physical relocation, provide assistance during relocation (i.e. moving allowances) and residential housing and / or agricultural sites with productive and locational advantages equivalent to the lost sites. ▪ Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels. ▪ Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities).
Individuals who have no recognizable legal right or	<ul style="list-style-type: none"> ▪ Resettlement assistance as appropriate (i.e. land, assets, cash, employment, etc.).

claim to the land they are occupying (i.e. squatter settlements, disputed ownership).	
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In addition, all individuals in possession of properties (i.e. land, houses, structures) that may be adversely affected by any of the projects’ activities (i.e. construction, rehabilitation, etc.) shall also be eligible for some sort of compensation which shall be identified in the resettlement plan depending on the type of damage.

3.3. ENR’s Approach for Securing Land Plots

In general, ENR uses their right-of-way for construction of the signalling buildings. In some cases, the land of ENR is rented out to users and in such cases a contract is issued between ENR and the user. In the meantime, ENR ensures to avoid occupied land plots. In the case where a vacant alternative is unavailable and land is being used by users or tenants, ENR issues an administrative decree for removal of the occupancies on the required land plot by the respective local entities.

This approach is applied to both squatters and tenants. For the former, those are supposed to have no legal rights under the Egyptian legislation. For the latter, the old and new tenancy contract templates state that ENR retains the right to restore the leased property at the time it wishes. Article 9 of the old contract template states that: *‘The Authority [ENR] reserves, for itself, the right to terminate this contract without being held responsible for any disruptions or damages in case it [ENR] sold the rented property or needed it for its purposes or for the purposes of other government institutions or sub-institutions. And it shall be sufficient that the tenant be notified of that one month in advance, through a registered letter, and the tenancy value shall be paid back to him [the tenant], if it was prepaid, for the remaining [tenancy] period as of evacuation of the property.’* The corresponding stipulation in the new contact template states that: *‘The First Party [leaser] shall have the right to terminate the contract in case ENR needs the leased property for future projects.’* However, the old version of the contract template stipulates that dues shall be paid back to the tenant and he/she shall be proactively notified, the new version omits that.

3.4. Potential Resettlement Impacts

In general, ENR avoids occupied land plots for construction of the electronic signaling buildings. However, if a technically-compliant alternative is not available, they opt for using occupied land plots and attempt exercising damage-minimization. The potential impacts related to acquisition of land plots basically include removal of crops or structures on the land plot, whether or not the user is formal or informal.

The severity of the impacts on the land user will depend on the duration of time the user has been using the land and the availability of other assets and sources of livelihoods for him. The assessment on case by case basis in light of the requirements of OP 4.12 should be conducted in the form of RAP/ARAP when there is clarity on the exact locations.

4. METHODS OF VALUATION OF AFFECTED ASSETS AND COMPENSATION

4.1. Asset Valuation

The valuation of losses in physical assets will be carried out by assessing the market value of the assets, if known, and estimating the replacement cost. Replacement cost is simply calculated as the cost of replacing the lost assets plus any transaction costs associated with bringing the asset to pre-displacement value. However, the valuation of crops will be mainly relied upon the price lists developed by the Agriculture directorate and revisited annually. ENR will be requested to conduct a case by case rapid assessment to verify if the values of the crops as stipulated in the price list are matching the market price and the replacement cost. This should be done in consultation with farmers. ENR will need to make sure that the value of the compensation to be offered is matching the price list or the market and replacement value whichever is higher. The Resettlement Action Plan (RAP) that ENR will prepare should explain how the assessment has been conducted and how the compensation has been valued. Replacement cost will differ depending on the type of asset, as illustrated in Table 4-1.

Table 4-1: Replacement Cost for Tangible Assets

Asset	Replacement Cost
Agricultural Land	Equals the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes.
Urban Land	Equals the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
Houses / Other Structures	Equals the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes.

Source: WB OP 4.12

For intangible losses that cannot easily be valued in monetary terms (i.e. access to employment opportunities, public services, natural resources, social capital), the project should attempt to establish access to equivalent resources and earning opportunities that are acceptable to the PAPs.

4.2. Compensation

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

All PAPs will be entitled to monetary compensation at replacement cost, at market value (at the entitlement cut-off date) for affected tangible assets. Another option may be in-kind compensation where the affected assets would be replaced with an asset of similar size, value, and quality. The decision on which type of compensation is used should be jointly agreed upon between the project staff and the PAPs and shall be subject to the availability of replaceable assets. Moreover, development and resettlement transitional assistance needed to restore the livelihood and standard of living of PAPs under the project to pre-project levels shall also be part of the compensation component of any resettlement plan (i.e. short-term jobs, subsistence support, moving allowance, salary maintenance, food assistance, etc.).

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

5. ENTITLEMENT MATRIX

Each RAP should develop a resettlement matrix that identifies the expected negative impacts from the project, the eligible persons for compensation, and the compensation policy that is to be applied. Since the exact sites for buildings of the new line have not yet been specifically identified, Table 5-1 provides an entitlement matrix that may serve as a generic tool for identifying the possible losses arising from the project and the respective entitlement benefits of the PAPs.

Table 5-1: Entitlement Matrix for Affected Persons⁵

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Remarks
Agricultural Land				
Loss of arable and grazing agricultural land or access to it	Permanent (complete or partial) loss of arable and grazing land located in the project site	Farmers / Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> • Provide cash compensation at replacement cost for the lost land⁶ plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes • Provide cash compensation for loss of crops or trees at replacement cost 	
		Farmers / Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<ul style="list-style-type: none"> • Provide development and transitional assistance in locating new replacement lease land • Provide cash compensation for loss of crops or trees at replacement cost 	
		Farmers / Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> • No compensation for land • Provide landless PAPs with resettlement assistance in securing temporary or lease rights to replacement land • Provide cash compensation for loss of crops or trees at replacement cost 	

⁵ Since the used land plots are owned by ENR, the possible losses are not envisaged to be substantial.

