Government of Ethiopia
Ministry of Water Resources

Environmental and Social Management Framework
and Resettlement Policy Framework

Tana and Beles Integrated Water Resources
Development Project (TBIWRDP)

FINAL REPORT

March 12, 2008
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<td>WRDB</td>
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1. INTRODUCTION

This document presents an Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF) developed for the Tana and Beles Integrated Water Resources Development Project (TBIWRDP). The ESMF/RPF takes into account findings of the environmental and social assessments and other project frameworks developed for the Integrated Watershed Management Project (IWMP) and the Flood Preparedness and Early Warning Project (FPEW) including the FPEW Resettlement Policy Framework. The ESMF/RPF also builds on existing environmental management tools prepared for relevant projects such as the Local Investment Grant (LIG) and the Ethiopian Irrigation and Drainage Project (EIDP).

The integrated framework has been prepared to meet the World Bank safeguard requirements and Ethiopian environmental procedures. The Ethiopian Ministry of Water Resources (MoWR) is the agency overall responsible for implementing the provisions and recommendations outlined in the ESMF/RPF.

1.1 Outline of the TBIWRDP

The TBIWRDP will provide the foundation and opportunity to realize the region’s potential building on current investments for further development of water resources and the promotion of private sector investment. The Project promises to substantially enhance environmental conservation and social development in the Tana and Beles sub-basins, principally though: (i) improved water and flood management; (ii) investments in sustainable land management to improve local livelihoods and reduce runoff, erosion, and the consequent sediment loads in watercourses, and (iii) the preparation of sub-basin development plans that respond to environmental conservation and social development needs. This will support the delivery of development and growth benefits in the sub-basins and nationally, as well as contribute to downstream benefits in the Nile Basin context.

The Project also aims to address the inadequate institutional capacity to promote, facilitate and regulate private sector investments in the sub-basins that are targeted to stimulate economic growth while ensuring resource sustainability. This will be achieved by strengthening and improving coordination among various government agencies (e.g. across regional bureaus and with the federal level) and improving synergistic partnerships with other institutions (e.g. academia) to better develop a synergistic set of public and private investments.

Important vehicles for developing these benefits will be the TBIWRDP-financed Tana and Beles Sub-basin Integrated Water Resource Development Plans, as well as investments in watershed management and flood protection around Lake Tana. Public investments are envisaged in the long run and are expected to be complementary to private sector initiatives which will evolve as the institutional and policy framework is being developed.

1.2 Objective and Scope of the ESMF and RPF

The objective of the ESMF/RPF is to provide an integrated framework for effective management of environmental and social issues in the proposed Tana and Beles Integrated Water Resources Development Project. It seeks to both enhance environmental and social development benefits of the project and mitigate any adverse impacts, in line with GOE and World Bank policies and guidelines on management of environmental and social development issues. Moreover, it provides the basis for the preparation of Environmental Impact Assessments (EIAs) and/or Environmental Management Plans (EMP’s) and Resettlement Action Plans (RAP’s) as needed for small-scale investments during the project, and as part of the preparation of capital investments that may be undertaken during the second phase of the project.
This ESMF/RPF largely draws from a number of project preparation studies (1) that have already been carried out on environmental and social aspects, particularly on the implementation plans and ESMFs developed for the proposed physical activities (watershed and flood management). The integrated ESMF/RPF has been developed using the “Environmental and Social Management Framework for World Bank Projects with Multiple Small-Scale Subprojects: A Toolkit” as a reference guide.

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2. PROJECT DESCRIPTION

The proposed components for the $70 million TBIWRDP are:

Component A. Sub-basin Resources Planning and Management [10 million]
Component B. Natural Resource Management Investments [50 million]
Component C. Growth-Oriented Investment Facilitation [6 million]
Component D. Project Management [4 million]

These components are further described below. It is Components B and C to which this ESMF will be applied.

2.1 Component A: Sub-basin Resources Planning and Management

This component aims to develop the enabling institutional infrastructure and capacity necessary for stimulating and managing sustainable investments in the Tana and Beles sub-basins. Two sub-components will be supported:

1. Water Information System Development ($5 million): This includes support for a modern network of hydro-meteorological and groundwater monitoring stations, associated hardware, software, and information systems, special studies, as well as facilitation of the use of the system for pressing management and development problems in Lake Tana and the overall Tana and Beles sub-basins.

2. Resource Planning and Management Capacity-building ($5 million): This supports the Tana Sub-Basin Organization (TaSBO), Beles Sub-Basin Organization (BeSBO), and its parent Abbay Basin Organization (ABO). In particular, support will be provided to the Sub-basin organizations to build an appropriate knowledge base, analytical capacity, and structured stakeholder consultation to develop “shared vision” sub-basin plans and management instruments to optimize social, environmental, and economic opportunities in the sub-basin.

2.2 Component B: Natural Resource Management Investments

This component aims to undertake critical investments to improve the natural resources management in the Tana sub-basin (refer to Figure 2.1 which identifies the targeted areas). Given the urgency of such investments in the Tana sub-basin and the early nature of engagement in the Beles sub-basin, this component is confined to investments solely in the Tana Sub-basin. Two sub-components will be supported:
1. **Watershed Development**: This includes support for sustainable watershed development investments covering about 80,000 ha in the Ribb, Gumara, and Jamma sub-watersheds in the Lake Tana sub-basin. Activities will support livelihood improvement, natural resources management (soil and water conservation, afforestation, and agro-forestry), and institutional strengthening.

   a) Anticipated Project Investments

   The activities carried out will draw from a menu of anticipated activities (see Table 2.1) developed based on TBIWRDP preparation studies, experience with other prior and ongoing projects, pilot field surveys, and stakeholder discussions. Based on the customized plans developed for each microwatershed in consultation with the local communities, these activities (wherever applicable) will be tailored to the requirements of each microwatershed. Substantial watershed activities are already under way in the various woredas of the Tana sub-basin and some well-trained officials are available at even the Kebele level.

   These watershed development investments are summarized in Table 2.1.
## Watershed Development Investments

<table>
<thead>
<tr>
<th>Sector</th>
<th>Potential Interventions</th>
</tr>
</thead>
</table>
| **Land Resources Management** | • Physical Soil and Water Conservation  
|                         | • Flood Control and Improved Drainage  
|                         | • Water Harvesting  
|                         | • Soil Fertility Management  
|                         | • Gully Reclamation  
|                         | • Check Dams (<5m) for erosion management, groundwater recharge, and small-scale irrigation  |
| **Forestry and Ago-Forestry** | • Tree Nurseries  
|                         | • Tree Planting  
|                         | • Area Closure of Forest Lands  
|                         | • Micro-Basins  
|                         | • Homestead Gardens  
|                         | • Seed Collection  |
| **Entry-Point Activities** | **Water Supply**  
|                         | • Hand Dug Wells  
|                         | • Spring Development  
|                         | • Improved Well and Spring Heads  
|                         | • Fit and Fix Hand Pumps (Operation and Maintenance)  
|                         | • Targeted Water Supply Provision for Schools and Health Posts  
|                         | • Promotion of Water Harvesting from Roofs  
|                         | **Sanitation**  
|                         | • Health Post and School Latrine Provision  
|                         | • Household Latrine Provision  
|                         | **Human Health**  
|                         | • Renovate Health Posts  
|                         | • Additional Equipment for Health Posts (extend curative measures)  
|                         | **Education**  
|                         | • Renovate Schools (up to Grade 8)  
|                         | • Additional Appropriate Equipment and Consumables for Schools  
|                         | **Communications and Rural Transport Infrastructure**  
|                         | • Community Telephone Posts  
|                         | • Footpaths  
|                         | • Footbridges  
|                         | • Road Cross Drainage  
|                         | • Road Side Drainage  
| **Livestock** | • Animal Health Posts and Facilities  
|                         | • Perennial Pasture and Forage Development  
|                         | • Homestead Feeding and Fattening  
|                         | • Grazing Land Area Closure  
|                         | • Improvement of Local Breeds for Meat and Milk Production  
|                         | • Promote Poultry Production  
|                         | • Promote Milk Production  
|                         | • Promote Bee Keeping and Honey Production  |
| **Crops** | • Assist/Promote Existing Agricultural Extension Programme  
|                         | • Logistical Support for Wereda Staff  
|                         | • Appropriate Fertilizer Use  
|                         | • Irrigation Pumps  
|                         | • Organic Manuring  
|                         | • Integrated Pest Management  
|                         | • Demonstrations of Improved Cropping Practices and Systems  
|                         | • Demonstrations of Improved Crop Varieties and New Crops  |
### Sector | Potential Interventions
---|---
Rural Energy | • Fuel Efficient Stoves  
  • Tree Planting for Fuel Wood (see forestry above)
Off-Farm Income | • Flour Mills  
  • Guest House Management (iterant/permanent experts, health workers, teachers)  
  • Petty Trading and Village Shops  
  • Private Seedling and Tree Nurseries  
  • Animal Fattening  
  • Bee keeping  
  • Handicrafts  
  • Fuel Efficient Stove Manufacture  
  • Carpentry and Furniture Manufacture and Repair (for schools and health posts)

## 2. Flood Management:
This supports community-based flood management and adaptation around the flood-prone areas around Lake Tana. Activities will support flood risk management and non-structural/small structural approaches to manage the impacts of floods: including floodplain management and flood mitigation planning; flood forecasting and early warning; and emergency response and preparedness at national, local and community levels. The flood management activities include physical investments in flood preparedness and mitigation interventions such as:

- Low-technology stream bank protection
- Levees (terraces) less than 500 m in length and one metre in height
- Elevated earth platforms for grain storage, livestock, placement of homes, and temporary refuge
- Elevated access ways, not exceeding 500 m in length, for access during periods of inundation
- Drains and terraces
- Engineered stock watering points in areas susceptible to bank erosion
- Access to and secure water supply points for use during periods of flooding
- Secure food storage facilities
- Secure refuges for people affected by flooding
- Flood-proofed sanitation systems

The proposed screening and appraisal procedures proposed in the ESMF outline the appropriate methods and mechanisms needed to address the impacts.

### 2.3 Component C: Growth-Oriented Investment Preparation

This component aims to support the institutional capacity and investment facilitation required for sustainable development of the Tana and Beles sub-basins to realize the growth vision for the region. Two sub-components will be supported:

1. **Development Agency Support ($2 million):** This includes support to relevant existing government bureaus (e.g. Amhara Investment Agency, Bureau of Trade and Industry) and potential public and private entities (as informed by the ongoing Growth and Endowment study e.g. a sub-basin development agency) to create an enabling environment for increased participation by the private sector through access to better planned and facilitated investment information, access to factor inputs such as land, water and capital, and to support better market linkages both within and outside the country; to better plan and facilitate access to public services and incentive packages; to address policy and regulatory issues that need to be streamlined in relation, for example, to out-
grower schemes, contract farming and other models of partnership and rural-urban linkages and to design and implement capacity building through availing demanded expertise, modern communication systems and targeted training.

2. **Growth-oriented Investment Preparation ($4 million):** This includes support for the preparation of investments in the Tana and Beles sub-basins, including surveys, pre-feasibility and feasibility studies, environmental and social assessments, designs, implementation arrangements, and associated analytical work and stakeholder consultation to ensure that these investments (expected to be better identified through an ongoing Growth and Endowment study) are prepared with both growth and sustainability considerations.

2.4 **Component D: Project Management**

This component aims to support overall project planning, coordination, management, quality oversight and technical supervision, effective procurement and financial management, as well as consolidated monitoring and reporting of project activities.
3. ENVIRONMENTAL AND SOCIAL SAFEGUARD REQUIREMENTS

This document will comply with both the World Bank safeguard policies and the relevant Ethiopian legislation as summarized below. Where there is a difference in policy the World Bank policy will supersede Ethiopian policy for all activities financed under this project.

3.1 World Bank Safeguard Policies

The TBIWRDP has been assigned an EA Category “B” project given that significant adverse environmental and social impacts are not expected due to the nature of the proposed activities (i.e. institutional development, watershed and flood management investments, and investment preparation). The applicable safeguard policies are:

**Environmental Assessment (OP 4.01)**
This Environmental and Social Management Framework (ESMF) has been prepared for the overall program. Environmental Management Plans (EMPs) will be prepared, as necessary, once the exact locations of subprojects in Component B have been identified. The ESMF also mandates including environmental and social issues in the development of the Tana and Beles Sub-basin Integrated Water Resource Development Plans during project implementation (Component A), as well as the preparation of EIAs/EMPs during the preparation of capital investments for the second phase of the project (Component C).

**Pest Management (OP 4.09)**
There is a possibility of use of pesticides (direct and induced) during the agricultural development activities being considered as part of watershed development. The Environmental and Social Management Framework will ensure that Integrated Pest Management (IPM) is enhanced and that the requirements of OP4.09 are mainstreamed into project implementation.

**Involuntary Resettlement (OP 4.12)**
While the project does not expect any major involuntary resettlement, including loss of access to resources, a resettlement policy framework is underway to address the following possible situations:

- Loss of access to grazing where only some households are affected or significantly more affected within a community in relation to closure of grazing areas, as part of watershed management. In such situations where several households are affected and where the impact is often temporary, direct compensation is often not the best option. The framework will detail participatory procedures and alternative development activities that can serve to compensate the affected households.
- Loss of access to recessional farming land in the unlikely event that flood control measures result in reduced inundation of the land or a small dyke prevents access to that area.

Specific Resettlement Action Plans (RAPs) will be prepared and approved as necessary once the exact locations of the investments have been identified.

**Safety of Dams (OP 4.37)**
Small check dams (<5m height) and gully reclamation gabions, etc. will be designed by qualified engineers and built by competent contractors.

**Projects on International Waterways (OP 7.50)**
The project triggers the OP7.50 on international waters. The physical activities – watershed development and flood management – have been agreed by the Eastern Nile Council of Ministers (ENCOM) as part of the Eastern Nile Strategic Action Plan (ENSAP) of the Nile Basin Initiative. The GoE is in the process of formally notifying the NBI Council of Ministers through the Eastern Nile Technical Regional Office (ENTRO) regarding the TBIWRDP.

The safeguards policy concerns vary by project component:
a) **Component A: Institutional Infrastructure Investments for Sub-basin Planning, Management, and Development:** In the development of sub-basin development and management plans, it will be important to balance economic, environmental and social factors to achieve sustainable development. This is because environmental, natural and human resources are key underpinnings of all socio-economic development. Strategic environmental and social assessment (along with economic issues) will remain an important theme in the development of the Tana and Beles Sub-basin Integrated Water Resource Development Plans during project implementation. Institutional development activities will include relevant activities linked to capacity building for environment and social issues and ensure that institutions responsible for managing development around Lake Tana have the necessary structures, skills and procedures in place to ensure that development is done in an environmentally and socially sustainable manner.

b) **Component B: Natural Resource Management Investments in the Tana Sub-Basin:** This component aims at carrying out sustainable watershed development and management investments, as well as improved community-based flood management and preparedness around the shores of Lake Tana. Many of the proposed interventions are environmentally beneficial or are unlikely to have significant adverse impacts. Nonetheless, some interventions, especially those linked to watershed management and site selection of structures need procedures to ensure that they are done with adequate technical (environmental) knowledge to ensure they achieve their intended objectives. Doing an environment project badly can otherwise impact the environment more than if the project did not exist. Some activities may also involve limited concerns for involuntary resettlement resulting from land acquisition or restrictions on access to resources that are not wholly communal or which affect specific households more than others. There are no groups in the project area that fall into the World Bank definition of indigenous peoples. However, project design includes necessary criteria and procedures to ensure that specific needs of vulnerable groups are identified and addressed.

c) **Component C: Growth-Oriented Investment Preparation:** The preparation of public and private investments to promote sustainable growth in the Tana Sub-basin will need to include EAs/EMPs, social analysis and RAPs.

### 3.2 Ethiopian Environmental Guidelines and Standards

The basis for the Environmental Impact Assessment (EIA) is the Federal Environmental Impact Assessment Proclamation 299 of 2002. The proclamation specifies the types of activities and interventions that require EIA and mandates the Federal Environmental Protection Agency (EPA) to draw up procedures, regulations, guidelines and standards for achieving this. These include:

- The Environmental Impact Assessment Guideline Document of May 2000
- The Environmental Impact Assessment Procedural Guidelines Series 1 of November 2003

Section 1.3.2 of the Environmental and Social Assessment prepared by Halcrow (2007) for the Integrated Watershed Management Project provides a more detailed summary of the relevant legislative acts. Table 3.1 below highlights the key guidelines and standards applicable to the TBIWRDP.
<table>
<thead>
<tr>
<th>Guideline / standard</th>
<th>Description</th>
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<tr>
<td>EIA Guideline, July 2000</td>
<td>This Guide to Environmental Impact Assessment (EIA) document provides a background to environmental impact assessment and environmental management in Ethiopia. In essence the document aims at being a reference material to ensure effective environmental assessment and management practice in Ethiopia for all parties who engage in the process.</td>
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<tr>
<td>EIA Procedural Guideline, November 2003</td>
<td>The guideline outlines the screening, review and approval process for development projects in Ethiopia and defines the criteria for undertaking an EIA.</td>
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<tr>
<td>Draft Guideline for Environmental Management Plan (draft), May 2004</td>
<td>The guideline outlines the necessary measures for preparation of an Environmental Management Plan (EMP) for proposed developments in Ethiopia and the institutional arrangements for implementation of EMP's.</td>
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<tr>
<td>Waste Handling and Disposal Guideline, 1997</td>
<td>The Government has developed Waste Handling and Disposal Guideline which is being used by health facilities since 1997. The Guidelines are meant to help industry and local authority to deal with the waste situation at a local level.</td>
</tr>
<tr>
<td>Injection Safety Guideline</td>
<td>The Government is finalizing “Injection Safety Guideline” to reduce infections through contaminated needles. The Government has agreed to install a regular monitoring system to ensure the implementation of the safeguards and regular checking of facilities to ascertain that health facility generated wastes do not contaminate the environment. An environmental sanitation expert (sanitarian) located in health centers will take the responsibility for supervising the implementation of the safeguards policy by health facilities.</td>
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<tr>
<td>Labor proclamation (42/93)</td>
<td>The labor proclamation obliges that an employer shall take the necessary measures to adequately safeguard the health and safety of the workers.</td>
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<td>Ethiopian Roads Authority (ERA) Environmental Procedures Manual, 2001</td>
<td>ERA prepared this manual for the use and technical guidance for design personnel of the Ethiopian Roads Authority and consultants doing Environmental Assessment Study during road design work for the Authority. The manual was developed in order to standardize Environmental Procedures for design of new roads and rehabilitation of existing roads.</td>
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| Public health proclamation (200/2000) | This proclamation:  
  - Prohibits discharging of untreated liquid waste generated from septic tanks, seepage pits and industries into water bodies, or water convergences  
  - Prohibits the disposal of solid or liquid or any other waste in a manner which contaminates the environment or affect the health of the society, etc. |
<table>
<thead>
<tr>
<th>Guideline / standard</th>
<th>Description</th>
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</table>
| Special decree for Pesticides Registration (Proc.20/1990) | This decree:  
  • Covers agricultural, household, public health, and industrial pesticides;  
  • Provides registration and control responsibilities to MoA  
  • seeks to promote safer pesticide handling and use in the country;  
  • Requires that all pesticides should be registered on the basis of demonstrated product effectiveness and safety for humans, non-target organisms and the environment;  
  • Prohibits importation of highly hazardous, severally restricted or banned pesticides (including most organochlorines); and  
  • Obliges that all pesticides must display labels that meet specific Ministry of Agriculture label requirements.  
  
