



UNITED NATIONS OFFICE FOR PROJECT SERVICES

**YEMEN INTEGRATED URBAN SERVICES EMERGENCY PROJECT
(YIUSEP)**

**Resettlement Policy Framework
(RPF)**

9 May 2018

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ACRONYMS

ARP	Abbreviated Resettlement Plan
AWD	Acute Watery Diarrhea
CERC	Contingent Emergency Response Component
CFR	Case Fatality Rate
CSO	Civil Society Organization
DLAs	District Local Authorities
DNA	Damage and Needs Assessment
EA	Environmental Assessment (OP 4.01)
EC	Estimation Committee
EFSNA	Emergency Food Security and Nutrition Assessment
EHNP	Emergency Health and Nutrition Project
EHS	Environmental, Health and Safety
EPL	Environmental Protection Law (26/1995)
ERP	Employment to Population Ratio
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
FMFA	Financial Management Framework Agreement
FAO	Food and Agricultural Organization of United Nations
FCV	Fragility, Conflict and Violence
GDP	Gross Development Product
GIIP	Good International Industry Practice
GIZ	Gesellschaft für Internationale Zusammenarbeit
GRM	Grievance Redress Mechanism
IDP	Internally Displace Person
IPC	Integrated Food Security Phase Classification
LC	Local Councils
LED	Light-Emitting Diode
LFPR	Labor Force Participation rate
LTI	Lost time to injury
NGO	Non-Governmental Organization
PAP	Project Affected People
PHSP	Project Health and Safety Plan
PMU	Project Management Unit
PTC	Public Telecommunication Corporation
PV	Photo Voltaic
PWP	Public Works Project
RAP	Resettlement Action Plan
RoY	Republic of Yemen
RPF	Resettlement Policy Framework
RMF-IU	Road Maintenance Fund Implementation Unit
SAP	Safeguard Action Plan
SMEPS	Small and Medium Enterprise Perceptions Survey
TFFM	Task Force on Population Movement
UNDP	United Nations Development Program
UNICEF	United Nations Children's Emergency Fund
UNOPS	United Nations Office for Project Services
UW-PMU	Urban Water Project Management Unit
WASH	Water, Sanitation and Hygiene
WHO	World Health Organization
WWTP	Wastewater Treatment Plant
YIUSEP	Yemen Integrated Urban Services Emergency Project

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GLOSSARY OF TERMS USED IN THE RPF

- Asset Inventory.** A complete count and description of all property that will be acquired.
- Census.** A complete and accurate count of the population that will be affected by land acquisition and related impacts. The census provides the basic information necessary for determining eligibility for compensation.
- Compensation** means payment in cash or kind or other assets given in exchange for the acquisition of land including fixed assets thereon as well as other impacts resulting from Project activities. Compensation is at full replacement cost.
- Cut-off date** means the date after which PAPs will not be considered eligible for compensation, i.e. they are not included in the list of PAPs as defined by the socioeconomic survey. The cut-off date is determined in a manner acceptable to all parties, documented and widely disseminated. Normally this cut-off date is the date the census begins. The cut-off date could also be the date the subproject area was delineated prior to the census, provided that there has been an effective public dissemination of information on the area delineated and systemic and continuous dissemination subsequent to the delineation to prevent further population influx (from footnote 22 of OP 4.12). All stakeholders including PAPs will be informed of the cut-off date and its implications during the stakeholder meetings.
- Encroachers** are those people who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project.
- Displaced Persons.** The people or entities directly affected by a project through the loss of land and the resulting loss of residences, other structures, businesses, or other assets.
- Economic Rehabilitation** consists of the measures taken so that the affected population can improve or at least restore its previous standard of living.
- Eligibility.** The criteria for qualification to receive resettlement benefits.
- Eminent Domain.** The right of the state to acquire land, using its sovereign power, for public purpose. National law establishes which public agencies have the prerogative to exercise eminent domain.
- Entitlements.** Resettlement entitlements are the sum total of compensation and other forms of assistance provided to displaced persons in their respective eligibility category. They might comprise cash or kind compensation, relocation costs, income rehabilitation assistance, transfer assistance, income substitution, and relocation
- Grievance.** An issue, concern, problem, or claim (perceived or actual) that an individual or community group wants a company or contractor to address and resolve.
- Grievance Redress Mechanism (GRM)** is a locally based, formalized way to accept, assess, and resolve community feedback or complaints from individuals or communities who believe they are adversely affected by the Project.
- Involuntary Land Acquisition** is the possession of land by government or other government agencies for compensation, for the purposes of subproject activities against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights.
- Involuntary Resettlement** covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse the land taking or restriction of access. Resettlement is not restricted to physical relocation and can depending on the case include: (i) acquisition of land and physical structures on the land, including businesses; (ii) physical relocation; and (iii) economic rehabilitation of displaced persons, to improve (or at least restore) incomes and living standards.

Land refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for subproject activities. “Land” includes anything growing on or permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.

Land Acquisition means the possession of or alienation of land, buildings or other assets thereon for purposes of subproject activities in return for fair compensation.

Livelihood refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.

Livelihood restoration consist of the entitlements (e.g., compensation, other assistance) for affected persons and/or communities who are economically displaced, in order to provide them with adequate opportunity and resources to at least restore, if not improve, their livelihoods.

Market Value is defined as the value required to allow PAPs to replace lost assets with assets of similar value.

Project Affected Household means the family or collection of PAPs forming a nuclear or extended family that coexists or lives within the same house or precinct that will experience effects from land acquisition regardless of whether they are physically displaced or relocated or not.

Project Affected Person (PAP). Any person who, on account of the execution of the Project, or any of its components or subprojects would have their: (i) right, title or interest in any house, land (including residential, agricultural and grazing land) or any other fixed or movable asset acquired or possessed, in full or in part, permanently or temporarily; (ii) business, occupation, work, place of residence or habitat adversely affected; (iii) standard of living adversely affected.

Rehabilitation Assistance means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable PAPs and Displaced Persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-Project levels.

Relocation means the physical moving of PAPs from their pre-project place or residence, place for work or business premises.

Replacement cost is defined as the market value of the assets plus transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs.

Resettlement Action Plan (RAP) is the planning document that describes what will be done to address the direct social and economic impacts associated with involuntary taking of land.

Resettlement Assistance covers measures taken to ensure that PAPs and Displaced Persons who may require to be physically relocated are provided with assistance during relocation, such as moving allowances, residential housing or rentals, trainings whichever is feasible and as required, for ease of resettlement.

Resettlement Impacts. The direct physical, economic, cultural and socio-economic impacts of resettlement activities in the project and host areas.

Resettlement Policy Framework (RPF) guides the preparation of Resettlement Action Plans (RAPs) or Abbreviated Resettlement Action Plans (ARAPs) for subprojects during Project implementation.

Socioeconomic Survey. A complete and accurate survey of the project-affected persons and households. The survey determines the socioeconomic status of each PAP (age, family status, number of dependents, level and sources of income, available material assets, debts)

and focuses on income-earning activities and other socioeconomic indicators. Special attention is paid to the needs of vulnerable people among the PAPs.

Squatter is a person occupying land without legal claims to the land and/or permission from the concerned authorities to build; as a result of their illegal or semi-legal status, infrastructure and services are usually inadequate.

Stakeholder. Persons or groups who are directly or indirectly affected by a project as well as those who may have interests in a project and/or the ability to influence its outcome, either positively or negatively. They may include locally affected communities or individuals and their formal or informal representatives, national or local government authorities, politicians, religious leaders, civil society organizations and groups with special interests, the academic community, or other businesses.

Stakeholder Engagement is a broad, inclusive, and continuous process between a project proponent and those potentially affected by the project that usually spans the project's life. It includes consultations, information disclosure and dissemination, and participation.

Vulnerable means any people who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement i.e.; (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households; (iv) landless elderly households with no means of support; (v) households without security of tenure; and (vi) ethnic minorities.

EXECUTIVE SUMMARY

This Resettlement Policy Framework (RPF) was prepared for the Yemen Integrated Urban Services Emergency Project (YIUSEP).

The World Bank is financing the YIUSEP to support Yemen's reconstruction and recovery, under the provisions of World Bank OP 10.00, paragraph 12, *Projects in Situations of Urgent Need of Assistance or Capacity Constraints*. The project aims to restore access to critical urban services in selected cities where most of the conflict-related damage has occurred. The targeted services cover four sectors: (i) tertiary municipal services and solid waste management; (ii) urban water and sanitation; (iii) urban roads; and (iv) electricity for critical services. The Project is implemented in the form of subprojects in at least three cities for the first year of intervention. Likely candidates for the first year are Aden, Hodeidah, and Sana'a.

The RPF is guided by the **legal and regulatory framework** defined by the World Bank's Operational Policy OP 4.12 on Involuntary Resettlement and Yemeni laws and regulations related to land acquisition and ownership, economic displacement, resettlement and compensation. World Bank requirements will be applied in the areas of: eligibility for benefits, public participation and disclosure, cut-off dates and resettlement assistance, to address gaps between national and World Bank requirements.

The United Nations Office for Project Services (UNOPS) is responsible for overall **project implementation**, in cooperation with three local implementing partners: the Public Works Project (PWP), and the Urban Water Project Management Unit (UW-PMU), and the Road Maintenance Fund Implementation Unit (RMF-IU). UNOPS has recruited an Environmental and Social Safeguards Officer (ESSO), based in Sana'a, to oversee Project safeguards, as well as an international expert to support the ESSO and ensure the overall implementation of the RPF.

Involuntary resettlement might be caused by the following project activities:

- **Land take on temporary terms.** Temporary taking of land for diversion of traffic during construction, stock piling of building materials, excavated soils and overburden. Additionally, temporary taking of land for workers' camps, engineers' offices and accommodation for night guards.
- **Blocked/restriction of access.** Construction activities might restrict access to houses, shops, businesses, gardens or other properties.
- **Livelihood impacts.** Includes temporary taking of land used for crops and horticulture, petty traders, market stalls, or the temporary exclusion of waste pickers from landfills.

Eligibility conditions for resettlement compensation are defined by the principles of the World Bank's Operational Policy on Involuntary Resettlement, OP4.12:

- a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country)
- b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under Yemeni laws or become recognized through a process identified in the resettlement plan
- c) those who have no recognizable legal right or claim to the land they are occupying

The entitlement matrix applicable for various categories of PAPs likely to be affected by the projects is presented in the table below:

Asset Affected	PAP Category	Type of Impact	Compensation Guide
Land	Land owner	Temporary acquisition of land for works and construction	Rental for land based on market tariffs taking into account the rates as of the current period and land restoration and all assets located on the land in the

Asset Affected	PAP Category	Type of Impact	Compensation Guide
			<p>previous condition, including compensation for removal and transportation of:</p> <ul style="list-style-type: none"> • movable assets, usable material; • state and municipal assets; • recovery of income sources for a period used. • any potential restriction on the use of land and civil works in the future as a result of works and construction under the project
Land	Informal user	Temporary acquisition of land for works and construction	<p>Restoration, replacement or compensation of all assets damaged or removed.</p> <p>In the case of loss of income, disturbance allowance set on the basis of minimum wage for each week (7 days) of disturbance calculated on a pro rata basis</p>
Land	Land Owner	Permanent acquisition of land for works construction	<p>Replacement land of equivalent market value as priority option within the acreage and fertility. In case of non-availability of land, cash compensation at market rate and replacement value will be paid, including fees for registration and re-registration of rights and the costs for recovery of land to ensure the condition of affected land. If the remainder of the plot is not economically viable the entire plot will be purchased.</p>
Land	Informal User	Permanent acquisition of land for works, construction	<p>Land compensation is not envisaged. Compensation for the loss of structures and assistance with relocation is required: PAPs without legal title or claims receive compensation equivalent to replacement cost for structures and other nonland assets. Instead of compensation for land plots withdrawn from them, assistance rendered in resettlement to new residential area depending on certain conditions based on individual cases</p>
Assets	Informal User	Permanent acquisition of land for works, construction.	<p>Compensation in cash for linked assets at replacement value.</p> <p>In case of income loss, compensation will be paid based on minimal wage for six months and the right to salvage usable materials.</p>
Any structure including fence or sanitation structure	Owner of structure	Permanent acquisition of structure	<p>Replacement structure or cash compensation at replacement value and the right to salvage usable materials.</p>
Section of residential compound temporarily affected or access to house affected by works	Tenant or House owner	Restriction of access to houses	<ul style="list-style-type: none"> • Restoration of land to its initial condition. • Provision of alternative temporary access to house/compound • In kind compensation for affected needs such as alternative car parking. • Disturbance allowance set on the basis of minimum wage for each week (7 days) of disturbance calculated on a pro rata basis (a specific formulation of the allowance would be established in the relevant RAP).
Business	Vendors or business entrepreneur	Loss of business due to works.	<p>Cash compensation of estimated business loss assessed from records of preceding 3 months or equivalent business (if no records) during the time of works when business is interrupted.</p> <p>Disturbance allowance equivalent to 7 days of business profit</p>

