Palestinian National Authority
Energy & Natural Resources Authority

Electric Utility Management Project (EUMP)

Environment and Social Safeguards Documents

1. Environmental Management Plan
2. Resettlement Action Plan (RAP)
3. Consultation

March 2011
2 Resettlement Action Plan (RAP)
2.1 Introduction
In compliance with the Bank’s Operational Policy OP 4.12. This summary Resettlement Action Plan has been prepared by PEA to avoid adverse impacts and to compensate affected people due to the land acquisition process. This RAP relates to the land needed for the proposed construction of the four new high voltage (161kV) substations in West Bank (Jenin, Nablus, Ramallah & Hebron) and the development of the distribution system in the northern, central and southern areas of West Bank.

2.2 Legal and Institutional Framework
The legal and institutional framework concerning the WB&G is quite exceptional. The laws and regulations applied will vary depending on whether the subject area is the Gaza Strip, Areas “A” “B” or “C” in the West Bank. The relevant laws span the Ottoman regime, the British Mandatory period, the Jordanian administration of the West Bank, the Egyptian administration of the Gaza Strip, the Israeli occupation of the WB&G and East Jerusalem, and the PA’s administration over certain areas in the WB&G. However, it remains a challenge to seek remedies in the PA court system because of the uncertainty concerning enforcement and the institutional limitations of a court system operating under occupation.

PEA has conducted resettlement of lands in compliance with the applicable policy provisions (Land Acquisition for Public Schemes Act for the year 1953) that is based on the Jordanian Land Acquisition Law.

- **Legal provisions for expropriation of private land and property**
  Legal instrument Land Acquisition is done under a single piece of Jordanian legislation, commonly referred to as the Land Acquisition Law (LAL). The LAL applies in all cases and to all concerned institutions. The key articles of the LAL are discussed in this section in the context of World Bank guidelines for Land Acquisition and resettlement.

- **Condemner**
The LAL specifies that the condemner of the property is the Government organization, any municipal or local council, or any private body such as a company, organization, society or individual implementing a project, including the government in one of the previous positions.

- **Land Owner**
The LAL specifies that the owner of the property is the person in whose name the property is registered at the Land Registry Office. If the property is not registered, the person seizing (i.e. in de facto possession of) the land on the day of issuance of the Council of Ministers’ Resolution to acquire shall, for the purposes of compensation, be considered the owner. This stipulation does not preclude anyone else from claiming ownership through the courts. The entitlements of legally-established renters are also confirmed. In the case of multiple ownerships, it is the general practice of the government to deal with the owners as a body and to ask them to select - based upon consensus - a representative to act and negotiate on their behalf. Nonetheless, all owners (shareholders) will be entitled to property compensation according to their shares, and payments will be made directly to each individual landowner.

- **Compensation for improvements and water rights**
  Compensation for farmlands may include separately itemized compensations for features such as walls, greenhouses, wells, water rights, etc.

The LAL in Article 10 states clearly that compensation should be fair to all PAPs, both owners and renters. Owners should be compensated for their properties including (buildings, improvements, trees, etc.) at full replacement cost. In principle, any damage or injury may be compensated. Judgements on the LAL in 1996 confirm this position: “The property appropriated is the land and the buildings, trees and other fixtures on it including the water tank built in the land. Claiming for equitable compensation includes all that is in the property”.

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The loss of water rights also attracts compensation: “That the appropriation of the land which includes water spring by the Water Authority does not include the waters of that spring. The owners if the land was irrigated from the spring shall have the right to claim for compensation due to harm accrued to their land as a result of depriving it from the right of irrigation.”

- **Crops and trees**

Under the LAL, tree and annual crops are subject to compensation but no guidelines are defined expect that the expropriation shall be in consideration of an equitable compensation.

Under past practice Tree Crops have been compensated on the basis of a flat rate single payment defined according to a schedule developed for this purpose based on the type and age of tree. This schedule is dated, and is widely believed to lead to the underestimation of asset values. The courts have often increased compensation substantially after receipt of independent valuation reports.

- **Property measurement**

Under the WB safeguard policies, compensation for lost properties will be calculated based on full replacement cost, in other words, compensation should be equal to what enables the Project Affected People (PAP) to restore their livelihood at the level prior to the resettlement. Under the Palestinian law, compensation is equal to the market value of lost properties, but there is no explicit reference to depreciation.

The Palestinian Energy Authority headed the Land Department in order to bring out the constraint and set numbers of titles and owners of plots intended acquisitions and extract the full charts, and to prove ownership and all documents necessary to determine the Owners And specifies the transfer of ownership by inheritance in order to determine the number of the real owners of the land and legal compensation.

2.3 **Executing Roles and responsible agencies**

In Nablus and Hebron a land acquisition was required as those countries belongs to PNA while in Jenin lands were transferred to PEA Pursuant to Resettlement Policy Framework, but a direct purchasing was conducted in Qalandya which belongs to area “C”.

