



The ERI ITA is funded by the European Investment Bank

Tetra Tech International Development

Economic Resilience Initiative - Infrastructure Technical Assistance TA2017141 R0 ERI

DRAFT REPORT

Resettlement Policy Framework (RPF) for upgrading Tanta-El Mansoura- Damietta railway line

(Including the doubling of El Mansoura-Damietta single
track section)

20 August 2021



TETRA TECH
International Development

*A project implemented by
the TTID ERI-ITA Consortium*

Tetra Tech International Development B.V.
Jan Luijkenstraat 92 C, 1071 CT
Amsterdam, The Netherlands

This technical assistance operation is financed under the EIB's Economic Resilience Initiative (ERI). The ERI is EIB's response to the European Council's call to intensify its support for the EU's neighbourhood, in pursuit of economic growth and the achievement of the sustainable development goals (SDGs). The objective of this initiative is to rapidly mobilise additional financing in support of sustainable growth, vital infrastructure and social cohesion in Southern neighbourhood and Western Balkans countries. The Economic Resilience Initiative focuses on both the public and the private sectors, in support of EIB activities during different stages of the project cycle. The EIB is contributing to the ERI TA window with an envelope amounting to EUR 90 million from its own budget resources.

Disclaimer

The authors take full responsibility for the contents of this report. The opinions expressed do not necessarily reflect the view of the European Investment Bank.

The contents of this report are the sole responsibility of the WYG ERI-ITA Consortium and can in no way be taken to reflect the views of the European Investment Bank or the European Union.

This document is issued for the party which commissioned it and for specific purposes connected with the above-captioned project only. It should not be relied upon by any other party or used for any other purpose.

We accept no responsibility for the consequences of this document being relied upon by any other party, or being used for any other purpose, or containing any error or omission which is due to an error or omission in data supplied to us by other parties.

This document contains confidential information and proprietary intellectual property. It should not be shown to other parties without consent from us and from the party which commissioned it.

Report Issue Record

Project Title: Economic Resilience Initiative - Infrastructure Technical Assistance
 Project Number: TA2017141 R0 ERI
 Report Title: DRAFT REPORT "Resettlement Policy Framework (RPF) for upgrading Tanta-EI Mansoura-Damietta railway line (including the doubling of EI Mansoura-Damietta single track section)"
 Issue Number: 1

Revision	1	2	3	4
Date	22 June 2021	20 August 2021		
Detail	Draft RPF Report	Draft RPF Report		
Prepared By	Anan Mohamed, Social Expert Kostas Tzanakakis, SPM	Anan Mohamed, Social Expert Kostas Tzanakakis, SPM		
Checked By	Manuel Bénard DTL	Manuel Bénard DTL		
Approved By	Mathieu Arndt TL	Mathieu Arndt TL		



Table of Contents

Report Issue Record	1
Table of Contents	1
List of Figures.....	4
List of Tables.....	5
Glossary of Terms and Abbreviations.....	6
Executive summary	7
1 Introduction.....	17
1.1 Background	17
1.2 Purpose of the Resettlement Policy Framework.....	17
1.3 Resettlement Framework Objectives	17
2 Project Description.....	19
3 Projects' Impacts	26
3.1 Positive Impacts	26
3.2 Negative Impacts	26
3.2.1 Potential Resettlement Impacts.....	26
3.3 Land Acquisition and Resettlement Status	27
3.3.1 Land use impacts	27
4 Egyptian legal requirements for Resettlement.....	33
4.1 Main legislations and guidelines	33
4.2 ENR's Approach for Securing Land Plots	37
5 International Standards.....	39
5.1 Standard of the European Investment Bank.....	39
5.2 Standard of the World Bank	40
6 Gaps Analysis between Egyptian Legislations and the International Standards.....	42
7 Institutional and Organizational Arrangement for land acquisition	50
7.1 Institutional Arrangements	50
7.2 Procedures of Land Acquisition Due to Public Interest and Resettlement	51
7.3 Responsibility at Authorities Concerned	51
7.4 ENR's Institutional and Organizational Structure.....	53
8 RAP Preparation, Review and Approval	55
8.1 About Resettlement Plan	55
8.2 RAP and the Project Cycle.....	56
8.2.1 RAP during Project Identification	56
8.2.2 RAP during Project Appraisal	57



8.2.3	RAP during Project Implementation.....	57
8.2.4	RAP during Monitoring and Evaluation (M&E).....	58
9	Eligibility Criteria for Affected Persons	59
9.1	Defining Affected Persons.....	59
9.2	Eligibility Criteria.....	60
10	Methods of Valuation of Affected Assets and Compensation	62
10.1	Policies	62
10.2	Asset Valuation.....	63
10.3	Compensation	64
10.3.1	Forms and Calculation of Compensation	64
10.3.2	Land Compensation.....	64
10.3.3	Crop and Trees Compensation	65
10.3.4	Compensation for Buildings and Structures	66
10.3.5	Labour Compensation	66
10.3.6	Compensation for Sacred Sites.....	66
10.4	Livelihood Support/ Assistance for economic displacement	66
10.4.1	Livelihood support to PAPs	66
10.4.2	Vulnerable support program.....	67
10.5	Entitlement Matrix.....	67
10.6	Notification Procedure	77
10.6.1	Documentation	77
10.6.2	Agreement on compensation and preparation of contracts	77
10.6.3	Compensation payments.....	77
10.6.4	The Entities and Authorities Contributing To Land Acquisition Process.....	77
11	Public Consultation and Disclosure Arrangements.....	79
11.1	Consultations arrangements during project implementation	79
11.2	Information disclosure and local access to information.....	80
12	Grievance redress mechanism	82
12.1	Objectives	82
12.2	The project level GRM.....	82
12.2.1	Grievance Channels at the project level	82
12.3	Current GRM Central/ Institution level utilized by ENR.....	82
12.3.1	Grievance Channels at the central level.....	83
12.4	Grievances’ Tiers Composition	83
12.5	Grievance Cycle	84
12.5.1	Response to Grievances	84
12.5.2	Registration of Complaints	84
12.5.3	Confidentiality.....	84



12.5.4	Management of GRM.....	84
12.5.5	Monitoring of Grievances	84
12.5.6	Disclosure of grievances	85
13	Funding Arrangements	86
14	Monitoring and Evaluation Arrangements	87
14.1	Indicators	87
14.2	Record Keeping.....	88
	Annex (1): Digital Maps Results, Doubling Area	89
	Annex (2): Grievance Form	93
	Annex (3): Grievance Log.....	95
	Annex (4): List of individuals/organizations contacted	96



List of Figures

Figure 2-1: Map showing the location of the Centralized Traffic Control (CTC) Building.....	21
Figure 2-2: Photos for some of the confirmed locations of the main technical buildings	24
Figure 3-1: Examples of sites that overlap with ENR property and can be avoided in the final design	30
Figure 7-1: ENR Organizational Structure (Source: ENR)	53



List of Tables

Table 2-1: List of Main Technical Buildings along the railway line between Tanta – El Mansoura – Damietta (Source: ENR Projects Department-Update of 4 March 2021)	23
Table 3-1: Digital Map Results.....	28
Table 4-1: National regulations related to Involuntary Resettlement.....	33
Table 4-2: Type of land ownership in Egypt	36
Table 5-1: Basic Terminology of land acquisition	40
Table 6-1 Comparison of Egyptian regulations with the WB Standards and measures for bridging the gaps.....	43
Table 7-1: Outline of Responsibility at Authority Concerned	52
Table 9-1: Possible Losses from Land Acquisition	59
Table 9-2: Criteria for Eligibility	60
Table 10-1: Types and Examples of Affected Assets and the Method of Valuation	63
Table 10-2: Entitlement Matrix for Affected Persons	68
Table 14-1: Sample Monitoring Indicators	87



Glossary of Terms and Abbreviations

Abbreviation	Full Word
AFD	AGENCE FRANÇAISE DE DÉVELOPPEMENT
CSOs	Civil Society Organizations
CTC	Central Traffic Control Buildings
EEAA	Egyptian Environmental Affairs Agency
EHS	Environmental, Health and Safety
EIB	European Investment Bank
ENR	Egyptian National Railways
ESF	Environmental and Social Framework
EC	Estimation Committee
ESIA	Environmental and Social Impact Assessment
ESS	Environmental and Social Standards
FGDs	Focus Group Discussions
GM	Grievance Mechanism
IFI	International Financing Institute (EIB, AFD, WB)
IR	Involuntary Resettlement
LAL	Land Acquisition Law
LGU	Local Governmental Unit
LX	Level Crossing
MTB	Main Technical Buildings
MoT	Ministry of Transport
NGOs	Non-Governmental Organization
OHS	Occupational Health and Safety
PAPs	Project Affected Persons
PIU	Project Implementation Unit
PMU	Project Management Unit
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SDO	Social Development Officer
SEP	Stakeholders Engagement Plan
SCADA	Supervisory Control and Data Acquisition
STB	Secondary Technical Buildings
TOR	Terms of Reference
WB	World Bank



Executive summary

Introduction

The aim of the Resettlement Policy Framework (RPF) is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to project components during project implementation. Once the activities under the project final design are defined and the necessary information becomes available, such a framework will be expanded into a Project-related specific Resettlement Action Plan (RAP) proportionate to potential risks and impacts. The various steps in preparing a RAP have been outlined in this document. The Resettlement Action Plan (RAP) will follow the rules set out

- In the Egyptian Legal framework,
- In the European Investment Bank's (EIB) Standard 6 Involuntary Resettlement,
- In the World Bank (WB) Environmental and Social Standard (ESS5) on Involuntary Resettlement.

Project activities that will cause physical and/or economic displacement will not commence until a specific Resettlement Action plan/s has been finalized and approved by the lenders and the project owner (Egyptian National Railways ENR) according to the applicable standards and requirements defined under Section 5 of this document. The application of the Egyptian Legal framework, the EIB Standard 6 and WB ESS5 is under the responsibility of the project owner. The implementation of the RPF and any required RAP are the responsibility of the Egyptian National Railways (ENR).

The overall aim of RPF is to provide a process for identifying individuals likely to be impacted, regardless of their legal status by the project activities, assessing the severity of the impact, and outlining the process for preparing Resettlement Plans. Further, the RPF aims at ensuring that project affected persons (PAP) are fairly, appropriately and transparently compensated for their loss of land (whether permanently or temporarily), assets and/or loss of access to natural resources, which affect their livelihood.

Project Description

For many reasons, including serious safety concerns, the declining level of service provided and the burden imposed by the sector on the public budget, railway operations have become a matter of deep concern to the Government of Egypt.

ENR has adopted a wide-ranging strategic plan to improve and upgrade all railway infrastructure in Egypt using state-of-the-art technological solutions that have been proven in other railway networks around the world for their efficiency and reliability.

In line with this strategic plan, ENR envisages upgrading the railway line between Tanta, El Mansoura and Damietta. The Tanta-Damietta corridor is located in the Delta region, on the Mediterranean façade of Egypt. This railway line has a total length of 119 km and is divided into two sections:

1. Between **Tanta and El Mansoura**: a non-electrified **double-track** line, length: 54 Km with 16 stations.



2. Between **El Mansoura and Damietta**: a non-electrified **single-track** line, length: 65 Km with 19 stations.

Main Project Components

The project aims to upgrade and modernize the existing railway infrastructure. The proposed project consists of two main components:

Component (A): Modernization of the existing mechanical signalling system of Tanta – El Mansoura – Damietta railway line (along the whole line, 119 km).

The main works associated with upgrading the signalling system include:

- Replacement of mechanical interlockings with a new electronic interlocking system.
- Replacement of mechanical switches with point machines.
- Renewal of all signalling ground installations, including civil works (trenches and buried pipes), required for connecting cables to the field elements.
- Installation of a train detection system using traditional track-circuit technology and its associated infrastructure.
- Construction of new technical buildings along the line to house the new signalling, telecommunications and energy equipment.
- Installation of new conduits, with four spare pipes, installed at each side of the track.
- Introduction of a new power supply system managed by a SCADA system. The power supply will be connected to two different sources: the national electricity grid and an emergency generator (fixed and mobile).
- Establishment of a Centralized Traffic Control Center (CTC).
- Implementation of a new transmission system to establish communication between all equipment along the tracks, and inside the technical buildings, with the CTC.
- Installation of a new protection and automation system for level crossings.
- Setting up of a fibre optic cable network along the tracks to connect the transmission network and signalling devices. The network consists of two cables of 48 optical fibres laid on each side of the track (a total of four main cables).
- Training of operation and maintenance staff.

All new buildings will have fire alarm, anti-intrusion, and access control systems, fire protection and firefighting measures, in addition to a CCTV-based monitoring system, in order to increase security.

Component (B): Doubling of the single-track between El Mansoura and Damietta (along 65 km).

ENR envisages the El Mansoura – Damietta railway line's doubling as part of a critical renewal and development program of the Egyptian railway network.

The line is a part of the Damietta – Cairo line, which starts at El Mansoura City and extends northeast through Nile Delta until it reaches Damietta City. Currently, it is a 65-km, single-track line, used by both passengers and freight trains.

As it is a single-track line, passing loops are required to allow trains to cross or pass each other. The average spacing between passing loops is around 4.5 km, but that spacing is irregular as the loops are located at stations and currently vary from 2 to 5.7 km. Generally, the track's condition is good, but in some areas, renewal is needed.



The doubling of El Mansoura – Damietta railway line will include the following construction activities:

- Installing the new second track and its components
- Level crossings, bridges, overpasses and underpasses
- Line doubling at the stations and halts
- Line doubling near irrigation drains
- Construction steps of the new double track

Project Impacts

In general, ENR tries to avoid the construction of electronic signalling buildings on plots of land used for other purposes (e.g. agricultural, residential etc). However, if a technically compliant alternative is not available, they opt for using occupied land plots and attempt exercising damage-minimization. The potential impacts related to the acquisition of land plots basically include removal of crops and/ or trees, or structures on the land plot, whether or not the user is formal or informal.

The severity of the impacts on the land user will depend on the duration of time the user has been using the land and the availability of other assets and sources of livelihoods for him. The assessment on a case by case basis in light of the requirements of EIB S6 and WB ESS5 should be conducted in the form of RAP when there is clarity on the exact locations.

The following highlights unfavourable impacts potentially resulting from **expropriation and resettlement activities**:

- Loss of land; In the case of the land owned by individuals (private property) or land tenants/ users (ENR property), there will be an impact related to the land acquisition.
- impact on physical displacement /livelihood for the tenants of the agricultural lands, which results in the loss of crops and trees due to the resulting change in land use,

It is very challenging to quantify the number of potentially affected persons at this stage of the project's activities.

At the current stage, the size and severity of the impact on the use of land still needs to be clarified, thus determining the areas affected and the number of PAPs as a result of land acquisition. More details on the groups that will be entitled for support under this RPF as well as their entitlements could be found under the entitlement matrix table 10-3.

Egyptian legal requirements for Resettlement

- Law 144/2020 on the amendment of some provisions of Law No. 152 of 1980 establishing the Egyptian National Railways Authority ENR.
- Law 187/2020 on the amendment of some provisions of Law No. 10 of 1990 on the land acquisition for the public benefit
- Law 24/2018 on the amendment of some provisions of Law No. 10 of 1990 on the land acquisition
- Law 1/2015 On the amendment of some provisions of Law No. 10 of 1990 on the land acquisition
- Law 10/1990 On Property Expropriation for Public Benefit identifies
- Law 577 of year 1954 and Law 27 of year 1956 for land acquisition
- Law 27 of year 1956
- The new Egyptian Constitution
- Civil code 131 of year 1948



International Standards

The European Investment Bank's (EIB) Standard 6 Involuntary Resettlement and the World Bank Environmental and Social Framework ESF - ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement are both applicable to the project due to the co-financing foreseen by EIB and AFD. S6 and ESS5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or both. .

Gap Analysis between Egyptian Legislation and the International Standards

Egyptian legislation is broadly consistent with the EIB Standard 6 and WB ESS5 for involuntary resettlement. This includes:

- The requirement to pay compensation in case of compulsory acquisition of land
- The need to compensate for the acquired property based on the full market value of the property at the data of the verdict;
- The requirement to compensate for losses, whether temporary or permanent in production or damage to productive assets; and
- The provision for pre-judicial avenues for resolution of disputes and rights of appeal.

However, there are a number of specific areas where provisions required under the EIB Standard 6 and WB ESS5 extend beyond those required under Egyptian legislation.

Comparison of Egyptian regulations with the EIB and WB Standards and measures for bridging the gaps are as follows:

- **Resettlement planning and procedural requirements.** There is presently no requirement to prepare a formal Resettlement Action Plan (RAP) under the Egyptian law, also, there is no explicit consultation requirement in the Egyptian law. ENR/ MoT components in compliance with the EIB Standards and WB ESS should prepare site-specific Resettlement Action plans when needed. In addition, the consultation activities will be implemented during the project lifetime and as part of the preparation of the RAPs.
- **The cut-off date.** The Egyptian laws never set a cut-off date. The cut-off date will be differing according to the project activities. It will be determined separately for each project activity. The cut-off date will be the day when the census starts for the preparation of the site-specific RAPs.
- **Calculation of Compensation.** Compensation at replacement value and asset value increases are not accounted for by Egyptian regulation, no requirement to find replacement land. With full replacement cost, in accordance to the market value at the time of compensation. In cases of loss of land for households with land-based livelihoods, affected people must first be offered alternative land of better or equal quality. ENR will prepare Resettlement Plans in accordance with EIB Standard 6 and WB ESS5 and this RPF.



- **Compensation eligibility.** Egyptian legislation has not recognized the rights of squatters. Under Egyptian law, the only people and entities entitled for compensation are those with registered property rights. All affected persons, including squatters, will be considered for compensation measures in accordance with this RPF and EIB standard 6 and WB ESS5. Resettlement assistance should be provided in order to improve the PAPs' livelihoods or at least to restore to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. All Project Affected Persons should be compensated for their loss of assets, regardless to their legal status.
- **Resettlement assistance.** Not included in the Egyptian legislation. Affected people are to be offered support after displacement, for a transition period. Specific assistance will be designed and included in the Resettlement Plan.
- **Vulnerable groups.** Egyptian regulations have not addressed how vulnerable groups affected by expropriation of property should be treated. The EIB S6 and ESS5 stipulates the importance of paying attention to vulnerable groups. Particular attention will be paid to the needs of Vulnerable Groups among those displaced. Identification of the characteristics and needs of vulnerable groups will be done through the preparation of Resettlement Plans.
- **Livelihood restoration.** No requirement in the Egyptian regulations to provide transitional support or livelihood restoration. EIB S6 and WB ESS5 regarding income restoration will be considered. Therefore, those whose income is going to be affected will be compensated for the loss of profit and income. For tenants, it must be ensured that there are alternative sources of income for the tenants (agricultural land, trade, employment, etc.) other than the acquired land, as much as possible.
- **Consultation and Information Disclosure.** No clear requirement in the Egyptian regulations to consult or seek participation of communities before the start of the land acquisition. The project should launch systematic Stakeholder engagement activities, as per the Stakeholder Engagement Plan (SEP) that would continue during the project lifetime. All PAPs should be consulted on land acquisition impacts. Participatory planning and decision making should be applied in resettlement options and compensation. Affected groups should have access to full information about the resettlement process and options for compensation.
- **Grievance Mechanisms (GM).** It is essential for the project to establish a GRM that is acceptable and accessible to community members. It would serve as the first stop for people who have a grievance and will have several channels for them to complain. All petitions will be considered and responded to and a due procedure of handling and managing grievances will be set. Moreover, their social development officers will gain information about how to document the grievances, and how to transfer them to the interested entity. They should be informed that they can take the case to the court If need arises, aggrieved people would however remain free to open a Court case without having registered their grievance with the GRM. The grievance mechanism should be set up and maintained in line with the EIB S6 and WB ESS5.

Monitoring and Evaluation. The lack of equivalency between the Banks' and Egyptian policy can negatively impact on the very idea of the consultation, decision making and disclosure principles charted in the EIB Standards and WB ESS. Monitoring of the resettlement activities during the project implementation as detailed in this RPF should be performed. As such, the project is to develop an M&E and reporting system compliant with EIB and WB standards.

Institutional and Organizational Arrangement for land acquisition

Several governmental bodies are involved in land acquisition and resettlement procedures. An assessment committee plays the key role in land acquisition and resettlement, which is an independent



structure and is established in each Governorate by the decree of the Minister of Water Resources and Irrigation, with a changing membership every two years.

ENR serves as the project's implementation agency under the oversight of a Steering Committee, which mainly combines the Ministries of Transport, Finance, Investment and International Cooperation. A Project Implementation Unit (PIU) needs to be established within ENR to coordinate and implement project activities and liaise with the lenders. It is necessary to define the roles and responsibilities of the bodies based on estimating and providing compensation, which outline the instructional setting for RAP development and implementation (Resettlement committees etc.), roles and responsibilities.

The responsibility of providing compensation to all PAPs is the responsibility of the project owner ENR/ PIU through a Compensation Committee.