Asset Affected	PAP Category	Type of Impact	Compensation Guide
Business	Owner of business	Loss of business place	Compensation for income loss during transition period, resettlement assistance to move business and economic rehabilitation assistance to ensure income is restored, as needed.
Crops	Owner	Loss of crops	In addition to land compensation, the owner would be allowed to take standing crop and cash compensation at highest market value for agricultural season. For temporary use of land, when swing time is lost, compensation will be paid for lost vegetation based on market value of previous crop.
Crops	Tenant	Loss of crops	Allowed to take standing crop and cash compensation for agricultural season. For temporary use of land, when swing time is lost, compensation will be paid for lost vegetation based on market value of previous crop.
Fruit tree	Owner	Trees	Price of a sapling and cash compensation for the value of the harvest multiplied by number of years it will take for the sapling to reach maturity.
Non-fruit trees	Owner	Trees	Timber of cash equal to timber value.
Residential and commercial assets/ Recovery of income sources	Vulnerable people identified on the basis of social assistance payments (disability payments, pensioners, widows, female-headed households, and households below the poverty level) as determine by consultations	Vulnerable people	<ol style="list-style-type: none"> 1. In addition to compensation for assets lost, a disturbance allowance set to be one year of supplemental social assistance payments. 2. Support rendered in removal and transportation of materials. 3. Special attention will be paid to income recovery and measures such as a) assistance in applying for unemployment status and b) other type of assistance required on case by case situation 4. Benefits in terms of social welfare within one year have been envisaged
Buildings/ structures	Public assets	Permanent acquisition	Compensation will be provided in kind in terms of construction of new structures or repair of structures partially affected by the project.
Loss of livelihood	All PAPs identified as having lost livelihood	Livelihood loss	In case of loss of livelihood, all PAPs losing livelihood, irrespective of possession of title to the land, will receive assistance.

Resettlement Planning would involve the following key steps for any subproject that might cause involuntary resettlement:

- A comprehensive census of PAPs and an inventory of their affected assets. A cut-off date for eligibility will be determined in a manner acceptable to all parties, documented and widely disseminated

- Socioeconomic survey of affected individuals and households with special attention to the needs of vulnerable people among the PAPs, including the Al Muhamasheen¹.
- An assessment of the affected assets, including trees and crops, documentation of the PAPs and verification of assets by UNOPS in collaboration with relevant parties

UNOPS would prepare subproject Resettlement Action Plans (RAPs) or Abridged Resettlement Action Plans (ARAPs), with the support of the implementing partners. UNOPS would prepare, and agree upon, RAP ToRs with the relevant implementation partner and submit them to the World Bank for review and clearance. External consultants would be recruited on the basis of consultants' qualifications and relevant resettlement experience. RAPs and ARAPs would be approved by UNOPS and the World Bank and published on their websites.

Citizen engagement would be a continuous process throughout the resettlement process. UNOPS's ESSO and the safeguards implementation partners' focal points would ensure that PAPs and any relevant stakeholder are sensitized to the types of compensation, valuation principles, and the project Grievance Redress Mechanism.

The RAP implementation **capacity** assessment of the concerned agencies is summarized as follows:

- Deploy a second ESSO in UNOPS' future Aden office from Year 2. The Aden ESSO will fulfill the same role as the Sana'a ESSO for the Aden based portfolio. A third ESSO might be recruited in Year 3 for UNOPS activities in Eastern Yemen.
- Current PWP safeguards experts will cover safeguards for PWP subprojects. PWP will recruit additional staff or employ local consultants, as needed.
- The Project will fund the recruitment of one environmental and social safeguard specialist to serve as the Project's safeguards focal point within UW.
- The Project will provide on the job training and guidance to two environmental and social experts currently employed by RMF-IU.

UNOPS will monitor and report on the RPF implementation with inputs from implementation partners. The ESSO will ensure that safeguards monitoring is included in the Project's quarterly reports to the World Bank.

The Project will establish a Grievance Redress Mechanism that will be used for environmental, resettlement and social issues. UNOPS and the implementing partners will each recruit or designate a GRM focal point to handle Project activity-related complaints.

¹ The Al-Muhamasheen is a minority social group in Yemen. Although Arabic speaking, they are considered to be at the bottom of the now abolished caste ladder, are socially segregated, and are mostly confined to menial jobs in the country's major cities.

Chapter 1

INTRODUCTION AND BACKGROUND

1.1 Introduction

1. This document provides a Resettlement Policy Framework (RPF) for the Yemen Integrated Urban Services Emergency Project (YIUSEP), which will be implemented by UNOPS.
2. The Project will have broad social benefits since it will finance labor-intensive small-scale economic and social infrastructures identified by the communities, and improve access to basic social services in selected cities. The key social challenges would be associated with the community's participation in the identification and implementation of the priority activities to be financed by the Project due to the conflict context and security constraints.
3. The key social challenges of the Project are associated with the community's participation in the identification and implementation of activities financed by the Project due to the conflict context and security constraints. The Project will not involve any permanent land acquisition or physical displacement as it supports the rehabilitation and reconstruction of damaged infrastructures; all activities are planned to take place on existing footprints. However, Project activities may have an impact on livelihoods, by causing minor and temporary economic disruptions, mainly to informal businesses and waste pickers on landfill sites. The project will not fund subprojects if there are encroachers or squatters within the proposed area of any activities, who would need to be relocated. For these reasons, the World Bank's Operational Policy on Involuntary Resettlement (OP 4.12) is applied and the RPF is prepared for precautionary purposes to the entire Project.

1.2 Background

4. The ongoing conflict in Yemen has caused major loss of life, internal displacement, destruction of infrastructure and disruptions in service delivery across Yemen's main sectors, exacerbating a humanitarian situation that was already quite fragile. Since the start of the conflict in March 2015, the provision of public services such as health, education, electricity and water has come to a virtual standstill in many governorates. The destruction of infrastructure has severely affected access to life-saving assistance while restrictions on imports (e.g. of food, fuel, and/or medicines), mobility limitations, interruption in the power supply, reduction of staff due to non-payment of salaries, and lack of operating budget for local authorities etc. have caused significant disruptions to the supply chain and to the overall availability of services.
5. In light of the reduced or even absent provision of public services, communities have adopted various coping strategies, including using alternate water and energy sources, relying on alternate service providers and community-based service delivery initiatives to address the shortfall. For example, in Amran City, many residents are relying on off-grid solar solutions to access electricity. These alternative mechanisms have played a critical role in ensuring the resilience of communities.
6. Preliminary findings from the second phase of the Damage and Needs Assessment (DNA) illustrate that urban services in Yemen are deeply interconnected. Physical damage to infrastructure and the lack of functionality in one sector often spill over into other sectors with significant consequences on both the access to and quality of services. For example, in cities such as Aden, the lack of functionality in the water sector is tied most directly to the lack of electricity rather than to physical damage to water infrastructure. As a result, wastewater continues to overflow into Aden's streets, which in turn has significant implications for the health and transport sectors. Similarly, the absence of electricity across many cities in Yemen is not solely tied to infrastructure damage of energy facilities but rather to the lack of fuel, amongst others due to severe transport limitations and access constraints. These cross-sectoral linkages demonstrate the need for an integrated, multi-sectoral approach that provides synergies and responds to the multi-faceted needs on the ground.

1.3 Rationale for preparation of RPF

7. In line with OP 4.12, the Project uses a Resettlement Policy Framework (RPF) because the exact nature and location of subprojects and their impacts are not fully known at the time of Project appraisal, instead of a project Resettlement Action Plan (RAP). The RPF sets out resettlement principles, organizational arrangements, and design criteria to be applied to subprojects to be prepared during project implementation, to ensure that persons affected by subprojects are: i) informed about their options and rights pertaining to resettlement; ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives, and: iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. More specifically, the RPF defines the roles, responsibilities, procedures and agreed compensation methods and rates.

8. UNOPS has in parallel prepared an Environmental and Social Management Framework (ESMF) to meet the requirements of the World Bank's Environmental Assessment Policy (OP 4.01).

Chapter 2

PROJECT DESCRIPTION

9. The World Bank is financing the Yemen Integrated Urban Services Emergency Project (YIUSEP), under the provisions of World Bank OP 10.00, paragraph 12, *Projects in Situations of Urgent Need of Assistance or Capacity Constraints*.

10. The overall objective of the Project is to restore access to critical urban services in selected cities of Yemen where most of the conflict-related damage has occurred. The targeted services cover five sectors: (i) tertiary municipal services and solid waste management; (ii) urban water and sanitation; (iii) urban roads; and (iv) electricity for critical services and housing². The Project is being implemented in the form of subprojects in at least three cities for the first year of intervention. Likely candidates for the first year are Aden, Hodeidah, and Sana'a. No investments in any of the sectors will be undertaken unless there is sufficient evidence that the supply chain and/or related network or system will be operational enough to assure full utilization of the investment.

11. The Project is implemented by the United Nations Office for Project Services (UNOPS). UNOPS will work with three local implementing partners: the Public Works Project (PWP), and the Urban Water Project Management Unit (UW-PMU), and the Road Maintenance Fund Implementation Unit (RMF-IU).

2.1 Component 1. Service Restoration

2.1.1 Tertiary Municipal Services and Solid Waste Management

12. The Project subcomponent includes small-scale, neighborhood-level tertiary municipal goods and infrastructure that will improve access to municipal services. Selection of investments will be based on the priority needs identified by each targeted urban community in collaboration with the relevant District Local Authorities (DLAs) and/or communities. Since infrastructure will be provided through local contractors, this subcomponent will also help restore local economic activity and generate local employment through the participation of small private sector contractors, building material suppliers, and service providers.

13. Activities supported by the subcomponent may include:

- i. **Solid waste management.** Prior to any investments in this sector in any city, a site suitability assessment will be undertaken of existing landfill sites. The assessment will produce an action plan designed to enable solid waste collection activities in conjunction with a pragmatic and conflict-sensitive landfill site management program that implements mitigation measures determined to satisfy safeguard requirements and minimize environmental impacts. Based on the action plan, possible activities in the sector may include: output-based service contracts to restore collection and transfer of solid waste to the land fill sites; environment and social safeguards mitigation measures for landfill sites; weighing stations for landfill sites; and limited provision of inputs (e.g. waste collection bins, etc.). Given the imminent health impacts of the uncollected garbage in the streets, waste collection – as one of the responses to the cholera epidemic – will be undertaken in parallel to the necessary mitigation measures at the landfills as identified by the site suitability assessment. If the assessment finds an existing landfill site to be unsuitable because of severe health and environmental risks and therefore remedial actions are not feasible within the scope of this Project, the Project will either dispose of the waste in an alternate landfill – if possible – or not conduct waste collection from this city.

² The housing sector subcomponent will not include any investments or works but will focus on technical assistance to prepare for housing sector reconstruction once the situation permits.

- ii. **Neighborhood sanitation activities** may include the rehabilitation of existing inspection chambers and manholes (including replacement of damaged manhole covers), and the repair or expansion of sewer pipes not covered by LCs, subject to their linkages to functional water treatment/disposal systems.
 - iii. **Rainwater drainage** will improve storm water drainage by constructing channels, box culverts, and water breakers in existing water pathways; rehabilitating existing channels; and providing grills to ensure outlets are not blocked. To the extent possible, these activities will be coordinated with solid waste collection programs.
 - iv. **Stone paving of neighborhood streets** that are not covered under the urban roads subcomponent. Stone paving of streets will also include paving of pedestrian sidewalks.
 - v. **Rehabilitation of local parks and green spaces** including cleaning and paving of existing pathways, providing sitting spaces and shades, tree plantation/greenery suitable for the local climate, repair of the commonly-used fencing and gates that have been damaged, and children's play areas. The rehabilitation of local parks and green spaces will have significant social benefits for the beneficiary communities, as visiting green spaces and public parks during weekends and public holidays has become the main source of entertainment for many families due to lack of alternatives.
14. The subcomponent is implemented by UNOPS in partnership with PWP.