The acquisition process has been conducted whereas the Palestinian Energy Authority published for 15 days in news papers regarding to the land that will be used to notice people and to compensate the affected people with legal remedy, PEA has submitted to Cabinet an official letter regarding the lands acquisition for the purpose of construction of substations in the northern, southern and central areas in Palestine, all the required maps and documentations are attached, according to this the cabinet confirmed the resettlement for public use.

Land Acquisition Committee has carried out an assessment to the land price (*Land Evaluation committee has evaluated the compensation price value for each affected land according to the neighboring parcels price scale*), after the cabinet approved the estimation and compensation amount the office of president has been addressed for confirmation in order to compensate all the lands owners.

2.3.1 **Jenin Substation**

In Jenin Governorate the resettlement process of the lands for 23 owner about 15,028 m² as shown in annex 2, has already been conducted by Palestinian industrial Zone, the ownership of the 15,028 m² is transferred to PEA Pursuant to Resettlement Policy Framework which is shown in annex 3. These include the owners of almqueblih village.

Land Acquisition Committee has carried out an assessment to the land price. The results showed that an estimated JD 4.410 per square meter (land value) and amount of 66,315.20 has to be paid for the 23 owner.
PEA has already started preparing the line routing for 33 KV Distribution systems which will be fed from Jenin 161/33 KV substation.

2.3.2 Sarra Substation
In Nablus Governorate, the 15,174 m² which are needed for the proposed substation belongs to 10 owners in Sarra Village, as shown in annex 2.

PEA has published a notice in the local newspapers indicating the names of the owners and the title of the lands in addition to the total areas to be occupied see annex 4. After 15 days PEA published the same notice again in the same newspaper, and there were no objection from the owners.

Land Acquisition Committee has carried out an assessment to the land price. The results showed that an estimated 23 JD per square meter. The compensation cost of 349,000 JD has to be paid for 10 owners.

The current stage PEA applying all the required documents to the cabinet and waiting for confirmation on compensation process.

2.3.3 Beit Oula Substation
This substation will be constructed on Beit Oula village near Hebron, and will occupy about 17,524 m², see annex 2, PEA has published a notice in the local newspapers indicating the names of the owners and the title of the lands in addition to the total area see annex 4. After 15 days PEA has published the same notice again in the same newspaper, and there were no objection from the owners.

Land Acquisition Committee has carried out a review of the current market values for the land surrounding Bait Oula lands in to recent sale. The results showed that an estimated 5.13 JD per square meter. The compensation cost of 89,898 JD has to be paid for 4 owners.

PEA applying all the required documents to the cabinet and waiting for confirmation on compensation process.

2.3.4 Qalandia Substation
Direct purchasing was conducted in Qalandia which belongs to area “C” as shown in annex 2. The rental committee from Finance of Ministry In coordination with the Ministry of Public Works is going to estimate the price of the mentioned 11,000 m² land.

PEA waiting for estimation results.

2.3.5 Access roads
Access road is required to allow the access to the work location during construction and operation /maintenance phases of substations and transmission lines.

In Jenin, the route line was designed along the existing road but it needs rehabilitation works in order to facilitate the access for the vehicles. While the roads to the sites in Nablus, Hebron and Qalandia are not constructed yet but only determined on the map.

Table D : The summary table

<table>
<thead>
<tr>
<th>Substation</th>
<th>Lands information</th>
<th>Number of person affected</th>
<th>Estimation (JD) per 1 m²</th>
<th>Total compensation(JD)</th>
<th>status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jenin Sub.</td>
<td>8/1,10/1 almqeblih Title No, 20010 ,11/1 Birqin Title No.2</td>
<td>23</td>
<td>4.41</td>
<td>66,315.20</td>
<td>Resettlement process finish</td>
</tr>
<tr>
<td>Sarra Sub.</td>
<td>( part of 73,part of 74,</td>
<td>10</td>
<td>23</td>
<td>349,000.00</td>
<td>Applying to</td>
</tr>
<tr>
<td>Location</td>
<td>Description</td>
<td>Quantity</td>
<td>Unit</td>
<td>Amount</td>
<td>Note</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------------------------------------------</td>
<td>----------</td>
<td>------</td>
<td>-----------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Bait Oula Sub.</td>
<td>(169,173,157,172) Beat Oula Title No. 7</td>
<td>4</td>
<td></td>
<td>89,898.00</td>
<td>Applying to take the cabinet approval</td>
</tr>
<tr>
<td>Qalandia Sub.</td>
<td>(part of 56) Qalandia Title No. 29509</td>
<td>1</td>
<td></td>
<td>-</td>
<td>Estimation process</td>
</tr>
</tbody>
</table>

The design of substations shall comply with “Israeli Electric Power Technical Standards”, The design shall be suitable for operation in Palestine weather. In the case of matters not stipulated in the technical standards, IEC or ISO standards will be applied.
3 Consultations
3.1 Consultations with affected people
PEA intends to carry out Citizen Consultancy Meeting (CCM) in September 2011 prior to implementation works; that aims at gathering data and community feedbacks concerning the system configuration of JDECO for development of the distribution system in the central area of the West Bank, the meeting will be organized with the concern municipalities.