⁶ Calculated at entitlement cut-off date.

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Remarks
	Temporary ⁷ (complete or partial) loss of all or part of arable and grazing land located in the project site	Farmers / Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> • No compensation for land if returned to owner in less than one year • Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use • Provide cash compensation for loss of crops or trees at replacement cost which should include the replacement cost of the time that could be needed until the crops grow again and compensation for loss of net income from subsequent crops that cannot be planted for the duration of the lease 	<ul style="list-style-type: none"> • If the temporary loss continues for more than one year, PAPs will be given a choice of either continuing with the temporary arrangements, or selling the affected land to the project at full replacement cost at current market value • Provision of development assistance to enable farmers / land owners to restore land to its previous condition or better quality by providing measures to improve land quality in cases of land being adversely affected.
		Farmers / Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<ul style="list-style-type: none"> • No compensation for land if returned to owner in less than one year • Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use • Provide cash compensation for loss of crops or trees at replacement cost which should include the replacement cost of the time that could be needed until the crops grow again and compensation for loss of net income from subsequent crops that cannot be planted for the duration of the lease 	
		Farmers / Individuals who do	<ul style="list-style-type: none"> • No compensation for land if returned to owner in 	

⁷ Temporary here refers to a period of up to 3 year maximum (in conformance to the Government of Egypt's Legislation).

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Remarks
		not have any recognizable legal right or claim to the land	<p>less than one year</p> <ul style="list-style-type: none"> • Provide cash compensation for loss of crops or trees at replacement cost 	assistance to landless PAPs with no legal rights.
Urban Land (Residential and /or Commercial)				
Loss of urban residential or commercial non-arable land or access to it	Permanent (complete or partial) loss of urban residential or commercial non-arable land	Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> • Provide cash compensation at replacement cost of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes • In the case that there are structures on the land, provide cash compensation at replacement cost for the materials used to rebuild the structures or to partially repair an affected structure 	
		Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<ul style="list-style-type: none"> • In the case that there are structures on the land which have been built by the users, provide cash compensation at replacement cost for the materials used to rebuild the structures or to partially repair an affected structure • Provide development and transitional assistance in locating new replacement lease land 	
		Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> • Provide no compensation for land • In the case that there are structures on the land which have been built by the users, provide cash compensation at replacement cost for the 	

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Remarks
			materials used to rebuild the structures or to partially repair an affected structure • Provide landless PAPs with resettlement and transitional assistance in securing alternative commercial or residential land and to restore their livelihoods	
	Temporary (complete or partial) loss of urban residential or commercial non-arable land	Individuals who have formal legal ownership rights to land	• No compensation for land if returned to owner in less than one year • Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use • Provide cash compensation for loss of crops, trees, or structures at replacement cost	• If the temporary loss continues for more than one year, PAPs will be given a choice of either continuing with the temporary arrangements, or selling the affected land to the project at full replacement cost at current market value • Provision of assistance to enable the land users owners to restore land to its pre-project condition by providing measures to improve land quality in cases where land is adversely affected
		Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	• No compensation for land if returned to owner in less than one year • Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use • Provide cash compensation for loss of crops, trees, or structures at replacement cost	
		Individuals who do not have any recognizable legal right or claim to the land	• No compensation for land if returned to owner in less than one year • Provide cash compensation for loss of crops, trees, or structures at replacement cost	

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Remarks
Structures or Buildings (Commercial, Business, Industrial, or Residential)				
Loss of structures or access to them	Permanent (complete or partial) loss of structures	Individuals who have formal legal ownership rights to the structures	<ul style="list-style-type: none"> • Provide cash compensation at replacement cost which equals the market cost of materials used to build a replacement structure with similar area and quality, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes • No deduction will be made for salvageable materials and that no depreciation will be applied 	
		Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights (tenants)	<ul style="list-style-type: none"> • Provide assistance for moving and finding similar and affordable rental accommodation (this may include moving allowance and rental allowance for a transitional period) 	<ul style="list-style-type: none"> • A 3-month notice - at least - to be given to the tenants.
		Individuals who do not have any recognizable legal right or claim to the land (squatters and persons in ownership dispute)	<ul style="list-style-type: none"> • Provide cash compensation at replacement cost for the structures if they were built by the users • Provide assistance for moving and finding similar and affordable rental accommodation (this may include moving allowance and rental allowance for a transitional period of up to 12 months) 	<ul style="list-style-type: none"> • The Environmental and Social Officer may look into the possibilities of formalizing the structures following their repair.
Standing Crops, Trees, and Plants				
Loss of standing crops, trees, or plants or access to	Permanent (complete or partial) loss of	Farmers or individuals who cultivate the land and who have formal legal ownership rights to	<ul style="list-style-type: none"> • Provide cash compensation for loss of crops, trees, or plants at replacement cost 	All efforts shall be made to allow for harvesting of crops prior to any land-related impacts.

