

**RP106**  
June 2002

**Republic of Lebanon  
The Council for Development and Reconstruction  
Municipalities of Tripoli Tyre, Baalbeck, Saida, Byblos**

**Cultural Heritage and Urban Development Project**

**RESETTLEMENT ACTION PLAN  
FOR  
KHAN EL ASKAR, TRIPOLI (PHASE 1)**

**DRAFT**

**14 June 2002**

**Note:** The World Bank and the Government of Lebanon may agree on modifications to this draft plan during appraisal.

**FILE COPY**

**Cultural Heritage and Urban Development Project**

**Resettlement Action Plan For Khan El Askar, Tripoli (Phase I)**

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## **Cultural Heritage and Urban Development Project**

### **Resettlement Action Plan For Khan El Askar, Tripoli (Phase I)**

#### **A. Project Description: CHUD Overview and in Tripoli**

1. **Project description:** Financed with a loan from the World Bank and implemented by the Council for Development and Reconstruction (CDR), Lebanon's Cultural Heritage and Urban Development Project (CHUD) will initiate a series of actions in the historic cores of Tripoli, Saida, Sour, Jbeil and Baalbeck. The aim of the CHUD project is to preserve the cultural heritage of the country through four principal components:

- (a) the conservation and management of archaeological sites with a view towards promoting tourism;
- (b) the rehabilitation of the historic centers and public spaces of the five cities;
- (c) the improvement of the urban infrastructure of areas surrounding the sites to benefit local communities and visitors; and
- (d) the strengthening of institutions responsible for managing and preserving cultural heritage sites.

2. The implementation of the CHUD project in Tripoli, which aims to address the environmental and urban degradation of the historic city, particularly public spaces, social and sanitary equipment, access nodes, the architectural and historic heritage as well as the general degradation of economic activity, includes four principal actions:

- (a) re-organization of traffic routes and parking areas,
- (b) rehabilitation of public spaces,
- (c) rehabilitation of building facades, and
- (d) the rehabilitation of existing monuments.

Specifically, the current project intends to rehabilitate the Khan El Askar, in the medina of Tripoli, as a cultural and artisanal exhibition center for regional products including workshop facilities for local craftsmen. Project activities include the rehabilitation of the khan, the construction of housing and commercial facilities for local residents and businesses as well as potential medium-sized or large retail activities that cannot be accommodated within the souk, the landscaping of a public square next to the mosque and the provision of parking for residents and visitors.

#### **B. Resettlement Implications of Tripoli Medina Rehabilitation**

3. While the first three components will not induce any population disturbance, the implementation of the fourth Tripoli action requires the resettlement of the current residents of Khan El Askar and some of the commercial activities on adjacent municipal land. This will entail the resettlement of up to 64 families or 324 individuals and the relocation of up to 78 commercial premises. The resettlement will be implemented in three phases, re-housing Phases I and II, and a third phase comprising the renovation of commercial premises. Exact numbers and resettlement conditions for Phase II and III are being determined. The present RAP covers only Phase I re-housing and associated commercial or non-residential uses.

4. This draft Resettlement Action Plan (RAP) describes Phase I of the project that will include the renovation and rehabilitation of part of Khan El Askar and the re-housing of 26 families, 12 small business enterprises and 24 warehouses from their present location in one section of the degraded historic building of khan. The khan has two separate courtyards, and the units listed above together comprise the northeastern half of the khan that faces the mosque and medina.<sup>1</sup> The affected population will move to new social housing to be constructed immediately nearby in a way that largely maintains the social fabric and community relations. The plan would permit the rehabilitation of the main section of the historic building as a visitors' center and a regional artisanal hub, thus contributing to the economic regeneration of the medina, whilst greatly improving the living conditions of some of the city's poorest inhabitants in a community that has been awaiting the fulfillment of an undertaking to rehouse them that was made close to 50 years ago.

5. **The objective of this Phase I RAP** is to provide current residents of Khan El Askar who will be moved with substantially improved living conditions whilst allowing the municipality to recuperate its property and transform it into an economically viable enterprise on a citywide scale.

6. The original settlement in the khan was emergency accommodation from the disastrous floods of 1958, and the population represents the remnant community for whom the municipality has long been unable to fulfill its undertaking of re-housing. This RAP therefore represents an opportunity for the municipality to fulfill, in a sensitive and socially responsible way, its unmet obligations to the flood refugees and their successors, while promoting economic regeneration of the area in which they live and work. Participatory urban regeneration has been discussed before with the population and some individual renovation projects have been undertaken. Given the multiple advantages and substantial resources of this project, the Tripoli municipality and CDR are confident that once fully disclosed, understood, and believed, this plan will gain the full support of the affected population and will respond to their long-held aspirations.

7. Phase II of the project, the re-housing of the remaining residents of the other half of the Khan, is not planned at this stage and would be dependent on acceptable alternative housing being located. Phase III, the renovation of the commercial premises, would involve temporary displacement of businesses to allow undertaking of works.

### **C. Project Alternatives and Mechanisms for Minimizing Resettlement**

8. **Alternatives.** Given the Khan El Askar's strategic location at the portal of the medina, the resettlement of the resident population of Khan el Askar is central to the medina rehabilitation and the establishment of a tourist circuit, and the only alternative would be not to implement the project at all. The corollary objective is to substantially improve the housing conditions of the residents.

9. **Minimization of disturbance.** The resettlement of the population of the project as a whole and of the khan has been kept to a minimum. Of the 61 commercial enterprises that are to be dealt with in Phase I, 23 that open onto the public thoroughfare will remain in place. Of the remaining 38 commercial premises that are to be moved to a nearby location, 24 are merely used for storage space or as warehouses and are not dependent on location or situation for the economic benefit to their tenants. Three units are vacant. The remaining 11 stores will be relocated from an interior situation to an improved nearby location that will give owners direct access onto the street (see Appendix IV).

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<sup>1</sup> Three additional residential units and three commercial units are closed and presumed empty.

10. The phasing of the project is also designed to ensure the smooth transition of the residents into their new homes. This proposed solution of rehousing in new social housing immediately adjacent will have a beneficial long-term impact on the resident population. It will bring a dramatic improvement to their living conditions, and will maintain old city community and neighborly links. By maintaining some of commercial tenants in place, disruption to their livelihoods are also minimized.

#### **D. Physical and Social Characteristics of Project Site**

11. **Location and historic context:** Khan al-Askar, also known as Khan al-Hareer (Caravanserai of Silk) or as Khan al-Asra (Caravanserai of Prisoners) is a building of potentially high historical, aesthetic and architectural value. It is strategically situated in the al-Zehrieh district on the outskirts of the historic core of Tripoli. The area serves as a critical juncture between the historic fabric and the rest of Tripoli. It is also one of the main access points across the river Abu Ali (see Appendixes I & II). Constructed in late 13<sup>th</sup>- early 14<sup>th</sup> centuries to house Mamluk troops, and historically part of the Mamluk city that extended across the river, the khan was subsequently restored by Ottoman authorities in the 18<sup>th</sup> century. The khan was severed from other parts of the historic urban core when the Abu Ali riverbed was realigned in 1958.

12. The area surrounding the khan is a low-income commercial zone that functions predominantly as a gateway between the southwestern and northwestern parts of the city. This role was further strengthened by the transformation of a large plot of municipal land facing the khan into a popular market for cheap clothes and second-hand goods as well as a huge parking lot and node for public transportation. A number of small shops and commercial ventures ranging from a butcher to a vendor of household products also occupy the privately-owned plots adjacent to the khan (see Appendix I).

13. The khan is owned by the municipality of Tripoli who after the Abu Ali floods of 1958 settled the original residents as natural disaster refugees, without formal security of tenure, as a temporary expedient until they could locate alternative permanent accommodation. They were never able to fulfill this undertaking. Over this period, the population of the khan changed as old residents departed and new ones came in. Today low-income families who cannot afford to live in the city occupy the khan. Some descendants of the original families also continue to live there. For almost 50 years, all hopes and prospects of their being located to appropriate permanent accommodation have consistently been disappointed. However, as shown below, the right to be resettled is still treated by the residents as a value and is bought and sold.

14. Initial plans in the 1960s to relocate the khan residents to a low income housing project in the Mankoubin area in Tripoli constructed for the purpose did not materialize owing to the political upheavals of the time. The Lebanese government had decided to construct low-income popular housing in the Baddawi region where Palestinian refugees had already been placed. The built structure had been squatted during the political disturbances of 1958 and government did not subsequently intervene.

15. More recently attempts to relocate the residents to a new housing project being constructed by the Fund for the Displaced also failed. Since the residents had not been displaced by war but by natural disaster, they were considered ineligible to benefit from the project.

16. Thus, the present project provides the first viable opportunity for many years to secure the hoped-for improvement in the living conditions of the tenants, and represents an opportunity for the municipality to restore its credibility in this respect.