The decree also includes requirements for consideration for acceptance, testing procedure and the content of report and information for recommendation to be filled by the researcher. |

3.3 Ethiopian Laws on Land Ownership, Compensation and Resettlement

According to national legislation in Ethiopia, private land ownership is not recognized, and land ownership is vested in the State. Citizens have only usufruct rights and the right to ownership of their possessions on the land.

In 2005, Proclamation 455/2005 ‘Expropriation of Landholdings for Public Purposes and Payment of Compensation Proclamation’ was promulgated. Prior to this, no specific legal framework existed relating to expropriation and compensation. As a result, there have been serious shortcomings in the processes associated with land expropriation, resettlement and associated compensation payments in Ethiopia. In general, resettlement processes have been characterized by:

  • Policy inconsistencies and a lack of strategic framework for achieving a successful results for those affected;  
  • Insufficient funding for resettlement activities and compensation payments;  
  • A non-participatory process that was often coercion-driven;  
  • Limited involvement and implementation by state functionaries; and  
  • Highly ambitious programmes with limited planning

As a result of these shortcomings, many of the resettlement processes resulted in impoverishment after displacement, family disintegration, cultural disarticulation, marginalization, amongst other negative impacts. Proclamation 455/2005 was developed by the Government of Ethiopia with the aim of addressing these problems.

The RPF annexed to this report explains the pertinent laws relating to land administration, ownership and expropriation in Ethiopia, including the new Proclamation 455/2005 and 456/2005 and those related to:

  • Public domain  
  • Entitlement  
  • Property laws  
  • Land asset classification and valuation  
  • Customary laws  
  • Procedures for expropriation  
  • Procedures for grievance redress
3.4 Comparison Between World Bank Safeguard Policies and Ethiopian Legislation

OP 4.01 and Ethiopian legislation, primarily the guidelines on EIA, are compatible as both essentially require the preparation of environmental assessments based on the nature and significance of impacts associated with a proposed development. In terms of the additional safeguard policies, there are some gaps in the Ethiopian legislation, in which case the World Bank safeguard policies remain more stringent and must be followed. Table 3.2 below provides a general comparison between the applicable safeguard policies and the relevant national legislation. A more detailed assessment of the gaps between World Bank and Ethiopian policies on involuntary resettlement is provided in the Resettlement Policy Framework (see Annex A). The legal safeguards have not been assessed in this comparison.
<table>
<thead>
<tr>
<th>OP</th>
<th>Safeguard Policies</th>
<th>Summary</th>
<th>Ethiopian requirements</th>
<th>Gaps and recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.01</td>
<td>Environmental Assessment</td>
<td>• The EA policy provides the framework for diagnosing the current situation, predicting the likely developments and the likely impacts of the project as submitted to assessment and for recommending measures to prevent or mitigate the most adverse impacts. It details that environmental consequences should be taken into account in project selection, siting, planning, and design by preventing, minimizing, mitigating or compensating for adverse environmental impacts and enhancing positive impacts.</td>
<td>• The Environmental Impact Assessment (EIA) Proclamation has made EIA a mandatory legal prerequisite for the implementation of major development projects, programs and plans. The why and how to prepare, methodologies, and to whom the report is submitted is stated by this law in addition to the EPA guidelines Environmental Impact Assessment Guideline and Guideline Series Document for Reviewing Environmental Impact Study Report.</td>
<td>• The EIA guidelines in Ethiopia follow very closely those of the World Bank and provide adequate support for the preparation, implementation and supervision of EIAs as well as EMPs and associated environmental programs. • The main gap in the Ethiopian context is the lack of guidance on providing guidance on capacity building and training as part of the EMP to institutions involved in the implementation of mitigation and management plans. This aspect must be taken into account by the project developer.</td>
</tr>
<tr>
<td>4.09</td>
<td>Pest Management</td>
<td>• Aims to promote the use of biological or environmental control methods and reduce the use of synthetic chemical pesticides in Bank-financed agricultural and public health projects respectively. In Bank-financed projects, pest management is carried out by the borrower in the context of the project’s environmental assessment.</td>
<td>• Special decree for Pesticides Registration (Proc.20/1990) is the main law which assigns registration and control responsibilities to Ministry of Agriculture; seeks to promote safer pesticide handling and use in the country; and requires that all pesticides should be registered on the basis of demonstrated product effectiveness and safety for humans, non-target organisms and the environment.</td>
<td>• The national decree is articulate and provides the appropriate guidelines to ensure that the project complies with the World Bank policy.</td>
</tr>
<tr>
<td>4.12</td>
<td>Involuntary Resettlement</td>
<td>• This Bank policy aims to ensure that the population displaced by a project receives benefit from it. It secures involuntary resettlement as an integral part of project design and should be dealt with from the earliest stages of project preparation, according to a set of policy considerations’ procedures.</td>
<td>• Prior to 2005, no specific legal framework existed relating to expropriation and compensation. In 2005, however, Proclamation No 455/2005 ‘Expropriation of Landholdings for Public Purposes and Payment of Compensation Proclamation’ was promulgated and provides the guiding principles for resettlement in Ethiopia. This introduced a legal framework within which resettlement activities must be conducted, and brought Ethiopian legislation more in line with international best practice requirements. Despite this, there are still some differences between the national Ethiopian legislation and the World Bank Policy OP4.12. These relate to the general principles for resettlement, eligibility criteria, the notification period for expropriation and resettlement, and the procedures required throughout the resettlement process.</td>
<td>• The first main difference is that according to OP4.12, resettlement should be avoided whenever possible, while national legislation states that ‘expropriation of land will be done when deemed necessary for public purposes’. The second difference relates to eligibility, that OP4.12 entitles those who have formal rights, claims to land and no recognizable legal right, to compensation, while national legislation entitles only those who are ‘landholders’ with legal possession of the land and who own property thereon. Another key difference is the notification period required. National legislation requires that property must be handed over 90 days after compensation has been paid, while OP4.12 requires that displacement must not occur before necessary measures for resettlement are in place. There is currently no valuation formula given at National level, although this is in draft format and will be promulgated with the new regulations.</td>
</tr>
</tbody>
</table>
4. PROJECT IMPLEMENTATION ARRANGEMENTS

The primary implementation responsibility for this project is the Ministry of Water Resources (MoWR) in the GoE. A Project Coordination Unit in the MoWR will facilitate and oversee project implementation. However, given the nature of this project, there will be a number of other institutional entities involved with its implementation described below.

A. **Sub-basin Resources Planning and Management:** The MoWR will be initially responsible for this component through its Basin Development Study and Water Utilization Control Department and the Abbay River Basin Team until the Abbay River Basin Organization (ARBO) and the Tana Sub-basin Organization (TaSBO) and Beles Sub-basin Organization (BeSBO) are established. It will undertake this responsibility in cooperation with the Amhara and Benishangul Regional Governments. As the basin/sub-basin organizations and high council are formed, they will take on increasing responsibility to implement this component. Structured stakeholder forums with sub-basin stakeholders (government such as Bureaus, MoWR, EEPCO, etc. as well as academia, navigation/transport/tourism/fisheries bodies, private sector, etc.) are proposed to provide input in the formulation and implementation of sub-basin plans and management instruments. Other agencies such as the National Meteorological Agency (NMA) and the Disaster Preparedness and Preparedness Agency (DPPA) will be involved in the Hydrologic Information System development and use.

B. **Natural Resources Management:** This component is confined to investments solely in the Tana Sub-basin, and will be managed entirely by the Amhara Bureau of Agriculture and Rural Development (BoARD) with an appropriately staffed Project Coordination Unit. The actual implementation would be decentralized at Woreda (Woreda Councils and BoARD’s Office of Agriculture) and kebele levels (field-level teams) using existing institutional arrangements appropriately strengthened under the project. Watershed development and community entry-point subprojects (small-scale health, education, roads, etc.) and micro-credit activities for enhancing off-farm incomes will be channeled by BoARD through the appropriate regional and Woreda institutions as is currently the case (e.g. Amhara Credit and Savings Institution (ACSI) for micro-credit activities). The community-based flood related activities (sub-component B2) will be handled by the Regional Food Security Coordination and Disaster Prevention Office (under BoARD) through its Early Warning and Disaster Prevention Department (EWDPD) and associated Zonal Office and Woreda desks. Subproject identification, planning, approval and implementation will be managed at the Woreda level.

C. **Growth-Oriented Investment Preparation:** This would be overall coordinated by the regional Bureaus of Finance and Economic Development (BoFEDs). Capacity-building and preparation of evolving growth-oriented investments would be undertaken by the relevant regional agencies. Special focus would be given to modernize the existing regional investment agencies to facilitate private sector investment.

D. **Project Management:** This would be the responsibility of the special unit created in MoWR to oversee the entire project. Regional Project Coordinators (RPCs) will be assigned/appointed by the respective President’s Office. The RPCs will coordinate project activities among the various relevant participating regional line bureaus and agencies (including WRDB, BoARD, BoFED, BoTI, BoCT, EPLAUA, ARARI, Park Protection Agency, Lake Tana Transport etc.). The RPCs will also liaise with participating Woredas and Kebeles. The regional cabinet, chaired by the regional president, will provide oversight of project activities.

These implementation arrangements are summarized in the following Table 4.1.
### Table 4.1: TBIWRDP Implementation Arrangements

<table>
<thead>
<tr>
<th>Component</th>
<th>Federal</th>
<th>Regional</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Sub-Basin Resources Planning and Management</strong></td>
<td>MoWR: overall coordination at national level (NPCO), sub-basin planning and management until SBOs take over NMA: national and sub-national coordination for dissemination of HIS output EPA: oversight to insure national policies are maintained for environmental aspects during planning and management activities</td>
<td>WRDB: overall coordination at regional level (RPCO) ABO: overall resource planning and management for the whole Abbay Basin TaSBO: overall resource planning and management for the whole Tana sub-basin BeSBO: overall resource planning and management for the whole Beles sub-basin EPLAUA: evaluation of environmental land use impacts at regional level; planner and implementer for rural land use in the region</td>
<td>Basin/Sub-basin stakeholders</td>
</tr>
<tr>
<td><strong>B. Natural Resource Management Investments: Watershed Management</strong></td>
<td>MoARD: provide policy direction, and guide the planning process MoWR: follow up through the Watershed Management Coordination Office,</td>
<td>BoARD: take lead role in implementation of activities, provide extension and training services, supply inputs, ensure community participation in planning, design and implementation collaborate with WRDBs for small scale irrigation development EPLAUA: planner and implementer for rural land use in the region; ESMF training and oversight of implementation (EMP and RAP preparation) CPA: assist in input supply, irrigation management, marketing etc ARARI: provide adaptive research, and prepare extension packages and training services</td>
<td>Woreda Cabinet and Woreda Watershed Teams (WWTs) plan and approve investments WOARDs implement ESMF Kebele Watershed Committee Communities</td>
</tr>
<tr>
<td><strong>B. Natural Resource Management Investments: Community Flood Management</strong></td>
<td>MoWR: establish a national flood forecasting center, train NMA and DPPA at national level NMA: provide forecasting and early warning DPPA: ensure national preparedness to respond to flooding, closely monitor output from forecasting center for rapid response</td>
<td>RDDPA: establish a communicating mechanism, preparation and response training. EWDPD: Appraise and approve subproject proposals through Woreda desks. EPLAUA: ESMF training and oversight of implementation (EMP and RAP preparation) ACSI: Financing micro-credit activities</td>
<td>Woreda Cabinet and Woreda Watershed Teams (WWTs) plan and approve investments WOARDs implement ESMF Flood Affected Communities</td>
</tr>
</tbody>
</table>
## TBIWRDP Implementation Arrangements

<table>
<thead>
<tr>
<th>Component</th>
<th>Federal</th>
<th>Regional</th>
<th>Local</th>
</tr>
</thead>
</table>
| **C. Growth-Oriented Investment Facilitation** | **MoFED:** provide policy direction, and guide the planning process  
**MoWR:** provide policy direction, and guide the planning process  
**MoARD:** provide policy direction, and guide the planning process | **BoFED:** coordinate and compile region’s overall development planning to allow coordination with this component; oversee TBIWRDP investment studies  
**RIPA:** mainly facilitate private sector investment and provide input towards development planning process  
**EPLAUA:** Oversee and approve EIAs and RAPs of investment proposals | Woreda Council  
Kebele Council |
| **D. Project Management**          | **MoWR:** NPCO, lead coordination with all line ministry, agencies and departments as required | **WRDB:** RPCO, lead coordination with all line bureaus and departments as required  
**BoWA:** mainstream gender issues into all planned project interventions | Woreda Council  
Kebele Council |
5. ESMF PROCESS FOR SUBPROJECT PREPARATION, ASSESSMENT AND REPORTING

TBIWRDP Component B: Natural Resource Management Investments

This section sets out the environmental and social impact assessment procedures, reporting systems, and responsibilities to be adopted by the TBIWRDP implementing organizations for Component B activities in Amhara Region. The section begins with details of issues that will be addressed, and the specific next steps to be taken. It then describes the various elements of this ESMF including:

- Steps to be taken for the screening, review and appraisal of proposed investments;
- Procedures for preparation of EMPs and RAPs for subprojects;
- Terms of reference for an annual environmental and social performance reviews of the TBIWRDP;
- Guidelines on the environmental and social impact of project investments; and
- Compliance mechanisms.

The design of this assessment system is based on a review of the tools developed by a number of previous World Bank-financed irrigation and watershed management projects including the FPEW and Integrated Watershed Management Project. The system also complies with both the World Bank’s safeguard policies and the Ethiopia EIA guidelines which have very similar provisions for impact classification and assessment as the World Bank’s OP 4.01 (see Table 3.2).

In Amhara Region, EPLAUA will have overall responsibility for implementing this ESMF. EPLAUA will:

- Develop and implement a training program for regional and Woreda staff on their responsibilities under this ESMF and Ethiopian EIA regulations;
- Provide technical assistance, as needed, for the preparation of subproject EMPs and RAPs; and
- Monitor ESMF implementation and provide ongoing technical support to improve implementation performance.

TBIWRDP Component C: Growth-Oriented Investments

In Component C, TBIWRDP will be preparing investments for a follow-on World Bank-financed project or for financing by others. Since the preparation studies will be financed by TBIWRDP, they will need to include safeguards studies (e.g. EIAs, RAPs) according to the Bank policies outlined in Section 3.1 above, and/or according to Ethiopian requirements. To meet Bank requirements, the preparation of Category "A" investments will require public disclosure and consultation on the terms of reference for the safeguards studies, and disclosure of the draft reports for public comment. For Category "B" investments, disclosure and consultation is only required for the draft reports. The cost of preparing these studies is included in Component C of TBIWRDP, and is not included in the ESMF/RPF implementation budget (Section 7).

Responsibilities for ensuring that the required preparation studies, including EIAs and RAPs, lies with the regional BoFED, with review and approval by EPLAUA.

Since these investments will not be financed by TBIWRDP, the safeguards reports do not need to be approved by the World Bank. They do need to be reviewed by World Bank safeguards specialists, and BoFED is required to include Bank comments with the reports when making them available to potential financiers. Should any of these investments be included in a subsequent World Bank-financed project, approval by the Bank will be required during the preparation of that project.
5.1 Screening Component B Subproject Investment Proposals

Component B subproject investment proposals will be screened using the screening form provided as Attachment A. The form will determine what level of environmental and social assessment is required.

A key element of the national guideline document is the distinction between three schedules of projects:

- Schedule 1: Projects which may have adverse and significant environmental impacts, and may, therefore, require full EIA;
- Schedule 2: Projects of the type or scale that have potential to cause some significant environmental impacts but which do not warrant a full EIA, and an EMP will be sufficient;
- Schedule 3: Projects which would have no impact and do not require EIA.

Under the TBIWRDP, subprojects will be prepared at the Woreda level under the direction of the Woreda Watershed Team (WWT) chaired by the Woreda Office of Agriculture and Rural Development (WOARD) and composed all Woreda-level staff of the regional bureaus. The subprojects will be Schedule 3 (World Bank Category C) or Schedule 2 (World Bank Category B). Thus, they will require either no special environmental or social safeguards analysis, or small EMPs or RAPs. The WOARD Environmental Officer will be responsible for subproject screening to identify potential impacts and to classify the subproject based on its nature and location. EPLAUA is establishing Woreda offices, and it may be appropriate for this office to screen subproject proposals. A screening form is provided in Attachment A.

5.2 Preparation of EMPs and RAPs

The relevant Woreda Administration Offices (WOARD, WOWRD, etc) will be responsible for preparation of any required EMPs and RAPs. For example, for a proposed watershed management project, WoARD will be the responsible party while the Office of Health will be responsible for health posts. The Woreda officers may consult with EPLAUA if there is a need for more technical advice than is available at the Woreda level.

The format for EMPs will follow the requirements under the EPA guidelines document and the OP 4.01 requirements. An EMP should be a short and concise document, perhaps only a few pages, and must contain the necessary sections as outlined below:

Contents of an EMP:
- A description of the possible adverse effects that the EMP is intended to address;
- Identification of project design alternatives that would meet similar objectives, and a description of why these projects are not viable, especially if they have a lesser environmental or social impact;
- A description of planned mitigation measures, and how and when they will be implemented (the Woreda Technical Planning Guidelines prepared under the LIG are useful for identifying impacts and mitigation measures for Components B investments);
- A program for monitoring the environmental and social impacts of the project, both positive and negative;
- A description of who will be responsible for implementing the EMP; and
- A cost estimate and source of funds.

Templates for an EMP are provided in Attachment B.

For the preparation of RAPs, it will be the responsibility of the WWT member officers to prepare these plans in consultation with the kebele councils. The RPF provides clear guidelines on how this will be implemented.
For those subprojects which trigger the safeguard policy on pest management, a pest management plan is required.

Environmental contract clauses should be included in the Technical Specifications of subprojects, and be accounted for as part of the project investment’s overall implementation budget. Attachment C provides a set of recommended contract clauses to include in contractor agreements. Effective implementation of the EMP will ensure that the appropriate mitigation measures have been employed to avoid and/or minimize any potential impacts resulting from the proposed activity.