2.1.2 Urban Water and Sanitation

15. The subcomponent includes small- to medium-scale goods and infrastructure works, as well as critical supplies (such as fuel) to restore water and sanitation service delivery at the city level. The selection of activities will be based on the priority needs to be identified by UNOPS, UW-PMU, and LCs in consultation with the relevant DLAs and/or local communities. These subprojects will complement water and sanitation system activities currently foreseen under the Yemen Emergency Health and Nutrition Project (EHNP) Second Additional Financing (P164466), which focuses on the rehabilitation of medium- to large-scale water and sanitation infrastructure including Waste Water Treatment Plants (WWTPs).

16. Activities to be supported by this subcomponent may include:
- i. replacement of needed assets like pumps, generators, water treatment units, related facilities, and spare parts;
 - ii. rehabilitation of pipes, water tanks, existing wells, and WWTPs;
 - iii. service delivery maintenance support to LCs including transportation allowance for critical staff, fuel supply, and electricity expenses (as needed);
 - iv. awareness campaign on utility payment through citizen engagement;
 - v. support for the establishment of private tanker filling stations and associated accreditation;
 - vi. creation of a directory of service providers and their contact information, including making the directory widely available, allowing household consumers to contact multiple water delivery services to get more reliable water supply at competitive prices; and
 - vii. sector specific analytical work required during the course of Project implementation.

17. Particular attention will be paid to investments in sanitation to ensure that the entire supply chain from collection to final treatment is functional or made functional through the investments. As water supply in the network was intermittent prior to the conflict, investments in water treatment inputs or facilities, or leak detection equipment will be considered only if evidence can be presented that demonstrates the viability of such investments.

18. The subcomponent is implemented by UNOPS in partnership with the UW-PMU. Activities under this subcomponent will be coordinated with UNICEF under the EHNP.

2.1.3 Urban Roads

19. The subcomponent will rehabilitate primary and secondary urban roads including those at the entrances to the cities. Activities may include spot and pothole repairs, crack sealing, patch works, asphalt resurfacing, road safety improvement works and intersection rehabilitation. This

subcomponent will contribute to increasing mobility and access, including supporting regeneration of economic activity, and improving road safety. The choice of activities is based on the priority needs identified by UNOPS and RMF-IU in consultation with the DLAs and/or local communities. Each rehabilitation works contract will maximize the use of manual labor to support local employment.

20. The subcomponent is implemented by UNOPS in partnership with the RMF-IU.

2.1.4 Electricity for Critical Services

21. This subcomponent supports the restoration of electricity supply to critical urban services. During the first year, it will prioritize off-grid electricity solutions for functional water, sanitation, health and education facilities. Demand for such activities will be closely coordinated with relevant UN agencies. Other urban services may be included in later years based on local-level demand. The short- to medium-term activities under this subcomponent may include:

- i. rehabilitation of existing conventional (diesel) generation systems
- ii. installation of new off-grid generation using diesel, renewable energy (such as rooftop or ground-mounted solar photovoltaic (PV) panels for buildings) or diesel-solar PV hybrid technologies;
- iii. restoration of fuel supply, where needed;
- iv. solar PV and light-emitting diode (LED) street lights; and
- v. energy efficiency improvements, where possible.

22. The long-term, sustainable option is to move to grid-based electricity supply platforms that can provide more reliable and affordable electricity. While the focus of this Project in the short-term will be on off-grid solutions targeted for electricity supply to critical urban services, the feasibility of private sector service contracts for decentralized production and provision of electricity may be examined in the later years of the Project.

23. The subcomponent is implemented by UNOPS. Activities under this subcomponent will be coordinated with public service institutions (e.g. hospitals, health facilities, schools, local water corporations, etc.), municipal authorities, international agencies (e.g. WHO and UNICEF), and other relevant stakeholders.

2.1.5 Housing Sector

24. This subcomponent will focus on conducting technical assistance (TA) for the housing sector, which is the most impacted sector in terms of recovery needs. TA may include: (a) addressing Housing Land and Property (HLP) rights through a detailed assessment of current HLP status, identifying potential aspects that will affect housing reconstruction efforts, and suggesting solutions that include community participation in mapping property rights, taking into account the gender gap in property rights; (b) conducting a damage survey (where feasible) to evaluate the structural soundness of damaged houses, categorizing the level of damage to each housing unit and conceiving an appropriate level of activity for each; (c) developing a housing assistance targeting framework and eligibility criteria; (d) mapping of organizations (government agencies, non-governmental organizations (NGOs,) and private sector) available to support the reconstruction process and assessing their capacity; (e) developing suitable financing strategies for housing reconstruction; (f) developing hazard-resistant housing solutions that build on local architecture; and (g) developing instructive materials and guidelines adapted to vernacular construction techniques, and preparing a communications and training strategy.

25. If the assessments are completed and appropriate reconstruction strategies can be developed prior to Project completion, funding could be provided under this project to support the repair and rebuilding of damaged residential structures.

2.2 Component 2: Implementation Support and Capacity Development

2.2.1 Project Implementation and Management Support

26. This subcomponent will finance: (a) general management support (indirect) costs for UNOPS; (b) direct project management and supervision costs required to support the implementation of the Project; (c) Project monitoring, evaluation and coordination at the city level; (d) a subproject-tailored, global information system (GIS)-based expenditure tracking and information dissemination system to promote transparency and accountability; e) independent audits of project activities, if required; and f) the establishment of a Grievance Redress Mechanism (GRM) in the UNOPS Sana'a office to document any possible complaints and ensure follow-up.³ UNOPS will perform project management and implementation support functions through their local office in Sana'a. Its project management and implementation support team will include a program manager, procurement specialists, finance specialists, an environment and social safeguards specialist, a logistician officer, and an administrative officer.

2.2.2 Technical Assistance

27. This subcomponent will support capacity building activities for the stakeholders who will be involved in the delivery of activities under the Project at central and local levels. These activities will focus on technical skills for all sectors involved in the Project, including more effective human resource management, coordination, transparency and accountability, safeguards, and public financial management. The outcomes of the first round of capacity development will allow the Bank team to gain a better understanding of the capacity needs on the ground and tailor the activities under this subcomponent accordingly.

28. This subcomponent will also support citizen engagement and communication throughout the Project, including facilitation of a bottom-up process for needs prioritization at the local level, as follows:

- a) **A context-sensitive public communication plan** will be devised and rolled out with the start of subproject implementation and throughout Project duration. The goal of this outreach campaign is to ensure the transparency of subprojects' cost, selection rationale, and implementation schedule. This will be complemented by a GRM system put in place to allow citizens to voice grievances related to Project activities. Citizen communication will also be utilized to encourage beneficiaries to pay for the improved services to enable local providers to sustain these services after Project completion.
- b) **Facilitate citizen engagement in the identification, prioritization and monitoring of investment projects.** This will require conducting initial assessments and contextual analyses to develop suitable processes for citizen participation. Various modalities would be considered, including focal group discussions, town halls, and online voting platforms. The resulting participatory processes will be applied to the selection of investment projects in the second and third year of the Project. Citizen participation in the decision-making on annual investment plans will be subject to technical priorities determined by UNOPS in consultation with its local partners. This citizen input will help to validate priorities identified by the implementing agency and to choose between competing investment options. Citizen consultations arrangements, subject to local political realities, will aim to strengthen the role of key local entities, such as the DLAs, in institutionalizing and sustaining sound citizen participatory practices. The Project will also explore using UNOPS' citizen-based monitoring mechanisms.

29. UNOPS will implement these activities by engaging Civil Society Organizations or other relevant technical experts, as needed.

2.2.3 Third Party Monitoring

30. UNOPS will engage a Third-Party Monitoring (TPM) agent to undertake independent results

³ The GRM system will be focused on selection and implementation of capital works and related investments.

verification of subprojects funded under the Project. The TPM agent will report on the activity outputs, the restoration of services for the intended beneficiaries, and the fiduciary and safeguard processes followed by the local partners. The Terms of Reference (TOR) for the TPM agent will be developed by UNOPS and agreed upon with the World Bank. UNOPS will regularly share the TPM reports with the Bank and will include in the report the actions taken to address any implementation issues identified by the TPM agent.

2.3 Component 3. Contingent Emergency Response

31. The objective of this component is to improve the country's response capacity in the event of an emergency, following the procedures governed by World Bank OP 10.00, paragraph 12 (Rapid Response to Crises and Emergencies). There is a probability that, during the life of the Project, a natural disaster, epidemic or another emergency that will have a major adverse economic and/or social impact. The Contingent Emergency Response Component (CERC) allows UNOPS to reallocate funds from other Project components or to serve as a conduit for additional financing from other funding sources for eligible emergencies to mitigate, respond to and recover from the potential harmful consequences arising from the emergency. Disbursements under this subcomponent will be subject to the declaration of emergency by the RoY, the international community, or the United Nations.

Chapter 3

BASELINE SOCIOECONOMIC CONDITIONS

3.1 Introduction

33. The Republic of Yemen is located in the southern Arabian Peninsula. Its total area is 527,968 km², with an estimated population of 27,431,706 in 2016 (13,856,00 female and 13,475,706 male). Three large cities are targeted for the first year of the Project: Sana'a, Aden and Hodeida.

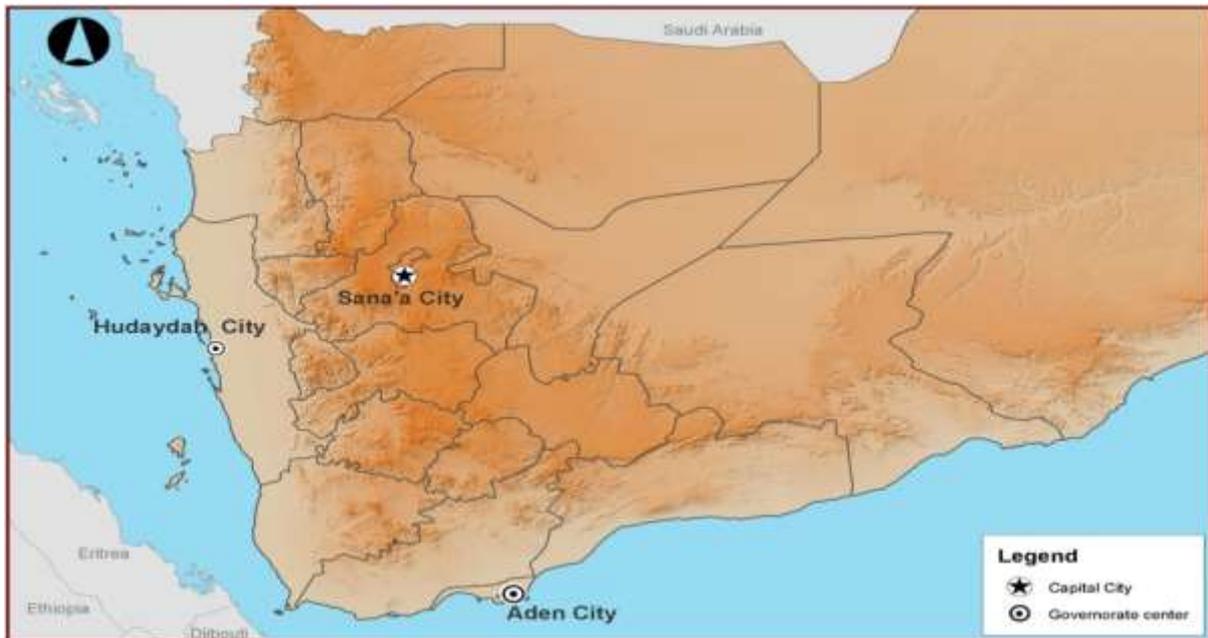


Figure 1. Location of the three cities targeted during the first year of the Project

34. Sana'a is one of the oldest continuously inhabited cities in the world. At an elevation of 2,300 meters (7,500 ft), it is also one of the highest large cities in the world. The Old City of Sana'a, a UNESCO World Heritage Site, has a distinctive architectural character, most notably expressed in its multi-story buildings decorated with geometric patterns.



Figure 2. Old City Sana'a

35. Sana'a (Amanat Al Asimah) had an estimated population of 2,821,334 in 2016 that was disproportionately female: 1,530,409 females and 1,290,924 males. It is the largest city in Yemen. However, the city itself is not part of the Sana'a Governorate, but forms the separate administrative district of "Amanat Al-Asimah".