This committee consists of:

- ENR Property Department
- Housing Directorate in each Governorate
- Department of Land Surveying
- Head of state property or his representative in each Governorate,
- ENR/ PIU; Social Development Office, Head of Environmental Unit, The Engineer responsible for projects and Legal member.

This committee should conduct meaningful consultation with PAPs and communities organized throughout resettlement planning and implementation and disclosure of relevant information in line with the RAP.

To comprehend the land acquisition procedures, it is essential to identify the entities and authorities contributing to such process:

- Ministry of Transportation (MoT)
 - Egyptian National Railways (ENR)
- Targeted Governorates in (Tanta- Mansoura- Damietta)
 - Department of Real Estate *Amlak*
 - Egyptian Land Survey Authority
- The project implementation unit (PIU)
- Ministry of Agriculture (MoA)
 - The Agriculture Directorate
 - The agriculture associations

RAP Preparation, Review and Approval

A RAP/ RAPs is to be prepared as soon as the actual footprint of the Project (or one of its components) is known on the basis of the guidelines provided in this RFP. One or more RAPs will be needed in case the project implementation is undertaken in phases; each RAP scope will be commensurate to the magnitude and the complexity of the resettlement activities to be undertaken. The RAP process involves the following and should be done early at the design stage of the project component:

- Categorize project activities with respect to land needs
- Conduct socio-economic survey/census to determine assets and households affected
- Organize and conduct stakeholders consultation
- A grievance mechanism should be devised
- Approval process. The prepared RAP needs to be reviewed and approved by the lenders and then approved by the relevant departments in ENR/ PIU. There is no other Egyptian authority that approves the RAP (s) study.



The arrangements for implementation of the resettlement plan extend throughout the Project Cycle.

Eligibility Criteria for Affected Persons

All PAPs who suffer a complete or partial loss of assets or access to assets shall be eligible for some kind of assistance, according to their legal rights to the land, if it can be proven that they occupied the land before the claim cut-off date. The EIB S6 and WB ESS5 specifically propose three general categories for eligibility.

The project owner (ENR) will follow the provisions outlined in the standards (EIB S6 and WB ESS5) and develop the appropriate instruments (RAP/s). These instruments establish criteria for identifying who the affected persons are, their entitlements, consultation mechanism, grievance mechanism, monitoring of implementation, budget and timeline.

The EIB S6 and WB ESS5 apply to all components of the project that result in involuntary resettlement, regardless of the source of financing. The aim of including the eligibility criteria in the RAP is to ensure that PAPs who suffer a complete or partial loss of or access to assets are clearly defined and recognized as eligible for assistance as per the provisions of EIB S6 and WB ESS5. Once it is established, among other criteria, that they occupied the land, or their livelihoods/assets were affected before the claim cut-off date.

Methods of Valuation of Affected Assets and Compensation

EIB S6 and WB ESS5 require that resettlement and compensation plans provide prompt and effective compensation at full replacement cost for losses of assets attributable directly to the financed project. Replacement cost is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account in determining their value.

For losses that cannot easily be valued or compensated for in monetary terms, such as access to public services, customers and grazing, the financed project shall provide access to equivalent and culturally acceptable resources and earning opportunities.

Where Egyptian law does not meet the standard of compensation at full replacement cost, compensation under Egyptian law is supplemented by additional measures necessary to meet the replacement cost standard defined in S6 and ESS5. Land and assets will be valued and compensated according to the EIB S6 and WB ESS5, Egyptian regulations and practical operations.

Compensation will be provided to all individuals whose assets (land, crops and/or trees) or access to assets are affected or damaged due to land acquisition or any other activities undertaken by the projects. The compensation for the loss of physical and nonphysical assets will vary depending on the type of loss, and eligibility of the PAPs. Compensation may come in the form of cash compensation, in-kind compensation, and/or assistance.

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



allowance, salary maintenance, etc.).

Public Consultation and Disclosure Arrangements

During the project preparation and as indicated in the ESIA consultation chapter, the first scoping meeting should start as early as possible in the ESIA and RAP process to ensure full engagement of stakeholders. The consultations activities will be designed to comply with and meet the IFIs' Requirements and will include affected communities, ENR, MoT, EEAA, other government Ministries, agencies and NGOs. Consultation and participation activities will be considered during this early phase of the ESIA and RAP to ensure that the assignment is clearly shared and verified with various groups of stakeholders.

During project implementation, when resettlement impacts are involved and a RAP needs to be prepared, consultations with affected persons will be carried out by ENR/ PIU, and/or the concerned authorities in implementing the project through the independent consultant that is contracted for the RAP preparation process.

Consultation and community engagement activities should take place according to EIB S10 and WB ESS10. The Stakeholder Engagement Plan SEP to be prepared by the ENR should include a consulting plan for groups affected by the land acquisition and displacement including potential vulnerable groups.

In alignment with Lenders requirements (EIB, WB) disclosure is mandatory and all disclosure requirements will be applicable. EIB Access to Information stipulates that the minimum time for making reports available to the public, and publication on newspapers/ websites etc. is 30 calendar days have been set for disclosure¹.

ENR will strictly follow the requirements for disclosure of information. In addition, ENR will disclose environmental and social information and inform interested stakeholders on the RAP and Project development.

Grievance Mechanism (GM)

Having a grievance mechanism in place is important for PAPs to be able to find a space to submit their complaints, if any, during the project implementation. GM should be expected and planned for from the beginning of the project. The objective of a grievance procedure is to ensure that all comments and complaints from any project stakeholder especially the PAPs are considered and addressed in an appropriate and timely manner.

At the time that the RAP is approved, PAPs will be informed during the consultation of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple, accessible by PAPs and should be managed at the local level through the ENR Property Department office located in each area. Grievances activities to be applied under the project should handle all types of grievances. Including but not limited to the grievances related to resettlement. The grievance mechanism in ENR will be implemented through two levels. One will be assigned to the project at the local level (project-level GRM). The second level of the grievance mechanism is the central level for all railway lines and sectors, which is proper to ENR as an institution.

¹ ENR published the project's reports in Arabic and English on the ENR's website on 8/8/2021. through the following links:

<https://www.enr.gov.eg/Ar/ProjectDetails.aspx?ProjectID=2077>
<https://www.enr.gov.eg/En/ProjectDetails.aspx?ProjectID=2077>



Below are the main channels for complaints of the project-level GM:

- Complaint boxes at the ENR Property Department office, with a complaints form (Annex 2 Complaints form that was developed for the project, It can be used for compensation complaints);
- Submit an oral complaint to the Property office manager ;
- Phone number will be available on the ENR Property Department office
 - ENR official (from ENR environmental affairs department (EAD)), the Social Specialist at the PMU will take over those responsibilities. The contact information including the email and phone number will be determined at the beginning of the implemental procedures for the project and in the RAP study.

Grievance will be documented through the grievance log, which is designed for this project to ensure documentation and follow-up (see Annex 3 Grievance Log).

In the meantime, ENR has a complaints system for passengers and the public. The management and operation of this institutional level GM are the responsibility of the Complaints and Customer Service Directorate, which is affiliated to the Presidential Affairs Central Directorate. ENR's institutional GM is accessible to project beneficiaries and stakeholders; thus, it is possible that project related complaints are submitted through the institutional channels. Therefore, linkages between the project-level GM and the institutional GM of ENR will be established as per the ESCP.

Below are the main channels for complaints of the ENR central/ institution level:

- Complaint boxes in all railway stations;
- An email address linked to the ENR website (support@enr.gov.eg);
- A landline disclosed on the ENR website (+2 02 25748279);
- A digital complaint form linked to the website of the Ministry of Transport;
- Two telephone lines (01274422925 - 0225753555), and
- A hotline (15047).

In the event that the complaint is not resolved, or if the complainant is not satisfied with the outcome of the complaint investigation; the complaint he/ she can send a new complaint to the person responsible for GRM. If no agreement is reached at this stage the complainant has the right to go to court according to the law.

Funding Arrangements

At this stage, where the final locations of all project components have not yet been determined, and when the number of PAPs cannot be identified, it is not possible to provide an estimated budget for the total costs of resettlement that may be associated with the implementation of the project. Therefore, activities for the resettlement plan will be funded like any other project. Funding will be processed and effected through the project's financial processing arrangements. Funds for implementing inventory assessments and resettlement plans will be provided by the implementing agency the Egyptian National Railways ENR.

Monitoring and Evaluation Arrangements

In order to assess whether the goals of the resettlement and compensation plan are being met, a monitoring plan will be required. The monitoring plan includes indicators to be monitored, introduces milestones, and provides resources including responsible persons or institutions, to carry out the monitoring activities. The arrangements for monitoring resettlement and compensation activities will be



part of the monitoring and reporting process of the project, which will fall under the overall responsibility of the implementing agency (ENR).

In order to assess whether these goals are met, indicators capable of measuring RAP performance will have to be developed. A number of objectively verifiable indicators must 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 and economic wellbeing.



1 Introduction

1.1 Background

The aim of the Resettlement Policy Framework (RPF) is to clarify resettlement principles, organizational arrangements, and design criteria to be applied to project components during project implementation. Once the activities under the project final design are defined and the necessary information becomes available, such a framework will be expanded into a Project-related specific Resettlement Action Plan (RAP) proportionate to potential risks and impacts. The various steps in preparing a RAP have been outlined in this document. The Resettlement Action Plan (RAP) will follow the rules set out

- In the Egyptian Legal framework,
- In the European Investment Bank's (EIB) Standard 6 Involuntary Resettlement,
- In the World Bank (WB) Environmental and Social Standard (ESS5) on Involuntary Resettlement.

Project activities that will cause physical and/or economic displacement will not commence until such specific Resettlement Action plan/s has been finalized and approved by the lenders and the project owner (Egyptian National Railways ENR) according to the applicable standards and requirements defined under Section 5 of this document. The application of the Egyptian Legal framework, the EIB Standard 6 and WB ESS5 is under the responsibility of the project owner.

The implementation of the RPF and any required RAP are the responsibility of the Egyptian National Railways (ENR).

1.2 Purpose of the Resettlement Policy Framework

Since some activities under the project final design will result in temporary or permanent land acquisition, this will be relevant to EIB Standard 6 and WB ESS5 on involuntary Resettlement. The nature and extent of land acquisition are not known yet at this stage of the Project. The purpose of the RPF is therefore to establish resettlement objectives, organizational arrangements and funding mechanisms for any resettlement operation that may be deemed as necessary.

The Egyptian government will acquire through ENR the land that is required for the construction of the Tanta - Mansoura – Damietta railway Project. Permanent land acquisition has the potential to result in displacement of households, community assets, infrastructure, and economic displacement.

1.3 Resettlement Framework Objectives

- Align the resettlement strategy for the Project with EIB and WB requirements, to reduce risks related to project land acquisition and resettlement, to strengthen relationships with, and provide confidence to regulators, authorities and affected households and communities, as to how the land acquisition process will be conducted.
- Outline the Project's commitment to mitigate adverse socioeconomic impacts from land acquisition or restrictions on affected persons' use of or access to land.



- This framework shall cover all the project's activities, and shall apply to all Project Affected Persons regardless of the total number affected, the severity of impact, and whether or not the Project Affected Persons have legal title to the land. Resettlement often affects the most vulnerable and marginalized groups (economically, politically, and socially).
- Provide the foundation for the resettlement process, including key compensation and livelihood restoration options, the legal context within which the future Resettlement Action Plan (RAP) will be prepared and implemented. A general categorization of impacts and losses, compensation entitlements, an overview of institutional arrangements and responsibilities and a resettlement schedule and initial budget will also be prepared.
- The RPF shall be particularly sensitive to the effects which displacements may have on these groups, including the poor, landless, elderly, women, children, ethnic minorities, or persons with specific mental or physical disabilities,
- The RPF provides a process for identifying individuals likely to be impacted by the Project activities, assessing the severity of the impact, and outlining the process for preparing the Resettlement Action Plans.
- The RPF sets the strategy for resettlement process development and implementation, and highlight critical timing elements that will drive the overall resettlement planning and implementation process (e.g. confirming land footprint requirements etc.).
- Further, the RPF aims at ensuring that project affected people (PAP) are fairly/ appropriately and transparently compensated for their loss of land (whether permanently or temporarily), and assets and loss of access to natural resources, which affect their livelihood.



2 Project Description

For many reasons, including serious safety concerns, the declining level of service provided and the burden imposed by the sector on the public budget, railway operations have become a matter of deep concern to the Government of Egypt.

ENR has adopted a wide-ranging strategic plan to improve and upgrade all railway infrastructure in Egypt using state-of-the-art technological solutions that have been proven in other railway networks around the world for their efficiency and reliability.

In line with this strategic plan, ENR envisages upgrading the railway line between Tanta, El Mansoura and Damietta. The Tanta-Damietta corridor is located in the Delta region, on the Mediterranean façade of Egypt. This railway line has a total length of 119 km and is divided into two sections:

3. Between **Tanta and El Mansoura**: a non-electrified **double-track** line, length: 54 Km with 16 stations.
4. Between **El Mansoura and Damietta**: a non-electrified **single-track** line, length: 65 Km with 19 stations.

Main Project Components

The project aims to upgrade and modernize the existing line's infrastructure. The proposed project consists of two main components:

- **Component (A)**: Modernization of the existing mechanical signalling system of Tanta – El Mansoura – Damietta railway line (along the whole line, 119 km).
- **Component (B)**: Doubling of the single-track between El Mansoura and Damietta (along 65 km).

Component (A): Modernization of the existing mechanical signalling system of Tanta – El Mansoura – Damietta railway line

The main works associated with upgrading the signalling system include:

- Replacement of mechanical interlockings with a new electronic interlocking system.
- Replacement of mechanical switches with point machines.
- Renewal of all signalling ground installations, including civil works (trenches and buried pipes), required for connecting cables to the field elements.
- Installation of a train detection system using traditional track-circuit technology and its associated infrastructure.
- Construction of new technical buildings along the line to house the new signalling, telecommunications and energy equipment.
- Installation of new conduits, with four spare pipes, installed at each side of the track.
- Introduction of a new power supply system managed by a SCADA system. The power supply will be connected to two different sources: the national electricity grid and an emergency generator (fixed and mobile).
- Establishment of a Centralized Traffic Control Center (CTC).



- Implementation of a new transmission system to establish communication between all equipment along the tracks, and inside the technical buildings, with the CTC.
- Installation of a new protection and automation system for level crossings.
- Setting up of a fibre optic cable network along the tracks to connect the transmission network and signalling devices. The network consists of two cables of 48 optical fibres laid on each side of the track (a total of four main cables).
- Training of operation and maintenance staff.

All new buildings will have fire alarm, anti-intrusion, and access control systems, fire protection and firefighting measures, in addition to a CCTV-based monitoring system, in order to increase security.

Centralized Traffic Control (CTC) Building

In order to enhance a remote control of traffic, the line will be controlled from a Centralized Traffic Control (CTC), which will provide the following functions:

- Automatic vehicle supervision and regulation;
- Management and interface with communication subsystems;
- Operation management functions;
- Maintenance management functions
- Maintenance management for optimization of maintenance activities to enhance productivity and system availability.
- Instantaneous overall view of all events and alarms occurring within the system, made available at the CTC traffic room on corresponding control desk according to line and function responsibilities,
- Storage for archiving all events and alarms to assist in incident and fault diagnostic investigations and statistics.

The CTC building will be located at El Mansoura main station; the building will be built entirely within the property of ENR, as shown in the following figure.

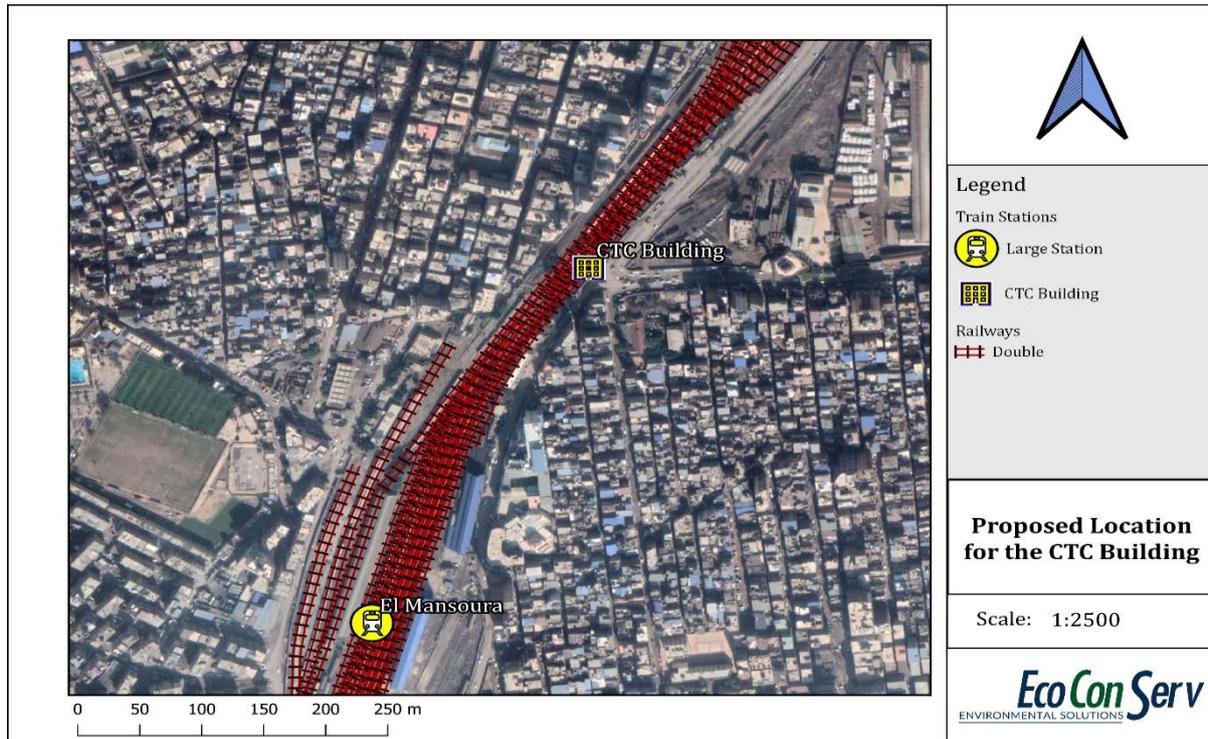


Figure 2-1: Map showing the location of the Centralized Traffic Control (CTC) Building

The CTC will utilize modern technologies to maintain high standards for safety, reliability and efficiency. The CTC will be designed to operate 24 hours a day, seven days a week.

The CTC functionality is to ensure the complete management of train traffic and allows for swift decision-making in the event of accident or deficiencies.

Technical Buildings

The technical buildings will be built along the line to house the new signalling, telecommunications and energy equipment. There will be no fence protection along the line; therefore, the buildings will be secured with safety locks and heavy materials. The buildings will have several independent rooms for signalling, telecommunications, power supply, offices, etc.

The buildings will contain a floating floor and/or false ceiling to allow a clean distribution of equipment, in order to avoid cables from being visible. The buildings will be equipped with lighting, air conditioning, and other basic utilities. The buildings will be built on-site and will not be prefabricated.

The buildings will be electrically protected by means of a grounding grid composed of bare copper and rods, such that contact voltage and contact step remain lower than the maximum admissible voltage. Besides, the technical buildings will include a fire-fighting system for extinguishing any fires that accidentally break out.

The Tanta – El Mansoura – Damietta line has 45 Local Block Buildings to control all level crossings, small stations and switch points located along the corridor. For the upgrading project, around **14 Main Technical Buildings (MTB)** will be constructed.

According to the latest update received from ENR on 4th of March 2021 , about 12 locations out of 14 Main TB have been identified, and during the coming period the remaining sites of Mahalet Rawh and



Sherbin will be determined. Regarding the **Secondary Technical Buildings (STB)**, there is no information on the location of the STBs or their expected number, so that the exact location of the construction works is not identified yet. The only information made available by ENR is that the expected building area is around 50 m², each building consists of one floor and will be constructed within ENR's property.