5.3 Issues Related to Resettlement and Pest Management

If identified as a requirement of the subproject through the screening process, a Resettlement Action Plan and/or a Pest Management Plan is prepared alongside or as an integrated part of the EMP.

(a) Resettlement Action Plan

RAPs will be needed for each investment that results in the involuntary loss of land or access to resources. Under the Project, it is expected that these losses will be in small amounts (i.e. it is unlikely that persons affected by the subproject will lose more than 20% of their assets) and affect only a few people, therefore it is expected that the RAPs will be in the form of Abbreviated RAPs. An abbreviated RAP will focus on the procedure and amount of loss and compensation and be around 10 pages at most (see the RPF in Annex A). The Woreda Offices responsible for planning and implementing the investment scheme will coordinate with the BoARD, WRDB, or RDPPA, as appropriate, in preparing the RAP. The RPF provided as Annex A outlines the relevant steps required in order to ensure that appropriate measures are put in place to safeguard the rights of affected communities.

(b) Pest Management Plan

Since the TBIWRDP has triggered the OP 4.09 for pest management, it is important to ensure that Pest Management Plans are prepared for the proposed investments, as needed, as part of the EMPs. Any required measures to manage and/or mitigate adverse impacts of pesticides should be considered as part of the EMP. The OP 4.09 for Pest Management and the Ethiopian Special decree for Pesticides Registration (Proc.20/1990) must be complied with.

5.4 Review and Approval of EMPs and RAPs

EMPs and RAPs will be reviewed and approved at the Woreda level by the WOARD Environment Officer. EPLAUA’s role will be technical support, as needed, in the review and approval of EMPs and RAPs, and in the supervision of their implementation. EPLAUA is establishing Woreda offices, and it may be appropriate for this office to review and approve subproject EMPs and RAPs. EPLAUA will coordinate with the regional bureaus (WRDB, BoARD, RDPPA) on any technical questions regarding the design and potential environmental and social issues related to the subproject. In regards to specific land use issues, it is EPLAUA and BoARD that will be responsible (this is discussed in more detail in the RPF).

5.5 Disclosure of Subproject Information

In compliance with World Bank policies and in the EA proclamation, before a subproject is approved, the applicable documents (EMP and/or RAP) must be made available for public review at a place accessible to local people (e.g. at a local government office), and in a form, manner, and
language they can understand. The EMPs and RAPs should be disclosed in the same location that the community development plans are made public to ensure that there is wide access to them.

5.6 EMP and RAP Budget

Subproject EMPs and RAPs will outline the appropriate budget required to implement measures for mitigation and monitoring. It will also indicate the costs of training and capacity building required. Costs should be calculated based on estimates provided by Contractors for any mitigation measures required during the civil works. For example:

- Costs of ensuring the appropriate dust suppression mechanisms are in place during excavation works must be calculated and included in the tender documents;
- Costs of installing erosion control measures should be estimated as part of the engineering costs; and
- Training of staff on environmental and operational, health and safety issues should be outlined in detail.

5.7 Supervision of EMPs and RAPs

Supervising the implementation of EMPs (and RAPs) will be the responsibility of the Woreda office that had them prepared – WOWRD, WOARD, etc.

Supervision of the EMPs (and RAPs), along with other aspects of the project, covers monitoring, evaluative review and reporting and is designed to:

- determine whether the subproject is being carried out in conformity with environmental safeguards and legal agreements;
- identify problems as they arise during implementation and recommend means to resolve them;
- recommend changes in project concept/design, as appropriate, as the project evolves or circumstances change; and
- identify the key risks to project sustainability and recommend appropriate risk management strategies.

It is vital that an appropriate environmental supervision plan is developed with clear objectives to ensure the successful implementation of an EMP and RAP.

5.8 Annual Performance Reviews

Annual performance reviews will be undertaken by an independent local environmental consultant contracted by EPLAUA to visit each participating Woreda at least once a year. The purpose of these reviews is to support compliance with ESMP objectives and procedures; to determine lessons learnt during project implementation; to provide recommendations to EPLAUA for improving future performance; and to provide an early warning about potential cumulative impacts.
6. CAPACITY BUILDING, TRAINING AND TECHNICAL ASSISTANCE

Presently, the MoWR has limited capacity to implement safeguard policies. The regional environment bureau (EPLAUA) has staff trained and experienced in the relevant disciplines and procedures. The TBIWRDP will provide training and capacity building to support implementation of the safeguards instruments, especially for Components B and C. On Component A, TBIWRDP will provide long-term technical assistance to support the plan development process, in particular its environmental and social aspects.

During the first year of the project, 2 day workshops should be held in Amahara region for staff of regional and Woreda implementing agencies to familiarize them with the ESMF and RPF requirements. The workshop format outlined below aims to provide attendees with the basic approach to implementing the guidelines provided in the ESMF and RPF combined with the use of the appropriate tools, such as the screening form. Refresher courses should be held annually during the course of the project lifecycle. EPLAUA is responsible for preparing and implementing these training workshops.

Table 6.1 Proposed training format for ESMF implementation

<table>
<thead>
<tr>
<th>Module</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day 1</td>
<td></td>
</tr>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>• Objective of the ESMF</td>
<td></td>
</tr>
<tr>
<td>• Key stakeholders with a role in the ESMF</td>
<td></td>
</tr>
<tr>
<td>• Relevant legislative and regulatory acts and World Bank safeguard policies</td>
<td></td>
</tr>
<tr>
<td>• Structure and role of relevant governmental authorities and NGOs as relates to the TBIWRDP</td>
<td></td>
</tr>
<tr>
<td>Day 2</td>
<td></td>
</tr>
<tr>
<td>Summary of guidelines for the subprojects</td>
<td>0.5</td>
</tr>
<tr>
<td>• Screening</td>
<td></td>
</tr>
<tr>
<td>• Appraisal and approval</td>
<td></td>
</tr>
<tr>
<td>• Disclosure</td>
<td></td>
</tr>
<tr>
<td>• Annual Reporting</td>
<td></td>
</tr>
<tr>
<td>Capacity building requirements</td>
<td>0.25</td>
</tr>
<tr>
<td>Budgeting for the implementation of EMPs, RAPs and other management plans</td>
<td>0.25</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2 days</strong></td>
</tr>
</tbody>
</table>

Table 6.2 Proposed training format for RPF implementation

<table>
<thead>
<tr>
<th>Module</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day 1</td>
<td></td>
</tr>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>• Purpose and objective of the RPF</td>
<td></td>
</tr>
<tr>
<td>• Description of procedures required for resettlement planning (stakeholder assessments, eligibility, valuation methods, compensation and grievance, etc)</td>
<td></td>
</tr>
<tr>
<td>• Relevant legislative and regulatory acts and World Bank safeguard policies</td>
<td></td>
</tr>
<tr>
<td>• Structure and role of relevant governmental authorities and NGOs as relates to the TBIWRDP</td>
<td></td>
</tr>
<tr>
<td>Day 2</td>
<td></td>
</tr>
<tr>
<td>Summary of guidelines for the subprojects</td>
<td>0.5</td>
</tr>
<tr>
<td>• Screening</td>
<td></td>
</tr>
<tr>
<td>• Appraisal and approval</td>
<td></td>
</tr>
<tr>
<td>• Disclosure</td>
<td></td>
</tr>
<tr>
<td>• Annual Review</td>
<td></td>
</tr>
<tr>
<td>Module</td>
<td>Duration</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Annual Reporting</td>
<td>0.25</td>
</tr>
<tr>
<td>Capacity building requirements</td>
<td>0.25</td>
</tr>
<tr>
<td>Budgeting for the implementation of RAPs</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2 days</strong></td>
</tr>
</tbody>
</table>
7. INTEGRATED ESMF AND RPF IMPLEMENTATION BUDGET

Since both the responsible federal and regional authorities have inadequate capacity to thoroughly address safeguards concerns during the preparation and implementation of the irrigation schemes, the TBIWRDP will finance technical assistance to train regional and Woreda staff: to prepare EMPs and RAPs, to otherwise support ESMF implementation nationally and regionally, and to undertake annual performance reviews of ESMF/RPF implementation.

TBIWRDP will have a training program for implementation of the project at regional and woreda levels. This program will be supplemented specifically to address ESMF and RPF implementation.

Table 7.1 Budget Estimate for the Implementation of the ESMF and RPF

<table>
<thead>
<tr>
<th>Item</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Component A:</strong></td>
<td></td>
</tr>
<tr>
<td>• Environmental and social inputs to sub-basin planning</td>
<td>Included in Component A budget</td>
</tr>
<tr>
<td><strong>Component B:</strong></td>
<td></td>
</tr>
<tr>
<td>• Training in ESMF/RPF implementation</td>
<td>$75,000</td>
</tr>
<tr>
<td>• Short-term local consultant support to EPLAU, regional bureaus and Woredas for ESMF/RPF implementation</td>
<td>$70,000</td>
</tr>
<tr>
<td>• Annual reviews (local consultancy)</td>
<td>$50,000</td>
</tr>
<tr>
<td>• Cost of implementing subproject EMPs and RAPs will be included in the subproject budgets</td>
<td></td>
</tr>
<tr>
<td><strong>Component C:</strong></td>
<td></td>
</tr>
<tr>
<td>• Preparation of EIAs and RAPs</td>
<td>Included in Component C budget</td>
</tr>
<tr>
<td><strong>Component D:</strong></td>
<td></td>
</tr>
<tr>
<td>• Short-term local consultant support to MoWR for overall ESMF/RPF implementation support</td>
<td>$30,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$225,000</strong></td>
</tr>
</tbody>
</table>
ATTACHMENT A: ESMF AND RPF SCREENING FORM

Sub-project name:

Sub-project Location (include map/sketch): (e.g. woreda, kebele, etc).

Type of activity: (e.g. new construction, rehabilitation, periodic maintenance)

Estimated Cost: (Birr)

Proposed Date of Commencement of Work:

Technical Drawing/Specifications Reviewed: (circle answer): Yes No

This report is to be kept short and concise.

1. Site Selection:

<table>
<thead>
<tr>
<th>Physical data:</th>
<th>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site area in ha</td>
<td></td>
</tr>
<tr>
<td>Extension of or changes to existing alignment</td>
<td></td>
</tr>
<tr>
<td>Any existing property to transfer to sub-project</td>
<td></td>
</tr>
<tr>
<td>Any plans for new construction</td>
<td></td>
</tr>
</tbody>
</table>

Refer to project application for this information.

2. Impact identification and classification:

When considering the location of a subproject, rate the sensitivity of the proposed site in the following table according to the given criteria. Higher ratings do not necessarily mean that a site is unsuitable. They do indicate a real risk of causing undesirable adverse environmental and social effects, and that more substantial environmental and/or social planning may be required to adequately avoid, mitigate or manage potential effects. The following table should be used as a reference.

<table>
<thead>
<tr>
<th>Issues</th>
<th>Site Sensitivity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low</td>
</tr>
<tr>
<td>Natural habitats</td>
<td>No natural habitats present of any kind</td>
</tr>
<tr>
<td>Water quality and water resource availability and use</td>
<td>Water flows exceed any existing demand; low intensity of water use; potential water use conflicts expected to be low; no potential water quality issues</td>
</tr>
</tbody>
</table>
### Site Sensitivity

<table>
<thead>
<tr>
<th>Issues</th>
<th>Low</th>
<th>Medium</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural hazards vulnerability, floods, soil stability/erosion</td>
<td>Flat terrain; no potential stability/erosion problems; no known volcanic/seismic/ flood risks</td>
<td>Medium slopes; some erosion potential; medium risks from volcanic/seismic/ flood/ hurricanes</td>
<td>Mountainous terrain; steep slopes; unstable soils; high erosion potential; volcanic, seismic or flood risks</td>
</tr>
<tr>
<td>Cultural property</td>
<td>No known or suspected cultural heritage sites</td>
<td>Suspected cultural heritage sites; known heritage sites in broader area of influence</td>
<td>Known heritage sites in project area</td>
</tr>
<tr>
<td>Involuntary resettlement</td>
<td>Low population density; dispersed population; legal tenure is well-defined; well-defined water rights</td>
<td>Medium population density; mixed ownership and land tenure; well-defined water rights</td>
<td>High population density; major towns and villages; low-income families and/or illegal ownership of land; communal properties; unclear water rights</td>
</tr>
<tr>
<td>Indigenous peoples</td>
<td>No indigenous population</td>
<td>Dispersed and mixed indigenous populations; highly acculturated indigenous populations</td>
<td>Indigenous territories, reserves and/or lands; vulnerable indigenous populations</td>
</tr>
</tbody>
</table>

### 3. Checklist of impacts

#### Roads and Footpaths

<table>
<thead>
<tr>
<th>Potential for Adverse Impacts</th>
<th>None</th>
<th>Low</th>
<th>Med</th>
<th>High</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soil erosion or flooding concerns (e.g., due to highly erodable soils or steep gradients)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Number of stream crossings or disturbances</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Wet season excavation</td>
<td></td>
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<tr>
<td>Creation of quarry sites or borrow pits</td>
<td></td>
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<tr>
<td>Significant vegetation removal</td>
<td></td>
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<td></td>
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<tr>
<td>Wildlife habitats or populations disturbed</td>
<td></td>
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<td></td>
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<tr>
<td>Environmentally sensitive areas disturbed</td>
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<tr>
<td>Cultural or religious sites disturbed</td>
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<tr>
<td>Economic or physical resettlement required</td>
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<tr>
<td>New settlement pressures created</td>
<td></td>
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<tr>
<td>Other (specify):</td>
<td></td>
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</tbody>
</table>

#### Drinking Water Projects

<table>
<thead>
<tr>
<th>Potential for Adverse Impacts</th>
<th>None</th>
<th>Low</th>
<th>Med</th>
<th>High</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>New access (road) construction</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Existing water sources supply/yield depletion</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Existing water users disrupted</td>
<td></td>
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<tr>
<td>Downstream water users disrupted</td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Increased numbers of water users due to improvements</td>
<td></td>
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<tr>
<td>Increased social tensions/conflict over water allocation</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Sensitive ecosystems downstream disrupted</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Economic or physical resettlement required</td>
<td></td>
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<tr>
<td>Local incapacity/inexperience to manage facilities</td>
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<tr>
<td>Other (specify):</td>
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</tbody>
</table>

#### Irrigation Projects

<table>
<thead>
<tr>
<th>Potential for Adverse Impacts</th>
<th>None</th>
<th>Low</th>
<th>Med</th>
<th>High</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing water sources supply/yield depletion</td>
<td></td>
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<td></td>
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<tr>
<td>Existing water users disrupted</td>
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</tbody>
</table>
### Irrigation Projects

<table>
<thead>
<tr>
<th>Potential for Adverse Impacts</th>
<th>None</th>
<th>Low</th>
<th>Med</th>
<th>High</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Downstream water users disrupted</td>
<td></td>
<td></td>
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<tr>
<td>Water storage requirement and viability (soil permeability)</td>
<td></td>
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<tr>
<td>Vulnerability to water logging (poor drainage)</td>
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<tr>
<td>Vulnerability to soil and water salinization</td>
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<tr>
<td>Sensitive downstream habitats and waterbodies</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Environmentally sensitive areas disturbed</td>
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<tr>
<td>Cultural or religious sites disturbed</td>
<td></td>
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<tr>
<td>Increased agric. chemicals (pesticides, etc) loading</td>
<td></td>
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<tr>
<td>Increased social tensions over water allocation</td>
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<tr>
<td>Local incapacity/inexperience to manage facilities</td>
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<tr>
<td>Local incapacity/inexperience with irrigated agriculture</td>
<td></td>
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<tr>
<td>Other (specify):</td>
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</tbody>
</table>

### Catchment, Forestry, Grasslands Projects

<table>
<thead>
<tr>
<th>Potential for Adverse Impacts</th>
<th>None</th>
<th>Low</th>
<th>Med</th>
<th>High</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>New access (road) construction</td>
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<tr>
<td>Wet season soil disturbance</td>
<td></td>
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<tr>
<td>Potential for debris flows or landslides</td>
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<tr>
<td>Sensitive downstream ecosystems</td>
<td></td>
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<tr>
<td>Removal of native plant/tree species</td>
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<tr>
<td>Introduced plant/tree species</td>
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<tr>
<td>Invasion of native species</td>
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<tr>
<td>Wildlife habitats or populations disturbed</td>
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<tr>
<td>Environmentally sensitive areas disturbed</td>
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<tr>
<td>Insufficient capacity to manage catchment ponds</td>
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<tr>
<td>Insufficient capacity to prohibit or control open grazing</td>
<td></td>
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<tr>
<td>Insufficient capacity to manage new plantations/pastures</td>
<td></td>
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<tr>
<td>Economic or physical resettlement required</td>
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<td></td>
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<tr>
<td>Other (specify):</td>
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</tbody>
</table>

### Infrastructure such as School and Health Facilities

<table>
<thead>
<tr>
<th>Potential for Adverse Impacts</th>
<th>None</th>
<th>Low</th>
<th>Med</th>
<th>High</th>
<th>Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>New access (road) construction</td>
<td></td>
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<tr>
<td>Alteration of existing drainage conditions</td>
<td></td>
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<tr>
<td>Vegetation removal</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Wet season soil disturbance</td>
<td></td>
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<tr>
<td>Construction materials impact on adjacent forests/lands</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Quarries and borrow pits created</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Cultural or religious sites disturbed</td>
<td></td>
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<tr>
<td>Water supply development effects in available supply</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Effect of sanitation development on existing disposal sites</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Effects of medical waste on existing disposal system</td>
<td></td>
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<td></td>
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<tr>
<td>Economic or physical resettlement required</td>
<td></td>
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<tr>
<td>In-migration/settlement induced by facilities development</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Local incapacity/inexperience to manage facilities</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Other (specify):</td>
<td></td>
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</tr>
</tbody>
</table>

3. **Detailed questions:**

**Preliminary Environmental Information:**

Yes/No answers and bullet lists preferred except where descriptive detail is essential.

- State the source of information available at this stage (proponents report, EIA or other environmental study).
- Has there been litigation or complaints of any environmental nature directed against the proponent or sub-project
Refer to application and/or relevant environmental authority for this information.