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Remarks
them	standing crops, trees, or plants	the land on which the crops are		
		Farmers or individuals who do not have formal legal ownership rights to land on which the crops are but have temporary or leasing rights (tenants)	<ul style="list-style-type: none"> • Provide cash compensation for loss of crops, trees, or plants at replacement cost 	
		Farmers or individuals who do not have any recognizable legal right or claim to the land on which the crops are	<ul style="list-style-type: none"> • Provide cash compensation for loss of crops, trees, or plants at replacement cost 	
Income or Access to Income (Commercial, Business, and Industrial Activities)				
Loss of source of income or access to source of income	Permanent loss of income source or access to it	Owner or workers in formal registered businesses	<ul style="list-style-type: none"> • Provide transitional cash compensation until new permanent employment is secured based on net income (for a maximum period of 6 months) • Provide development assistance to PAPs (i.e. training in specific areas) in order to help them to maintain and/or improve their income generation potential and access to gainful employment 	<ul style="list-style-type: none"> • A list of available commercial, industrial, and business activities in each affected commune. • A list of PAP and entitled persons. • The Environmental and Social Officer shall assist in the provision of development assistance to severely affected PAPs and vulnerable groups (i.e. design training programs, formalizing informal activities, access to credit, including them in the project's contractors' specifications wherever possible).
		Owner or workers in informal unregistered businesses	<ul style="list-style-type: none"> • Provide transitional cash compensation until new employment is secured based on minimum wage per month in the respective district (for a maximum period of 6 months) 	

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Remarks
			<ul style="list-style-type: none"> Priority shall be given to severely affected PAPs in the provision of any relevant employment in the activities related to the project 	
	Temporary loss of income source or access to it	Owner or workers in formal registered businesses	<ul style="list-style-type: none"> Provide cash compensation for the duration of business/income generation that is disrupted based on net income 	
		Owner or workers in informal unregistered businesses	<ul style="list-style-type: none"> Provide cash compensation for the duration of business/income generation that is disrupted based on the minimum wage per month in the respective district 	
Community Resources				
Loss of community assets or access to them	Permanent (complete or partial loss) of community physical assets	All members of the community	<ul style="list-style-type: none"> Affected land will be replaced in areas identified in consultation with affected communities and relevant organizations and authorities. Provide alternative or similar resources to compensate for the loss of access to community physical resources 	
	Temporary (complete or partial loss) of community physical assets	All members of the community	<ul style="list-style-type: none"> Restoration of affected community buildings and structures to original or better condition Provide alternative or similar resources to compensate for the temporary loss of access to community physical resources 	
Loss of socio-	Permanent	All members of the community	<ul style="list-style-type: none"> Provide development assistance to enable 	<ul style="list-style-type: none"> Identify different forms of social capital from PAPs'

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Remarks
economic and/or social-cultural relationships / networks or access to them	(complete or partial loss) of community non-physical assets		community members to take advantage of income restoration measures Provide alternative or similar resources to compensate for the loss of access to community social capital	<p>point of view (i.e. social credit, networks, social cohesion, etc.)</p> <ul style="list-style-type: none"> • Consultation with PAPs to identify measures to rectify the permanent or partial losses in social capital.
	Temporary (complete or partial loss) of community non-physical assets	All members of the community	<ul style="list-style-type: none"> • Provide development assistance to enable community members to take advantage of income restoration measures noted above • Provide alternative or similar resources to compensate for the temporary loss of access to community social capital 	

5.1. Land Acquisition and Resettlement Status

The project finances construction of 3 central traffic control buildings – CTC (600m² each), around 38 main technical buildings – MTB (400² each), and 25 secondary technical buildings – STB (200² each). The total needed size of land is therefore about 22,000m² across all the 3 rail lines supported by the project, as shown below.

Railway	CTC	MTB	STB
Cairo-Alexandria	1	10	10
Beni Suif-Assiut	1	12	15
Assiut-Nag' Hammady	1	16	NA
Total	3	38	25

Most of the sites along Cairo-Alexandria and Beni Suif-Assiut lines have been secured, and around half of them is either constructed or under construction. Specific sites of the new Assiut-Nag' Hammady line have not yet been determined; and once done, the safeguards team will conduct field visits to each of them to ensure no one will be adversely affected.

The Bank's social safeguards team has conducted field visits to most of the Cairo-Alexandria and Bani Suif-Assiut sites, and very few cases were found to involve land-taking from users. The field observations also identified that it is possible to avoid reverse impacts but it needs further diligence from the contractor in both design and construction phases.

5.2. Organizational Arrangements and Procedures for Delivery of Entitlements

5.2.1. Institutional and Organizational Arrangement of ENR

ENR serves as the implementing agency of the project under the oversight of a Steering Committee, which mainly combines Ministries of Transport, Finance, Investment and International Cooperation. As ENR does not have experience with World Bank projects before the Railway Restructuring, it was considered particularly important that a Project Management Unit (PMU) be established within ENR to coordinate and implement project activities and to liaise with the Bank. The PMU is headed by a director, who reports directly to ENR's Chairman.