Table 2-1: List of Main Technical Buildings along the railway line between Tanta – El Mansoura – Damietta (Source: ENR Projects Department-Update of 4 March 2021)

No.	Name	Kilometric Reference	Confirmed location	Date of memo	Dimensions (L x W)	Area (m ²)	Past Usage	Current Usage
1	El Ragddya	8.340	Yes	26/7/2020	Not provided	1,000	Empty land owned by ENR	Empty land owned by ENR
2	Mahalet Rawh	14.800	No				Not identified	
3	El Mahala El Kobra	27.650	Yes	19/9/2017	24 m x 25 m	600	Empty land owned by ENR	Empty land owned by ENR
4	Samannoud	35.238	Yes	Not mentioned	Not clear in the sketch		Empty land owned by ENR	Empty land owned by ENR
5	Talkha	51.740	Yes	8/11/2018	Not provided	1,000	Empty land owned by ENR	Empty land owned by ENR
6	El Mansoura	54.600	Yes	20/5/2019	40 m x 25 m	1,000	Warehouses	Empty land owned by ENR
7	Altawilla	63.000	Yes	4/10/2020	50 m x 16 m	800	Empty land owned by ENR	Empty land owned by ENR
8	Battra	66.357	Yes	23/8/2020	35 m x 32 m	1,120	Empty land owned by ENR	Empty land owned by ENR
9	Sherbin	75.660	No				Not identified	
10	Al-Sabrya	82.230	Yes	24/11/2020	23 m x 31 m	713	Empty land owned by ENR	Empty land owned by ENR
11	Al-Sawalem	94.250	Yes	10/12/2020	40 m x 25 m	1,000	Empty land owned by ENR	Empty land owned by ENR
12	Taftish Kafr Saad	101.649	Yes	26/1/2021	35 m x 32 m	1,120	Empty land owned by ENR	Empty land owned by ENR
13	Kafr El-Batikh	109.387	Yes	27/1/2021	40 m x 20 m	800	Empty land owned by ENR	Empty land owned by ENR
14	Damietta	116.179	Yes	Not mentioned	76 m x 41 m	3,100	Workshop	Not utilized



El Mahalla El-Kubra



Samannoud



El Ragddya



Damietta



El Mansoura

Figure 2-2: Photos for some of the confirmed locations of the main technical buildings



Construction activities under Component (A) may require land acquisition that may have impacts on private assets and livelihoods; as there is no information on the location of the STBs and the access roads leading to it, or their expected number.

Component (B): Doubling of the single-track Railway Line between El-Mansoura and Damietta

ENR envisages the El Mansoura – Damietta railway line's doubling as part of a critical renewal and development program of the Egyptian railway network.

The line is a part of the Damietta – Cairo line, which starts at El Mansoura City and extends northeast through Nile Delta until it reaches Damietta City. Currently, it is a 65-km, single-track line, used by both passengers and freight trains.

As it is a single-track line, passing loops are required to allow trains to cross or pass each other. The average spacing between passing loops is around 4.5 km, but that spacing is irregular as the loops are located at stations and currently vary from 2 to 5.7 km. Generally, the track's condition is good, but in some areas, renewal is needed.

The doubling of El Mansoura – Damietta railway line will include the following construction activities:

- Installing the new second track and its components
- Level crossings, bridges, overpasses and underpasses
- Line doubling at the stations and halts
- Line doubling near irrigation drains
- Construction steps of the new double track

Construction activities under Component (B) will require land acquisition that will have impacts on private assets and livelihoods; as the doubling of the single railway track will require land outside ENR ownership in some sections. A Resettlement Action Plan has to be elaborated integrating the principles of Egyptian legislation as well as the EIB Standard 6 and WB ESS5 and this RPF.



3 Projects' Impacts

3.1 Positive Impacts

The Project is designed to create various positive impacts on the Egyptian society at large. The most significant impacts include:

- Improved train operation safety.
- Enhanced reliability of trains.
- Improved operation safety of level crossings.
- Improvement of safety for rail transport will therefore benefit both women and men in terms of reduced injuries and fatalities.
- The daily commuting time will be reduced for users of these lines as a result of the modernized system. This may attract more commuters to using the train rather than other modes of transportation, which will contribute to reducing car traffic congestion and air pollution resulting in vehicular emission.

3.2 Negative Impacts

In the meantime, the construction work for the projects will involve soil removal, excavation, equipment storage, and other activities that will interfere with the current land use in the project' site. However, the implications of land acquisition and involuntary resettlement are not the same among the project Components and activities; not all of them will require land acquisition, physical and/ or economic displacement; this is limited to the project's activities included in the component B as mentioned before. The impacts vary depending on the project and its land needs, the nature of the land (Agricultural lands/ urban), the economic activities of the population, and the type of ownership (Owners/ tenants).

3.2.1 Potential Resettlement Impacts

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

The severity of the impacts on the land user will depend on the duration of time the user has been using the land and the availability of other assets and sources of livelihoods for him. The assessment on case by case basis in light of the requirements of EIB S6 and WB ESS5 should be conducted in the form of RAP when there is clarity on the exact locations.

The following highlights unfavourable impacts potentially resulting from **expropriation and resettlement activities**:

- Loss of land; In the case of the land owned by individuals (private property) or land tenants/ users (ENR property), there will be impact related to the land acquisition.
- impact on physical displacement /livelihood for the tenants of the agricultural lands, which results in the loss of crops and trees due to the resulting change in land use,

It is very challenging to quantify the number of potentially affected persons under this stage of the projects activities.



At the current stage, it is not clear the size and severity of the impact on the use of land, thus determining the areas affected and the number of PAPs as a result of land acquisition. More details on the groups that will be entitled for support under this RPF as well as their entitlements could be found under the entitlement matrix table 10-3.

3.3 Land Acquisition and Resettlement Status

3.3.1 Land use impacts

ENR has a large area of land properties along the project's railway line, however, activities under project components might require land acquisition that could lead to negative impacts on land and/or livelihoods. The initial determination of the required land areas, location and the potential impacts have not been identified or determined yet, the locations of the technical buildings MTB and STB and the area required have not determined yet. In addition to that, in some areas, ENR land properties are being cultivated by tenant farmers or exploited by squatters engaged in formal or informal economic activities. Most of the railway tracks pass through agricultural land. The construction activities of MTB and STB and their access roads may result in compensations for agricultural land tenants in some areas; depending on the area allocated for construction.

Most of the single-track passes through agricultural land. Construction of the railway track doubling could result in land acquisition, and compensations for agricultural land tenants in some areas; depending on the area allocated for construction.

The project will result in the following impacts related to asset, land acquisitions and economic displacement:

- Cultivated areas used by tenant farmers within the properties owned by ENR and the Ministry of Water Resources and Irrigation. These cultivated areas include some trees and crops,
- Potential assets to be removed such as mosques in some stations in addition to any buildings that conflict with the establishment of the doubling area,
- Most of the single-track passes through agricultural land. Construction of the railway track doubling could result in having to provide compensations for agricultural land tenants in some areas; depending on the area allocated for construction,
- Impact related to permanent land use; In case the project land needed for the project activities can be outside ENR property,
- Impact related to temporary land use; in case that the contractor needs land to store equipment and materials that do not have space on the construction site.

The Resettlement Action Plan (RAP) data will include all impacts on lands and livelihoods (formal and informal) as a result of the project's construction activities.

The affected land users that will be impacted by the construction of:

3.3.1.1 The doubling of El Mansoura Damietta single-track and the storage areas needed for equipment and construction materials

The Consultant conducted several site visits to the railway route in the doubling area. According to the results of the site visits and based on the visual investigation. The railway track passes in the doubling area in agricultural land as well as near residential areas. The doubling is supposed to be

on the ENR property; but the property of ENR varies from one area to another, in addition to the fact that the project's land needed are variable depending on the route.

The data of the digital maps was used to verify the availability of the project's land needed in the ENR property, as well as the assets likely to be affected by the construction of the doubling area (Annex 1).

Table 3-1: Digital Map Results

Item	Area	Percentage	Approximate Number of PAPs
The total doubling area land needed	35291 m ²	100 %	67 ²
ENR property area out of the total area required for the doubling	29623 m ²	84 %	36
The area outside ENR property	4862 m ²	14 %	22
The unknown area out of the total (No ENR boundaries available/shown)	717 M ²	2 %	9
The agriculture land from the total doubling area land needed	26137 m ²	74 %	33
The agriculture land used by tenant farmers within the properties owned by ENR	22520 m ²	64 %	30 ³
The agriculture land outside ENR property	3617 m ²	10 %	3
Potential assets to be removed from the total doubling area land needed	9154 m ²	26 %	25 ⁴
Potential assets to be removed within the ENR property area	7103 m ²	20 %	Economic activities tenants 6 PAPs
Potential assets to be removed outside ENR property area	2051 m ²	6 %	19

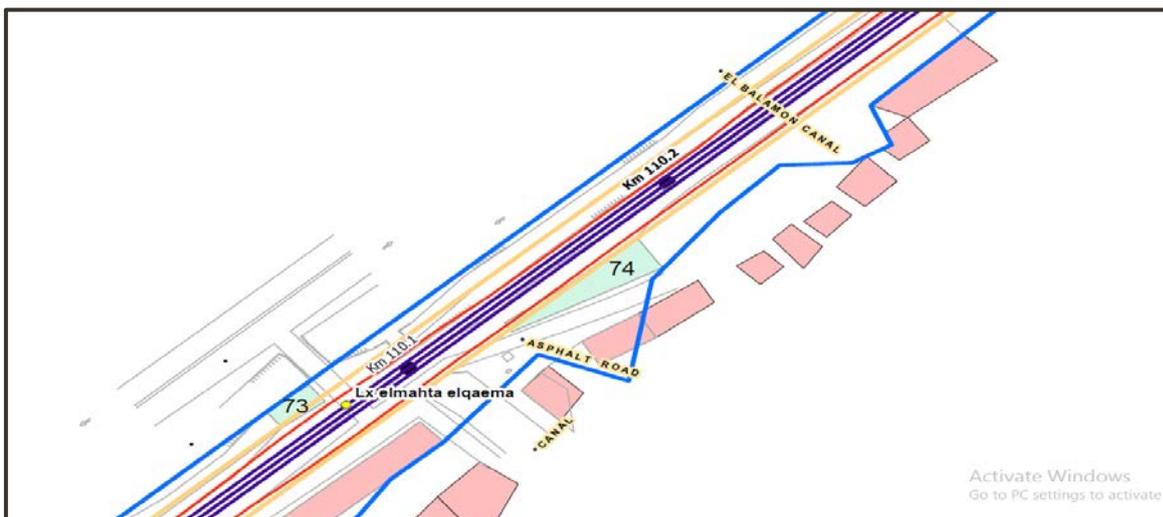
² This figure is an estimate number of individual PAPs not the average number of PAPs family members. The average number of PAPs family members can be calculated by multiplying this number by the average number of family members in the project areas (4 people) will be 268 PAPs.

³ The following methodology was used to estimate the number of PAPs tenant farmers: According to the data received from the ENR's Property Department, the total area of the agricultural land that belongs to ENR is estimated in the doubling area (Mansoura, Damietta) is 152735 m² (Right and left of the existing rail), According to the above table, the construction work require 22520 m² of the agricultural land, and therefore it represents about 14.7 % of the ENR's total area of the agricultural land. According to the aforementioned list received from ENR's Property Department, the total number of tenants of the agricultural land belonging to ENR is (204 tenants), and approximately 14.7% of the total tenants are equivalent to 30 tenants/ PAP.

⁴ No PAPs have been calculated for the assets that represent Railway Buildings on the ENR property. Affected houses were calculated as an approximation of the average number of housing units per house; Given that each house consists of two housing units. This calculation methodology was adopted based on the site visits, which showed that most of the houses consist of two floors and each floor represents a housing unit, in addition to that some houses are not inhabited or inhabited by one family. With regard to the economic activities established on ENR property, which are leased; Each activity was counted with one PAP.

Areas can be avoided in the final design	8302 m ²	23.5 %	-
Areas can be avoided in the final design within the ENR property area	6336 m ²	18 %	-
Areas can be avoided in the final design outside the ENR property area	1966 m ²	5,5 %	-
Temporary land use; in case that the contractor needs land to store equipment and construction materials outside the construction site	Based on digital maps and site visits, there are available areas of ENR property that allow the contractor to store equipment and construction materials. In the case that there is not enough area in ENR's property, this will be done based on the protocol for temporary use or rental of private land described in section 10.3.2		

- It is clear from the previous table that the ENR property covers the vast majority of the land required for the doubling area 84 %.
- The private land area outside ENR property is about 14 %
- The unknown area is about 2 %.
- According to the digital map data, the ENR property includes establishments and agricultural land leased to farmers from the surrounding areas, represent about 64 % of the total doubling area land needed.
- The results of digital maps and site visits clarified that there are some areas of agricultural land and assets that overlap with the ENR property (see Annex 1). Based on the railway designer, these areas can be avoided in the final design, especially the areas located at level crossings, representing about 23.5 % of the total doubling area land needed.



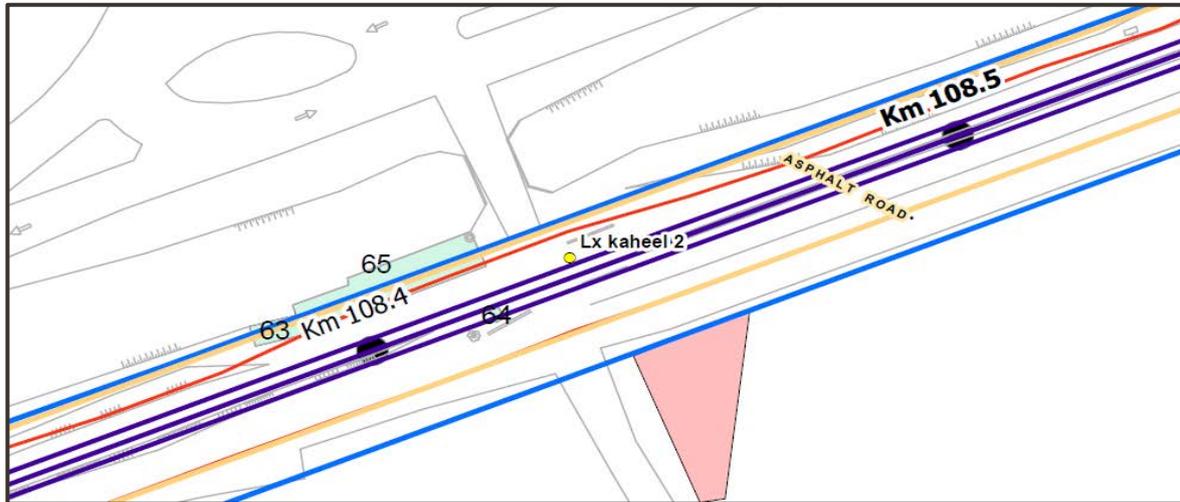


Figure 3-1: Examples of sites that overlap with ENR property and can be avoided in the final design

Table 3-2: The type and number of assets likely to be removed as a result of the doubling area

Affected Assets	Number
Mosques	Based on the results of the digital maps, 14 Mosques will be affected, only two of them are unavoidable in the final design considerations, and 12 can be avoided in the final design.
Railway Buildings on the ENR property. According to the site visits, these buildings include offices, workshops some used and some closed, warehouses, and a lounge for railway workers.	Based on the results of the digital maps, 37 Buildings will be affected, 20 Buildings of them are unavoidable in the final design considerations, and 17 Buildings can be avoided in the final design.
Cemetery	Part of a cemetery (89 m) Based on the results of the digital maps it is unavoidable area in the final design
Economic activities on the ENR property. According to the site visits and digital maps, these economic activities include Cafeteria, Café and Shops	1 Cafeteria, 2 Café and 3 Shops Based on the results of the digital maps solution may be possible during the final design be avoided except for the Cafeteria (71 m)
Houses	Based on the results of the digital maps, 8 Houses will be affected, only one of them is unavoidable in the final design considerations, and 7 can be avoided in the final design.
Assets located in unspecified areas of ENR property (No ENR boundaries available/shown)	<ul style="list-style-type: none"> Part of a school yard (39 m). Based on the results of the digital maps solution may be possible during the final design be avoided.



	<ul style="list-style-type: none"> • 4 Houses, Based on the results of the digital maps only one of them is unavoidable in the final design considerations, and 3 can be avoided in the final design.
--	--

- The consultant conducted interviews with the government authorities concerned with the land acquisition in the Governorates of Damietta, Gharbia, and Dakahlia. The results of the consultation with the concerned government authorities revealed the following:
 - They do not have specific concerns about the project,
 - They recommended the importance of prior coordination with the local units in which the land acquisition will be carried out and with the Survey Directorate in the concerned governorates; because asset evaluation procedures require time.
 - They also pointed out the importance of consulting with PAPs in the next stage, after defining the list of PAPs by the project.
 - They also stressed on the official communication with the concerned authorities will be carried out by the Ministry of Transport or the Railway Authority ENR, considering that it is the government agency that owns the project.

3.3.1.2 The new technical buildings along the railway line MTB and STB

MTB. According to the latest updated received from ENR on 04th of March 2021, about 12 sites out of 14 have been identified, It was found that the 12 sites have adequate areas for technical buildings construction within the ENR property; as mentioned in Table 2-1.

STB. The Consultant did not receive a list of the secondary technical buildings STB locations, or any information about the availability of lands to construct these buildings on the ENR properties. ENR depends on the construction contractor to locate the STBs and access roads.

In addition, changing the design upon implementation may result in a change in the number and identity of the PAPs according to changing the area of influence.

3.3.1.3 Informal economic activities located on the ENR RoW

The Informal economic activities are classified into:

- Established economic activities (wooden and metal kiosks)
 - Animals Stall (1)
 - Kiosk (7)

This type of economic activities is found in the Tanta Mansoura section. It is unknown to the Consultant whether these activities are located on the ENR RoW or in the road RoW; some of them are located near the asphalt road.

- Movable economic activities (Street Vendors)

At some crossings, there are street vendors selling vegetables, fruits, fish, etc. Their number varies from day to day according to their movement from one place to another.



Kiosk for drinks and sweets



Gypsum board



Animals Stall



4 Egyptian legal requirements for Resettlement

Resettlement and land acquisition issues under the proposed Project will be addressed under the guidance of the laws governing the Arab Republic of Egypt to this regard, international standards, EIB Standard 6 and WB ESS5 and 10 relevant to involuntary Resettlement and Stakeholder Engagement respectively. The RPF represents the reference to be used in managing land acquisition issues and addressing the involuntary resettlement and displacement of people related to projects financed by IFIs. ENR will be committed to complying with the national legislation, EIB Standard and WB ESS, and any future amendments. This section provides an overview of the Egyptian national policy, legal and regulatory framework

4.1 Main legislations and guidelines

The main legislations and guidelines that will be discussed under this section are as follow:

- Law 144/ 2020 on the amendment of some provisions of Law No. 152 of 1980 establishing the Egyptian National Railways Authority ENR.
- Law 187/2020 on the amendment of some provisions of Law No. 10 of 1990 on the land acquisition for the public benefit
- Law 24/2018 on the amendment of some provisions of Law No. 10 of 1990 on the land acquisition
- Law 1/2015 on the amendment of some provisions of Law No. 10 of 1990 on the land acquisition
- Law 10/1990 on Property Expropriation for Public Benefit identifies
- Law 577of year 1954 and Law 27 of year 1956 for land acquisition
- Law 27 of year 1956
- The new Egyptian Constitution
- Civil code 131 of year 1948

It is the Government of Egypt’s policy to pay compensation or offer assistance to people whose lands and properties are affected by projects undertaken by the Government. This section pertains to the means, causes, and the competent authorities entrusted with the implementation of the provisions and rules of the administrative law, civil law, in addition to the law related to the expropriation of private property for public interest. In addition, this section also covers the restrictions, the conditions of the legality of procedures applied by the administration at its disposal, and the consequences of property expropriation, in addition to the legal procedures for the possession of private property.