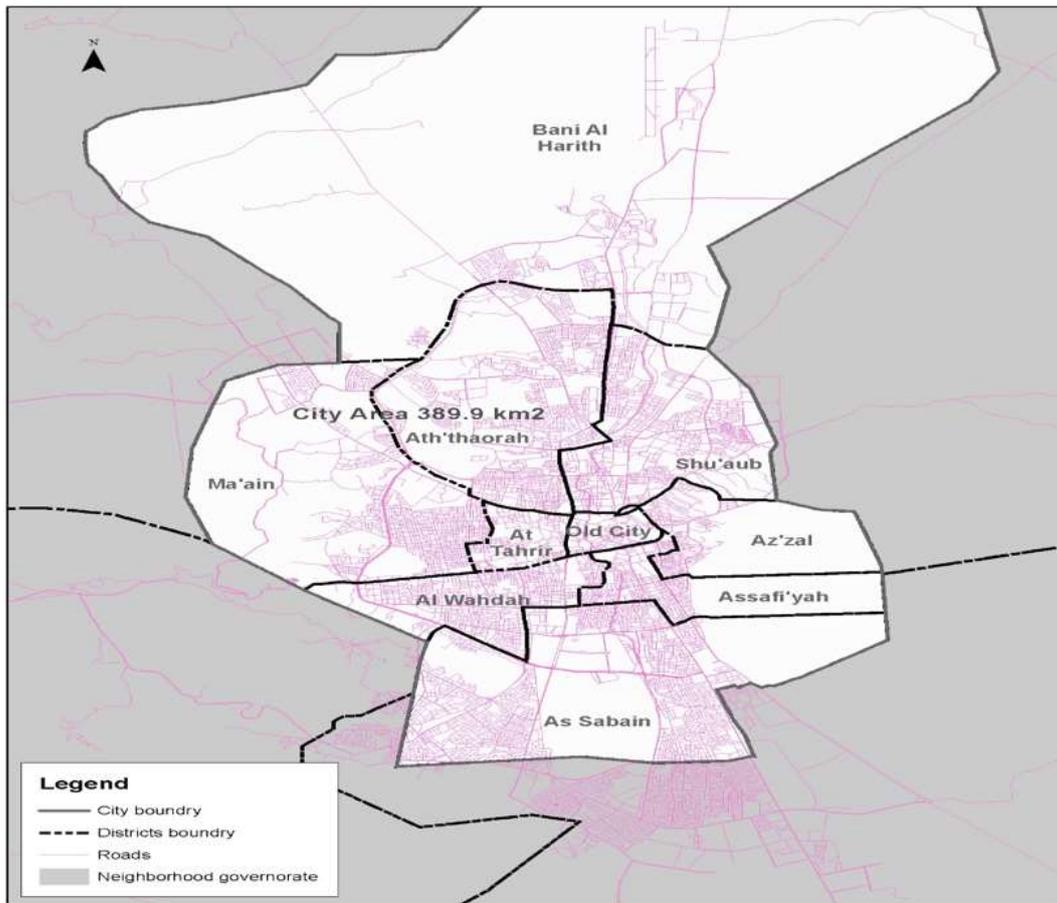


Figure 3. Map of Sana'a

36. Aden is a port city located by the eastern approach to the Red Sea. It encloses the eastern side of a vast, natural harbor that comprises an oil refinery and a tanker port. It had an estimated population of 894,00 in 2016, including 479 females and 415, 000 males.

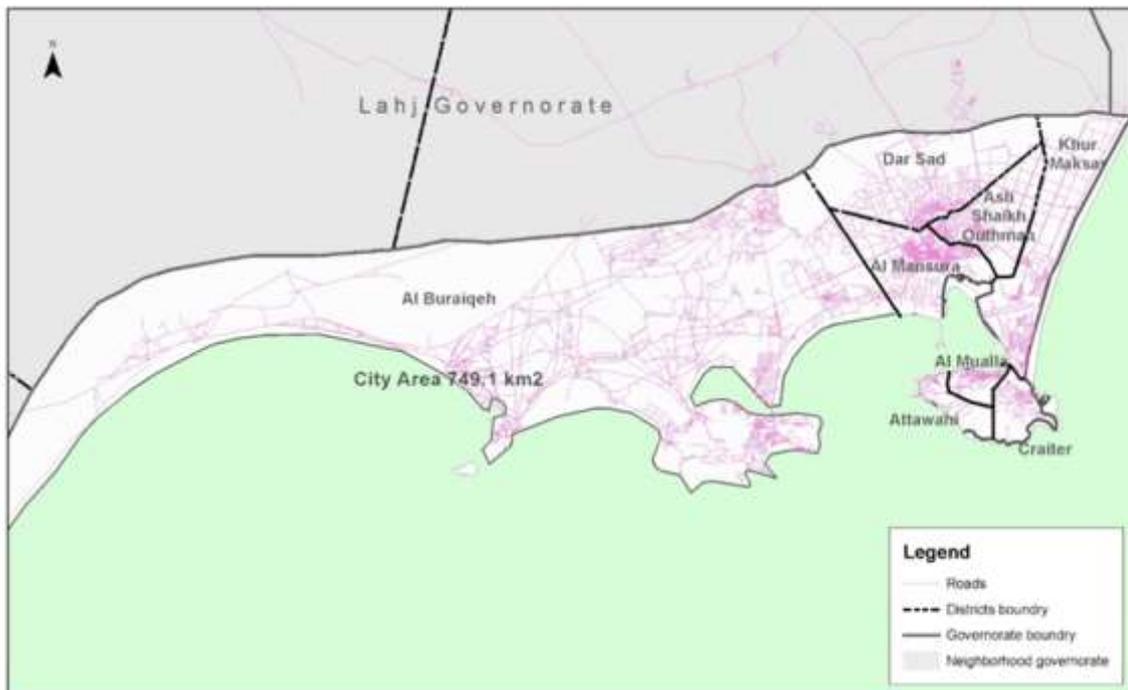


Figure 4. Map of Aden

37. Hodeidah is a port city situated on the Red Sea approximately 225 km west of Sana'a. It had an

estimated population of 597,487 in 2016 that was disproportionately male: 273,650 females and 313,837 males.

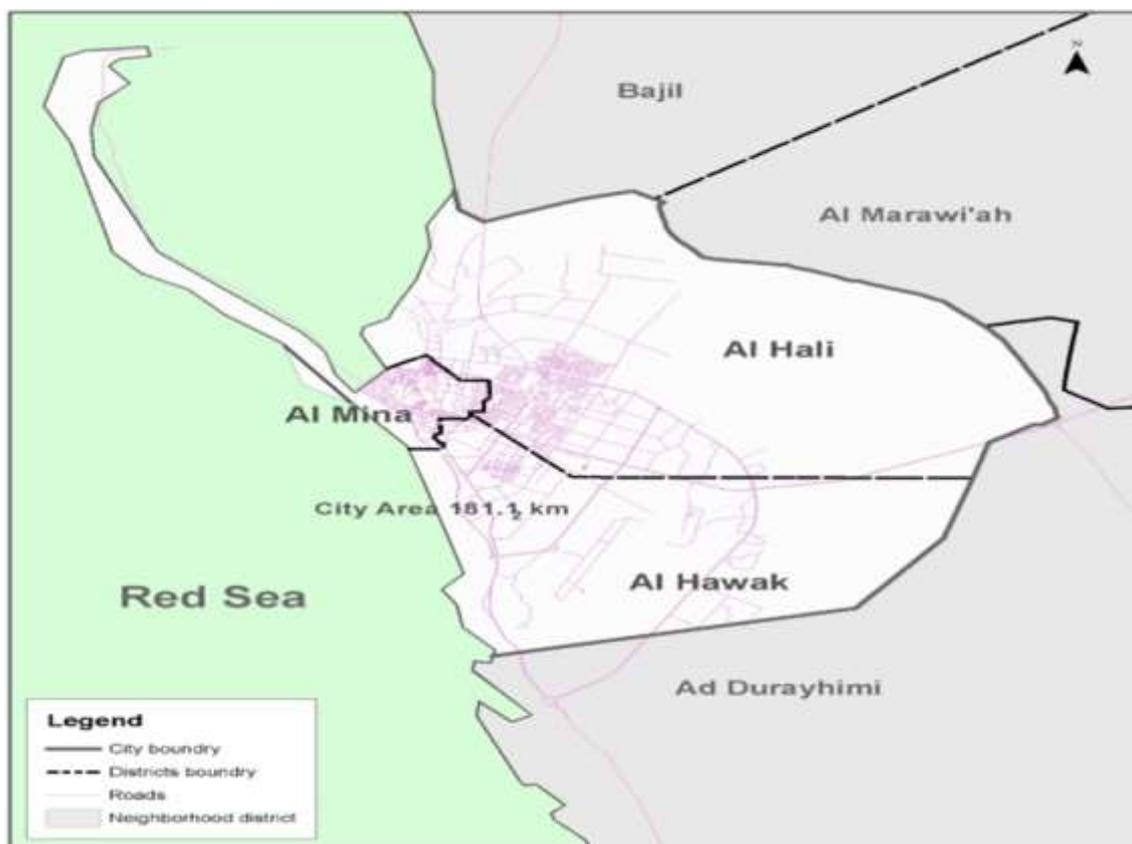


Figure 5. Map of Hodeidah

3.2 The Conflict

38. The ongoing conflict started in March 2015. It has led to the destruction of basic infrastructure, the disruption of social services, mass displacement and loss of lives and livelihoods. There are over two million internally displaced persons (IDPs), nearly half of them children, representing over 300,000 households. There are also nearly a million returnees, as well as over 280,000 refugees and migrants.

Table 1. Distribution of IDPs in Hodeidah, Aden and Amanat Al Asimah

Governorate	Individuals (in)	Individuals (out)
Amanat Al Asimah	158,604	272,676
Aden	41,028	42,006
Hodeidah	10,500	6,900

Table 2. Distribution of Returnees in Hodeidah, Aden and Amanat Al Asimah

Governorate	Household	Individual
Amanat Al Asimah	31,028	186,168
Aden	55,444	322,664
Hodeidah	191	1,146

Table 3. IDPs/Returnees Percentage by Gender.

Governorate	Men	Women	Boys	Girls	Male	Female
Amanat Al Asimah	22%	23%	28%	27%	50%	50%
Aden	23%	23%	32%	22%	55%	45%
Hodeidah	21%	22%	30%	26%	52%	48%

Source Taskforce in Population Movement. TFFM, 2017.

39. The conflict is rapidly pushing the country towards social, economic and institutional collapse, as the conflict has triggered an economic decline that has steadily eroded people's coping mechanisms.

3.2.1 Food

40. The food and nutrition situation has rapidly deteriorated because of the conflict, leaving large parts of the population vulnerable to famine. A total of 107 out of 333 districts now risk sliding into famine, which is an increase of 13% since April 2017. An estimated 17 million Yemenis are food insecure and require urgent humanitarian assistance to save lives and protect livelihoods according to the Integrated Food Security Phase Classification (IPC), which is largely based on data from the Emergency Food Security and Nutrition Assessment (EFSNA). Approximately 10.2 million people are in crisis and 6.8 million in the emergency phase. At national level, the population falling into the Emergency and Crisis phase has increased by 20 percent since the previous IPC analysis in June 2016.

41. The high level of food insecurity has made poor households turn to subsistence agriculture as a coping mechanism. As a consequence, there is an urgent need for better access to information and improved seed technology, including in urban areas such as Sana'a and Aden.

3.2.2 Health

42. The conflict has caused a deterioration of health care services in a number of governorates. Any further escalation and spread of violence could result in a further dramatic deterioration of the country's already weak health system.

43. There used to be 229 hospitals, 791 health centers, 2,849 health units, and 2,566 reproductive health centers in Yemen. The total number of beds was estimated at 15,692. When functional, these facilities used to provide access to approximately 68 percent of the population. In addition, there were 168 private for-profit hospitals, 324 dispensaries, 541 health centers, and 657 private clinics concentrated mostly in and around urban areas.

44. The conflict has heavily impacted the health care facilities, causing a lack of medicine, electricity, fuel, that has been compounded by a cholera outbreak. Both petrol and diesel became scarce, affecting all administrative, curative, preventive, emergency response initiatives, including the vaccination cold chain, medical supplies, and drug delivery to the governorates and districts. In addition, constant and frequent interruption of electricity has affected the overall system, and in particular water pumps, computers, refrigerators, operations for the injured, blood banks, emergency units and so forth. Even generators, designed to buffer the system against such problems, were negatively affected and they quickly burned out from overuse.