17. **Physical condition:** Today, Khan El Askar is one of Tripoli's largest covered spaces, occupying around 5200 m<sup>2</sup>. It is surrounded by severely dilapidated privately owned structures to the north and west, the 19<sup>th</sup> century Church of St. George to the south and the 14<sup>th</sup> century al-Tawbah mosque and public square to the east. The exterior façade of the khan is pierced with stores that carry all sorts of popular goods.

18. The khan was never intended or designed for modern or domestic residential use. Consequently residents live in physically deplorable conditions that lack proper sanitary facilities or infrastructure not to mention appropriate water and electrical supplies. More critically, there are high levels of overcrowding. Families of an average size of 7 occupy rooms that are 12 m<sup>2</sup> in size, and in some instances families of 13 persons live in 24 m<sup>2</sup> comprising a sleeping/living area with a small kitchenette, bathroom, and minimal ventilation. Over the years the residents have gradually transformed the interior of the khan through haphazard additions. Bathrooms have been created with concrete blocks in the once-open arcade. These structures are extremely dilapidated and form and environmental and safety hazard to residents (Appendix I). In addition six rooms in the Khan are empty. These are believed to be some form of "investment" undertaken by individuals in the hope of acquiring the "right" to any form of compensation that is eventually conceded to the residents of the Khan.

#### **E. Socio-Economic Profile**

19. Various sources of information were used to compile the socioeconomic profile of the current occupants of the khan. These include the stakeholder and social analysis, undertaken in Phase I of the CHUD project for the five cities of Tripoli, Saida, Jbeil, Baalbek, and Sour as well as information provided by key informants, and the many visits by World Bank staff. More recently a series of rapid appraisal interviews were conducted with the residents of the Khan. The municipality also undertook the latest census of khan residents on May 14, 2002. This is considered the definitive nominative list of all those entitled to compensation from the resettlement program.

20. **Current occupants:** Today 64 families or around 324 individuals live in the khan, of whom 47 are from the immediate vicinity of the old city, 13 are rural migrants and four external or unknown. Of the original inhabitants, around 25 families or their descendants remain in the khan. There are also 78 commercial enterprises that range between stores and warehouses (see Tables 1&2 for Phase I).

21. **Characteristics of resident households:** Family size averages around 7 persons per household. It ranges between a nuclear family of four to a maximum of 13. The larger families sometimes include a member of the extended family. Forty percent of the families (25 families) have a household size of 2-4 members; 44 percent (27 families) have 5-7 members per household while the remaining 16 percent (11 families) have 8-13 members per household.

22. Most families inhabit a 12 m<sup>2</sup> room, subdivided into a living and sleeping area with a small kitchen space. Even though no longer very common, some families share bathroom facilities. The absence of a proper physical infrastructure means that wastewater often drains into the rooms. Humidity and moisture levels are high and no drinking water supply exists (see Appendix I).

However, electrical installations have been made and some residents pay electrical bills. All the residents are under an obligation to pay a 2% municipal tax, although most do not do so.

23. Most residents of the Khan are blue-collar workers employed in the formal sector as municipal workers for example, or in the informal sector selling second-hand shoes, pastries or coffee sellers, or working as private drivers. Unemployment is also common.

24. Illiteracy levels are high especially amongst the older generation. Most of the children who are not working attend local public schools. There is some evidence of child workers who are made to quit school so as to bring additional income into the families. Monthly income levels per family average about LL 300,000 (\$200).

25. **Commercial occupancy:** There are also 78 commercial properties with uses that range from a 3 m<sup>2</sup> of space used by a coal seller up to a large warehouses of 42 m<sup>2</sup> and one shop of 150 m<sup>2</sup> that sells household goods. Most commercial tenants use the premises as warehouse space to store a variety of products such as shoes, clothes or household products. There are 29 warehouses that range in size from 3 m<sup>2</sup> to 150 m<sup>2</sup>. Many of those with warehouses have stores in the souks of the old city and thus derive no direct income from the warehouse itself. Most of the other commercial ventures are easily transportable to other locations.

26. Most of the commercial tenants live in the adjacent neighborhoods of Abu Samra or Qobbeh. The rest live either in the immediate vicinity of the khan either in al Tarbiaa area in which the khan is located or on the adjacent *Rue de l'église*. Eleven members also claim that they live in the khan itself. The relocation of their businesses to improved quarters within the same area is unlikely to cause any inconvenience, but rather to constitute an advantage.

27. **Vulnerable groups:** The most vulnerable section of this population are the widows some of whom currently survive on philanthropy. With support from the municipality special measures will be taken to ensure their protection and continued support by local charities.

28. **Land Ownership:** The khan itself is owned by the municipality while surrounding land and/or structures are either privately owned or belong to the Waqf. The municipality also possesses the major plot of land opposite the khan where it is proposed to construct the social housing required for Phase I (see Appendix II & III).

29. The ambiguous legal status of the residents, their general poverty and lack of voice, and the constant threat of eviction from the khan makes them vulnerable. The khan today acts as an informal housing market for families and individuals that cannot afford to live in the old city. Tenancy relations are governed by a series of formally recognized procedures. Newcomers interested in living in the khan pay a set fee averaging \$3,000 to any current inhabitant willing to cede his or her "rights" to the room they currently reside in as well as any possible future compensation by the government or municipality. This expectation is based on the fact that the authorities were supposed to provide flood victims with alternative housing. This transfer is based on the notion of an "acquired" right common amongst property owners who are threatened with changing zoning laws, and is done by local binding agreement conducted, witnessed and signed by a public notary.

30. **Community interaction:** Social interactions among khan residents are highly varied. On the surface no official mechanisms seem to exist to regulate communal affairs. Currently no NGO or other formal or informal institutions are operating in or around the khan. Most organizational “activity” seems to occur in and around election time when competing MPs lobby local residents for their votes. While the original inhabitants of the khan had to contend with shared bathrooms and other facilities, families have become increasingly isolated from each other as individual families progressively constructed their own private facilities in areas adjoining their rooms. Some are members of the same extended family, as patterns of movement to the khan seem to be dominated by two major factors: the existence of immediate family members originally relocated to the khan; or association with current residents of the khan. Thus, members of the same family or neighbors from their areas of origin tend to occupy adjacent areas in the khan. It is important that the project sustain these community links in the resettlement process.

31. At the same time the khan “community” should not be idealized. Given the residents’ diverse backgrounds, different life trajectories and differing lengths of residence in the khan, relations between them are not always harmonious. Conflicts between the residents, both males and females were reported, including occasional acts of violence. Conflict resolution amongst residents of the khan is primarily a “local” affair. They are most reluctant to call the police to resolve local disputes, and many residents believe the local police are reluctant to get involved in the affairs of the khan. One individual, an original inhabitant of the khan whose family was affected by the floods but who has since moved out acts as liaison through a large “office” space that he maintains on the ground floor of the khan. Accordingly he has prime access to the residents and seems to be the best informed in community matters.

32. Public infrastructure and social services will not be affected by the proposed works..

#### **F. Institutional and Legal Framework**

33. **Institutional framework:** Responsibility for implementation of this RAP, and all liaison with the affected population, rests with the Municipality of Tripoli. The Council for Development and Reconstruction, being responsible for project execution, will monitor the implementation of the RAP and ensure its consistency with the overarching Resettlement Policy Framework acceptable to the Bank.<sup>2</sup>

34. Since there is no existing organization of residents, the Municipality will establish a Resettlement Committee comprising two municipal councilors, a number of representative members of the Khan El Askar community, and a qualified social scientist employed by the Municipality. The role of this committee will be to handle the resettlement of the population in a smooth a manner as possible and to address any appeals or problems that might emerge in the process. This committee will advise the municipality on all resettlement issues, and will act as liaison between the khan residents and the municipal authorities. They will resolve differences and complaints to the extent possible, and refer formal appeals (benefits, rents, allocation of housing units etc) to the Municipal Board for final decision.

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<sup>2</sup> This separate document is submitted by CDR to the Bank as a condition of project appraisal, confirmed or modified during appraisal, and agreed during negotiations.

## G. Nature of Benefits and Eligibility for Benefits

35. **Nature of benefits.** The municipality is committed to resettling the residents of the khan in alternative social (low-rental) housing under secure and formal tenancy agreements. The basic principles of their proposal are that:

- (a) The municipality will retain ownership of the housing units;
- (b) The municipality will assist each family to relocate to the new unit;
- (c) Each eligible family will be given an apartment commensurate with family size; individuals living alone will be allocated a studio of 20 m<sup>2</sup>; families of 2-5 members will be assigned a unit of 60 m<sup>2</sup>; families of 6-8 will be assigned 80 m<sup>2</sup> units; 9-12 member, 100 m<sup>2</sup>, and those with 13 members and more will be allocated 120 m<sup>2</sup> units (this design proposal is subject to actual architectural and construction design once the site selection is confirmed, survey done and project design finalized);
- (d) Affordable rentals will be fixed in a fair and just manner according to apartment size and situation, taking into account existing household income levels, so as to ensure no hardship to the individual families;<sup>3</sup> and
- (e) For identified destitute families, the municipality will provide cross-subsidized rent-free accommodation coupled with social protection assistance arranged through local organizations.