<table>
<thead>
<tr>
<th>Identify type of activities and likely environmental impacts:</th>
<th>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</th>
</tr>
</thead>
<tbody>
<tr>
<td>What are the likely environmental impacts, opportunities, risks and liabilities associated with the sub-project?</td>
<td></td>
</tr>
</tbody>
</table>

Refer to ESMF– Impact, Mitigation and Monitoring Guidelines

<table>
<thead>
<tr>
<th>Determine environmental screening category:</th>
<th>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</th>
</tr>
</thead>
<tbody>
<tr>
<td>After compiling the above, determine which category the subproject falls under based on the environmental categories A, B and C.</td>
<td></td>
</tr>
</tbody>
</table>

Refer to ESMF– Screening and Review Process

<table>
<thead>
<tr>
<th>Mitigation of Potential Pollution:</th>
<th>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the sub-project have the potential to pollute the environment, or contravene any environmental laws and regulations?</td>
<td></td>
</tr>
<tr>
<td>Will the subproject require pesticide use?</td>
<td></td>
</tr>
<tr>
<td>If so, then the proposal must detail the methodology and equipment incorporated in the design to constrain pollution within the laws and regulations and to address pesticide use, storage and handling.</td>
<td></td>
</tr>
<tr>
<td>Does the design adequately detail mitigating measures?</td>
<td></td>
</tr>
</tbody>
</table>

Refer to ESMF– Impact, Mitigation and Monitoring Guidelines

<table>
<thead>
<tr>
<th>Environmental Assessment Report or environmental studies required:</th>
<th>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</th>
</tr>
</thead>
<tbody>
<tr>
<td>If Screening identifies environmental issues that require an EIA or a study, does the proposal include the EIA or study?</td>
<td></td>
</tr>
<tr>
<td>Indicate the scope and time frame of any outstanding environmental study.</td>
<td></td>
</tr>
</tbody>
</table>

Required Environmental Monitoring Plan:

| If the screening identifies environmental issues that require long term or intermittent monitoring (effluent, gaseous discharges, water quality, soil quality, air quality, noise etc), does the proposal detail adequate monitoring requirements? |                                                                                   |

Refer to ESMF– Impact, Mitigation and Monitoring Guidelines

<table>
<thead>
<tr>
<th>Public participation/information requirements:</th>
<th>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the proposal require, under national or local laws, the public to be informed, consulted or involved?</td>
<td></td>
</tr>
<tr>
<td>Has consultation been completed?</td>
<td></td>
</tr>
<tr>
<td>Indicate the time frame of any outstanding consultation process.</td>
<td></td>
</tr>
</tbody>
</table>

Refer to relevant legislative acts in Ethiopia.

<table>
<thead>
<tr>
<th>Land and resettlement:</th>
<th>Yes/No answers and bullet lists preferred except where descriptive detail is essential.</th>
</tr>
</thead>
</table>

Will the subproject require the acquisition of land? If so, what is the likelihood of land purchase for the sub-project?

Is the land public or privately owned?

How will the proponent go about land purchase?

What is the plot currently being used for? (e.g. agriculture, gardening, etc) List the key resources.

Will people need to be displaced, and therefore require compensation and resettlement assistance?

Are the relevant authorities aware of the need for a Resettlement Process, involving a census, valuation, consultation, compensation, evaluation and monitoring?

What level or type of compensation is planned?

Who will monitor actual payments?

Refer to the Resettlement Policy Framework.

**Actions:**

List outstanding actions to be cleared before sub-project appraisal.

**Approval/rejection**

Yes/No answers and bullet lists preferred except where descriptive detail is essential.

If proposal is rejected for environmental reasons, should the sub-project be reconsidered, and what additional data would be required for re-consideration?

**Recommendations:**

- [ ] Requires an EIA to be submitted on date:
- [ ] Requires a RAP to be submitted on date:
- [ ] Requires a RAP to be submitted on date:
- [ ] Requires EMP to be submitted on date:
- [ ] Does not require further environmental or social studies

**Reviewer:**

Name: ____________________________

Signature: _______________________

Date: ___________________________
ATTACHMENT B: TERMS OF REFERNCE FOR AN EMP

The EMP should be formulated in such a way that it is easy to use. References within the plan should be clearly and readily identifiable. Also, the main text of the EMP needs to be kept as clear and concise as possible, with detailed information relegated to annexes. The EMP should identify linkages to other relevant plans relating to the project, such as plans dealing with resettlement or indigenous peoples issues. The following aspects should typically be addressed within EMPs.

Summary of impacts: The predicted adverse environmental and social impacts for which mitigation is required should be identified and briefly summarized.

Description of mitigation measures: The EMP identifies feasible and cost effective measures to reduce potentially significant adverse environmental and social impacts to acceptable levels. Each mitigation measure should be briefly described with reference to the impact to which it relates and the conditions under which it is required (for example, continuously or in the event of contingencies). These should be accompanied by, or referenced to, designs, equipment descriptions, and operating procedures which elaborate on the technical aspects of implementing the various measures. Where the mitigation measures may result in secondary impacts, their significance should be evaluated.

Description of monitoring program: Environmental performance monitoring should be designed to ensure that mitigation measures are implemented, have the intended result, and that remedial measures are undertaken if mitigation measures are inadequate or the impacts have been underestimated within the ESIA report. It should also assess compliance with national standards and World Bank Group requirements or guidelines.

The monitoring program should clearly indicate the linkages between impacts identified in the ESIA report, indicators to be measured, methods to be used, sampling locations, frequency of measurements, detection limits (where appropriate), and definition of thresholds that will signal the need for corrective actions, and so forth. Although not essential to have complete details of monitoring in the EMP, it should describe the means by which final monitoring arrangements will be agreed.

Institutional arrangements: Responsibilities for mitigation and monitoring should be clearly defined. The EMP should identify arrangements for coordination between the various actors responsible for mitigation.

The EMP table should look as follows:
## Environmental Management Plan

### A. Mitigation

<table>
<thead>
<tr>
<th>Project Activity</th>
<th>Potential Environmental and Social Impacts</th>
<th>Proposed Mitigation Measure(s) (Incl. legislation &amp; regulations)</th>
<th>Institutional Responsibilities (Incl. enforcement &amp; coordination)</th>
<th>Cost Estimates</th>
<th>Comments (e.g. secondary impacts)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-Construction Phase</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Construction Phase</td>
<td></td>
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</tr>
<tr>
<td>Operation and Maintenance Phase</td>
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</tbody>
</table>

### B. Monitoring

<table>
<thead>
<tr>
<th>Proposed Mitigation Measure</th>
<th>Parameters To be Monitored</th>
<th>Location</th>
<th>Measurements (Incl. methods &amp; equipment)</th>
<th>Frequency of Measurement</th>
<th>Responsibilities (Incl. review and reporting)</th>
<th>Cost (equipment &amp; individuals)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-Construction Phase</td>
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</tr>
<tr>
<td>Construction Phase</td>
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</tr>
<tr>
<td>Operation and Maintenance Phase</td>
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</tbody>
</table>

| Total Cost for all Phases | | | | | | |

Total Cost for all Phases
**ATTACHMENT C: EXAMPLES OF CONTRACT CLAUSES**

Proper environmental management of construction projects can be achieved only with adequate site selection and project design. As such, the EA for projects involving any new construction, or any rehabilitation or reconstruction for existing projects, should provide information as to screening criteria for site selection and design including the following:

**Site selection**
Sites should be chosen based on community needs for additional projects, with specific lots chosen based on geographic and topographic characteristics. The site selection process involves site visits and studies to analyze: (i) the site’s urban, suburban, or rural characteristics; (ii) national, state, or municipal regulations affecting the proposed lot; (iii) accessibility and distance from inhabited areas; (iv) land ownership, including verification of absence of squatters and/or other potential legal problems with land acquisition; (v) determination of site vulnerability to natural hazards, (i.e. intensity and frequency of floods, earthquakes, landslides, hurricanes, volcanic eruptions); (vi) suitability of soils and subsoils for construction; (vii) site contamination by lead or other pollutants; (viii) flora and fauna characteristics; (ix) presence or absence of natural habitats (as defined by OP 4.04) and/or ecologically important habitats on site or in vicinity (e.g. forests, wetlands, coral reefs, rare or endangered species); and (ix) historic and community characteristics.

**Project design**
Project design criteria include, but are not limited to, the consideration of aspects such as heating, ventilation, natural and artificial light energy efficiency, floor space (ft²) per bed/ward, requirements for x-ray rooms, adequacy of corridors for wheel chair/bed access, adequate water supply and sanitation systems, historical and cultural considerations, security and handicapped access.

**Construction activities and environmental rules for contractors**
The following information is intended solely as broad guidance to be used in conjunction with local and national regulations. Based on this information, environmental rules for contractors should be developed for each project, taking into account the project size, site characteristics, and location (rural vs. urban).

After choosing an appropriate site and design, construction activities can proceed. As these construction activities could cause significant impacts on and nuisances to surrounding areas, careful planning of construction activities is critical. Therefore the following rules (including specific prohibitions and construction management measures) should be incorporated into all relevant bidding documents, contracts, and work orders.

**Prohibitions**
The following activities are prohibited on or near the project site:
- Cutting of trees for any reason outside the approved construction area;
- Hunting, fishing, wildlife capture, or plant collection;
- Use of unapproved toxic materials, including lead-based paints, asbestos, etc.
- Disturbance to anything with architectural or historical value;
- Building of fires;
- Use of firearms (except authorized security guards);
- Use of alcohol by workers.

**Construction Management Measures**

*Waste Management and Erosion:*
Solid, sanitation, and, hazardous wastes must be properly controlled, through the implementation of the following measures:
Waste Management:
- Minimize the production of waste that must be treated or eliminated.
- Identify and classify the type of waste generated. If hazardous wastes (including health care wastes) are generated, proper procedures must be taken regarding their storage, collection, transportation and disposal.
- Identify and demarcate disposal areas clearly indicating the specific materials that can be deposited in each.
- Control placement of all construction waste (including earth cuts) to approved disposal sites (>300 m from rivers, streams, lakes, or wetlands). Dispose in authorized areas all of garbage, metals, used oils, and excess material generated during construction, incorporating recycling systems and the separation of materials.

Maintenance:
- Identify and demarcate equipment maintenance areas (>15 m from rivers, streams, lakes or wetlands).
- Ensure that all equipment maintenance activities, including oil changes, are conducted within demarcated maintenance areas; never dispose spent oils on the ground, in water courses, drainage canals or in sewer systems.
- Identify, demarcate and enforce the use of within-site access routes to limit impact to site vegetation.
- Install and maintain an adequate drainage system to prevent erosion on the site during and after construction.

Erosion Control
- Erect erosion control barriers around perimeter of cuts, disposal pits, and roadways.
- Spray water on dirt roads, cuts, fill material and stockpiled soil to reduce wind-induced erosion, as needed.
- Maintain vehicle speeds at or below 10 mph within work area at all times.

Stockpiles and Borrow Pits
- Identify and demarcate locations for stockpiles and borrow pits, ensuring that they are 15 meters away from critical areas such as steep slopes, erosion-prone soils, and areas that drain directly into sensitive waterbodies.
- Limit extraction of material to approved and demarcated borrow pits.

Site Cleanup
- Establish and enforce daily site clean-up procedures, including maintenance of adequate disposal facilities for construction debris.

Safety during Construction
The Contractor’s responsibilities include the protection of every person and nearby property from construction accidents. The Contractor shall be responsible for complying with all national and local safety requirements and any other measures necessary to avoid accidents, including the following:
- Carefully and clearly mark pedestrian-safe access routes.
- If school children are in the vicinity, include traffic safety personnel to direct traffic.
- Maintain supply of supplies for traffic signs (including paint, easel, sign material, etc.), road marking, and guard rails to maintain pedestrian safety during construction.
- Conduct safety training for construction workers prior to beginning work.
- Provide personal protective equipment and clothing (goggles, gloves, respirators, dust masks, hard hats, steel-toed and –shanked boots, etc.) for construction workers and enforce their use.
- Post Material Safety Data Sheets for each chemical present on the worksite.
• Require that all workers read, or are read, all Material Safety Data Sheets. Clearly explain the risks to them and their partners, especially when pregnant or planning to start a family. Encourage workers to share the information with their physicians, when relevant.

• Ensure that the removal of asbestos-containing materials or other toxic substances be performed and disposed of by specially trained workers.

• During heavy rains or emergencies of any kind, suspend all work.

• Brace electrical and mechanical equipment to withstand seismic events during the construction.

**Nuisance and dust control**

To control nuisance and dust the Contractor should:

• Maintain all construction-related traffic at or below 15 mph on streets within 200 m of the site.

• Maintain all on-site vehicle speeds at or below 10 mph.

• To the extent possible, maintain noise levels associated with all machinery and equipment at or below 90 db.

• In sensitive areas (including residential neighborhoods, hospitals, rest homes, etc.) more strict measures may need to be implemented to prevent undesirable noise levels.

• Minimize production of dust and particulate materials at all times, to avoid impacts on surrounding families and businesses, and especially to vulnerable people (children, elders).

• Phase removal of vegetation to prevent large areas from becoming exposed to wind.

• Place dust screens around construction areas, paying particular attention to areas close to housing, commercial areas, and recreational areas.

• Spray water as needed on dirt roads, cut areas and soil stockpiles or fill material.

• Apply proper measures to minimize disruptions from vibration or noise coming from construction activities.

**Community Relations**

To enhance adequate community relations the Contractor should:

• Following the country and EA requirements, inform the population about construction and work schedules, interruption of services, traffic detour routes and provisional bus routes, as appropriate.

• Limit construction activities at night. When necessary ensure that night work is carefully scheduled and the community is properly informed so they can take necessary measures.

• At least five days in advance of any service interruption (including water, electricity, telephone, bus routes) the community must be advised through postings at the project site, at bus stops, and in affected homes/businesses.

**Chance Find Procedures for Culturally Significant Artifacts**

The Contractor is responsible for familiarizing themselves with the following “Chance Finds Procedures”, in case culturally valuable materials are uncovered during excavation, including:

• Stop work immediately following the discovery of any materials with possible archeological, historical, paleontological, or other cultural value, announce findings to project manager and notify relevant authorities;

• Protect artifacts as well as possible using plastic covers, and implement measures to stabilize the area, if necessary, to properly protect artifacts

• Prevent and penalize any unauthorized access to the artifacts

• Restart construction works only upon the authorization of the relevant authorities.

**Environmental Supervision During Construction**

The bidding documents should indicate how compliance with environmental rules and design specifications would be supervised, along with the penalties for non-compliance by contractors or workers. Construction supervision requires oversight of compliance with the manual and environmental specifications by the contractor or his designated environmental supervisor. Contractors are also required to comply with national and municipal regulations governing the environment, public health and safety.
ANNEX A:

RESETTLEMENT POLICY FRAMEWORK FOR THE TBIWRDP
1. INTRODUCTION

This Resettlement Policy Framework is being prepared (in line with the RPF for a recently-approved Ethiopia Irrigation and Drainage Project), to prepare for the eventuality in case land acquisition or restriction of access to resources is encountered during project implementation.1

The ESMF under OP4.01 mandates including social issues in the development of the Tana and Beles Sub-basin Integrated Water Resource Development Plan during project implementation (Component A), as well as the preparation of RAPs during the preparation of capital investments for the second phase of the project (Component C). The RPF includes an implementation budget.

This ESMF is primarily relevant to activities in Component B of this project. These interventions, linked to watershed and flood management, and site selection of structures need procedures to ensure that they are done with adequate technical (environmental) knowledge to ensure they achieve their intended objectives. Some activities may also involve limited concerns for involuntary resettlement resulting from land acquisition or restrictions on access to resources that are not wholly communal or which affect specific households more than others. There are no groups in the project area that fall into the WB definition of indigenous peoples. However, project design includes necessary criteria and procedures to ensure that specific needs of vulnerable groups are identified and addressed.

The principal Component B social safeguards issues are expected to be:

Watershed Management

• Land acquisition for small-scale civil works (refer to ESMF Table 2.1)
• Loss of access to traditional grazing lands and other Common Property Resources (CPR)
• Micro-credit for income generating activities

Flood Preparedness and Mitigation

• Land acquisition for small-scale civil works
• Loss of access to recessional farming land in the unlikely event that flood control measures result in reduced inundation of the land or a small dyke prevents access to that area.

1.1 Objectives and Basic Principles of Resettlement

In general, many water development schemes have often become arenas of conflicts of various types: a) there is conflict among water users over water allocation, land rights, or maintenance issues; b) conflict may arise between users and the authority responsible for the project over inappropriate design of infrastructure, peasant relocations, water charges, or management issues; and c) conflict between project beneficiaries and non-beneficiaries is often inevitable. The latter often question the justice of being excluded from the benefits of water projects.

One of the most important issues that may be a source of conflict is the issue of land rights and land allocation. To begin with, water impoundment will displace large numbers of people who will lose their property and have to be relocated from their ancestral homes. In Ethiopia, irrigation projects in the past have led to the eviction of pastoral Afar from their traditional grazing areas in the Awash Valley, and, in the newer schemes, farming people have been or will soon be displaced.

Thus, the following RPF will be adopted based on the basic principle that resettlement should be avoided where feasible, or minimized, exploring all possible alternatives for project design. Where resettlement cannot be avoided, it will take place in a way that ensures that displaced persons are effectively consulted and have opportunities to take part in the planning and implementation of the programs. In addition, displaced persons will be assisted and adequately compensated such that

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1 A Resettlement Policy Framework (RPF) was prepared that combined the similar instruments developed separately by ENSAP for the regional watershed management and flood preparedness and mitigation projects, the Ethiopia parts of which have been brought into TBIWRDP as sub-components (Component B). The RPF were tailored to the activities and institutional arrangements of the TBIWRDP.
their livelihoods and standards of living are improved or at least returned to restore previous levels. This will relate to all people directly affected by the TBIWRDP subprojects, due to the involuntary taking of land and other assets. Resettlement compensation will be offered to all displaced persons regardless of the total number affected, the severity of the impact and whether or not they have legal title to the land.

Measures to address resettlement shall ensure that project affected peoples are informed about their options and rights pertaining to resettlement, included in the consultation process and given the opportunity to participate in the selection of technically and economically feasible alternatives. They will also be provided prompt and effective compensation at full replacement cost for losses of assets and access attributable to the subproject(s).

1.2 General Principles of Resettlement

The impacts due to involuntary resettlement from development projects, may give rise to economic, social and environmental risks resulting in production systems being dismantled, people facing impoverishment when their productive assets or income sources are lost, people being relocated to environments where their productive skills may be less applicable and the competition of resources increases; community institutions and social networks being weakened; kin groups being dispersed; and cultural identity, traditional authority, and the potential for mutual help being diminished or lost.

The resettlement policy may be triggered because the project activity causes land acquisition, or restricts access to resources. For instance, a physical piece of land is needed and people may be affected because they are cultivating on that land, they may have buildings on that land, they may use the land for water and grazing of animals or they may otherwise access the land economically, spiritually or any other way which may not be possible during and after the project is implemented. Therefore, people will appropriately be compensated for their loss (of land, property or access to a resource) either in kind or in cash, of which the former is preferred. The policy recognizes both formal and informal use of/rights to land.