45. The main public health concern is the outbreak of diseases associated with poor access to water and sanitation. The origin of these outbreaks has been traced to contaminated water sources, especially wells that have not been disinfected, mainly due to insecurity and inaccessibility. The rapid spread of disease has also been blamed on the declining amounts of water available to households, caused by prohibitive prices and power cuts that prevent water pumping.

46. In addition to the impact on WASH in schools in the south, many schools in conflict-affected areas of the North also have been damaged or destroyed by fighting, including damage to WASH facilities. Beyond the impact of conflict, WASH in schools throughout the country is inadequate, with the vast majority of Yemeni schools lacked sufficient water and sanitation facilities even before the crisis.

Table 4. Current Status of Health Facilities in Hodeidah, Aden and Amanat Al Asimah

Governorate	Health Facilities partially/totally not functioning %
Amanat Al Asimah	43%
Aden	59%
Hodeidah	60%

Table 5. Population Coverage by Health Centers in Hodeidah, Aden and Amanat Al Asimah

Governorate	Population Coverage by Health Centers %
Amanat Al Asimah	57%
Aden	41%
Hodeidah	40%

OCHA Yemen Humanitarian Needs Report 2017.

47. Most devastating was the outbreak of acute watery diarrhea (AWD)/cholera. This outbreak stemmed from the reduced per capita household water availability due to increased costs of water and/or destruction of the water systems.

48. Yemen is also facing a cholera outbreak of unprecedented scale. Cholera hit the country in April 2017. As of 5 November 2017, there were more than 900,000 suspected cholera cases and 2,192 associated deaths were reported since the second wave of Acute Watery Diarrhea (AWD). The outbreak has affected 21 of the country's 22 governorates, infecting 305 out of 333 districts. On 14 May 2017, a state of emergency was declared, indicating that the health system is unable to contain this unprecedented health and environmental disaster. The highest cumulative suspected cases were reported from the governorates of Hodeidah, Amanat Al Asimah, Hajjah and Amran, which accounts for 41% of all suspected cholera cases. Cholera is affecting the most vulnerable Yemenis: Over 2 million IDPs are particularly at-risk due to the conditions in overcrowded shelters and settlements with inadequate water and sanitation facilities.

Table 6. Summary of key cholera indicators by Governorate Cumulative (27/04/2017 to 26/11/2017)

Governorates	Cases	Deaths	CFR	Affected Rate	-3 weeks	-2 weeks	-1 week	Current week	Trend
Al Hudaydah	139,145	271	0.19%	429.70	3,266	2,915	2,601	2,078	-11
Aden	20,286	62	0.31%	219.78	311	214	197	115	-18
A. Al Asimah	91,799	70	0.08%	324.63	1,917	1,722	1,484	1,289	-13

WHO: Electronic Disease Early Warning System Epidemiological Bulletin

3.2.3 Shelter

49. An estimated 5.4 million people need emergency shelter or essential household items, including IDPs, host communities and initial returnees. Ongoing conflict-related displacements, as well as initial returns to some areas, are driving these needs. 2.6 million people are in acute need of assistance.

3.2.4 Economic activities

50. The ongoing conflict has had major economic consequences: GDP has contracted by 38% cumulatively and rose to 40% in 2015. A Small and Medium Enterprise Perceptions Survey (SMEPS), conducted in 2015, found that after six months of war 74% of the firms surveyed reported physical damage. Labor markets have been significantly affected with employment declining by 13% in Sana'a City, Hodeidah and Aden, whilst participation in the labor market has declined sharply. Input markets have also been hit with supplies unable to move around the country due to conflict and damage to both roads and market places. Trade has been badly affected by the war. Total imports are estimated to have dropped 54% between 2014 and 2015 with total exports dropping 51% in the same period where there is significant damage to four of Yemen's seven major ports. Trade financing has

become a major problem with Western banks cutting credit lines to traders shipping food into Yemen and letters of credit have become very difficult to obtain.

3.2.5 *Employment and Unemployment*

Table 7. Labor force, Employment/Unemployment (Percent and Percentage Point Change)

	Employment to Population Ratio (EPR)	Labour Force Participation Rate (LFPR)	Unemployment Rate (UR)
2014			
Sana'a City	32.8	36.2	9.6
Hodeidah	37.7	40.4	6.7
Aden	32.9	41.9	21.5
Total	35.1	39.1	10.2
2015			
Sana'a City	28.6	33.6	14.8
Hodeidah	36.9	37.1	0.6
Aden	27.3	34.2	20.3
Total	32.1	35.3	9.1
Difference			
Sana'a City	-4.2	-2.7	5.2
Hodeidah	-0.8	-3.3	-6.1
Aden	-5.6	-7.6	-1.2
Total	-3.0	-3.8	-1.1

Source: LFS 2014 and Rapid Survey, 2015, ILO and CSO.

51. Hodeidah registered the highest EPR of 37.7 per cent and LFPR of 40.4 per cent. Sana'a City had the lowest EPR (32.8 per cent) and LFPR (36.2 per cent). Aden was characterized by a low EPR (32.9 per cent) but the highest LFPR (41.9 per cent). The total (women and men) rates of unemployment ranged between a minimum of 6.7 per cent in Hodeidah and a maximum of 20.3 per cent in Aden, with Sana'a at 9.6 per cent. As a consequence of the war, all three indicators registered a substantial decline. The EPR fell by 3.0 percentage points, the LFPR by 3.8 and the UR by 1.1. Aden registered the most pronounced decrease (5.6) of the EPR, followed by Sana'a (4.2) and Hodeidah (0.8). At first glance, this outcome may appear surprising in view of the earlier findings regarding the impact of the crisis on employment levels, but it becomes understandable once we recall that the total WAP has declined substantially. Another explanation lies in the movement of working age people out of Hodeidah and Sana'a, while the cessation of violence attracted people from other areas to Aden.

52. The declines in LFPRs follow rather closely the EPRs, although in this ordering Hodeidah comes second and Aden third. As a result, perhaps somewhat counter-intuitively, the governorate with the strongest decline in the UR is Hodeidah, followed by Aden (the governorate with the best labor market performance), while the unemployment rate of 14.8 increased in Sana'a City.

3.2.6 *Poverty*

53. Even prior to the current conflict, Yemen was one of the poorest countries in the world and the poorest country in the Middle East and North Africa (MENA) region. The conflict has led to an increase in poverty to 54.4 percent affecting urban households relatively more than rural households. The conflict has sharply driven down household income through higher unemployment and/or falling wages for public and private sector wages at all skill levels. In addition, prices for major goods and services such as food and fuel have risen, as a consequence of lower and irregular supplies, thus reducing households' real income. Household expenditure, on which poverty is calculated, has also sharply declined. Overall household expenditures declined. Urban households suffered even higher losses compared to rural households. In terms of poverty impact, urban households are relatively and absolutely more affected than rural households, which may reflect the fact that much of the uprisings took place in urban areas while many rural areas may have been affected only indirectly.

54. Initial simulations of the impact of the ongoing conflict show that the poverty incidence may have almost doubled from 31% in 2014 to 62% in 2016). The impact of crisis manifests itself in multiple ways across different sectors and further weakened a financially weak energy sector. Transmission lines were damaged many times and the lack of fuel and maintenance seriously disrupted the operations of most power plants. Long-term power outages across broad swaths of the country interrupted health service provision, including the vaccination cold chain. The conflict caused significant delays in the implementation of on-going and planned power generation, transmission and distribution projects, which will further worsen the already acute power supply situation. Similarly, in the water sector, public programs and services suffered widespread disruptions, with an immediate impact on the availability of water supply, sanitation, irrigation, or extension services for agriculture. In addition, health and education, schools, and health centers were temporarily closed and sector infrastructure was damaged, severely impacting basic social service delivery. In addition, urban centers, endured direct damage to public property and suffered significant losses due to foregone municipal revenues. While the adverse impact of the conflict has been felt everywhere in the country, the major urban centers, such as Aden, Taiz, and Sana'a, appear to have suffered more.

3.2.7 Education

55. The 2017/2018 school year started with a setback of the education process in 13 out of 22 governorates due to the extended time of non-payment of salaries for teachers crippling the education system. Two-thirds of teachers are affected due to non-payment of salaries for more than a year, losing their main source of income and becoming unable to provide for their family. Schooling was disrupted in 12,240 schools in 13 governments during the 2016/2017 school year due to non-payment of salaries, affecting an estimated 4.5 million students.

Table 8. Number of schools damaged, hosting IDPs or occupied

Amanat Al Asimah	23
Aden	21
Hodeidah	34

3.2.8 Communication

56. Before the conflict, latent demand for internet-enabled services was becoming increasingly evident with consumers requesting for faster services particularly in urban centers. The demand for internet-enabled 3G services was growing as Yemenis started switching from using basic mobile phones to smartphones and computers (i.e., laptop, tablet, desktop) that require mobile broadband speeds and data capacity. Seeing the latent demand and potential growth in revenue, the private mobile operators in Yemen were, for several years, requesting the government to upgrade their licenses so they could provide mobile internet services.

57. As witnessed in other conflict countries the telecommunications market is one that adjusts to fragility and conflict situations and continues to provide communication services. There is no reason to assume that Yemen would be fundamentally different. Although with some limitations, all four mobile operators in Yemen and the state-owned fixed infrastructure telecommunications operator are continuing to provide services. This is despite direct attacks on their infrastructure. The resilience of the telecommunications sector can be attributed to the fact that it remains profitable for both, private and public operators even during conflict, and in certain instances more profitable as demand for communications increases.

58. The state-owned Public Telecommunication Corporation (PTC) in 2014, had 13,000 km of fiber optic running across the country. This backbone infrastructure connects Yemen to the international submarine fiber network at the ports of Aden, Al Mukalla and Hodeidah and up runs up to Sa' dah at the border with Saudi Arabia. While the extent of the damage is yet to be determined, fiber optic networks are usually deployed above ground in Yemen which makes them visible and vulnerable. Furthermore, there were reports in April 2015 indicating that phone lines in Aden had been severed following fighting. Further damage is expected to have occurred, and the full picture is not available at the moment. However, the telecommunications sector has been included in the Disaster Needs

Assessment Phase II of the World Bank

59. In December 2015, there were an estimated 16.88 million mobile customers in Yemen, down 4.2% from 17.62 million a year earlier and a recent peak of 18.36 million at the beginning of 2015. The decline was due to the escalating violence in the region, in particular the start of an airstrike in late March 2015, which has reportedly had a devastating impact on the nation's telecommunication infrastructure. While the impact of conflict on mobile penetration rates is almost immediate, so is the rebound during times of peace.

Table 9. Actions for broadband infrastructure (3G and faster speeds)

Potential lead		Impact	Timeframe
Allow more operators to invest in and provide 3G/4G services (i.e. license.) harmonization	MoTIT/ or other entity with executive power	Operators have been seeking licenses to be able to upgrade their networks and are ready to deploy. Impact would lead to increased availability of mobile internet services	Immediate
Spectrum management for mobile internet	MoTIT/ or other entity with executive power	Spectrum allocations will need to be re-evaluated in order to maximize network coverage and quality of mobile internet services	Immediate
National fiber backbone infrastructure expansion	Public Works Project/Public Telecommunications Corporation	PTC had about 13,000 km of fiber running across the country. Damage to these assets will need to be examined	Reconstruction phase
Allow deployment of fiber via linear infrastructure including electricity grids and roads/highways	Public Works Project/Multiple ministries	About 75% of the cost of laying fiber is in works and digging the trenches for the ducts. The global trend is for fiber ducts to be built alongside construction of electricity grids, highways among other utility infrastructure	Reconstruction phase

3.3 Solid Waste Management

Table 10. Solid Waste (SW) collection coverage in the cities of Amanat Al Asimah, Aden and Hodeidah

City	SW quantity generated tons per day	Service coverage %
Amanat Al Asimah	1500	70%
Aden	650	80%
Hodeidah	350	50%

*Variation of coverage due to lack of equipment availability
Source: CIF in Sana'a, Aden and Hodeidah.*

1.1.1 Current Situation of Sana'a Landfill

60. The present disposal site for the Sana'a region (Amanat Al Asimah), Sana'a Governorate and Amran City) is located along the road from Sana'a to Amran city, at a distance of approximately 15 km north-west to the center of Sana'a City. The landfill in the last few years expanded close to the settlement area at the north-west border of the city. The landfill covers an area of approximately 40 ha. The length of the site in the direction of Amran Road is about 830 m and the average width of the site is about 480 m. The site is surrounded by a wall on three sides and a wire fence on the north side. A weighbridge is located beside the office at the entrance of the landfill site, but is damaged and not operated.