36. The exact terms for occupying these apartments would be finalized in consultation with the families themselves once design is finalized and construction is begun (the point being that residents will be more willing to discuss conditions when there is something visible, not just more plans and promises). The allocation of residential units cannot follow the size of current residence since families of greatly diverging sizes live in equivalent units.

37. Commercial units would follow a different principle. Storerooms and warehouses would be relocated to refurbished rented municipal storehouses across the street. All new warehouses would be of a standard size; commercial premises would range from 10-15 m<sup>2</sup> depending on current use and the size of the current premises which ranges from 3 m<sup>2</sup> - 20 m<sup>2</sup>.

38. **Criteria for eligibility:** All current residents and tenants of the khan Phase I area, who have been identified in the latest census conducted by the municipality, and who are to be resettled, will be entitled to the residential and commercial benefits described above. The official record of this census is in the possession of the Municipality of Tripoli and will be made available to the Bank.

39. **Alternative Benefit Sources.** Two alternative sources of benefits and methods of resettlement were considered and found inapplicable:

- (a) **Displaced Peoples' Fund.** The precedent for humanitarian or charitable population resettlement in Lebanon was established by the Displaced People's Fund, which addresses the needs of populations displaced from their homes during 15 years of civil war. Until recently this aid was in the form of funds to rehabilitate war-damaged homes, or direct financial compensation for reconstruction. In the first case beneficiaries received LL 18 million (\$US12,000) in two phases for homes of 150 m<sup>2</sup> or more, or

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<sup>3</sup> An indicative figure is 10 – 15 percent of current household income

LL12 million (US\$8,000) homes under 150 m<sup>2</sup>. In the latter case, residents were paid LL30 million (US\$20,000), also in two phases for the reconstruction of homes larger than 150 m<sup>2</sup> and LL20 million (US\$13, 333) for smaller structures. In addition, war-displaced people who happen to be squatters are also entitled to other state aid, which includes financial compensation through the Displaced People's Fund equivalent to 12-18 months rent, as well as coverage of relocation costs and other services.

*This option was not available for the Khan resettlement: the Municipality of Tripoli approached the Displaced Peoples Fund for support, and the Fund determined that the victims of floods were not eligible for their assistance.*

- (b) **Formal expropriation.** Expropriation commissions under the Lebanese law of expropriation award compensation to owners based on the market price per square meter and to tenants according to yearly income, rental and length of tenancy.

*This option is not appropriate because the Municipality of Tripoli already owns the structure, so no legal expropriation will take place. Residents of the Khan are tenants-at-will of the municipality, and having only informal tenure status would not qualify for compensation under the operational procedures and criteria of the Expropriation Commission.*

## H. Resettlement Measures

40. **Site selection, site preparation and relocation:** Under the project, the Municipality will relocate 26 families from their present situation in the northeastern block of the Khan into a new housing and commercial complex that it will construct on municipal land almost directly across the street (see Appendix IV). The municipality will also rehabilitate into suitable state an existing disused warehousing/storage facility on the same plot. No disturbance of residents will take place until the alternative accommodation is ready for occupation.

41. **Residential relocation:** The new housing would be designed with at least 26 units of different sizes to accommodate different family requirements: single residents (2 units); families of 2-5 persons (12 units); families of 6-8 persons (9 units); and families of 9-12 persons (3 units).

42. **Commercial relocation:**

- (a) The Municipality will relocate 11 commercial microenterprises that depend on their clientele, into ground floor commercial units in the new housing unit that enjoy direct street access (improved situation);
- (b) The Municipality will relocate 24 storage and warehouse units into the rehabilitated municipal storage area across the street; and
- (c) The Municipality will relocate 2 environmentally polluting enterprises (2 leather dye works) whose existence is incompatible with the residential and commercial character of the area to new exterior sites to be selected by the municipality in consultation with environmental experts;
- (d) Twenty four commercial units situated on the exterior side of the Khan will remain in place (premises to be refurbished in Phase III).

43. **Community Consultation** This project is a result of a long series of consultations, site visits and surveys that have taken place over the past two years between World Bank staff (including a Bank social scientist), the CDR, the Municipality of Tripoli, local residents and other stakeholders. Over this time, different potential locations to resettle the population in improved living

environments have been considered, taking into account their needs, the institutional framework and the capacities of local actors.

44. During a recent Bank visit, the various options for resettling the population were discussed within the wider framework of the new master plan for the city of Tripoli, as well as the more localized CHUD interventions in the old city. It was agreed that the municipality would relocate these residents to a low-income housing project constructed specifically for this purpose, to be financed partially by the Bank.

45. In order to avoid raising premature expectations among potential beneficiaries, the projected construction of social housing has not yet been revealed to them. Residents are aware something is afoot, and have been given general reassurances that they will not be dispossessed of their homes, but they are in some uncertainty about what is being planned.

46. Following the project launch and approval of pre-feasibility studies, the following actions will be undertaken:

- (a) The Municipality will constitute the Resettlement Committee with representative resident membership;
- (b) The Municipality will prepare a short pamphlet in Arabic outlining the details of the Medina upgrading project and the phased rehousing of the khan residents;
- (c) The Mayor will convene a meeting with the residents and the Committee, and present the project, the pamphlet and the procedures for further detailed consultations with khan residents on the specifications of the new flats, the allocation mechanism, rental levels, the process of the move, measures to minimize inconveniences and the process of handling of complaints and appeals.

47. A series of town meetings has begun in the municipality of Tripoli to present the CHUD project in general and as it applies to the city, and to address its overall environmental impacts, and will be continued to deal with other social and economic impacts.

48. No issue arises regarding integration with host populations as resettlement is taking place within the same communal space.

## **I. Monitoring Arrangements**

49. The municipality has conducted a detailed census (para. 19) which will be the basis for monitoring the resettlement impacts. The Municipality will provide periodic reports to CDR; it will record the allocation of housing and other premises systematically according to this plan and the census; it will make available to CDR the records of the resettlement monitoring committee, and the disposition of complaints and appeals. CDR will provide regular updates to the Bank as part of its reporting schedule, and will promptly advise the Bank of any significant deviation from the provisions of this plan. CDR will make the records available to the Bank for purposes of project supervision.

**J. Timetable**

50. The RAP will be implemented according to the following timeline:

Action	Agency	Expected Completion Date
Approval of Loan	World Bank	Dec. 2002
Ratification of Loan	Lebanese Council of Ministers and Parliament	April 2003
Preparation of Bidding and Tender document	CDR	June 2003
Launch of Tender Procedure	CDR	June 2003
Verification of Budget	CDR/ Tripoli Municipality	June 2003
Work Commences on Phase I	CDR/Tripoli Municipality	Sept. 2003
Resettlement of residents and commercial users		

**K. Budget**

51. The rehousing unit is estimated to cost US \$ xxxxxx . Of this 80% would be financed through the World Bank and 20% through the municipality. Construction was calculated at US\$150/m<sup>2</sup> for residential structures and \$75/ m<sup>2</sup> for commercial structures. Residential unit areas will range from 20-120m<sup>2</sup>.