1.3 Objectives of the RPF

Based on the above considerations, the objectives of this Resettlement Policy Framework, and hence resettlement activities it covers, are the following;

1. Involuntary resettlement and land acquisition will be avoided where feasible, or minimized, by exploring all viable alternatives.
2. Where involuntary resettlement and land acquisition is unavoidable, resettlement and compensation activities will be conceived and executed as sustainable development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share project benefits. Displaced and compensated persons will be meaningfully consulted and will have opportunities to participate in planning and implementing resettlement and compensation programs.
3. Displaced and compensated persons will 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 levels prevailing prior to the beginning of the project implementation, whichever is higher.

Here, affected people, according to the Bank policy, refers to people who are directly affected socially and economically by Bank-assisted investment projects caused by:

(a) the involuntary taking of land and other assets resulting in:
   • relocation or loss of shelter
   • loss of assets or access to assets
   • loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
(b) the involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.

The resettlement policy applies to all components under the project, whether or not they are directly funded in whole or in part by the Bank.

The policy applies to all displaced persons regardless of the total number affected, the severity of the impact and whether or not they have legal title to the land. Particular attention will be paid to the needs of vulnerable groups among those displaced; especially those below the poverty line; the landless, the elderly, women and children, indigenous groups and the ethnic minorities or other displaced persons who may not be protected through Ethiopian land compensation legislation.

In particular for the TBIWRDP, the policy also requires that the implementation of individual resettlement and compensation plans are a prerequisite for the implementation of subproject activities causing resettlement, such as land acquisition, to ensure that displacement or restriction of access to resources does not occur before necessary measures for resettlement and compensation are in place. It is further required that these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, the taking of land and related assets or the denial of access to assets may take place only after compensation has been paid and where applicable, resettlement sites, new homes, related infrastructure, development initiatives, public services and moving allowances have been provided to displaced persons.

Furthermore, where relocation or loss of shelter occurs, the policy further requires that measures to assist the displaced persons be implemented in accordance with the resettlement and compensation plan of action.

It is particularly important to neutralize to the extent possible any socio-economic pressures in the communities that are likely to be exacerbated by involuntary resettlement, by facilitating the participation of those impacted in the project activities. Therefore, impacted communities must be consulted and are part of the planning process (see Section 5.2 and 5.8).

Offering impacted people the opportunity for employment during the construction or of providing services such as supplying water or construction materials (e.g., gravel) etc will provide an additional income-generating opportunity to a significant number of persons who may be affected in these targeted areas.

Therefore, this opportunity for local employment is being taken advantage of in this RPF, by including it for discussion in the consultative process with the affected communities. This RPF prefers to encourage potential contractors through the provision of incentives in their contracts) to show preference for employing project-affected persons (PAPs) and not through legal provision. One way of promoting this would be for the project to train displaced persons to acquire the skills needed by these contractors/project management committees.

Furthermore, it is worthy to note that rush migration to newly designated project sites may occur by those wishing to take advantage of the rules of eligibility stated in Section 4.2 of this RPF. Were this to happen it would bring to bear additional pressures on the whole planning process and compensation budgets. This has major considerations when establishing a cut-off date.

Finally, the RPF seeks to ensure that affected communities are meaningfully consulted, have participated in the planning process and, are adequately compensated to the extent that their pre-displacement incomes have been restored and that the process is a fair and transparent one.
2. LEGAL AND REGULATORY FRAMEWORK

2.1 Legislation Related to Resettlement Planning

According to national legislation in Ethiopia, private land ownership is not recognized, and land ownership is vested in the State. Citizens have only usufruct rights and the right to ownership of their possessions on the land.

In 2005, Proclamation 455/2005 ‘Expropriation of Landholdings for Public Purposes and Payment of Compensation Proclamation’ was promulgated. Prior to this, no specific legal framework existed relating to expropriation and compensation. As a result, there have been serious shortcomings in the processes associated with land expropriation, resettlement and associated compensation payments in Ethiopia. In general, resettlement processes have been characterized by:

- Policy inconsistencies and a lack of strategic framework for achieving a successful results for those affected;
- Insufficient funding for resettlement activities and compensation payments;
- A non-participatory process that was often coercion-driven;
- Limited involvement and implementation by state functionaries; and
- Highly ambitious programs with limited planning

As a result of these shortcomings, many of the resettlement processes resulted in impoverishment after displacement, family disintegration, cultural disarticulation, marginalization, amongst other negative impacts. Proclamation 455/2005 was developed by the Government of Ethiopia with the aim of addressing these problems.

The sections below highlight the main aspects of Ethiopian law and compare it to World Bank OP 4.12. Where there are differences in the two policies, the Government is obliged to apply the World Bank requirements as defined under OP 4.12 as they are more stringent and comprehensive and apply to all aspects of World Bank financed projects.

2.2 Relevant National Laws

This section explains the pertinent laws relating to land administration, ownership and expropriation in Ethiopia, including the new Proclamation 455/2005 and 456/2005 and those related to:

- Public domain
- Entitlement
- Property laws
- Land asset classification and valuation
- Customary laws
- Procedures for expropriation
- Procedures for grievance redress

All national laws discussed in this section are summarized in Table 2.1.

2.2.1 Public and Eminent Domain and Property Laws

The 1975 Proclamations of the Public Ownership of Rural Land (No 31/1975) and Urban Land (No 47/1975) abolished the 1960 Constitutional decree that recognized private ownership of land. Ownership of land is now vested in the State and Ethiopian citizens have only a use right (usufruct) over the land. This gives the user ownership of his/her possessions with the right to benefit from the fruits of his/her labor. This includes crops, perennial crops, trees for timber etc found on the
land or any other permanent fixtures such as residential houses, business installations, stores and fences, amongst others.

The abolishment of private ownership was again enshrined in the Constitution of Ethiopia (No 1/1987, Article 13(2) and No 1/1995, Article 40(3)). According to these constitutional decrees, land is public property and cannot be subject to sale or other means of transfer or exchange. According to these proclamations, land holders have open-ended usufruct rights over their possessions (i.e. there is no time limit on this usufruct), subject to a proof of permanent physical residence, ability to farm continuously and should meet administrative dues and obligations. In rural villages, farm households have a legal right to possess land through state mandated peasant associations.

Directly related to rural land administration and distribution, the Federal Government issued Rural Land Administration and Land use Administration Proclamation, (No 456/2005 Article 17(1)) that vested power in regional states to enact regional laws for rural land administrations. These regional laws are expected to be consistent with the principles and laws of the Federal Constitution. (No 1/1995, Article 52(2) (d))

2.2.2 Property Laws

The 1995 Constitution of the Ethiopia, Article 40(2), 40(4), 40(5) and 40(8) includes legal frameworks that protect the Ethiopian citizen’s rights to private property and set conditions for expropriation of such property for state or public interests.

Regarding immovable property built on land, the constitution states that Every Ethiopian shall have the full right to the immovable property he builds on the land and to the improvements he brings about on the land by his labor or capital.” Hence, although the State owns all land and citizens of the country have only a usage right (1) and full ownership over developments or improvements built on state land. This includes the right to alienate developments, to remove them, or claim compensation.

2.2.3 Eligibility/ Entitlement

Eligibility for compensation is discussed in Article 44(2) of the 1995 Constitution and Proclamation No 455/2005. These two legal documents give entitlement only to those who have formal legal rights over their holdings (properties).

Proclamation No 455/2005, Article 2 (3) stipulates that “Landholder” means an individual, government or private organization or any …other …organ which has legal personality and has lawful possession over the land to be expropriated and owns property situated thereon.” According to Article 7(1) and (2) , a landholder whose holding has been expropriated shall be entitled to payment of compensation for his property situated on the land and for permanent improvements he made to the land. The amount of compensation for property … shall be determined on the basis of the replacement cost of the property. Thus Proclamation No 455/2005 determines that only landowners with crops, perennial crops or other property thereon.

2.2.4 Land Asset Classification, Valuation and Compensation

Land assets are classified as movable and immovable. For movable assets, compensation will be paid for inconvenience and other transition costs. According to the Ethiopian Constitution, compensation will not be paid for land as it is a public / government property. Immovable properties could be classified as urban and rural. In urbane areas this category of properties includes, residential houses, business installations, institutional structures, stores, fences and public service providing installations. In the rural sections, this category of properties may include seasonal crops, perennial fruit trees, timber trees and other cash crops. On the basis of

(1) This is especially true in rural areas as the constitution stressed on Article 40(4) “the right of Ethiopian peasants to free allotment of land and not to be evicted there from is guaranteed.”
Proclamation 455/2005 Article 7(2) for expropriation of land holdings for public purposes, compensation will be made at a replacement cost. In this method of valuation, depreciation of structures and assets will not be taken into consideration. Again for losses that cannot be easily valued or compensated in monetary terms, (e.g. access to public services, grazing areas, water points fishing ponds etc), an attempt will be made to establish an access to equivalent and culturally acceptable resources and earning opportunities.

Compensation rates and valuation of properties will be based on the information collected from the timely local market assessments. There is no a valuation formula at national level prepared for this particular purpose. In the absence of this mechanism, data collected at grass root level on cost of production, productivity valuation, transport costs, labor valuation market prices of agricultural and construction materials, disposition of savage materials will be taken into account for valuation of properties.

2.2.5 Procedures for Expropriation

So far, there is no resettlement rehabilitation policy frame work at national and regional level and resettlement / rehabilitation issues are addressed on project by project basis. There are specific policy frameworks on Water supply & Sanitation, Road Constructions, and Universal Electrification Access Program etc. The basis for land acquisition and compensation payments are No 1/1995 of the constitution of the Federal Democratic Republic of Ethiopia, proclamation No 455 / 2005, proclamation No 456 / 2005 and OP4.12 (2004), World Bank manuals. According to proclamation No 456 / 2005 Article 17(1), which is a rural land administration proclamation, (consistent with the principles and laws of the federal constitution) regional states have the power to enact laws and administration related to rural lands. Woreda and kebele level administrations are immediate stakeholders in land acquisition matters. There is an open-ended tenure arrangement all over the country since the 1975 land reform proclamation. Subsequent laws on tenure rights over land, provide use of rights with no defined time bound. Since land is state owned, it can be reclaimed through declaration of eminent domain with out the consent of individual landholders. This is what involuntary resettlement is all about. However, in order to ensure the interest of project affected persons, and mitigating the negative impacts of the projects, this resettlement policy frame work will be based on the existing national and international laws on expropriation and compensation payments.

2.2.6 Grievance Redress

Misunderstandings and disputes may arise between the principal parties (e.g. local Government and affected parties) involved in the resettlement and compensation process. If misunderstandings and disputes arise; the preferred means of settling disputes according to National Law is through arbitration. This process is permissible under the Ethiopian Constitution (Article 3325 – 3336 of the civil code) and Article 11(2) (3) of Proclamation No 455/ 2005). The number and composition of the arbitral tribunal may be determined by the concerned parties.

Usufruct rights over land can be jeopardized when a particular land holding is needed for public purposes. This legal provision for compensation payment is further strengthened and elaborated by article 44.2 of proclamation 1/1995. As to this article, development interventions that may cause displacement or adversely affect livelihoods shall entail to the holders the right to commensurate monetary or other means of compensation including resettlement / rehabilitation options with adequate state assistance. The provisions in this constitution also upholds government obligations a land to land compensation through resettling affected households / communities by the state (government) program’s with adequate assistances. But the practicality of this provision is questionable related to increment of population number and fragmentation of arable land specifically in central high land of the country.

According to Article 40(8) of the Constitution, the State may expropriate private holdings / usufruct right over land: “with out prejudice to the right to private property, the government may expropriate private property for public purpose” with prior payment of adequate compensation.
Again article 44(2) of the 1995 Constitution stipulates that all people who have been displaced or whose livelihoods have been adversely affected as a result of State programs shall have the right to receive adequate monetary or other alternative compensation, including transfer with assistances to another locality.
<table>
<thead>
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<th>Legal Document</th>
<th>Article</th>
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<tr>
<td>Proclamation No 31 of 1975  Public ownership of Rural Lands</td>
<td>Article 2(3)</td>
<td>All rural lands shall be the collective property of the Ethiopian people.</td>
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<tr>
<td>Proclamation No 47 of 1975  Government ownership of Urban Lands and extra Houses</td>
<td>Article 2(3), Article 6(1) and Article 11(1)</td>
<td>(A) --- All Urban Lands shall be the property of the Government. (B) --- tenant shall be free from payment to the landowner. (C)---Any person or family own only a single dwelling---</td>
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<tr>
<td>Proclamation No 165 of 1960, Gazette Extraordinary: Civil Code of the Empire of Ethiopia</td>
<td>Article 1478(3)</td>
<td>Where compensation is paid by way of land given to the owner in substitution for the expropriated land, such land shall be handled to the owner---</td>
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<td></td>
<td>Article 3333</td>
<td>Where necessary, the party availing himself of the arbitral submission shall specify the dispute he wishes to raise and appoint an arbitrator.</td>
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<td></td>
<td>Article 1470</td>
<td>This Article deals about fixing an amount of compensation.</td>
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<td></td>
<td>Article 1445</td>
<td>Properties belonging to the state or other administrative bodies shall be deemed to form part of the public domain.</td>
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<tr>
<td>Proclamation No 1/1987 Constitution of the Peoples Democratic Republic of Ethiopia.</td>
<td>Article 13(2)</td>
<td>---Natural resources, in particular land, minerals---are state property.</td>
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<tr>
<td>Proclamation No 1/ 1995 The Constitution of the Federal Democratic Republic of Ethiopia.</td>
<td>Article 40(3)</td>
<td>---Rural and Urban land, as well as natural resources, is exclusively vested in the state---and shall not be subject to sale or other means of exchange.</td>
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<td>Article 52(2)(d)</td>
<td>---To administer land and other natural resources in accordance with federal laws.</td>
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<td>Article 44(2)</td>
<td>---Compensation, including relocation with adequate state assistance.</td>
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<td>Article 40(3) and 40(8)</td>
<td>(A) Ethiopian peasants---pastoralists have the right to obtain land without payment---(B) Citizens, ---has empowered by law to own property---(C) ---Government may expropriate private property for public purposes---</td>
</tr>
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<td></td>
<td>Article 26(1)</td>
<td>---Everyone has the right to privacy</td>
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<td></td>
<td>Article 40(2) and 40(3)</td>
<td>(A) Private property---shall mean any tangible or intangible product which has value and is produced by the labor, creativity, enterprise, or capital--- (B) The right to ownership of rural and urban land---vested on the state.</td>
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<tr>
<td></td>
<td>Article 40(4)</td>
<td>---Ethiopian peasants, pastoralists--- to free allotment of land and not to be evicted---</td>
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<td></td>
<td>Article 44(2)</td>
<td>---Monetary or alternative means of compensation, including relocation with adequate state assistance.</td>
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<td></td>
<td>Article 40(4) and 40(5)</td>
<td>These two articles stipulate the rights of possessions of agricultural and pasture lands.</td>
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<td>Article 40(7)</td>
<td>Every Ethiopian shall have the full right to the immoveable property he builds and to the permanent improvements he brings about on the land by his labor or capital. This right shall include the right to alienate, to bequeath, and, where the right to use expires, to remove from his property, transfers his title, or claim to compensation for it.”</td>
</tr>
<tr>
<td>Proclamation No 455/ 2005 Expropriation of Landholdings for public purposes and payment of compensation.</td>
<td>Article 17(1)</td>
<td>---Each regional council enacts rural land administration and land use law.</td>
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<tr>
<td>Legal Document</td>
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<tr>
<td>Article 7 and 8</td>
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<td>These Articles are about determination of compensation.</td>
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<tr>
<td>Article 2(3)</td>
<td>“Landholder” means—has lawful possession over the land to be expropriated and owns property situated there on.</td>
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<tr>
<td>Article 7(2)</td>
<td>---</td>
<td>The amount of compensation—for property—on the basis of replacement cost of the property.</td>
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<tr>
<td>Article 11(2)(3)</td>
<td>These Articles are about complaints and appeals in relation to compensation.</td>
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<tr>
<td>Article 7-11</td>
<td>Deals about basis and amount of compensations, displacement compensation, and valuation of property and establishment of property valuation committees.</td>
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<tr>
<td>Article 8(4)</td>
<td>As to this sub-Article, an urban landholder will be provided a plot of urban land, displacement compensation and other transaction coast.</td>
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<tr>
<td>Article 8(6)</td>
<td>A lease holder incase expropriated, in addition to compensations for the lost assets, he will be provided with a similar plot of land, or if did not want to take the land he can take the remaining rent payment.</td>
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<tr>
<td>Article 9(1)</td>
<td>Deals about the valuation of properties situated on land. Valuation of properties shall be carried out by certified professionals.</td>
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</table>
2.3 Procedures for Resettlement According to the World Bank OP 4.12

The World Bank’s Safeguard Policy OP 4.12 applies to all components of the program and to all economically and/or physically affected persons, regardless of the number of people affected, the severity of impact and the legality of land holding. The OP 4.12 further requires particular attention to be given to the needs of vulnerable groups especially those below the poverty line, the landless, the elderly, women and children, indigenous groups, ethnic minorities and other disadvantaged persons.

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

2.4 Comparison Between Ethiopian Legislation and OP 4.12

There are a number of differences between the national Ethiopian legislation and the World Bank Policy OP4.12. These relate to the general principles for resettlement, eligibility criteria, and the notification period for expropriation and resettlement.

The first main difference is that according to OP4.12, resettlement should be avoided whenever possible, while national legislation states that ‘expropriation of land will be done when deemed necessary for public purposes’. The second difference relates to eligibility, that OP4.12 entitles those who have formal rights, claims to land and no recognizable legal right, to compensation, while national legislation entitles only those who are ‘landholders’ with legal possession of the land and who own property thereon. Another key difference is the notification period required. National legislation requires that property must be handed over 90 days after compensation has been paid, while OP4.12 requires that displacement must not occur before necessary measures for resettlement are in place. There is currently no valuation formula given at National level in Ethiopia, although this is in draft format and will be promulgated with the new regulations.

Where such gaps exist, the Government will apply the World Bank requirements as defined under OP 4.12 as they are more stringent and comprehensive.
Table 2.2 Comparison Between Ethiopian Legislation and OP 4.12

<table>
<thead>
<tr>
<th>Theme</th>
<th>World Bank OP4.12</th>
<th>Ethiopian Legislation</th>
<th>Recommendations to Address Gaps</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Principle</td>
<td>Involuntary resettlement should be avoided where feasible</td>
<td>As to the 1995 constitution Article 51(5) and 40(8) and Article 1(5) of proclamation 455/2005, expropriation of land will be done when deemed necessary for public purposes</td>
<td>Both national law and the OP 4.12 are in accordance.</td>
</tr>
</tbody>
</table>
| Eligibility          | Those who have formal legal rights---                  | • Proclamation 455/2005, Article 1(3), The land holder has a lawful possession right (registered and tax payer) and is eligible for compensation  

  • A lease holder is eligible for his holdings and improvements  

  • Article 8(4) of proclamation 455/2005 stipulates displacement compensation or allows them to reside without rental payment in urban association dwellings.  

