FDRE MINISTRY OF URBAN DEVELOPMENT AND CONSTRUCTION
URBAN JOB CREATION AND FOOD SECURITY AGENCY

URBAN SAFETY NET AND JOBS PROJECT (USNJP)

Updated Resettlement Policy Framework (RPF)

April 2020
ADDIS ABABA
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<table>
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<th>Description</th>
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<tr>
<td>ARAP</td>
<td>Abbreviated Resettlement Action Plan</td>
</tr>
<tr>
<td>BoA</td>
<td>Bureau of Agriculture</td>
</tr>
<tr>
<td>BoFED</td>
<td>Bureau of Finance and Economic Development</td>
</tr>
<tr>
<td>BoMSED</td>
<td>Bureau of Micro and Small Enterprises Development</td>
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<tr>
<td>BUD</td>
<td>Bureau of Urban Development</td>
</tr>
<tr>
<td>EPA</td>
<td>Environmental Protection Agency</td>
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<tr>
<td>EPLAU</td>
<td>Environmental Protection, Land Administration and Use Authority</td>
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<tr>
<td>ESMF</td>
<td>Environmental and Social Management Framework</td>
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<td>ESS</td>
<td>Environmental and Social Standard</td>
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<tr>
<td>ETB</td>
<td>Ethiopian Birr</td>
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<tr>
<td>FDRE</td>
<td>Federal Democratic Republic of Ethiopia</td>
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<tr>
<td>GBV</td>
<td>Gender Based Violence</td>
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<td>GoE</td>
<td>Government of Ethiopia</td>
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<tr>
<td>GRM</td>
<td>Grievance Redress Mechanism</td>
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<tr>
<td>IDA</td>
<td>International Development Association</td>
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<tr>
<td>IGA</td>
<td>Income Generating Activity</td>
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<td>IO</td>
<td>Infrastructure Office (for ULGDP)</td>
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<tr>
<td>JCC</td>
<td>Job Creation Commission</td>
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<tr>
<td>LIPW</td>
<td>Labour Intensive Public Works</td>
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<td>MoF</td>
<td>Ministry of Finance</td>
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<tr>
<td>MoLSA</td>
<td>Ministry of Labour and Social Affair</td>
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<tr>
<td>MoWCYA</td>
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<tr>
<td>MoUDC</td>
<td>Ministry of Urban Development and Construction</td>
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<tr>
<td>MoUDHCo</td>
<td>Ministry of Urban Development, Housing and Construction</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<tr>
<td>O&amp;M</td>
<td>Operations and Maintenance</td>
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<td>OM</td>
<td>Operational Manual</td>
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<tr>
<td>PW</td>
<td>Public Works</td>
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<tr>
<td>PAP(s)</td>
<td>Project Affected Persons</td>
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<td>PCU</td>
<td>Project Coordination Unit</td>
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<td>RAP</td>
<td>Resettlement Action Plan</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<td>REPA</td>
<td>Regional Environmental Protection Authority</td>
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<td>RPF</td>
<td>Resettlement Policy Framework</td>
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<td>SEP</td>
<td>Stakeholder Engagement Plan</td>
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<td>SME</td>
<td>Small and Medium Sized Enterprise</td>
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<td>UD</td>
<td>Urban Destitute</td>
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<tr>
<td>UJCFSA</td>
<td>Urban Job Creation and Food Security Agency</td>
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<td>ULG</td>
<td>Urban Local Government</td>
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<td>ULGDP</td>
<td>Urban Local Government Development Project</td>
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<td>UIIDP</td>
<td>Urban Institutional and Infrastructure Development Project</td>
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<td>UPSNP</td>
<td>Urban Productive Safety Net Project</td>
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<tr>
<td>USNJP</td>
<td>Urban Safety Net and Job Creation Project</td>
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<td>USD</td>
<td>United State of America Dollar</td>
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EXECUTIVE SUMMARY

I. Introduction

The Government of Ethiopia (GoE) with the support of the World Bank has been implementing UPSNP in selected eleven cities with the goal of alleviating poverty and unemployment in urban communities. It is implemented as an element of the Urban Food Security and Job Creation Strategy approved on May 8, 2015, to support over 4.7 million urban poor living in 972 cities and towns. It is envisaged that this will be achieved over a long-term period through a gradual roll-out plan of different phases.

Building on the success of the first phase implementation of UPSNP, the GoE desires to scale up and expand the urban productive safety net support and services for poor households, vulnerable and destitute social groups targeting 83 (11 existing and 72 new) cities found across all regions under the next phase of the USNJP. In similarity with the first phase, the objective of the USNJP is to support and lift up poor urban households and individuals from absolute poverty to self-sufficiency through a variety of interventions reflected through the main project components. The USNJP program will be funded by the IDA with an amount of 500 million USD and GoE 236million USD.

This Resettlement Policy Framework (RPF) is prepared based on the current applied UPSNP RPF and updated to reflect the changes as per the ESF requirements; project location expanding, and new cites added as well as to reflect information due to the addition of new component (component II) though this component doesn’t have potential impact on land and property as it only amid to provide a first work experience for disadvantaged urban youth in the labor market. The updated RPF provides the overall principles and objectives of ESS5 and provides guidance on how to manage land acquisition or potential restriction of access and the process to be followed in the case of voluntary land donation.

Generally involuntary loss of assets and properties are expected to be limited. The project will follow the mitigation hierarchy, i.e. avoid, minimize, mitigate and/or compensate potential impacts from the design to the implementation. Sub project sites will be selected with a view to avoid private land take and, where unavoidable, to minimize and compensate adverse impacts on local communities and households. The assessment for the current project has indicated some project activities such as small infrastructure constructions have been implemented on government land with no encumbrancers and there was no private land acquisition. Further, the assessment showed that no single subproject implemented in private land that impacts people assets and properties. However, to preclude any land acquisition risks, and to guide voluntary land acquisitions (if any), this RPF has been updated for the current project inline with the proposed project activities and provides guidance on the appropriate safeguard instruments such as ARAPs and where necessary full Resettlement Action Plans (RAPs). The updated RPF provides the overall principles and objectives of ESS5 and provides guidance on how to manage land acquisition or potential restriction of access and the process to be followed in the case of voluntary land donation.

Purpose of the RPF

The purpose of this resettlement framework is therefore to clarify resettlement principles,
organizational arrangements, and design criteria to be applied to subprojects, specifically for component I of the project. Once the location of subprojects are identified and the necessary information becomes available, a specific plan proportionate to potential risks and impacts will be prepared. Project activities that will cause physical and/or economic displacement will not commence until such specific plans have been finalized and approved by the Bank.

Objectives of the Resettlement Policy Framework

This RPF is prepared to provide general guidance to program implementers of the participating cities on the implementation of social standard requirements and associated procedures that should be accomplished prior to the commencement of the USNJP sub-projects on the ground and throughout implementation. The RPF aims to ensure that adverse social impacts (issues of land acquisition resulting from implementation of Component I subprojects that may or will result in loss of property or disturbance affecting livelihoods) of the USNJP are addressed through appropriate mitigation measures, particularly against potential impoverishment risks. Specifically, the objectives of this RPF are to:

- Establish the USNJP resettlement and compensation principles and implementation arrangements;
- Describe the legal and institutional framework underlying Ethiopian approaches for resettlement, compensation and rehabilitation;
- Define the eligibility criteria for identification of PAPs and entitlements;
- Define a participatory process by which potential reduced access to resources is identified and mitigation measures established;
- Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders;
- Describe implementation and monitoring arrangements; and
- Provide procedures for filing grievances and resolving disputes.

Rationale for Resettlement Policy Framework and its Update

The need for the RPF emanates from the potential risk that some of the LIPW (component I) subprojects may require private/communal land acquisition or access changes within a community. As specific locations of subprojects within communities are not known at the moment and actual land sites will be selected as part of the participatory LIPW planning process, this RPF is prepared/updated to guide the preparation and implementation of specific mitigation measures related to land acquisition and resettlement by USNJP. In this context, where LIPW subprojects may be implemented within high density poor communities, all precautions must be taken to ensure that proper procedures are followed in the case of potential displacement or livelihood disruption.

Guiding Principles on Resettlement Issues

The overall policy guidance on execution of USNJP is to avoid, minimize or mitigate resettlement related cases at the earliest opportunity. In this regard, the implementation of subprojects to be funded from the USNJP will be orchestrated on a set of principles in order to minimize or avoid resettlement risks altogether. The principles revolve around the basic views of
the World Bank ESF Environment and social standard (ESS-5) as well as the existing policies and legislation of the Government of Ethiopia. At early stage social and economic impacts/risks can be minimized through implementing the following key principles, among others:

- As far as possible ensure that involuntary resettlement and land acquisition is avoided or where it is necessary, is minimized, by exploring all viable alternatives;
- Where involuntary resettlement and land acquisition is unavoidable, resettlement and compensation activities are prepared and implemented by providing sufficient investment resources according to GoE Proclamation and Regulations;
- Avoiding displacement of people without a well-designed compensation and relocation process;
- Minimizing the number of PAPs, to the extent possible;
- Compensating for losses incurred and displaced incomes and livelihoods;
- Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on PAPs livelihoods and their well-being;
- Ensure that USNJP LIPW subprojects do not result in reduced access to resources; and
- Not operating or causing restriction of access to legally designed parks and protected areas;
- In addition, PAPs should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

Methodology

Updating of this RPF has applied both secondary and primary data collection tools. Various documents related with the project, National proclamations and the new ESF for the World Bank were reviewed. Moreover, stakeholder and public consultation as well as focus group discussion has been conducted in various participating cities.

II. Project Description and Potential Impact

The proposed Urban Safety Net and Jobs Project (USNJP) will expand the urban safety net (‘cash for work’ and livelihood grants) and social service for the homeless in secondary cities, and provide a first employment experience for disadvantaged urban youth in collaboration with the private sector.

The proposed Project’s Development Objective is the project will support the Government of Ethiopia in improving the incomes of the urban poor and the labor market inclusion of disadvantaged urban youth and has four components. However, it is only component I which may probably require private/communal land acquisition and therefore, this RPF will only apply to the activities in Component I of Conditional Transfers (Specifically LIPWs) subcomponent.

The proposed USNJ Project has the following four components:

Component 1: Expand the Urban Productive Safety Net to Improve the Urban Environment

This component was under implementation during the first phase of UPSNP. It would continue to provide labor intensive public work opportunities for selected urban poor in the participating
cities, assist in business development, and provide livelihood grants for beneficiary households. Component 1 would expand from presently 11 cities to between 44 and 73 cities taking into consideration city-level poverty and unemployment rates, administrative capacity and regional equity. The five thematic areas for the types of labor-intensive public works will continue to be identical with those applied under the UPSNP phase.

**Component 2: Foster Urban Youth Employment**

This component is a new addition to the project which will be tested as pilot under the USNJP. Component 2 will aim to connect unemployed youth to jobs by alleviating key constraints to successful job search and providing youth with a first work experience. It would expand the supply of labor market job search services in 10 to 15 largest cities. This component consists of two main sub-components which are (i) to provide a first work experience for less educated urban youth; and (ii) to strengthen employment and intermediation Services.

**Component 3: Strengthen Social Services for the Urban Poor and Destitute**

Component 3 would focus on strengthening the urban social assistance by expanding direct income support to between 44 and 83 cities as well as providing reintegration services for homeless in a smaller number of selected cities. The component would continue support to current Permanent Direct Support (PDS) beneficiaries covered under phase one UPSNP. Component 3 would also strengthen MoLSA’s capacity to deliver essential social protection services.

**Component 4: Institutional Strengthening, Project Management and Monitoring and Evaluation**

This component would support the development and strengthening of program systems, both at the UFSJCA and at MoLSA. It would strengthen and support key processes such as targeting, enrolment, payments, citizen engagement, as well as monitoring of the project elements. The USNJP will also support the gradual transition from the current paper-based MIS to a more technology/web-based MIS. The MIS will be expanded to add the youth Employment component and to strengthen the IT systems of One Stop Shops. Moreover, the project would support the digitization of the urban safety net program.

**Project Beneficiaries**

A total of 962,320 urban poor will benefit from this USNJ project. There will be four types of beneficiaries: (i) urban poor and vulnerable families with some labor capacity to participate in public works (PW); (ii) urban youth with secondary education or less that are in need of employment opportunities in selected cities (YE); (iii) poor and vulnerable families with no labor and capacity to engage in public works (PDS); and (iv) people living on the street including children, women with children, adults and elderly (UD).

**Institutional Arrangements for USNJP Implementation**

The implementation of the project will be fully streamlined into the existing government structure at the Federal, Regional, city and local levels. There will be five main government institutions that will play critical role in the implementation of the project (1) the Ministry for Urban Development and Construction as a lead ministry in the overall coordination and management of the project. (2) The Urban Job Creation and Food Security Agency (UJCFS) will continue to implement the urban productive safety net including the livelihood activities. In
addition, the UJCFSU will also be in charge of implementing the apprenticeship program under component 2.2. (3) The MoLSA in the management and implementation of component 3. (4) The MoF in implementation and oversight of finance and resource allocation. (5) The Job Creation Commission in providing strategic advice to sub-component 2.1 and implementing 2.2.

Private sectors and non-government organizations will take part in the implementation of component 2-Youth Employment and component 3-the Urban Destitute component and for the livelihoods life skill training. The involvement of the private sectors and NGOs will be guided by a merit-based selection and partnership agreement that will be signed between the respective government institutions and the individual private sectors and NGOs, based on specific plans and project outputs.

Additional technical assistance and coordination support will be provided through a Project Coordination Unit (PCU). The overall management and coordination of the project by the UJCFSU/MoUDC and MoLSA will be supported by a PCU under the guidance of the minister of the MUDC. The PCU will be staffed with appropriate technical and management staff. The overall coordination and management of the USNJP will continue to be the responsibility of the UFSJCA. The UFSJCA will furthermore be in charge of the fiduciary and safeguards aspects of component 1 and 2. The MoLSA and MoF will assign staff to constitute the respective subunits that will closely support the coordination of project activities in both institutions. The MoLSA will be in charge of implementing component 3, including fiduciary and safeguards, as well as linkages with social services (health, education etc). There will be collaboration by the UFSJCA with JJC and private sector associations during implementation of component 2 (Youth employment).

A National Steering Committee to be chaired by the Minister of Urban Development and co-chaired by MoLSA will be established. A Project Management and Coordination Committee (PMCC), which will report to the National Steering Committee, will follow up on regular project management and coordination issues. The overall regular management and coordination of the project will be supported by the PCU reporting to UFSJCA. To ensure regular technical support and guidance for project implementation, a Joint Technical Coordination Committee (TCC) for each component will be established.

III. Community Consultations and support for RPF

As part of the process for updating the RPF and preparation of various documents such as Gender Based violence, Stakeholder Engagement Plan and ESMF for USNJ Project, field assessments and consultation meetings were carried out between October 10, 2019 and November 7, 2019, covering three (3) of existing UPSN participating project cities including Addis Ababa and four (4) potential new cities considered for future implementation of USNJP. The assessment and consultation focused on capturing and documenting views, opinions and concerns of current and future USNJP project beneficiaries and identifying perceived and anticipated social risks associated with implementation of USNJP subprojects. Discussions were also conducted with implementing agencies to identify institutional capacity gaps and other constraints to implement the project. Participants were also asked for their view on the land acquisition and compensation process that the current process followed. Public participants and government stakeholders disclosed that the subprojects are small in nature and always implemented in the government vacant land without affecting people’s property and assets. However, participants from local administration added that if there is a need to acquire private
land it will be based on consultation with the PAPs and after paying adequate compensation.

There is a high acceptance of the proposed project more generally and eagerness among communities to engage. There is also a strong desire among communities to see procedures properly implemented.

Community consultations underscored the need to implement it free from any form of corruption and with the popular participation of the community. Communities also showed their positive commitment to participate during its implementation. However, the project needs to provide continuous training for implementers with respect to the implementation of RPF and meaningfully consult the community and al key stakeholders as per the stakeholder engagement plan (SEP) prepared for the project.

IV. Legal and Institutional Framework

The RPF reviews various laws, legislation, regulations, and local rules issued to guide the land acquisition process and the Bank’s standards set in ESS-5. The RPF provides a gap assessment between national legislations and World Bank ESF standards, in case of discrepancy between these two sets of standards, World Bank’s ESF standards will prevail.

Entitlement, Compensation and Valuation

Eligibility for compensation is discussed in Article 44(2) of the 1995 Constitution and in the new Proclamation No. 1161/2019(Article 12, 13&14). However, both documents only have provisions for those who has legal title and doesn’t give any provision for squatters and informal settlers. In this and other discrepancies between the WB Environment and Social Standards (ESS) and National Legislations, the project will be implemented as per the WB ESS in this case ESS-5. According to the Ethiopia Proclamation 1161/2019) the asset valuation will be done by certified private institution/consultant evaluators, autonomous government organization or by valuation committees established by the relevant Woreda or Urban Administration.

Dispute Resolution and Grievance Redress Procedure

The project will have a functional grievance redress mechanism. Project complaints committees will be strengthened/established at the kebele, woreda and city levels, comprised of staffs from respective institutions and representatives of women and youth groups and community representatives. The GRM has a mandate to receive and register complaints, convene meetings to resolve the complaints, and respond to the appeals resulting from committees’ decisions. The effectiveness of resolution of complaints and appeals will be monitored during implementation. Information on the complaints and appeals will be collected at the kebele/woreda and city levels, and if there will be referrals to the regional or Project Implementation Unit level, which is less expected, the PIUs will be required to report information on the cases management as well. Information requirements will include registered cases, cases resolve in a timely manner and cases referred to the next level of the complaints and appeals structure. The project has prepared a standalone Grievance redress operational procedure which will be integrated in the Project Implementation Manual.

V. Monitoring and Implementation

Throughout implementation, the USNJP is required to carry out Social Risk Management (SRM)
monitoring to ensure that the Project brings intended benefits, while ensuring that potential adverse environmental and social impacts are avoided or minimized. The arrangements for monitoring the resettlement and compensation activities will fit into the overall monitoring program for the entire USNJP, which will fall under the overall responsibility of UJCFSA. The project will prepare a Monitoring and Evaluation Plan (MEP) which will help to assess the achievement of goals of the resettlement and compensation plan. The plan will have parameters to be monitored, institute monitoring milestones and resources including responsible persons or institutions to carry out the monitoring activities. The main indicators that the MEP will measure include: (i) impacts on affected individuals, households, and communities to be maintained at their pre-project standard of living, and better; (ii) improvement of communities affected by the project; and (iii) management of disputes or conflicts.
1. INTRODUCTION

1.1 Background

The government of Ethiopia (GoE) has developed a 10-year UPSNP, as an element of the Urban Food Security and Job Creation Strategy approved on May 8, 2015, to support over 4.7 million urban poor living in 972 cities and towns. It is envisaged that this will be achieved over a long-term period through a gradual roll-out plan of different phases.

Hence, since 2016/2017 the GoE with the support of the World Bank has been implementing UPSNP in eleven selected cities with the goal of alleviating poverty and unemployment in urban communities.

Major project components and intervention strategies of the current UPSNP are Conditional Cash Transfer for able-bodied poor households for participation in LIPW, Unconditional Cash Transfer for poor persons/and households who are unable to perform work due to old age, chronic illness, physical or mental disability, Livelihood Services to facilitate graduation from the program, homeless reintegration, and Institutional Strengthening and Project Management support.

The current project (UPSNP) started its implementation in 2016/2017 with a plan of reaching 604,000 beneficiaries (the poorest 12 percent and about 55 percent of people living below the poverty line) through a gradual roll-out plan in a five-year period (2016/17 – 2020/21) in 11 cities. The participating cities were selected taking into consideration city-level poverty numbers, unemployment rates, administrative capacity and regional equity. As of July 2019, a cumulative total of 448,885 beneficiaries, of which 68% were women and about 16% (70,542) permanent and temporary direct support beneficiaries received vital services and badly needed assistances, in the 11 first phase project implementation cities, registering an overall performance rate of over 72% in two years.

Building on the success of the first phase implementation of the current project, the new project with addition of one new component (youth unemployment) is being prepared. The project is mainly aimed to scale up and expand the urban safety net support and services for poor households, vulnerable and destitute social groups targeting about 73 cities/towns across all regions of Ethiopia. The objective of the project is to support and lift up poor urban households and individuals from absolute poverty to self-sufficiency through a variety of interventions consisting of the main project components focused on cash for work programs, permanent direct assistance, livelihood support through skills training, and provision of seed money in the form of livelihood grant. USNJP has included a new component focused on youth employment and

1 Project implementation cities are Adama (Oromia Region), Semera/logia (Afar Region), Assossa (Benishangul-Gumuz Region), Gamebella city (Gambella Region), Harar (Hareri Region), Hawassa (Southern Region), Jigjiga (Somalia Region), Mekele (Tigray Region), Dessie Town (Amhara Region) and Addis Ababa and Diredawa Administrative Cities.

2 Progress on the Project Implementation Performance (2016-2019), UFSICA
intermediation services designed to assist in bridging the gap between the labor market and unemployed youth through facilitation for apprenticeship and experience sharing, soft skills training and counseling, as well as through strengthening the one stop shops to provide and support job matching services. The USNJP project will be funded by the IDA with an amount of 500 million USD and a matching fund by GoE with an amount of 236 million USD.

This RPF is updated to manage potential social risks that might emanates from the implementation of the project particularly Component I, the Labor intensive public work (LIPW) subprojects (for example construction of drainage facilities, public toilets and other small scale infrastructure constructions) may require land acquisition or restriction of access properties and services. As the specific locations of subprojects within communities are not known now, the RPF is updated to provide general guidance on the resettlement process. When the specific locations are known the project will prepare ARAP/RAP.

1.2 Objectives of the Resettlement Policy Framework

This RPF document provides general guidance to program implementers of the participating cities on the implementation of social standard requirements, specifically ESS 5. The RPF aims to ensure that adverse social impacts (issues of land acquisition resulting from implementation of USNJP LIPW subprojects that may or will result in loss of property or disturbance affecting livelihoods) of the USNJP are addressed through appropriate mitigation measures, particularly against potential impoverishment risks. Specifically, the objectives of this RPF are to:

- Establish the USNJP resettlement and compensation principles and implementation arrangements;
- Describe the legal and institutional framework underlying Ethiopian approaches for resettlement, compensation and rehabilitation;
- Define the eligibility criteria for identification of PAPs and entitlements;
- Define a participatory process by which potential reduced access to resources is identified and mitigation measures established;
- Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders;
- Describe implementation and monitoring arrangements; and
- Provide procedures for filing grievances and resolving disputes.

1.3 Rationale for Resettlement Policy Framework and its Update

This Resettlement Policy Framework (RPF) is prepared based on the current applied UPSNP RPF and updated to reflect the changes as per the ESF requirements; project location expanding, and new cites added as well as to reflect information due to the addition of new component (component II) though this component doesn’t have potential impact on land and property as it only amid to provide a first work experience for disadvantaged urban youth in the labor market. The updated RPF provides the overall principles and objectives of ESS5 and provides guidance on how to manage land acquisition or potential restriction of access and the process to be
followed in the case of voluntary land donation.