61. The formal legal ownership of the site is by the Secretariat of Capital Sana'a and it is operated and maintained by Landfill Department under the SWMS General Directorate. The landfill has been in operation for about 40 years, almost reached its backfilling capacity and serves the Sana'a region predominantly for disposal of municipal solid waste. There is no sealing installed (neither at the base nor at the surface) and subsequently no leachate captures or degasification system installed. Waste is

delivered in various types of trucks, disposed of and emplaced in layers and covered with soil depending on availability of suitable material. Insufficient arrangements have been made so far at the site against littering of the neighborhood by windblown light material and against access of birds to the spread and uncovered waste.

62. The disposal area is defined and a landfill manager is supervising the daily operations. A bulldozer, which is the one and only mobile equipment in operation, is leveling the waste in the working area and tipper trucks are sometimes available for transportation of cover materials. The waste is being spread in thin layers by a bulldozer, but is not regularly covered with soil. Other equipment like the compactor is broken.

63. Side slopes in most parts of the landfill are too steep (1:1 to 1:2) to allow an effective placing of soil cover on these steep landfill slopes or an access by vehicles. Additionally, the present situation with steep slope inclination causes danger because of a potential instability of the landfill itself with the risk of landslides.

64. The landfill was equipped with an entrance building and a weighbridge where delivering waste trucks have been recorded. The entrance building included staffing rooms and a work shed /garage is located within the entrance area, but all infrastructures were destroyed during the war in 2016. Standard registration forms were previously used for registration of the quantity of waste delivered by each truck and of the number of deliveries made each day. Weights have been measured and recorded according to the zone from where the waste was collected. However, the weighbridge and the control room were destroyed and now only records are made about delivering vehicles entering the site.

3.3.1 Current Situation of Aden Landfill

65. The landfill is situated in the downstream of Bir Ahmed water basin close to the coast in Al Boriqah district at Beer Al neama'a area at a distance of approximately 32 km from the city center. The landfill covers an area of approximately 4 km² and receives about 650 tons per day. The formal legal ownership of the site is by the Aden CIF and it is operated and maintained by Landfill Department under the CIF. The landfill has been in operation for more than 15 years. Waste is delivered in various types of trucks from the city of Aden and Alhwah city in Lahej Governorate and then disposed in a pit and spread in thin layers which are covered with sand.

66. Before the war a standard registration form was used for registration of the quantity of waste delivered by each truck and of the number of deliveries made in each day. Weights are recorded according to the district from where the waste was collected.

67. The landfill was equipped with entrance building and weighbridge where delivering waste trucks were recorded. The landfill site has no fence to protect it from outsiders. A weighbridge at the landfill is currently out of operation and located beside the landfill management office. There still four trucks are operated and need maintenance.

68. The waste pickers used to be presented before the war. However, currently no waste pickers allowed at the landfill site due to the security measures. Sorting facilities, one for paper, cardboard, used tires and plastic, operated by the private sector, are located next to the landfill. These facilities have been also destroyed during the war.

1.1.2 Current Situation of Hodeida Landfill

69. The present landfill /disposal site for Hodeida City is located in Aljabanah area in Hodeidah Harad road at a distance of approximately 17 km from the city center. The landfill covers an area of approximately 1 km² and receives about 350 tons per day. The formal legal ownership of the site is by the Hodeida CIF and it is operated and maintained by landfill department under the CIF. The landfill has been in operation for more than 20 years. Waste is delivered in various types of trucks from the city of Hodeidah and then disposed in a pit and spread in thin layers which are covered with sand.

70. Although no recent topographical surveys or operational plans are available, the disposal area is defined and a landfill manager is supervising the daily operations.

71. There is no sealing installed (neither at the base nor at the surface). Waste is delivered in various types of trucks, disposed of and emplaced in layers which are covered with sand depending on availability of suitable material. At the site no sufficient arrangements have been made so far against littering of the neighborhood by windblown light material and against access of birds to the spread and uncovered waste. A bulldozer, which is the one and only mobile equipment still in operation and is leveling the waste in the working area with tipper trucks sometimes available for transportation of cover materials. The waste is being spread in thin layers by a bulldozer, but is not regularly covered with soil.

3.4 Urban Water Supply and Sanitation

72. Much of water infrastructure is in poor condition and physical losses are high. The private sector supplies the needs of unconnected households through tankers, local networks and water shops, and also meets the shortfalls in supply to households connected to the network. Costs, however, are high, water from a private tanker can cost up to ten times as much as network water. It is predominantly the poor who are not connected to networks, and who have therefore to pay these high prices.

73. Shortages meant that expanded networks have resulted in reduced per capita supply, with pre-crisis average per capita supply in some large towns as little as 30 liters per capita per day. Evidently, these utilities are running in order to stand still. They are also conflicted between three, at times, incompatible mandates: affordable service expansion and provision, a business approach, and protection of the poor, all of which are to be served by a scarce water resource. In all cities, tariffs remain below operation and maintenance cost-recovery levels.

74. With large and visible installations in the heart of population centers, urban water utilities proved exceptionally vulnerable to the unrest. In addition, water services are dependent on energy, materials, and spare parts, supplies of which suffered widespread disruption. In all urban centers, utilities suffered from lack of electricity and diesel, which caused reduced production from wells, as well as persistent problems in distribution. Reduced supply performance and overall chaotic conditions also reduced both billing and customer payments, resulting in a cash flow crisis, which in turn impacted on service delivery performance. Non-revenue water increased as the number of illegal connections rose. Sana'a LC, for example, suffered a 20 percent drop in water supplied and billed, and a 47 percent drop in collections during 2011. By December 2011, the LC lacked resources to purchase fuel, resulting in a further vicious circle of reduced supply, reduced billings, and reduced collections. When fuel is available on the black market, it is sold at YR 130–150/liter, against the official price of YR 59/liter. Diesel shortages also affected private pumping and water sales, and retail water shops faced steep increases in the cost of both raw water and packaging. The retail cost of a cubic meter of water rose from YR 2,000 (\$10) to YR 14,000 (\$70), and many shops had to cease trading altogether.

Table 11. WASH Cluster Targets Progress in Hodeidah, Aden and Amanat Al Asimah

Governorates	Total people targeted	Total people reached	Gap
Amanat Al Asimah	1,474,023	78,306	95%
Aden	669,519	60,571	91%
Hodeidah	906,405	54,303	94%

Yemen WASH Cluster Dashboard March 2017

75. With large and visible installations in the heart of population centers, urban water utilities proved exceptionally vulnerable to the unrest. In addition, water services are dependent on energy, materials, and spare parts, supplies of which suffered widespread disruption. In all urban centers, utilities suffered from lack of electricity and diesel, which caused reduced production from wells, as well as persistent problems in distribution. Reduced supply performance and overall chaotic conditions also reduced both billing and customer payments, resulting in a cash flow crisis, which in turn impacted on service delivery performance. Non-revenue water increased as the number of illegal connections rose. Sana'a LC, for example, suffered a 20 percent drop in water supplied and billed,

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Table 12. WASH Cluster Response

2017 Program Targets and Results	Target 2017	Total Results	Change
Population served with support to operation, maintenance and rehabilitation of public water systems	5,492,703	4,825,286	12,785
Affected people with access to safe water as per agreed standards through water trucking	778,053	1,232,622	153,456
Affected people provided with hygiene kits for self-protection	1,379,678	492,986	44329
People living in areas at high risk for cholera have access to safe drinking water(CR)			
Number of people in cholera high risk areas benefiting from household level water treatment and disinfection(CR)			
Percentage of DTCs provided with WASH services(CR)			

UNICEF Yemen Humanitarian Situation Report Nov. 2017

3.5 Water and Sanitation

Table 13. Performance Indicators of Water Services in Aden, Hodeidah and Sana'a

Indicator	Aden	Hodeidah	Sana'a
Population of urban centers	977,676**	632,840**	2,300,000**
Number of IDPs in the served Area	26,658**	10,500*	149,994**
Number of served people and (Coverage by Network)	753,210	468,100	911,370
Percentage of Water Coverage per population	75%	73%	37%
Number of population without access to improved water source	251,124	272,278	1,538,624
Number of days of service per month	17	26	1
Quantity of water pumped in the network (m ³) per month	3,491,015	1,214,066	345,923
Percentage of basic monthly salaries paid to LC Staff and labor.	100%	50%	50%

* IDPs in Hodeidah city only according to (TFPM, 2017).

76. It should be noted that there are discrepancies in population numbers and IDPs for the three cities between the GIZ Emergency Indicators, September 2017.

3.5.1 Sana'a Water and Sanitation Local Corporation

77. Prior to the crisis, about 790,720 people had no access to improved water sources and 197,680 people to sanitation service:

- Total water produced in 2014 was 16,578,185 m³, reduced in 2015 to 6,678,203 m³
- Accumulated No. of water connections to end of Sept. 2015 was 94,563
- Accumulated No. of sanitation connections at end of Sept. 2015 was 85,758.

78. The water supply and sanitation services have been affected by conflict-related damage to WASH infrastructure. The lack of fuel set public water networks and commercial water trucking at imminent risk of stopping services. Prices for commercial water trucking services have more than doubled. Sanitation is also deteriorating with sewage treatment plants working at reduced functionality. When considered with declining access to safe drinking water, these trends point to a potential public health crisis.

79. The Main Office and pumping station buildings have sustained extensive damage windows and doors but the main building structure has no structural damage and still in working order as are the furnishings and office equipment. A concrete storage tank located in Alnahdin area, has been totally destroyed.

80. Two tube wells and two well head structures at Nqom Alhafa have been totally destroyed. At the same location an additional 4 well heads have been partially damaged. An electrical panel and cabling have sustained irreparable damage.

81. Sana'a LC has 160 km of distribution network piping which has no reported damage. Water supplied through the distribution network is available less than once a week. Water quality checks are conducted in the Sana'a LC laboratory.

82. Sana'a LC is operating an Activated Sludge – Extended Aeration process WWTP that is designed to treat 50,000 m³. The Sana'a LC is reporting no damage to its WWTP or the sewerage network. However, 2 trucks with cranes and 30-ton winches have been totally destroyed, and installation and maintenance tools have been damaged.

3.5.2 Aden Water and Sanitation Local Corporation

83. Prior to the crisis, about 375,750 people had no access to improved water sources and 392,450 people to sanitation service.

- Total water produced in 2014 was 41,375,064 m³, which was reduced to 2,851,200 m³ in 2015
- Accumulated No. of water connections to end of Sept. 2015 was 124,974
- Accumulated No. of sanitation connections at end of Sept. 2015 was 105,978

84. Aden was hit by violence that left large parts of the city in ruins and has destroyed major water supply and sanitation components. The lack of fuel set public water networks and water trucking services at imminent risk of stopping of services.

85. The main office building of the Aden Water and Sanitation Local Corporation was partially damaged. The building's infrastructure, as well as office equipment and furniture, were also partially damaged. Six store buildings have also sustained some damaged including the contents. Additionally, the water lab sustained damage to equipment, supplies and work surfaces. The LC reports that none of the pumping station buildings are damaged while. However, some electro-mechanical equipment has been demolished. Two water storage reservoirs have been totally destroyed and eight have sustained partial damage.

86. The LC is reporting that 55 tube wells have incurred partial damage, but well heads and associated equipment are in working order. One hundred and seventy-seven submersible pumps have been damaged: 75 completely destroyed and 102 partially, as have electrical panels and cables.

87. The number of operating wells at the end of 2014 was 110 and at the end of September 2015 only 80 remained in service. Aden LC has 65.8 km of main water lines; 13 km have been totally destroyed. The remaining 52.6 km show signs of partial damage. The distribution network piping amounts to 14.5 km all of which seem to have suffered partial damage.

88. Aden LC has a wastewater treatment system (Bio-Oxidation Pond) that is designed to process 95,000 m³ per day. Prior to the conflict the system was receiving inflow of 23,974 m³. Since March 2015 the wastewater treatment has been interrupted particularly with overflow in the collection network pumping stations. The network has collection piping and trunk mains of some 18.25 km which have sustained varying measures of damage; three sewerage pumping stations have been totally destroyed and the remaining 34 have incurred some damage. A fleet of twelve flushing trucks appear to have all been damaged partially. Aden LC is reporting that their Installation and Maintenance tools have sustained some damage.