  Those who do not have formal legal rights to land --- but have a claim to such land  

  Article 40(4) and 40(5) of the 1995 constitution declares all Ethiopian peasants and pastoralists have right to obtain land without payment. If so Every farmer and pastoralist is expected to register and hold certificate as promulgated in article 6(3) of proclamation No 456/2005.  

  Those who do not have recognizable legal right or claim to the land  

  There is no legal backup to compensate such project affected people. | Although theoretically there is a gap, in practice there is no gap as proclamation No 456 / 2005; Article 6(1) accepts the existence of communal lands. The requirements of World Bank OP4.12 should apply in this case |
| Procedures           | The World Bank operational policy statement incorporates meaningful participation of project affected people in processes of a given project. | Procedures to be followed is incorporated in proclamation 455/2005 and 456/2005. Specifically Articles from 3-12 are important to be followed. | There is no a valuation formula at national level. This gap will to be resolved by adoption of a national valuation formula by the Ministry of Federal Affairs.(Proclamation 455/2005, Article 12(3)) |
3. ESTIMATED POPULATION DISPLACEMENT AND ELIGIBILITY CATEGORIES

3.1 Affected Population and Assets

To prepare for the eventuality in case such land acquisition or restricted access to resources is encountered during implementation, this RPF is being prepared. In any case, the final numbers of affected population are not expected to be significant.

3.2 Eligibility Criteria

Affected groups under the TBIWRDP and in line with the definitions outlined in the national legislation and OP 4.12, can be organized into the following:

(i) Affected Individual – An individual who suffers loss of assets or investments, land and property and/or access to natural and/or economic resources as a result of the sub-project activities and to whom compensation is due. For example, an affected individual is a person who farms a land, or who has built a structure on land that is now required by a sub project for purposes other than farming or residence by the initial individuals.

(ii) Affected Household – A household is affected if one or more of its members is affected by sub-project activities, either by loss of property, land, loss of access, or otherwise affected in any way by project activities. This provides for:
• any members in the households, men, women, children, dependent relatives and friends, tenants;
• vulnerable individuals who may be too old or ill to farm along with the others;
• relatives who depend on one another for their daily existence;
• relatives who may not eat together but provide housekeeping and other domestic chores, and
• other vulnerable people who cannot participate for physical or cultural reasons in production, consumption, or co-residence.

(iii) Affected local community – A community is affected if project activities affect their socio-economic and/or social-cultural relationships or cohesion. For example project activities could lead into such improvement of socio-economic welfare that class-consciousness arises coupled with cultural erosion etc. This is not likely given the anticipated scale of the TBIWRDP subprojects, but must be taken into account.

(iv) Vulnerable Households – Vulnerable households may have different land needs from most households or needs unrelated to the amount of land available to them, e.g.:
• unmarried women;
• non-farming residents;
• the elderly;
• the infirm or ill;
• ethnic minorities;
• indigenous peoples; and
• orphans

Vulnerability is also linked to the % of land loss or resource loss, which can make groups such as women and indigenous people more vulnerable if their main source of income is impacted. Special provisions will have to be made for households headed by women and children and other vulnerable groups in circumstances where local law or custom does not fully recognize their rights to own or register land, assets, or enterprises. Particular attention will need to be paid to groups such as the landless labor living on the banks of rivers who subsist on recessional farming who will be impacted by interventions for flood management.
3.3 Eligibility for Compensation

Fixing eligibility criteria for entitlement purpose is essential for the resettlement/rehabilitation process and compensation payments. For this reason property inventories with other relevant socio-economic surveys, and fixing a cut-off-date after proper consultation and announcement, is instrumental to avoid unnecessary and sometimes fraudulent claims for compensation.

According to the World Bank OP 4.12 procedures, the following project affected citizens will be eligible for compensation:

a) Those who have formal rights to land (including customary and statutory rights of occupancy recognized under the Laws of Ethiopia)
b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under Ethiopian laws, or become recognized through a process identified in the resettlement and compensation plan; and
c) Those who have no claim to land they are occupying or using.

Those covered under a) and b) above are to be provided compensation for land they lose, and other assistance in accordance with the policy. Persons covered under c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy or use, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy or use the project area prior to a cut-off date established by the Project Management Teams and Compensation committees and that are acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in a), b) or c) above are to be provided with compensation for loss of assets other than land.

Therefore, it is clear that all affected persons irrespective of their status or whether they have formal titles, legal rights or not, are eligible for some kind of assistance if they occupied the land or used the resources before the entitlement cut-off date. The entitlement cut-off date refers to the time when the assessment of persons and their property and resources in the area is carried out, i.e. the time when the project area has been identified and when the site-specific socio-economic study is taking place. Thereafter, no new cases of affected people will be considered. Persons who encroach on the area after the socio-economic study (census and valuation) are not eligible for compensation or any form of resettlement assistance.

3.4 Eligibility According to National Law

In determining eligibility, the national legislation differs to the World Bank Policy as described above. The World Bank OP 4.12 allows a broader range of eligibility than the national policy. The provisions in the World Bank OP 4.12 will provide the framework for resettlement for the TBIWRDP project.

3.5 Method to Determine Cut-Off Dates

Once the relevant local authority has approved the sub-project, the Project Management Teams and Compensation Committee will meet to discuss and agree on a program of implementation. They will also choose tentative cut-off dates. The dates would then be communicated to the community through their respective representative in the Woreda and Kebele Compensation Committees.

The entitlement cut-off date refers to the time when the assessment of persons and their property and resources in the sub-project area is carried out, i.e. the time when the sub-project area has been identified and when the site-specific socio-economic study is taking place. Thereafter, no new cases of affected people will be considered. The establishment of a cut-off date is required to prevent opportunistic invasions/rush migration into the chosen land areas thereby posing a
major risk to the sub-project. Therefore, establishment of a cut-off date is of critical importance. The Project Management Team and Compensation Committees will play a crucial role in identifying users of land.

Where there are clearly no identified owners or users of land or assets, the respective Regional Lands Board and Land Use Administration will notify the community leaders and representatives to help to identify and locate the land users. These leaders and representatives will also be charged with the responsibility to notify their members about the established cut-off date and its significance. The user(s) will be informed through both formal notification in writing and by verbal notification delivered in the presence of the community leaders or their representatives.

3.6 Valuation of Affected Assets

Individual and household compensation will be made in kind and/or in cash (refer to Table 3.1) Although the type of compensation may be an individual’s choice, compensation in kind will be preferred, if the loss amounts to more than 20% of the total loss of assets.

<table>
<thead>
<tr>
<th>Type of Compensation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash Payments</td>
<td>Compensation will be calculated and paid in Birr. Rates will be adjusted for inflation.</td>
</tr>
<tr>
<td>In – Kind Compensation</td>
<td>Compensation may include items such as land, houses other buildings, building materials, seedlings, agricultural inputs, financial credits for equipment, development initiatives and training.</td>
</tr>
<tr>
<td>Assistance</td>
<td>Assistance may include moving allowance, transportation, labor, eligibility for development initiatives and training.</td>
</tr>
</tbody>
</table>

For cash payments, compensation will be calculated in Ethiopian Birr, adjusted for inflation. For compensation in kind, items such as land, houses, other buildings, building materials, seedlings, agricultural inputs and financial credits for equipment may be included. Assistance may include moving allowance, transportation and labor.

Making cash payments raises issues regarding inflation and security that have to be considered. Cash payments must allow for inflationary adjustments of compensation values. Security, for people who will be receiving cash compensation payments will need to be addressed by the local administration. These are some of the reasons why compensation in-kind will be preferred. For payment of compensation in-kind, the time and new location will have to be decided and agreed upon by each recipient, in consultation with the Kebele and Woreda/ Municipal Compensation and Resettlement Committees.

There are instances when project impact can affect people’s livelihoods by restricting their access to resources, especially common property resources such as wood, grazing, medicinal plants, wild roots, leaves, plants for baskets and housing material etc. In such cases, it is not always efficient to calculate the loss for each household, as there is a strong element of community sharing and common space involved. Hence, compensation could be in the form of a development grant or a development initiative or even an income generating initiative done as a cooperative. The loss of resource can be calculated using replacement value (e.g. cost of rebuilding house using materials found on market) and the total amount put into a development fund for the affected community.

Following on the above, it is important that resettlement initiatives (including compensation) be seen as development opportunities and to the extent possible, direct compensation must be
coupled with development initiatives and increased opportunities (such as training) for the affected groups. This is necessary for two reasons. First, to compensate for the host of non-monetary impacts that loss of land and assets can have and which are never included in pure compensation calculations. Second, to be true to the World Bank OP 4.12 policy which commits to ensuring that affected peoples livelihoods are improved through World Bank financed projects.

3.7 Valuation of Assets and National Law

At the time of writing this RPF, the Government were in the process of writing regulations associated with Proclamation 455/2005. According to Proclamation 455/2005, Article 7(6), ‘Valuation formulae for determining compensation for various properties and detailed prescriptions applicable there to shall be provided for by regulations’. In the absence of these regulations, this RPF provides formulae and cost units that are currently applicable internationally and are equivalent to market value. Upon promulgation of the regulations, these compensation payments can be used as long as they equal to, or more than, those provided for by the new regulations.

According to Proclamation 455/2005, the valuation of property situated on land to be expropriated shall be carried out by certified private or public institutions or individual consultants.

3.8 Compensation Calculations for Assets and Aspects

Compensation for all land use and assets must be made, including for:
- cultivated land and crops;
- residential buildings, structures and fixtures;
- sacred sites;
- vegetable gardens and beehives;
- horticultural, floricultural and fruit trees;
- other domestic cash crops and fruit trees; and
- loss of businesses or employment
- loss of access to common property resources

In addition, relocation and assistance allowances will be given to those who are required to move off their land.

3.8.1 Rules for Compensation

The compensation for land will be in accordance with the National Proclamation 455/2005:

- The amount of compensation for property situated on the expropriated land and for permanent improvements to the land;
- Compensation for permanent improvement to land shall be equal to the value of capital and expended on the land;
- The cost of removal, transportation and erection shall be paid as compensation for a property that could be relocated and continue its service as before.

3.8.2 Compensation for Cultivated Land and Crops

Compensation for land is aimed at providing for loss of crop and the used to cultivate the crop. The term “Land” refers to an area or homestead in cultivation, being prepared for cultivation, or cultivated during the last agricultural season. This definition recognizes that the biggest investment a farmer makes in producing a crop is his or her labor. As a result, compensation relating to land will cover the rates for invested, as well as the replacement cost of the crop lost.
The first premise of land compensation, depending on the availability of land, will be on a land-for-land basis, provided that the land available is of equal, or better, quality in terms of plough ability and yield. If receiving land as compensation, the affected party will then be compensated for the required to replant the crops.

3.8.3 Determination of Compensation

The cost for preparing replacement land is calculated on what it would cost a farmer to clear and create replacement land. This value is found by adding together the average costs of clearing, plowing, sowing, weeding twice, and harvesting the crop. Labor costs will be paid in Ethiopian birr at the prevailing market rates.

The table below provides an example of a compensation schedule for a one-hectare plot of land. The Birr values will need to be availed at the time that the payments are made.

Table 3.2 Examples of Land Compensation Schedule of Payments

<table>
<thead>
<tr>
<th>Activity</th>
<th>Month Paid</th>
<th>Labor in Ethiopian Birr/ha Rate per day x no. of days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clear</td>
<td>March</td>
<td>To be determined</td>
</tr>
<tr>
<td>Plough</td>
<td>May</td>
<td>To be determined</td>
</tr>
<tr>
<td>Sow</td>
<td>May</td>
<td></td>
</tr>
<tr>
<td>Weed</td>
<td>May</td>
<td>To be determined</td>
</tr>
<tr>
<td>Harvest</td>
<td>November</td>
<td>To be determined</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>To be determined</td>
</tr>
</tbody>
</table>

According to Proclamation 455/2005 (Article 8(1)), a rural landholder whose landholding has been permanently expropriated shall, in addition to the replacement cost of the property, be paid displacement compensation equivalent to ten times the average annual income he secured during the five years preceding the expropriation of the land. However, according to Article 8(3), where substitute land which can be easily ploughed and generate comparable income, is available, the compensation will only be equivalent to the average annual income secured during the five years preceding the expropriation of land. For a landholder whose land is temporarily expropriated, they shall be paid for the lost income, based on the average annual income secured for the preceding five years until he/she possesses the land.

According to Proclamation 455/2005 (Article 8(4)), an urban land holder whose land holding has been expropriated shall be provided, apart from the estimated payment for lost structures, with a plot of urban land to construct a house and to be paid a displacement compensation equivalent to the annual rent the demolished house or to be allowed live with out rent payment for one year.

3.8.4 Land Measurement

The unit of measurement for land will be that which is used and understood by the affected persons. Therefore if a traditional unit of measurement exists in the rural areas, that unit shall be used. If a traditional unit of measurement does not exist, it is recommended that land should be measured in meters or any other internationally accepted unit of measurement. In such cases, the unit that is being used must be explained to the affected farmers/users.

The unit of measurement must be easily related to recognizable land features that the communities are familiar with, such as relative location of trees, stumps and other fixed features on the sites. Understanding the unit of measurement ensures that the affected person is able to verify his/her own size of land that is being lost. This maintains transparency in the process and avoids subsequent accusations for wrong measurements or miscalculation of land areas.
3.8.5 Determination of Crop Compensation Rates

The price for cash crops will be determined as the average market price over the previous year, corrected for inflation. The price for subsistence crops will be determined as the highest value of the previous year, corrected for inflation.

Crop values will be determined based on:
- a combination of staple foods and cash crops. Specifically, the 80/20 ratio of land that a farmer typically has in food crops and cash crops is used to determine the chances s/he would lose food crop rather than a cash crop income.
- the value of stable crops to be taken as the highest market price reached during the year, in recognition of these factors:
  - although most farmers grow staple crops mainly for home consumption, they always have the option of selling these crops to take advantage of the market.
  - farmers most often purchase cereals when they have run out, during the “hungry season” when prices are high. Compensating at a lower value might put the individual or household at risk.
  - Averaging the highest price of stable foods yields a high per hectare value that reimburses for the vegetables and other foods that are commonly inter-cropped with staples, but are almost impossible to measure for compensation.

Prevailing prices for cash crops will have to be determined with the assistance from the MoARD. The MoARD rate schedules must be verified for currency, and should be updated annually. Each type of crop is to be compensated for, using the same rate. Calculating compensation using one rate guarantees uniformity and allows anyone to measure the area of land for which compensation is due and to multiply the area by the one rate known to all.

Table 3.3 provides example rates based on compensation provided through a Resettlement Action Plan conducted to World Bank standards in 2006(1). These rates must be considered as indicative, and prevailing market rates must be used for calculating compensation.

<table>
<thead>
<tr>
<th></th>
<th>Birr/kg*</th>
<th>Average yield per Hectare (kg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barley</td>
<td>1.86 ($0.202)</td>
<td>1,800</td>
</tr>
<tr>
<td>Maize</td>
<td>2.68 ($0.29)</td>
<td>800</td>
</tr>
<tr>
<td>Teff</td>
<td>2.12 ($0.23)</td>
<td>1,000</td>
</tr>
<tr>
<td>Sesame</td>
<td>4.8 ($0.52)</td>
<td>1,000</td>
</tr>
<tr>
<td>Sorghum</td>
<td>2.68 ($0.29)</td>
<td>1,000</td>
</tr>
</tbody>
</table>

*NB: These rates are based on 2006 market values. It is essential that current market values are applied.

3.8.6 Compensation for Fruit Trees and Other Economically Valuable Trees

Compensation for fruit trees and other economically valuable trees will be compensated for in the same way as for crops and in accordance with the national law. Table 3.4 provides example rates for trees at 2006 rates.

<table>
<thead>
<tr>
<th></th>
<th>Birr/kg*</th>
<th>Average yield per Hectare (kg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avocado</td>
<td>1.66 (0.18)</td>
<td>25,000</td>
</tr>
</tbody>
</table>

### 3.8.7 Compensation for Residential Buildings, Structures and Fixtures

Compensation will be paid by replacing structures such as huts, houses (e.g. tukuls), farm outbuildings, latrines and fences. Any homes lost will be rebuilt on acquired replacement land, however cash compensation would be available as a preferred option for structures (i.e. extra buildings) lost that are not the main house or house in which someone is living. The going market prices for construction materials will be determined. Alternatively, compensation will be paid in-kind for the replacement cost without depreciation of the structure. The project will survey these prices for administrative purposes on an ongoing basis.

Compensation will be made for structures that are:
- Abandoned because of relocation or resettlement of an individual or household; or
- Directly damaged by construction activities.

Replacement values will be based on:
- Drawings of individual’s household and all its related structures and support services;
- Average replacement costs of different types of household buildings and structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. poles, bricks, rafters, bundles of straw, corrugated iron sheets (CIS), doors etc.) For vulnerable groups identified in earlier section of this RPF replacement values will be based on actual replacement cost;
- Prices of these items collected in different local markets;
- Costs for transportation and delivery of these items to acquired/ replacement land or building site;
- Estimates of construction of new buildings including labor required.

Table 3.5 provides examples of the types of buildings and structures would need to be taken into consideration, and the rates on compensation considered as indicative, and prevailing market rates must be used for calculating compensation.

<table>
<thead>
<tr>
<th>Structure/ Fixture</th>
<th>Type (Example)</th>
<th>Unit Cost (Birr) (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>- Tukul with thatched roof</td>
<td>250</td>
</tr>
<tr>
<td></td>
<td>- House of wood and mud with CIS</td>
<td>350</td>
</tr>
<tr>
<td>Kitchen</td>
<td>- Stable</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Shed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Pen</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Coop</td>
<td></td>
</tr>
<tr>
<td>Animal outhouses</td>
<td>- Stable</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Shed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Pen</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Coop</td>
<td></td>
</tr>
<tr>
<td>Fence</td>
<td>- Stone</td>
<td>159.6</td>
</tr>
<tr>
<td></td>
<td>- Wooden (bamboo)</td>
<td>48.0</td>
</tr>
<tr>
<td></td>
<td>- CIS</td>
<td>80.7</td>
</tr>
<tr>
<td></td>
<td>- Barbed Wire</td>
<td>69.2</td>
</tr>
</tbody>
</table>
### 3.8.8 Compensation for Sacred Sites

To avoid any possible conflicts between individuals and/or communities, the use of sacred sites for any sub-project activity is not permitted under the TBIWRDP project.

Sacred sites include but are not restricted only to altars, initiation centers, ritual sites, tombs, and cemeteries. They include other such sites, places or features that are accepted by practice, tradition and culture as sacred.

### 3.8.9 Compensation for Vegetable Gardens and Beehives

These are planted with vegetables and ingredients for daily use. Until a replacement garden starts to bear, the family displaced as a result of the project land will need to purchase these items in the market. The replacement costs, therefore, will be calculated based on the average amount that an average town dweller spends on buying these items for one year per adult from the local market.