This RPF is updated to manage potential social risks that might emanates from the implementation of the project particularity the Labor intensive public work (LIPW) subprojects (for example construction of drainage facilities, public toilets and other small-scale infrastructure constructions) may require land acquisition or restriction of access to properties and services. Further, the RPF is updated to capture changes in the project and most importantly to capture current’ views and concerns of the community about the risks and mitigation measures of the project and to include the provision of new National Land Expropriation Proclamation (No. 1161/2019).

1.4 Guiding Principles on Resettlement Issues

The overall policy guidance on execution of USNJP is to avoid resettlement related cases at the earliest opportunity. In this regard, the implementation of subprojects to be funded from the USNJP will be orchestrated on a set of principles in order to minimize or avoid resettlement risks altogether. The principles revolve around the basic tenets of the World Bank ESF Environment and social standard (ESS-5) as well as the existing policies and pieces of legislation of the Government of Ethiopia. At early stage social and economic impacts/risks can be minimized through implementing the following key principles, among others:

- As far as possible ensure that involuntary resettlement and land acquisition is avoided or where it is necessary, is minimized, by exploring all viable alternatives;
- Where involuntary resettlement and land acquisition is unavoidable, resettlement and compensation activities are prepared and implemented by providing sufficient investment resources according to GoE Proclamation and Regulations;
- Avoiding displacement of people without a well-designed compensation and relocation process;
- Minimizing the number of PAPs, to the extent possible;
- Compensating for losses incurred and displaced incomes and livelihoods;
- Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on PAPs livelihoods and their well-being;
- Ensure that USNJP LIPW subprojects do not result in reduced access to resources; and
- Not operating or causing restriction of access to legally designed parks and protected areas;
- In addition, PAPs should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

1.5 The Methods for Updating the RPF

The updating of this RPF applied both secondary and primary data collection tools. Various documents related with the project, such as National proclamations and the new ESF of World Bank, were reviewed. Moreover, stakeholder and public consultation and focus group discussion have been conducted in various participating cities. The following section presents detail
information on the methodology followed to update this RPF.

\( \text{a. Review of relevant legislations, policies and other documents} \)

The RPF updating process involved conducting review of the existing national legislations, policies, guidelines World Bank Environment and Social standards, particularly ESS5 and institutional arrangements to ensure incorporation of updates. Moreover, various documents such as PAD and ESMF as well as the new national land expropriation compensation and resettlement proclamation (1161/2019) and Bank’s ESF were reviewed.

\( \text{b. Consultation and field Observations} \)

As part of the RPF updating process consultations with stakeholders involved in project implementation and regulatory functions, community representatives including potential project implementers, beneficiaries, and other stakeholders were conducted in various cities.

The consulted cities include Bahirdar, Jimma, Arbaminch, Shashemene, and Adigrat from the newly joining and Dessie, Jigjiga and Addis Ababa representing the existing beneficiary cities under UPSNP.

The consultations were focused on providing information and receiving the concerns and opinions of the participants regarding the overall USNJP program objectives, its main components and in particular the LIPWs subcomponent for which the RPF was prepared and updated. A presentation of the project components including LIPW subproject types and the associated draft RPF procedures were made to the consultation participants and discussions were conducted to identify existing practices, strengths, weaknesses, institutional capacity gaps and other constraints to implement the procedures. Discussions were also made with the agencies involved in carrying regulatory functions during implementation of the USNJP RPF.
Figure 1: Photo showing Stakeholder and community consultations carried in the cities/towns
2. PROJECT DESCRIPTION AND POTENTIAL INVESTMENT CAUSING RESETTLMENT

2.1 Project Objective

The Project’s Development Objective (PDO) is to improve the incomes of selected urban poor and the labor market inclusion of disadvantaged urban youth. The project is designed to address urban poverty including the challenges of urban poverty and youth unemployment, the USNJP would expand the existing safety net model (public works, direct income support, and services to the destitute) to a larger number of cities and also add a component to provide young men and women with opportunities to enter the labor market.

2.2 Project Components:

The proposed USNJP Project would have the following four components:

Component 1: Expand the Urban Safety Net to Improve the Urban Environment

This component has been under implementation during the UPSNP. Building on the experience of the UPSNP, component 1 would continue to provide labor intensive public work opportunities for selected urban poor in the participating cities, assist in business development, and provide livelihood grants for beneficiary households. Under the second phase of USNJP, Component 1 would expand the Urban Productive Safety Net by providing public works and livelihood support to selected urban poor households in presently 11 beneficiary cities and new 73 cities, taking into consideration of city-level poverty and unemployment rates, administrative capacity and regional equity.

The thematic areas for the types of labor-intensive public works will continue to be identical with those applied under the UPSNP. They would encompass the five areas of (i) urban greenery, (ii) waste management, (iii) watershed management and disaster prevention, (iv) small scale community infrastructures and (v) urban agriculture. The specific areas suitable for labor intensive public works in each participating city will be identified and planned by the city governments themselves through a participatory process involving local communities. The activities would be planned for three years and implemented on a rolling basis.

The public works beneficiaries would continue to include poor urban households that are selected using a combination of community-based pre-selection and the application of a Proxy Means Test (PMT). Selected beneficiaries would participate in the program for three years during which they get income support through public works during 12 months of each year, but in a decreasing manner to ensure they have time to develop their livelihood activities. The maximum monthly support for a family of four (or more) would be about US$ 50 for approximately 20 hours of work each week.

The cash for work activities would be complemented by a set of life skills training sessions and counseling for the beneficiaries to support their families’ overall well-being. These bi-monthly sessions would provide information on essential family practices, reproductive health, parenting, gender-related topics including gender-based violence (GBV), and availability of referral services.
Building on the experience of the UPSNP, the proposed project would provide each participating household the opportunity to access a livelihood grant after developing a business plan with support from local offices and One Stop Shops. The support for developing a business plan would start during the second year of participation in the public works, and the livelihood grant would then be disbursed to the households at the end of the second year so that business activities can be carried out during the third year of the decreasing cash for work activities.

Table 1: List of sub-projects for Public Works under USNJP

<table>
<thead>
<tr>
<th>No.</th>
<th>Sub project category</th>
<th>Detailed infrastructure/service sub-project types included under LIPWs menu</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Small Community Infrastructures</td>
<td>- Gravel roads; -Red ash roads; -Pedestrian ways</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Maintenance and rehabilitation of existing internal roads</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Construction of heath posts</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Dispensaries</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Emergency rooms</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Maternity clinics</td>
</tr>
<tr>
<td>2</td>
<td>Solid Waste Management (Urban Sanitation)</td>
<td>- Primary collection of solid waste</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Waste sorting, recovery &amp; recycling</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Waste hauling for disposal at landfills</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Waste disposal facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Biogas and composting sites</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Community Washing facilities</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Community Public toilets/ventilated improved pit latrines</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Community Soak away pits and septic tanks</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Community drainage canals,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Community road drainages, etc.</td>
</tr>
<tr>
<td>3</td>
<td>Watershed management and disaster prevention</td>
<td>- River banks development and conservation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Conservation of flood catchment</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Conservation of gullies and degraded land</td>
</tr>
<tr>
<td>4</td>
<td>Urban Green Infrastructure</td>
<td>- Urban parks and greenery development projects,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Street side and median greening</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Nurseries for beautification.</td>
</tr>
<tr>
<td>5</td>
<td>Urban agricultural activities</td>
<td>- Food products (root crops, vegetables, mushrooms, fruits)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Domestic animals (poultry, goats, sheep, cattle and fish, etc.)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Perishable and relatively high-valued vegetables and animal products and by-products.</td>
</tr>
</tbody>
</table>
**Component 2: Foster Urban Youth Employment**

This component supports key elements of Ethiopia’s National Plan for Job Creation and a new addition to the project which will be pilot tested under the USNJP. Component 2 will aim to connect unemployed youth to jobs by alleviating key constraints to successful job search and providing youth with a first work experience. It would provide the first work experience for disadvantaged urban youth as well as expand the supply of labor market job search services. The Jobs Creation Commission will be the main implementing agency of this subcomponent. As the OSSCs fall under the UJCFSA, JCC will closely work together with UJCFSA and MoLSA to ensure coordinated implementation. This component consists of two main sub-components which are:

**Subcomponent 2.1: Provide a first work experience for less educated urban youth**

The youth employment program aims to improve the signaling ability of young non-graduate job seekers by providing them with a first work experience apprenticeship in a private company, and certificate at the end of it. The apprenticeships aim to tackle one key obstacle of young job seekers in urban Ethiopia: the difficulty to signal ability to prospective employers, particularly for less educated youth. The subcomponent targets young women and men aged 18-25 who have a secondary education or less, and who are neither working nor studying. The experience and certificate are expected to improve the ability to signal skills and improve the employment prospects of the beneficiaries. The project would primarily target youth in 10 to 15 bigger cities where there is substantial private sector wage employment.

**Subcomponent 2.2: Strengthen Employment and Intermediation Services**

Employment and intermediation services create mechanisms that reduce costs of information exchange between Employers and youth. These services can include job search assistance, through e.g. job/career counseling, job search skills training, referrals, Employer contacts, and recruitment services for Employers; as well as information services, providing reliable and timely information on what jobs are available, what skills are required, and the number and characteristics of jobs seekers. Employment services can help youth identify job opportunities and market their aspirations and skills and help overcome information gaps employers’ face when evaluating young applicants for a given vacancy.

This subcomponent will support JCC in coordinating the upgrading of OSSCs to Job Centers in 10-15 cities. The cities will be aligned with the selected cities under subcomponent 2.1 to ensure synergies between these two subcomponents are maximized. In particular, the project approach under subcomponent 2.1 will be used to institutionalize the apprenticeship program through subcomponent 2.2’s efforts at upgrading and strengthening the OSSCs. The support under this component will be provided through a wide range of infrastructure upgrading and analytical support. Specific emphasis will be put on ensuring IT solutions are put in place where possible, through for example web- and SMS-based job matching.

In addition to supporting the strengthening of Public Employment Services, the component will support the nascent private sector in employment and intermediation services. The sub-component will seek to strengthen existing private providers through financing, technical assistance and capacity building. It will explore the possibility of supporting startups that offer innovative solutions to the challenges in labor market intermediation in Ethiopia, learning from
international experience. Similar to the support to the public sector, IT-based solutions will be promoted among these actors.

**Component 3: Strengthen Social Services for the Urban Poor and Destitute**

This component would focus on strengthening the urban social assistance by expanding direct income support to between 44 and 83 cities as well as providing reintegration services for homeless in a smaller number of selected cities. Beneficiaries of this component are largely those that depend on a more comprehensive set of services, and in the longer run. This would include social assistance for elderly and disabled (PDS) as largely permanent income support combined with case management to link the household to social services. It would also include service for the homeless to support their social, education and economic integration. The component would continue support to current Permanent Direct Support (PDS) beneficiaries covered under phase one UPSNP.

This component would also strengthen the Ministry of Labor and Social Affair’s (MoLSA) capacity to deliver essential social protection services. Component 3 would enhance MoLSA’s capacity to manage (i) the expansion of Permanent Direct Support (PDS) to labor constrained selected urban poor (elderly, disabled, etc.) in project cities, (ii) services for the homeless with the objective of their reintegration, and (iii) systems-building for integrating rural and urban Direct Support beneficiaries under MoLSA.

**Component 4: Institutional Strengthening, Project Management and Monitoring and Evaluation**

This component would support the development and strengthening of program systems, both at the UFSJCA and at MoLSA. The institutional strengthening component would support the Urban Food Security and Job Creation Agency as well as MoLSA in implementing the programs and foster public private partnerships as far as possible. It would strengthen and support key processes such as targeting, enrolment, payments, citizen engagement, as well as monitoring of the project elements. It will focus on capacity building and institutional collaboration (human resources, training, administrative and technical capacity) and strengthen program management supported by a project coordination unit (PCU) that would include technical and fiduciary staff in support of both the UJCFSA and the MoLSA.

To be able to manage multiple cities in highly populated regions (such as Amhara, Oromia, and SNNPR), the UJCFSA would establish regional hubs in each of the regions. These regional hubs, supported by a small regional PCU with key technical and fiduciary specialists, would support the city administrations in the implementation of the project.

A joined-up approach with other WB projects, such as the Urban Institutional and Infrastructure Development Program (UIIDP) will be sought in addressing institutional constraints at city-level. City level management arrangements would benefit from lessons from such projects. Arrangements will ensure that there is no duplication of efforts and efficiency is promoted both for the Bank and the client. Arrangements would take into consideration that there is variation in capacity and institutional set up among the various regions and cities.

The proposed project will support the gradual transition from the current paper-based MIS to a more technology/web-based MIS. The MIS will be expanded to add the youth Employment component and to strengthen the IT systems of One Stop Shops. There will be a dedicated team in MoLSA to manage the DS and destitute programs. The latter will serve both the rural PSNP
and urban PSNP needs and feed into the objective of strengthening the oversight, coordination and implementation capacity of MoLSA.

Moreover, the project would support the digitization of the urban safety net program. Key processes like targeting, enrolment, monitoring of work requirements and appeals/grievances can be implemented at the local level through mobile apps in most participating cities. The possibility of using mobile apps by one stop shop staff to provide standardized mentoring and coaching to the livelihood’s beneficiary will be explored. With the establishment of a unifying central MIS, it will be possible to gradually move toward IT based program management at the local level, particularly as it relates to component 1. The mobile apps would be linked to the web-based MIS and would enable bi-directional flow of information. This would first be piloted in some woreda before being fully scaled up across project cities.

2.3. LIPW Subproject Selection Criteria and Exclusions

Subprojects to be selected are also required to meet the following criteria:

- Labour intensity: Subprojects activities must be labor-intensive and use simple tools as much as possible.
- Communal benefits: The subprojects must benefit the community as whole or groups of households within a given area.
- Community acceptance: The subprojects must be accepted and approved by the community. They should have active community support and commitment.
- Feasibility and sustainability: The subprojects must be feasible technically, socially and economically. They should be simple and manageable in implementation and also in ongoing maintenance in order to be sustainable.
- Productive: The subprojects should create durable community assets which should contribute to the ULG development and to the reduction of poverty.
- Gender sensitivity: Priority should be given to subprojects that are assigned to enable women to participate and which contribute to reducing women’s regular work burden and increase access to productive assets.

The following subprojects will not be admissible as USNJP LIPWs. These include:

- Subprojects in locations that are ecologically sensitive such as forests, wetlands, and other unique habitats
- Subprojects located within a recognized Cultural heritage site, or World heritage sites
- Subprojects that involve the significant conversion or degradation of critical natural habitats.

2.4. USNJP Target Cities

The number of cities that are going to participate in the USNJP would be expanding. The USNJP plans to expand the implementation of Component 1 and 3 from the present 11 cities/towns to reach 73 cities/towns by taking into consideration city-level poverty and unemployment rates,
administrative capacity and regional equity. Component 2 which is focused on providing a first work experience for disadvantaged urban youth is planned to be pilot tested in 12 to 15 largest cities.

2.5. Project Affected People

Due to the nature of subprojects implemented under USNJP, there will not be significant land acquisition. It is expected that most subprojects will be implemented in government vacant land as it is in the current project. However, there might be cases that subprojects require private land acquisition though not significant. Hence, the land acquisition for sub-Projects may result in negative impacts to different categories of PAPs. Until the exact sub-Project locations are determined, it is difficult to estimate the likely number of people who may be affected. Nevertheless, the likely displaced (economically or physically) persons can be categorized into three groups namely:

Affected individuals: These are individuals who risks losing assets, investments, land, property and/or access to economic resources as a result of implementation of a sub-project.

Project affected households: These are groups of PAPs in one household and where one or more of its members are directly affected by the project. These include members like the head of household, male, and female members, dependent relatives, tenants, etc.

Vulnerable groups of people

The project will identify and provide special support for the vulnerable members, such as those who are too old or too ill; children including orphans; families affected and/or infected by HIV/AIDS; vulnerable women; unemployed youth; people with disability etc. Households headed by women that depend on sons, brothers, and others for supports are especially vulnerable. The project will give special assistance for this group of people during compensation and resettlement.

2.6. Number of PAPs

It is not possible to determine the number of Project Affected People at this stage as the exact footprint of the sub-projects is not known. The purpose of this RPF is therefore to establish the mechanisms by which the appropriate tools, screening checklists and RAPs/ARAPs will be prepared, consulted upon, disclosed and implemented to mitigate potential resettlement impacts once sub-project sites are identified. For each sub-project, which might require physical and/or economic resettlement, the number of PAPs will be established through a RAP/ARAP which will be elaborated before Project implementation. In the RAP/ARAP;

- All potential PAPs should be identified (through a scoping exercise) and informed about their options and rights pertaining to compensation for land and assets to be acquired by the sub-Project(s);
- PAPs will be informed of their rights under national laws (GoE laws recognizing rights or use) and this RPF (and eventually RAPs/ARAPs), and the Project will offer them adequate compensation as stated in the entitlement matrix together with culturally appropriate development opportunities;
• PAPs must be consulted about land acquisition and compensation and offered technical and financial options, including the most economically feasible alternatives; and PAPs should receive adequate compensation at full replacement cost based on current market price for losses of assets and access attributable to the sub-project.
3. Institutional Arrangement and Organizational Responsibilities for USNJP Implementation

The institutional arrangement for Urban Productive Safety Net will be framed within the overall arrangement set in the Urban Productive Safety Net Strategy of the Government. The implementation of the program will be fully streamlined into the existing government structure at the Federal, Regional, city and local levels. Overall, the implementation and coordination mechanisms established under the UPSNP have proven to be effective and sufficient to ensure the successful implementation of the project. What’s new is that for component 2 (Youth employment) there will be collaboration by the Urban Jobs Creation and Food Security Agency (UJCFSA) with Job Creation Commission (JCC) and private sector associations such as Addis Ababa’s Chamber of Commerce. Component 3 will be implemented by MoLSA which will have a project team in the Ministry.

3.1.1 Federal Government Level

The overall coordination and management of the USNJP will continue to be the responsibility of the UFSJCA under MoUDC. The MoUDC will be the lead institution responsible for the project’s overall coordination, M&E, and reporting of the project. The UFSJCA will furthermore oversee the fiduciary and safeguards aspects of component 1 and 2. The MoLSA will be implementing component 3, including fiduciary and safeguards, as well as linkages with social services (health, education etc). The MoFEC will also have an important role in providing overall guidance, mobilizing, managing and allocating resources. The decentralized parallel structures of these ministries will shoulder implementation responsibilities at the regional and local urban government levels.

A National Steering Committee to be chaired by the Minister of Urban Development and co-chaired by the MoLSA will be established. Members will include the MoUDC, MoLSA, MoF, UFSJCA, Jobs Creation Commission (JCC), the Ministry of Women and Children (MoWC), Regions and Development Partners (WB), and others, including private sector associations (particularly for component 2). The steering committee will meet once every quarter and its roles will include, but not be limited to, providing strategic guidance in project implementation, approving annual plans and budgets; ensure GoE funding and high-level inter-agency coordination and collaboration. The PCU will serve as a secretariat. A Project Management and Coordination Committee (PMCC), which will report to the National Steering Committee, will follow up on regular project management and coordination issues. It will also be responsible for coordinating selected technical committees (e.g. Gender and Social Development, youth employment, etc.). The PMCC will be chaired by the director general of the UFSJCA and co-chaired by the director of the MoLSA. The PMCC will meet on a monthly basis. Members will include the MoUDC, MoLSA, UFS&JCA, JCC, MoWC, and MoF.

A Project Coordination Unit (PCU) at Federal level is available with specialists in numerous technical and fiduciary fields, to support the overall management and coordination of the project, reporting to the UFSJCA under the guidance of the MoUDC. The overall regular management
and coordination of the project will be supported by the PCU reporting to UFSJCA. The PCU will be staffed with appropriate technical and management staff. The PCU will facilitate institutional capacity and system development activities, M&E, regular reporting, Financial Management, Procurement, and Safeguard issues. The PCU facilitates the day-to-day general management and coordination of the UPSNJP. It has the direct responsibility shared with the UJCFSA safety net deputy director general for the overall coordination of UPSNJP. It facilitates establishment of additional TCCs and taskforces for specific tasks and functions when required.

To ensure regular technical support and guidance for project implementation, a Joint Technical Coordination Committee (TCC) for each component will be established. In this regard, UFSJCA will coordinate Public Work activities. For livelihoods component, UFSJCA in close collaboration with MoLSA will play an overall coordination role. MoLSA will be responsible for Direct Support and linking safety net system with social protection policy and strategy, in consultation with MoUDC.
Fig 2: Showing Institutional Responsibilities for Project Management

Federal Steering Committee

- Minister, MoF Oversight - FM and resource
- Minister, MoUDC Overall management oversight
- Job Creation Commission
- Minister, MoLSA Oversight - Safety net systems and unconditional

FUJC&FSA/PCU

- FM MoF/ COPCU
- PW Component MUDC

Livelihoods Component UFS&JCA/ MoLSA

System development and unconditional transfers Component - MoLSA

MCC

- PWs TCC
- LH TCC
- DS TCC

M&E Taskforce

- Finance &Procurement Taskforce
- CB Taskforce

Regional

- Cities
- Sub Cities/Woredas
- Kebeles
- Ketenas

2 City Administrations-

- Sub Cities/Woredas
- Woreda/Kebeles
- Ketenas

Development Partners
- THE WORLD BANK;
- ML&BLOs;
- NGOs;
- CSOs;
- FBOs;
- PRIVATE SECTOR.

Sub Cities/Woredas

Woreda/Kebeles

Ketenas
3.1.2 **Regional Government Levels**

At the regional and city levels, the regional and Woreda-level bureaus or offices of the Urban Food Security and Jobs Creation Agency, the Bureaus of Labor and Social Affairs and the city Administrations will be responsible for the actual implementation of the project. The institutional arrangement of the main implementing agency for the USNJP appears to exist in the regional states in different forms.

In Somali region and Addis Ababa City Administration the implementing agencies follows more or less the same pattern as the Federal Urban Job Creation and Food Security Agency. In the other regions and cities, the potential implementing agencies vary in name and structure. The following table summarizes the observed potential implementing agencies at regional and city level.

**Table 2: List of the different regional implementing agency organizations**

<table>
<thead>
<tr>
<th>No.</th>
<th>Region</th>
<th>Name of the Regional Implementing Agency</th>
<th>City/town level Implementing agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Addis Ababa City Administration</td>
<td>Addis Ababa Job Creation and Food Security Agency</td>
<td>Addis Ababa Job Creation and Food Security Agency</td>
</tr>
<tr>
<td>2.</td>
<td>Somali Region</td>
<td>Somali Region Food Security and Job Creation Agency</td>
<td>Food Security and Job Creation Office</td>
</tr>
<tr>
<td>4.</td>
<td>Oromia Region</td>
<td>Urban Development and Housing Bureau</td>
<td>Sanitation and Beautification Office.</td>
</tr>
<tr>
<td>5.</td>
<td>SNNPR</td>
<td>Enterprise and Industry Development Agency</td>
<td>Enterprise Development Office</td>
</tr>
</tbody>
</table>

Similar to the arrangements at Federal level, the USNJP will involve the parallel institutions at regional level (indicated above) in the coordination of the project and support the cities involved in the implementation of the project. The Regional Cabinet will approve the USNJP overall plans and budgets. Head of the Regional Agency of Food Security and jobs Creation or its parallel will oversee the implementation of the program in coordination with BoLSA. The Head of Regional Agency of Food Security and Jobs Creation or its parallel will be responsible for the management of USNJP and chairs the Regional Project Management and Coordination Committee (RPMCC), to which three Technical Committees report (Safety Net systems and Transfer, Public Works and Livelihoods, Apprenticeship). Similar to that of Federal level, members of the Regional Technical Committee and Regional Coordination Committee will be Heads (or their delegates) of relevant Core processes from Bureaus and Agencies involved in the Program (BoUDH, LSA, UJCFSA, BoWCYA and BoFED).