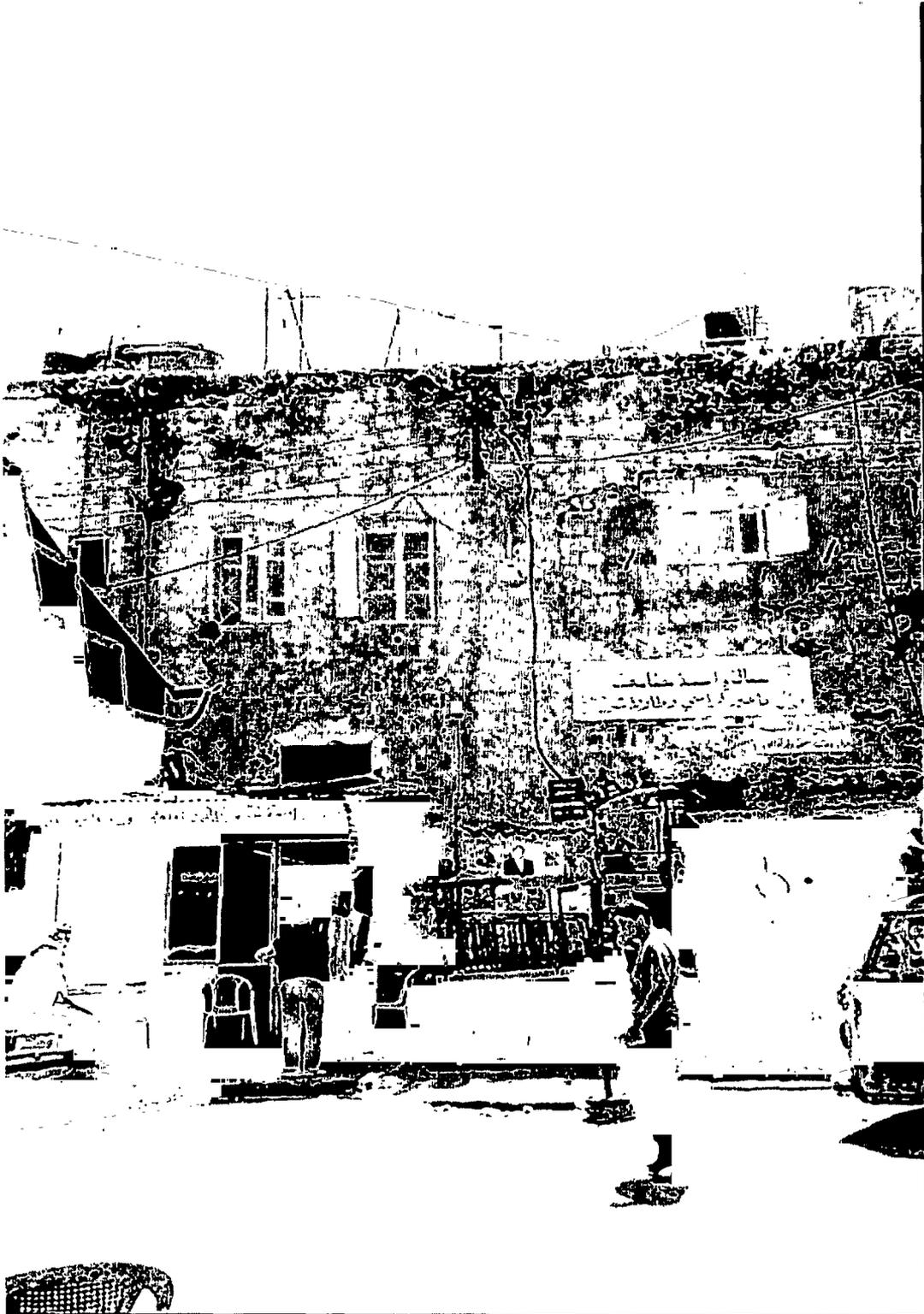
**Annex I: Visual documentation of Khan and surroundings**



**Khan El Askar in its urban context**



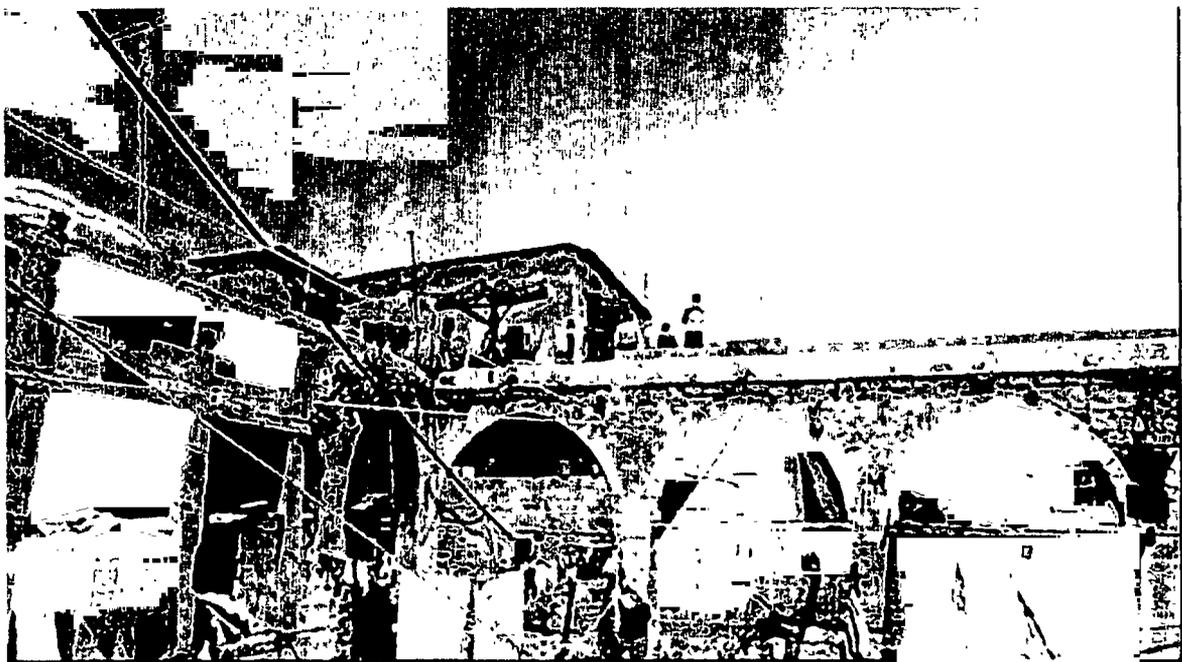
**Al Tawbah mosque to the left**



Commercial uses around the exterior of the Khan



**Interior Courtyard of the Khan (north-eastern section, Resettlement Phase I)**



**Bathrooms added by the residents on the second floor arcade**

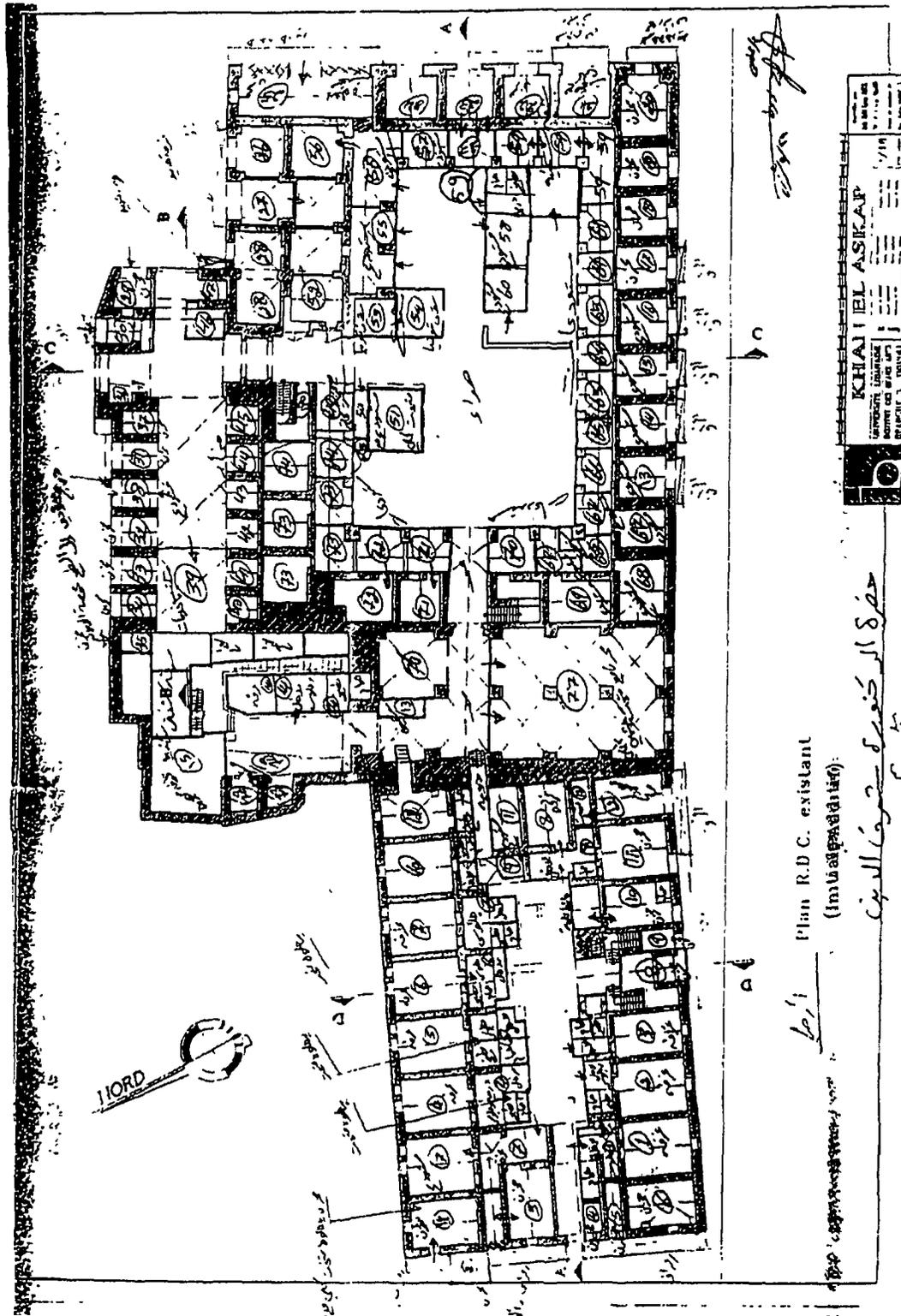


Arcade with residential units



Residential units on rooftop

## **Annex II: Sketch Plan of the Khan**



Plan R.D.C. existant  
(Immeuble existant)