3.5.3 Hodeidah Water and Sanitation Local Corporation

89. Prior to the crisis, about 1,312,650 people in the entire Governorate had no access to improved

water sources and 1,370,990 people to sanitation service.

- Total water produced in 2014 was 14,015,785 m³ which was reduced in September 2015 to 13,542,109 m³
- Accumulated No. of water connections to end of Sept. 2015 was 66,255
- Accumulated No. of sanitation connections at end of Sept. 2015 was 66,225

90. The water supply and sanitation services have been affected by conflict-related damage to WASH infrastructure. The lack of fuel set public water networks and water trucking services at imminent risk of stopping of services. Prices for commercial water trucking services are four times higher.

91. Hodeidah Local Corporation has indicated that its main office building in Hodeidah, pumping stations buildings and storage structure has no damage as well as tube wells, well heads and associated equipment and distribution network none of which seems to have any damage. Water supplied through the distribution network is available regularly between 12 and 14 hours per day. Water quality checks are conducted in the Hodeidah LC Laboratory.

92. Hodeidah LC has a wastewater treatment system (Stabilization Pond) that was designed to treat 53,000 m³ per day. Prior to the conflict the inflow was 42,000 m³/day. The associated electromechanical equipment at the pond sites has sustained partial damage and mechanical equipment for screening and sand removal has been totally destroyed. The network has incurred no damage. However, one pumping station (No. 5) has been totally demolished, but with no damage to any O&M tools and vehicles.

3.6 Road sector, Conflict-related Damages

Table 14. Amanat Al Asimah roads

Area	Length (m)	Width (m)	% Good	% Fair	% Bad
The Western Entrance of the Capital (Alsobaha Entrance – Matnaah Section A)	10,000	30 -60	30	45	25
The Western Entrance of the Capital (Alsobaha Entrance – Matnaah Section B)	10,000	30-60	10	40	50
The South-Eastern Entrance of the Capital (khawlan street)	9,600	24-50	35	40	25
Sheraton Zone	10,200	20-40	40	42	18
Bait Baous zone	4,800	14-21	25	50	25
Fifty Street	5,200	25-50	35	50	15
Taiz Street	8,600	25-40	40	45	15
Sixty Street	8,000	60	50	45	5

Table 15. Aden Roads

Sector	Length (m)	Width (m)	Condition			Comments
			% Good	% Fair	% Bad	
Transport Sector						
Arwa Street	1440	15	40	20	40	Priorities
Maintenance of Some streets in Serah district						
Aidarws Street	950	10.5	50	20	30	1st year
Al Tawilah Al Sahareeg Street	630	7.5	0	20	80	1st year
Maintenance of Some streets in Al Moe'ala district						
Al Moe'ala Ring Street	2415	15	55	25	20	
Al Sa'aedi Intersection Ring Street	250	10.5	50	30	20	1st year
Al Sheikh Isaac Roundabout - Faculty of Engineering Street	440	15	60	20	20	1st year
Maintenance of Some streets in At Tawwahi district						
Al Sheikh Isaac Roundabout – Al kalw'ah Roundabout	660	15	30	30	40	1st year
Electricity Power Horse Roundabout – Big Tunnel	1350	9	40	20	40	1st year
Maintenance of Some streets in Khood Maksar district						
Abo Dhar Al Ghofari – Abyan Coastline Road	535	7.5	0	25	75	1st year
Education (Tarbiah) - Public Works Intersection street	650	10.5	30	10	60	1st year
Culture (Thagafah) roundabout - Public Works Street	850	10.5	30	20	50	1st year
Central Security Intersection –AlMemlah – Al-Bohairah	1600	15	60	25	15	1st year

Table 16. Hodeidah Roads

Sector	Length (m)	Width (m)	Condition		
			% Good	% Fair	% Bad
Transport Sector					
Fifty Street Section A	1850	50	30	50	20
Al-Shohada Street	2400	40	50	40	10
Northern Al-Kornish Street	1450	40	30	50	20
Al-Katheeb Street	1600	40	28	50	22
Al-Katheeb Road	14000	50	50	30	20
Thirty Street	2000	30	30	48	22
Forty (Al kouds) Street	1350	40	50	40	10
University Street	1600	30	40	40	20

3.7 Electricity sector

93. Even before the conflict, much of Yemen's population was deprived of basic electricity services. Yemen was the least electrified country in the MENA region, with a pre-crisis access rate from all sources of only 55%. The country's per capita electricity consumption stood at 243 kWh in 2013, almost one-sixth of the regional average (The World Bank Group, 2016). Electricity supply and demand were seriously out of balance. Installed generation capacity was about 1,300 MW in 2015 (20% short of peak demand) giving only about half the population access to (often unreliable electricity). The remainder of the population lacked any form of electricity access, with severe consequences for socioeconomic development and poverty.

94. The ongoing conflict has significantly worsened the electricity supply situation from an already low level, with severe impact on health, education, environment, water and sanitation, and the private sector, which all rely heavily on a functioning power supply. As documented in the World Bank's Damage and Needs Assessment (DNA Phase I) and the multi-agency DNA (World Bank, UN, EU and

IsDB), the ongoing conflict has significantly impacted Yemen's electricity infrastructure and cut off most of Yemen's population from PEC's services. Public electricity supply has been completely shut down in most populated areas and PEC has become virtually bankrupt. The current supply of public power capacity is averaging 200–250 MW, most of which is supplied to the port cities Aden and Al-Mukalla in the South (PEC, 2015). The capital Sana'a, which has a demand of around 500 MW, is barely supplied with 40 MW for a few hours a day (The World Bank, 2016). The rest of the country, including the port city of Hodeida, is lacking access to any reliable public energy services. Total power generation in 2015, including from PEC and private generators, dropped by 77 percent compared to 2014 (MOPIC, 2016).

95. The top-down model of service delivery has been replaced by a combination of locally managed urban public services and a private-sector driven bottom-up model. The almost complete collapse of public electricity supply and limited fuel availability for diesel generators has spawned a booming industry for small to medium-scale solar systems, especially since 2015. A recent market assessment commissioned by the World Bank estimates that over the last five years, around 1 billion USD has been invested into solar PV systems for the residential sector in Yemen. Based on interviews, the report estimates the market penetration of PV systems may have reached up to around 50% of households in rural areas and 75% in urban areas. The market is entirely driven by the private sector, with a supply chain that ranges from trading houses that import panels, control units and batteries from the GCC to small-scale electronics retailers that expanded their business to solar panels. In the capital Sana'a alone, over 170 such retailers registered with the Government to enter the solar market over the period 2014 to 2016. While a supply shortage limited growth until the second quarter of 2015, prices have come down significantly since Q3 2015 as supply has caught up with demand (RCREEE, 2016).

96. The poor have limited access to solar so far, and there are concerns about the quality of the installed technology. The market assessment found that almost all systems are paid in cash and that debt finance is not readily available to most households. While several financial institutions offer loans for solar systems, these are often mainly targeted at government employees and costumers able to provide guarantees. And according to the market assessment many household solar installations suffer from high failure rates due to improper system design, poor quality components, and a lack of after-sales service. Households that gain access to electricity through solar are thus at a risk of losing it again in case the system fails (RCREEE, 2017).

Table 17. Coverage of electricity (Current Situation) Minimum Required Power 350 MW, Amanat Al Asimah

Public Grid	Hezez Station 7 MW	Coverage	2%
Private Service Suppliers	Different suppliers 10 MW	Coverage	2.8%
Households PV Solar Systems and privately-owned Generators	The minimum requirement for households, enterprises and workshops	Coverage	30%

Table 18. Coverage of electricity (Current Situation) Minimum Required Power 300 MW, Aden

Public Grid P	Al Heswa, Al Mansorah, Khour Maxsar 70 MW	Coverage	23%
Private Service Suppliers (Rental)	Two rented 96 MW	Coverage	32%
Households PV Solar Systems and privately-owned generators	The minimum requirement for households, enterprises and workshops	Coverage	30%

Table 19. Coverage of electricity (Current Situation). Minimum Required Power 400 MW, Hodeidah

Public Grid	Ras Katneeb Station Zero	Coverage	0%
Private Service Suppliers	22 MW	Coverage	5.5%
	The minimum requirement for households, enterprises and workshops	Coverage	30%

Chapter 4

INSTITUTIONAL ARRANGEMENTS

97. The Project is an emergency operation processed under World Bank OP 2.30 and OP 10.00, paragraph 12. UNOPS is the recipient of funds and the alternative implementation agency on an exceptional basis under the Financial Management Framework Agreement (FMFA) between the World Bank and UN agencies.

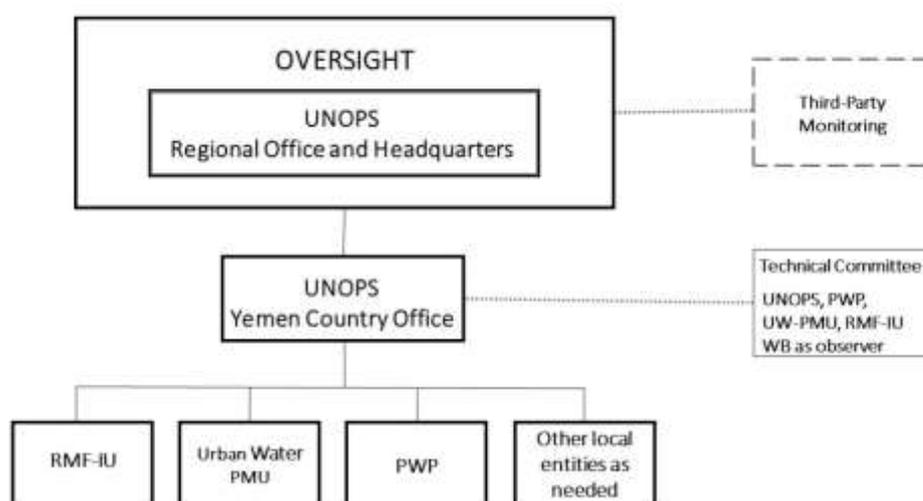
4.1 UNOPS

4.1.1 Project Implementation

98. UNOPS is an arm of the United Nations that provides a wide range of project management support including operational and technical support, institutional capacity building and public procurement of projects and services in times of conflict and natural disasters throughout the world. Since 2013, UNOPS-Yemen has been providing operational support to the UN Office of the Special Envoy for Yemen in its efforts to secure peace agreement, including logistical support for the resumption of the peace talks.

99. The Project is implemented by UNOPS through direct implementation, as well as project cooperation agreements between UNOPS and three local partners: (i) the Public Works Project (PWP), (ii) Road Maintenance Fund (RMF), and (iii) Urban Water PMU.

100. UNOPS is responsible for: (i) project implementation; (ii) monitoring of project targets and results in coordination with the local partners; (iii) handling relevant procurement, financial management, and disbursement management including the preparation of withdrawal applications under the project; and (iv) ensuring that all reporting requirements for IDA are met per the Project Financing Agreement. The figure below describes the Project's governance and management structure.



101. UNOPS will decide on an appropriate contractual arrangement with each entity in accordance with its own operational guidelines. Local partners will play a critical role on technical aspects, such as coordinating with local stakeholders, identifying initial investments, and preparing initial specifications, as well as carrying out the assigned activities in accordance with the procurement plan. UNOPS will retain overall responsibility to the World Bank for the implementation of the Project. During Project implementation, UNOPS may engage additional local partners, if deemed necessary, following the same assessment process it has been following to engage the three initial local partners.

102. UNOPS's regional office and hub based in Amman, Jordan, will provide support and advice as needed. In addition, a Regional Oversight and Management Advisor oversees the operations in the region and provides management advice to the Regional Director. The Regional Office is also supported by UNOPS headquarters, based in Copenhagen, Denmark.

103. UNOPS has already started establishing an office in Sana'a, and Aden will follow soon. UNOPS office in Sana'a houses the project management and implementation support team of international and national staff comprising a program manager, procurement specialists, finance specialists, an **environmental and social safeguards officer (ESSO)**, a logistician officer, an IT officer, and an administrative officer.

104. To facilitate the investment planning process and ensure cross-sectoral coordination, UNOPS chairs a TC composed of representatives from the local partners. Other members can be coopted during the project, if needed. The World Bank may join the TC as an observer. The TC plays an advisory role and will meet twice a year and on a needs basis. Its main tasks include: (i) conducting a periodic review of the implementation of the Project and provide recommendations for improvement; (ii) reviewing proposed subprojects for the yearly investment plans and recommending a shortlist; and (iii) strategically communicating the Project and its investments to other donors and stakeholders.