The key partners at the regional level will appoint USNJP Focal Points and have to oversee and provide technical support to ULGs together with the respective Federal Government Bodies. As the USNJP is planning to expand the implementation of the project between 43 - 83 ULGs, there will be a need to establish PCU in those regions having more than one participating cities/towns.
3.1. 3. Urban Local Governments level (Cities)

At City level, the Mayor of the ULG or his delegate will oversee the implementation of the project and will chair the city level Urban Safety Net Coordination Committee (SNCC), with Co-Chair by BoLSA Head. The City Mayor or his delegate in Coordination with BoLSA will be responsible for the overall management of USNJP. The members of the SNCC will include the heads of relevant Bureaus/Offices involved in the Program (BoFED, BoLSA, BoMSED/Food Security/BoWCYA, and Office of the City Manager, and others as appropriate). Under the PCC, three technical committees will be established to lead on the implementation of different components (Safety Net systems and transfers, Public Works and Livelihoods, and Apprenticeship). A focal unit will be established under City Mayor office to coordinate the implementation of the project. The staff of the unit will be from both regular government staff to be supported by contractual staff hired by the project. The Federal Project Coordination Unit will provide the necessary technical and managerial support to the city level project Focal Unit.

The City level Project Focal Unit (PFU) will coordinate and provide technical support to Kebeles in the implementation of the program. The City Council/Cabinet will approve the project annual plan and budget. Similar technical committees will also be operational at the district level (Safety Net systems and transfer, Public works and Livelihoods, and Apprenticeship). The three Technical Committees should report to the SNCC.

At the Kebele level, the Kebele Council will approve the list of beneficiaries of the UPSNP and related plans for the program. The Kebele Chair will oversee the implementation of the project and a Task Force which will include representatives from the community and development committees will be established to facilitate planning, community participation and targeting process. Technical focal staff will be assigned to provide technical support in the implementation of different components of the project.

As Addis Ababa is the largest Urban City Government, and directly reports to the Federal Government, its institutional arrangements have to be seen at three levels: City Government Level, Sub-City Level, and Woreda level. A city focal unit will be established under the Urban Job Creation and Food Security Agency to coordinate the implementation of the project. The staff of the unit will be from both regular government staff to be supported by contractual staff to be hired by the project. The Federal Project Coordination Unit will provide the necessary technical and managerial support to the city level project Focal Unit.

**Coordination with other Projects and Programs:** The proposed Project needs to work in a cross-sectoral way as it provides a springboard for social and economic inclusion, and supports important environmental and climate change related activities such as watershed management and flood protection, as well as urban greenery, agriculture, sanitation etc. The project will therefore promote strong linkages and coordination with other human development services (e.g. community based health insurance and health waivers, school materials for beneficiary children, mobile child care etc.), with the rural PSNP to build an integrated social assistance system for the Direct Income Support program at MoLSA, with the ULGDP/UIDP for coordinated planning process, for sharing of human resources (e.g. support for procurement), and related to capacity-building activities.

3.2 Project’s Environment and Social Risk Management Implementation Arrangements
The Project Environment and Social Risk Management implementation arrangements are designed with two main objectives in view:

- To ensure accountability of the Project implementation Agency, sector service providers as well as the registered civil societies and private organizations partnering in Project implementation in regard to the delivery of the social safeguards as well as resettlement entitlements.
- To provide for the required capacity in terms of organizational arrangements, systems and procedures as well as knowledge, skills, and attitudes for efficient and effective Project implementation.

The principle of subsidiary which retains decisions at the lowest appropriate level underpins the institutional arrangements for the practice of the social safeguards and implementation of the resettlement plan. The implementation of overall social risk management and resettlement will be linked to the implementation of sub-Project civil works.

### 3.3 Roles and Responsibilities

The Project will bring together a network of stakeholders for implementation. It is therefore necessary to establish clarity in regard to their roles, responsibilities and accountabilities. The Project will establish systems and mechanisms for evolving consensus and ensuring coordination for achieving the objectives of RPF.

The main Agency involved in implementation of the RPF will be the Federal Job Creation and Food Security Agency under the Ministry of Urban Development and Construction. As an overall implementing agency, it will have overall responsibility for the implementation of the Project and will act as the central agency responsible for holding all information relevant to the RPF and subsequent RAPs.

**Table 3: RAP Implementation Responsibilities**

<table>
<thead>
<tr>
<th>Level</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affected People</td>
<td>- Involve in valuation committee</td>
</tr>
<tr>
<td></td>
<td>- Participate in mediation committees</td>
</tr>
<tr>
<td></td>
<td>- Participate in Grievance resolution committees</td>
</tr>
<tr>
<td>City Administrations</td>
<td>Deal with land replacement at community level for urban water sub-Projects with land impact</td>
</tr>
<tr>
<td></td>
<td>- Organize valuation committee and censuses</td>
</tr>
<tr>
<td></td>
<td>- Organize public consultation on draft RAPs and disclosure</td>
</tr>
<tr>
<td></td>
<td>- Check on censuses</td>
</tr>
<tr>
<td></td>
<td>- Pay compensation</td>
</tr>
<tr>
<td></td>
<td>- Organize grievance management mechanisms, including Mediation Committees</td>
</tr>
<tr>
<td></td>
<td>- Participate in monitoring</td>
</tr>
</tbody>
</table>
| **Federal Jobs creation and Food Security Agency** | - Support cities and provide technical support  
- Review RAP/ARAP and get clearance from the required organization  
- Monitor compliance of resettlement activities with this RPF, Ethiopian law and the World Bank ESS5  
- Prepare progress report and share with the Bank |
| **Consultants** | - Prepare RAPs and if needed ARAPs |
| **Property Valuation Committee** | - Review the list and register the PAPs and affected assets  
- Verify the entitlement right of PAPs with concerned body  
- Establish standards for unit rates of affected assets and properties  
- Revalidate inventories of PAPs and affected assets  
- Establish valuation a head of time effects the compensation payment resettlement/ relocation activities  
- Determine the compensation rates taking in to account the country’s legislation based on the date payment of compensation |
| **Grievances Resolution Committee** | - Provide PAPs with avenues for making compliant or resolve any dispute that may arise in the course of land, structure and any assets acquisition, including the process of moving  
- Ensure that appropriate and mutually acceptable corrective actions are identified and implemented to address complaints  
- Verify that complainants are satisfied with outcomes of corrective actions; and  
- Avoid the need to resort to judicial proceedings |
4. COMMUNITY CONSULTATIONS

4.1 General

Consultation with the affected parties should be the beginning of a Participatory Process for designing and implementing projects. Providing accurate information about the Project to people from the planning stage prevents misconception and builds trust between the affected population and the Project and enhances transparency. Consultation has several objectives which include sharing information, getting feedback, engaging in decision making discussions, and involving people in the implementation process.

Consultations enable the Project team to hold joint discussions with the affected people, share ideas about planning and implementation and benefit from local knowledge and take more informed decisions. Consultation can be in different forms, such as organizing public meetings, holding focus group discussions or carrying out household surveys or even having direct one to one consultation. Further requirements of sub-project, inventory survey and assets’ verification can be performed as part of consultation process.

4.2. Consultations towards Preparation of this RPF

As part of the process for updating the UPSNP RPF and ESMF and conducting other project related social risk assessments and plans including GBV and SEP for USNJP, field assessments and consultation meetings were carried out between October 10, 2019 and November 7, 2019, covering three (3) of existing UPSN participating project cities including Addis Ababa and four (4) potential new cities considered for future implementation of USNJP. The project as per the SEP will continue conducting consultation in the other cities as well as the cities covered during this period throughout project implementation and ensure that their views and concerns are addressed accordingly.

The assessment and consultation focused on capturing and documenting views, opinions and concerns of current and future USNJP project beneficiaries and identifying perceived and anticipated social risks associated with implementation of USNJP subprojects. Discussions were also conducted with implementing agencies to identify institutional capacity gaps and other constraints that might face during implementation.

Contacted and consulted city level stakeholders include key city administration officials including Mayors, City Managers, Heads of sector offices, such as Labor and Social Affair, Women, Children and Youth affairs, Enterprises, Environment and Climate Change, Urban Agriculture, Health Offices, City Urban Food Security and Job Creation offices and focal persons responsible for managing and implementing first phase USNJP subprojects.

1Cities covered in the field assessment and stakeholder consultations are Dessie, Jigjiga and Addis Ababa from existing UPSN program implementation cities and Shashemen, Jimma, Arbaminch and Bahirda from cities potentially considered for future participation in the implementation of UPSNJP program.
The community consultation meetings in all visited cities brought together 155 individuals representing traditional social organizations, vulnerable and underserved groups, youth, and women, persons with disability, elders and senior citizen groups and NGOs working in provision of basic social services. Of the total participants, over 55 % were women. The project used several mechanisms to reach community particularly vulnerable groups. Local administration offices, women and youth associations, Churches, Mosques and community-based organizations such as ‘Iddir’ were used to notify PAPs for the consultation.

During the consultation meetings held at region, Woreda and community/Kebele level, key elements of the RPF and the project such as land acquisition and compensation, entitlement matrix, institutional arrangement, grievance redress mechanism, monitoring and evaluation were discussed to seek broad support from the implementing partners and the community. The experience of RPF implementation during the current project (UPSNP) implementation period, the gaps/challenges and actions to be taken during the proposed project implementation period were discussed as well as the key elements of this RPF. During the meetings, the facilitators briefed participants on the aim of RPF and why it is necessary, and relationship with World Bank Environment and Social Standard 5(ESS5) on land acquisition, restrictions on land use and involuntary resettlement as well as the national legal requirements (mainly proclamation 1161/2019 and provisions in the constitution). The procedures and implementation arrangement of RPF as it relates to land acquisition and property losses, compensation and reduced access to natural resources and the issues of participation of the PAPs.

The respective stakeholders and community representatives in the consultation meetings reflected their views, concerns and suggestions for the project. However, little was said regarding with compensation and land acquisition and most of the issues were focused on targeting, transparency and accountability; amount of monthly payment for direct support and public work beneficiaries. All the issues except land acquisition compensation related issues were also mentioned during the consultation meetings conducted for the ESMF, SEP, and GBV risk assessment preparation. Therefore, detail discussions and proposed mitigations on issues other than land acquisition are captured in those mentioned documents.

4.3. Findings of the Consultation Meetings

Participants of both stakeholder and community consultations invariably expressed their interests in welcoming the USNJP project. Many participants across all the visited cities expressed the importance of the project to their respective cities by explaining the high level of poverty and unemployment existing in the cities/towns.

The participants expressed that some city administrations were trying their level best to support the destitute urban poor by covering medical expenses from their meager budget resources. Participants representing the urban poor expressed that the project will thrive their hope and will be very happy to work in PWs and survive. An NGO representative working with Elders also expressed that, many poor supports less elders aged above 65 years are feeling that they are excluded both by the government and the community. Therefore, the urban poor, elders, persons with disabilities and unemployed youth presented in the cities and towns are looking forward the commencement of the project.

From the field assessment carried on both the newly joining and existing participating cities, it
was noted that there are service and infrastructure gaps in the cities/towns that can be complemented by the LIPWs subprojects under the five thematic areas of the USNJP. During the stakeholder meetings, city officials expressed their interest (and later confirmed by carrying site visits) about the proposed LIPW falling under these thematic areas with and without UPSNP support and still claim to have infrastructure and service gaps which need to be filled in. Primary collection of solid waste up to transfer stations, development of urban greeneries in street medians & open spaces, small infrastructure development such as public toilets & expansion rooms for health and education facilities, and watershed management subprojects (on hills, riversides, & flood prone areas) are among the type of subprojects implemented by the cities/towns with and without UPSNP support. Though not yet widely applied under the LIPWs scheme, there appears to be a potential for urban agriculture subprojects to be taken up later during the business plan development & livelihood grant stages of the project. Urban agriculture subproject types commonly promoted/supported by the agriculture offices of the cities/towns include dairy production, cattle fattening, vegetable growing, poultry production, and trade of agricultural commodities. During the stakeholder consultations carried in the cities, it was suggested that activities such as development and management of seedlings in nurseries and planted seedlings in green areas should be identified as subproject types under the USNJP.

In many of the community consultations carried out in the visited cities and towns, it was revealed that persons with disabilities are organized under several associations of their own. This has been demonstrated in Shashemene town where it was expressed that there are six associations of persons with disabilities, one association of Women with disabilities and another one association for war veterans with disabilities. It was mentioned that these associations can serve as a venue for targeting to select and include the destitute members in the USNJP.

The participants of community consultation from existing beneficiary cities of UPSNP particularly those from Addis Ababa and Dessie expressed that the social improvements brought about by the project is beyond their expectation. They witnessed the impact of the project where many pocket spaces and riverbanks serving as waste damping and discharge outlets have been cleaned and changed to green areas. They stated the project has brought about a huge improvement in environmental sanitation and associated attitudinal change among the public towards sanitation in many of the beneficiary cities. Participants were also asked for their view on the land acquisition and compensation process that the current process followed. Public participants and government stakeholders confirm that the subprojects are small in nature and always implemented in the government vacant land without affecting people’s property and assets. However, participants from local administration added that if there is a need to acquire private land it will be based on consultation with the PAPs and after paying adequate compensation.

However, the following important concerns were reflected:

Consultations carried with stakeholders and beneficiaries has revealed that community workers participating in LIPWs has been exposed to various occupational health and safety risks due to low level of awareness on safety precautions and lack of personal protective equipment’s (PPEs). During the beginning of the LIPWs, beneficiary community workers were not provided with occupational health and safety briefing and instruction. The occupational health and safety risks exposed them to major and minor injuries (e.g: cuts, broken legs, etc...) and sicknesses such as typhoid fever. The UPSNP beneficiary cities have lately started providing PPEs and work
tools to the beneficiary community workers, but the community workers complained of the long delays in delivery and low quality of the PPEs and work tools. There is a need to provide general safety training/orientation to LIPW community workers at the start of PWs and equip them with necessary PPEs. This appears to be particularly important to the newly joining cities where new community workers will join the program without having any knowledge of occupational safety and health operational procedures.

Community consultation participants from the new candidate cities/towns expressed their concern about the targeting process and reflected their opinion on the need to make the process transparent, free of bias and discrimination. They reflected on the need to include community elders, kebele residents and religious leaders in the targeting process to make it more transparent and acceptable.

4.4. Compensation for loss of assets and properties:

Community members participated in discussions made as part of the RPF preparation, highlighted that compensation payments should be fair, adequate and should be paid on time. In addition, low awareness on laws of GoE and the World Bank ESS on rights for compensation; grievance redress mechanism, entitlements and related issues were mentioned by consultation participants.

In this regard, participants indicated that so far during the implementation of the current UPSNP, there is no as such significant impact related to land acquisition and property losses. The participants also indicated that since UPSNP subprojects are small in scale, there is no significant land acquisition and property losses. All participants in the visited cities confirmed that no private land has been taken as part of the project implementation and Small plots of government vacant lands were to be taken during implementation of these subprojects. The participants appreciated the provision and implementation procedures indicted in this RPF to address the land acquisition and property losses. However, the project explained to participants that whenever there is land acquisition, PAPs are entitled to full compensation for the lost, including the provision of replacement land, jobs, and other resettlement assistances unless and otherwise they wish to donate the land voluntarily.

The project will ensure that all consultations are inclusive of all groups of stakeholders in the project area (including men, women, vulnerable groups and those with disabilities, youth, etc and most importantly, all consultations and participations will be guided by the Stakeholder Engagement Plan (SEP) prepared for the project.
5. LEGAL AND INSTITUTIONAL FRAMEWORK

This RPF will apply the laws, legislation, regulations, and local rules governing the use of land and other assets in Ethiopia and the World Bank Environment and Social standards set in ESS-5; in case of discrepancy between these two sets of standard, World Bank’s ESS-5 will prevail. The legal and institutional framework is presented in the following sections:

- Political Economy and Governance in Ethiopia;
- Property and Land Rights, as defined by Ethiopian law and customary practice;
- Acquisition of Land and Other Assets,
- Human Rights and Compensation, in particular, the accepted norms influencing peoples’ basic rights to livelihood and social services;
- Dispute Resolution and Grievance Procedures, specifically the legal and institutional arrangements for filing grievances or complaints and how those grievances are addressed through formal and informal systems of dispute resolution; and
- Comparison with World Bank’s ESF standard (ESS-5), using equivalence and acceptability standards.

5.1 Political Economy and Governance in Ethiopia

Land rights in Ethiopia do not explicitly provide private property rights. Before 1975, the 1960 Civil Code of the Empire provide for private land ownership. Accordingly, *1995 Constitution Article 40(3)* recognizes land as a common property of the Nations, Nationalities, and Peoples of Ethiopia and prohibits sale or any other exchange of land.

In some cases, the user of land has ownership of his/her possessions with the right to benefit from the fruits of his/her labor. This includes crops, perennial crops, tress for timber, etc. found on the land or any other permanent fixtures such as residential house, business installations, stores and fences, amongst others (*Proclamations No. 31/1975 and 47/1975*). The *1995 Constitution Article 40(7)* reiterates and furthers this point by stating, “Every Ethiopian shall have the full right to the immovable property he builds and to the permanent improvements he brings about on the land by his labor or capital. This right shall include the right to alienate, to bequeath, and, where the right to use expires, to remove his property, transfer his title, or claim compensation for it”.

Regional states are responsible for administering land, enacting law that is in conformity with the provisions on environmental protection and federal utilization policies (*Proclamation No. 89/1997 and Proclamation No. 456/2005 Article 17(1)*).

The new land expropriation compensation and resettlement *Proclamation No. 1161/2019 Article 8(1)* as a law made the following provision for cash compensation for lost property and displacement: “A rural landholder whose land holding has been permanently expropriated shall, in addition to the compensation payable [for property and improvements made on the land] be paid displacement compensation which shall be equivalent to 15 times the highest annual income he secured during the three years preceding the expropriation of the land.”
Additionally, *ZikreHig Regulation No. 6/2002* provides for the lease holding of urban land for a specific period of time, and also regulates the lease period for different functions, grade of land and payment of lease. Lastly, the law regulates manners of expropriation of land and designates land that can be expropriated for public use without payment of compensation.

These rights over “holding land” are open-ended (no time limit on this usufruct), subject to a proof of permanent physical property, ability to farm continuously and meet administrative dues and obligations (*1995 Constitution Article 40(3)*). Furthermore, *Proclamation No. 89/1997* confirms and details the Constitutional principle that holding rights on land can be assigned to peasants and pastoralists, and that these are to be secured from eviction and displacement. The *1995 Constitutions Articles 40(4) and 40(5)* provide for free land without payment for farmers and pastoralists. Lastly, *Proclamation No. 80/1993* allows companies to attain access to land through auction, allocation, or lottery, similar to individuals.

Overall, the Constitution protects against unlawful seizure of property, stating “Everyone shall have the right to his privacy and physical integrity. This right shall include protection from searches of his person, his home, his property and protection from seizure of property under his possession” (*1995 Constitution Article 26*).

### 5.2 Property and Land Rights in Ethiopia

According Article 40(4) of the FDRE Constitution, Ethiopian peasants and pastoralists have right not to be evicted from their landholdings. This constitutional guarantee can only be overridden for public purpose upon payment of commensurate compensation. Land is state owned in Ethiopia and citizens are given only a usufruct right over their landholding.

The *Rural Lands Proclamation No. 31/1975* and the *Government Ownership of Urban Lands and Extra Houses Proclamation No. 47/1975* abolished private ownership of land, which existed before the 1975 Ethiopian Revolution. The abolishment of private ownership of land was also reiterated in the FDRE Constitution. According to Article 40 (3), land is the property of Nations, Nationalities and Peoples of Ethiopia and cannot be subject to sale or other means of transfer or exchange. However, Article 40 recognizes the right of farmers to land and right of pastoralists to free land for grazing and cultivation. The Constitution states that the state has the power to expropriate land in the interest of the public by paying compensation in advance commensurate to the value of the expropriated property. Article 44 of the Constitution states the right of displaced persons to financial or alternative means of compensation including relocation with adequate state assistance.

Based on the framework provided by the Constitution, two proclamations were issued by GoE, including:

1) *Expropriation of Landholdings for Public Purpose and Payment of Compensation and Resettlement Proclamation 1161/2019* (It is a new Proclamation which is replaced former Proclamation No. 455/2005) and


The *Compensation Proclamation (No.1161/2019)* is issued with the view to defining the basic principles that have to be taken into consideration in determining compensation to a person whose landholding is going to be expropriated. The Proclamation is applicable on both rural and urban lands. The general condition for which land and property can be expropriated is for public...
purpose defined as use of land by the appropriate body or development plan to ensure the interest of citizens to acquire direct or indirect benefits from the use of the land and to consolidate sustainable socio-economic development. The basis and amount of compensation payment is prescribed under Article 12 of the Proclamation 1161/2019.

According to this Article:

- The landholder whose land is expropriated shall be paid compensation for the property on the land and the permanent improvement made on the land.
- The amount of compensation for the property on the land shall enable to cover the cost of replacing the property anew.
- The minimum compensation payable to a housing unit, may not, in any way, be less than the current cost of constructing a house per the standard,
- Compensation for permanent improvement to land shall be equal to the current value of capital and labor expended on the land.

Where the property on the land can be relocated and continue its service as before, the cost of removing, transporting, and erecting the property shall be paid as compensation.

Valuation methods to determine compensation for various properties and detail prescriptions applicable there to shall be provided for by regulations.

5.3 Valuation of Land and Other Assets - Proclamation 1161/2019

The GoE has issued a new proclamation (1161/2019) which addresses the public’s concern on the previous proclamation (455/2000). The new proclamation has included many changes in provisions including the provision of livelihood restoration of PAPs beyond compensation of the lost asset and property. The new proclamation defines the basic principles that have to be taken into consideration in determining compensation to a person whose landholding is going to be expropriated. The Proclamation is applicable on both rural and urban lands. The general condition for which land and property can be expropriated is for public purpose defined as use of land by the appropriate body or development plan to ensure the interest of citizens to acquire direct or indirect benefits from the use of the land and to consolidate sustainable socio-economic development.

According to Article 2 (3) of the proclamation, compensation is paid to those who have legally occupied the land and those who have property on such land developed through their labor and capital. Lawful occupants are expected to produce evidence for their legal landholding. The most important evidence for this could be the landholding certificate.