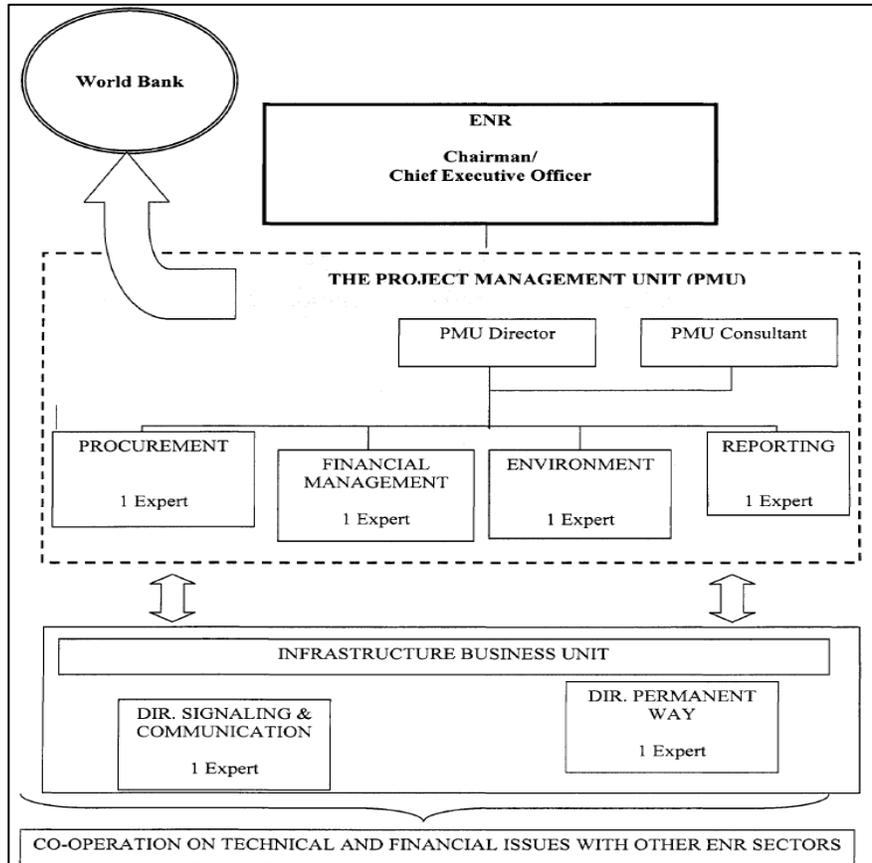
The below institutional structure of the project shows that the PMU's setup basically covers finance, procurement, environment, and reporting. However, the structure does not show any position for a staff member responsible for the social aspects related to the project. This has been communicated as a key requirement given the key social dimension that ENR has to deal with. ENR confirmed that appropriate candidate will be assigned to fill the position of the social officer.

The role of the social officer will be critical in reaching out to the locations, conducting consultations, monitoring the implementation of all the social measure associated with the ESMP, ensuring the grievance system is operational, examining the need for preparing RAPs/ARAPs and participating in the process of the RAP/ARAP preparation and monitoring. The social officer should be also monitoring the complaints received from PAPs and ensuring

that prompt response is offered to deal with their concerns. The Bank will be offering the capacity building support needed for the assigned social officers to enable them to fulfill the main responsibilities that are summarized in the box below.

The main tasks of the social officer include:

- Conduct consultations and information sharing sessions with the communities and other stakeholders adjacent to the project sites,
- Monitor the implementation of all the social measure associated with the ESMP
- Help in designing and operationalizing the grievance redress system related to the project
- Ensure that key project information and safeguards requirements are disclosed transparently on the local level
- Consult with PAPs to discuss and agree on the alternatives and the type of compensation that is convenient for both PAPs and ENR
- Participate in the process of disbursing compensations and keep track record of the compensation process documentation
- Handle grievance and respond to complaints of PAPs
- Lead the preparation process of the RAP and ARAP
- Monitor implementation of the resettlement activities
- Propose and take appropriate corrective actions as needed during the course of implementing the resettlement plans



5.2.2. Other support entities

Ministry of Agriculture

The Agriculture Directorate: is responsible for developing price lists for all types of crops that might be affected

The Agriculture Associations, is responsible for the following

- Provide a proof of property documentation for lands and crops
- Nominates a member to accompany Compensation Committee during the inventory,
- Estimates the value of crops and trees according to their actual conditions
- Participate with the Compensation Committee during the payment of compensation
- Attend individual consultations related to the resettlement
- Publish PAPs lists in the agriculture association

Governorate Authority and Local Governmental Units are responsible for

- Providing the permissions and approvals on lands to be temporarily expropriated
- Provide the plots of lands required for the construction of Pressure Reduction Stations
- Participate with the Compensation Committee during the payment of compensation

5.2.3. Procedure for delivery of Entitlements

Project Screening

A retroactive screening was conducted by the social safeguards team for most of the sites secured for the signaling buildings across the Cairo-Alexandria and Bani Suif-Assiut railways. However the findings of the screening show that the concerning cases which involve displacement were markedly few, the project teams agreed to trigger OP 4.12 to secure compensation for any PAP under the new Assiut-Nag' Hammady railway, in particular, as well as to ensure that efforts are made to mitigate adverse effects on the impacted cases under the 2 other lines.

Preparation of Socio-Economic and Inventory Survey

In case the need of preparation of RAP or ARAP then a socio-economic study and census survey will be conducted, in which baseline data within the project's target areas is collected. This information shall include the PAPs and related household members or dependents, total land holdings, and affected assets amongst other things. This information will be documented and shall be used in determining the appropriate compensation and assistance for each affected individual / household.

The objectives of conducting this socio-economic survey are to:

- Introduce the project to the PAPs.
- Collect census data to identify PAPs on the individual and household levels.
- Collect census data to identify vulnerable and severely affected PAPs.
- Collect census data on the overall socio-economic environment of the affected communities
- Identify stakeholders.
- Identify impacts of the project on the livelihoods of the PAP (i.e. properties, structures, income, etc.).

- Identify any concerns or worries the PAPs may have.
- Identify the resettlement preferences of the PAPs.

Preparation of Resettlement Action Plans⁸

Any project activity that shall entail the acquisition of land or may result in the involuntary resettlement of people or loss or restriction of access to private or communal resources will require the preparation of a RAP or abbreviated RAP as per the number of people affected or the significance of the resettlement impacts. ENR will contract an independent consultant to prepare the RAP, with the participation of involved entities. The commencement of the census to be conducted under the RAP will be the cut-off date. This will be announced to the public and only the PAPs included in the results of the inventory will be considered as eligible for compensation. The cut off should be established to minimize the influx of outsiders and ineligible compensation claims.

The RAP should assess the number of PAPs, propose alternative locations for the project if possible, identify the eligibility criteria, include provisions for compensation and assistance, and address the means by which the project monitoring and evaluation will take place to ensure that the PAPs receive their compensation and that their grievances are heard and addressed. The mitigation measures and compensation policies proposed in the RAP shall be disclosed to the PAPs, through consultations, for feedback.