Beehives are placed in various locations in the bush by some individuals that specialize in honey gathering. If such hives would be disturbed by the project activities, or access to hives is denied, beekeepers can move them, and the bees will adapt to the new locations. Beekeepers would be compensated by the value of one season’s production costs of honey for each hive that is moved and any reasonable costs associated with moving the hive.

### 3.8.10 Compensation for Eucalyptus and other Economically Valuable Trees

The Eucalyptus tree is ubiquitous in Ethiopia, and is often grown in plantations and woodlots. Eucalyptus yield and process will be based on age, height and diameter of trees, and their functions (e.g. House construction, electricity poles, fuel wood etc). Trees are classified into three categories: small (saplings); medium (mature trees) and large (for poles). The estimated 2006 values for a single tree are:

- Small (sapling): 6.46 Birr ($0.7);
- Medium (mature tree): 22.14 Birr ($2.4)
- Large (Pole Tree): 293.38 Birr ($31.8)

Transportation costs must be factored into the compensation payments. Other types of trees (e.g. indigenous trees) are compensated for one cutting only, as it is assumed that they will be taken to market only once they have reached maturity, at which stage they have no regenerative capacity.

Wild, productive trees that grow in communal areas belong to the community when they appear in the bush as opposed to fallow land. These trees will be compensated for under the umbrella of the village or community compensation.

According to proclamation (455/2005, Article 8(4)) an urban land holder whose land holding has been expropriated shall be provided, apart form the estimated payment for lost structures, with a

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<table>
<thead>
<tr>
<th>Structure/Fixture</th>
<th>Type (Example)</th>
<th>Unit Cost (Birr) (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Latrine</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Open well</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Borehole</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Storage building</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

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plot of urban land to construct a house and to be paid a displacement compensation equivalent to the annual rent the demolished house or to be allowed live with out rent payment for one year.

3.8.11 Compensation for Loss of Businesses or Employment

Compensation for businesses (e.g. grinding or flour mills, kiosks, coffee houses and local eating and drinking places) will be estimated based on the daily or monthly income of the affected parties.

3.8.12 Loss of Access to Common Property Resources

There are instances when project impact can affect people’s livelihoods by restricting their access to resources, especially common property resources such as wood, grazing, medicinal plants, wild roots, leaves, plants for baskets and housing material etc. In such cases, it is not always efficient to calculate the loss for each household, as there is a strong element of community sharing and common space involved. Hence, compensation could be in the form of a development grant or a development initiative or even an income generating initiative done as a cooperative. The loss of resource can be calculated using replacement value (e.g. cost of rebuilding house using materials found on market) and the total amount put into a development fund for the affected community.

3.9 Methods of Valuation

The valuation of assets will be carried out by certified private or public institutions or individual consultants on the basis of valuation formulae adopted at the national level. This will be based on the replacement cost of the asset at market rates. Compensation will be in the form of cash payments, in-kind compensation and assistance such as a moving allowance, transportation and labor. Affected people will be consulted as to what types of compensation they choose, although this will be accompanied by encouraging people to choose in-kind compensation, particularly if the affected people are not used to dealing with relatively large sums of money.

Compensation will be determined by taking all assets into account. This will include compensation for rural and urban assets, including land, crops, trees, buildings and structures, sacred sites, vegetable gardens and beehives, horticultural, floricultural and fruit trees, and other domestic cash crops and fruit trees. This will be determined according to the unit costs as provided in the national regulations, and until then, on unit costs according to current market prices. A detailed entitlement matrix relating to the types of impacts of land and assets will be provided as an annex to the RFP.

3.10 Entitlement Matrix

The entitlement matrix relating to the types of impacts of land and assets is provided as Attachment A. The matrix provides eligibility criteria for compensation and / or resettlement / rehabilitation assistances for losses or different types of assets for different categories of project affected persons. A summary of all the assets that the PAP is entitled to shall be prepared for easy reference. The EPLAUA should be involved in preparing a country specific entitlement matrix under the TBIWRDP.
4. RAP PREPARATION, REVIEW AND APPROVAL

This RPF provides a framework for resettlement associated with the TBIWRDP project. Each subproject will need to go through a process to identify the level of resettlement required, and if so, the development of a plan for resettlement. At this stage, OP4.12 calls for the preparation of individual Resettlement Action Plans (RAPs) that must be consistent with this RPF.

4.1 Overall Process

The steps to be undertaken for each individual RAP include a screening process, a socio-economic census and land asset inventory of the area and identification of Project Affected Parties (PAPs). This will be followed by the development of a Resettlement Action Plan (RAP), RAP review and approval, implementation of the RAP and monitoring of RAP implementation and success. These steps will be the responsibility of the woreda (rural) and municipality (urban) administration in association with each Kebele’s compensation and implementation committee.

Throughout this process, consultation and public disclosure will take place with PAPs, ensuring that the affected persons are informed about the intentions to use the site for the TBIWRDP subproject. Consultation must ensure that affected persons are made aware of their options and rights related to resettlement and compensation, alternatives for resettlement sites, the RAP process and proposed dates for resettlement and compensation, compensation rates at full replacement cost and proposed measures to maintain or improve standards of living. They must also be aware of, and have access to a grievance mechanism for dissatisfactory resettlement and compensation processes.

4.2 RAP Implementing Agencies and Responsibilities

As described in Section 4 of the ESMF, a number of Government institutions will play a role in the implementation of the ESMF and RFP and individual RAPs, in line with the general TBIWRDP institutional arrangements and in accordance with national legislation.

Importantly, and in keeping with Ethiopia’s decentralization policy, the development and implementation of the RAPs will be the responsibility of the local government, i.e. Woreda/ Municipality and Kebele level. The regional level departments will provide a review role, and provide political and administrative support for the implementation of the RAPs, while the Federal level will ensure that there is compliance against the RPF and national legislation, and that information is gathered in one place for overall TBIWRDP project monitoring.

It is recommended that the committees set up are as set out in Table 4.1.

Table 4.1 Organizational Framework for Local Committees

<table>
<thead>
<tr>
<th>Committee</th>
<th>Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Woreda Compensation and Resettlement Committee</td>
<td>• Woreda Administrator</td>
</tr>
<tr>
<td></td>
<td>• Woreda Office of Finance and Economic Development</td>
</tr>
<tr>
<td></td>
<td>• Woreda Officer for Agriculture and Rural Development</td>
</tr>
<tr>
<td></td>
<td>• Woreda Capacity Building Department</td>
</tr>
<tr>
<td></td>
<td>• Woreda mobilization office</td>
</tr>
<tr>
<td></td>
<td>• Representative from local NGO or CBO</td>
</tr>
<tr>
<td></td>
<td>• EPLAUUA representative</td>
</tr>
<tr>
<td>Municipality Compensation and Resettlement Committee</td>
<td>• Mayor or Town Administrator (Chairperson)</td>
</tr>
<tr>
<td></td>
<td>• Town Engineer/ surveyor</td>
</tr>
<tr>
<td></td>
<td>• Mobilization officer;</td>
</tr>
<tr>
<td></td>
<td>• Capacity Building Department</td>
</tr>
<tr>
<td></td>
<td>• Representative from local NGO or CBO</td>
</tr>
</tbody>
</table>

GOVERNMENT OF ETHIOPIA 56 TBIWRDP ESMF/RPF
Committee Representatives

Kebele Compensation and Implementing Committee (Rural)
- Kebele Administrator (Chairperson);
- Kebele Development Agent (extension worker);
- Representative of PAPs;
- Village Elder / Leader (rotating position with one Leader representing a number of villages and attending in rotation, depending on the village and affected party being dealt with);
- Representative from local NGO or CBO

Kebele Compensation Committee (Urban)
- Kebele Administrator (Chairperson); Municipality Engineer;
- Representative of PAPs;
- Representative from local NGO or CBO

Sub-projects will be screened at the Woreda level as described in Section 5.1 of the ESMF. This process will determine if there is resettlement in a sub-project and indicate the need for a RAP. The development and implementation of RAPs will also be done at this level, including impact assessment, asset valuation and the determination of compensation requirements, as described below.

The Woreda and Municipal Level Compensation and Resettlement committees would be set up, to link in to the TBIWRDP committees, but will play a major role during RAP implementation by:
- establishing kebele level implementation committees;
- clarifying policies and operational guidelines of kebele compensation committees;
- establish standards for unit rates of affected assets and compensation estimates according to the guidelines in the RPF;
- coordinating and supervising implementation by kebele compensation committees as stipulated in the RPF and federal and regional guidelines;
- ensuring that appropriate compensation procedures are followed; and
- overseeing the project’s requirements related to social impacts including issues related to resettlement and compensation.

The local Kebele Compensation and Implementing Committee, will have the following responsibilities:
- validate inventories of PAPs and affected assets;
- allocate land, where required, to permanently affected households;
- monitor the disbursement of funds;
- guide and monitor the implementation of relocation;
- coordinate activities between the various organizations involved in relocation;
- facilitate conflict resolution and addressing grievances; and
- provide support and assistance to vulnerable groups

4.3 Public Consultation and Participation

Consultation and participation by the affected communities and individuals is an essential element of the land acquisition, compensation and resettlement process. Throughout the process, and particularly during screening, there must be adequate consultation and involvement of the local communities and the affected persons. Specifically, the affected persons must be informed about the intentions to use the earmarked sites for the TBIWRDP activities, facilities and structures and their options associated with this.

It is essential that the affected persons are made aware of, and understand:
- their options and rights pertaining to resettlement and compensation;
- specific technically and economically feasible options and alternatives for resettlement sites; and
- process of and proposed dates for resettlement and compensation;
• effective compensation rates at full replacement cost for loss of assets and services; and
• proposed measures and costs to maintain or improve their living standards.

The aim of public consultations at the screening stage will be to:
• disseminate concepts for proposed project activities with a view to provoking project interest amongst the communities;
• promote a sense of ownership for the project and resettlement activities;
• invite contributions and participation on the selection of project sites;
• determine communities’ willingness to contribute in kind towards the implementation of the project; and
• determine community willingness to contribute towards long term maintenance of the project facilities.

During public consultation, there is the need to negotiate compensation and resolve conflicts. Grievance redress is very important to the success of implementation of resettlement action plans. Grievance redress is covered in more detail in Section 7 of this RPF.

4.4 Subproject Screening

The first step in the process of preparing individual resettlement and compensation plans is the screening process to identify the land/areas that may result in environmental and social impacts, including resettlement. Subproject screening is used to identify the types and nature of potential impacts related to the activities proposed under TBIWRDP, and provide adequate measures to address the impacts. It also ensures that the proponent, in consultation with the local community members, chooses a site with the least environmental and social impacts, and lowest chance of resettlement.

The screening process presented below will ensure that subprojects presented for TBIWRDP funding comply with the requirements of OP 4.12 and Ethiopian Law according to Proclamation 455/2005.

Screening will be undertaken by the relevant Woreda and Kebele that is proposing the TBIWRDP subproject, with the use of the screening tool as attached to the ESMF (see Section 5.1 of the ESMF). This will be part of the environmental and social screening process for each subproject as detailed in the ESMF. It will take place as early in the subproject process as possible and will identify land-take that will require resettlement. This will be in consultation with the PAPs to ensure that it takes all considerations into account and all potential impacts are identified.

Should the screening process show that resettlement will be required, the next step will be to conduct a socio-economic survey and land asset inventory to determine the extent of resettlement required. This will be followed by the preparation of a RAP for the subproject.

4.5 Socio-economic Survey and Asset Inventory

An important aspect of preparing a RAP is to establish appropriate data to identify the persons who will be displaced by the individual subproject, people eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these benefits.

In essence, the census will achieve the following:
• provide initial information on the scale of resettlement to be undertaken;
• identifies gaps in information and gives an indication of further socio-economic research needed to quantify losses to be compensation and, if required, to design appropriate development interventions; and
• establishes indicators that can be measured at a later date during monitoring and evaluation.
The socio-economic survey will be undertaken by the relevant Woreda and Kebele that is proposing the TBIWRDP subproject, with the use of the sample socio-economic survey in Annex of this RPF. It will be accompanied by a land asset inventory to determine what assets will need to be compensated for during the resettlement process, also provided in Attachment B.

4.6 Development of the RAP

Following the socio-economic survey and identification of affected parties, a RAP will be developed according to the structure as set out in Box 4.1. RAP preparation may be outsourced to consultants of NGOs if such capacity is available. Alternatively, the relevant Woreda Administration Offices (WOARD, WOWRD, etc) will be responsible for preparation of any required RAPs. The Woreda officers may consults with EPLAU A if there is a need for more technical advice than is available at the Woreda level. The Woreda is responsible to ensure that compensation payments are included in the requests for funds, and that they are allocated accordingly. The relevant Woreda offices will be the main actors in the selection, identification, distribution and rehabilitation of sites. They will also facilitate the provision of support in terms of restoration of livelihoods and giving special attention to vulnerable members of the community. This will be in consultation with the affected parties, particularly in relation to the cut-off date for eligibility, disturbances to livelihoods and income-earning activities, methods of valuation, compensation payments, potential assistance and timeframes.

The basic elements of a RAP, as outlined in OP 4.12 are provided in Box 4.1. More detailed guidelines for preparing a RAP are available on the World Bank’s website (www.worldbank.org) or in the World Bank’s Resettlement and Rehabilitation Guidebook.

Box 4.1 Contents of a RAP

<table>
<thead>
<tr>
<th>Structure of a Resettlement Action Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Identification of project impacts and affected populations;</td>
</tr>
<tr>
<td>2. Legal framework for land acquisition and compensation;</td>
</tr>
<tr>
<td>3. Compensation framework;</td>
</tr>
<tr>
<td>4. Description of resettlement assistance and restoration of livelihood activities;</td>
</tr>
<tr>
<td>5. Detailed budget;</td>
</tr>
<tr>
<td>6. Implementation schedule;</td>
</tr>
<tr>
<td>7. Description of organizational responsibilities;</td>
</tr>
<tr>
<td>8. Framework for public consultation, participation, and development planning;</td>
</tr>
<tr>
<td>9. Description of provisions for redress of grievances; and</td>
</tr>
<tr>
<td>10. Framework for monitoring, evaluation, and reporting</td>
</tr>
</tbody>
</table>

4.7 Review and Submission to Project Authorities

Following completion of the RAP for a subproject, the project proponent must submit the RAP to the Regional Authorities for approval and ensuring compliance with the RPF. The RAP is also to be submitted to the MoFA to ensure compliance with the RPF. At the discretion of the World Bank, it may be requested that certain RAPs are also reviewed by World Bank official to ensure compliance to Bank standards, however, once capacity is built at the local level, this last step will not be considered necessary.

The Woreda Resettlement Committee will review and approve RAPs at the Woreda level for all subprojects in their region to ensure that they comply with national requirements and the requirements of the RPF. EPLAU A’s role will be technical support, as needed, in the review and approval of RAPs and in the supervision of their implementation. EPLAU A is establishing Woreda offices, and it may be appropriate for this office to review and approve subproject RAPs but there needs to be a separation of roles between RAP preparation and RAP approval. EPLAU A will coordinate with the regional bureaus (WRDB, BoARD, RDPPA) on any technical
questions regarding the subproject. In regards to specific land issues, it is EPLAUA and BoARD that will be responsible.

Capacity for RAP review and approval will be built at Woreda and Municipal level as well as through regional government. This will be through training and technical assistance to ensure that all stakeholders involved discharge their different responsibilities effectively.
5. RAP IMPLEMENTATION PROCEDURES AND SCHEDULE

5.1 RAP Implementation Procedures

Following approval of the subproject RAP, the process of implementation must take place. This will involve:

- consultation (a continuation of the process entered into during the site selection, screening and RAP development process);
- notification to affected parties;
- documentation of assets;
- agreement on compensation; and
- preparation of contracts, compensation payments and provision of assistance in resettlement.

5.2 Consultation

An essential element in the RAP implementation process is consultation and public participation. This would be a continuation of the process entered into during the site selection, screening, census and RAP development process. The community and landholder would be informed of the approval of the RAP and implications for all PAPs, as well as the likely implications in terms of resettlement, expropriation and compensation. As this would be part of an ongoing process, this would ensure that no affected individual/household is simply “notified” one day that they are affected in this way. Instead, this process seeks their involvement and wishes to inform communities in a participatory approach with the project, from the beginning.

5.3 Notification

At the earliest possible opportunity, the project proponent and Woreda TBIWRDP committee would provide notification regarding land acquisition to land holders and users. The users will be informed through both a formal notification in writing and, as many people are illiterate, by verbal notification delivered in the presence of the Village Head or his representative. In addition, the Compensation Committees and affected landholders and users will accompany a survey teams to identify sensitive areas.

5.4 Documentation

The relevant Compensation Committees will arrange meetings with affected individuals and/or households to discuss the compensation process. For each individual or household affected, the Woreda official will complete a compensation dossier containing necessary personal information on the affected party and those that s/he claims as household members, total landholdings, inventory of assets affected, and information for monitoring their future situation. This information is confirmed and witnessed by the Kebele Compensation and Resettlement Committee. Dossiers will be kept current and will include documentation of lands surrendered. Each individual will be provided a copy of the dossier at the time of negotiations. This is necessary so that the resettlement process pertaining to each individual PAP can be monitored over time. All claims and assets will be documented in writing.

5.5 Agreement on Compensation and Preparation of Contracts

All compensation options and types must be clearly explained to the affected individual or household. The Woreda Compensation and Resettlement Committee, in association with the TBIWRDP Project Management Team, draws up a contract, listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected. A person selecting in-kind compensation will have an order form, which is signed and witnessed. The compensation contract is read aloud in the presence of the affected party and the respective Project
Management Team, Woreda and Kebele Compensation Committees and other relevant village leaders prior to signing.

5.6 Compensation Payments and Development Initiatives

All handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party and the Kebele Compensation Committee. The Committee is also responsible in ensuring that development initiatives that are part of the resettlement package are implemented in an inclusive and participatory manner and to the benefit of the affected households.

5.7 RAP Implementation Schedule

It is essential that the timeframes and action plans associated with the RAPs are linked to the TBIWRDP project implementation schedule. Provisions must be made for compensation and assistance prior to loss of access to the asset or resource. The assistance includes provision and preparation of resettlement sites with adequate facilities. In particular, land and related assets may be taken away only after compensation has been paid and resettlement sites and moving allowances have been provided to affected people. For project activities requiring relocation or resulting in loss of shelter, this RPF further requires that measures to assist the project affected persons are implemented in accordance with the individual RAPs.