Land valuations are often done at the Woreda and Urban administration levels. The valuation will be done by certified private institution/consultant evaluators, autonomous government organization or by valuation committees established by the relevant Woreda or Urban Administration (Proclamation No. 1161/2019, Article17). In the case of publicly owned infrastructures such as utility lines on the expropriated land the owning institution is mandated to estimate the value of the utility line to be affected and send it with evidence to the City or Woreda Administration that requested within 30 days of receiving the request. The City or Woreda administration is responsible to pay the compensation within 30 days of receiving the
estimated cost of the utility lines to the owner organization (Proclamation No. 1161/2019 Article 10).

The landholder is entitled to be compensated for the property on the basis of full replacement. Permanent improvements to the land, equal to the value of capital and labor expended are specified as a valid basis for determining replacement value. Where property is on urban land, the law specifies that compensation “may not be less than construction minimum cost house as per the region in which it is located.” It is also required that the cost of removal, transportation, and erection be paid as compensation for a relocated property, continuing its service as before. Compensation will also be based on current cost, cost of demolishing, lifting, and reinstalling. However, the valuation formulae are yet to be provided by regulations.

Assets will be broken down into components: Components for building costs include cost per square meter. Crops are subdivided into crops and perennial crops and calculated based on yield per square meter of land multiplied by price per kilogram. Trees could be cut and used by owner plus payment of compensation for loss of continued income. The cost of machinery, labor for improvement, and any infrastructure as part of the improvement will be compensated based on current costs. Property relocation is based on the cost to relocate property given that it is not damaged while being moved. The amount of compensation for loss of land that is used for grazing or production of grass is based on the area of land and the current price per square meter. More detailed instructions for compensation are included within Directive.

As per the Proclamation No. 1161/2019(Article 13) valuation of displacement compensation for communal landholding is based on the use of the communal land; or the lost benefits and livelihood of the displaced people through identifying communal land clearly. The method of allocating the displacement compensation money or the use of it in kind to all members of the communal landholding community shall be clearly determined.

In addition to compensation according to Proclamation No. 1161/2019 Article 13(1) `displacement compensation shall be paid equivalent to 15 times the highest annual income he/she secured during the three years preceding the expropriation of the land`. Compensation will be in an amount sufficient to reinstate displaced people to their economic position prior to displacement; the regionally relevant administration is required to give another piece of land to any person who lost his land in favor of a public project (Proclamation No1161/2019). The assessment of compensation does not include the value of the land itself but the property and any development made on the land because land is a public property and not subject to sale in Ethiopia.

A rural landholder whose landholding has been permanently expropriated (where substitute land is not available) shall be paid displacement compensation, in addition to compensation payable for property situated on the land and for permanent improvements made to such land, the landholder shall be paid displacement compensation which is equivalent to 15 times the highest annual income he generated during the last 3 years preceding the expropriation of the land(Proclamation No. 1161/2019, Article 13).

Entitlements and Compensation

The government of Ethiopia and the World Bank ESS -5 require all individuals and households whose assets and productive resources affected as a result of the stringing project are entitled for compensation and/or other forms of assistance. Pursuant to the policy frameworks, eligible PAPs
for entitlement under this assessment include households with formally recognized property rights and those who have held land under informal purchase agreements and arrangements. It also includes vulnerable groups, such as women headed households, elderly families and people with health and physical challenges, requiring special assistance and rehabilitation during relocation and resettlement activities.

In line with ESS5, the following three categories of affected people will be eligible to Project resettlement assistance; all are provided compensation for loss of assets other than land:

1. Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
2. Those who do not have formal legal rights to land at the time of the cut-off date but have a claim to such land or assets—provided that such claims are recognized under the laws of Ethiopia or become recognized through a process identified in the resettlement plan; and
3. Those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under (a) and (b) above are provided compensation for the land they lose, and other assistance as needed. Persons covered under (c) above are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, if they occupy the Project area prior to the cut-off date. In practice, this means that people usually considered as “squatters” are entitled to Project assistance as long as they are present on site at the cut-off date.

Eligibility for compensation is discussed in Article 44(2) of the 1995 Constitution and in the new Proclamation No. 1161/2019 (Article 12, 13&14). These give entitlement only to those who have formal legal rights over their land holdings (properties).

In order to ensure that displaced persons who do not have legal title are not adversely affected by USNJP LIPW subprojects, they will be enabled to maintain their livelihood and assisted to secure accommodation. It is anticipated that cities will, as part of the ESMF/RPF screening and project preparation processes, closely investigate potential project impacts on resident’s livelihoods and fixed improvements to ensure that negative impacts are avoided or minimized and the assistance in replacement cost and must be sufficient to improve, or at least restore, lost livelihoods.

Assistance will be provided to legal tenants of affected by the project to maintain their livelihoods and find alternative accommodation. Tenants of private landlords will seek redress from their private lessor by reference to the terms and conditions of their tenancy and civil law.

Type and size of affected asset qualified for entitlement and mechanisms for other forms of assistance are presented below in matrix format.

The entitlements matrix below defines the eligibility for compensation and/or rehabilitation assistance for impacts/losses for different types of assets such as losing land, houses, and income and rehabilitation subsidies will include provisions for permanent or temporary land losses, buildings losses, crops and trees losses, a relocation subsidy, and some business losses for different categories of Project affected persons. These entitlements are detailed below: Based on Ethiopian laws and World Bank ESS5, the following is the entitlement matrix for the project:
<table>
<thead>
<tr>
<th>Land and Assets</th>
<th>Types of Impact</th>
<th>Person(s) Affected</th>
<th>Compensation/Entitlement/Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural Land</td>
<td>Cash compensation for affected land equivalent to market value</td>
<td>Title holder</td>
<td>- Cash compensation for affected land equivalent to replacement value, taking into account market values for land, where applicable</td>
</tr>
<tr>
<td></td>
<td>Less than 20% of land holding affected</td>
<td>Tenant/ lease holder</td>
<td>- Cash compensation for the harvest or product from the affected land or asset, equivalent to 15 times the highest annual income s/he secured during the three years preceding the expropriation of the land.</td>
</tr>
<tr>
<td></td>
<td>Land remains economically viable.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greater than 20% of land holding lost</td>
<td>Tenant/ Lease holder</td>
<td>Farmer/ Title holder</td>
<td>- Land for land replacement where feasible, or compensation in cash for the entire landholding according to PAP’s choice.</td>
</tr>
<tr>
<td></td>
<td>Greater than 20% of land holding lost</td>
<td></td>
<td>- Land for land replacement will be in terms of a new parcel of land of equivalent size and productivity with a secure tenure status at an available location which is acceptable to PAPs. Transfer of the land to PAPs shall be free of taxes, registration, and other costs.</td>
</tr>
<tr>
<td></td>
<td>Greater than 20% of land holding lost</td>
<td>Tenant/ Lease holder</td>
<td>- Relocation assistance (costs of shifting + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short-term crops mature)</td>
</tr>
<tr>
<td></td>
<td>Greater than 20% of land holding lost</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land and Assets</td>
<td>Types of Impact</td>
<td>Person(s) Affected</td>
<td>Compensation/Entitlement/Benefits</td>
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</tr>
<tr>
<td>Commercial Land</td>
<td>Land used for business partially affected</td>
<td>Title holder/ business owner</td>
<td>- Cash compensation for affected land, taking into account market values, where applicable&lt;br&gt;- Opportunity cost compensation equivalent to 5% of net annual income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist).</td>
</tr>
<tr>
<td></td>
<td>Limited loss</td>
<td>Business owner is lease holder</td>
<td>- Opportunity cost compensation equivalent to 10% of net annual income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist)</td>
</tr>
<tr>
<td></td>
<td>Assets used for business severely affected</td>
<td>Title holder/ business owner</td>
<td>- Land for land replacement or compensation in cash according to PAP’s choice. Land for land replacement will be provided in terms of a new parcel of land of equivalent size and market potential with a secured tenure status at an available location which is acceptable to the PAP.&lt;br&gt;- Transfer of the land to the PAP shall be free of taxes, registration, and other costs.&lt;br&gt;- Relocation assistance (costs of shifting + allowance)&lt;br&gt;- Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist).</td>
</tr>
<tr>
<td>Land and Assets</td>
<td>Types of Impact</td>
<td>Person(s) Affected</td>
<td>Compensation/Entitlement/Benefits</td>
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</tr>
<tr>
<td>Residential Land</td>
<td>Land used for residence partially affected, limited loss</td>
<td>Title holder</td>
<td>- Cash compensation for affected land, taking into account market values, where applicable</td>
</tr>
<tr>
<td></td>
<td>Remaining land viable for present use.</td>
<td>Rental/ lease holder</td>
<td>- Cash compensation equivalent to 10% of lease/ rental fee for the remaining period of rental/ lease agreement (written or verbal)</td>
</tr>
<tr>
<td></td>
<td>Business person is lease holder</td>
<td></td>
<td>- Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher.</td>
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<td></td>
<td></td>
<td></td>
<td>- Relocation assistance (costs of shifting)</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>- Assistance in rental/ lease of alternative land/ property (for a maximum of 6 months) to reestablish the business.</td>
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</tbody>
</table>

- Land for land replacement or compensation in cash according to PAP’s choice.

- Land for land replacement shall be of minimum plot of acceptable size under the zoning law(s) or a plot of equivalent size, whichever is larger, in either the community or a nearby resettlement area with adequate physical and social infrastructure systems as well as secured tenure status.

- When the affected holding is larger than the relocation plot, cash
<table>
<thead>
<tr>
<th>Land and Assets</th>
<th>Types of Impact</th>
<th>Person(s) Affected</th>
<th>Compensation/Entitlement/Benefits</th>
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<tr>
<td></td>
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<td>compensation to cover the difference in value.</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>- Transfer of the land to the PAP shall be free of taxes, registration, and other costs.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Relocation assistance (costs of shifting + allowance)</td>
</tr>
<tr>
<td>Land and assets used for residence severely Affected</td>
<td>Rental/ lease holder</td>
<td></td>
<td>- Refund of any lease/ rental fees paid for time/ use after date of removal</td>
</tr>
<tr>
<td>Remaining area insufficient for continued use or becomes smaller than minimally accepted under zoning laws</td>
<td></td>
<td></td>
<td>- a residential house shall be given for two years free of charge until he constructs his residential housing or displacement compensation equal to two-year housing rentals estimated on the basis of the rental market comparable to the house of the displaced</td>
</tr>
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<td></td>
<td>- Assistance in rental/ lease of alternative land/ property equivalent to the expropriated land in standard and size.</td>
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<td></td>
<td>- Relocation assistance, (Where the property on the land can be relocated and continue its service as before, the cost of removing, transporting, and erecting the property shall be paid as compensation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Compensation for the breakup of their social ties and moral damage they suffer as result of the expropriation.</td>
</tr>
<tr>
<td>Buildings and Structures</td>
<td>Structures are partially Affected</td>
<td>Owner</td>
<td>- Cash compensation for affected building and other fixed assets</td>
</tr>
<tr>
<td></td>
<td>Remaining structures viable for continued</td>
<td></td>
<td>- Cash assistance to cover costs of restoration of the remaining structure</td>
</tr>
<tr>
<td>Land and Assets</td>
<td>Types of Impact</td>
<td>Person(s) Affected</td>
<td>Compensation/Entitlement/Benefits</td>
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</tr>
<tr>
<td>use</td>
<td>Rental/ lease holder</td>
<td>- Cash compensation for affected assets (verifiable improvements to the property by the tenant).&lt;br&gt;- Disturbance compensation equivalent to two months rental costs</td>
<td></td>
</tr>
<tr>
<td>Entire structures are affected or partially affected&lt;br&gt;Remaining structures not suitable for continued use</td>
<td>Owner</td>
<td>- Cash compensation for entire structure and other fixed assets without depreciation, or alternative structure of equal or better size and quality in an available location which is acceptable to the PAP.&lt;br&gt;- Right to salvage materials without deduction from compensation&lt;br&gt;- Relocation assistance, where the property on the land can be relocated and continue its service as before, the cost of removing, transporting, and erecting the property shall be paid as compensation. Compensation for permanent improvement to land shall be paid&lt;br&gt;- Resettlement Package</td>
<td></td>
</tr>
<tr>
<td>Rental/ lease holder</td>
<td>- Cash compensation for affected assets (verifiable improvements to the property by the tenant)&lt;br&gt;- Relocation assistance (costs of shifting + allowance equivalent to four months rental costs)&lt;br&gt;- Assistance to help find alternative rental arrangements&lt;br&gt;- Rehabilitation assistance if required (assistance with job placement, skills training)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land and Assets</td>
<td>Types of Impact</td>
<td>Person(s) Affected</td>
<td>Compensation/Entitlement/Benefits</td>
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</tr>
</tbody>
</table>
|                 | Squatter/informal dweller | - Cash compensation for affected structure without depreciation  
- Right to salvage materials without deduction from compensation  
- Relocation assistance, where the property on the land can be relocated and continue its service as before, the cost of removing, transporting, and erecting the property  
- Compensation for the breakup of their social ties and moral damage they suffer as result of the expropriation  
- A residential house shall be given to the displaced for two years free of charge until he constructs his residential housing or displacement compensation equal to two-year housing rentals estimated on the basis of the rental market comparable to the house of the displaced Alternatively, assistance to find accommodation in rental housing or in a squatter settlement scheme, if available)  
- Resettlement package |
|                 | Street vendor (informal without title or lease to the stall or shop) | - Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher.  
- Relocation assistance (costs of shifting)  
- Assistance to obtain alternative site to re-establish the business. |
<table>
<thead>
<tr>
<th>Land and Assets</th>
<th>Types of Impact</th>
<th>Person(s) Affected</th>
<th>Compensation/Entitlement/Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standing Crops</td>
<td>Crops affected by land acquisition or temporary acquisition or easement</td>
<td>PAP (whether owner, tenant, or squatter)</td>
<td>- Cash compensation equivalent to 15 times the highest annual income s/he secured during the three years preceding the expropriation of the land.</td>
</tr>
<tr>
<td>Trees</td>
<td>Trees lost</td>
<td>Title holder</td>
<td>- Cash compensation based on type, age and productive value of affected trees plus 10% premium</td>
</tr>
<tr>
<td>Temporary Acquisition</td>
<td>Temporary acquisition</td>
<td>PAP (whether owner, tenant, or squatter)</td>
<td>- Cash compensation for any assets affected (e.g. boundary wall demolished, trees removed)</td>
</tr>
<tr>
<td>Communal land</td>
<td>Lost benefit and livelihood from use of communal land</td>
<td>Member of the community using the communal land</td>
<td>- Cash compensation based on the use of the communal land; or the lost benefits and livelihood</td>
</tr>
<tr>
<td>Support for vulnerable groups</td>
<td></td>
<td></td>
<td>Vulnerable group identification and need assessment will be conducted and vulnerable support plan is prepared as needed.</td>
</tr>
</tbody>
</table>

5.4 **World Bank’s Environmental and Social Standards (ESS)**

According to the World Bank Environmental and Social standards, projects supported by the Bank through Investment Project Financing are required to meet the Environmental and Social Standards (ESS). For USNJP seven standards will be applicable out of the total ten World Bank’s ESF Environmental and Social standards as discussed in the table below. The ESS is designed to help Clients to manage the risks and impacts of a project, and improve their environmental and social performance, through a risk and outcomes-based approach. Clients are required to manage environmental and social risks and impacts of the project throughout the project life cycle in a systematic manner, proportionate to the nature and scale of the project and the potential risks and impacts. In the context of the current UPSNJP project, as the specific sites for the implementation of the subproject activities has not been identified at this stage, RPF and ESMF has been chosen as a management tool for the project. However, during implementation stage, site specific safeguards instruments (RAP, ESMP/ESIA) will be prepared to mitigate risks associated with the sub project activities.

5.5 **Comparison with World Bank’s ESF Environmental and Social Standards (ESS-5) and Government Legislation**
There are differences and gaps between the national policies and legislations and the World Bank Environment and Social Standard 5 (ESS5): Land Acquisition, Restrictions and Land Use and Involuntary Resettlement. These gaps relate to the general principles for resettlement, eligibility criteria, the notification period for expropriation and resettlement, and the procedures required throughout the resettlement process.

Below is a short discussion of the most important differences:

- Ethiopian law does not make any specific accommodation for squatters or illegal settlers, other than recognition of some use rights, such as when settlers can claim rights to the land; according to the Proclamation No. 1161/2019 Article 21 (2) "where Land is under illegally occupied, the Woreda or Urban Administration may takeover of the land after removing the property, demolishing building on the land".

- Ethiopian law makes no specific accommodations for potentially vulnerable groups such as women, children, the elderly, ethnic minorities, indigenous people, the landless, and those living under the poverty line. These groups are at highest risk to experience negative effects due to resettlement, and should receive special consideration during the preparation of a resettlement policy framework to assure that they can maintain at least the same standard of living after displacement takes place.

- Finally, there is also no provision in the law that the state should attempt to minimize involuntary resettlement. However, this appears to be implicit in the country’s Constitution.

The gap filling measures have been developed as provided in the below table to ensure compliance with the two sets of laws and policies for this project. Where there are differences between national laws and ESS5, the latter shall prevail in the case of this Project.”

**Table 3: Comparison matrix of GoE Legislation and World Bank’s ESS-5 and Gaps Filling Measures**

<table>
<thead>
<tr>
<th>Theme</th>
<th>WB ESS-5</th>
<th>Ethiopian Law</th>
<th>Comparison</th>
<th>Gap filling measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Objective</td>
<td>ESS-5 requires that involuntary resettlement should be avoided wherever possible or minimized by exploring alternatives. Displaced persons should be assisted in improving livelihoods etc. or at least restoring them to previous levels. Avoid forced eviction. To improve living conditions of poor or</td>
<td>The constitution of Ethiopia and Proclamation No 1161/2019 give power to Woreda or urban administrations to expropriate rural or urban landholdings for public purpose where it believes that it should be used for a better development. Article 12(5) states</td>
<td>Avoidance or minimization of involuntary resettlement is not specified in the Ethiopian legislation. Proclamation No. 1161/2019 allows for a complaints and grievance process. It also allows for some form of support to the displaced persons but does not</td>
<td>World Bank ESS-5 overall objectives shall be applied to avoid forced eviction; avoid or minimize involuntary resettlement and to ensure meaningful full consultation and appropriate disclosure of information throughout the process.</td>
</tr>
<tr>
<td>Theme</td>
<td>WB ESS-5</td>
<td>Ethiopian Law</td>
<td>Comparison</td>
<td>Gap filling measures</td>
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<tr>
<td>vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure</td>
<td>that the cost of removing, transporting, and erecting the property shall be paid as compensation.</td>
<td>explicitly specify consultation with affected persons through the process.</td>
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</table>

<p>| Notification period /timing of displacement | ESS-5 Par 15 requires that the resettlement activities associated with implementation of the development project to ensure displacement or restriction of access does not occur before necessary measures for resettlement are in place. In particular, taking of land and related assets may take place only after compensation has been paid and where applicable, resettlement sites and moving allowances have been provided to displaced persons. In addition, livelihood restoration and improvement programs will commence in a timely fashion in order to ensure that affected persons are sufficiently prepared to take advantage of alternative livelihood opportunities as the need to do so arises. | Article 8(1) of Proclamation No.1161/2019 requires to consult land holders who are to be displaced at least one year before they handover their holdings on the type; benefits and general process of the project. However, may be consulted in less than one year if the concerned body decides that the land is required urgently for investment. | The Proclamation No. 1161/2019 stated that pay compensation or provide substitute land shall be before displacement of people from their landholding. But, nothing to say about restriction of access | Notification period /timing of displacement should be effected after all compensation issues have been settled. Livelihood restoration activities need to be planned and implemented. |</p>
<table>
<thead>
<tr>
<th>Theme</th>
<th>WB ESS-5</th>
<th>Ethiopian Law</th>
<th>Comparison</th>
<th>Gap filling measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eligibility for compensation</td>
<td>ESS-5 Par 10 gives eligibility to all PAPs whether they have formal legal rights or do not have formal legal rights to land but have a claim to such land and those who do not have recognizable legal right or claim to the land.</td>
<td>Proclamation No 1161/2019, Article 8 allows landholders’ to be eligible for compensation if they have lawful possession over the land to be expropriated and owns property situated thereon</td>
<td>While Ethiopian law only grants compensation to those with lawful possession of the land, ESS-5 entitles compensation to all affected individuals regardless of landholding rights to land titles (including squatter settlements)</td>
<td>The USNJP document acknowledges in an event where there is a discrepancy between the national law and WB ESS-5, the WB ESS 5 prevails.</td>
</tr>
<tr>
<td>Compensati on</td>
<td>World Bank ESS-5 Par 12 requires that land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods. Article 26, in the case of physical displacement, the Borrower will develop a plan that covers, at a minimum, the applicable requirements of this ESS regardless of the number of people affected. The plan will be designed to mitigate the negative impacts of displacement and, as warranted, to identify development opportunities. It will include a resettlement budget and implementation schedule, and establish the entitlements of all categories of affected persons.</td>
<td>Article 11, 12 13 and 14 of Proclamation No.1161/2019 entitles the Where land is expropriated whether it is for permanent and temporary use of public development or investment the following compensation is offered: displacement compensation, relocation &amp; resettlement assistance (house rental allowance and transportation, removal and erection), property compensation , land compensation (including land for agricultural, business residential and communal) economic loss compensation , social tie and moral damage compensation,</td>
<td>The World Bank requirement for compensation and valuation of assets is that compensation and relocation must result in the affected person securing property and a livelihood to at least equivalent standards as before. This is somehow stated in the new proclamation although the details are left open to be determined by directives that may be issued by Regional States, Addis Ababa, Dire Dawa.</td>
<td>The World Bank Requirements indicated in the ESS 5 for compensation must be followed,</td>
</tr>
<tr>
<td>Theme</td>
<td>WB ESS-5</td>
<td>Ethiopian Law</td>
<td>Comparison</td>
<td>Gap filling measures</td>
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<tr>
<td>Responsibilities of the Project</td>
<td>According to ESS-5 Par 20 and 22, the borrower is responsible for conducting a census and preparing, implementing, and monitoring the appropriate resettlement instrument. Article 23 states that the borrower is also responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. In addition, upon completion of the project, the borrower must undertake an assessment to determine whether the objectives of the resettlement instrument have been achieved. This must all be done according to the requirement of ESS-5. Article 19 requires that the borrower inform potentially displaced persons at an early stage about the resettlement aspects of the project and takes their views into account in project design.</td>
<td>Article 5 of Proclamation No 1161/2019 sets out the responsibilities of the implementing agency, requiring them to gather data on the land needed and works, and to send this to the appropriate officials for permission. It also requires them to pay compensation to affected landholders.</td>
<td>The process required for the project proponent implementing agency lacks descriptive processes in local legislation.</td>
<td>As per the World Bank requirements, project processes included screening, a census, and the development of a plan, management of compensation payments and monitoring and evaluation of success. It must also include proper consultation with the affected parties through the process.</td>
</tr>
<tr>
<td>Cut-off date</td>
<td>Persons occupying the program area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets established after the cutoff date are not eligible for compensation.</td>
<td>The Proclamation No.1161/2019 stated that properties added after the expropriation notification is given to the land holders are not compensated.</td>
<td>No clear procedure and understanding</td>
<td>Cut-off date should be set and communicated properly with all key stakeholders including PAPs and apply whenever needed</td>
</tr>
<tr>
<td>Theme</td>
<td>WB ESS-5</td>
<td>Ethiopian Law</td>
<td>Comparison</td>
<td>Gap filling measures</td>
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</tr>
<tr>
<td>Consultation and disclosure of information</td>
<td>ESS-5 requires that affected communities be consulted regarding project implementation, opportunity to participate, implement, and monitor resettlement activities.</td>
<td>Article 92 of the constitution provides - People have the right to full consultation and to the expression of views-in the planning and implementation of environmental policies and projects that affect them.</td>
<td>Does not explicitly specify consultation with affected persons through the process and no requirement of document disclosure.</td>
<td>The project as per the ESS 10 shall ensure adequate, inclusive and participatory consultation is implemented and all project documents are publicly disclosed.</td>
</tr>
<tr>
<td>GRM</td>
<td>WB ESSS-5 Par 19 emphases that effective and functional Grievance system is in place.</td>
<td>Proclamation No.1161/2019 clearly states where the holder of an expropriated land holding is dissatisfied with the amount of compensation he/she may lodge to the administrative organ established to hear grievances related to land holding.</td>
<td>It doesn’t recognize participation of community members in the GRM process</td>
<td>The project shall have an independent functional grievance redress mechanism that ensures the community members are part of the process.</td>
</tr>
<tr>
<td>Support for alternative livelihoods.</td>
<td>ESS-5 Par 27, emphasis to economically displaced persons for obtaining employment or for establishing a business, including provision of relevant supplemental assistance including skills training, credit, licenses or permits, or specialized equipment. Provides special assistance to women, minorities or vulnerable groups who may be disadvantaged in securing alternative livelihoods.</td>
<td>Nothing to say for the needs of Special support</td>
<td>ESS-5 emphasis to economically displaced persons for obtaining employment or for establishing a business, but local proclamation is nothing to say.</td>
<td>For projects involving economic displacement with significant impacts on livelihoods or income generation, the plan will set out the additional measures relating to livelihood improvement or restoration; The project should give particular attention to the needs of the poor and the vulnerable.</td>
</tr>
</tbody>
</table>
6. PRINCIPLES, OBJECTIVES, AND PROCESSES RELATED TO COMPENSATION AND RESETTLEMENT

This RPF applies to activities of Component I (ILIPWs subprojects) under USNJP, whether or not they are directly funded in whole or in part by USNJP, affecting those who would be physically displaced or who would lose some or all access to resources, and regardless of the total number affected, the severity of impact, and their legal status (e.g. the RPF guidelines apply also to those with ill-defined or no title to the land).