More specifically, the RAP and ARAP should include the following main elements as demonstrated in the table below and more details are included in Annex 1:

RAP	ARAP
A description of the project	A census survey of displaced persons and valuation of assets
Objectives of RAP	A description of compensation and other resettlement assistance to be provided and the basis of compensation rates
Identification of potential impacts	Consultations with displaced people about acceptable alternatives
Relevant findings of the socio-economic study	Institutional responsibility for implementation and procedures for grievance redress
Legal framework	Arrangements for monitoring and implementation
Institutional framework	A timetable and budget
Eligibility criteria and eligible PAPs	
Valuation and compensation for losses	
Resettlement measures	
Site selection, site preparation, and relocation	
Housing, infrastructure, and social services	

⁸ See annex 1 for more details on A/RAPs.

Environmental protection and management	
Community participation	
Integration with host populations	
Grievance procedures	
Organizational responsibilities	
Implementation schedule	
Costs and budget	
Monitoring and evaluation	

RAP Review and Approval

The RAP, including the proposed mitigation measures within the plan, will need to be reviewed and approved prior to making a decision on whether or not the project shall be implemented. The RAP will be reviewed by ENR then will be sent to the WB for final review and approval.

RAP Implementation

Once the RAP is approved by the Bank, it will be translated into Arabic and disclosed locally as well as on the Info Shop at the Bank. The ENR is responsible for implementation of the RAP.

Signing Compensation Contract and Compensation payment

PAPs will be consulted on their compensation preferences of which they will be formally informed through written notification. In case some of the PAPs are illiterate, they are notified in the presence of at least one public official who is mainly one of the agriculture association representatives.

The ENR will arrange meetings with the PAPs to document the lands acquired by the project throughout the implementation period and discuss the compensation process. The PAP will be required to sign a contract detailing the acquired land plots and/or partially or completely affected structures and the corresponding types of compensation (i.e. cash or in-kind) that have been agreed upon. The signature of the compensation contracts as well as the actual payments and in-kind transfers shall be made in the presence of at least one public official from the village authorities. The contracts may also include contracts on possible transitional or developmental assistance and income restoration measures that will be given to the PAPs including, provision of skills training, access to credit, and project related job opportunities.

Budget and Sources of Funding RAP

At this stage, it is difficult to estimate the total resettlement cost. The actual resettlement cost and budget will be included in the RAP which will be prepared during project implementation. The budget shall consider all of the anticipated impacts under the project and calculate the cost (compensation, administrative costs and monitoring, etc.) according to actual replacement costs (at market value). ENR is fully responsible for any compensation for land acquisition.

5.3. Grievance Redress Mechanism

ENR has a department for complaints at their headquarters in Cairo, to which any person can file a complaint. ENR has also dedicated 2 phone lines (01274422925 - 0225753555) in addition to a hotline (147) for complaints related to ENR in general. Those channels are widely used by any person who might have issues related to the operation of the trains or internal issues related to ENR. No specific channel (s) dedicated for the project has been yet established. Some of the contractors used to disseminate their phone numbers on the ground to allow people to communicate in case they have any complaint. However, this practice has been done on individual basis and documentation of complaints has been always a big challenge. Since the project's geographic scope will be extended, a multi-stage mechanism will be adopted. The Bank is currently supporting ENR to strengthen the existing GRM and ensure that project tailored channels are available to deal with any social issues at large. With support from the Bank, it is expected that ENR will start adding new channels to allow for better access for the project affected persons. The proposed channels (uptake locations) will consider the nature of the potentially affected communities and will build on the existing resources on the ground (e.g. contractors team could be one of the uptake locations but they should coordinate closely with ENR social team). The objective will be to respond to the complaints of the PAPs and any relevant stakeholders on a timely fashion and in a transparent manner, without resorting to complicated formal channels to the extent possible.

5.4. Vulnerable Groups

The Egyptian regulation does not specifically state any privileges for those vulnerable groups. However, the World Bank OP 4.12 emphasizes the need to give special attention to the right of vulnerable groups to make sure that they are not excluded from any adopted measures within the overall resettlement actions.

By conventional definition, the vulnerable population are those groups of people who are typically excluded, disadvantaged or marginalized based on their economic, ethnic, social, or cultural characteristics. Various groups could fit within this description (e.g., women, youth, people with disabilities, refugees), there is always a need for a more specific and focused identification for them within the context of the project. The RPF analysis methodology for identifying the vulnerable groups and assessing project's impacts on them has been influenced by the Sustainable Livelihood Approach which helped in setting the scene for describing the context, motivations and resources of the affected vulnerable households.

Specific attention should therefore be paid to the needs of the following vulnerable groups, including:

- a) Persons below the poverty line,
- b) The landless,
- c) People who are typically excluded, disadvantaged or marginalized based on their economic, ethnic, social, or cultural characteristics.

Vulnerable people will be identified at socio-economic survey stage. And according to the vulnerability of these groups, each RAP developed will identify the following:

- a) Vulnerable people and their classification;

- b) The project impact on them;
- c) The required assistance at the various stages of the process: negotiation, compensation, moving,
- d) Necessary measures to assist the vulnerable person,
- e) Means of monitoring and evaluating the continual assistance after resettlement and/or compensation.