Table 4-1: National regulations related to Involuntary Resettlement

Title of legislation	Summary and how this legislation applies to the project
Law 144/ 2020	Ministerial Decree 144/ 2020 on the amendment of some provisions of Law No. 152 of 1980 establishing the Egyptian National Railways Authority (ENR). Article 1



Title of legislation	Summary and how this legislation applies to the project
	<p>Replace the text of Article (7) of Law No. 152 of 1980 establishing the National Authority for Egyptian Railways, the following text:</p> <p>Article (7):</p> <p>The facilities of the National Authority for Egyptian Railways, its operating buildings, railways, and crossings are considered state-owned public funds. They are also considered public facilities designated for public benefit, and it is not permissible to dispose of them, seize them, possess them, or gain any right in kind over them by prescription.</p> <p>The RoW and crossings are defined by a decision of the Minister of Transport and with consideration to the provisions of Law No. 10 of 1990 regarding land acquisition of real estate for the public benefit. If the implementation of the previous paragraph results in impacts to the owners of real estate, or the owners of rights in it, they have the right to a fair compensation.</p>
Law 187/2020	<p>In addition to the amendments that have been referred in Law 24/2018 of Articles (2, 6, 13) the law stipulates Article 12 of Law No. 10 of 1990 regarding land acquisition for the public benefit shall be replaced by the following article:</p> <p>Article (12): If the forms or the ministerial decision have not been deposited according to the procedures stipulated in the previous articles within three years from the date of the public benefit decision in the official gazette; the decision shall be considered as if it was not for land acquisition for which the forms or the decision related to.</p> <p>The proposed amendment aims to address some of the drawbacks that have emerged because of the application of Law No. 10 of 1990 regarding land acquisition for the public benefit, which lead to obstructing the procedures of property dispute for the public benefit.</p> <p>The law also comes within the framework of creating a new constitution that aims to protect private property, through fair compensation paid in advance in accordance with the law; As this phrase was not found in the previous constitution.</p>
Law 24/2018	<p>Replace the provisions of Articles 2 (fourth paragraph), 3, 5 (second paragraph), 6 (second paragraph), 7 (first paragraph), 13, 15 (first paragraph) of Law No. 10 of 1990 regarding expropriation of real estate for the public benefit</p> <p>The public benefit report shall be attached to the decision of the President of the Republic or his authorized representative, accompanied by</p> <ul style="list-style-type: none"> - A note stating the project to be executed. - A drawing of the overall planning of the project and the real estate necessary for it. <p>The compensation is estimated according to the prevailing prices at the time of the expropriation decision, and additional (20%) twenty percent of the value of the estimate included in the compensation. Existing expropriation procedures.</p> <p>The decision for the public benefit shall be published with a copy of the memo referred to in Article (2) of this law in the Official Gazette. In addition, affixed in the place prepared for advertisements at the headquarters of the local administration units, in the mayor or police headquarters, and in the primary court located in the property department, and on the front of the property subject to expropriation in a visible manner.</p> <p>Prior to the asset inventory, an appointment date will be announced publicly and “concerned parties” shall be notified in writing and “all owners and right holders” will be convened to appear before the responsible committee conducting the inventory on the project site to identify/clarify properties and ownership rights</p>



Title of legislation	Summary and how this legislation applies to the project
Law 1/2015	<p>On the amendment of some provisions of Law No. 10 of 1990 on the land acquisition due to public interest. The amendments provided:</p> <ul style="list-style-type: none"> - The first section of article 7 of the law states that: After depositing the compensation, the entity in acquisition charge shall prepare lists with the real estate subject to acquisition, areas, locations, names of owners and property holders, their addresses, and the value of compensations stipulated. These lists and respective maps showing the location of all properties, shall be sited in the head office of the entity in charge, - while article 8 after amendment stated that: "The concerned owners and holders of rights have the right to object to the information contained in such lists within 15 days from the date of posting and publishing the lists and information of the expropriated properties.
Law 10/1990	<p>On Property Expropriation for Public Benefit identifies transportation projects as public benefit activities. It describes acquisition procedures as follows:</p> <ul style="list-style-type: none"> - The procedures start with the declaration of public interest pursuant to the presidential decree accompanied with memorandum on the required project and the complete plan for the project and its structures (Law 59/1979 and Law 3/1982 provided that the Prime Minister issues the decree); - The decree and the accompanying memorandum must be published in the official newspapers; a copy for the public is placed in the main offices of the concerned local Government unit. <p>This law has specified, through Article 6, the members of the Compensation Assessment Commission. The commission is made at the Governorate level, and consisting of a delegate from the concerned Ministry's Surveying Body (as President), a delegate from the Agricultural Directorate, a delegate from the Housing and Utilities Directorate, and a delegate from the Real Estate Taxes Directorate in the Governorate. The compensation shall be estimated according to the prevailing market prices at the time of the issuance of the Decree for Expropriation.</p>
Law 577/1954	<p>Law 577/54, which was later amended by Law 252/60 and Law 13/162, and establishes the provisions pertaining to the expropriation of real estate property for public benefit and improvement.</p>
Law 27 of year 1956	<p>Law No. 27 of 1956, which stipulates the provisions for expropriation of districts for re-planning, upgrading, and improvement, and the amended and comprehensive Law No.10 of 1990 on the expropriation of real estate for public interest.</p> <p>The first article of Law No. 27 of 1956 allows for the expropriation of districts for their improvement, upgrading, re-planning, and reconstruction. Article 24 of Law 577/54 also stipulates that in case only partial expropriation of real estate property is required, and the remaining un-expropriated part will not be of benefit to the owner; the owner shall be given the right to submit a request within 30 days (beginning from the date of final disclosure of the list of the expropriated property) for the purchase of the entire area.</p> <p>It should be noted, that the new law has not restricted the right to request the purchase of the remaining un-expropriated portion of real estate whether it is a building or land.</p>
Egyptian Constitution (That	<p>The Constitution Chapter Two Part One: Social and Moral components</p> <p>The State shall guarantee equality of opportunity to all Egyptians and coordination between woman's duties towards her family and her work in the society, considering her</p>



Title of legislation	Summary and how this legislation applies to the project
was cancelled after the 25th of January Revolution but main issues related to private ownership was included in the new constitution declaration 2012	<p>equal to man in the political, social, cultural and economic spheres without detriment to the rules of Islamic jurisprudence</p> <p>The Constitution Chapter Two: Economical components</p> <p>Article 29</p> <p>States that ownership subject to the control of people is protected by the State, and is divided into three types: public, co-operative and private property.</p>
Civil code 131 of year 1948	<p>Articles 802-805 recognizes private ownership right.</p> <ul style="list-style-type: none"> - Article 802 states that the owner, pursuant to the Law, has the sole right of using and/or disposing his property. - Article 803 defines what is meant by land property - Article 805 states that no one may be deprived of his property except in cases prescribed by Law and would take place with an equitable compensation.

The regulation of the right to ownership in the constitution and the law, the new Egyptian constitution, which was issued at the end of 2012, stipulated in its article 21 that "the state guarantees the legitimate ownership of all kinds "Public, Cooperative, Private, and Endowment, and protect it, in accordance with the law".

According to the Egyptian law, the following table presents the types of lands ownership in Egypt:

Table 4-2: Type of land ownership in Egypt

Land ownership type	Description
Public or State land ⁵	(in Arabic <i>Amlak Amiriya</i>), which is divided into the State's public domain that cannot be alienated (such as ENR properties), and the State's private domain, which can be alienated generally through sale, lease, <i>Takhssiss</i> (i.e.) transfer of ownership conditional on meeting certain criteria, such as keeping the land use unchanged and paying the remaining installments of the land price) or through <i>Haq Intifaa</i> ,
Private land	(in Arabic <i>Mulk horr</i>), which may be alienated/transferred freely. The constitution is in Article 24, which states that "private property is protected; and it shall not be expropriated except for the public benefit, and in return for fair compensation, to be paid in advance. All of this is in accordance with the law.

⁵ The large majority of land in Egypt is public or State-owned desert land that is for the most part undeveloped (estimated to be 90-95% of the national territory).



Endowment land	<i>Waqf</i> and (land held as a trust/endowment for religious or charitable purposes), which is often subject to covenants on transfer or use, and which is typically transferred through leasehold or usufruct.
Customary rights	There are some areas in Sinai and in the northern coast with implicitly recognized to land (<i>Urfi</i>) to the benefit of Bedouins. In these areas, someone wishing to acquire land often has to make two payments, first to the Bedouin claimant(s) for the right of use and then to the State to regularize and register their land tenure/ownership and be able to obtain services.

It is important to note that the Civil Code (No. 131 of 1948) recognizes (*Hiyaza*) (i.e. possession of immovable/movable property without ownership) as a legitimate channel to acquire ownership of the property in question through adverse possession, provided that the (*Hiyaza*) has been “peaceful, unchallenged and uninterrupted” for a period of 15 years⁶. By Law, ownership through adverse possession does not, however, apply to State lands.

4.2 ENR’s Approach for Securing Land Plots

In general, ENR uses their right-of-way for the construction of the signaling buildings. ENR also rents land and houses (to staff), within the ROW and in such cases, a contract is issued between ENR and the user. ENR ensures to avoid occupied land plots, wherever possible. In the case where a vacant alternative is unavailable and land is being used by users or tenants, ENR issues an administrative decree for removal of the occupancies on the required land plot by the respective local entities.

This approach is applied to both squatters and tenants. For the former, they have no legal rights under the Egyptian legislation. For the latter, the old and new tenancy contract templates state that ENR retains the right to restore the leased property at the time it wishes. Article 9 of the old contract template states that: “The Authority [ENR] reserves, for itself, the right to terminate this contract without being held responsible for any disruptions or damages in case it [ENR] sold the rented property or needed it for its purposes or for the purposes of other government institutions or sub-institutions. And it shall be sufficient that the tenant be notified of that one month in advance, through a registered letter, and the tenancy value shall be paid back to him [the tenant], if it was prepaid, for the remaining [tenancy] period as of evacuation of the property.”

The corresponding stipulation in the new contact template states that: “The First Party [leaser] shall have the right to terminate the contract in case ENR needs the leased property for future projects.” However, the old version of the contract template stipulates that dues shall be paid back to the tenant and he/she shall be proactively notified, the new version omits that.

As part of the project, process to determine that a land plot is acceptable is as follows:

- In order to determine that a land plot is technically acceptable for any of the structures needed, ENR forms a committee comprised of representatives from the following entities: project department (Cairo), signaling department (local level), permanent railways department (local level), properties department (local level), contractor and supervision consultant. The minutes of the

⁶ The large majority of land in Egypt is public or State-owned desert land that is for the most part undeveloped (estimated to be 90-95% of the national territory).



meeting of this committee are shared with ENR EAD (also shared with Social Specialist of PIU) to confirm that the land plot is vacant of any obstacles.

- In case of potential impacts on affected persons through land repossession or acquisition, the master list is updated, and the Social Specialist completes the land screening form.
- In parallel, the Social Specialist contacts the land properties department (land properties officer) at the local level to request that the land user or tenant is notified about the land taking. If physical displacement is needed, notification will be conducted 3 months prior to any land taking. The notification date will be the same as the cut-off date for the land plot.
- Completion of the Land screening will be conducted, within 2 weeks of the notification, by PMU and the land properties officer at the local level, in consultation with the PAP to assess the situation and impacts in light of the requirements of WB ESS5 regarding resettlement and livelihood. Based on the results of the screening, Resettlement Plans will be prepared as appropriate.
- The Project's entitlement matrix lists the required mitigation measures for various cases. For example, for cases of partial repossession where rental contracts exist, the resettlement plans will include modification of the land area to be used by the PAP in the rental contract between the land tenant and ENR.
- During the preparation of the Resettlement Plans, findings will be consulted with PAP. No construction activities will start prior to harvesting crops, rental receipts modified, and compensation disbursed, if needed. After implementation of the resettlement plan, land tenants or users will be consulted, to ensure satisfaction on the process, within 3 months.

In case the land is owned by another government entity, the same procedure will apply for the notification period, documentation and compensation procedures.

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

ENR has procedures to determine the impact associated with land acquisition for construction work and to determine the corrective measures associated with it.



5 International Standards

Beyond the Egyptian law, EIB Standard 6 and WB ESS5 on involuntary Resettlement are the standards documents developed with the main objectives of avoiding, minimizing, and mitigating negative social impacts resulting from land taking or affecting the sources of livelihoods as a result of a development project. This Performance Standard applies to physical and/or economic displacement resulting from the following types of land-related transactions:

- Loss of land or other assets which have as effect:
 - 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).
- Restriction of access to legally designated parks and protected areas that result in adverse impacts on the livelihoods of affected persons.

The RAP must integrate those various, sometimes diverging requirements between current Egyptian procedures and International procedures. The required actions need to be agreed upon upfront with all stakeholders as part of the Full-ESIA process.

5.1 Standard of the European Investment Bank

The European Investment Bank's (EIB) Standard 6 Involuntary Resettlement requires that;

Involuntary resettlement refers to physical displacement and/or economic displacement as a result of a project-related land acquisition or restriction of access to natural resources. The goal of this standard is to avoid, minimize Project induced resettlement, prevent forced evictions, respect individual's right to adequate housing, ensure that resettlement mitigation measures are designed and implemented through meaningful consultation, and participation of PAPs.

Standard 6 describes in detail how a resettlement should be planned, the tools and studies necessary for resettlement planning (census, socio-economic baseline studies, cut off dates, eligibility criteria), compensation strategies for resettlement and income restoration (valuation strategies for immovable assets at full replacement cost plus relocation expenses for homes, and full replacement cost based on market value, productive potential, or equivalent residential quality, including any administrative charges, title fees, or other legal transaction costs for land).

The implementation of S6 requires continuous stakeholder engagement and particular attention to vulnerable groups. S6 commits to improvements in the conditions of PAPs that used to live in substandard living conditions prior to the Project led displacement.

In addition, it must be taken into account Standard 7 sets out to avoid or minimize, or otherwise mitigate and remedy, potentially harmful effects of ENR operations on vulnerable individuals and groups. Standard 7 ensures that the vulnerable groups identified during the screening phase of the project, and a detailed analysis is conducted during Social Assessment phase of the Project to assure that vulnerable groups are not adversely impacted by the Project. It is essential to include the vulnerable groups in the Project's stakeholder engagement plan SEP in line with Standard 10.



5.2 Standard of the World Bank

The objectives of the Environmental and Social Standard on Involuntary Resettlement (ESS5) are to:

- Avoid or minimize involuntary resettlement and associated disruptions by exploring project design alternatives.
- Avoid forced eviction
- Mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by:
 - Providing timely compensation for loss of assets at replacement cost⁶ and,
 - Assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- Improve living conditions of poor or vulnerable persons who are physically displaced (PAPs), through the provision of adequate housing, access to services and facilities, and security of tenure.
- Conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected
- The standard applies to all PAPs regardless of the total number affected, the severity of the impact and the legal title to the land. Particular attention will be paid to the needs of Vulnerable Groups subject to displacement, which include those below the poverty line, the landless, the elderly, women and children, or informal workers and informal land users (e.g. squatters, individuals, and groups who might be losing their source of livelihoods as a result of land acquisition).

Through the previous analysis of international standards, the following terms can be clarified as basic Terminology based on international requirements and standards.

Table 5-1: Basic Terminology of land acquisition

<i>Terminology</i>	<i>Explanation</i>
<i>Project Affected Persons (PAPs)</i>	People who are directly affected socially and economically by projects financed by IFIs. The direct social and economic impacts include but are not limited to: a) relocation or loss of shelter, b) loss of assets or access to assets, c) loss of income sources or means of livelihood, whether or not the affected persons must move to another location, and d) the involuntary restriction or access to legally designated parks and protected areas that results in adverse impacts on the livelihood of the affected displaced persons and communities.
<i>Resettlement Action Plans (RAPs)</i>	Prerequisites for implementation of project activities causing resettlement, such as land acquisition. They ensure that displacement or restriction to access does not happen before necessary measures for resettlement and compensation are completed. These measures include provision of compensation and other assistance required for relocation – prior to



<i>Terminology</i>	<i>Explanation</i>
	<u>displacement</u> as well as preparation and provision of resettlement sites with adequate facilities.
<i>Land acquisition</i>	<p>Refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include: a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; b) repossession of public land that is used or occupied by individuals or households; and c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible.</p> <p>Taking of land and related assets or denial of access to assets (e.g., resettlement sites, new homes, related infrastructure, public services, and moving allowances) may take place only <u>after</u> compensation has been paid to Project Affected Persons (PAPs).</p>



6 Gap Analysis between Egyptian Legislations and the International Standards

This section is geared towards comparing and contrasting Egyptian rules and regulations with the International Standards addressing involuntary resettlement; EIB Standard 6 and WB ESS5. This part of the RPF will illustrate similarities, differences and will further point at project implementation difficulties that may possibly arise.

Egyptian legislations are broadly consistent with the EIB Standard 6 and WB ESS5 for involuntary resettlement. This includes:

- The requirement to pay compensation in case of compulsory acquisition of land
- The need to compensate for the acquired property based on the full market value of the property at the data of the verdict;
- The requirement to compensate for losses, whether temporary or permanent in production or damage to productive assets; and
- The provision for pre-judicial avenues for resolution of disputes and rights of appeal.

However, there are, a number of specific areas where provisions required under the EIB Standard 6 and WB ESS5 extend beyond those required under Egyptian legislation. These are as follows:



Table 6-1 Comparison of Egyptian regulations with the EIB and WB Standards and measures for bridging the gaps

Topic	Egyptian legislative requirements	International Standards EIB Standard & WB ESS	Measures for bridging the gaps
Resettlement planning and procedural requirements	There is presently no requirement to prepare a formal Resettlement Action Plan (RAP) under the Egyptian law, nor to undertake any of the component activities of a resettlement plan such as, a 'census', socio-economic survey, consultation with project affected people, monitoring or reporting. Moreover, there are no specific references in the legislation to 'involuntary resettlement'. Also, there is no explicit consultation requirement in the Egyptian law'.	When there is impact on land and livelihoods or a funded project will result in restriction of access, the project requires to prepare a formal Resettlement Action Plan (RAP). In order to prepare the RAP, it is necessary to undertake the component activities of a resettlement plan such as, a 'census', socio-economic survey, consultation with project affected people, monitoring or reporting.	ENR and/or other ministries concerned with the project components in compliance with the EIB Standards and WB ESS should prepare site-specific Resettlement Action plans when needed. In addition, the consultation activities will be implemented during the project lifetime and as part of the preparation of the RAPs.
The cut-off date	There is no cut-off date under the Egyptian laws. Particularly if the impacts are related to agricultural lands that might experience changes in crops and tenancy. The Egyptian laws never set a cut-off date.	The EIB standards ESS6 and WB ESS5 identifies a cut-off date in order to prevent people influx to the project area. This measure is stipulated in order to protect the project owner and to prevent wasting of resources. The cut-off date is the day the census starts.	The cut-off date will be differing according to the project activities. It will be determined separately for each project activity. The cut-off date will be the day when the census starts for the preparation of the site-specific RAPs.



Topic	Egyptian legislative requirements	International Standards EIB Standard & WB ESS	Measures for bridging the gaps
<p>Calculation of Compensation</p>	<p>Compensation at replacement value and asset value increases are not accounted for by Egyptian regulation. Compensation is calculated at the market price in the area or according to the price lists for crops developed by the agricultural directorate and topped-up with an additional 20%. However, the resulting compensation is often below replacement value of lost income.</p> <p>No requirement to find replacement land.</p> <p>Egyptian legislation does not recognize full replacement cost.</p>	<p>Compensation for lost land and assets will be offered at full replacement cost and other assistance; as may be needed to help them improve or at least restore their living standards or livelihoods.</p> <p>As such, where physical or economic displacement is unavoidable, the lenders require the borrower to develop an acceptable Resettlement Plan. The plan should incorporate and follow the right to due process, and to meaningful and culturally appropriate consultation and participation, including that of host communities.</p>	<p>With full replacement cost, in accordance to the market value at the time of compensation. In cases of loss of land for households with land-based livelihoods, affected people must first be offered alternative land of better or equal quality.</p> <p>In cases of loss of housing, compensation for houses and other structures should be equivalent to replacement cost plus relocation costs. Depreciation of assets or the value of salvage materials shall not be deducted from the value of replacement cost.</p> <p>Where the option of cash compensation or alternative accommodation is provided, the cost estimates for providing alternative accommodation could be used for calculating cash compensation payable. For movable structures, such as kiosks or stalls, comparable replacement sites should be offered.</p> <p>ENR will prepare Resettlement Plans in accordance with EIB Standard 6 and WB ESS5 and this RPF.</p>
<p>Compensation eligibility</p> <p>The right of squatters</p>	<p>Under Egyptian law, the only people and entities entitled for compensation are those with registered property rights, for example, registered landowners, occupants, users and those with registered third party rights or those who have legally obtained the right to register their title but whom, for some reason, have not completed registration.</p>	<ul style="list-style-type: none"> • Eligibility Criteria for compensation: <ul style="list-style-type: none"> (a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); (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 the laws of the country or 	<p>All affected persons, including squatters, will be considered for compensation measures in accordance with this RPF and EIB standards⁶ and WB ESS5.</p> <p>Resettlement assistance should be provided in order to improve the PAPs' livelihoods or at least to restore to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p> <p>Accordingly, those who are using land but have no recognizable legal rights or claim will be compensated for their investments on the land.</p>



Topic	Egyptian legislative requirements	International Standards EIB Standard & WB ESS	Measures for bridging the gaps
	Egyptian legislation has not recognized the rights of squatters.	<p>become recognized through a process identified in the resettlement plan;</p> <p>(c) those who have no recognizable legal right or claim to the land they are occupying (squatters).</p> <p>Under the EIB standards 6 and WB ESS5 all the land users affected by a project are subject to compensation measures. Squatters are provided with resettlement assistance, in lieu of compensation for land. The Borrower will not resort to forced evictions.</p>	<p>All Project Affected Persons should be compensated for their loss of assets, regardless to their legal status.</p> <p>Compensation includes financial or technical support so that PAPs are able to restore their livelihood to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.</p>
Resettlement assistance	Not included. However, the unit rates used for compensating property and assets are estimated according to the prevailing prices at the time of the expropriation decision, and additional twenty percent of the value of the estimate is included in the compensation based on law No. 24/2018, and Law 187/2020, which also include committing the project proponent to deposit the value of the compensation in no more than 3 months from the public interest decree issuance date.	Affected people are to be offered support after displacement, for a transition period	Specific assistance will be designed and included in the Resettlement Plan.