The activities in USNJP that could potentially have some land acquisition or restriction of access include the following: (a) urban greenery development; (ii) solid waste management; (iii) construction of cobblestone roads; (iv) building drainages (v) community infrastructure; and (vi) shelters and workshops for income generation SME activities.

Although the exact number and locations of the projects are unknown, the following categories of PAP will be used in identifying the groups of PAPs for the purposes of determining impacts:

- Therefore, land-take might impact them seriously, and the project will avoid, and if not feasible, will document land-take and use with the PAPs. They will be informed of their rights under national laws and this RPF (and eventual RAPs), including any national laws recognizing customary rights or use and the project will offer them adequate compensation as stated in the entitlement matrix together with culturally appropriate development opportunities. Furthermore, USNJP will identify the vulnerable members in these households, such as those who are too old or too ill; children; those living with HIV/AIDS; women; unemployed youth; minority ethnic groups, etc. Households headed by women that depend on sons, brothers, and others for supports are especially vulnerable. Similarly, households with elderly or seriously ill persons are eligible for additional support.

During implementation if the subproject requires private land, site specific Resettlement Action Plans (RAP)/ARAP will be prepared as per the principles provided in this RPF.

Principles to be followed during the ARAP/RAP preparation:

- All potential PAPs should be identified (through a scoping exercise) and informed about their options and rights pertaining to compensation for land and assets to be acquired by the sub-project(s);
- PAPs must be consulted about land acquisition and compensation and offered technical and financial options, including the most economically feasible alternatives; and
- PAPs should receive reasonable compensation at full replacement cost for losses of assets and access attributable to the sub-project.

6.1 **Screening**

Screening is used to identify the types and nature of potential impacts related to the LIPW
subproject proposed under USNJP and provide adequate measures to address the impacts. This is the same form as in the ESMF to enable a simple screening process for initial identification of social and economic impacts.

It also ensures that the ULG, in consultation with the local community members, chooses a site with the least environmental and social impacts, and lowest chance of resettlement. The screening process ensures that USNJP LIPW subprojects comply with the requirements of Ethiopian Law according to Proclamation No 1161/2019 and Council of Ministers land expropriation Regulation (it will be formulated following the new this proclamation).

Figure 2: Resettlement Policy Framework

6.2 Census (Socio-Economic) Survey (including Land Asset Inventory)

Data must be collected to identify the persons who will be displaced, people eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these
benefits. The Census will:

- Provide initial information on the scale of resettlement to be undertaken;
- Identify gaps in information and give an indication of further socio-economic research needed to quantify losses to be compensated and, if required, to design appropriate development interventions; and
- Establish indicators that can be measured at a later date during monitoring and valuation.

The Census (Socio-Economic) Survey is a socio-economic survey that may be undertaken by a consultant contracted by UJCFSA or the BUD/the same. When this is not possible, and where the resettlement is minimal (e.g. a very small percentage of a person’s land and livelihood is affected), the relevant ULG Infrastructure Office will carry out the survey with the use of the sample socio-economic survey in Annex 5.

The Census (Socio-Economic) Survey will be accompanied by a Land Asset Inventory to determine what assets will need to be compensated for during the resettlement process. A sample inventory form can also be found in Annex 5.

6.3 Cutoff date

The cutoff date for determination of eligibility for compensation shall be set once census and all detailed asset inventory of persons affected by the project have been completed. The date should be adequately communicated to the people and to the local officials while conducting the household census and consultations. Thus, any person who constructs a house or a structure in the right-of-way after the cut-off date will not be eligible for compensation. Compensation shall not be paid for any structures erected or crops and trees planted after the cutoff date. Cultivating land, constructing settlement in project affected areas after the cut-off date shall and will not be eligible for compensation or for subsidies.

Proclamation No. 1161/2019 article 8 states the relevant government office to consult land holders who are to be displaced at least one year before they handover their holdings on the type; benefits and general process of the project. Nevertheless, land holders who are to be displaced may be consulted on the type; benefits and general process of the project in less than one year if the Government decides that the land is required urgently for investment.

The cutoff date will be officially published and available for the public. Moreover, the date will be disseminated throughout the project area at regular intervals in written and (as appropriate) non written forms and in relevant local languages. Further, the date will be adequately communicated with the community and the local officials through formal meetings as well as during conducting household surveys.

6.4 Development of a RAP

Following the Census Survey and identification of PAP, a RAP will be developed according to
the structure as set out in Figure 4 above. The preparation of a RAP will be done by the city project office or with the support of a consultant contracted by UJCFSA or the BoUDHCo/Agency and in consultation with the affected parties, particularly in relation to the cut-off date for eligibility, disturbances to livelihoods and income-earning activities, methods of valuation, compensation payments, potential assistance and timeframes.

**Preparation of a RAP**

The level of detail and extent of a RAP must be related to the extent of the resettlement impact. Where the resettlement impacts are substantial (e.g. the physical displacement of 200 or more individuals), an extensive and detailed RAP will be required.

The RAP preparation process must ensure that a specific, auditable process has been followed, that is appropriate to the impacts and that allows for consultation throughout the process. It must also ensure that those affected by resettlement, whether economic or physical, are no worse off, and preferably better off, than before. The RAP should include the following:

- Identification of project impacts and PAPs
- Legal framework for land acquisition and compensation
- Compensation framework
- Description of resettlement assistance and restoration of livelihood activities
- Detailed budget,
- Implementation schedule
- Description of organizational responsibilities
- Framework for public consultation, participation, and development planning
- Description of provisions for complaints and appeals
- Framework for monitoring, evaluation, and reporting

6.5 **Review and Submission to Regional and Federal Authorities**

Following completion of the RAP, the ULG Infrastructure Office/City Manager must submit the RAP to Regional Environmental Protection Authority (REPA) for approval, ensuring compliance with the RPF. The RAP is also to be submitted to FUJCFSA and through FUJCFSA to the World Bank - to ensure compliance with the RPF and Ethiopian Law.

Capacity for RAP review and approval will be developed at each ULG through support of the regional Agency/BoUDHCo and the federal UJCFSA. This will be through training and technical assistance to ensure that all implementing agencies and other stakeholders involved discharge their different responsibilities effectively.

6.6 **RAP Implementation Procedures and Implementation Schedule**

Compensation payments will be made to displaced persons before LIPW subprojects commence and the displaced persons property is affected (i.e., during the early stages of implementation of the RAP).
Following the approval of the RAP, the process of implementation will follow the following process. The comprehensiveness of these steps will depend on the nature and extent of resettlement required.

**Step 1: Consultation and Participatory Processes.** A participatory approach is adopted to initiate the compensation process. The consultations must start during the planning stages when the technical designs are being developed, and at the land selection/screening stage. The process, therefore, seeks the involvement of PAPs throughout the Census Study for identifying eligible PAPs and throughout the RAP preparation process.

**Step 2: Disclosure and Notification.** All eligible PAPs are informed about the USNJP LIPW subprojects and the RAP process. A cut-off date is established as part of determining PAPs eligibility. In special cases where there are no clearly identifiable owners or users of the land or asset, the RAP team must notify the respective local authorities and leaders. A “triangulation” of information (affected persons, community leaders and representatives, and other government agency, land valuation expert) may help to identify eligible PAPs. The RAP must notify PAPs about the established cut-off date and its significance. PAPs must be notified both in writing and by verbal notification delivered in the presence of all the relevant stakeholders.

**Step 3: Documentation and verification of land and other assets.** The GoE authorities at both Woreda and community local levels; community elders and leaders; will arrange meetings with PAPs to discuss the compensation and valuation process. For each individual or household affected by the subproject, the RAP preparation team will complete a Compensation Report containing necessary personal information on the PAPs and their household members; their total land holdings; inventory of assets affected; and demographic and socio-economic information for monitoring of impacts. This information will be documented in a Report, and ideally should be witnessed by an independent or locally acceptable body (e.g. Resettlement Committee). The Reports will be regularly updated and monitored.

**Step 4: Compensation and Valuation.** All types of compensation will be clearly explained to the individual and households involved. These refer especially to the basis for valuing the land and other assets. Once such valuation is established, the ULG Infrastructure Office will produce a Contract or Agreement that lists all property and assets being acquired by the sub-project and the types of compensation selected. These options include in-kind (e.g. replacement housing) and cash compensation. All compensation should occur in the presence of the affected persons and the community local leaders. Acquired assets will be compensated at replacement costs, and in calculating replacement cost, depreciation of structures and assets is not taken into account, nor is the value of materials salvaged by the PAP from an asset (e.g. building materials, the pump from a well etc.) acquired under a community project. For houses and other structures, the replacement value, if provided as cash compensation, is the market costs of materials to build a similar or better structure than the one affected, plus costs of labor/contractors, and the cost of any registration and transfer taxes. For agricultural land, the replacement cost is the pre-project or pre-displacement (whichever is higher) market value of land that is of equal size, or use plus the cost of any registration and transfer taxes.

Displaced persons/families will receive relocation assistance to cover (i) the costs of moving to their new location, and (ii) an allowance equal to the local average costs of living during a two
month transition period to resettle in their new location of residence or business.

*Community Payments:* Although most subprojects do not normally take land and other assets belonging to a community (such as a community center, school, or sacred site), if this occurs in a subproject, the community (as a whole) will be compensated. This compensation will be in the form of reconstruction of the facility (in case of damages) or replacement at least the same standard or equivalent or better standard required by local planning regulation. Examples of community compensation are expansion of grazing grounds; rehabilitation of school buildings, public toilets, health facilities; installation of wells or pumps; creation of market places; and reconstruction of community roads.

6.7 **Special Restoration Measures for Vulnerable Group/PAPs**

Despite the Project has a positive impact on the vulnerable people and women in various aspects, impacts related to gender and other sources of vulnerability requires the development of appropriate approaches. The project depending on the scale of the impact of sub project, during RAP preparation will conduct vulnerable group identification and need assessment study and produce vulnerable group support plan with detail implementation plan. FJCFSA and participating Cities are the main responsible bodies for implementation of the activities listed below.

(i) Ensure the existence of joint property title for spouse and husband during resettlement compensation settlement;

(ii) Deposit women’s cash compensation in individual bank accounts in their names during resettlement planning;

(iii) Deposit cash compensation on joint Bank accounts in the names of a husband and wife during resettlement planning;

(iv) Provide livelihood trainings to women groups organized in Micro and Small Enterprises (MSE’s) with special attention to female headed households;

(v) Special attention will be given to the impact of resettlement on women and other vulnerable groups during monitoring and evaluation of the RAP. The income restoration measures will also target the vulnerable persons to ensure that they are reasonably assisted to overcome potential economic shock from the Project and maintain the quality of life not less than their pre-project state.

Identification of vulnerable people and identification of the cause and impacts of their vulnerability, preferably through an identification mechanism devised with, and implemented by the beneficiary community; this step is critical because often vulnerable people do not participate in community meetings, and their disability/vulnerability may remain unknown.

Assistance may take the following forms, depending upon vulnerable persons’ requests and needs:

- Assistance in the compensation payment procedure (e.g. specifically explain the process and procedures, make sure that documents are well understood);
• Assistance in the post payment period to secure the compensation money and reduce risks of misuse/robbery;
• Assistance in moving: providing vehicle, driver and assistance at the moving stage, assist the person in identifying his/her resettlement plot;
• Assistance in building: providing materials, workforce, or building houses;
• Assistance during the post-resettlement period, particularly if the solidarity networks that the vulnerable person was relying on have been affected: food support, health monitoring, etc; and
• Health care if required at critical periods, particularly the moving and transition periods.
7. AFFECTED ASSETS, PROPERTIES AND ENTITLEMENTS

7.1 Potential Impact

The social and environmental impact of the UPSN program is more of beneficial in terms of improving living environment and social service, creating livelihood support opportunity and improving the quality of life of vulnerable and disadvantage groups.

7.2 Potential land acquisition impacts of project activities

Generally involuntary loss of assets and properties are expected to be limited. The project will follow the mitigation hierarchy, i.e. avoid, minimize, mitigate and/or compensate potential impacts from the design to the implementation. Sub project sites will be selected with a view to avoid private land take and, where unavoidable, to minimize and compensate adverse impacts on local communities and households. The assessment for the current project has indicated some project activities such as small infrastructure constructions have been implemented on government land with no encumbrancers and there was no private land acquisition. Further, the assessment showed that no single subproject implemented in private land that impacts peoples assets and properties.

Land acquisition and resettlement linked risk that has been experienced during implementation of the current project will be the same for the new project as well. This is due to the fact that most of the proposed activities under Component I which requires land acquisition are similar with the current project. There is no new activity that may lead to significant land acquisition and resettlement risk. The risk associated with these activities is also the same for new participating cities.

However, to manage any land acquisition risks, and to guide voluntary land acquisitions (if any), this RPF has been updated for the current project inline with the proposed project activities and ESS-5 and provides guidance on the appropriate social risk management instruments such as ARAPs and where necessary full Resettlement Action Plans(RAPs). The updated RPF provides the overall principles and objectives of ESS5 and provides guidance on how to manage land acquisition or potential restriction of access and the process to be followed in the case of voluntary land donation.

The following table summarised typical activities and potential impacts which may lead to land acquisition and resettlement issues and this RPF will apply during all stages of project cycle.

Table 6: List of projects that will have land acquisition impact

<table>
<thead>
<tr>
<th>No</th>
<th>Sub project category</th>
<th>Activities that require land and resettlement</th>
<th>Potential impact</th>
</tr>
</thead>
</table>
## 1 Small Community Infrastructures
- Gravel roads;
- Red ash roads;
- Pedestrian ways
- Maintenance and rehabilitation of existing internal roads
- Construction of health posts

- Construction of new health post and low-cost road or pedestrian way may result land acquisition, resettlement and restriction of access risk. Which may lead to temporary or permanent loss of assets or access to asset (land & property); loss of income source/business or access to it.
- Maintenance & rehabilitation of existing road may result restriction of access risk which may lead to temporary loss of income source or business
- Construction low-cost road and pedestrian way, and maintenance & rehabilitation of existing road may lead to right of way issue

## 2 Solid Waste Management (Urban Sanitation)
- Waste sorting, recovery & recycling
- Waste disposal facility
- Community Washing facilities
- Community Public toilets/ventilated improved pit latrines
- Community drainage canals or road drainages

- Construction of waste sorting, recovery, recycling and disposal facility may result land acquisition, resettlement and restriction of access risk. Which may lead to temporary or permanent loss of assets or access to asset (land & property); loss of income source/business or access to it.
- Construction of community washing facility & public latrine and Space for operation of composting may result restriction of communal land which may lead to loss of open space
- Construction of drainage may result restriction to income source which may lead to temporary loss of income source or business

## 3 Watershed management and disaster prevention
- River banks development and conservation

- Development & conservation of river bank may result land acquisition and resettlement risk. Which may lead to permanent loss of assets or access to asset (land & property).

## 4 Urban Green Infrastructure
- Urban parks and greenery development projects,
- Street side and median greening
- Nurseries for beautification.

- Development of urban parks and greenery may result land acquisition, restriction of access and resettlement risk. Which may lead to permanent loss of assets or access to asset (land & property) or means of income or business.
7.3 **Valuation of Affected Assets**

Valuation is the process of determining the value of land, or an asset that PAPs possess or use at the time of the census. Compensation for all land use and assets in kind or cash will be required for the following:

- Residential buildings, structures and fixtures;
- Cultivated crops (both cash and food crops) and trees;
- Communal grazing land; and
- Loss of businesses or employment.

In the valuation process, PAPs, local officials and relevant government offices (such as the Land Development and Management Office, Municipality, woreda office of agriculture) will be consulted in detail. Overall, valuation will be consistent with National rules and practices, and with the World Bank ESS-5 requirement that any lost asset be valued at full replacement value. However, the adherence to National rules and procedures could not lead to lower value or compromised value lesser than what is agreed in this RPF.

7.3.1 **Structures**

Valuation of structures will be undertaken on a case-by-case basis using rates available at City level, after a check that these rates meet the full replacement value requirement. Wear coefficients will not be applied, in consistency with the “replacement value” requirement. In the absence of established rates, valuation will take into account reconstruction value, calculated from local contractors’ quotations, taking labor into consideration.

7.4 **Compensation type**

7.4.1 **In kind compensation**
The Project is not expected to cause significant impact on people and their livelihood. Any sub-project that is assessed as potentially impacting inhabited dwellings or their livelihoods, it will be redesigned or rerouted. However, when the project acquires stripe of land, PAPs will get either cash compensation based on full replacement cost or will get replacement land with equivalent size and potential i.e.:

- Either of similar economical characteristics and similar surface,
- Or of greater surface if economical potential is less than that of the lost plot.

7.4.2 Cash Compensation

Cash compensation principles will be as follows:

- Compensation shall be paid prior to displacement
- Compensation will be at full replacement value without factoring depreciation.

By contrast with the depreciated or net value of a structure, the "replacement value" of structures includes the full cost of materials and labor required to reconstruct a building of similar surface and standing. In other words, the affected person must be able to rebuild same structure in a different location using the compensation paid for the old structure.

7.5 Voluntary Land Donation (VLD)

Some of infrastructure investments undertaken in the Project are for the most part located within the vacant government land and identified by the communities, which implies that access to land may be obtained through other means than just land acquisition through eminent domain. Thus, land for different investment components in a Project could be obtained through voluntary land donation. Therefore, voluntary land contributions will be accepted as long as the free, prior and informed consultation process is adhered to and if the situation is well documented by local authorities. As such, PAP and PAH have the right to contribute of land or other assets of their own volition without seeking or being given any form of compensation. These situations can be justified because the proposed sub-projects will likely directly benefit the PAP and PAH. However, the project should adequately inform the donor that he/she has a right to ask for compensation.

Nevertheless, Voluntary contributions of land is not allowed if impacts are greater than 10% of the total land area or productive assets and will involve physical displacement.

The voluntary land donation should meet the following criteria:

1. The land in question must be free of squatters, encroachers or other claims or encumbrances;
2. The land required to meet technical project criteria is identified by the affected community, not by line agencies or project authorities. (Nonetheless technical authorities should ensure that the land is appropriate for project purposes, and that the project will not produce health or environmental safety hazards);
3. Verification (e.g., notarized or witnessed statements) of the voluntary nature of land donations must be obtained from each person donating land;
4. The impacts must be minor, that is, involve no more than 10 percent of the area of holding and require no physical relocation;
5. Voluntary donation does not impact the income/livelihood of the poorer groups who depend on land;
6. The project will ensure the voluntary nature of the donation;
7. The entire process will be documented and title to the land transferred to the recipient in accordance with the prevailing legal system in the country; and
8. Grievance mechanisms are required.
8. **Grievance Mechanism**

8.1 **General**

As per proclamation No. 1161/2019 Article 19 any person who received an order of evacuation of his landholding; or who has an interest or claim on the property to be evacuated may file an application within 30 days of service of the order to the Complaint hearing body. In the Proclamation 1161/2019 Article 19 stated that “The body mentioned after investigating the Complaint submitted to it; shall make its decisions within 30 days of the filing of the application and notify in written to the parties thereof”. Therefore, complaints will be addressed by a grievance committee established by a woreda or city administration and will continue to regular court.

The Constitution provides a broad framework for systematizing the *Grievance Redress Mechanism (GRM)* concept with its emphasis on respect for human rights and fundamental freedoms, especially the right of access to justice, rule of law, and democratic governance. The *Civil Service Reform Program (CSRP) (1996)* influenced reforms to the federal and regional state administrative systems. CSRP is relevant because one of the initiatives in the “Service Delivery Sub-Program” was the promulgation in of a “Grievance Handling Directive” in 2002, which provided the initial stimulus for the GRMs that are being devised, improvised and implemented in various jurisdictions, particularly in the regional states. Subsequently, the GOE pushed the GRM concept even further towards sustainability by making grievance redress a key goal of the *Business Process Reengineering (BPR)* initiative. The handling of citizens’ grievances was given an important place in the BPR package that was distributed to regional and woreda governments, and a draft grievance handling guideline was accordingly circulated as part of the BPR package. Thus, the BPR provided the impetus and the initial template for the birth of GRMs in a number of regional states and municipalities, most notably Tigray, SNNPRS, Benishanghu- Gumuz Regional States, and Addis Ababa City Administration. The GRM covers wide range or sector specific grievances across national and sub national governments.

*Proclamation No.211/2000* provided for the Establishment of the Ethiopian Institute of Ombudsman (EIO), a federal level institution accountable to Parliament.