Assistance provided to vulnerable persons differs depending upon their individual needs and preferences. In general, assistance falls under one or more of the following forms:

- a) Assistance in the compensation payment procedure (e.g., going to the bank with the person to cash the compensation check),
- b) Assistance in the post payment period to secure the compensation money and reduce risks of misuse/robbery

5.5. Resettlement Monitoring and Evaluation Arrangement

In line with WB requirements, monitoring the implementation of the resettlement activities will be carried out and supervised by ENR. Monitoring will be held every three months, and results and findings will be included in quarterly project progress report. The report will mainly cover resettlement policies and compensation standards, resettlement progress, delivery of resettlement compensation, provision of development and transitional assistance to PAPs (especially vulnerable groups), implementation schedule, fund disbursements, land or structure allocation, and grievances and redress. External Monitoring might be required to ensure that the overall objective of the resettlement plan is achieved in an equitable and transparent manner and ensure the effectiveness of the monitoring and evaluation activities carried out by ENR. Monitoring indicators are shown in the following table.

Table 5-3: Verifiable Indicators for Monitoring and Evaluating Implementation of Resettlement Activities

Monitoring	Evaluation
Percentage of individuals selecting cash or a combination of cash and in-kind compensation	Proposed use of payments
Payment of compensation to PAPs in various categories	Conformance to compensation policies described in the RAP
Number of grievances	Timeliness and quality of decisions made on grievances
Delivery of technical assistance, relocation, payment of transitional subsistence and moving allowances	Facilitation of access to technical and development assistance and transitional allowances
Delivery of income restoration and development assistance	Ability of individuals and households to re-store sources of income

Public information dissemination and consultation procedures	Timeliness, quality, and effectiveness of consultation and information disclosure
Number of PAPs who received compensation/assistance for resettlement	Percentage of PAPs who were able to improve or at least restore their living standards (this could be attained through consultation with PAPs to be conducted by ENR after 3 months from the restatement)

6. PUBLIC CONSULTATION AND DISCLOSURE ARRANGEMENTS

6.1. Consultations arrangements during project implementation

During project implementation, when resettlement impacts are involved and a RAP needs to be prepared, consultations with affected persons will be carried out by ENR through the independent consultant that is contracted for the RAP preparation process. Prior to or during the consultation, the PAPs should be well informed of the following information:

- Project components
- Project impacts
- PAPs' legal rights and entitlements
- Compensation policies
- Resettlement activities
- Grievance and Redress Mechanism
- Implementation schedule
- Public consultation and disclosure of information
- Organizational responsibilities

It is crucial that the PAPs and other primary stakeholders are involved in the project from the very early stages, and that relevant and adequate information about the project and its activities is provided to them in a timely manner, since this would:

- Help to identify the project impacts and the affected individuals, households, and communities (especially the most vulnerable groups)
- Allow for the collection of more accurate data for the socio-economic survey
- Make the delivery of entitlement and services more transparent
- Reduce the potential for conflicts and minimize the risk of project delays
- Support the formulation and design of resettlement programs and rehabilitation measures that meets the needs and priorities of the affected people

6.2. Information disclosure and local access to information

ENR will take steps to ensure that affected persons and communities can obtain relevant information relating to the project in general and the land acquisition and resettlement arrangements in particular. As a first step, the safeguards documents and RAP will be available to the public, in English and Arabic. Additionally, summary contents of the RPF and RAP, including compensation rates for all categories of land and assets, eligibility criteria for all modes of assistance, and information regarding the project grievance procedures, will be posted in an accessible and prominent place accessible to project affected persons.

ANNEX 1: Abbreviated/Resettlement Action Plan Guidelines

Objectives of RAP/ARAP

The main objective of the RAP/ARAP is to outline the set of actions needed to ensure that PAPs are informed, consulted and compensated prior to the start of any civil works. The RAP/ARAP should also outline the institutional setup as well as the arrangements for carrying out monitoring and evaluation. An Abbreviated Resettlement Action Plan (ARAP) needs to be prepared under the following conditions: 1) Total number of people affected is less than 200; and 2) No PAPs need to be physically relocated. The contents of ARAP is less complicated than RAP.

Preparation of Resettlement Action Plans

Any project activity that shall entail the acquisition of land or may result in the involuntary resettlement of people, negative impacts on livelihoods or loss or restriction of access to private or communal resources will require the preparation of a RAP or abbreviated RAP depending on the number of people affected or the significance of the resettlement impacts. The consultant shall prepare the RAP, with the participation of ENR. The commencement of the census to be conducted under the RAP will be the cut-off date. This will be announced to the public and only the PAPs included in the results of the inventory will be considered as eligible for compensation. The cut-off date should be established to minimize the influx of outsiders and ineligible compensation claims.

The RAP should assess the number of PAPs, propose alternative locations for the project if possible or state why other alternatives were not feasible, identify the eligibility criteria, include provisions for compensation and assistance, and address the means by which the project monitoring and evaluation will take place to ensure that the PAPs receive their compensation and that their grievances are heard and addressed. The mitigation measures and compensation policies proposed in the RAP shall be disclosed to the PAPs for feedback and comments.

The following includes an outline for the RAP with an elaboration on what should be covered under each Chapter

I. Executive Summary: including the statement of objectives, legal framework, main impacts, and the mitigation measures, and the budget.

II. Description of the Project, including the following

- 1) Key objectives of project
- 2) Description of the project activities, including the transmission line, substations
- 3) Description of the project areas, including the administrative territories (governorates, districts, and communities) to be traversed, locations and substations and land use.