Topic	Egyptian legislative requirements	International Standards EIB Standard & WB ESS	Measures for bridging the gaps
Vulnerable groups	<p>Egyptian regulations have not addressed how vulnerable groups affected by expropriation of property should be treated.</p>	<p>The EIB S6 and ESS5 stipulates the importance of paying attention to vulnerable groups.</p> <p>Support for alternative livelihoods should be given particular attention. For all other categories of economically displaced persons, the resettlement plan describes feasible arrangements for obtaining employment or for establishing a business, including provision of relevant supplemental assistance including skills training, credit, licenses or permits, or specialized equipment. As warranted, livelihood planning provides special assistance to women, minorities or vulnerable groups who may be disadvantaged in securing alternative livelihoods.</p>	<p>Particular attention will be paid to the needs of Vulnerable Groups among those displaced. Identification of the characteristics and needs of vulnerable groups will be done through the preparation of Resettlement Plans.</p> <p>Definite identification of those groups, and their associated sizes and characteristics have not yet been clarified. In the coming stage, the project needs to conduct a social survey in order to identify all vulnerable groups. Subsequently, the impacts of the project have to be assessed.</p> <p>Specifically, site visits have to be paid to the vulnerable groups in order to inform them about the project and its positive and adverse impacts. Additionally, they are to be informed about the grievance mechanism and given the contacts of the compensation committee in order to get the needed information.</p>
Livelihood restoration	<p>Egyptian regulations do not specify income restoration allowances where the PAPs incurred losses of business income.</p> <p>No requirement to provide transitional support or livelihood restoration.</p>	<p>Under the EIB S6 and WB ESS5, loss of income resulting directly from project implementation should be compensated for.</p> <p>EIB S6 and WB ESS5 makes provisions for loss of income sources or means of livelihood, whether or not the affected persons must move to another location. It requires that PAPs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore</p>	<p>Egyptian law does not discuss compensation for loss of income, only land and assets. The well operators and tenants of lands will be unable to restore their income due to having no mechanism for income restoration.</p> <p>EIB S6 and WB ESS5 regarding income restoration will be considered. Therefore, those whose income is going to be affected will be compensated for the loss of profit and income.</p> <p>For tenants, it must be ensured that there are alternative sources of income for the tenants (agricultural land, trade, employment, etc.) other than the acquired land, as much as possible.</p>



Topic	Egyptian legislative requirements	International Standards EIB Standard & WB ESS	Measures for bridging the gaps
		them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.	
Consultation and Information Disclosure	Engagement/ participation of Project-Affected People is accounted for in the national legislation but is limited to the publication of census results and the compensation amounts in the municipality for a two-week period from the date of publication during which individuals can object and present claims. No clear requirement to consult or seek participation of communities before the start of the land acquisition.	<p>EIB S10 and WB ESS10 on Stakeholder Engagement and Information Disclosure focus on that “the timely disclosure of relevant project information” enables stakeholders to understand the project’s risks, impacts and opportunities. Mindful of this and as foreseen in the Stakeholder Engagement Plan, the borrower will provide identified stakeholders with relevant information in a timely and appropriate manner. The borrower will further disclose and grant access to relevant information to any other interested party as appropriate.</p> <p>Under EIB S10 and WB ESS10 the affected communities and individuals should be consulted and contribute to the processes of land acquisition and resettlement.</p> <p>Consultation with the affected PAPs should be documented.</p>	<p>The project should launch systematic Stakeholder engagement activities, as per the Stakeholder Engagement Plan (SEP) that would continue during the project lifetime.</p> <p>All PAPs should be consulted on land acquisition impacts. Participatory planning and decision making should be applied in resettlement options and compensation.</p> <p>Affected groups should have access to full information about the resettlement process and options for compensation</p>



Topic	Egyptian legislative requirements	International Standards EIB Standard & WB ESS	Measures for bridging the gaps
<p>Grievance Mechanisms (GM)</p>	<p>Egyptian law allows the creation of “Specialized Committees” to address grievances originating from misunderstandings of project policy, or resulting from conflicts among neighbors. The law allows one month to object to the decision of resettlement, four months to seek redress to the compensation value and three months in case of dispute between several individuals or parties on a single property.</p> <p>Court cases in Egypt are known to require long periods of time before settlements can be reached. With intent to address the lengthy time the Egyptian court may require to process and resolve disputes.</p> <p>In ENR’s Approach for Securing Land Plots, the contract Articles included in the ENR’s lease contracts do not include any Article that gives the right to the second party (tenant/ user) to go to court to the judiciary or to another form of grievance in the case of termination of the contract.</p>	<p>The Grievance Mechanism according to EIB S10 and WB is characterized as follows. “The Grievance Mechanism will be proportionate to the potential risks and impacts of the project and will be accessible and inclusive. Where feasible and suitable for the project, the grievance mechanism will utilize existing formal or informal grievance mechanisms, supplemented as needed with project-specific arrangements.</p> <p>(a) The grievance mechanism is expected to address concerns promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all project-affected parties, at no cost and without retribution. The mechanism, process or procedure will not prevent access to judicial or administrative remedies. The Borrower will inform the project-affected parties about the grievance process in the course of its community engagement activities, and will make publicly available a record documenting the responses to all grievances received; and</p> <p>(b) Handling of grievances will be done in a culturally appropriate manner and be discreet, objective, sensitive and responsive to the needs and concerns of</p>	<p>It is essential for the project to establish a GRM that is acceptable and accessible to community members. It would serve as the first stop for people who have a grievance and will have several channels for them to complain. All petitions will be considered and responded to and a due procedure of handling and managing grievances will be set. Moreover, their social development officers will gain information about how to document the grievances, and how to transfer them to the interested entity.</p> <p>They should be informed that they can take the case to the court. If need arises, aggrieved people would however remain free to open a Court case without having registered their grievance with the GRM. The grievance mechanism should be set up and maintained in line with EIB S6 and WB ESS5.</p>



Topic	Egyptian legislative requirements	International Standards EIB Standard & WB ESS	Measures for bridging the gaps
		the project- The affected parties. mechanism will also allow for anonymous complaints to be raised and addressed.	
Monitoring and Evaluation	The absence of monitoring and evaluation measures in Egyptian laws illustrates differences between the two systems. The lack of legally authorized resources can constrain accountability and governance mechanisms of projects financed by IFIs. The lack of equivalency between the Banks' and Egyptian policy can negatively impact on the very idea of the consultation, decision making and disclosure principles charted in the EIB Standards and WB ESS.	According to EIB Standards and WB ESS5, projects including resettlement or land acquisition need to follow up the implementation of the measures through monitoring and evaluation, both internally and through an independent party (e.g. CSOs, NGOs, and national human rights institutions) or to facilitate community-driven monitoring, where practical and acceptable by the communities concerned. The need for M&E by an independent party will depend upon the complexity of the resettlement process. In terms of reporting, ENR will establish regular communication and reporting channels back to the communities and individuals impacted and concerned, whether through non-technical summaries of progress updates and engagement activities.	Monitoring of the resettlement activities during the project implementation as detailed in this RPF should be performed. As such, the project is to develop an M&E and reporting system compliant with EIB and WB standards.



7 Institutional and Organizational Arrangement for land acquisition

7.1 Institutional Arrangements

Several governmental bodies are involved in land acquisition and resettlement procedures. An assessment committee plays the key role in land acquisition and resettlement, which is an independent structure and is established in each Governorate by the decree of the Minister of Water Resources and Irrigation with changing its membership every two years.

I. Preparation for Issuing a Prime Minister Decree of Land Acquisition due to Public Interest

A project proponent submits a request to the Prime Minister for the preparation and issuance of a Ministerial Decision for land acquisition for public interest. The Governorate conducts a survey for confirmation of property loss and estimation of the compensation amount. The project owner/ project authority requests Prime Minister to issue a decision of land acquisition based on the survey result. The project owner/ project authority deposits the compensation amount estimated by the estimation committee in the treasury of the Governorate or the treasury of the Egyptian General Survey Authority (ESA).

II. Issuing a Prime Minister Decree of Land Acquisition due to Public Interest

Prime Minister decree of land acquisition for public interest is issued with a memorandum covering the project description and necessary area for land acquisition for to public interest. Such decree is announced at gazette, headquarters of a Governorate office and first instance court in the jurisdiction area where land acquisition is conducted.

III. Property Assessment

An owner of a property to be expropriated is informed by an official letter and requested to attend confirmation of a property. A committee is formed according to law No. 10/ 1990 and its amendments by Law 187/2020, Law No. 24/ 2018 and law No. 1/2015, this committee is responsible for identifying the properties affected by a project, and confirms the location and legal status of affected properties with a property owner. The survey result is disclosed at the Governorate and municipality office, and it is also informed to a property owner with an official letter.

Compensation amount is calculated according to the price prevailing at the time of assessment by another part of assessment committee consisted of a delegate from Governorate office of ESA as the leader of assessment committee, directorate of housing and utilities in a Governorate, and directorate of real estate taxes in a Governorate. Following compensation calculation, a project proponent deposits the necessary amount.



IV. Disclosure of the Assessment Result

The assessment result (i.e., surface area, location, owner name, compensation evaluation) is disclosed at the Governorate office of ESA and Governorate office for one month. A property owner is informed the assessment result by an official letter. In addition, a project description, and period and place of disclosure about assessment result are announced at Egyptian Gazette, official journal and two daily newspapers for one week.

V. Ownership Transfer

If there is no grievance, a property ownership is transferred by signing on a document.

VI. Grievance Redress

The Egyptian legal framework ensures two steps of grievance redress. First step of grievance is property ownership. A property owner is entitled grievance to information about property such as legal status for 15 days after its announcement, and a project proponent or Governorate office is the contact window of such grievance. The second step of grievance is evaluation of compensation amount. Both of a property owner and a project proponent are entitled grievance to assessment result at the first instance court in a Governorate where acquisition will be conducted. Grievance is treated according to the law No. 10/ 1990 and its amendments by Law 187/2020, Law No. 24/ 2018 and law No. 1/2015.

7.2 Procedures of Land Acquisition Due to Public Interest and Resettlement

The following procedures are followed:

- The project owner/ project authority is conducting the project study,
- Identifying the places of expropriation and ownership transfer that incompatible with the project,
- Memorandum is prepared in order to present to the Cabinet of Ministers to issue a decree of public interest for the project,
- Field survey is conducted in order to confirm the outcomes of the desk study by collecting the study data on land acquisition due to public interest,
- The decree of public interest is issued by the President or the Prime Minister and published in the Gazette,
- The expropriation procedure is carried out in implementation of the Republican Decree of public interest by the Governorate and the Survey Authority.

7.3 Responsibility at Authorities Concerned

Regarding entities concerned for land acquisition due to public interest and compensation, ENR is considered the entity requesting expropriation for public interest; in the case that applies to land required for the project (are not among the ENR properties). Governorate and Egyptian Survey Authority are considered the entities responsible for land acquisition and estimate the compensation value for the Project according to law No. 10/ 1990 and its amendments by Laws No. 187/2020, 24/ 2018 and 1/2015. With



respect to compensation/ assistance not defined in Egyptian legal framework, ENR has a responsibility to conduct as shown in the following table:

Table 7-1: Outline of Responsibility at Authority Concerned

Agency	Responsibility
ENR	<ul style="list-style-type: none"> - Entity requesting the land acquisition due to public interest - Entity responsible for depositing the values that requested from it in order to formal claim for expropriation which represents the value of owners' compensation - Responsible executor to compensate the occupants or assistant which is not defined within the Egyptian legal framework such as income loss, livelihood stabilization and socially vulnerable people, according to the estimations of the committees formed in this regard
Governorate	<p>Responsible executor to conduct land acquisition and compensation/ assistant payment at the Governorate within Egyptian legal framework</p> <p>Cairo Governorate is the only Governorate which has an administration for land acquisition due to public interest. Since the Governorate has a role in land acquisition from the beginning of procedures, they are in a position to supervise the procedure of land acquisition and resettlement; they also take care of grievance from public.</p>
Department of Physical Planning	Physical Planning is the official body responsible for resettlement plan preparation for strategic development projects, and for providing maps and relevant documents to PAPs.
Egyptian General Survey Authority	They will be responsible for participating in any land acquisition or livelihood restoration activities. It is the authority responsible for evaluating the property and estimating the compensation
Ministry of Agriculture	According to law 10/1990, the Minister of Agriculture approves the expropriation decree for cultivated lands. In this case, Agricultural Directorate and Agricultural Associations have a role in assessing and providing the compensation
Agricultural Directorate	<p>The Agriculture Directorate intervenes in case, the project needs land located outside the ENR property, or needs an estimation of compensation of crops and trees, as well as in the case of farmers' grievances to clarify the boundaries of their properties from the ENR property.</p> <p>Provides the price list for the crops and trees at the Governorate</p>
Agricultural Associations	<p>The Agriculture Associations, is responsible for the following</p> <ul style="list-style-type: none"> - Provide a proof of property documentation for lands and crops - Nominates a member to accompany Compensation Committee (comprised of ENR land property departments, ENR PIU, a member of the legal affairs, financial member, and an official from the local Governorate unit) during the inventory, <p>Compensation Committee responsibilities:</p> <ul style="list-style-type: none"> o Inventory of assets of project affected persons o Estimate compensatory values



Agency	Responsibility
	<ul style="list-style-type: none"> ○ Consultation with those affected and the relevant authorities ○ Compensation delivery - Estimates the value of crops and trees according to their actual conditions - Participate with the Compensation Committee during the payment of compensation - Attend individual consultations related to the resettlement - Publish PAPs lists in the agriculture association
Governorate Authority and Local Governmental Units	<p>Responsible for</p> <ul style="list-style-type: none"> - Providing the construction permits for new technical buildings - Coordination between the project and the Traffic and Roads Department to facilitate construction and tunnels along the road and slides - Participate with the Compensation Committee during the payment of compensation

7.4 ENR’s Institutional and Organizational Structure

ENR serves as the project’s implementation agency under the oversight of a Steering Committee, which mainly combines the Ministries of Transport, Finance, Investment and International Cooperation. A Project Implementation Unit (PIU) is needed to be established within ENR to coordinate and implement project activities, and to liaise with the lenders.

An Environmental Affairs Department (EAD) was established by ENR to oversee and implement the environmental, occupational health and safety, and social requirements of the various funding agencies. The EAD’s organizational chart is displayed below. The EAD reports directly to the Vice Chairman for the Shared Services Sector. Below is the organizational scheme of responsibilities for the management of the project:



Figure 7-1: ENR Organizational Structure (Source: ENR)



According to the previous sections, it is necessary to define the roles and responsibilities of the bodies based on estimating and providing compensation, which outline the instructional setting for RAP development and implementation (Resettlement committees etc.), roles and responsibilities.

The responsibility of providing compensation to all PAPs is the responsibility of the project owner ENR/ PIU through a Compensation Committee.

This committee consists of:

- ENR Property Department
- Housing Directorate in each Governorate
- Department of Land Surveying
- Head of state property or his representative in each Governorate,
- ENR/ PIU; Social Development Office, Head of Environmental Unit, The Engineer responsible for projects and Legal member.

This committee should conduct meaningful consultation with PAPs and communities organized throughout resettlement planning and implementation and disclosure of relevant information in line with the RAP.



8 RAP Preparation, Review and Approval

8.1 About Resettlement Plan

The RAP is the most important resettlement instrument that should be undertaken. RAP should assess the number of PAPs, propose alternative locations for the sub-projects if possible, identify the eligibility criteria, include provisions for compensation and assistance, and address the means by which the project monitoring and evaluation will take place to ensure that the PAPs receive their compensation and that their grievances are heard and addressed. The mitigation measures and compensation standards proposed in the RAP shall be disclosed to the PAPs for feedback and comments.

Once the project activities have been identified, they should be screened by ENR to determine whether or not they will require the involuntary resettlement of people within the determined project area, and they will be responsible of the application of the EIB S6 and WB ESS5. For the purpose of this RPF, the following section will present the main steps for the preparation of the RAP.

The project RAP should consider the following design criteria:

Box 1: Design Criteria for RAP

Design Criteria for RAP

- A description of the project activities and a discussion of how the displaced will maintain or upgrade their living standards
- Identification of potential impacts
- Objectives of RAP
- A census survey of displaced persons and valuation of assets
- Relevant findings of the socio-economic study
- Legal framework
- Institutional framework
- Eligibility criteria and eligible PAPs
- Valuation and compensation for losses
- Services offered after relocation (e.g. employment, electricity, etc.) based on an assessment of their needs
- Resettlement measures
- Site selection, site preparation, relocation, provision of services (facilitation of relocation)
- Housing, infrastructure, and social services
- Environmental protection and management
- Community participation
- Integration with host populations
- Grievance procedures
- Organizational responsibilities and timetable (what institution is responsible for implementation of the relocation)
- Implementation schedule
- Costs and budget
- Monitoring implementation and outcomes
- Evaluation



8.2 RAP and the Project Cycle

8.2.1 RAP during Project Identification

8.2.1.1 Project Screening

During the screening phase, cadastral information might involve gathering information about land ownership, structures and uses of the land that would be directly affected by the works, either temporarily or permanently. This information shall be verified by a qualified consultant who shall provide written and visual records and enumerate all economic, residential or other ownerships and uses of the land that would be affected, along with an estimation of the number of people affected by this type of impact.

This same phase should also include conducting introductory meetings with communities, including PAPs and vulnerable groups, in order to inform them about the project and to disseminate the prepared RPF and inform people about their rights and entitlements.

8.2.1.2 Preparation of the Socio-economic Survey

Following the identification of the project component that may necessitate involuntary resettlement, the next step would be preparing a socio-economic study, in which baseline data within the project’s target areas is collected. The study should be carried out by a social and resettlement consultant assisted by the local community leaders. It should examine the nature of the impacts; the socio-economic and cultural setting, local organizations, social risks, total land holdings and affected assets as well as the indicators that would ensure that the project affected people, at minimum, regain their former quality of life or, preferably, are enabled to improve it. The information should be collected from PAPs and related household members or dependents. This information will be documented in writing, used in the preparation of the RAP and in determining the appropriate compensation and assistance for each affected individual/ household. The figure below demonstrates the objectives of the socio-economic survey.

Box 2: The Socio-economic Survey Objectives

The Socio-economic Survey Objectives

- Introduce the project to the PAPs
- Collect census data to identify PAPs on individual and household levels
- Description of the affected households including information about livelihoods, production and labor systems, standards of living, an analysis of their legal rights and informal entitlements, and any issues of potential conflict
- Collect census data to identify vulnerable and severely affected PAPs
- Collect census data on the overall socio-economic environment of the affected communities
- Statement of the magnitude of the expected loss (total or partial) of assets and the extent of physical or economic displacement
- Identify stakeholders
- Identify impacts of the project activities on the livelihoods of the PAP (i.e. property, structures, income...etc.)
- Identify any concerns or worries the PAPs may have
- Identify the resettlement preferences of the PAPs



For projects that will require the preparation of the RAP, their preparation should be considered prior to the appraisal phase. The preparation of the RAP should consider the key design criteria previously presented in Box 2 and 3.

8.2.2 RAP during Project Appraisal

The prepared RAP needs to be reviewed and approved by the lenders and then approved by the relevant departments in ENR/ PIU (Environmental Department and Department of the project management unit). There is no other Egyptian authority that approves the RAP (s) study.. The RAP shall include the proposed mitigation measures, which will help in making a decision regarding the implementation of the project or not. The prepared RAP shall take into consideration the communities concerns and worries raised in the process of conducting the socio-economic survey.

8.2.3 RAP during Project Implementation

- Prior to the project implementation, PAPs that have been determined to be identified as eligible for compensation should be compensated in accordance with the Egyptian laws and EIB S6 and WB ESS5 as detailed in this RPF.
- A cut-off date should be determined as the time when the census starts. Persons who encroach onto the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. Affected individuals, households, and communities, who have been identified earlier under the socio-economic survey, will be consulted about their compensation preferences.
- The PAPs will be formally informed through written or verbal notification (in case some of the PAPs are illiterate) delivered in the presence of at least one public official.
- The PAP will be required to sign a contract detailing the acquired land plots and/ or partially or completely affected structures and the corresponding types of compensation (i.e. cash or in-kind). In the case of illiterate PAPs, fingerprint stamps substitute for written signatures and additional witnesses should be present. The contracts may also include contracts on possible transitional or developmental assistance and income restoration measures that will be given to the PAPs.
- A grievance mechanism should be devised in order for the PAPs to be able to voice their concerns, complaints, or dissatisfaction with any part of the compensation process and to seek redress. ENR should also perform a role in facilitating the response to these grievances. Particular attention will be paid to vulnerable groups. It is also important for the committees to ensure proper documentation for all grievances and reach their resolution within the timeframe allotted to responding to grievances (i.e. 15 calendar days).

If the grievances or other disputes cannot be resolved through administrative action, the PAPs can initiate legal proceedings in accordance with the provincial and the national law and have may recourse to the Appellate Courts and the Supreme Court but this should be maintained as a last option.