Several regional states (most notably Amhara and Tigray) have begun the process of creating grievance procedures approximating international standards which provide grievance in those states with a forum to complain about governmental maladministration and seek redress for any harm done to the grievant. Amhara has grounded its grievance redress mechanism in legislation approved by the regional cabinet council. Tigray used Amhara’s GRM procedures as a “benchmark” for its draft regulation and procedures manual. Other regional states such as SNNPR, Benishanghul-Gumuz and Oromia, used the GRM from the two regional states as template for strengthening existing GRMs through introduction of new work processes through the Business Process Re-engineering (BPR) or enacting regulations which provide new GRMs strong legal underpinnings. *ANS Directive No. 7/2002* provides for the expeditious decision-making system with regard to expropriation of urban land. It provides the composition of the jury members: a justice officer as chairperson, two residents of the town where the land is located, and two representatives of government offices. The decision of the Appeals Court regarding basic land expropriation issues is final; however, an appellant could take the cases related to the amount of compensation, delays in payment, or similar cases all the way up to the High Court.
The *kebele* (local level of government that is smaller than a *Woreda*) shall discuss and agree to the proposed expropriation (*ANRS Proclamation No. 133/2006*). The *ANS Directive No. 7/2002* provides for the expeditious decision-making system with regard to expropriation of urban land. It describes the composition of the jury members: a justice officer as chairperson, two residents of the town where the land is located, and two representatives of government offices. The decision of the Appeals Court regarding basic land expropriation issues is final; however, an appellant could take the cases related to the amount of compensation, delays in payment, or similar cases all the way up to the High Court. According to the law, execution of an expropriation order will not be delayed due to complaint regarding compensation payments.

Regarding dispute resolution and grievance procedures,

**The Ethiopian Institution of Ombudsman (EIO)**, currently with six branches is a federal entity accountable to the Federal Parliament and is responsible for supervising that the constitutional rights of citizens are not violated by the executive organs; receives and investigates complaints with respect to maladministration; conducts supervision to ensure the executive carries out its functions according to the law; seeks remedies in case of maladministration. If the cases fall within EIO’s jurisdiction, they are forwarded to investigators.

### 8.2 Project Specific Grievance Mechanism

Project specific grievance redress mechanism will be established/strengthened to allow PAPs to complain about any decision of activities regarding inclusion in the census, eligibility and temporary or permanent loss of their land, assets or sources of income and their compensation. The project will ensure that the Grievance mechanism is gender sensitive during committee formation and implementation. It will ensure that women are represented in the GRM committee and the GRM equally address grievances received from men and women as well as vulnerable groups. However, it is important to note that grievance redress procedure of the Project does not replace existing legal processes. Based on consensus, the procedures will seek to resolve issues quickly in order to expedite the receipt of entitlements, without resorting to expensive and time-consuming legal actions.

### 8.3 Potential grievances/disputes

Grievance procedures are required to ensure that PAPs are able to present complaint or concerns, without cost, and with the assurance of a timely and satisfactory resolution of the issue. Grievances will be actively managed and tracked to ensure that appropriate resolution and actions are taken. A clear time schedule will be defined for resolving grievances, ensuring that they are addressed in an appropriate and timely manner, with corrective actions being implemented, and the complainant will be informed of the outcome.

Under the proposed Project, grievances and dispute may arise during implementation of Project activities may be related to the following issues:

(i) Targeting;
(ii) Valuation of assets and compensation;
(iii) Disagreement on plot boundaries, either between the affected person and the expropriation agency or between two neighbors;
(iv) Disputed ownership of a given asset (two or more affected people claim that the affected asset is theirs);

(v) Successions, divorces, and other family issues resulting in disputed ownership or disputed shares between inheritors or family members;

(vi) Where affected people opt for a resettlement-based option, disagreement on the resettlement package (the location of the resettlement site does not suit them, proposed housing or resettlement plot characteristics. Agricultural potential are not adequate in their view);

(vii) Issues related to voluntary land donation; and gender related issues including Gender Based Violence (GBV).

(viii) Disputed ownership of businesses and business-related assets (quite usually, the owner and the operator of a business may be distinct individuals, which give rise to dispute in the event of compensation);

8.4 Institutional Setup of the GRM for USNJP

Grievance procedures are required to ensure that PAPs can present complaint or concerns, without cost, and with the assurance of a timely and satisfactory resolution of the issue. Grievances will be actively managed and tracked to ensure that appropriate resolution and actions are taken. A well-organized and well-functioning grievance redressing system is an essential and necessary mechanism to provide remedies to grievances presented by project affected people early enough to avoid unnecessary project implementation delays and obstructions. A well-defined, clear and transparent system for receiving, recording and resolving potential concerns and complaints shall be established at local, sub city and city levels.

The GRM for the USNJP provides for negotiation and agreement by consensus between the project and affected persons as the first avenue to resolve issues and grievances expressed by the affected persons. Composition of committee members shall include local Kebele administration or council member; persons represented from the subproject beneficiaries (participants), elected community elders, members of local youth and women groups, and social worker from the Labor and Social Affairs office. This venue will help to resolve issues and complaints of affected person at the earliest point to make the process faster and cost effective. If the complaint not resolved, project affected person shall be advised to present complaint to the formal Grievance Redress and Management Committee (GRMC), which operates at the Woreda/kebele Level.

The Woreda/Kebele Level GRMC shall be composed of representative of the Woreda/Kebele Council, the UFSJC Focal Person, elected person from beneficiaries (subproject participants), representatives from elder groups and religious institutions, representatives from youth and women groups, and social worker from the Woreda/Kebele Labor and Social Affair office. In events where aggrieved party not satisfied by decisions made at Woreda/Kebele Grievance Redress and Management Committee (GRMC), the cases shall be referred for review and reconsideration to Grievance Redress Committees at City level.

The City Level GRMC shall be composed of representative from the City Council, officer from the UFSJC, representatives from beneficiaries, elders, traditional and religious institutions, youth and women groups and officer from the City level Labor and Social Affair office. In events where the grievance not resolved at the city level, then affected party shall be advised to take the cases to the regular court finally.
The GRM for the USNJP is complimentary to other existing grievance redress mechanisms within the legal and administrative structures. Such existing mechanisms include Courts, Police, Anti-Corruption Office, Human Rights Commission, and City Administration Complaint Handling Units. Project affected parties shall also be informed about the existing legal and formal mechanisms and be allowed to make use of them when and wherever they find it necessary. This would also assist in creating alternative space for project-affected parties who would otherwise not be able to voice out their concerns through the established USNJP GRM structure for fear of reprisals despite repeated assurances of protection.

8.5 Grievance Redress Procedure

a. Woreda/Kebele level.
The Woreda/Kebele Grievance Redress and Management Committee (WGRMC) shall hear, record, and investigate complaint cases as submitted by project affected person as well as referrals from the subproject implementation committees. If project affected person is satisfied with the resolution, the case will be closed. If not, the case shall be referred to the City level grievance redress and management committee (CGRMC). The Woreda/Kebele Committee will be appraised on the resolution made by the GRMC. Membership of the WGRMC will include representatives of women, youth groups, elected PAPs, Community Based Organization /Faith Based Organization representative, Representative of the community social support committee, and Member of the area land management committee.

b. City Level.
In the event that the case is not closed at WGRMC, the case will be referred to the City Grievance Redress and Management Committee. The CGRMC shall invite the affected households/person to hear the case and review the decisions made earlier by the two lower committees. If the project-affected household/person accepts the resolution made, the case shall therefore be closed at this level. The committee will be appraised on the outcome of the hearing by GRMC. Membership of the CGRMC will include the City Food Security and Job Creation Office, Officers of the City Women, Children and Youth, Labour and Social Affairs

c. Court Option.
Where the case not closed at city level, the project affected households/persons shall be advised to take the case to court system and the decision made by the Court of Law.

8.5.1 Grievances Redress Process
The GRM process of USNJP will consist of five key activities, which will be performed in managing the grievances for the project.

This key process includes:

i. Complaint uptake

ii. Complaint assessment and analysis

iii. Resolution and closure
iv. Grievance Registry

v. GRM Monitoring and Evaluation.

The USNJP GRM will provide multiple options for submission of grievances by project-affected persons in order to minimize barriers that may prevent others from forwarding their issues. These channels include the following:

(a) *Face to face:* This may be verbal or written submissions done at any time through face to face interactions with members of committees, program officials, local administration structures.

(b) *Grievance box:* Grievance boxes placed in strategic places of project implementation sites or communities where project affected parties would drop in their grievances at any time. These will also be made available at pay-points when payments being delivered.

(c) *Phone Call or SMS:* This will be at project affected parties own discretion and capability. Where possible, details of relevant immediate contact persons in the project area shall be made available.

When a complaint is received, a maximum of fifteen Days (15) days will be provided for the GRMC to access, analyze and respond to the affected person. This is so to make sure that grievances/complaints are resolved as early as possible.

Once complaints received, the GRM committees shall assess the issues by looking at, among other factors, the following:

- Whether the complaint or grievance is related to the project or not,
- Whether the case can be ably handled at their level or another,
- Whether the case can effectively be handled through the project GRM or alternative mechanisms,

Where possible, provision of instant feedback will be made depending on the nature of the cases. If for whatever reason the committee determines that it cannot ably handle the complaint, PAPs shall be advised to channel their complaints to the right alternative grievance redress levels or institutions. Otherwise, it will proceed to hear the cases and make necessary investigations to establish the truth of the matter.

All grievances received will be entered into an accessible recording system known as the GRM registry that shall be maintained at all the GRM committee levels. The log and resolution form shall be in triplicate. For any case heard, closed or referred, a copy of the case shall be sent to the upper and lower levels for records. For example, if the case is handled and resolved at Sub city/Woreda level, one copy of the resolution record shall be sent to the city and another copy shall be sent to the Kebele/ketena GRMC for official records.

Similarly, if a case is handled and resolved at City level, a copy of the resolution shall be sent to the Woreda and another copy shall be sent to subproject level Grievance Redress Committee to notify them how the referred case is handled and resolved. This shall enable the City, Woreda/Kebele and subproject level committees to keep a registry of all cases recorded and handled by any GRM committee in their area. Using this information, the GRM monitoring officer will be able to generate a matrix of cases and agreed resolutions to make available for follow-ups and monitoring if the resolutions being implemented.
As it is indicated in the Stakeholder Management Plan of this project, in the case the GRM becomes aware of serious complaints such as Gender based violence (GBV), they are responsible for keeping it confidential and rapidly reporting the complaint to city level. Kebele/woreda Grievance Focal Persons will be trained in types of grievances they will be expected to receive and their roles and responsibilities.

When receiving a grievance/during the intake process, the Grievance Focal Person receiving the complaint shall respect the wishes, choices, right and dignity of the complainant.

In the case of GBV/SEA survivors, if they choose not to be referred to the city GRM, the Grievance Focal Person must seek their consent to share basic monitoring data.

In order for the survivor/complainant to consent to file a complaint, he/she needs to be provided with clear and simple information on the functioning of the system, on the possible outcomes, and what the timelines are, on what type of support can be provided, etc. to be able to make an informed choice.

For GBV/SEA cases, it is important to ensure that access to the complaints processes is as easy and as safe as possible for the complainant/survivor. The Focal Person should not ask for or record information on no more than three aspects related to the GBV incident:

- The nature of the complaint (what the complainant says in her/his own words without direct questioning);
- The age of the survivor
- If, to the best of their knowledge, the perpetrator was associated with the project
8.6 **Capacity building trainings for GRM Committee**

On GBV/SEA, there is need to ensure that GRM procedures and mechanisms for reporting allegations of GBV/SEA are known to all GRM Focal Persons. And most importantly to fulfill the role of addressing GBV, focal persons should be trained (and/or have previous knowledge and experience) on GBV Guiding Principles including those of confidentiality and safety of complaints/survivors, on the survivor-centred approach. This set of skills will help GRM Focal Persons to support the quality of the complaint mechanism, while at the same time ensuring the adherence to GBV Guiding Principles and a survivor-centred approach, including right to safety, respect, and confidentiality, of the complaint intake and management.

8.7 **Promotion of the GRM**

The GRM messaging will be incorporated into the wider USNJP Communications Strategy. Information on the various channels to submit grievances, complaints, and concerns will be publicized through meetings, monthly information brochures and posters explaining the GRM process in languages understood by employees and though one on one meeting during recruitment. Those posters will be displayed inside of each working site and suggestion boxes will be available also in each site. Meetings will be held at least quarterly; announcements will also be placed on notice boards.
GRM should be accessible to project beneficiaries with disabilities. It should be communicated to these beneficiaries in accessible manner (brail, simple and large font writings, audio or assisted). Consulting with disability associations and service providers (schools for persons with disabilities) to ensure effective communication of the GRM. Creating awareness among GRM structures on needs of persons with disability is important.
9. IMPLEMENTATION SCHEDULE, BUDGET AND ARRANGEMENTS FOR FUNDING

9.1 Implementation Schedule

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

The Implementation Schedule is agreed between City project office and PAPs and must include:

✓ Target dates for start and completion of civil works;
✓ Timetables for transfer of completed civil works to PAPs;
✓ Dates of possession of land that PAPs are using must be after transfer date for completed civil works to PAPs and for payments of all compensation;
✓ The link between RAP activities to the implementation of the overall subproject.

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

9.2 Budget

It is not possible to provide an estimated budget for the total cost of resettlement that may be associated with implementation of the Project at this stage. This is because, knowing the exact number of people who may be affected are not easily identified. However, when the real location/site is identified RAP/ARAP will be prepared. Thus, RAP preparation and implementation costs, including cost of compensation will be considered an integral part of the Project cost and will be contributed as a counterpart fund by the Government of Ethiopia, in particular participating regions and cities with technical support of Federal Job Creation and Food Security Agency. However, the capacity building, study, monitoring and follow up for RPF and ESMF implementation budget is provided within the ESMF document of the project. Below is an information copied from the ESMF.

PROPOSED IMPLEMENTATION BUDGET

The total estimated cost for mainstreaming RPF and ESMF into the USNJP is USD 6,561,000, consisting of:
a) USD 3,495,000 which will be included in the consultants procured to provide partial ESIA/ESMP and RAP/ARAP for USNJP public work sub projects. These consultants will be responsible for the work on preparation and implementation of ESIA, ESMP, CHMP, RAP and ARAP documents.

b) USD 15,000 for the preparation of ESMF and RPF training materials;

c) USD 422,000 for delivery of ESMF and RPF training;

d) USD 270,000 for provision of an Environmental and Social expert in Federal UFSJCA PCU for the five years duration of the USNJP project;

e) USD 275,000 incentives for REPA of the nine regions plus Addis Ababa and Diredawa City Administrations to provide technical support and enhance its capacity for reviewing environmental screening, ESIA, RAP, ARAP report and other similar activities.

f) USD 750,000 Federal UFSJCA to undertake Environmental and Social Performance Audit

g) USD 693,00 Regional Hubs Safeguard Focal Persons costs for the five years project duration and

h) USD 641,000 for federal and regional ESMF and RPF performance monitoring and follow up activities.

Costs related to the required compensation for USNJP subprojects are not set out in the budgets presented here. These will be assessed and internalized by beneficiary cities prior and during project implementation and will be considered an integral part of the Project cost.

9.3 Arrangements for Funding

The costs for implementation of RPF and ESMF will be funded from USNJP project. The USNJP Environmental and Social Specialist will report on USNJP RPF and ESMF expenditure. This will provide for another way of monitoring on the extent that environmental and social issues are being addressed by the ULGs.

The World Bank loan under which the USNJP will not be used to finance compensation or for resettlement purposes. Therefore, compensation and land acquisition for resettlement sites (if any) will be fully funded by the GoE, specifically the participating cities that the project will be implemented. An indicative RAP budget outline can be found in annex 9.
10. INFORMATION DISCLOSURE PLAN

As set out in ESS10 and indicated in the SEP of this project, the project will continue to engage with, and provide enough information to stakeholders throughout the life cycle of the project, in a manner appropriate to the nature of their interests and the potential environmental and social risks and impacts of the project.

Disclosure of RPF

Public disclosure of the RPF/RAPs has to be made to PAPs and other stakeholders for review and comments on entitlement measures and other issues in the implementation of the RPF. The purpose of the disclosure is to receive comments and suggestions from PAPs and incorporate appropriate suggestions.

This Resettlement Framework will be disclosed in a form, manner and language comprehensible to PAPs and at a place accessible to the potential PAPs and other stakeholders for review and comments on entitlement measures. Federal Job creation and Food Security office will disclose and post this RPF in its websites as well as the Ministry of Urban and Development websites and receive comments. Comments and critiques made on the RPF by community and other stakeholders will be taken for consideration. A half day workshop in the project area for potential PAPs, stakeholders, representatives of civil societies, local leaders with the objective of disclosing the RPF.

The Public disclosure of this RPF will be made in local language. This could be done; by publishing it in official Newspapers of both at the Federal Government Newspapers and in the Regional Government Newspapers; depositing / posting it in a range of publicly accessible places; such as, Municipalities and Kebele administration office. Once it is disclosed, the public have to be notified through administrative and community about the availability of the RPF documents and be requested to make their suggestions and comments. This RPF also will be disclosed in the WB external website to receive the opinion and suggestions civil societies, academics, other professionals as well.
11. MONITORING & EVALUATION OF IMPACTS

The World Bank ESS-5 specifies that RPF document should review arrangement for participatory monitoring of project activities as they relate to (beneficial and adverse) impacts on persons within the project impact area, and for monitoring the effectiveness of measures taken to improve (or at minimum restore) incomes, livelihoods and living standards. So, M&E are key components of the Resettlement Policy Framework. This will be ensured through implementation of continues monitoring, and periodic performance audit & evaluation in line with ESMF and overall project M&E program.

Throughout implementation, the USNJP is required to carry out social risk management monitoring to ensure that the Project brings intended benefits, while ensuring that potential adverse environmental and social impacts are avoided or minimized. The arrangements for monitoring the resettlement and compensation activities will fit into the overall monitoring program for the entire USNJP, which will fall under the overall responsibility of UJCFSA. In order to assess whether the goals of the resettlement and compensation plan are being met, a Monitoring and Evaluation Plan (MEP) will be required. It will indicate parameters to be monitored, institute monitoring milestones and provide resources including responsible persons or institutions to carry out the monitoring activities.

The main indicators that the MEP will measure include: (i) impacts on affected individuals, households, and communities to be maintained at their pre-project standard of living, and better; (ii) improvement of communities affected by the project; and (iii) management of disputes or conflicts. In order to measure these impacts, the RAP identifies the specific indicators to be monitored; define how they will be measured on a regular basis; and identify key monitoring milestones (e.g. at mid-point of the RAP implementation process). The detail and complexity of this plan will depend on the nature and extent of the resettlement that takes place.

UJCFSA will institute an administrative reporting system, that:

✓ Alerts project authorities about the necessity and procedures for land acquisition for the project activities and the need to incorporate land acquisition, resettlement, loss of assets and impact on livelihood provisions in the design of technical specifications and budgets;
✓ Provides timely information about the asset valuation and negotiation process;
✓ Maintains records of any complaints and appeals that require resolution;
✓ Documents timely completion of project resettlement obligations (i.e. payment of the agreed-upon sums, construction of new structures, etc.) for all permanent and temporary loses, as well as unanticipated, additional construction damage; and
✓ Updates the database with respect to changes that occur on the ground as resettlement and compensation activities are being implemented

Periodic monitoring will be made in order to determine whether the PAPs have been paid in full and before implementation of the subproject activities; and whether the PAPs enjoy the same or higher standard of living than before.

The 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 USNJP investment project, and

✓ If the people who were affected by the USNJP investment project 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.

**Reporting Requirement**

Monitoring reports of the RPF/RAP implementation is prepared for the following tasks: internal monitoring, expert monitoring, completion audit and compensation. The Participating cities will report to the Federal PIU where the PIU will prepare regularly (quarterly) performance monitoring report beginning with the commencement of any activities related to resettlement, including income restoration. These reports will summarize information that is collected and compiled in the quarterly narrative status and compensation disbursement reports and highlights key issues that have arisen. As a result of the monitoring of inputs, processes, outputs and outcomes of RAP activities, will be advised of necessary improvements in the implementation. The quarterly report will be submitted to the key stakeholders including the World Bank.

**Completion Audit**
The project shall commission an external party to undertake an evaluation of RAP’s physical inputs to ensure and assess whether the outcome of RAP complies with the World Bank Environment and Social standards 5- Land Acquisition, Restrictions on Land Use and Involuntary Resettlement, and the national legal requirement related to expropriation of landholding and payments of compensation. The completion audit shall be undertaken after the completion of the project. The audit shall verify that all physical inputs committed in the RAP have been delivered and all services provided. It shall evaluate whether the mitigation measures prescribed in the RPF/RAP have the desired effect. The completion audit should bring to closure project’s liability for resettlement.

**Indicators**

A number of objectively verifiable indicators shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs, to determine and guide improvement in their social wellbeing. Therefore, monitoring indicators to be used for the RAP will have to be developed to respond to specific site conditions. As a general guide, Annex 9 provides a set of indicators which can be used.
Annex 1: Glossary of Terms

**Census:** A field survey carried out to identify and determine the number of Project Affected Persons (PAPs) or Displaced Persons (DPs) as a result of land acquisition and related impacts. The census provides the basic information necessary for determining eligibility for compensation, resettlement, and other measures emanating from consultations with affected communities and the local government institutions.

**Compensation:** The payment in kind, cash or other assets given in exchange for the acquisition of land including fixed assets, is called compensation. These include other impacts resulting from activities to rehabilitate or cushion the impacts from displacement.

**Cutoff Date:** The cut-off date is the date of commencement of the census of PAPs or DPs within the EASP program area boundaries. This is the date on and beyond which any person whose land is occupied for EASP program, will not be eligible for compensation.

**Grievance Mechanism:** The RPF contains a grievance mechanism based on policies and procedures that are designed to ensure that the complaints or disputes about any aspect of the land acquisition, compensation, resettlement, and rehabilitation process, etc. are being addressed. This mechanism includes a procedure for filing of complaints and a process for dispute resolution within an acceptable time period.

**Implementation Schedule:** The RPF contains an implementation schedule that outlines the time frame for planning, implementation, and monitoring and evaluation of the RAPs for sub-projects, if applicable. and: Land refers to all types of agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be acquired by the project.

**Land Acquisition:** Land acquisition means the possession of or alienation of land, buildings, or other assets thereon for purposes of the project.

Project affected persons (PAPs) or Displaced Persons (DPs): Project affected persons (PAPs) or Displaced Persons (DPs) are persons affected by land and other assets loss as a result of EASP activities. These person(s) are affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they will move to another location. Most often, the term DPs applies to those who are physically relocated. These people may have their: standard of living adversely affected, whether or not the Displaced Person will move to another location ; lose right, title, interest in any houses, land (including premises, agricultural and grazing land) or any other fixed or movable assets acquired or possessed, lose access to productive assets or any means of livelihood.

**Project Impacts:** Impacts on the people living and working in the affected areas of the project, including the surrounding and host communities are assessed as part of the overall evaluation of the project.

**Project Implementing Unit (PIU):** Some projects make use of project implementing units (PIUs), which are generally separate units within the project recipient’s agency. The PIU is often composed of full time staff devoted to implementing the project, and have been encouraged to have separate teams with environment and social specialists who can carry out the activities, for example, as outlined in the RPF or RAP.

**Rehabilitation Assistance:** Rehabilitation assistance is the provision of development
assistance in addition to Assistance compensation such as livelihood support, credit facilities, training, or job opportunities, needed to assist PAPs or DPs restore their livelihoods.