حرفة الكنوزة - حرف الدين  
معمل سوا جوا

KHAI EL ASIKAP	
UNIVERSITE LIBANAISE	1/10
BOULEVARD DE LA REPUBLIQUE	
BEIRUT	

**Annex III: Map of property ownership of the Khan and surroundings**

[Insert color photocopy, ?? Tabet et Debs Scénario Stratégique\_ ]

Lebanon CHUD RAP Annex IV

Annex IV: Phase I of Khan el Askar resettlement

Khan el Askar Resettlement. Families to be relocated in Phase I of the project from the first floor								
Residential Unit No.	Job	No. of Children	Total Family	Monthly income of children	Working children	Children In school	Monthly income / head of family	Comments
22	Free-lancer	4	6	100 000	1	2	200 000	
28	Carpenter	5	7	200 000	2	3	600 000	
29	Free laborer	2	4			1	300 000	
30	Unemployed	2	4					
31	Washer	2	4			1	150 000	
32	Unemployed	2	4					
33	Municipal worker	4	6			4	600 000	
34	Widow/no direct income	0	1					
35	Widow/employed	0	1				300 000	
36	Office of Social Work	4	6			3	500 000	
37	[closed, presumed empty]							
38	Unemployed		2					Widow and sister-
39	Fruit juice seller	2	5				300 000	Brother lives with him
40	[closed, presumed empty]							
41	[closed, presumed empty]							
42	Unemployed	5	9				250 000	Marrned daughter and her husband live with him. Enare family is unemployed
43	Unemployed	1	3	250 000	1			Depends of the income of his child
44	Porter	5	7			2	200 000	
45	Street vendor	3	5				200 000	
46	Free laborer	1 (brother)	2	300 000	1		200 000	
47	Lorry driver	6	8			6	300 000	
48	Street vendor	4	7					Unemployed brother lives with him
49	Taxi driver	4	7			3	300 000	Mother lives with him
50	Office worker	5	7			3	350 000	
51	Widow/ relies on children	4	5	400 000	2			
52	Unemployed		2					
53	Coffee vendor	2	4			1	200 000	
54	Municipal worker	7	9			3	200 000	
Khan el Askar Resettlement: Families to be relocated in Phase I of the project from the ground floor								
59	Shoe repair	5	9	250 00		3		Unit listed as a warehouse His mother and divorced sister live with the family

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Khan el Askar: Stores in Phase I that open to the interior of the Khan					
35	Warehouse	12	Abou Samra	300 000	
36	Bag repair	3		200 000	
37	Warehouse	12		500 000	
38	Warehouse	12	Kobbe	300 000	
39	Office	30	Abou Samra		
40	Office	3	Abou Samra		
41	Warehouse	9		500 000	
42	Closed	9			
43	Warehouse	9	Tebbane	400 000	
44	Warehouse	9	Zahryya	300 000	
45	Closed				
46	Grocery	9	Khan el-Askar	200 000	
48	Warehouse	6	Khan el-Askar	300 000	
49	Warehouse	6	Abou Samra	300 000	
50	Warehouse	3	Abou Samra	300 000	
51	Warehouse	20	Abou Samra	300 000	
52	Soft drinks vendor	14	Khan el-Askar	300 000	
53	Warehouse	12	Khan el-Askar		
54	Shoe repair	12	Khan el-Askar	250 000	
55	Closed				
56	Upholsterer	40	Abou Samra	400 000	
57	Warehouse	12	Dahr el-Moghr		
58	Warehouse	16	Khan el-Askar	250 000	
59	used as a home	55	Khan el-Askar	250 000	
60	Warehouse	25	Khan el-Askar		
61	Warehouse	10	Azmi Str	1 000 000	
62	Warehouse	10	Abou Samra	300 000	
63	Leather dye	10	Kobbe	200 000	Environmentally unacceptable in residential area
64	Shoe repair	10	Khan el Askar	250 000	
65	Sanitary equipment	20	Kobbe	300 000	
66	Warehouse	10	Abou Samra	400 000	
67	Household Products	30	Zahryya	300 000	
68	Warehouse	35	Mounla	600 000	
69	Warehouse	30	Abou Samra	600 000	
71	Warehouse	28	Mounla	300 000	
72	Warehouse	28	Abou Samra	1 000 000	
73	Warehouse	60	Abou Samra	500 000	
74	Warehouse	30	Kobbe	300 000	
75	Warehouse	2	Terbiha	200 000	
Khan el Askar: Stores in Phase I that open out onto the street (for Renovation in Phase III)					
Commercial Units	Occupation	Store area	Area of Residence	Monthly Income	Comments
13	Shoe warehouse	12	Abou Samra	400 000	
14	Furniture warehouse	12	Zahryya	500 000	
15	Closed				
16	Arabic desert				Store closed
17	Hommos & foul vendor	12	Facing Khan	200 000	
18	Leather dye	12	Kobbe	300 000	Environmentally unacceptable in residential area
19	Barber	12	Zahryya	200 000	
20	Closed				
21	Watch repair	12	Kobbe	200 000	
22	Closed				
23	Sponge vendor	30	Zghartha	300 000	A section of this store extends through the wall of the khan into the inner courtyard
24	Grocery	12	Abou Samra	400 000	
25	Household Products	42	Abou Samra	600 000	
26	Sponge vendor	12	Abou Samra	300 000	
27	Hunting Equipment vendor	20	Kobbe	1 000 000	
28	Shoes & sports clothes vendor	30	Kobbe	400 000	A section of this store extends through the wall of the khan into the inner courtyard
29	Barber	8	Zahryya	300 000	
30	Shoes	8			Closed
31	Plastic vendor	8	Kanayes Str	300 000	
32	Upholsterer	12	Terbiha	300 000	
33	Upholsterer	12	Hourye Str	300 000	
34	Warehouse	12	Abou Samra	300 000	
47	Barber	3	Zahryya	200 000	

**Lebanese Republic**  
**Cultural Heritage and Urban Development Project**  
**Resettlement Policy Framework**  
(Draft – June 14, 2002)

**A. INTRODUCTION**

1. This Resettlement Policy Framework (RPF) lays out the resettlement principles, organizational arrangements and design criteria for subprojects that the Government of Lebanon will apply during the implementation of Lebanon's Cultural Heritage and Urban Development Project (CHUD) with financial support from the World Bank. This framework applies to any aspect of the project that require expropriation of private land or assets in the public interest, or that requires the involuntary removal of residences or economic activities. Based on Lebanon's law of expropriation, it describes how the Government of Lebanon will identify, mitigate and compensate any adverse impacts on the assets and livelihoods of the people directly affected by such expropriations. It has been drafted in the context of the preparatory phase of the CHUD and may be revised during project appraisal.

2. The object of the RPF is to ensure that throughout its life, the project fully complies with the principle that any negative impact associated with involuntary loss of assets or relocation of economic activities or residence is minimized and that appropriate protection is provided to the interests of the poor, vulnerable and those without legal title. It lays out the procedures for prior consultation with all affected persons<sup>1</sup>, the assessment of losses and entitlements, handling complaints and disputes, and monitoring the outcomes. Finally, it describes the mechanisms to ensure that that outcomes conform to the principles of full and prior compensation for any lost assets and full restoration of standards of living that are directly and adversely affected.

3. In a decentralized project of this nature, the numbers and locations of persons to be displaced and the arrangements for their relocation cannot be determined at this time. The RPF is therefore the instrument that sets out procedures for screening subprojects and where so required, guides the preparation of individual site-specific Resettlement Action Plans (RAPs) or abbreviated RAPs acceptable to the Bank that CDR will submit as and when the project conditions so require. The policy framework guides the degree of detail required and the process for the preparation, approval, implementation, monitoring and evaluation of the RAPs. The RPF will thus ensure that the project fully complies with the Bank's safeguard policy on involuntary resettlement (OP 4.12).

4. The application of the RPF is the responsibility of the Council for Development and Reconstruction (CDR) which will ensure that participating institutions, including the municipalities, the Directorate General of Urban Planning and the Department of Antiquities are adequately informed and equipped. CDR will monitor and report on the progress of the involuntary resettlement activities. CDR's specific role will be specified in the Project Implementation Plan and the Legal Agreement.