8.2.4 RAP during Monitoring and Evaluation (M&E)

Monitoring and Evaluation (M&E) are key components of the RAP and have the following objectives:

- Monitoring of specific situations or difficulties arising from implementation and how it complies with the objectives and methods set out in the RAP;
- Verifying that project activities have been effectively completed with respect to quantity, quality and time;
- Evaluation of medium and long-term impacts of resettlement on the livelihood, environment, local capacities and economic development of the affected households

In carrying out all activities related to monitoring, evaluation and supervision, consideration will be given to the vulnerability issues. The different vulnerable groups referred to above should be consulted during the monitoring process to ensure that their concerns are handled fairly. Regular monitoring of the RAP implementation will be conducted internally, by ENR/ PIU, as well as externally by an independent monitoring agency.

Box 3: Guidelines for the Monitoring Indicators

Guidelines for Monitoring Indicators

The main indicators that will be monitored regularly are as follows:

- **Check that the screening activities have been carried out to determine the need for the preparation of a RAP**
- **Payment of compensation to PAPs in various categories, according to the compensation standard described in the RAP; with special focus on the vulnerable groups and avoiding discrimination based on gender, tribal backgrounds or any other factors**
- **Delivery of income restoration and social support entitlements**
- **Dissemination of public information and consultation procedures**
- **Committing to grievance procedures and outstanding issues requiring management’s attention and equity of access**
- **Attention given to the priorities of PAPs regarding the proposed alternatives**
- **Co-ordination and completion of resettlement activities and award contracts of civil works**

- The RAP should include a time schedule; it includes EIB and AFD review and clearance, and approval by the lenders. Implementation of a RAP will be considered completed when the adverse impacts of resettlement have been addressed in a consistent manner with the relevant plan and requirements outlined in this Standard.
- The RAP should include a detailed budget for all costs of the compensation.



9 Eligibility Criteria for Affected Persons

The aim of determining eligibility criteria in the RPF is to ensure that the PAPs who suffer a complete or partial loss of lands, crops, trees and assets or access, will be clearly defined and recognized as eligible for some kind of assistance regardless their legal rights to the land.

9.1 Defining Affected Persons

Project affected persons (PAPs) are defined in this framework as individuals who may be subjected to adverse economic, social, or cultural impacts. These impacts may constitute anything from the loss of physical assets such as land, farm lands, crops, commercial properties, homes, personal belongings, sources of income, and cultural / historical / religious sites, to nonphysical assets such as social capital and cultural networks and activities. Moreover, adverse impacts also include the loss of access to the physical and non-physical assets and the involuntary restriction of access to legally designated parks and protected areas. The following Table highlights some of the key losses that may arise from land acquisition.

Table 9-1: Possible Losses from Land Acquisition

Land	<ul style="list-style-type: none"> ▪ Agricultural land (rented or owned) ▪ Access to land
Structures	<ul style="list-style-type: none"> ▪ Houses or living quarters (rented or owned) ▪ Other physical structures (rented or owned)
Income	<ul style="list-style-type: none"> ▪ Income from crops ▪ Income from wage earnings ▪ Income from affected business ▪ Access to formal employment opportunities
Communal⁷	<ul style="list-style-type: none"> ▪ Public Schools ▪ Public Hospitals ▪ Markets ▪ Cemeteries ▪ Social capital: networks, activities, relationships ▪ Mosques

⁷The projects should not be permitted to infringe on or damage in any way public cemeteries or private graveyards or graves physical assets. If extremely necessary, such cases shall be subject to the Egyptian law to this regard.



Environmental	<ul style="list-style-type: none"> ▪ Access to natural resources ▪ Negative environmental impacts resulting from land acquisition or from the project itself
----------------------	--

9.2 Eligibility Criteria

All PAPs who suffer a complete or partial loss of assets or access to assets shall be eligible for some kind of assistance, according to their legal rights to the land, if it can be proven that they occupied the land before the claim cut-off date. The EIB S6 and WB ESS5 specifically propose three general categories for eligibility as illustrated in the following Table.

Table 9-2: Criteria for Eligibility

<i>Type of loss</i>	<i>Eligible Persons</i>	<i>Eligibility Criteria</i>
Land	Landholders with granted or customary rights to the land, or other recognizable claim to land	<ul style="list-style-type: none"> • Holder of allodial title • Holder of customary freehold agreement • Holder of Common law freehold agreement
	Tenant Farmers	<ul style="list-style-type: none"> • Farmers renting land from private landowners based on Leasehold rights or other official tenancy agreement.
	Landholders without granted or customary rights to the land, or other recognizable claim to land (squatters)	Occupants/ users of land without granted, customary or other recognizable claim to land.
	Local government/ traditional leaders or Land users, authorized by local government/ traditional leaders.	Land managed by local government or traditional leadership, on behalf of the Ghanaian State. It is common for these entities to give permission for use (including right to foraging/ collection of natural products) to people/ communities.
Ecosystem Service	Persons using affected land to access/ use ecosystem services.	Demonstrated reliance on ecosystem services with access restricted/ removed by the demarcated RoW.
Residential and Non-Residential/ Household Structures	Owners of residential structures	Presence of residential structure
	Owners of non-residential structures	Presence of non-residential structures
	Tenants	Renters of business structures based on official tenancy agreement.



<i>Type of loss</i>	<i>Eligible Persons</i>	<i>Eligibility Criteria</i>
<i>Crops and Economic Trees</i>	Crops Owners/ Sharecropper with or without legally recognized land rights.	Presence of crops and trees
<i>Economic activities animal stalls, Livestock Vendors/ traders</i>	Tenants of economic activities with lease contracts	Formal economic activities Shop and cafeteria renters from the Railway Authority
	Other recognizable claim to land (squatters) Occupants/ users of land without granted, customary or other recognizable claim to land.	Informal economic activities Squatters on ENR properties
<i>Social</i>	Owner/ managing	Presence of public social infrastructure and

The project owner (ENR) will follow the provisions outlined in the standards (EIB S6 and WB ESS5) and develop the appropriate instruments. These instruments, either a Resettlement Framework (RPF), Resettlement Plan (RAP), or some combination thereof, establish criteria for identifying who the affected persons are; their entitlements, consultation mechanism, grievance mechanism, monitoring of implementation, budget and timeline.

The EIB S6 and WB ESS5 apply to all components of the project that result in involuntary resettlement, regardless of the source of financing. The aim of including the eligibility criteria in the RAP; is to ensure that PAPs who suffer a complete or partial loss of or access to assets are clearly defined and recognized as eligible for assistance as per the provisions of EIB S6 and WB ESS5. Once it is established, among other criteria, that they occupied the land, or their livelihoods/assets were affected before the claim cut-off date.



10 Methods of Valuation of Affected Assets and Compensation

10.1 Policies

EIB S6 and WB ESS5 requires that resettlement and compensation plans provide prompt and effective compensation at full replacement cost for losses of assets attributable directly to the financed project. Replacement cost is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account in determining their value.

For losses that cannot easily be valued or compensated for in monetary terms such as access to public services, customers, and grazing. The financed project shall provide access to equivalent and culturally acceptable resources and earning opportunities.

Where Egyptian law does not meet the standard of compensation at full replacement cost, compensation under Egyptian law is supplemented by additional measures necessary to meet the replacement cost standard defined in S6 and ESS5.

Land and assets will be valued and compensated according to the EIB S6 and WB ESS5, Egyptian regulations and practical operations, the standards of land acquisition and involuntary resettlement to be applied for the Project are described as follows:

- Land and property acquisition shall be avoided or minimized as much as possible by examining all possible alternatives from engineering as well as environmental and social perspectives.
- PAPs shall be meaningfully consulted in appropriate timing in order to reflect their opinions and preferences on resettlement plans and options, whereby their participation for planning and implementing the resettlement plan shall be promoted.
- Compensation shall be provided in a timely manner based on the agreement with PAPs, and will be finalized before the date of evacuation.
- Compensation on loss of assets shall be equal to the replacement cost. In the case of impact on livelihoods, standards of living, income opportunities, the compensation should be as such to at least restore to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- All PAPs living, working, doing business in the project area at the time of cut-off date will have entitlement of compensation and/or assistance⁸.
- All affected people will be eligible for compensation and rehabilitation assistance, irrespective of the tenure status.
- Necessary institutional arrangement shall be ensured for preparation and implementation of resettlement in timely manner.

⁸ Cut-off date is generally the date when detailed census assessment begins.



- Adequate financial arrangement shall be ensured and enforced within the time frame of covering the cost of land acquisition, resettlement, and rehabilitation.
- Appropriate mechanisms for monitoring, reporting, and evaluation shall be developed and ensured within the resettlement management system.
- Appropriate mechanism for grievance shall be established.

10.2 Asset Valuation

The valuation of losses in assets depends on the type of the lost asset. For physical assets, market value should be assessed to estimate the replacement cost. This should consider any associated costs to bring the asset to its pre-displacement value. The EIB S6 and WB ESS5 also gives big attention to intangible assets although estimating their value is a relatively a subjective process. Alternative opportunities should be provided to PAPs as a way for compensating their loss for intangible assets.

Table 10-1: Types and Examples of Affected Assets and the Method of Valuation

Type of Lost Asset	Examples On Assets	Replacement Cost
Tangible/ physical asset	Agricultural Land	Equals the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, in addition to the cost of any registration and transfer taxes.
	Urban Land	Equals the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
	Houses/Other Structures	Equals the market cost of the materials to build a replacement structure with an area, and quality similar to, or better than those of the affected structure, or to repair a partially affected structure. In addition to the cost of transporting the building materials to the construction site, the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes.
Intangible assets / non-physical	<ul style="list-style-type: none"> ▪ Access to employment opportunities, Public services, ▪ Natural resources, Social capital ▪ Access to communal resources (land, water, etc.). 	cannot be valued easily in monetary terms the sub-projects should attempt to establish access to equivalent resources and earning opportunities that are acceptable to the PAPs

To assess the value of compensation to be paid to PAPs and based on the Egyptian Law concerning Land and Real Estate, an Estimation Committee (EC) should be in charge of estimating the value of the



compensation. In addition, it helps in other considerations like the cases when the affected asset is owned by more than one owner.

10.3 Compensation

All PAPs will be entitled to monetary compensation at replacement cost, at market value (at the entitlement cut-off date) for affected tangible assets. Another option may be in-kind compensation where the affected assets would be replaced with an asset of similar size, value, and quality. The decision on which type of compensation is used should be jointly agreed upon between the project staff and the PAPs and shall be subject to the availability of replaceable assets. Moreover, development and resettlement transitional assistance needed to restore the livelihood⁹ and standard of living of PAPs under the subproject to pre-project levels (i.e. short-term jobs, subsistence support, moving allowance, salary maintenance, food assistance, etc.).

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

10.3.1 Forms and Calculation of Compensation

Although the type of compensation may be an individual's choice, compensation in kind (such as land-for-land) is preferred, if the loss amounts to more than 20% of the total loss of assets. Compensation refers to both compensation for expropriated assets and restoration of income.

Compensating property and assets are estimated according to the prevailing prices at the time of the expropriation decision, and an additional (20%) twenty percent of the value of the estimate is included in the compensation based on low No. 24/ 2018)

10.3.2 Land Compensation

Compensation for land is aimed at providing for loss of crop and labour used to prepare the land and 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.

Land and assets are valued and compensated for according to the following guidelines and as appropriate for the project:

- Compensation cost values are based on full replacement cost, as of the date that the full replacement is to be provided or at the date of project or subproject identification, whichever is higher,
- Full market prices for cash crops have to be determined based on their values as determined by the appropriate agency. Often this is the Ministry of Agriculture.
- PAPs that lose farmland allotted by the village under customary tenure are provided an equivalent plot.
- In case of land-based livelihoods, land-for-land compensation is preferred.

⁹ Livelihoods should be improved or at least restored to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.



- The Project should seek to provide access to replacement land with comparable productive potential and locational advantages to that being lost.
- The Project will assure security of tenure.

ENR Land Tenants

ENR is permitted to terminate legal lease arrangements with its tenants. Previous versions of the tenancy contract template between ENR and land tenants stipulates that dues shall be paid back to the tenant if they have overpaid, and he shall be notified at least one month in advance. However, the current version of the contract template omits these requirements.

In cases of repossession of the leased lands ownership "ENR property" that is used by individuals for agriculture or any economic activities;

- Tenants shall be provided with adequate notice in advance of change or cancellation of lease
- First ENR forms a committee to estimate the magnitude of the impact on the PAPs as a result of loss of income
- Ensure that the land is free of any crops or trees, otherwise compensation must be paid for it
- The rental value of the land that has been deducted for the benefit of the project must be dropped before recovering the land,
- Particular attention is paid to vulnerable groups, and resettlement assistance customized to the needs of affected persons is provided.
- The Borrower will not resort to forced evictions. PAPs will be made aware of the project grievance mechanism
- Specific assistance will be designed and included in the Resettlement Plan.

Willing-Temporary Use and Rental Arrangements

The contractor will rely on providing a storage area for equipment and building materials; In the case that there is not enough area in ENR's property, this will be done based on the following protocol for temporary use or rental of private land:

- Giving the owner of the land the right to approve or reject to rent his land, and in this case the contractor will looking for another plot of land;
- The landowner has the right to negotiate the price with the contractor;
- The owner has access to the grievance mechanism at the project level;
- The contractor must return the land to its original condition after the lease period ends, and any other specifications agreed upon with the landowner;
- Land lease or use agreements will be documented.

10.3.3 Crop and Trees Compensation

Both cash and consumption crops are valued at the market price mid-way between harvest peaks. Prevailing prices for cash crops will have to be determined with the assistance from the appropriate agency. 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.

Compensation for wild trees "owned" by individuals, who are located in lands as defined in this policy, will be paid. Wild, productive trees belong to the community when they appear in the bush. These trees will be compensated for under the umbrella of the Governorate/ District/ Village or community compensation.



10.3.4 Compensation for Buildings and Structures

Compensation for buildings and structures will be paid by replacing huts, houses, farm outbuildings, latrines, fences and other impacted structures. Any homes lost will be rebuilt on the acquired replacement land. However, cash compensation will be available as a preferred option for structures that are not the house in which someone is living. The applicable replacement costs for construction materials, as well as associated labor costs needed to build replacement structure, will be used to calculate the values. Alternatively, compensation will be paid in-kind for replacement cost without depreciation of the structure. The financed project will survey and update construction material prices on an ongoing basis.

10.3.5 Labour Compensation

Labour invested in preparing agricultural land will be compensated for at the average wage in the community for the same period of time. The labour cost for preparing replacement land is based on costs for clearing and framing the land.

Labour costs will be paid in Egyptian currency per the prevailing labour law. The rate used for land compensation is to be updated to reflect values at the time compensation is paid.

Other assistance may also have to be provided to workers in the informal sector will lose income sources/ livelihoods as a result of the project that affect their work. Assistance can include offering training programs to raise their competence and provide them with skills that qualify them for the labour market.

10.3.6 Compensation for Sacred Sites

Compensation for sacred sites (e.g., proprietary rights and reconstruction) is determined through negotiation with the appropriate parties. Sacred sites include but are not restricted to: altars, initiation centers, ritual sites, tombs and cemeteries. Sacred sites include such sites or places that are accepted by local laws including customary practice, tradition and culture as sacred.

10.4 Livelihood Support/ Assistance for economic displacement

It is clear from the gaps analysis between Egyptian legislations and the EIB S6 and WB ESS5 in Chapter five that the Egyptian law does not include compensation for assistance / support for loss of income, only land and assets. This may have implications for vulnerable groups and increases the severity of the impact of land acquisition. Consequently, procedures for compensation must be developed through Livelihood Support Program LSP and agreement on other livelihood support measures of and assistance, to be approved before construction begins, and to be explained and defined in the RAP study.

10.4.1 Livelihood support to PAPs

The goal of the livelihood support program will be to restore, and potentially improve, the livelihoods of displaced households. The LSP will assist PAPs in re-establishing and strengthening current livelihood practices in the short and medium term, and develop transferable skills and create self-reliance in the long term.

Livelihood Support Program will enhance and providing types of compensation that enable the PAPs to precede with the lives normally. This program considers the following elements:

- Identification of all PAPs who will be economically affected by the project.



- Detailed estimations for their monthly income were defined in cooperation with the Governorate and the District Authority in order to calculate the needed compensation. The proposed value will be consulted with the PAPs.

10.4.2 Vulnerable support program

Assistance program the Project will plan and implement to specifically targets those who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status, may be less able to participate, more adversely affected and have limited ability to take advantage of resettlement.

10.5 Entitlement Matrix

Entitlement shall be categorized based on the proposed eligibility to the loss. Since the detailed activities under this project have not yet been specifically identified, Table 10-2 is entitlement matrix that may serve as a generic tool for identifying the possible losses arising from the expected projects and the respective entitlement benefits of the PAPs.



Table 10-2: Entitlement Matrix for Affected Persons

Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Agricultural Land				
Loss of arable and grazing agricultural land or access to it	Permanent (complete or partial) loss of arable and grazing land located in the HSR project sites	Farmers/Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> • Provide cash compensation at replacement cost for the lost land¹⁰, in addition to the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. • provision of replacement land • provide access to replacement land with comparable productive potential and locational advantages to that being lost • Provide cash compensation for loss of crops or trees at replacement cost. 	<ul style="list-style-type: none"> • A list of available arable and grazing land in each affected Governorate • Consultations and formal agreement with PAPs on type of compensation (cash or in-kind) • If available and requested by the PAPs and agreed to by the project and concerned authorities: provide equivalent land nearby, of similar size, value, and quality • In case of relocation, provide assistance to farmers during and after the relocation process • Provision of assistance to farmers to develop new crops and improve production for both crops and livestock • Poor and vulnerable PAPs (including the landless) will not be displaced until replacement land is provided • For the transitional period, it is recommended that: Transitional assistance should be provided at least six months are provided if not more for all PAPs. Market value of the crops should be considered, which is calculated based on the transitional cycle of re-growing the same type of crop, and cost involved.
Loss of arable and grazing agricultural land or access to it	Permanent (complete or partial) loss of arable and grazing land located in the HSR project sites	Farmers/Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<ul style="list-style-type: none"> • Provide development and transitional assistance in locating new replacement lease land. • provision of replacement land • Provide cash compensation for loss of crops or trees at replacement cost. 	

¹⁰Calculated at entitlement cut-off date.



Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Loss of arable and grazing agricultural land or access to it	Permanent (complete or partial) loss of arable and grazing land located in the HSR project sites	Farmers/Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> No compensation for land. Provide landless PAPs with resettlement assistance in securing temporary or lease rights to replacement land Provide cash compensation for loss of crops or trees at replacement cost. 	<ul style="list-style-type: none"> PAPs whose livelihoods is land based should be offered in-kind compensation and support (i.e. replacement land). The Project should seek to provide access to replacement land with comparable productive potential and locational advantages to that being lost. The Project will assure security of tenure. Provide compensated in-kind through provision of alternative land for grazing areas.
Loss of arable and grazing agricultural land or access to it	Permanent (complete or partial) loss of arable and grazing land located in the HSR project sites	Landholders with granted or customary rights to the land, or other recognizable claim to land	<ul style="list-style-type: none"> Provide development and transitional assistance in locating new replacement lease land. provision of replacement land Provide cash compensation for loss of crops or trees at replacement cost. Provide landless PAPs with resettlement assistance in securing temporary or lease rights to replacement land 	
Loss of arable and grazing agricultural land or access to it	Temporary (complete or partial) loss of all or part of arable and grazing land located in the HSR project sites	Farmers/Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use. Provide cash compensation for loss of crops or trees at replacement cost and compensation for loss of net income from subsequent crops 	<ul style="list-style-type: none"> If the temporary loss continues for more than one year, PAPs will be given a choice of either continuing with the temporary arrangements, or selling the affected land to the project at full replacement cost at current market value Provision of development assistance to enable farmers/land owners to restore land to its previous condition or better quality by providing measures to improve land quality in cases of land being adversely affected.



Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Loss of arable and grazing agricultural land or access to it	Temporary (complete or partial) loss of all or part of arable and grazing land located in the HSR project sites	Farmers/Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<p>that cannot be planted for the duration of the lease.</p> <ul style="list-style-type: none"> • Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use. • Provide cash compensation for loss of crops or trees at replacement cost and compensation for loss of net income from subsequent crops that cannot be planted for the duration of the lease. 	<ul style="list-style-type: none"> • PAPs whose livelihoods is land based should be offered in-kind compensation and support (i.e. replacement land). The Project should seek to provide access to replacement land with comparable productive potential and locational advantages to that being lost. The Project will assure security of tenure.
Loss of arable and grazing agricultural land or access to it	Temporary (complete or partial) loss of all or part of arable and grazing land located in the HSR project sites	Farmers/Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> • Provide cash compensation for loss of crops or trees at replacement cost. 	
Loss of arable and grazing agricultural land or access to it	Temporary (complete or partial) loss of arable and grazing land located in the HSR project sites	Landholders with granted or customary rights to the land, or other recognizable claim to land		
Urban Land (Residential and/or Commercial)				



Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Loss of urban residential or commercial non-arable land or access to it	Permanent (complete or partial) loss of urban residential or commercial non-arable land	Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> • Provide cash compensation at replacement cost of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. • In the case that there are structures on the land, provide cash compensation at replacement cost for the materials used to rebuild the structures or to partially repair an affected structure. 	<ul style="list-style-type: none"> • A list of available non-arable land in each affected Governorate • A list of PAP and entitled persons • Consultations and formal agreement with PAPs on type of compensation (cash or in-kind) • If available and requested by the PAPs and agreed to by the project and concerned authorities: provide equivalent land nearby, of similar size, value, and quality • Provision of development and resettlement assistance, mainly in form of transition allowances for severely affected PAPs (transition subsistence allowance for food, moving incentive allowance, assistance in locating new residential or commercial leasing, and income transition allowance if businesses are affected). • For the transitional period, it is recommended that: • Transitional assistance should be provided at least six months are provided if not more for all PAPs.
Loss of urban residential or commercial non-arable land or access to it	Permanent (complete or partial) loss of urban residential or commercial non-arable land	Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<ul style="list-style-type: none"> • In the case where there are structures on the land which have been built by the users, provide cash compensation at replacement cost for the materials used to rebuild the structures or to partially repair an affected structure. • Provide development and transitional assistance in locating new replacement lease land 	
Loss of urban residential or commercial non-	Permanent (complete or partial) loss of urban residential or	Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> • Provide no compensation for land. • In case that there are structures on the land which have been built 	



Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
arable land or access to it	commercial non-arable land		<p>by the users, provide cash compensation at replacement cost for the materials used to rebuild the structures or to partially repair an affected structure.</p> <ul style="list-style-type: none"> • Provide landless PAPs with resettlement and transitional assistance to secure alternative commercial or residential land and to restore their livelihoods. 	
Loss of urban residential or commercial non-arable land or access to it	Temporary (complete or partial) loss of urban residential or commercial non-arable land	Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> • Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use • Provide cash compensation for loss of crops, trees, or structures at replacement cost 	<ul style="list-style-type: none"> • If the temporary loss continues for more than one year, PAPs will be given a choice of either continuing with the temporary arrangements, or selling the affected land to the project at full replacement cost at current market value • Provision of assistance to enable the land users owners to restore land to its pre-subproject condition by providing measures to improve land quality in cases where land is adversely affected
Loss of urban residential or commercial non-arable land or access to it	Temporary (complete or partial) loss of urban residential or commercial non-arable land	Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights	<ul style="list-style-type: none"> • Provide cash compensation equivalent to the replacement cost at market price of renting the land during the temporary use • Provide cash compensation for loss of crops, trees, or structures at replacement cost 	
Loss of urban residential or commercial non-arable land or access to it	Temporary (complete or partial) loss of urban residential or commercial non-arable land	Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> • Provide cash compensation for loss of crops, trees, or structures at replacement cost 	<ul style="list-style-type: none"> • Provision of resettlement assistance to landless PAPs with no legal rights



Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Structures or Buildings (Commercial, Business, Industrial, or Residential)				
Loss of structures or access to them	Permanent (complete or partial) loss of structures	Individuals who have formal legal ownership rights to the structures	<ul style="list-style-type: none"> Loss of residential structures should be provided either in-kind replacement house or cash compensation. Provide cash compensation at replacement cost which is equal to the market cost of materials used to build a replacement structure of similar area and quality. or to repair a partially affected structure, in addition to the cost of transporting building materials to the construction site, plus the cost of any labour and contractors' fees, and the cost of any registration and transfer taxes. 	<ul style="list-style-type: none"> A list of available structures in each affected Governorate A list of PAP and entitled persons Consultations and formal agreement with PAPs on type of compensation (cash or in-kind, i.e., relocation) <ul style="list-style-type: none"> Vulnerable PAPs might find it very difficult to replace their home without assistance.
Loss of structures or access to them	Permanent (complete or partial) loss of urban residential or commercial non-arable land	Individuals who do not have formal legal ownership rights to land but have temporary or leasing rights (tenants)	<ul style="list-style-type: none"> Provide assistance in moving and finding similar and affordable rental accommodation (this may include moving allowance and rental allowance for a transitional period). 	<ul style="list-style-type: none"> A 3-months' notice - at least - to be given to the tenants.
Loss of structures or access to them	Permanent (complete or partial) loss of urban residential or	Individuals who do not have any recognizable legal right or claim to the land	<ul style="list-style-type: none"> Provide cash compensation at replacement cost for the structures if they were built by the users. 	<ul style="list-style-type: none"> The Environmental and Social Development Officer may look into the possibilities of formalizing the structures following their repair.



Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
	commercial non-arable land	(squatters and persons in ownership dispute)	<ul style="list-style-type: none"> Provide assistance in moving and finding similar and affordable rental accommodation (this may include moving allowance and rental allowance for a transitional period). 	
Standing Crops, Trees, and Plants				
Loss of standing crops, trees, or plants or access to them	Permanent (complete or partial) loss of standing crops, trees, or plants	Farmers or individuals who cultivate the land and who have formal legal ownership rights to the land on which the crops are planted	<ul style="list-style-type: none"> Provide cash compensation for loss of crops, trees, or plants at replacement cost. 	<ul style="list-style-type: none"> A comparative list of the prices of agricultural products in local markets. A list of tree and plant species in the affected area. The project activities should take into consideration the cropping patterns and seasons in order to avoid partial or complete loss if possible.
Loss of standing crops, trees, or plants or access to them	Permanent (complete or partial) loss of standing crops, trees, or plants	Farmers or individuals who do not have formal legal ownership rights to land on which the crops are planted but have temporary or leasing rights (tenants)	<ul style="list-style-type: none"> Provide cash compensation for loss of crops, trees, or plants at replacement cost. 	
Loss of standing crops, trees, or plants or access to them	Permanent (complete or partial) loss of standing crops, trees, or plants	Farmers or individuals who do not have any recognizable legal right or claim to the land on which the crops are planted	<ul style="list-style-type: none"> Provide cash compensation for loss of crops, trees, or plants at replacement cost. 	
Income or Access to Income (Commercial, Business, and Industrial Activities)				



Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Loss of source of income or access to source of income	Permanent loss of income source or access to it	Owner or workers in formal registered businesses	<ul style="list-style-type: none"> • Provide transitional cash compensation until new permanent employment is secured based on net income (at least six months are provided if not more). • Provide development assistance to PAPs (i.e. training in specific areas) in order to help them to maintain and/or improve their income generation potential and access to gainful employment. 	<ul style="list-style-type: none"> • A list of available commercial, industrial, and business activities in each affected Governorate • A list of PAP and entitled persons. • The Environmental and Social Development Officer shall assist in the provision of development assistance to severely affected PAPs and vulnerable groups as specific attention should be paid to the needs of the following vulnerable groups, including: <ol style="list-style-type: none"> i) Persons below the poverty line, the landless, ii) Elderly, women and children, ethnic minorities, iii) Project affected persons who may not be protected through national land compensation legislation. iv) persons with disabilities The RAPs will include these vulnerable groups and take into consideration their individual circumstances. Subsequently, the provision of development assistance to severely affected PAPs and vulnerable groups will be through design training programs, formalizing informal activities, and access to credit.
Loss of source of income or access to source of income	Permanent loss of income source or access to it	Owner or workers in informal not registered businesses	<ul style="list-style-type: none"> • Provide transitional cash compensation until new employment is secured based on minimum wage per month in the respective district (at least six months are provided if not more) • Priority shall be given to severely affected PAPs in the provision of any relevant employment in the activities related to the sub-project. 	
Loss of source of income or access to source of income	Temporary loss of income source or access to it	Owner or workers in formal registered businesses	<ul style="list-style-type: none"> • Provide cash compensation for the duration of business/income generation that is disrupted based on net income. 	<ul style="list-style-type: none"> • If the transitional cash compensation 6 month period expires without the PAPs having restored their living standard, then the period could be extended to another 3 months. However, this extension is to be granted on a case-by-case



Type of Losses	Level of Impact	Entitled Person(s)	Compensation Policy & Standards	Implementation Issues
Loss of source of income or access to source of income	Temporary loss of income source or access to it	Owner or workers in informal unregistered businesses	<ul style="list-style-type: none"> Provide cash compensation for the duration of business/income generation that is disrupted based on the minimum wage per month in the respective district. 	basis. Therefore, it is recommended that an Environmental and Social Officer has to make a case study for each PAP prior to the decision.
loss of access to communal resources				
Loss of access to communal resources (land, water).	Permanent loss of access to communal resources (land, water).	Farmers or individuals who cultivate the land	<ul style="list-style-type: none"> Provide alternative sources/ access to reduce risk of losing of access 	<ul style="list-style-type: none"> A list of available sources in each affected Governorate/ community A list of PAP Consultations The Environmental and Social Development Officer shall assist in the provision of development assistance to severely affected PAPs and vulnerable groups as specific attention should be paid to the needs of the vulnerable groups.
Loss of access to communal resources (water, water).	Temporary loss of access to communal resources (land, water).	Farmers or individuals who cultivate the land	<ul style="list-style-type: none"> Long-term impact assessment Providing access to communal resources 	



10.6 Notification Procedure

The appropriate municipal authorities involved in identifying the land will notify the Governorate/ District/ Village inhabitants. Land or property users will be informed through both written and verbal formal notification delivered in the presence of the appropriate Governorate/ District/ Village official, community level organizations, or representative. In addition, the Governorates and individuals who control land will accompany the survey teams to identify sensitive areas.

A public notice must be announced in the media (Daily newspapers, National Television, National Broadcasting Radios). The notice must state:

- The Government's proposal to acquire the land
- The public purpose for which the land is needed
- That the proposal or plan may be inspected by PMU or the offices of the District Administrator in the respective districts, during working hours
- That any person affected may, by written notice, object to the transaction giving reasons for doing so, to the Project Implementation Unit (PIU) with copies to the Governorate within a month (30) calendar days of the first public announcement or appearance of the notice. Assurances must be made that affected persons have actually received this information and notification.

10.6.1 Documentation

The appropriate Governorates must arrange the meetings with the PAPs and/or their households to discuss the compensation process. For each individual or household affected, the Governorates completes a compensation dossier containing necessary personal information on the affected party and those that s/he claims as household members, dependents, total landholdings, inventory of assets affected, and information for monitoring their future situation. This information is confirmed and witnessed by the Governorates and the project Implementation unit (PIU). Dossiers will be kept current and will include detailed documentation of all assets surrendered and/or impacted. Each individual will be provided a copy of the dossier at the time of negotiations.

The documentation is necessary because it permits for the situation to be monitored over time. All claims and assets will be documented in writing.

10.6.2 Agreement on compensation and preparation of contracts

All types of compensation are clearly explained to the individual or household. The appropriate authority draws up a contract, listing all property and land being surrendered and/or assets impacted, and the types of compensation (cash and/or in-kind) selected.

A person selecting in-kind compensation has an order form, which is signed and witnessed. The compensation contract is read aloud in the presence of the affected party and the respective of appropriate organizations' representative, Governorate/ District/ Village officials and, other community leaders prior to signing.

10.6.3 Compensation payments

All compensation payments (and/or any handover of property such as land and buildings) must be made in the presence of the affected party and the Governorate/ District/ Village officials.

10.6.4 The Entities and Authorities Contributing To Land Acquisition Process

To comprehend the land acquisition procedures, it is essential to identify the entities and authorities contributing to such process:

- Ministry of Transportation (MoT)



- Egyptian National Railways (ENR)
- Targeted Governorates in (Tanta- Mansoura- Damietta)
 - Department of Real Estate *Amlak*
 - Egyptian Land Survey Authority
- The project implementation unit (PIU)
- Ministry of Agriculture (MoA)
 - The Agriculture Directorate
 - The agriculture associations
- Project affected persons (PAPs)



11 Public Consultation and Disclosure Arrangements

During the project preparation and as indicated in the PRE-ESIA consultation chapter, the first scoping meeting should start as early as possible in the ESIA and RAP process to ensure full engagement of stakeholders. The consultations activities will be designed to comply with and meet the IFIs Requirements and will include affected communities, ENR, MoT, EEAA, other government Ministries, agencies and NGOs. Consultation and participation activities will be considered during this early phase of the ESIA and RAP to ensure that the assignment is clearly shared and verified with various groups of stakeholders.

During and following the scoping meetings, all views and concerns raised will be documented. Any issues raised during the scoping meetings will be considered in the ESIA study.

A public Consultation will be organized by an ESIA consultant in close cooperation with ENR and other key relevant organizations. More details about the scoping consultation could be found in the ESIA consultation chapter.

In alignment with Lenders requirements (EIB, WB) disclosure is mandatory and all disclosure requirements will be applicable. EIB Access to Information stipulates that the minimum time for making reports available to the public, publication on newspapers/ websites etc. is 30 calendar days have been set for disclosure¹¹.

ENR will strictly follow the requirements for disclosure of information. In addition, ENR will disclose environmental and social information and inform interested stakeholders on the RAP and Project development.

11.1 Consultations arrangements during project implementation

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

- Project Components
- Project Impacts
- Public consultation and disclosure of information
- PAPs' legal rights and entitlements
- Compensation policies

¹¹ ENR published the project's reports in Arabic and English on the ENR's website on 8/8/2021. through the following links:

<https://www.enr.gov.eg/Ar/ProjectDetails.aspx?ProjectID=2077>
<https://www.enr.gov.eg/En/ProjectDetails.aspx?ProjectID=2077>



- Resettlement activities
- Grievance and Redress Mechanism
- Implementation schedule
- Organizational responsibilities

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

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

Consultation with affected persons will take place as early as possible in implementation of project activities and well in advance of activities such as final site selection of STB, MTB, trenching activities, doubling construction activities, work at level crossings, etc. and ENR handover of work sites to contractors. The strategy involves the provision of a full opportunity for involvement and will be an ongoing process.

Consultation with affected persons would occur at the following stages:

- Preparation of screening phase to identify affected persons and perform initial assessment of impacts
- Preparation of Resettlement Plan (where needed)
- Preparation of the socio-economic survey
- Drafting and reading of compensation agreements or changes in lease arrangements
- Implementation of Resettlement Plans

11.2 Information disclosure and local access to information

ENR will take steps to ensure that affected persons and communities can obtain relevant information relating to the project in general and the land acquisition and resettlement arrangements in particular. As a first step, the RAP documents will be disclosed and available to the public, in English and Arabic on ENR/ project website, in the premises of different entities at the central and local levels, including local government units, as per the SEP. Additionally, summary contents of the RPF and RAP, including compensation rates for all categories of land and assets, eligibility criteria for all modes of assistance, and information regarding the project grievance procedures, will be posted in an accessible and prominent place accessible to project affected persons.



Economic Resilience Initiative – Infrastructure
Technical Assistance



TETRA TECH
International Development

Consultation and community engagement activities should take place according to EIB S10 and WB ESS10. The Stakeholder Engagement Plan SEP to be prepared by the ENR should include a consulting plan for groups affected by the land acquisition and displacement including potential vulnerable groups.



12 Grievance redress mechanism

12.1 Objectives

The objective of a grievance procedure is to ensure that all comments and complaints from any project stakeholder are considered and addressed in an appropriate and timely manner. At the time that the RAP is approved, PAPs will be informed during the consultation of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple, accessible by PAPs and should be managed at the local level through the ENR Property Department office located in each area. Grievances activities to be applied under the project should handle all types of grievances. Including but not limited to the grievances related to resettlement.

The current grievance mechanism in ENR is implemented through two levels: the one assigned to the project at the local level (project-level GRM).

The second level of the grievance mechanism is the central level for all railway lines and sectors, which is proper to ENR as an institution.

12.2 The project level GRM

ENR has developed a mechanism for handling grievance to ensure that all complaints that may be related to project activities are addressed in a timely and transparent manner. The project GRM is designed to accept grievances and feedback from all project stakeholders. The project has a separate GRM that is for project workers, including any civil servants assigned to the project.

12.2.1 Grievance Channels at the project level

- Complaint boxes at the ENR Property Department office, with a complaints form (Annex 2 Complaints form that was developed for the project, It can be used for compensation complaints);;
- Submit an oral complaint to the Property office manager
- Phone number will be available on the ENR Property Department office. There are two numbers for submitting complaints:
 - ENR official (from ENR environmental affairs department (EAD)), the Social Specialist at the PMU will take over those responsibilities. The contact information including the email and phone number will be determined at the beginning of the implemental procedures for the project and in the RAP study.

Grievances will be documented through the grievance log, which is designed for this project to ensure documentation and follow-up (see Annex 3 Grievance Log).

12.3 Current GRM Central/ Institution level utilized by ENR

The management and operation of the Grievance Mechanism is the responsibility of the Complaints and Customer Service Directorate, which is affiliated to the Presidential Affairs Central Directorate. Below are the main channels for complaints:



12.3.1 Grievance Channels at the central level

Complaints could be submitted by multiple intake points, including submission by hand, telephone, or email. The petitioner, through the use of the complaint tracking number, can follow up on their complaints through a range of methods, including postal mail, e-mail, and phone or, by visiting the person in charge, as indicated below. The petitioner is free to submit his/her complaint to one or more of the three tiers above-mentioned. A grievance form will be made available to complainants. Below are the main channels for complaints:

- A group on What's App with the Ministry of Transport and journalists (used both for distribution of news and receipt of urgent complaints);
- A group on What's App with journalists (used both for distribution of news and receipt of urgent complaints);
- Complaint boxes in all railway stations, where people can drop their complaints;
- An email address linked to the ENR website (support@enr.gov.eg);
- A landline on the ENR website (+2 02 25748279);
- A digital complaint form linked to the website of the Ministry of Transport, where people type in their complaint or suggestions and register their names, contacts (phone number and email address), the sector, the complaint/suggestion, and other details; and
- ENR has also dedicated two telephone lines (01274422925 - 0225753555), in addition to a hotline (15047), for receiving complaints related to ENR in general.

In the event that the complaint is not resolved, or if the complainant is not satisfied with the outcome of the complaint investigation; the complaint he/ she can send a new complaint to the person responsible for GRM. If no agreement is reached at this stage the complainant has the right to go to court according to the law.

12.4 Grievances' Tiers Composition

Various tiers of grievances should be adopted by the ENR. The petitioner can target his/her complaint to one or more tiers at the same time. Following are the proposed tiers of grievances:

- **Tier 1:** ENR Property Department office at the local level; Grievances in this tier are handled at the project level by the Property Department office and the environmental affairs .
- **Tier 2:** The Social Officer at Headquarters in Cairo (customer's service);

All complaints are anticipated to be solved on the site level; however, for those who want to escalate their complaint to a higher level, they will be able to resort to the third level. (Go to court to pursue a court case).

One of the project's functions is to provide aggrieved people with an avenue for amicable settlement without necessarily having to pursue a court case. The aggrieved person has to receive the response to his/her complaint within 10 - 15 days; 10 days for the first tier and 15 days for the second tier.

The complaint should be investigated in 10 working days from the date of submission and the aggrieved person should be responded to within 15 working days. All activities should be properly documented in order to facilitate monitoring activities. It is essential to communicate with the third level in order to facilitate collecting all complaints raised.

Concerning compensation activities, the PAPs have the full right to communicate with the contractor. It will be useful to disclose a unified cell phone number for receiving complaints on.

If the grievance mechanism, was not properly re-solved, the aggrieved persons are entitled to raise their complaint to higher level.

The following paragraphs describe a grievance mechanism that is consistent with previous levels and EIB/WB ESS10.



12.5 Grievance Cycle

The grievance received via any communication channel or tiers will follow the following cycle: The petitioner has the full right to submit his grievance to any of the assigned tiers. The petitioner also has the full right to submit his grievance to any entity he/she prefers, i.e., the Minister of Transport, the Governmental Complaint Portal, the Governorate, etc.

12.5.1 Response to Grievances

All comments and complaints will be responded to either verbally or in writing, in accordance with the preferred method of communication specified by the complainant. Comments will be reviewed and taken into account in the project preparation; however, they may not receive an individual response (unless it is required).

12.5.2 Registration of Complaints

All grievances will be registered and acknowledged, and responded to between 10-15 business days (depending on the nature of the grievance). The project management will keep a grievance log and report on grievance management, this should be reported quarterly to the IFI and monthly basis from contractor to ENR.

12.5.3 Confidentiality

Individuals who submit their comments or grievances have the right to request anonymity, although this may render the Social Development Officer (SDO) unable to provide feedback on how the grievance is to be addressed. Confidentiality should be declared during the process of disseminating GRM information. The aggrieved person can stay anonymous but still reachable by phone number or any channel of communication preferred.

12.5.4 Management of GRM

During construction and operation phases, grievances in relation to construction activities will be managed by the social officer at the EAD in ENR and the construction contractor(s). With regard to complaints submitted through GRM Central/ Institution level channels, each channel has a number of employees working to receive complaints, record them and transfer them to the competent departments. The ENR receives from 1-5 complaints per day, and complaints per month reach 70-80 complaints. The statistics do not show the percentage of closed complaints that have been resolved and complaints that are still not resolved.