Replacement Cost: Replacement cost refers to the amount sufficient to cover full recovery of lost assets and related transaction costs. The cost should be based on Market rate (commercial rate) according to Ethiopian laws for sale of land or property. It is normally calculated based on a willing buyer-willing seller basis, but also applies in Ethiopia to acceptable market valuation or from an assessment from the Land Commission and government value. Resettlement Action Plan (RAP): The RAP is a resettlement instrument (document) to be prepared when sub-project locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and/or loss of livelihoods and/or loss denial or restriction of access to economic resources.

RAPs are prepared by the implementing agency and contain specific and legal binding requirements to resettle and compensate the affected people before project implementation.

Resettlement Assistance: Resettlement assistance refers to activities that are usually provided during, and immediately after, relocation, such as moving allowances, residential housing, or rentals or other assistance to make the transition smoother for affected households.

Resettlement Policy Framework (RPF): The RPF is an instrument to be used throughout the project’s implementation. The RPF sets out the objectives and principles, organizational arrangements, and funding mechanisms for any resettlement, that may be necessary during implementation. The RPF guides the preparation of Resettlement Action Plans (RAPs), as needed, for sub-projects.

Rights and Entitlements: Rights and entitlements are defined for PAPs and DPs (with the cut-off date) and cover those losing businesses, jobs, and income. These include options for land-for-land or cash compensation. Options regarding community and individual resettlement, and provisions and entitlements to be provided for each affected community or household will be determined and explained, usually in an entitlement matrix.

Witness NGO/ Independent Monitor: Some RPFs refer to a witness NGO or an independent monitor that can be contracted to observe the compensation process and to provide an independent assessment of the quality of the process. These are usually NGOs or other agencies that are not directly involved in the project and have a reputation for independence and integrity.
Annex 2: Relevant Ethiopian Laws

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<tr>
<th>Property Rights and Land Rights</th>
<th>Law/Regulation</th>
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<tr>
<td>Ownership of land is now vested in the State and Ethiopian citizens have only a use right (usufruct) over the land. This gives the user ownership of his/her possessions with the right to benefit from the fruits of his/her labor. This includes crops, perennial crops, trees for timber etc. found on the land or any other permanent fixtures such as residential houses, business installations, stores and fences, amongst others. This overturned the 1960 Constitutional degree of private ownership of land.</td>
<td>Public Ownership of Rural Land (No 31/1975)</td>
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<td>In 1975 Ethiopia nationalized urban land and extra houses (Proc. No. 47/1975). Residents have usage rights, urban centers must take inventory of land and plan sustainable land use. Urban residents get one plot of land for personal housing.</td>
<td>Proclamation No. 47/1975</td>
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<td>A) All urban lands shall be property of the Government. B) Tenant shall be free from payment to the landowner. C) Any person or family owns only a single dwelling.</td>
<td>Proclamation No. 47/1975, Article 2(3), Article 6(1) and Article 11(1)</td>
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<td>According to these proclamations, land holders have open-ended usufruct rights over their possessions (ie there is no time limit on this usufruct), subject to a proof of permanent physical residence, ability to farm continuously and should meet administrative dues and obligations. In rural villages, farm households have a legal right to possess land through state mandated peasant associations.</td>
<td>Constitution of Ethiopia (No 1/1987, Article 13(2) and No 1/1995, Article 40(3))</td>
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<td>Proclamation N° 89/1997 establishes the principles of rural land administration, which is devolved to the Regions states that each Regional Council shall enact a law on land administration, which is in conformity with the provisions on environmental protection and federal utilization polices.</td>
<td>Proclamation N° 89/1997 &quot;Federal Rural Land Administration Proclamation&quot;</td>
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<td>Proclamation N° 89/1997 recognizes the lawfulness of &quot;holding rights&quot; over land;</td>
<td>Proclamation N° 89/1997 &quot;Federal Rural Land Administration Proclamation&quot;</td>
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<tr>
<td>Proclamation N° 89/1997 confirms and details the Constitution principle that holding rights on land can be assigned to peasants and nomads, and that these are to be secured from eviction and displacement;</td>
<td>Proclamation N° 89/1997 &quot;Federal Rural Land Administration Proclamation&quot;</td>
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It provides various details with respect to redistribution of land, including that this redistribution is a Region responsibility. It establishes the possibility for Regions to perceive fees for the use of land and forest.

| **The leasehold policy (Proc. No. 80/1993)** allows individuals and companies to attain access to land through auction, allocation, or lottery. | Proclamation No. 80/1993 |
| The 1995 Constitution of the Ethiopia, **Article 40(2), 40(4), 40(5) and 40(8)** includes legal frameworks that protect the Ethiopian citizen’s rights to private property and set conditions for expropriation of such property for state or public interests. | Constitution Article 40(2)  
Constitution Article 40(4)  
Constitution Article 40(5)  
Constitution Article 40(8) |
| **Article 40(3)** vests the right to ownership of rural and urban land, as well as of all natural; resources, in the government and in the peoples of Ethiopia; | Constitution Article 40(3) |
| **Article 40(3)** recognizes land as a common property of the Nations, Nationalities of, and peoples of Ethiopia and prohibits sale or any other exchange of land; | Constitution Article 40(3)  
Proclamation N° 89/1997 "Federal Rural Land Administration Proclamation" |
| **Article 40(4)** guarantees the right of farmers to obtain land without payment and the protection against eviction from their possession; and | Constitution Article 40(4) |
| **Article 40(5)** guarantees the right of pastoralists to free land for grazing and cultivation as well as the right not to be displaced from their own lands. | Constitution Article 40(5) |
| **Article 40(7)** states that "Every Ethiopian shall have the full right to the immovable property he builds and to the permanent improvements he brings about on the land by his labour or capital. | Constitution Article 40(7) |

| **Property Rights and Land Rights** | Law/Regulation |
| This right shall include the right to alienate, to bequeath, and, where the right to use expires, to remove his property, transfers his title, or claim |
compensation for it.

**Article 41(9)** sets out the State responsibilities to protect and preserve historical and cultural legacies.

<table>
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<tr>
<th>The Research and Conservation of Cultural Heritage <strong>Proclamation No. 209/2000</strong> of Ethiopia defines cultural heritage broadly as &quot;anything tangible or intangible which is the product of creativity and labour of man in the pre-history and history times, that describes and witnesses to the evolution of nature and which has a major value in its scientific, historical, cultural, artistic and handcraft content.&quot;</th>
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<tr>
<td>Constitution Article 41(9)</td>
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<tr>
<td>Proclamation No. 209/2000</td>
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Prior approval of the Authority for Research and Conservation of Cultural Heritage is required to remove from its original site of an immovable cultural heritage (**Art. 21/1**).

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<th>Whenever registered, movable cultural heritage is encountered during the execution of the project it is possible to remove such property by notifying the Authority in advance (<strong>Art. 21/2</strong>).</th>
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<tr>
<td>Proclamation No. 209/2000, Article 21/1</td>
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<tr>
<td>Proclamation No. 209/2000, Article 21/2</td>
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ZikreHig Regulation No.6/2002 provides for the lease holding of urban land for a specified period of time. It regulates the lease period for different functions, grade of land and payment of lease. It regulates manners of expropriation of land. It regulates that land could be expropriated for public use against payment of compensation.

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<th>Several Regions of Ethiopia have taken steps to develop regional land regulations.</th>
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<tr>
<td>ZikreHig Regulation No. 6/2002</td>
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<tr>
<td>Regional Land Regulations Land use Administration Proclamation, (No. 456/2005 Article 17(1))</td>
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Eligibility for compensation is discussed in **Article 44(2)** of the 1995 Constitution and **Proclamation No 1161/2019**. These two legal documents give entitlement only to those who have formal legal rights over their holdings (properties).

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<tr>
<th>Rural Land Administration and Land use Administration Proclamation (No. 456/2005 Article 17(1)) gives regional states the power to enact regional laws for rural land administrations. The regional laws are to be consistent with the Federal Constitution (No. 1/1995, Article 52(2) (d))</th>
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<tr>
<td>Constitution Article 44(2)</td>
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<tr>
<td>Proclamation No 1161/2019</td>
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<tr>
<td>Proclamation No. 456/2005</td>
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Several regional states (including Amhara, Oromia and Tigray) are now building on the constitutional provisions to improve security of tenure, albeit within the general framework of State ownership of land. Leases are being introduced, that would guarantee lessees a long-term right of usage.

Where leases are concluded between a regional administration and peasant farmers, it does not seem that these leases are reflected in any cadastral documentation (including maps) kept at woreda or region level.

<table>
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<tr>
<th>Land Tenure</th>
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<tr>
<td>“Non-owners like renters and business are eligible for relocation and other assistance in finding a new location, compensation at replacement value for any immovable assets, compensation for loss of income during transition, assistance for physical transfer and follow-up services.” Un cited</td>
</tr>
<tr>
<td>“People without titles or use right (e.g. squatters, encroachers) will be for specific assistance. They typically claim use rights or even ownership after occupation of unused or unprotected lands. They are likely to have invested in structures or land improvements that are eligible for compensation.” Un cited</td>
</tr>
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</table>
Annex 3: Compensation and Resettlement Proclamation

Proclamation No.1161/2019: ‘‘Expropriation of Landholdings for Public Purpose and Payment of Compensation and Resettlement’’

Part I: General

Article 1. Provides a short title: The proclamation may cited as the “Expropriation of Landholdings for Public Purpose and Payment of compensation and resettlement Proclamation No. 1161/2019.”


Article 3. Scope of Application: This proclamation shall apply throughout the country in rural and urban centers in matters relating to land expropriation; payment compensation and resettlement of landholders whose land expropriated or public purpose.

Article 4. Principles:

1. Expropriation of land for public purposes shall be made only on the basis of approved land use plan; urban structural plan; or development master plan.

2. Compensation and resettlement assistance compensation for the expropriated land shall sustainably restore and improve the livelihood of displaced people.

3. The amount of compensation to be paid at Federal or Regional or Addis Ababa or Dire Dawa level for similar properties and economic losses in the same areas shall be similar.

Where land is expropriated for public purpose, the procedure shall be transparent, judicious, and accountable.

Part II: Procedure for Expropriate Land

Article 5. Decision on Expropriation for Public Purpose:

1/ The appropriate Federal Authority, or a Regional, Addis Ababa, Dire Dawa cabinet shall decide on the basis of an approved land use plan; or master plan; or structural plan whether the expropriated land directly or indirectly brings better development and is beneficial to the public.

2/ The master plan; referred under sub article 1 of this article shall have detailed action plan.

3/ The budget necessary to cover the costs of compensation and rehabilitation; and the responsible body that shall cover these costs shall be made clear at the time when expropriation for public purpose is
decided.

4/ Land holders may file objections on the public purpose decision where their land is expropriated in the absence of the fulfillment of the requirements provided under sub articles (1) and (2) of this article.

5/ Not with standing sub article 1 of this article, a regional, Addis Ababa, Dire Dawa cabinet may delegate a Woreda or City administration to decide on land expropriation for public purpose.

Article 6. Power to clear landholdings
The City or Woreda administration has the power to order evacuation and takeover land decided to be expropriated under Article 5 of this proclamation.

Article 7. Giving Priority Rights to develop Land for the Landholders
1/ Landholders whose holdings are within the urban area to be redeveloped shall have priority rights to develop their lands according to the plan either individually or in a group.

2/ Rural landholders for Agricultural use shall have priority rights to develop their landholdings according to land use plan either individually or in a group.

3/ Priority Rights to develop Land as per sub Article 1 and 2 of this article will be preserved for the Landholders, when the capacity to develop the land as per the plan is presented.

4/ The details of the right to develop first and the extent of the capacity to develop and the time frame shall be determined by a Regulation.

Article 8. Procedure of the Landholding Handover
1/ The City or Woreda Administration shall follow the following orders when land holders hand over their lands: a) Consult land holders who are to be displaced at least one year before they handover their holdings on the type; benefits and general process of the project. b) Notwithstanding paragraph (a) of this Article, land holders who are to be displaced may be consulted on the type; benefits and general process of the project in less than one year if the concerned Federal or Regional State decides that the land is required urgently for investment.

c) Collect landholding rights and conduct inventory, amount and size, of all compensable properties from displaced people or their legal representative whose landholdings are determined to be expropriated. Properties added after the expropriation notification is given to the land holders are not compensated.

d) Decide the legal rights of holders by checking the authority of the documents collected as per sub article 1(c) of this Article, calculate, determine and pay the amount of the compensation and other related rights.

e) Notify the land holder or his agent in writing to hand over the land expropriated for public purpose with the description of the amount of compensation the landholder shall be paid; and/or the size and location of the land or house in kind compensation.

f) Where the building is state owned the order for handover shall be given to the Housing Administration Authority and to the lessee.

g) Pay compensation or provide substitute land before displacement of people from their landholding.

h) The detail of expropriation of landholdings procedure shall be provided in a Regulation to be enacted
to implement this Proclamation.

2/ Landholders or their agents whose landholdings are to be expropriated shall submit landholding certificates or other proofs that show their landholding rights over the lands that is decided to be expropriated to the urban or rural land administration office on the time schedule of the office.

3/ As of the date of notification in writing on the amount of compensation, the landholder may: a) Plant seasonal crops and start other activities on the land other than perennial crops and buildings where the compensation is not paid within three months of the notice on the amount of compensation.

b) Begin developing any kind of activity approved by the plan and does not affect the government’s ongoing cost of development of the site where compensation is not paid within six months of the notice on the amount of compensation.

c) Property developed or any change made under sub articles (a) and (b) of this Article shall be included in the valuation for compensation.

4/ Land holder who is served with notice to handover his landholding shall take the compensation and replacement plot or house within 30 days of notice.

5/ Where the land holder who is served with notice fails to comply with the order within the time prescribed under sub article 4 of this Article, the compensation payment shall be deposited in the closed bank account of the City or Woreda Administration.

6/ The land holder may be forced to handover the land within120 days of the payment in cash or in kind compensation; or after the cash is deposited in the bank.

7/ Where there is no permanent property or crop on the expropriated land, the land holder shall hand over its landholding within 30days of the payment of compensation to the City or Woreda Administration.

8/ Where the land expropriated is under illegal occupation, the occupant shall evacuate without claim for compensation within 30 days of notice.

9/ Where the landholder fails without justifiable reason, to hand over his landholding within the time prescribed under sub articles 6 and 7 of this article, the City; or Woreda administration can take over the expropriated land directly, and as may be necessary, may ask cooperation of the police.

**Article 9. Responsibilities of the Land Requiring Body**

1/ Land Requiring Body Shall submits to the City or Woreda administration the decision that shows the size and exact location of the land to be expropriated at least one year before the commencement of the project.

2/ Pay the money required for compensation and resettlement to the City or Woreda Administration, when it is decided that compensation and resettlement payment shall be made to displaced people.

3/ City or Woreda administration may not require handover of the land until payments are made to landholders who may be displaced as per sub-article 2 this Article.

**Article 10. Procedure for Removal of Utility Lines**

1/ The City or Woreda administration shall request in writing utility line owner organizations to reply if they have utility lines over or under ground on the land to be expropriated.

2/ The organization that has utility lines on the expropriated land shall estimate the value of the utility line to be affected and send it with evidence to the City or Woreda Administration that requested it.
under sub article 1 of this article within 30 days of receiving the request.

3/ The City or Woreda administration shall pay the compensation within 30 days of receiving the estimated cost of the utility lines to the owner organization under sub article 2 of this Article.

4/ The utility line owner shall remove utility lines and clear the land within 60 days after the payment has been made.

5/ Notwithstanding sub Article (4) of this Article, the utility line owner shall remove complex utility lines and clear the land within 120 days after the payment has been made.

6/ If the development is not clear with in the time frame set pursuant to sub article 4 and sub article 5 of this Article, it shall be cleared and expropriated as per sub article 9 of Article 8.

**Part III: Determination of Compensation, Substitution and Resettlement**

**Article 11. Compensation to be Paid to Landholders where Land is Expropriated for Public Purpose**

Where land is expropriated for public purposes compensation for the property and displacement shall be paid to the landholders.

**12. Property Compensation**

1/ The landholder whose land is expropriated shall be paid compensation for the property on the land and the permanent improvement made on the land.

2/ The amount of compensation for the property on the land shall be able to cover the cost of replacing the property anew.

3/ Without prejudice to sub article 2 of this Article, the minimum compensation payable to a housing unit, may not, in any way, be less than the current cost of constructing a house per the standard or on the basis of the objective conditions of each regional state, Addis Ababa and Dire Dawa City Administration.

4/ Compensation for permanent improvement to land shall be equal to the current value of capital and labor expended on the land.

5/ Where the property on the land can be relocated and continue its service as before, the cost of removing, transporting, and erecting the property shall be paid as compensation.

6/ Valuation methods to determine compensation for various properties and detail prescriptions applicable there to shall be provided for by regulations.

**13. Displacement compensation and substitute land**

1/ Displacement compensation and land substitution for Rural Landholders Permanently Displaced

a) A landlord who is to be displaced permanently shall be a substitute for a reasonable proportion of the land taken from the area, shall be given a substitute land if it is available.

b) Where equivalent substitute land is given as per paragraph (a) of this sub article, calculated by the current price the land holder shall be paid a 1 year compensation income which is equal to the highest income he annually generated in the last 3 years preceding the expropriation of the land.

c) Where equivalent substitute land as per paragraph (a) of this sub article is not available, the land holder shall be paid displacement compensation which is equivalent to 15 times the highest annual income he generated during the last 3 years preceding the expropriation of the land.

d) Where the landholder is to be displaced from his residence, land for building houses shall be given; and displacement assistance determined by directives issued by regional states, Addis Ababa, and Dire.
Dawa Administrations shall be paid.

e) The amount of compensation given to the temporarily displaced people shall not be greater than the amount of compensation given to permanently displaced people.

f) Implementation of this sub article shall be determined by a regulation to be enacted to implement this proclamation.

2/ Displacement compensation for Temporarily Displaced Rural Landholders:

a) A rural landholder whose landholding has been provisionally expropriated shall be paid displacement compensation for lost income based on the highest annual income secured during the last three years preceding the expropriation of the land until repossession of the land.

b) Displacement compensation paid under paragraph (a) of this sub article shall take into consideration the amount of time necessary for the land to regain its productivity which shall be determined by surrounding Agricultural Institution.

c) If the land fails to serve as before it shall to be considered as expropriate permanently and pursuant to sub article 1 of this Article either displacement compensation or substitute shall be given to the landholder.

d) The displacement compensation paid for temporary displacement under sub-article 1 of this article shall be deducted from payment of compensation paid for the land considered as permanently expropriated and the difference shall be paid to the land holder.

e) Displacement compensation for temporary expropriation shall not in any way exceed the amount of compensation payable to permanent displacement compensation.

f) The detail implementation of this sub-article shall be provided in a regulation enacted to implement this proclamation.

3/ Displacement Compensation for Communal Landholding

The valuation method and manner of payment to permanent and temporary expropriation of communal land holdings shall be determined in a directive to be issued by Regional States, Addis Ababa, Dire Dawa; and shall take the following into consideration.

a) Valuation of Displacement compensation for communal landholding shall be based on the use of the communal land; or the lost benefits and livelihood of the displaced people.

b) Members of the community using the communal land shall be clearly identified.

c) Private and communal property on the expropriated communal land shall be identified.

d) The method of allocating the Displacement compensation money or the use of it in kind to all members of the communal landholding community shall be clearly determined.

4/ Displacement compensation and substitute land for Urban Landholders Permanently Displaced

Where urban landholders are permanently displaced as a consequence of land expropriation, the valuation of the displacement compensation and substitute land given shall be as follows:

a) Landholders permanently displaced shall be provided with substitute land for building houses; or an arrangement shall be made to let them purchase housing units.

b) Where substitute land is provided, a residential house shall be given to the displaced for two years free of charge until he constructs his residential housing or displacement compensation equal to two year housing rentals estimated on the basis of the rental market comparable to the house of the displaced shall
be paid.

c) Where a substitute house is provided, the displaced shall be paid a one year displacement compensation equivalent to current rental price of the demolished house.

d) Displacement compensation payable under paragraph (b) and (c) of this sub-article shall not be less than the amount necessary to lease the lower standard housing in the area.

e) Displaced people shall be compensated for the breakup of their social ties and moral damage they suffer as result of the expropriation. The amount of compensation shall be determined by the regulation enacted to implement this Proclamation.

f) Where the expropriated land is under leasehold, the substitute land to be given shall be equivalent to the expropriated land in standard and size. If it is not possible to do this, the alternative operating situations shall be determined by a directive depending on the situation of the cities.

g) Provision of substitute land or house, displacement compensation and related matters shall be determined in directives that may be issued by Regional States, Addis Ababa and Dire Dawa City Administrations.

5/ Displacement Assistance to Temporarily Displaced Urban Landholders

a) Urban land holders temporarily displaced shall be provided with substitute housing or compensation to lease a house equivalent to the current rental market of the expropriated house for the period till they displaced.

b) Urban land holders shall be paid compensation for the economic loss they suffer due to temporary displacement.

c) The details of this sub-article shall be determined in directives issued by Regional States, Addis Ababa and Dire Dawa City Administrations.

14. Compensation paid for Economic Loss of Income

1/ Persons who lost economic benefit either permanently or temporarily without being displaced as a consequence of land expropriation shall be paid compensation; the person entitled for the compensation, type and amount of compensation shall be determined by the directives issued by a Regional state.

2/ Incomes generated from employment, rentals, business and the like net annual income may be considered for determination of the type and amount of compensation as per sub article 1of this article.

15. Residential Housing for Peri-Urban Landholders Incorporated in to Towns

1/ A peri urban rural land holder whose residence is removed shall be entitled to not more than 500 sq. meters of land for building per the standard of the urban as it is decided by cabinet of the Regional state, Addis Ababa and Dire Dawa City Administrations.

2/ Child of the displaced, peri urban land holder the age of 18 and above shall be provided with the minimum size of land per the standard of the town or city.

3/ Notwithstanding sub article 1 of this article, the total land size may not exceed the total residential area of the displaced land holder.

4/ Residential area under sub article 3 of this article includes the area within the perimeter fence of the displaced land holder.

5/ The detail implementation of this article shall be determined by the directives issued by regional
state, Addis Ababa and Dire Dawa City Administrations.

16. Resettlement

1/ Regional State, Addis Ababa, Dire Dawa, shall establish fund for compensation payment and rehabilitation.

2/ Regional states, Addis Ababa, Dire Dawa, shall develop resettlement packages that may enable displaced people to sustainably resettle.

3/ Urban or Woreda Administrations shall have the duty to resettle people displaced on the basis of the resettlement package and allocated budget.

4/ If the land expropriation for public purpose is for investment, people who are displaced may own shares from the investment.

5/ People who are displaced from urban or rural areas and who lost their income as a consequence of land expropriation for public purpose and who don’t own shares from the investment shall be beneficiaries of the resettlement package.

6/ The contents and detail implementation of the resettlement package shall be determined by a Regulation.

17. Valuation of Property

1/ Compensation for the Property situated on land to be expropriated shall be evaluated by certified private institution or individual consultant valuators on the basis of a nationally approved valuation method.

2/ It shall be evaluated by an autonomous government organization established for that purpose where there is no private certified property valuation organization or individual consultant.