In the Implementation Schedule of each RAP, details on resettlement and compensation must be provided. The schedule for the implementation of activities, as agreed between the Woreda Compensation Committee, Project Management Teams and PAPs must include:

- target dates for start and completion of civil works;
- timetables for transfers of compensation (cash or kind) to PAPs;
- timetables for start of the development initiative or income generating activity
- dates of possession of land that PAPs are using (this date must be after transfer date for completed civil works to PAPs and for payments of all compensation); and
- the link between RAP activities to the implementation of the overall sub project.

When approving recommendations for resettlement during screening, PAPs must confirm that the resettlement plans contain acceptable measures that link resettlement activity to civil works, in compliance with this policy. Proper timing and coordination of the civil works shall ensure that no affected persons will be displaced (economically or physically) due to civil works activity, before compensation is paid and before any project activity can begin.

5.8 Mechanisms for Consultations and Public Participation

Public consultation and participation are essential because they afford project affected persons the opportunity to contribute to both the design and implementation of the project activities. Furthermore, it is the local communities who are to claim ownership of this project for it to be successful and their wealth of knowledge of local conditions are invaluable assets to the project. In recognition of this, particular attention would be paid to public consultation with potentially affected individuals/households when resettlement and compensation concerns are involved.

Public consultation will take place at the inception of the planning stages when the development plans are being prepared. The participation strategy would evolve around the provision of a full opportunity for involvement. This process would not be an isolated one because of the very nature of the project, which through its implementation and design ensures continuous public participation and involvement at the local level. Therefore, as a matter of strategy, public consultation would be an on-going activity taking place through out the entire project cycle. For example, public consultation would also occur during the:
• project inception and planning;
• alternatives and screening process;
• feasibility study;
• preparation of project designs;
• resettlement and compensation planning;
• drafting and reading/signing of the compensation contracts;
• payment of compensations;
• defining development initiatives
• resettlement activities and
• implementation of after-project community support activities

Public consultation and participation shall take place through meetings, radio and television programs, request for written proposals/comments, completion of questionnaires/application forms, public readings and explanations of the project ideas and requirements. This shall be handled by the TBIWRDP implementation committee and the Woreda and Kebele Compensation and Resettlement Committees.

Public documents shall be made available in appropriate languages at the national, local and homestead levels and at suitable locations including the official residences/offices of Kebele leaders and village elders. Public consultation measures shall take into account the low literacy levels prevalent in the rural communities, by allowing enough time for discussions, consultations, questions, and feedback.
6. GRIEVANCE REDRESS MECHANISM

6.1 Objectives of Grievance Redress Mechanisms

At the time that the individual RAPs are approved and individual compensation contracts are signed, affected individuals and households will have been informed of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple and will be administered as far as possible, at the kebele level by the Compensation Committee to facilitate access by PAPs.

All grievances concerning non-fulfillment of contracts, levels of compensation, or seizure of assets without compensation shall be addressed to the Kebele Leader and Village Leader.

All attempts shall be made to settle grievances amicably. Those seeking redress and wishing to state grievances will do so by notifying their Compensation Committee and Kebele Leader. The Kebele Leader will inform and consult with representatives from the village, and then forward an decision to the Woreda Administration for clearance. If valid, the Kebele Leader will notify the complainant and s/he will be assisted. If the complainant’s claim is rejected, the matter shall be brought before the Woreda Administration for settlement. The decision of the Woreda Administration will be final and all such decisions must be reached within a full growing season after the complaint is lodged.

It has to be noted that in the local communities, people take time to decide to complain when aggrieved. Therefore, the grievance procedures will ensure that the PAPs are adequately informed of the procedure, before their assets are taken. The grievance redress mechanism is designed with the objective of solving disputes at the earliest possible time, which will be in the interest of all parties concerned and therefore, it implicitly discourages referring such matters to the Regional or National level government authorities for resolution.

Compensation and resettlement plans (contracts) will be binding under statute. All objections to land acquisition shall be made in writing, in the language that the PAPs understands and are familiar with, to the Village Leader. Copies of the complaint shall be sent to the Woreda Compensation and Resettlement Committee and Project Management Team and the relevant Minister for administration of land matters, within 20 days after the public notice. Channeling complaints through the Village Leader is aimed at addressing the problem of distance and cost the PAP may have to face.

The Kebele Leaders shall maintain records where grievances and complaints, including minutes of discussions, recommendations and resolutions made, will be recorded.

The procedure for handling grievances should be as follows:

1) The affected person should file his grievance in writing, to the Kebele Leader and Village Leader. The grievance note should be signed and dated by the aggrieved person. Where the affected person is unable to write, he should obtain assistance to write the note and emboss the letter with his thumbprint. A sample grievance form is provided in Attachment C.

2) The Kebele Leader should consult with village representatives and respond within 14 days during which any meetings and discussions to be held with the aggrieved person should be conducted. If the grievance relates to valuation of assets, experts may need to be requested to revalue the assets, and this may necessitate a longer period of time. In this case, the aggrieved person must be notified by the Kebele Leader that his/her complaint is being considered.

3) If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time, s/he may lodge his/her grievance to the Woreda Administration or the relevant Municipal Administration.
4) The Woreda Administration or Municipal Administration will then attempt to resolve the problem (through dialogue and negotiation) within 14 days of the complaint being lodged. If no agreement is reached at this stage, then the complaint is taken to the Court of Law.

6.2 Monitoring and Evaluation

In order to assess whether the goals of the resettlement and compensation plan are being met, a monitoring plan will be required. This monitoring plan will indicate parameters to be monitored, institute monitoring milestones and provide resources including responsible persons or institutions to carry out the monitoring activities.

The arrangements for monitoring the resettlement and compensation activities will fit the overall monitoring program of the entire TBIWRDP program, which will fall under the overall responsibility of the different executing agencies. The executing agencies, will institute an administrative reporting system that:

a) alerts project authorities on the necessity and procedures for land acquisition for the project activities and the need to incorporate land acquisition, resettlement, loss of assets and impact on livelihood provisions in the design technical specifications and budgets;

b) provides timely information about the asset valuation and negotiation process,

c) maintains records of any grievances that require resolution, and

d) documents timely completion of project resettlement obligations (i.e. payment of the agreed-upon sums, construction of new structures, etc.) for all permanent and temporary loses, as well as unanticipated, additional construction damage.

e) updates the database with respect to changes that occur on the ground as resettlement and compensation activities are being implemented

Periodic evaluations will be made in order to determine whether the PAPs have been duly compensated and before implementation of the sub project activities; and whether the PAPs enjoy the same or higher standard of living than before.

This framework is suggesting that where appropriate and where it is determined to be cost effective, the regional level administration shall be structured to host the monitoring and evaluation component of the project/program. This will take the form of giving the regions the mandate to carry out independent monitoring of the implementation of the resettlement and compensation plans at periodic intervals of quarterly or half yearly (as circumstances dictate) during the program life.

The objective will be to make a final evaluation in order to determine:

a) if affected people have been paid in full and before implementation of the subproject, and

b) if the people who were affected by the subproject have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or they are actually poorer than before.

If it is determined that there has been a fall in standard of living of affected households, the project is responsible to finance additional measures (in the form of additional compensation in cash or kind or development assistance) to ensure that the affected party at least regains their original standard of living.

6.3 Indicators

A number of objectively verifiable indicators (OVIs) shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs, to determine and guide improvement in their social wellbeing. Therefore, monitoring indicators to be used for the RAP
will have to be developed to respond to specific site conditions. As a general guide, Table 6.1 provides a set of indicators which can be used.

Table 6.1 Types of Verifiable Indicators

<table>
<thead>
<tr>
<th>Monitoring</th>
<th>Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outstanding compensation or resettlement contracts not completed before next agricultural season.</td>
<td>Outstanding individual compensation or resettlement contracts.</td>
</tr>
<tr>
<td>Communities unable to set village-level compensation after two years.</td>
<td>Outstanding village compensation contracts.</td>
</tr>
<tr>
<td>Grievances recognized as legitimate out of all complaints lodged.</td>
<td>All legitimate grievances rectified</td>
</tr>
<tr>
<td>Pre-project production and income (year before land used) versus present production and income of resettlers, off-farm-income trainees, and users of improved mining or agricultural techniques.</td>
<td>Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation.</td>
</tr>
<tr>
<td>Pre-project production versus present production (crop for crop, land for land). Development initiatives do not target those affected by the loss of resource that is being compensated</td>
<td>Equal or improved production per household.</td>
</tr>
</tbody>
</table>

(a) Indicators to determine status of affected people

A number of indicators would be used in order to determine the status of affected people (land being used compared to before, standard of house compared to before, level of participation in project activities compared to before, how many kids in school compared to before, health standards, etc). Therefore, the resettlement and compensation plans will set two major socio-economic goals by which to evaluate its success:

- Affected individuals, households, and communities are able to maintain their pre-project standard of living, and even improve on it; and
- The local communities remain supportive of the project.

(b) Indicators to measure RAP performances

In order to access whether these goals are met, the resettlement and compensation plans will indicate parameters to be monitored, institute monitoring milestones and provide resources necessary to carry out the monitoring activities.

For example the following parameters and verifiable indicators will be used to measure the resettlement and compensation plans performance:

- questionnaire data will be entered into a database for comparative analysis at all levels of local government;
- each individual will have a compensation dossier recording his or her initial situation, all subsequent project use of assets/improvements, and compensation agreed upon and received;
- the Woreda authorities will maintain a complete database on every individual impacted by the sub-project land use requirements including relocation/resettlement and compensation, land impacts or damages;
- percentage of individuals selecting cash or a combination of cash and in-kind compensation;
- proposed use of payments;
- the number of contentious cases as a percentage of the total cases;
- the number of grievances and time and quality of resolution;
- the ability of individuals and families to re-establish their pre-displacement activities, land and crops or other alternative incomes;
- agricultural productivity of new lands;
- number of impacted locals employed by the civil works contractors;
- seasonal or inter-annual fluctuation on key foodstuffs; and
• general relations between the project and the local communities.
• Success of development initiatives in delivering intended outcomes to target households.

(c) Indicators to monitor and evaluate implementation of RAPs

Financial records will be maintained by the Woreda authorities and the executing agencies to permit calculation of the final cost of resettlement and compensation per individual or household. Each individual receiving compensation will have a dossier containing:
• individual bio-data information;
• number of people s/he claims as household dependents;
• amount of land available to the individual or household when the dossier is opened.

Additional information will be acquired for individuals eligible for resettlement/compensation:
• level of income and of production;
• inventory of material assets and improvements in land; and
• outstanding debts.
**Attachment A: Entitlement Matrix**

The following entitlement matrix will be adapted for this project.

<table>
<thead>
<tr>
<th>CATEGORY OF AFFECTED PEOPLE</th>
<th>TYPE OF LOSS</th>
<th>COMPENSATION FOR LOSS OF STRUCTURES</th>
<th>COMPENSATION FOR LOSS OF ASSETS</th>
<th>COMPENSATION FOR LOSS OF INCOME</th>
<th>MOVING ALLOWANCE</th>
<th>OTHER ASSISTANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owners</td>
<td>Loss of Land</td>
<td>----</td>
<td>Land replacement at new site, plus land clearing by sub-project</td>
<td>Crops at market cost in instance season</td>
<td>----</td>
<td>Food from WFP during construction of new site</td>
</tr>
<tr>
<td></td>
<td>Loss of structure -- residential or business</td>
<td>Compensation at full replacement value not depreciated</td>
<td>Fences (wire or wood) at $2/m Hand-dug wells at $200</td>
<td>For loss of rental income, lump sum payment of 6 months rent per tenant</td>
<td>Moving to be paid by sub-project</td>
<td>Disturbance allowance of $100</td>
</tr>
<tr>
<td>Residential tenant</td>
<td>Loss of rental accommodation</td>
<td>No loss of structure, no entitlement to housing at new site</td>
<td>Replacement cost for non-moving if installation was agreed with owner</td>
<td>----</td>
<td>Project-paid moving if notification before deadline</td>
<td>6 months rent equivalent for disturbance</td>
</tr>
<tr>
<td>Business tenant</td>
<td>Loss of premises</td>
<td>----</td>
<td>Replacement cost for facilities that cannot be moved</td>
<td>For loss of business income, payment of half of turnover for 6 months</td>
<td>Project-paid moving if notification before deadline</td>
<td>----</td>
</tr>
<tr>
<td>Encroachers (using land)</td>
<td>Loss of land</td>
<td>----</td>
<td>Relocation to resettlement site of choice, with payment of rental fee for land. For crops, fences and wells -- as above for owners</td>
<td>----</td>
<td>----</td>
<td>Food from WFP during construction of new site</td>
</tr>
<tr>
<td>Squatters (living on site)</td>
<td>Loss of shelter</td>
<td>Compensation at full replacement value for structure, relocation to resettlement site, with payment of site rent</td>
<td>----</td>
<td>Payments in lieu of wages while rebuilding</td>
<td>----</td>
<td>Disturbance allowance of $100</td>
</tr>
</tbody>
</table>

Loss of access to common property resources is compensated through a calculation of the replacement cost of fulfilling that need and may be paid through a development fund and other opportunities such as training.
**Attachment B: Census survey and land asset inventory form**

**Socio-economic Household Datasheet of PAPs**

<table>
<thead>
<tr>
<th>Name of Interviewer</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>ID Code</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Supervisor</th>
<th>(after verification of interview)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ID Code</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Village Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ID Code</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Concession in Village (GPS Coordinates)</th>
<th></th>
</tr>
</thead>
</table>

Date: ...........................................
Day    Month    Year

Name of Head of Extended Family :

Number of Nuclear Families in Extended Residential Group (including household of head of extended family)
# Household Interview

<table>
<thead>
<tr>
<th>Name and Surname</th>
<th>Relationship to Head of Family</th>
<th>Sex</th>
<th>Place of Birth</th>
<th>Age</th>
<th>Marital Status</th>
<th>Residence Tenure</th>
<th>Ethnic Group</th>
<th>Religion</th>
<th>Educational Level</th>
<th>Income Earner</th>
<th>Economic Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>M</td>
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<td>Yes</td>
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<td>No</td>
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<td>Primary</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Secondary</td>
</tr>
</tbody>
</table>

1. 
2. 
3. 
4. 
5. 
6. 
7. 

- **Relation to Head of Family:** 1 HoH; 2 Spouse of HoH; 3 Child of HoH; 4 Spouse of child of HoH; 5 Grandchild of HoH; 6 Parent of HoH; 7 8 9 Other (specify); 0 No Answer.

- **Marital Status:** 1 Married; 2 Widowed; 3 Divorced; 4 Unmarried; 0 No Answer.

- **Residential Status:** 1 PRP (Permanent Resident); 2 RA (Resident absent); 3 Member of non-resident HH; 4 Visitor; 9 Other (specify); 0 No Answer.

- **Occupations:**
  - **Principle Occupation:** 1 Farmer; 2 Shepard; 3 Household; 4 Merchant; 5 Religious leader, teacher; 6 Artisan; 7 Transport; 8 Unemployed; 9 Other (specify); 0 No Answer
  - **Secondary Occupations:** idem.

- **Educational Level:** 1 Illiterate; 2 Three years or less; 3 Primary School; 4 Secondary School; 5 Technical School; 6 Religious School (literate in Arabic); 0 No Answer

- **Religion:** 1 Muslim; 2 Christian (specify denomination); 3 Animist; 9 Other (specify); 0 No Answer
# Land asset inventory for Project Affected People

Kebele: ____________________________  
Village: ____________________________  
Date: ____________________________

<table>
<thead>
<tr>
<th>Survey no.</th>
<th>Name of Head of Household</th>
<th>No. of Persons in household</th>
<th>Total land holding of Hhold (m²)</th>
<th>Land to be acquired (m²)</th>
<th>Land Use Type</th>
<th>Loss of % total</th>
<th>Loss of assets</th>
<th>Loss of crops</th>
<th>Loss of other assets</th>
<th>Other losses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

- **Loss of assets**
  - Structures Permanent (m²)
  - Structures temporary (m²)
  - Area of residential land lost (m²)
  - Fruit trees lost type and number
  - Agricultural land lost (m²)
  - Other (specify)
  - e.g. graveyards, wells, etc. (type and no.)

- **Other losses**
  - Residence (rented)
  - Business lost
  - Income loss
## Entitlements of Project Affected People

Kebele: ________________________________  Date: ____________________________
Village: ________________________________

<table>
<thead>
<tr>
<th>Survey no.</th>
<th>Name of Head of Household</th>
<th>Compensation for Land</th>
<th>Compensation for structures</th>
<th>Compensation for crops and trees</th>
<th>Compensation for other assets and losses</th>
<th>Total (Birr)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Quantity (m²)</td>
<td>Unit price (Birr) per m²</td>
<td>Entitlement (Birr)</td>
<td>Quantity m²</td>
<td>Entitlement (Birr)</td>
</tr>
<tr>
<td></td>
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</tbody>
</table>

**Note:**
- **Quantity:** Must be provided for all compensation items.
- **Unit price:**applicable to land, structures, and crops.
- **Entitlement:** calculated based on quantity and unit price.
## Attachment C: Sample Grievance Redress Form

**Grievance Form**
- **Grievance Number**
- **Name of the Recorder**
- **Region/Woreda/Kebele**
- **Date**

**Copies to forward to:**
- (Original)-Receiver Party
- (Copy)-Responsible Party

**INFORMATION ABOUT GRIEVANCE**

**INFORMATION ABOUT THE COMPLAINANT**
- **Name-Surname**
- **Telephone Number**
- **Address**
- **Kebele/Community**
- **Region/Woreda**
- **Signature of Complainant**

**Forms of Receive**
- □ Phone Line
- □ Community/ Information Meetings
- □ Mail
- □ Informal
- □ Other

## DETAILS OF GRIEVANCE

1. **Access to Land and Resources**
   - a) Fishing grounds
   - b) Lands
   - c) Pasturelands
   - d) House
   - e) Commercial site
   - f) Other

2. **Damage to**
   - a) House
   - b) Land
   - c) Livestock
   - d) Means of livelihood
   - e) Other

3. **Damage to Infrastructure or Community Assets**
   - a) Road/Railway
   - b) Bridge/Passageways
   - c) Power/Telephone Lines
   - d) Water sources, canals and water infrastructure for irrigation and animals
   - e) Drinking water
   - f) Sewerage System
   - g) Other

4. **Decrease or Loss of Livelihood**
   - a) Agriculture
   - b) Animal husbandry
   - c) Beekeeping
   - d) Small scale trade
   - e) Other

5. **Traffic Accident**
   - a) Injury
   - b) Damage to property
   - c) Damage to livestock
   - d) Other

6. **Incidents Regarding Expropriation and Compensation (Specify)**
7. **Resettlement Process (Specify)**
8. **Employment and Recruitment (Specify)**
9. **Construction Camp and Community Relations**
   - a) Nuisance from dust
   - b) Nuisance from noise
   - c) Vibrations due to explosions
   - d) Misconduct of the project personal/worker
   - e) Complaint follow up
   - f) Other

10. **Other (Specify)**