III. Resettlement Impacts, including

- 1) To provide details (or best estimates) on categories and amounts of significant adverse impact, and the number of persons to be affected by each. The text should indicate how these data were obtained. As relevant in each case, this should include:

- land to be acquired (by category of use; permanent and temporary acquisition)
 - housing or other structures to be demolished
 - fixed assets taken (e.g., wells, fences, tombs)
 - crop losses
 - businesses (and employees) affected by temporary or permanent displacement
 - disruptions to community facilities or services
- 2) To provide details (or best estimates) regarding identification of any groups who may be particularly vulnerable to hardship. The text should indicate how these data were obtained. As relevant, this should include:
- Those occupying or utilizing land or structures without legal title or permit
 - Households vulnerable to hardship because of poverty, age, infirmity, or other limitations to responsiveness

IV. Socio-economic survey:

This section will be the summary of the results and findings of the socio-economic studies and surveys, including:

- 1) The results of a census survey covering:
- The current occupants of the affected area to establish a basis for the design of the resettlement program and to exclude subsequent inflows of people for eligibility for compensation and resettlement assistance;
 - Standard characteristics of displaced households;
 - The magnitude of the expected loss - total or partial – of assets, and the extent of displacement, physical or economic;
 - Information on vulnerable groups or persons, for whom special provisions may have to be made; and
 - Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals
- 2) The results of other studies describing the following:
- Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems, and any issues raised by different tenure systems in the project area;
 - The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project;
 - Public infrastructure and social services that will be affected, and
 - Social and cultural characteristics of displaced communities including a description of formal and informal institutions that may be relevant to the consultation strategy and to designing and implementing the resettlement activities

V. Policy Objectives, Legal Framework, and Definitions

This section normally would consist of standardized text outlining key objectives, principles and definitions to be employed in resettlement planning. This would include reference to the national legislation as well as to World Bank OP 4.12, Involuntary Resettlement.

1) Key policy objectives include:

- Avoidance or minimization of land acquisition and other adverse impacts
- Those adversely affected (“displaced persons,” as defined below) are compensated at replacement cost for lost assets, and otherwise receive any assistance necessary to provide them with sufficient opportunity to improve, or at least restore, incomes and living standards

2) Legal framework, including:

- The scope of the power of eminent domain and the nature of compensation associated with it in terms of both the valuation methodology and the timing of payment;
- The applicable legal and administrative procedures
- Relevant laws governing land tenure, valuation of assets and losses, compensation and natural resource usage rights customary personal law related to displacement
- Laws and regulations relating to the agencies responsible for implementing resettlement activities
- Gaps, if any, between local laws in the country covering eminent domain and resettlement and the World Bank's resettlement policy, and the mechanisms to bridge such gaps and
- Any legal steps necessary to ensure the effective implementation of Resettlement activities under the project

3) Eligibility and Cut-Off date. A cut-off date is the date by which the delineation of the project site is confirmed and communicated to the public. This would allow the determination of project affected people as at the cut-off date to be made, which helps prevent further population influx to the project site.

VI. Valuation and Compensation

This section provides the following information:

- Eligibility criteria (including cut-off dates if necessary) establishing all displaced persons who is entitled to receive compensation (or other forms of assistance in lieu of compensation)
- Description of valuation procedures used to establish compensation rates for land, structures or other fixed assets. Compensation rates should be determined based on their replacement cost for loss of assets.
- Description of arrangements for delivery of compensation to displaced persons
- Compensation rates for all categories of land acquisition, for all affected areas
- Compensation rates for all categories of affected structures, for all affected areas
- Compensation rates for all categories of other fixed assets, for all affected areas
- Transitional support (e.g., moving expenses, temporary living allowances, payment of fees or other transaction costs) to be provided

- Arrangements for recalculation of compensation rates in case of prolonged delay in delivery of compensation

VII. Income and Livelihood Rehabilitation Measures

This section provides the following information:

- Arrangements (in addition to compensation) providing sufficient opportunity for those losing land to improve, or at least restore, incomes
- Arrangements, timing and availability for replacement housing, including site preparation and access to facilities and services as needed to improve, or at least restore, living standards
- Relocation or other arrangements necessary for shops and enterprises to resume profitable operation
- Arrangements (e.g., alternative employment, temporary wage support, other) necessary to maintain or restore incomes of workers in affected enterprises
- Relocation assistance to renters or leaseholders losing access to land or structures
- Special assistance to be provided to vulnerable groups (e.g., the poor, elderly, disabled)
- Restoration or replacement of community infrastructure and services
- Entitlement matrix, including entitlement for compensation, resettlement assistance and other resettlement measures.

VIII. Institutional Arrangements

This section identifies organizations or agencies primarily responsible for resettlement implementation. It describes these entities' capacity for effective implementation by reference to links to authority, prior experience with resettlement, and number and training of personnel. This section also briefly describes the implementation timetable, establishing that key implementation measures precede adverse impacts.

IX. Budget and Funding Arrangements

This section includes a budget breakdown estimating all resettlement-related costs, including an allocation for contingencies. It also establishes financial responsibility for meeting resettlement commitments, and describes funding flow arrangements.

X. Consultation, Disclosure and Grievance Procedures

This section provides information on the following:

- Measures taken to consult with displaced persons regarding proposed resettlement arrangements, and to foster their participation in activities essential to improvement or restoration of incomes and living standards
- Disclosure arrangements for the resettlement plan, ensuring that it is made available in a language and location accessible to displaced persons and the general public.
- Administrative and legal steps displaced persons can take to pursue questions or grievances they may have regarding resettlement implementation.

XI. Monitoring Arrangements

This section briefly describes arrangements for monitoring implementation, for both internal project purposes and external monitoring to be conducted by a qualified agency independent of the project office. The scope and frequency of monitoring activities should be described.

1) Preparation of Abbreviated RAP

- A census survey of displaced persons and valuation of assets;
- A description of compensation and other resettlement assistance to be provided and the basis of compensation rates;
- Consultations with displaced people about acceptable alternatives;
- Institutional responsibility for implementation and procedures for grievance redress;
- Arrangements for monitoring and implementation; and
- A timetable and budget.