3/ Where the organizations under sub articles 1 and 2 of this article do not exist, it shall be, considering location of the expropriated land, evaluated by valuation committee established by the relevant Urban or Woreda administrations comprising proper professionals.

4/ The working procedures of the valuation committee established under sub article 3 of this article shall be determined by the directive issued by Regional State, Addis Ababa and Dire Dawa City Administrations.

5/ Notwithstanding sub-art 1, 2 and 3 of this article, where the property assessed requires special expertise, the valuation may be made by a relevant government or private organization.

6/ Where the property is state owned infrastructure or utility line; the valuation shall be made by the government entity owning it.

7/ The unit price of compensation valuation shall be revised at most every two years

18. Establishing Complaint Hearing Body and Appeal Council

1/ Regional States, Addis Ababa and Dire Dawa City Administrations shall establish Complaint hearing body and Appeal hearing council which shall have jurisdiction to entertain grievances arising from decisions under this Proclamation.

2/ Regional States, Addis Ababa, Dire Dawa may establish Complaint hearing body and Appeal hearing council in some of their Towns as deemed necessary.

3/ The structure, powers and duties of the Complaint hearing body and Appeal hearing council shall be determined in a Regulation that shall be enacted to implement this Proclamation.
19. Complaints

1/ Any person who received an order of evacuation of his landholding; or who has an interest or claim on the property to be evacuated may file an application within 30 days of service of the order to the Complaint hearing body which is established as per sub-article 1 of article 18 of this proclamation.

2/ The body mentioned under sub article 1of this article, after investigating the Complaint submitted to it; shall make its decisions within 30 days of the filing of the application and notify in written to the parties thereof.

20. Appeal

1/ A party who is aggrieved with the decision given under Article 19 sub article 1 of this proclamation shall file an appeal to the Appeal hearing council within 30 days of the receipt of the written notice of the decision.

2/ A party aggrieved with the decision of the appeal hearing council may file an appeal to the Regional High Court in case of Addis Ababa and Dire Dawa city Federal first instant Court within 30 days of the receipt of the decision in writing.

The party who is dissatisfied with the decision has the right to continue his claim, however, for the continuance of the development, he has to surrender his land holding.

3/ If the land holder faces economic loss due to the expropriation and is unable to file an appeal, the government shall arrange for free legal services.

21. Taking Over Land under complain

1/ If the person who received an order of evacuation of his landholding filed a Complaint application as per this Proclamation, the Woreda or City administration may take over of the land only where:

a) The appeal is affirmed as per article 19 sub-article 1of this proclamation and failed to make an appeal on that decision; or

b) The land holder failed to make an appeal as per Article 20 sub-article 2of this proclamation.

2/ Notwithstanding sub-article 1 of this article where Land under complain is illegally occupied land, the woreda or urban administration may takeover of the land after removing the property, demolishing building on the land.

Part IV: Miscellaneous Provisions

Article 22. Powers and Functions of Federal Institutions

Without prejudice to powers and functions given to the Ministry under other laws

1/ Ministry of Construction and Urban Development shall

   a) Ensure and follow up implementation of provisions of this Proclamation pertaining to urban in the urban areas.

   b) Support resettlement of displaced people from urban areas

   c) Provide technical and capacity building support to Regional States, Addis Ababa, Dire Dawa
City Administrations,

d) Follow up and support the issuance of directives required for the proper implementation of the Proclamation; and

e) Assess the living conditions the holders whose land has been expropriated for urban development and provide solutions to problems discovered.

2/ Ministry of Agriculture shall

a) Follow up and ensure implementation of the provisions of this proclamation pertaining to rural areas in the regions

b) Support resettlement of displaced people from rural areas.

c) Provide technical and capacity building support to regional states Addis Ababa, Dire Dawa to enable them implement this Proclamation.

23. Powers and Functions of Regional States, Addis Ababa, Dire Dawa City Administrations

1/ Follow up and ensure the implementation of this Proclamation and the Regulation and Directive enacted under it in regional states, Addis Ababa, Dire Dawa City Administrations.

2/ Develop and implement resettlement packages. An independent entity that implement and govern this framework shall be established or appointed from this institution to bear this responsibility.

3/ Provide capacity building support to Urban and Woreda administrations to enable them implement this Proclamation.

4/ Assess the living conditions of the displaced persons and provide solutions to the identified problems.

24. Responsibility of Woreda and Urban Administrations

Woreda and Urban Administrations shall:

1. Organize consultative meetings with people to be displaced on the type; benefits; and generally the process of the project;

2/ Pay or make others pay the compensation due to landholders whose land holdings are expropriated.

3/ Implementing the resettlement packages.

4/ Maintain record of the property located on the expropriated land.

5/ Support and ensure the improvement of the livelihood of displaced farmers and pastoralists.

6/ Maintain record and evidence relating to the displaced.

25. Accountability

Any person, institution and institution who does not implement the provisions of this proclamation shall be liable under the application law.

26. Power to Issue Regulations and Directives

1/ The Council of Ministers shall issue regulations to implementation this Proclamation.

2/ Region states or Addis Ababa or Dire Dawa City Administrations may issue directives necessary for
the proper implementation of this Proclamation and Regulations issued per sub article 1 of this Article.

27. Transitional Provision
Cases pending in a court before the coming into force of this Proclamation shall be disposed under the previous Proclamation No. 455/2005.

28. Repealed and Inapplicable Laws
1/ The "Expropriation of Landholdings for Public Purposes and Payment of Compensation Proclamation No. 455/2005 is hereby repealed.
2/ No law, regulation, directive or practice shall, in so far as it is inconsistent with this Proclamation, be applicable with respect to matters provided for by this Proclamation.

29. Effective Date
This Proclamation shall enter into force as of its publication in the Federal Negarit Gazette.

    Done at Addis Ababa, this September 23rd day of 2019

    SAHELEWORK ZEWDE
    PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA
Annex 4: ESMF and RPF Screening Form Template

Type of LIPW Subproject:
Location (include map/sketch):(e.g. region, district)
Type of Activity: (e.g. new construction, rehabilitation, periodic maintenance)
Estimated Cost: (Birr):
Proposed Date of Works Commencement:
Technical Drawing and Specifications Reviewed: Yes/No
This report is to be kept short and concise.

1. Site Selection

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

Refer to project application for this information.

2. Impact identification and Classification

When considering the location of a LIPW subproject, rate the sensitivity of the proposed site in the following table according to the given criteria. Higher ratings do not necessarily mean that a site is unsuitable – it indicates a real risk of causing adverse impacts involving resettlement and compensation. The following table should be used as a reference.

<table>
<thead>
<tr>
<th>Issues</th>
<th>Site Sensitivity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>Medium</td>
</tr>
<tr>
<td></td>
<td>High</td>
</tr>
</tbody>
</table>
3. Checklist of Impacts

<table>
<thead>
<tr>
<th>USNJP LIPW Subproject</th>
<th>Potential for Adverse Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic or physical resettlement required</td>
<td>None Low Med High Unknown</td>
</tr>
<tr>
<td>New settlement pressures created</td>
<td></td>
</tr>
<tr>
<td>Other (specify):</td>
<td></td>
</tr>
</tbody>
</table>

4. Detailed Questions

Public participation/information requirements: Yes/No answers and bullet lists preferred except where descriptive detail is essential.

Does the proposal require, under national or local laws, the public to be informed, consulted or involved?

Has consultation been completed?

Indicate the time frame of any outstanding consultation process.

Refer to relevant legislative acts in Ethiopia.

Land and resettlement: Yes/No answers and bullet lists preferred except where descriptive detail is essential

What is the likelihood of land purchase for the ULG investment project?

How will the ULG go about land purchase?
Will people’s livelihoods be affected in any way, therefore requiring some form of compensation?  

<table>
<thead>
<tr>
<th><strong>Actions:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>List outstanding actions to be cleared before ULG investment project appraisal.</td>
</tr>
</tbody>
</table>
| *Approval/rejection*  
*If the proposal is rejected for environmental reasons, should the LIPW subproject be reconsidered, and what additional data would be required for reconsideration?* |

**Recommendations:**

Requires RAP is to be submitted on date…………………………..

Requires Census & Land Inventory to be submitted on date……………………………

Does not require further environmental or social studies……………………………..

Reviewer: Name……………………….. Signature  …………………

Refer to the Resettlement Policy Framework.
Annex 5: Census Survey and Land Asset Inventory Form

1. Socio-Economic Household Datasheet of PAPs

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

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

City, Sub-City, Woreda, Kebele, House No.

<table>
<thead>
<tr>
<th>Date:</th>
<th>Day</th>
<th>Month</th>
<th>Year</th>
</tr>
</thead>
</table>

Name of Head of Extended Family:

<table>
<thead>
<tr>
<th>Number of Nuclear Families in Extended Residential Group (including household of head of extended family)</th>
</tr>
</thead>
</table>

2. Household Interview

<table>
<thead>
<tr>
<th>Name and Surname</th>
<th>Relationship to Head of Family</th>
<th>Sex</th>
<th>Place of Birth</th>
<th>Age</th>
<th>Marital Status</th>
<th>Residence Tenure</th>
<th>Ethnic Group</th>
<th>Religion</th>
<th>Educational Level</th>
<th>Income Earner</th>
<th>Economic Activities</th>
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</thead>
<tbody>
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1.

| 2 |

Relation to Head of Family: 1 HoH; 2 Spouse of HoH; 3 Child of HoH; 4 Spouse of child of HoH; 5 Grandchild of HoH; 6 Parent of HoH; 7: Other (specify); 0 No Answer. Marital Status: 1Married; 2 Widowed; 3 Divorced; 4 Unmarried; 0 No Answer. Residential Status: 1 PRP (Permanent Resident); 2 RA (Resident absent); 3 Member of non-resident HH; 4 Visitor; 9 Other (specify); 0 No Answer. Occupations: Principal Occupation: 1. Farmer; 2 Shepherd; 3 Household; 4 Merchant; 5 Religious leader, teacher; 6 Artisan; 7
Transport; 8 Unemployed; 9 Other (specify); 0 No Answer. Secondary Occupations: idem. Educational Level: 1 Illiterate; 2 Three years or less; 3 Primary School; 4 Secondary School; 5 Technical School; 6 Religious School (literate in Arabic); 0 No Answer. Religion: 1 Muslim; 2 Christian (specify denomination); 3 Animist. 9 Other (specify); 0 No Answer

3. Land asset inventory for USNJP investment Project Affected People

City/Town: ____________________________ Kebele: ________________________ Date: ______

<table>
<thead>
<tr>
<th>Survey no.</th>
<th>Name of Head of Household</th>
<th>No. of Persons in household</th>
<th>Total land holding of HH (m²)</th>
<th>Land to be acquired (m²)</th>
<th>Land Use Type *</th>
<th>Loss of % total</th>
<th>Loss of assets</th>
<th>Loss of crops</th>
<th>Loss of other assets</th>
<th>Other losses</th>
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Land types are as follows (please fill in the types of land for Ethiopia)

1.
2.
3.
4.
4. Entitlements of USNJP investment Project Affected People (PAP)

<table>
<thead>
<tr>
<th>Survey no.</th>
<th>Name of Head of Household</th>
<th>Compensation for Land</th>
<th>Compensation for structures</th>
<th>Compensation for crops and trees</th>
<th>Compensation for other assets and losses (e.g., graveyards, wells, businesses, etc)</th>
<th>Total (Birr)</th>
</tr>
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<tbody>
<tr>
<td></td>
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<td>Quantity (m²)</td>
<td>Unit price (Birr) per m²</td>
<td>Entitlement (Birr)</td>
<td>Quantity Unit price (Birr)</td>
<td>Quantity Unit price (Birr)</td>
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Annex 6: Annotated Outline for Preparing a Resettlement Action Plan (RAP)

This template is extracted from World Bank’s ESF Environmental and Social Standard (ESS-5) Annex 1. Its full description can be found in the World Bank external website.

The scope and level of detail of the RAP will vary depending on the magnitude and complexity of resettlement or displacement. The RAP is prepared based on the most recent and accurate information on the: (i) proposed resettlement and its impacts on displaced persons and other adversely affected groups; and (ii) legal issues affecting resettlement. The RAP covers elements that are specific to the project context.

A broad outline of the RAP, as applied to sub-projects covered under a RPF includes, but is not limited to, the following:

**Description of the subproject:** General description of the sub-project and identification of sub-project area or areas.

**Potential Impacts:** Identification of the: (i) the sub-project components or activities that require resettlement or restriction of access; (ii) zone of impact of components or activities; (iii) alternatives considered to avoid or minimize resettlement or restricted access; and (iv) mechanisms established to minimize resettlement, displacement, and restricted access, to the extent possible, during project implementation.

**Objectives:** The main objectives of the resettlement program as these apply to the sub-projects.

**Socio-economic studies:** The findings of socio-economic studies to be conducted in the early stages of project preparation, and with the involvement of potentially affected people will be needed. These generally include the results of a census of the affected populations covering:

i. Current occupants of the affected area as a basis for design of the RAP and to clearly set a cut-off date, the purpose of which is to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;

ii. Standard characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;

iii. Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;

iv. Information on vulnerable groups or persons, for whom special provisions may have to be made; and

v. Provisions to update information on the displaced people’s livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement, and to measure impacts (or changes) in their livelihood and living conditions.

There may be other studies that the RAP can draw upon, such as those describing the following:

- Land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub project area;

- Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
- Public infrastructure and social services that will be affected; and
- Social and cultural characteristics of displaced communities, and their host communities, including a description of formal and informal institutions. These may cover, for example, community organizations; cultural, social or ritual groups; and non-governmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

**Legal Framework:** The analysis of the legal and institutional framework should cover the following:

i. Scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, etc;

ii. Applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the RAP for the sub-project;

iii. Relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc. related to displacement and resettlement, and environmental laws and social welfare legislation;

iv. Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;

v. Gaps, if any, between local laws covering resettlement and the Bank’s resettlement policy, and the mechanisms for addressing such gaps; and

vi. Legal steps necessary to ensure the effective implementation of RAP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc. and which are specific to the sub-projects.

The institutional framework governing RAP implementation generally covers:

- Agencies and offices responsible for resettlement activities and civil society groups like NGOs that may have a role in RAP implementation;
- Institutional capacities of these agencies, offices, and civil society groups in carrying out RAP implementation, monitoring, and evaluation; and
- Activities for enhancing the institutional capacities of agencies, offices, and civil society groups, especially in the consultation and monitoring processes.

**Eligibility:** Definition of displaced persons or PAPS and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

**Valuation of and compensation for losses:** The methodology to be used for valuing losses, or damages, for the purpose of determining their replacement costs; and a description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary, to ensure that these are based on acceptable values (e.g. market rates).

**Resettlement Measures:** A description of the compensation and other resettlement measures that will assist each category of eligible PAPs to achieve the objectives of World Bank’s Environmental and Social Standard (ESS5). Aside from compensation, these measures should include programs for livelihood restoration, grievance mechanisms, consultations, and disclosure of information.
Site selection, site preparation, and relocation: Alternative relocation sites should be described and cover the following:

- Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, location advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- Legal arrangements for recognizing (or regularizing) tenure and transferring titles to those being resettled.

Housing, infrastructure, and social services: Plans to provide (or to finance provision of) housing, infrastructure (e.g. water supply, feeder roads), and social services to host populations; and any other necessary site development, engineering, and architectural designs for these facilities should be described.

Environmental protection and management: A description of the boundaries of the relocation area is needed. This description includes an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

Community Participation: Consistent with the World Bank’s policy on consultation and disclosure, a strategy for consultation with, and participation of, PAPs and host communities, should include:

(i) Description of the strategy for consultation with and participation of PAPs and hosts in the design and implementation of resettlement activities;

(ii) Summary of the consultations and how PAPs’ views were taken into account in preparing the resettlement plan; and

(iii) Review of resettlement alternatives presented and the choices made by PAPs regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and

(iv) Arrangements on how PAPs can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups (including indigenous peoples, ethnic minorities, landless, children and youth, and women) are adequately represented.

The consultations should cover measures to mitigate the impact of resettlement on any host communities, including:

(i) Consultations with host communities and local governments;

(ii) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAPs;

(iii) Conflict resolution involving PAPs and host communities; and
Additional services (e.g. education, water, health, and production services) in host communities to make them at least comparable to services available to PAPs.

**Grievance procedures:** The RAP should provide mechanisms for ensuring that an affordable and accessible procedure is in place for third-party settlement of disputes arising from resettlement. These mechanisms should take into account the availability of judicial and legal services, as well as community and traditional dispute settlement mechanisms.

**RAP implementation responsibilities:** The RAP should be clear about the implementation responsibilities of various agencies, offices, and local representatives. These responsibilities should cover (i) delivery of RAP compensation and rehabilitation measures and provision of services; (ii) appropriate coordination between agencies and jurisdictions involved in RAP implementation; and (iii) measures (including technical assistance) needed to strengthen the implementing agencies’ capacities of responsibility for managing facilities and services provided under the project and for transferring to PAPs some responsibilities related to RAP components (e.g. community-based livelihood restoration; participatory monitoring; etc.).

**Implementation Schedule:** An implementation schedule covering all RAP activities from preparation, implementation, and monitoring and evaluation should be included. These should identify the target dates for delivery of benefits to the resettled population and the hosts, as well as clearly defining a closing date. The schedule should indicate how the RAP activities are linked to the implementation of the overall project.

**Costs and budget:** The RAP for the specific sub-projects should provide detailed (itemized) cost estimates for all RAP activities, including allowances for inflation, population growth, and other contingencies; timetable for expenditures; sources of funds; and arrangements for timely flow of funds. These should include other fiduciary arrangements consistent with the rest of the project governing financial management and procurement.

**Monitoring and evaluation:** Arrangements for monitoring of RAP activities by the implementing agency, and the independent monitoring of these activities, should be included in the RAP section on monitoring and evaluation. The final evaluation should be done by an independent monitor or agency to measure RAP outcomes and impacts on PAPs’ livelihood and living conditions. The World Bank has examples of performance monitoring indicators to measure inputs, outputs, and outcomes for RAP activities; involvement of PAPs in the monitoring process; evaluation of the impact of RAP activities over a reasonable period after resettlement and compensation, and using the results of RAP impact monitoring to guide subsequent implementation.
## Annex 7: Sample Grievance and Resolution Form

### Complaint Form

<table>
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<tr>
<th>Complaint Number</th>
<th>Copies to forward to:</th>
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<tbody>
<tr>
<td>Name of the Recorder</td>
<td>(Original)Receiver Party</td>
</tr>
<tr>
<td>Region/ULG/Kebele</td>
<td>(Copy)Responsible Party</td>
</tr>
<tr>
<td>Date</td>
<td></td>
</tr>
</tbody>
</table>

### Information about the Complainant

| Name: | |
| Telephone Number | |
| Address | |
| Kebele/Community | |
| Region/ULG | |
| Signature of Complainant | |

### Description of the Complaint:

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Annex 8: Sample Table of Contents for RAP Consultation Report

1. Introduction.
   1.1 Project Description
   1.2 Applicable Laws, Regulations, and Policies to Public Engagement
   1.3 Project Lenders

2. Stakeholder Analysis
   2.1 Areas of Influence/Stakeholders
   2.2 Description of Stakeholders

3. Stakeholder Engagement
   3.1 Previous Consultation Activities
   3.2 Implemented Community Engagement Activities
   3.3 Project Sponsor’s Community Engagement Plan
      3.3.1 Phase 1 – Initial Stakeholder Consultation
      3.3.2 Phase 2 – Release of the RAP Terms of Reference
      3.3.3 Phase 3 – Release of RAP Consultation Report

4. Summary of Key Issues

5. Future Consultation Events
   5.1 Phase 4 – Release of the RAP
   5.2 Phase 5 – Ongoing project Communications

6. Disclosure

Plan Tables
Table 2.1: Consultation Activity Summary
Table 3.1: Initial Government Agency Consultations
Table 3.2: Summary of NGO Meetings
Table 3.3: Sub-County Committee Composition
Table 3.4: Summary of Community Discussions
Table 3.5: Local Community Comments
Table 4.1: Summary of Key Issues and Responses
Table 5.1: Summary of Future Consultation Activities per Stakeholder Group

Template for Table on Consultation Activity Summary

<table>
<thead>
<tr>
<th>Location and communities Represented</th>
<th>Meeting Dates</th>
<th>Attendees</th>
<th>Discussion Summary</th>
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Example: |   |   |   |
# Annex 9: Indicative Outline of a RAP Budget

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<th>Total Estimated Cost</th>
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<td><strong>Land Acquisition and Preparation</strong></td>
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<td></td>
<td>For land acquisition purposes, based on Ethiopian average market cost, or from similar projects</td>
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<td></td>
<td>Description</td>
<td>Calculation</td>
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<td>2</td>
<td>Compensation for loss of Crops</td>
<td>Includes costs of labor invested and average of highest price of staple food crops and Ethiopian market prices</td>
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<td>3</td>
<td>Compensation for loss of access to pastoralists</td>
<td>Those affected would be provided with shared access, or alternate routes (decision agreed through consultation and participation of all)</td>
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<td>4</td>
<td>Compensation for loss of access to fishing</td>
<td>Data provided from the revised socio-economic study will determine market values of catch, fish products etc.</td>
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<tr>
<td></td>
<td>resources.</td>
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<tr>
<td>5</td>
<td>Compensation for Buildings and Structures</td>
<td>This compensation may be in-kind or cash. Costs for basic housing needs should include ventilated pit latrines, outside kitchen, and storage.</td>
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<td>Compensation for Trees</td>
<td>Includes costs of labor invested and average of highest price of trees (and tree products) and Ethiopian market prices</td>
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<tr>
<td>7</td>
<td>Cost of Relocation Assistance/Expenses</td>
<td>This cost reflects the moving and transportation allowance</td>
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<td>8</td>
<td>Cost of Restoration of Individual Income</td>
<td>Assumed to be higher than the GDP/capita in Ethiopia</td>
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<tr>
<td>9</td>
<td>Cost of Restoration of Household Income</td>
<td>These costs reflect the livelihood restoration program of the RAP</td>
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<tr>
<td>10</td>
<td>Cost of Training Farmers, pastoralists and other PAPs</td>
<td>This is a mitigation measure involving capacity building and involves PAPs and affected Communities</td>
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### Annex 10: List of Consultation Meeting Participants

#### Oromia Regional and Shashemene

<table>
<thead>
<tr>
<th>No</th>
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<td>Kelaada Aregn</td>
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<td>Burko Funte</td>
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<td>Genet Chipale</td>
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<td>Serim Kebra</td>
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<td>Mustfa Negeste</td>
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#### Shashemene Town Stakeholders meeting

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**Signature**

**Telephone No.**

**Responsibility**

**Institution**

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**Attendance Sheet**

**Stakeholder and Community Engagement Consultation**
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<th>Signature</th>
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<thead>
<tr>
<th>Name</th>
<th>Telephone</th>
<th>Email</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>John</td>
<td>0123456789</td>
<td><a href="mailto:john@example.com">john@example.com</a></td>
<td>01/12/2023</td>
</tr>
<tr>
<td>Emily</td>
<td>9876543210</td>
<td><a href="mailto:emily@example.com">emily@example.com</a></td>
<td>02/13/2023</td>
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**Attendance Sheet**

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