Same consultation will be carried out in the southern and northern areas of the West Bank prior to implementation works concerning the system configuration of HEPCO and NEDCO regarding the development of the distribution system.

Table E: Tentative dates for the proposed consultations

<table>
<thead>
<tr>
<th>No.</th>
<th>The region name</th>
<th>date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Qalandia</td>
<td>September 2011</td>
</tr>
<tr>
<td>2</td>
<td>Jenin</td>
<td>June, 2012</td>
</tr>
<tr>
<td>3</td>
<td>Nablus</td>
<td>June, 2012</td>
</tr>
<tr>
<td>4</td>
<td>Hebron</td>
<td>June, 2012</td>
</tr>
</tbody>
</table>
Annex 1: RPF Table
Palestinian Energy Authority  
Land Acquisition Plan and Compensation Monitoring Form  
(Pursuant to Resettlement Policy Framework)

Governorate: Jenin  
Names of communes: Berqin

<table>
<thead>
<tr>
<th>Name of grid</th>
<th>Length of grid in meters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Berqin</td>
<td></td>
</tr>
</tbody>
</table>

Table A: Summary information of Land Acquisition

<table>
<thead>
<tr>
<th>Parcel No</th>
<th>Title No</th>
<th>Area (in dunams)</th>
<th>Owner name &amp; national ID card number</th>
<th>User name (if different from owner) and ID card number</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/1</td>
<td>Almqebleh- 20010</td>
<td>5.466</td>
<td>Hadye Hafeth Assaed</td>
<td>Abd Elhadi Alqasem Abdel Hadi</td>
<td>--</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Anas Nafee Abdel Hadi</td>
<td>Helmi Nafee Abdel Hadi</td>
<td>Raja mahmod Abdel Hadi</td>
</tr>
<tr>
<td>10/1</td>
<td>Almqebleh- 20010</td>
<td>4.247</td>
<td>Shamsa Mohamad Alssadeq</td>
<td>Fathi Ahmad Assalah</td>
<td>Hasan Ahmad Assalah</td>
</tr>
<tr>
<td>11/1</td>
<td>Berqin- 2</td>
<td>4.847</td>
<td>Ibrahim Ersan Abdel Hamad</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parcel No</td>
<td>Expropriation</td>
<td>Compensation to Owners</td>
<td>Compensation to Users</td>
<td>Total compensation payable for lot</td>
<td>Number of appeals expected</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------</td>
<td>------------------------</td>
<td>-----------------------</td>
<td>-----------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td></td>
<td>Expropriation Decree No.</td>
<td>Expropriation Date</td>
<td>Number of owners</td>
<td>Amount awarded</td>
<td>Number of renters</td>
</tr>
<tr>
<td>8/1 – 10/1 – 11/1</td>
<td>---</td>
<td>---</td>
<td>23</td>
<td>66,315.2 JD</td>
<td>0</td>
</tr>
<tr>
<td>Total No. Decrees</td>
<td>---</td>
<td>Total Number</td>
<td>Total amount</td>
<td>Total</td>
<td>Total amount payable</td>
</tr>
</tbody>
</table>
Annex 2: Maps
Map 1: Sarrah lands
Map 3: Beit Oula lands
Map 4: Qalandia Land
Annex 3: A location proof

[Document content in Arabic]

[Signature and stamp]
Annex 4: Advertisements
التعليمات والرسوم

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<table>
<thead>
<tr>
<th>الرقم المعمد</th>
<th>اسم المالك</th>
<th>اسم الاستلام</th>
<th>رقم الاستلام</th>
<th>اسم المنشأة الصناعية</th>
<th>اسم المنشأة الصناعية</th>
<th>رقم الاستلام</th>
<th>اسم المنشأة الصناعية</th>
<th>اسم المنشأة الصناعية</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>حالة محلية</td>
<td>توليد الكهرباء 161/333Kv</td>
<td>11,052.0</td>
<td>حالة محلية</td>
<td>توليد الكهرباء 161/333Kv</td>
<td>11,052.0</td>
<td>حالة محلية</td>
<td>توليد الكهرباء 161/333Kv</td>
</tr>
</tbody>
</table>

1. حالة محلية
2. حالة محلية
3. حالة محلية
4. حالة محلية
5. حالة محلية
6. حالة محلية
7. حالة محلية
8. حالة محلية

سلطة العليا الفلسطينية

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