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<sup>1</sup> For the purposes of this framework, "affected persons" are defined as all persons who, as a result of works carried out or to be carried out under the Project, would incur involuntary loss, temporarily or permanently, of land, shelter, productive assets or access to productive assets, or of income or means of livelihood and, as a consequence, would have their living standards or production levels adversely affected

<sup>2</sup> This policy complies with the Bank's safeguards requirements for financing investment projects as detailed in Operational Policy 4 12.

## B. PROJECT OBJECTIVES AND DESCRIPTION

5. The Lebanon CHUD Project aims to improve the conservation of Lebanon's material cultural heritage and to enhance its contribution to local development and urban life. The project has four main components located in the five cities of Baalbeck, Byblos, Saida, Tripoli and Tyre: (i) the conservation and management of archeological sites, especially the World Heritage sites of Baalbeck, Tyre and Byblos (ii) the rehabilitation of historic city centers, including substantially rehabilitating the medinas of Tripoli, Tyre and Saida (iii) the improvement of urban infrastructure and (iv) the strengthening of institutions, i.e., the Ministry of Culture, Ministry of Tourism, municipal management of historic city centers and the CDR. In implementing the project, the CDR will closely coordinate with the Ministry of Culture, the Directorate General of Archeology (DGA), the Directorate General of Urban Planning (DGU).

6. The project has the potential to bring substantial socioeconomic benefits to Lebanese society as a whole, to the municipalities concerned, and in particular to the poor populations living in these municipalities. A detailed socioeconomic survey and stakeholder analysis have been prepared for the five cities. While every effort has been made to minimize displacement and to upgrade the areas with the populations *in situ*, some displacement cannot be avoided, especially where the integrity of the site or technical requirements apply. In particular, interventions to improve urban infrastructure and those to rehabilitate historic city centers, especially that of housing clusters and public spaces, may require involuntary resettlement of people and businesses or their temporary displacement. These are almost all small in scale, and all will be dealt with as development interventions.

7. The following subprojects will or may require involuntary resettlement:

- (a) Rehabilitation of the medinas of Tripoli, Tyre and Saida (especially the rehabilitation of public spaces and housing clusters, such as the Khan Al-Askar)
- (b) Urban infrastructure improvements to manage vehicular access to historic centers, construction of parking and commercial facilities in Baalbeck, Byblos, Saida, Tripoli and Tyre;
- (c) The archeological site renovation in Tyre includes the removal and relocation of an illegal construction that is infringing on the site

8. In the case of Tripoli medina, the rehabilitation of the Khan El Askar will require involuntary settlement of up to 60 families. The municipality gave to families who lost their homes in the disastrous 1958 Abu Ali floods temporary shelter in the Khan pending provision of permanent replacement housing, which it never managed to secure. The project provides the municipality with means to fulfill its long standing intention to rehouse the very poor families and businesses in modern affordable social housing immediately nearby, in place of their currently dilapidated and inappropriate lodgings. This will enable the Khan, a building of considerable historical value and intrinsic aesthetic worth, to be converted into a local visitor and commercial center as part of the economic and physical rehabilitation of the medina. Phase I of this sub-project is described in a RAP prepared concurrently with this policy framework.

9. With one possible exception, all other resettlement under this project are expected to be much smaller in scale than that in Tripoli. They would be required for technical reasons of planning or infrastructural design, or during the renovation of public buildings.

## C. INSTITUTIONAL AND LEGAL FRAMEWORK

10. Lebanon's legislation provides the legal framework for the implementation of the entire CHUD project and its related sub-projects. It provides for expropriation only by due legal process and after compensation has been paid for all tangible losses of property and economic prejudice at current market rates or better; and it provides for a mechanism of appeal and review. The principal legal and institutional arrangements are as follows:

11. **Expropriation:** Lebanese law protects the right of private property, including land. Law No. 58 enacted in 1991 authorizes the expropriation of private property in the public interest but only after fair compensation has been made. The compensation is determined through an assessment by an independent judicial committee and is always a monetary award, comprising two components: (i) indemnification of damage or loss to improvements (buildings, trees, fences etc) and (ii) compensation for the value of the land. Under Lebanese Law, the expropriation is considered final unless the public interest claim is itself challenged by an individual directly affected (an association, municipality, NGO etc does not have the right to appeal).

12. There are detailed procedures for expropriation (Fig. 1). A decree is published in the *Journal Officiel* (Government Official Gazette) announcing and authorizing the expropriation with a timeline which should not exceed 8 years from the publication of the announcement. Annexed to the decree are the following: a) a sketch of the entire project area proposed; b) a detailed plan of the properties to be expropriated; c) a list showing the registration numbers of each property, its location, the names of all the owners and right holders in the Land Registry; and d) a detailed list of the immovable contents of the property as well as a detailed plan of buildings constructed prior to the date of the decree's publication. The complete document is made available for public access at the government offices. In addition, these documents are posted at the municipalities where the properties to be expropriated are located.

13. **Compensation:** Compensation is determined by an Expropriation Commission set up by a decree in accordance with proposals from the relevant ministers for each Mouhafaza. The members of the commission consist of (i) a chairperson (a judge or a magistrate of at least the 10<sup>th</sup> degree) (ii) an engineer and (iii) a property valuator. The higher appeals level of commission consists of a chairperson (a magistrate of at least the 6<sup>th</sup> degree) (ii) an engineer and (iii) an expert in land law and valuation. Each commission is assigned alternates for each of its members, as well as a clerk and a messenger.

14. The Expropriation Commission determines all compensation for any economic prejudice arising from expropriation, decides on requests by owners for total expropriation and full compensation, determines the value of small portions of land which cannot be used for building and resolves disputes over the division of compensation between shareholders. Its awards are always based on prevailing local market rates.

15. The Expropriating Agencies for the CHUD will be the Directorate-General of Antiquities (DGA) and the five municipalities concerned, with the support of the CDR. These are represented before the commissions by legally qualified representatives, and individual landowners may either represent themselves or be represented by a lawyer. The primary role of the Expropriation Unit at the CDR in relation to this project will be to provide technical assistance to the expropriating agencies, to ensure that they undertake their tasks in accordance with the law of Lebanon and the provisions of this policy, and to monitor and evaluate the outcomes.

16. *Land Tenure:* In Lebanon there is generally little contestation over ownership, legal rights or boundaries of land because plots are generally well surveyed and title is recorded at an administrative service based in the Ministry of Finance (with the exception of areas affected by uncontrolled movement and settlement due to the civil war). The survey unit also maintains cadastral maps that are regularly updated. Since land ownership is recorded in shares, along with all those who ever held title to it, the exact value of any transaction for an individual owner can be determined. In addition, land laws in Lebanon are gender neutral. However, the situation with regard to historic urban cores is much less clear, with informal land subdivisions not represented in the cadastre, and complex vertical layers that do not always correspond to horizontal boundaries. These features reinforce the need in this project to conduct careful and detailed empirical research in the affected areas, consultation, and to tailor the project actions to the social realities on the ground.

17. *Tenancy Laws:* A new rent law enacted in 1991 relaxed rent control and gave the landlord the right to repossess the property at the end of the contract. Rent laws prior to 1992, however, permitted tenants automatically to renew their contracts and capped rent increases. Moreover, tenants could sublease the property to third parties with only minor increases in the rent at the signing of each new contract. As a result, rent contracts signed after 1991 favor the landlord and those signed previously favor the tenant. Where expropriation causes loss of tenancy, expropriation commissions divide their awards between landlords and tenants according to the economic value of the tenancy, enabling tenants to secure alternative housing by rental or down payment against purchase. (See also Section H below on Monitoring and Evaluation).

18. *Antiquities Laws:* According to the Antiquities Law of 1933 historic monuments, even those on the General Inventory List, can be either publicly or privately owned. Although archaeological finds are considered state property, the parcels on which archaeological discoveries are made can remain the property of private individuals or institutions. Under this law, private property owners of listed historical buildings are responsible for the repair and maintenance of the structure. The discovery of important archaeological remains could also lead to the expropriation of private property or to limitations on its use. If a building is placed on the list of classified monuments, the owner receives no compensation for the freezing of development rights. However, if the listing is erroneous the owner may eventually be compensated.

19. *Maritime Public Domain.* Lebanese Law provides that the entire intertidal shore is public domain. This law has not been fully enforced. In some places, such as at Tyre, a small number of semi-permanent informal business structures have been erected that are inconsistent with the World Heritage character of the site. The owners will be assisted to relocate their businesses to a more suitable site.