2) RAP Review and Approval

The RAP, including the proposed mitigation measures within the plan, will need to be reviewed and approved prior to making a decision on whether or not the project shall be implemented. The RAP will be reviewed and approved by ENR then will be sent to the WB for final review and approval. It has to be noted that all compensation and resettlement arrangements should be finalised before the start of any construction works.

The consultant is required to carry out any necessary modifications to the RAP report in response to ENR/WB reviews.

3) Qualifications and Experience of the ESIA Team

The assignment will be carried out by a specialized consultant. A confirmation letter from the consultant will be required including the staff that will be working on the project and in case of any changes ENR has to be notified with the change and replacement arrangements to avoid any delays in executing the required activities. The consultant should have a previous experience in conducting social studies including RAPs that has been approved and cleared by the World Bank. The consultant should furnish samples of such work and studies that the Bank found satisfactory.

4) Facilities to be provided by Client

The consultant shall be provided with project document, studies already conducted for the project including ESIA and RPF. The client may also facilitate meeting with stakeholders for the consultant to give legitimacy and support from the key stakeholders.

5) RAP Disclosure requirements

Once the RAP is approved by the Bank, the consultant shall carry out the translation into Arabic and then the following documents should be disclosed in country by ENR and on the Bank website:

- RAP/ARAP (English Language)
- RAP/ARAP (Arabic Language)

ANNEX 2: Public Consultation on the RPF and ESIA

A public consultation event was organized by ENR in Souhag governorate, on October 11, 2017, for presentation and discussion of the RPF and the ESIA. The event was attended by the key stakeholders of the project, including NGOs, political parties, government officials from both the governorate and ENR (including the Secretary-General of Souhag governorate), the Contractor (Thales, which was represented by the Regional Director and the Country General Manager), the Consulting/Supervision Company (SYSTRA), and the Bank.

Two presentations, in Arabic, were delivered during the event. The first presentation (Annex 2.1) on the social aspects related to the project basically included the project: development objective, components, significance, expected results, potential social effects, and GRM. The second presentation (Annex 2.2) on the environmental aspects related to the project mainly included: objectives and phases of the ESIA, key potential negative effects, mitigation measures, and related national laws and regulations.

The presentations were followed by an interactive session for questions and feedback of the participants. **The below table outlines the main interventions and responses⁹.**

Subject	Intervention	Response
GRM	<p>There should be an assigned phone number for complaints pertaining to the project.</p> <p>There could be an assigned phone number at each of the construction sites for complaints.</p>	<p>ENR has specific phone lines [01274422925 – 0225753555 and a hotline (147)] through which beneficiaries -in general- can file complaints. Some beneficiaries also lodge their complaints through ENR’s website or directly to ENR’s premises. The received complaints are then routed to the respective departments for inspection, then ENR corresponds officially with the contractor to address them.</p> <p>A placard or a poster can be used at each of the construction sites to publicize phone numbers of ENR as well as an officer responsible for the construction site (from Thales and/or Systra), to make it easy for the affected persons to file their complaints and concerns.</p> <p>Developing a GRM by the Contractor was included as a mitigation measure in the ESMP. In addition, assessment and improvement of ENR’s existing GRM has been also included as a mitigation measure in the ESMP.</p>

⁹ However several interventions were technical and had no direct relation to the RPF or the ESIA, they were adequately addressed by ENR, to make the session more inclusive, as time allowed.



Subject	Intervention	Response
Compensation	Is there any type of compensation for damage?	There is generally a system within ENR whereby damages are avoided in the first place by using the land that belongs to ENR and giving priority to the land that is free of any occupation and uses. Compensating the damages will depend on the nature of damage, which will be assessed (including compensation where relevant) in more details when the exact locations of the project components are known. The right to submit a complaint will be guaranteed to all affected persons and a robust GRM system will be established for this purpose and disseminated to local communities.
Employment	What would be the destiny of the blocks and crossings' workers following implementation of the new electronic system [which might not be in need of all existing workforce]?	The operationalization will be electronic, yet the human factor will be indispensable. For example, however the crossings will be blocked automatically, the sentinels (guards) of the crossings will have to maintain their role, to ensure that nobody crosses the blockers (gates) when closed, in order to avoid any potential human misbehavior that may result in accidents. In addition, any surplus in the workers at some place, owing to the new electronic system, will be redistributed to the other places in need, and nobody will be laid off.
	Will the existing workers receive training on the new electronic system?	Before a signaling building enters into service, the contractor (Thales) will train all respective staff, who will be working for 3 different shifts all over the day, on the new system.



Subject	Intervention	Response
ESIA	<p>Did the project take development of a social and environmental plan into account during the construction phase?</p> <p>Does the plan also take waste management and noise pollution resulting from the traffic control signals into consideration?</p> <p>In an earlier period, upgrade of Girga railway bore negative health effects on people who were suffering from chest or respiratory diseases, due to the considerable amounts of dust.</p>	<p>The social and environmental assessment of the project impact is taken into consideration, and this consultation will feed into it.</p> <p>The environmental assessment, in particular, considers waste management and noise pollution resulting from the traffic signals as well as the train itself, in addition to other environment-related potential effects.</p>
Implementation supervision	<p>Who is supervising the project—World Bank or ENR—to ensure that implementation is done correctly?</p>	<p>Such World Bank-funded projects entail recruitment of an independent specialized entity to play the supervisory role. A competitive bidding had been triggered and SYSTRA [an international consulting/supervising company] was awarded the contract.</p>

Note: Annexes 2.1 and 2.2 can be accessed here (when running on Microsoft Word).



ANNEX 2.1 -
Consultation on ENI



ANNEX 2.2 -
Consultation on ENI