12.5.5 Monitoring of Grievances

All grievances should be monitored by the ENR in order to verify the process. Monitoring will be carried out for the following indicators:

1. Number of monthly received grievances (channel, gender, age, and basic economic status of the complainants should be mentioned);
2. Type of grievance received (according to the topic of the complaint);
3. Number of grievances resolved;
4. Number of unresolved complaints;
5. Dissemination activities implemented;
6. Level of satisfaction with solutions;
7. Documentation efficiency; and
8. Efficiency of response provided to grievance.



Quarterly Grievance Monitoring Report should be developed to keep track of all grievances submitted. The report should be developed by the Monitoring and Evaluation staff at ENR headquarters.

A separate grievance mechanism will be available in the same manner for workers, including employees of both the ENR employed and the contractors.

12.5.6 Disclosure of grievances

All grievances activities should be disclosed. An annual report should be prepared for the most frequent grievances faced and how they were solved.

A best practice standard is to acknowledge all complaints within 15 calendar days. Due to the complexity of some of the complaints, not all of them can be resolved immediately. In this case medium or long-term corrective actions are required, which need a formal procedure recommended to be implemented within 30 calendar days:

- The aggrieved person has to be informed of the proposed corrective measure.
- In case no corrective action is required, the petitioner should also be informed accordingly.
- Implementation of the corrective measure and its follow up has to be communicated to the complainant and recorded in the grievance register.

All grievances and communications, received by the PIU Social Specialist, will be registered and the actions taken/responses given will be tracked and recorded for each. Proper administration and internal records of stakeholder complaints and communications are essential for transparency and quality of ENR responsiveness and reporting to stakeholders on the resolution of grievances.

The objective will be to respond to the complaints of the PAPs and any relevant stakeholders on a timely fashion and in a transparent manner, without resorting to complicated formal channels to the extent possible. It is worth noting that considering the anonymity of grievances all disclosed grievances should be kept anonymous and/or only an analysis of the grievance report should be disclosed.



13 Funding Arrangements

At this stage, where the final locations of all project components have not yet been determined, and when the number of PAPs cannot be identified, it is not possible to provide an estimated budget for the total costs of resettlement that may be associated with the implementation of the project. Therefore, activities for resettlement plan will be funded like any other project. Funding will be processed and effected through the project's financial processing arrangements.

Funds for implementing inventory assessments and resettlement plans will be provided by the implementing agency.

The resettlement plan for a project financed by an IFI should include an itemized, indicative budget and the implementing agency will finance this budget through the administrative and financial management rules and manuals like any other activity eligible for payment of a project financed by an IFI. This budget will be subject to the approval by the implementing agency.

The implementing agency will have to finance the resettlement compensation because they will be impacting on the people's livelihoods. Disbursements based on budgetary requirements, established by the resettlement plan in consultation with PAPs and local leaders, will be made through the relevant Governorate and implementation agency.



14 Monitoring and Evaluation Arrangements

In order to assess whether the goals of the resettlement and compensation plan are being met, a monitoring plan will be required. The monitoring plan includes indicators to be monitored, introduces milestones, and provides resources including responsible persons or institutions to carry out the monitoring activities. The arrangements for monitoring resettlement and compensation activities will be part of the monitoring and reporting process of the project, which will fall under the overall responsibility of the implementing agency (ENR).

The ENR, with support from the Resettlement Specialist, M&E specialist, will institute an administrative reporting system that:

- Alerts the 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 design specifications and budgets.
- Provides timely information about asset valuation and negotiation process.
- Maintains records of any grievances that require resolution.
- Documents timely completion of project resettlement obligations (e.g., payment of the agreed-upon sums, construction of new structures) for all permanent and temporary losses, as well as unanticipated, additional construction damage.
- Updates database with respect to the changes that occur on the ground as resettlement and compensation activities are being implemented.

RPF requires that where appropriate and where determined to be cost effective, ENR should host the monitoring and evaluation of the project.

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

- If affected people have been paid in full and before implementation of the project activities,
- If the people who were affected by the project activities 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.

14.1 Indicators

In order to assess whether these goals are met, indicators capable of measuring RAP performance will have to be developed.

A number of objectively verifiable indicators must 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 and economic wellbeing.

Table 14-1: Sample Monitoring Indicators

indicator	Notes	Frequency of Measurement
Input indicator		
Overall spending on land acquisition (including a breakdown of costs)	An example breakdown: <ul style="list-style-type: none"> • Cash compensation • Costs of providing assistance, by type of assistance 	Monthly



	<ul style="list-style-type: none"> • Consultation and engagement costs • Costs of evaluators and surveyors • Costs of legal fees • Costs of taxes and registration fees • Costs of consultancy inputs • Costs of vehicles, computers, and so on • Other costs (and type). 	
Number of client staff/external associates dedicated to resettlement and livelihood restoration	<p>An example breakdown:</p> <ul style="list-style-type: none"> • Members of client implementation team • Members of other departments and sectors • Social workers • Skill trainers • Resettlement consultants 	Monthly
Total number of owners and total number of formal and informal users of affected land plots	Initial data will be received through the census/survey. Updates will be made continuously as the implementation team identifies all owners/users of all land plots (for example, through the management of grievances).	Monthly
Number of formal and informal households that have to be physically displaced Number of formal and informal businesses that have to be relocated	Data will be received through the census/survey.	Monthly

14.2 Record Keeping

Financial records will be maintained by ENR.

The records will permit the verification of the final cost of resettlement and compensation per individual or household. Each person 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.
- Level of income and of production through an inventory of material assets and improvements in land, and debts.



Annex (1): Digital Maps Results, Doubling Area

No.	Category	Area (m ²)	Zone	GIS Map No (pdf format) ¹²	km	ENR Property (m ²)	Area affected 1=YES, 0=NO	Inside property ENR? 1=INSIDE, 2=OUTSIDE	Comments
1	Housing	21	from km 52.8 to km 66	B1	53.4	N.A.	1	N/A	No ENR boundaries available/shown
3	ENR	23	from km 52.8 to km 66	B3-B4	56.6	23	1	1	
4	MOSQUE	416	from km 52.8 to km 66	B3-B4	56.6	208	1	1	Part of the mosque in ENR property
5	Housing	4	from km 52.8 to km 66	B5	60.1	4	1	1	
6	Housing	31	from km 52.8 to km 66	B6-B7	61	31	1	1	Solution may be possible during the DD.
7	MOSQUE	485	from km 52.8 to km 66	B6-B7	61	485	1	1	Solution may be possible during the DD.
8	MOSQUE	188	from km 52.8 to km 66	B8	62.1	188	1	1	Solution may be possible during the DD.
9	Housing	77	from km 52.8 to km 66	B9-B10	64.5	77	1	1	Solution may be possible during the DD. Part of the building in ENR property
10	MOSQUE	537	from km 52.8 to km 66	B9-B10	64.5	537	1	1	Solution may be possible during the DD. Building in ENR property
11	ENR	12	from km 66 to km 76	B11-P6	66.6	12	1	1	
12	ENR	3	from km 66 to km 76	B12	66.8	3	1	1	
13	ENR	3	from km 66 to km 76	B13	68.3	3	1	1	
14	Housing	101	from km 66 to km 76	B14 to B17	69.6	N.A.	1	N/A	Solution may be possible during the DD. No ENR boundaries available/shown
15	Housing	189	from km 66 to km 76	B14 to B17	69.7	N.A.	1	N/A	Solution may be possible during the DD. No ENR boundaries available/shown
16	Housing	150	from km 66 to km 76	B14 to B17	69.8	N.A.	1	N/A	Solution may be possible during the DD. No ENR boundaries available/shown
17	SCHOOL	39	from km 66 to km 76	B14 to B17	69.8	N.A.	1	N/A	Solution may be possible during the DD. No ENR boundaries available/shown
18	Cemetery	89	from km 66 to km 76	B18	70.2	25	1	2	
19	MOSQUE	249	from km 66 to km 76	B19	71.4	110	1	1	part of the mosque in ENR property
20	Housing	36	from km 66 to km 76	B20-P28-P29-P31	74.2	36	1	1	Solution may be possible during the DD. Part of the building in ENR property

¹² Available on the EIB portal: <https://smartshare.eib.org/index.php/i/3085669> and on the link: <https://1drv.ms/u/s!AltJKZdYg7HFj4oql42VAvVMJ41aIA?e=94f3x9>



No.	Category	Area (m ²)	Zone	GIS Map No (pdf format) ¹²	km	ENR Property (m ²)	Area affected 1=YES, 0=NO	Inside property ENR? 1=INSIDE, 2=OUTSIDE	Comments
21	Housing	51	from km 66 to km 76	B21-P30	74.6	51	1	1	Solution may be possible during the DD.
22	ENR	28	from km 66 to km 76	B22 to B26	75.5	28	1	1	
23	MOSQUE	459	from km 66 to km 76	B22 to B26	75.5	151	1	1	Solution may be possible during the DD. Part of the building in ENR property
24	Housing	499	from km 66 to km 76	B22 to B26	75.5	499	1	1	Solution may be possible during the DD. Most of the building in ENR limits
25	ENR	21	from km 66 to km 76	B22 to B26	75.6	21	1	1	
26	Housing	345	from km 66 to km 76	B22 to B26	75.7	345	1	1	Solution may be possible during the DD. Most of the building in ENR limits
5	Plants	399	from km 66 to km 76	P5	71.6	0	1	2	
6	Plants	217	from km 66 to km 76	B11-P6	66.7	N.A.	1	N/A	No ENR boundaries available/shown
28	Plants	1202	from km 66 to km 76	B20-P28-P29-P31	73.9	1202	1	1	
29	Plants	525	from km 66 to km 76	B20-P28-P29-P31	74.3	525	1	1	
30	Plants	381	from km 66 to km 76	B21-P30	74.5	381	1	1	
31	Plants	367	from km 66 to km 76	B20-P28-P29-P31	74.1	367	1	1	
32	Plants	4783	from km 66 to km 76	P32-P33	73	2390	1	2	
33	Plants	842	from km 66 to km 76	P32-P33	72.4	278	1	2	
28	MOSQUE	99	from km 76 to km 86.5	B28	76.4	10	1	1	Solution may be possible during the DD. Part of the building in ENR property
29	MOSQUE	374	from km 76 to km 86.5	B29-B30-P14	78.9	374	1	1	Solution may be possible during the DD.
30	Housing	72	from km 76 to km 86.5	B29-B30-P14	78.9	72	1	2	
31	MOSQUE	307	from km 76 to km 86.5	B31	82.2	307	1	1	Solution may be possible during the DD. Building in ENR property
1	Plants	90	from km 76 to km 86.5	P1	86.1	90	1	1	
2	Plants	89	from km 76 to km 86.5	P2-P3-P4-P20-P21	85.7	89	1	1	
3	Plants	212	from km 76 to km 86.5	P2-P3-P4-P20-P21	85.65	212	1	1	
4	Plants	148	from km 76 to km 86.5	P2-P3-P4-P20-P21	85.5	148	1	1	
7	Plants	380	from km 76 to km 86.5	P7-P8-P9	77.2	380	1	1	
8	Plants	141	from km 76 to km 86.5	P7-P8-P9	77.3	141	1	1	
9	Plants	186	from km 76 to km 86.5	P7-P8-P9	77.4	186	1	1	
10	Plants	1094	from km 76 to km 86.5	P10-P11-P12	77.6	1094	1	1	
11	Plants	750	from km 76 to km 86.5	P10-P11-P12	77.7	750	1	1	
12	Plants	754	from km 76 to km 86.5	P10-P11-P12	77.8	754	1	1	
13	Plants	417	from km 76 to km 86.5	P13-P27	78.1	417	1	1	



No.	Category	Area (m ²)	Zone	GIS Map No (pdf format) ¹²	km	ENR Property (m ²)	Area affected 1=YES, 0=NO	Inside property ENR? 1=INSIDE, 2=OUTSIDE	Comments
14	Plants	184	from km 76 to km 86.5	B29-B30-P14	78.8	184	1	1	
20	Plants	273	from km 76 to km 86.5	P20-P21	85.45	273	1	1	
21	Plants	552	from km 76 to km 86.5	P20-P21	85.3	552	1	1	
22	Plants	1617	from km 76 to km 86.5	P22	83.9	1617	1	1	
23	Plants	1515	from km 76 to km 86.5	P23-P24	83.6	1515	1	1	
24	Plants	1511	from km 76 to km 86.5	P23-P24	83.2	1511	1	1	
25	Plants	366	from km 76 to km 86.5	P25	80.7	366	1	1	
26	Plants	1152	from km 76 to km 86.5	P26	80.4	1152	1	1	
27	Plants	731	from km 76 to km 86.5	P13-P27	78.2	731	1	1	
38	Housing	264	from km 86.5 to km 96	B330-B33 to B40	87.3	264	1	2	Solution may be possible during the DD.
39	Housing	219	from km 86.5 to km 96	B330-B33 to B40	87.3	219	1	2	Solution may be possible during the DD.
40	Housing	244	from km 86.5 to km 96	B330-B33 to B40	87.3	80	1	1	Solution may be possible during the DD. Part of the building in ENR property
41	Housing	280	from km 86.5 to km 96	B41-B42-B43	87.4	95	1	2	Solution may be possible during the DD. Part of the building in ENR property
42	Housing	123	from km 86.5 to km 96	B41-B42-B43	87.5	42	1	2	Solution may be possible during the DD. Part of the building in ENR property
43	Housing	200	from km 86.5 to km 96	B41-B42-B43	87.5	50	1	2	Solution may be possible during the DD. Part of the building in ENR property
44	Housing	4	from km 86.5 to km 96	B44-P19	87.6	0	1	2	Solution may be possible during the DD.
45	Housing	3	from km 86.5 to km 96	B45	92.1	3	1	1	
46	ENR	3	from km 86.5 to km 96	B46-B47-B48-B49	92.5	3	1	1	
47	Housing	28	from km 86.5 to km 96	B46-B47-B48-B49	92.5	0	1	2	Solution may be possible during the DD.
48	Housing	72	from km 86.5 to km 96	B46-B47-B48-B49	92.5	68	1	1	Solution may be possible during the DD.
49	Housing	309	from km 86.5 to km 96	B46-B47-B48-B49	92.5	295	1	1	Solution may be possible during the DD.
50	Housing	39	from km 86.5 to km 96	B50	94.1	39	1	1	Solution may be possible during the DD.
16	Plants	1611	from km 86.5 to km 96	P16	91.9	1611	1	1	
17	Plants	571	from km 86.5 to km 96	P17	90.3	571	1	1	
18	Plants	167	from km 86.5 to km 96	P18	89.2	167	1	1	
19	Plants	949	from km 86.5 to km 96	B44-P19	87.8	905	1	1	
51	MOSQUE	257	from km 96 to km 106	B51-B52	96.3	257	1	1	Solution may be possible during the DD.
52	ENR	6	from km 96 to km 106	B51-B52	96.3	6	1	1	
53	ENR	3	from km 96 to km 106	B51-B52-B53	96.5	3	1	1	
54	Housing	17	from km 96 to km 106	B54-B55	98.4	17	1	1	



No.	Category	Area (m ²)	Zone	GIS Map No (pdf format) ¹²	km	ENR Property (m ²)	Area affected 1=YES, 0=NO	Inside property ENR? 1=INSIDE, 2=OUTSIDE	Comments
55	CAFETERIA	71	from km 96 to km 106	B54-B55	98.4	71	1	1	
56	ENR	3	from km 96 to km 106	B56	100.4	3	1	1	
57	Housing	24	from km 96 to km 106	B57	101.4	24	1	1	Solution may be possible during the DD.
59	ENR	25	from km 96 to km 106	B59	102	25	1	1	
60	Housing	21	from km 96 to km 106	B60-B61	104.3	21	1	1	
61	ENR	3	from km 96 to km 106	B60-B61	104.3	3	1	1	
62	ENR	14	from km 96 to km 106	B62	105.6	14	1	1	Solution may be possible during the DD.
15	Plants	1244	from km 96 to km 106	P15	101	1244	1	1	
34	Plants	717	from km 96 to km 106	P34	96.5	717	1	1	
63	MOSQUE	27	from km 106 to km 115.8	B63-B64-B65	108.4	22	1	1	Solution may be possible during the DD.
64	ENR	3	from km 106 to km 115.8	B63-B64-B65	108.4	3	1	1	
65	MOSQUE	192	from km 106 to km 115.8	B63-B64-B65	108.4	96	1	1	Solution may be possible during the DD. Part of the building in ENR property
66	MOSQUE	123	from km 106 to km 115.8	B66-B67	108.9	123	1	1	Solution may be possible during the DD
67	MOSQUE	231	from km 106 to km 115.8	B66-B67	109.1	228	1	1	Solution may be possible during the DD
68	Housing	313	from km 106 to km 115.8	B68	109.3	313	1	1	Solution may be possible during the DD
69	ENR	27	from km 106 to km 115.8	B69-B70-B71	109.5	27	1	1	Solution may be possible during the DD
70	ENR	14	from km 106 to km 115.8	B69-B70-B71	109.5	14	1	1	Solution may be possible during the DD
71	SHOPS	82	from km 106 to km 115.8	B69-B70-B71	109.6	82	1	1	Solution may be possible during the DD
72	CAFE	48	from km 106 to km 115.8	B72	109.8	48	1	1	Solution may be possible during the DD
73	CAFE	118	from km 106 to km 115.8	B73-B74	110.1	118	1	1	Solution may be possible during the DD
74	Housing	397	from km 106 to km 115.8	B73-B74	110.2	397	1	1	Solution may be possible during the DD
75	ENR	3	from km 106 to km 115.8		112.1	3	1	1	Solution may be possible during the DD
76	ENR	18	from km 106 to km 115.8	B76-B77	113.7	9	1	1	Part of the building in ENR property
77	ENR	3	from km 106 to km 115.8	B76-B77	113.7	3	1	1	
78	ENR	9	from km 106 to km 115.8	B78	114.7	9	1	1	
79	ENR	3	from km 106 to km 115.8		114.9	3	1	1	
80	ENR	3	from km 106 to km 115.8	B80	115.4	3	1	1	
81	Housing	400	from km 106 to km 115.8	B81	115.8	400	1	1	

Annex (2): Grievance Form

الهيئة القومية لسكك حديد مصر

..... أسم المشروع:

(نموذج تقديم شكوى)

الرقم التسلسلي للنموذج:
بيانات مقدم الشكوى:

الاسم: (اختياري)

النوع: ذكر أنثى

تليفون: (اختياري) ايميل:

موقع الشكوى: المحافظة:

تاريخ تقديم الشكوى: / /

وصف الشكوى:

.....

.....

.....

اقتراح حل/ إجراء تصحيحي (إن وجد):

.....

.....

الإجراءات المتخذة لحل المشكلة بمعرفة مقاول المشروع:

م	الإجراءات المتخذة	التاريخ	الملاحظات
1	الارسال الى الجهة المعنية		
2	رد الجهة المعنية		
3	الرد على مقدم الشكوى		

النتيجة النهائية:

.....

توقيع مسئول النموذج



The Egyptian National Authority for Railways

project name:

(Grievance Submission Form)

Model Serial Number:

Complainant data:

Name: (optional)

Gender: Male Female

Phone: Email: (optional)

Location of the complaint: Governorate:

Date of submission of the complaint: / /

Description of the complaint:.....

.....

Suggest a solution / corrective action (if applicable)

.....

Actions taken to solve the problem with the knowledge of the project contractor:

No.	<u>Actions taken</u>	Date	Notes
1	Transmission to the concerned authority		
2	Response of the concerned authority		
3	Respond to the complainant		

The final result..... :

Official Signature



Annex (3): Grievance Log

رقم التسلسلي	اسم مقدم الشكوى	موقع العمل	نوع الشكوى	تاريخ تقديم الشكوى	الجهة المعنية	الحالة	تاريخ اقفال المشكلة
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

No.	Name of the complainant	Work site	Type of complaint	Date of submission of the complaint	The concerned party	Status Issue	closing date
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							



Annex (4): List of organizations contacted

Agency	
ENR	<ul style="list-style-type: none"> - Environmental Affairs Department (EAD) The Social Specialists
Governorate	<ul style="list-style-type: none"> - Departments of Environment and Urban Planning in Gharbia, Dakahlia and Damietta Governorates
Housing directorates	<ul style="list-style-type: none"> - The directorates of housing in the cities of Tanta, Mansoura and Damietta
Agricultural Directorate	<ul style="list-style-type: none"> - The Agricultural Directorate in the cities of Tanta, Mansoura and Damietta
Agricultural Associations	<ul style="list-style-type: none"> - Interviews were conducted with some agricultural associations in the following areas: Al Santa, Zefty, Samnud, Tamy El Amdeed, Mahala Damna, Shirbeen, Talkha, Meet Salseel, Farskor, Kafr Saad, Kafr El Batikh.
Governorate Authority and Local Governmental Units	<ul style="list-style-type: none"> - Heads of local units in the following areas: Kafr Saad, Kafr El Batikh, Bolkas, Shirbeen, Talkha, Mahala Damna, Qutoor, Al Mahala Al Kobra.