20. Lebanese law is fully consistent with the principles of the Bank's OP/BP 4.12 on involuntary resettlement and provides for legal process: i) expropriation is effected after compensation has been determined ii) prior warning and public disclosure is made iii) full judicial compensation is independently awarded and iv) citizens have the right to appeal. There are however, several sequencing features of Lebanese procedures which are commonly encountered in many countries that differ slightly from what the Bank documents anticipate. Expropriation is initiated by a ministerial decree and signed by the President with no prior public debate. However, informal public consultations may precede the decree and this has been the case in medinas and detailed specificity about expropriations would not be appropriate to Lebanese conditions. The compensation levels made through an independent

judicial process are situation specific and cannot be known at the time of the RAP but may in some cases be estimated on the basis of known precedent.

21. The Lebanese law of expropriation only compensates those with legal rights. However, mechanisms exist that protect various forms of customary rights made on a case by case basis to the expropriation commission. In practice, since squatters cannot be evicted without an order from the governor, resettlement is most often done through amicable negotiation, by agreeing on a level of compensation or inducement that will encourage voluntary departure. Widespread displacement of people during the civil war led to a proliferation of squatting between 1975 and 1991. As part of the reconciliation process a Displaced Peoples Fund (DPF) was established to encourage squatters to return to their villages. However, since many did not wish to return to their respective villages, the DPF provides them with financial support to relocate wherever they choose. This project will follow Lebanese practice of humane treatment and amicable resolution of cases to avoid hardship where poor residents lack formal legal rights.

#### **D. PLANNING PROCEDURES AND IDENTIFICATION OF IMPACTS**

22. When a sub-project is first identified, the CDR<sup>3</sup> will prepare a site-specific Land Acquisition Plan which is a pre-feasibility diagnostic tool that predicts the project's social impact from land acquisition or land use conversion (or restoration). The LAP specifies what land is needed and why, describe what portion of it will be obtained through expropriations and assesses the potential involuntary resettlement impacts. The LAP will be based on a prefeasibility technical study which surveys existing structures and uses of the land that would be directly affected by the works.. A rapid social appraisal including a site visit should also be undertaken by a social scientist to screen for any resettlement issues, such as whether any persons would be affected, how and how many. CDR will also conduct initial public consultations to evaluate whether this will be a simple or difficult resettlement issue (do people want to move or not? Etc). These consultations are distinct from those to be held during the social assessment.

23. CDR will submit the LAP to the Bank In the event that the proposed sub-project entails no disturbance or any expropriation of occupied or private land, this information shall be officially recorded as a no-objection by the Bank. Otherwise the Bank will advise whether or not the proposed sub-project and the costs associated with implementing the LAP can be financed under the loan (The Bank will not cover the direct costs of purchasing land or any other cash benefits). After receipt of the LAP, the Bank will advise the CDR whether a full or abbreviated Resettlement Action Plan should be prepared and whether or not other remedial actions need to be taken. If a full RAP is required, CDR will arrange for a census, consultations and appropriate Social Assessment with TORs agreed by the Bank. If an Abbreviated RAP is required, only a census and consultations with the affected population are required. No Social Assessments are required, in an Abbreviated RAP although the CDR will have to provide evidence to the Bank of adequate compensation having been made.

24. **Procedures for consultation:** The concerned municipalities should consult with tenants associations, municipalities, NGOs focusing on Preservation of Cultural Heritage and environment. The consultation process should also be a means for establishing dialogue not only with the stakeholders, but also among them.

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<sup>3</sup> In this paragraph and elsewhere, unless the context forbids it, CDR may assist the expropriating agency, ministry, municipality or consultant to undertake this work, but has responsibility for the document it submits to the Bank.

25. **Census:** As soon as possible after the expropriation site has been determined, the concerned municipalities will conduct a nominative census to identify the persons who will be affected by the project in order to establish who will be eligible for assistance and to discourage the arrival of new people in search of assistance.

26. **Abbreviated Resettlement Plan Procedures.** Some subproject components in this CHUD may only require expropriation of land or assets affecting a small number of people (i.e. less than 200) with relatively minor impacts (e.g., not requiring changes in occupation or relocation of residence). Under such circumstances, an Abbreviated Resettlement Plan will be prepared for each sub-project. Without repeating information in the policy framework, the Abbreviated Resettlement Plan should briefly present the following:

- (a) the project activity requiring the acquisition of land or other assets, and the nature and extent of that acquisition, including sketch maps, photographs, cadastral surveys etc.
- (b) an officially certified census households and dependants affected, classified by status (property owners, tenants-at-will, tenants and other occupants); and an inventory of impacts for each category of persons; a reference of where the results of this census are kept.
- (c) an unofficial detailed estimate of compensations expected and verification that resources for compensations are available;
- (d) description of measures to protect the interests of low-income tenants of rehabilitated buildings;
- (e) the timetable and bud get for implementation of the resettlement plan;
- (f) institutional responsibility and financial arrangements for implementation;
- (g) the consultation arrangements on acceptable alternatives and the grievance procedures open to project-affected persons; mechanisms for informing the public (such as information campaigns) to inform the community on the project and subproject;
- (h) arrangements for monitoring and evaluation of the implementation (including measurement of real estate markets before and after project implementation to monitor the real estate market and assess its impacts on poor tenants of rehabilitated buildings)

This plan (excluding the amounts of monetary awards) shall be made publicly available in Arabic and French and shall be approved by the Bank prior to the implementation of the resettlement activities.

27. **Full Resettlement Action Plan (RAP) Procedures.** In the event that any project activity will affect more than 200 persons or where impacts are not minor the Government will prepare and submit to the Bank a full Resettlement Action Plan for each individual sub-project. The CDR is responsible for the Social Assessments which will be conducted by a qualified social scientist. The TORs will be prepared by the CDR with oversight from the Bank. The full RAP comprises all the elements of the Abbreviated Resettlement Action Plan, but also includes the findings of a social assessment that examines the nature of the impacts, the socio-economic and cultural setting, local organizations, and social risks. The social assessment should also list the indicators which would show that displaced populations would maintain and preferably improve their former quality of life. If the project activity includes the economic rehabilitation of affected persons, a detailed analysis of the arrangements (e.g., land redistribution, provision of employment, or other alternative measures to restore incomes) must be submitted to the Bank for review. The additional elements of a full RAP include the following:

- (a) Description of affected communities including their socio-economic characteristics; their history in the neighborhood and sense of connectedness to it; distinguishing characteristics of the community; a census of the inhabitants (owners, tenants with or without contracts and illegal occupants); any issues of potential conflict should also be signaled.
- (b) An analysis of property ownership and occupancy by type, and of the expected impact of relocation on standard of living. Particular attention should be paid to the operation of the rent laws;
- (c) Description of the consultative procedures with the displaced (see details in next section). These
  - inform them about their options and rights
  - offer choices of technically and economically feasible resettlement options
  - enable them to propose suggestions for their resettlement
  - propose mechanisms for compensating them for their losses directly linked to the project
- (d) Statement of objectives of the resettlement program: counter-risk and safeguard provisions. This includes:
  - a discussion of how the displaced people will maintain or upgrade their living standards
  - the provision of services which facilitate relocation
  - services offered after relocation (e.g. employment, running water, housing, transportation etc) based on an assessment of their needs
- (e) Site selection for new settlement together with relocation risks and reconstruction

## **E. DISCLOSURE AND GRIEVANCE PROCEDURES**

**Disclosure and Consultations:** The RAP or Abbreviated RAP (excluding individual names and the amounts of monetary awards) shall be made publicly available in appropriate Arabic and French versions and shall be approved by the Bank prior to the implementation of the resettlement activities. Acquisition of land or other assets, and the preparation of resettlement plans, require consultation with the project-affected population. In addition to residents and business owners affected, consultations with associations, NGOs and other representatives of civil society within the affected zone should be carried out. The purpose of these consultations is to also generate partnerships and cooperative engagement among those affected. Many of the old Medinas are inhabited by poor migrants. Following consultations, any remedial plans (e.g. abbreviated RAP; full RAP) will be disseminated to the project-affected persons in a manner accessible to them. Information disseminated to the project-affected persons will include: (i) compensation rates for all categories of affected assets; (ii) eligibility criteria for all other forms of assistance that may be provided; and (iii) grievance procedures. The resettlement and environment consultation and disclosure requirements will also be harmonized and streamlined as appropriate.

28. **Grievance Procedures.** The decisions of the Expropriation Commission can be appealed to an Appeals Commission by either the concerned Expropriating Agency (DGA or concerned municipality) or the individual rightholder (but not a corporate entity such as an NGO, municipality etc). The decision of the Appeals Commission is binding and final. Appeals Commissions may make upward or downward adjustments in the level of compensation awarded and have no time limits to reach their decision. Irrespective of who

appeals (CDR or owner), the owner is required to vacate the property, with rights of sale but not of development, and with access to 75 percent of the compensation until the Appeals Commission reaches its final decision.

29. If project affected persons are dissatisfied with the proposed resettlement arrangements or with the actual resettlement implementation, they can address their concerns first to the expropriating authority through channels that will be provided in the RAP. If this does not result in a satisfactory resolution, project affected persons may take their grievances further and in writing to both the concerned Expropriating Agency and to CDR in its capacity as the “owner” of the project. CDR has established procedures to assist expropriated persons with the collection of compensation and other matters in respect of implementation. If the grievances cannot be resolved through administrative action, project-affected persons may initiate legal proceedings in accordance with Lebanese laws.

## **F. INSTITUTIONAL AND IMPLEMENTATION PROCESS**

30. The expropriating agencies (DGA and the municipalities concerned) are responsible for implementing the resettlement program in accordance with the RAPs and for ensuring the compliance with the provisions of the RAPs by the second level of implementation that consists of site supervisors, contractors (consulting firms, building contractors etc) employed for specific contractual tasks. If the resettlement activities involve extensive assistance to the affected population, in the form of services etc, the CDR, in partnership with the municipalities and the Ministry of Displaced, may provide additional support under the project to these activities.

31. The CDR is responsible for preparing the RAPs in close consultation with the expropriating agencies, for transmitting them to the Bank for approval, and for oversight and monitoring of their implementation.

## **G. FINANCIAL COSTS**

32. The Government of Lebanon will finance all the costs of compensation in relation to land acquisition and resettlement grants. The IBRD loan may be used to cover all other costs linked to resettlement, such as housing costs, technical assistance, monitoring.

## **H. MONITORING AND EVALUATION**

33. The CDR is responsible for coordinating monitoring and evaluation of the resettlement program. Based on the degree of the complexity of the Resettlement Action Plan, several agencies may also be involved in this process. The Project’s Procedures Manual will spell out the RAP monitoring arrangements; more specifically, it will lay down the performance indicators which will be used to monitor this part of the project and the procedures to be used. The impact of increased urban investment on poor residents of the old city centers needs to be regularly monitored in order to evaluate whether any supportive measures are needed. Bank supervision missions which include a qualified social scientist are also a key aspect of monitoring and evaluation.

34. The RAP monitoring indicators will be simple but robust indicators or proxies that should be as far as possible visible and verifiable and that will, according to the nature of the impacts, measure the following key outcomes against the pre-resettlement baseline:

- For owners and tenants physically relocated: (i) value, type and key characteristics of the residential accommodation; (ii) its location in relation to the employment

and earning requirements of the occupant; and accessibility of key services and amenities for family members (including women, children, the elderly and youth);  
(iii) key measure (or proxy) of household expenditure–income balance;

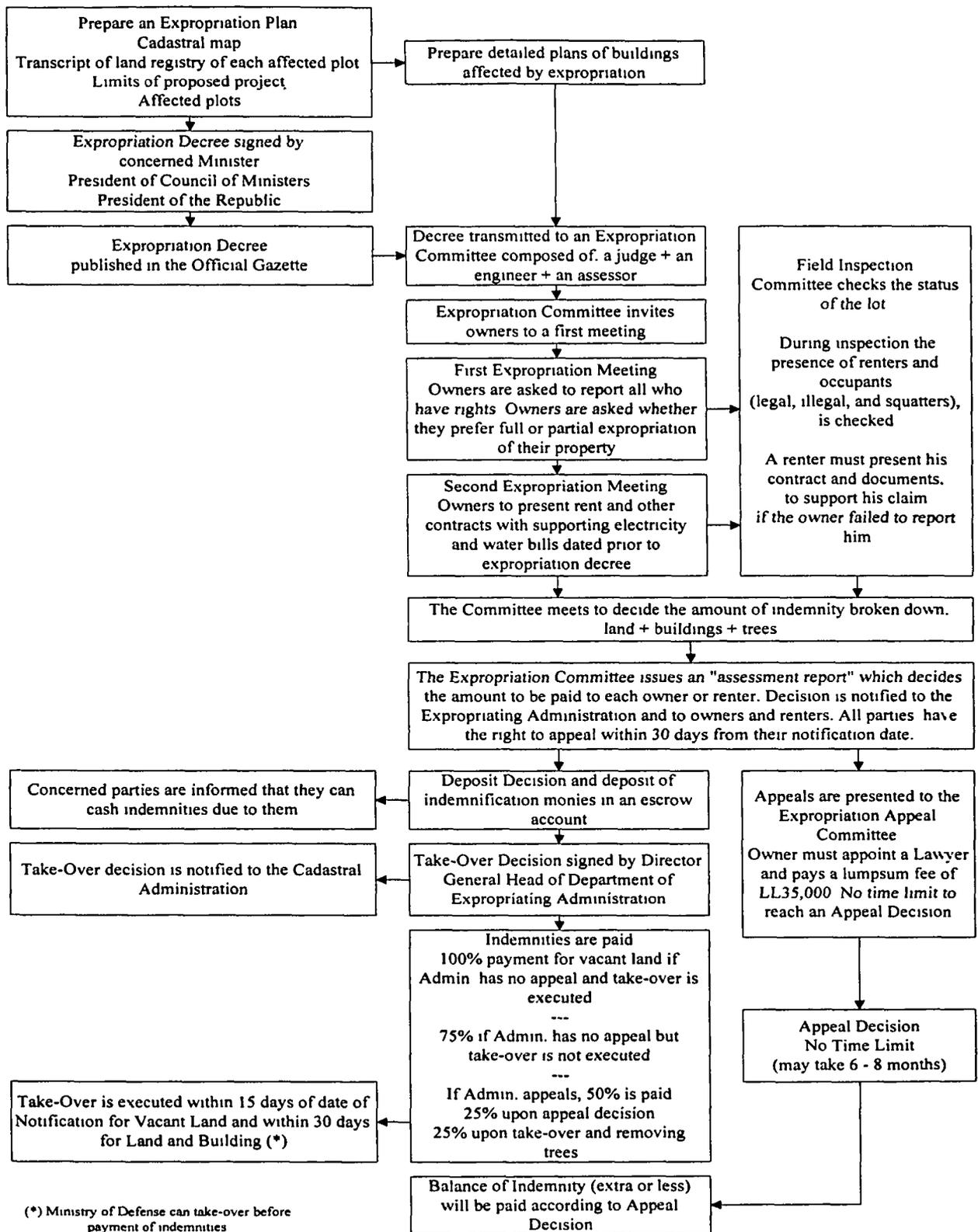
- For owners of businesses physically relocated: nature of business; location in relation to clientele, suppliers and outlets; turnover; .
- For owners of residential or business properties that are restructured or partially relocated or whose status or tenure is changed.

35. These indicators will be developed in the first RAPs as baseline indicators and will be reviewed from time to time for effectiveness.

36. Monitoring of outcomes for households physically affected by relocation or expropriation will take place before the move, and one year later

Figure 1

**EXPROPRIATION PROCEDURES FLOW CHART**



(\*) Ministry of Defense can take-over before payment of indemnities

**Table 2 Entitlement Matrix: Business Property**

Summary of Losses	Rights	
	Eligibility for Compensation under the terms of existing laws to be determined by Expropriation Committee	Other State assistance
<b>Residential Property</b>		
Owner & Resident	Full monetary compensation for loss of property and disturbance. Sufficient for replacment and transition costs	Eligible for state assistance for relocation and other related services.
Absentee Owner Rented property	Full monetary compensation for property. Sufficient for replacment.	Not Eligible for services
Absentee Owner (Squatted Property)	Full monetary compensation for property, sfficient for replacement. Owner regains property.	Not eligible for services
Contract tentant	Compensation for loss of secure tenancy and disturbance based on length of tenancy and present rights. (Apre or post 1991 contract)	Eligible for state assistance for relocation and other related services.
Tenant at will	Compensation for loss of tenancy	Eligible for state assistance for relocation and other related services
Squatter	No legal rights under national law. Compensated for all lost assets,	Project-specific amicable arrangements will be reached If entitled, appropriate assistance may be provided through the Displaced People's Fund.

**Table 2 Entitlement Matrix: Business Property**

Summary of Losses	Rights	
	Eligibility for Compensation under the terms of existing laws to be determined by Expropriation Committee	Other State assistance
Business Property Owner & entrepreneur	Full monetary compensation for disturbance, loss of property, assets and business. Transition costs sufficient for reestablishing a similar business in a similar setting.	Eligible for state assistance for relocation and other related services.
Absentee Owner Rented property	Full monetary compensation for property. Sufficient for replacment.	Not eligible for state assistance
Contract tentant of a business	Full monetary compensation for loss of business, assets, rental location to permit reestablishment of a similar activity in a similar situation elsewhere.	Eligible for state assistance for relocation and other related services.
Tenant at will	Compensation for loss of business and assets to permit reestablishment of a similar activity elsewhere.	Eligible for state assistance for relocation and other related services
Squatter	No legal rights under national law.	Project specific assistance will be arranged and specified in the RAP to ensure no loss of assets, livelihood or hardship or diminution of standard of living.