4.1.2 Annual Investment Plans

105. For the first year, a preliminary list of activities has been prepared by UNOPS in collaboration with local partners. For subsequent years, a citizen-informed annual investment plan recommended by the TC and finalized by UNOPS will be submitted to the World Bank for non-objection prior to commencement of implementation. The annual investment plans will be reviewed during implementation to ensure the continued appropriateness of the selected investments.

4.1.3 RPF Implementation

106. UNOPS is responsible for the overall implementation of the RPF. More specifically UNOPS:

- ensures the timely commencement of site specific Resettlement Action Plans, as needed.
- ensures that no contracts for works that have physical impacts are signed or reconstruction, or that rehabilitation of proposed activities start without the required safeguards instruments in place.
- reviews tender documents and construction contracts regarding due consideration of the safeguards instruments, and the inclusion of effective and enforceable contractual clauses.

107. The permanent Environmental and Social Safeguards Officer (ESSO) is responsible for on-site compliance with environmental and social mitigation measures and health and safety requirements at subproject level. The ESSO is supported by an international expert, who will oversee the overall implementation of the RPF, as well as assist in the monitoring and reporting of safeguards aspects throughout project implementation.

108. In addition, each of the three implementing partners will designate a safeguards focal point for ensuring on-site compliance with environmental and social mitigation measures and health and safety requirements at subproject level.

4.2 Local Implementing Partners

109. The Project is designed to work directly with independent institutions, such as PWP, UW-PMU and RMF-IU, as implementers for the benefit of local communities and local service providers such as Local Water and Sanitation Corporations. Line Ministries (Central Government) in Sana'a or in Aden will not play a direct role in the design or the implementation of project activities. The Project considers local councils as stakeholders who play a role in assisting and supporting the design and the implementation of the proposed provisions/activities.

110. The implementing partners will facilitate and coordinate the needed requirements and permits from local authorities. For example, if there is a need to obtain a construction permit to stone-pave an

alley in a local district, PWP will handle this with relevant authorities (usually the local Public Works Office).

111. UNOPS has assessed the environmental and social safeguards capacity of the three local implementing partners. PWP, RMF-IU and UW-PMU have a track record of successful implementation of safeguards requirements and compliance with the World Bank safeguards policies; and these management units have retained their capacities and functionality despite the current conflict in the country.

4.2.1 Public Works Project (PWP)

<http://pwp-yemen.org/en/about-us-en/pwp-profile.html>

112. The Public Works Project (PWP) was established in 1996 to mitigate the adverse effects of the 1995 economic reform program. Its main objectives are to:

- Create job opportunities for skilled and unskilled laborers
- Provide infrastructure service projects for the poor and deprived communities
- Improve the economic and environmental conditions of the poor
- Develop local contracting and consulting industry
- Enhance community participation in the development process

113. By 2014, PWP had completed 3,900 subprojects that benefitted 14.7 million of Yemen's poor and provided a large number of job opportunities. PWP has become a key tool to eradicate poverty by providing basic services to the neediest segments of society, and by improving the economic livelihoods and infrastructure for poor communities.

4.2.2 Urban Water PMU

114. The UW-PMU has implemented several water supply and sanitation projects in Yemen. It was established in 2002 as a financially and administratively independent Project Management Unit (PMU) to manage all activities related to the implementation of the World Bank Urban Water Supply and Sanitation Adaptable Program Loan – P057602. During the implementation of this project, the UW-PMU attracted funds from various donors. It has implemented projects that include 1,000 km of water supply networks, 250 km of sewer lines, reservoirs with a total capacity of 40,000 m³, three wastewater treatment plants, drilling and construction of 65 production and investigation boreholes and several emergency rehabilitations works. It is present in Sana'a city and has close relationships with Local Water and Sanitation Corporations.

4.2.3 Road Maintenance Fund Implementation Unit (RMF-IU)

115. The Road Maintenance Fund is an independent agency with management autonomy under the direct supervision of the Minister of Public Works and Highways (MPWH). It employs about 220 staff. The RMF is responsible for regular maintenance of the national road network, highways as well as rural roads of Yemen. The RMF has five departments directly under the Chairman, including a directorate of supervision and quality control, in charge of implementing maintenance related projects. Procurement of consulting services and contractors is carried out by the directorate of studies, design, and contracting.

116. The RMF has a proven record of implementing donor-funded maintenance contract, including World Bank funded projects.

4.3 The World Bank

117. The World Bank Task Team will review site-specific safeguards instruments, e.g. ESMPs and RAPs to ensure that their scope and quality are satisfactory to the Bank.

118. The World Bank will also monitor the implementation of the different prepared instruments through regular supervision missions (which will include an environmental and/or social specialist) during which document reviews, and site visits and spot-checks by TPM will be conducted as needed.

4.4 Third Party Monitoring

119. UNOPS will engage a Third-Party Monitoring (TPM) agent to undertake independent results verification of subprojects funded under the Project. The TPM agent will report on the activity outputs, the restoration of services for the intended beneficiaries, and the fiduciary and safeguard processes followed by the local partners. The Terms of Reference (TOR) for the TPM agent will be developed by UNOPS and agreed upon with the World Bank. UNOPS will regularly share TPM reports with the Bank and will include in the report the actions taken to address any implementation issues identified by the TPM agent. The TPM agent will monitor environmental and social safeguards compliance.

4.5 National Institutions dealing with Land Issues

4.5.1 General Authority for Land Survey and Urban Planning (GALSUP)

120. The General Authority for Land Survey and Urban Planning (GALSUP) is responsible for all land related tasks, including planning, preparation, concession/ownership contracts, notarization and executing expropriation process. It includes:

- *Land Department.* This department is in charge of site inspection of the lands to be issued for sale, presentation of technical reports about the safety and borders of the site prior to reference to authentication department and finalization of all legal and financial measures.
- *Planning Department.* This department is chaired by an engineer and assisted by engineers who are responsible for preparation of layouts, their reference to the planning department, setting out in land and photogrammetric.
- *Notary Public Department.* Registration estate property on the owner's name, priorities and facilities.
- *Control and Inspection Department.* This department follows up and controls any violations, whether infringement upon state land, building on unplanned land/without licenses. It imposes fines and refers the violators to the prosecution.

121. The Authority will appoint an Estimation Committee (EC) to estimate the property value for those who have title. If public land is occupied without title, a special Technical Committee set up by the concerned ministry will assess its value.

4.5.2 The Ministry of Public Works and Highways (MoPWH)

122. Governmental rural land is administered by the Ministry of Public Works and Highways (MoPWH). It also oversees the administration of government-owned tribal land by tribal or village leaders. The office for Public Works and Highways (represented by the Ministry on the governorate level) plays a vital role in issuing building licenses according to the recognized legal procedures and measures. Therefore, building control and citizen's compliance with laws shall have positive impact on building safety, non-violation and avoidance of demolition in case of works on public roads (i.e. road pavement), city reorganization and its consequent layout changes, owners' exposure to certain damages and compensation methods undertaken according to ownership law.

4.5.3 The Ministry of Finance (MoF)

123. The Department of Public Domain maintains urban land records such as registers of transactions, sales, and purchase leases.

4.5.4 Local Councils

124. According to the Local Administration Law (4/2000), the local authority consists of:

- i. the head (a Governor who is appointed by a Presidential decree) of the administrative unit (the Governorate)
- ii. the local council that is elected from local districts
- iii. the local executive bodies of the governorate (Line ministries' executive local offices and

independent local entities such as local corporations)

125. The local council of a governorate must consist of a minimum of 15 members, who are elected from local districts, including the President of the Council. Its roles and functions are mainly to:

- i. study and approve draft comprehensive plans at the governorate level such as economic and social development plans and the annual local budget
- ii. supervise the implementation of these plans
- iii. supervise the work of the executive bodies of the Governorate.

126. Although governors and local executive bodies play a major role in the control of resettlement processes, local councils have the power to review and endorse or disapprove the proposed process. Local authorities have played a significant role in organizing the resettlement process (involving IR) in many previous cases in Yemen. Examples include a case in Aden Governorate, where measures were adapted for the displaced persons of Caltex shipping village, where the governorate paid compensation to affected persons. In Hadramout, the governor also formed a high committee headed by Mukalla local council in order to formalize the situation of squatter residents.

127. Local Resettlement Committees (LRCs) are frequent mechanisms used by some local authorities to deal with land compensation and resettlement. They encourage community participation in solving the resettlement issues in which local councils usually assume an important role. These committees, to a large extent, comply with World Bank Operational Policy on Resettlement (OP 4.12).

4.6 Other National Organizations

4.6.1 Local Cleaning Funds

128. Local Cleaning Funds are independent local entities for each governorate that have operational and maintenance procedures for the collection, separation, transport of solid waste, and for the management of landfills. They fall under local authorities (sub-national authorities) and were created a result of decentralization efforts following the Yemeni Local Authority Law of 2000. They are entitled to and usually receive certain local revenues for their operation.

129. Local Cleaning Funds are expected to have clear policies and procedures, but their capacity to implement these policies and procedures varies greatly between governorates and depends on the level of local funding they receive. They perform best in large cities such as Sana'a and Aden.

4.6.2 Civil society organizations

130. There over 12,000 registered CSOs in Yemen, but only a few hundred CSOs have the capacity and resources to fulfill their mandates. As a consequence, UNOPS will be selective in engaging CSOs with the project activities.

131. Nonetheless, under subcomponent 2.2 of the project and starting with the second year of implementation, the project will expand to include additional activities that will be based on community priorities identified through citizen engagement mechanisms and the community validation of investment options. UNOPS will implement these activities by engaging Civil Society Organizations or other relevant technical experts, as needed.

Chapter 5

LEGAL AND REGULATORY FRAMEWORK

132. The RPF is prepared to:

- i. meet the requirements of the World Bank's Operational Policy on Involuntary Resettlement (OP 4.12),
- ii. comply with national environmental and social laws and regulations regarding resettlement.

5.1 World Bank Requirements

133. Considering the nature and magnitude of potential environmental impacts from relatively limited scale and magnitude of rehabilitation and improvement works, the Project is classified as category B under the World Bank Operational Policy on Environmental Assessment (OP 4.01). Activities supported by the proposed operation are expected to have only site-specific adverse environmental and social impacts.

134. The World Bank Operational Policy 4.12 is focused on avoiding and/or minimizing the risks related to involuntary resettlement. Its overall objectives are:

- i. To avoid or minimize involuntary resettlement where feasible, by exploring all technically viable alternative project designs.
- ii. Where it is not feasible to avoid resettlement, to conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable the Project Affected Persons (PAPs) to share in project benefits.
- iii. To meaningfully consult people to be resettled, ensuring that they have opportunities to participate in planning and implementing resettlement programs.
- iv. To assist resettled people in their efforts to improve their livelihoods and standards of living or at least to restore them in real terms to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

135. To address the impacts of involuntary resettlement, and when the extent of direct impact is known, such as for a subproject under this RPF, OP 4.12 calls for the preparation of a Resettlement Action Plan (RAP) for subprojects that have a resettlement impact on more than 200 people. An abbreviated RAP (ARAP) can be prepared if the subproject has a resettlement impact on fewer than 200 people).

136. Persons affected by Bank-funded projects should be: (i) informed about their options and rights pertaining to resettlement; (ii) consulted, offered choices among, and provided with technically and economically feasible resettlement alternatives; and (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

137. The policy also provides guidance on measures and plans to compensate for any losses, enhance positive impacts of projects, provisions for estimating and budgeting the costs of such measures, and information on the agencies responsible for addressing project impacts.

138. No civil works can start if impacts that trigger OP 4.12 occur before a RAP is developed and deemed acceptable by the Bank. Any compensation measures should be completed prior to start-up of the particular construction activities that triggered OP 4.12.

139. To achieve the policy objectives the World bank requires paying particular attention to the needs of vulnerable groups among the resettled population, especially those below the poverty line, the landless, the elderly, women and children, and ethnic minorities.

5.2 National Requirements⁴

5.2.1 Land Ownership

140. Civil, religious governs and customary laws govern land ownership in Yemen:

- Private land ownership is governed primarily by Islamic (Sharia) law, which stipulates that direct descendants inherit land upon the death of the owner. Under Civil Law, the Constitution forbids public appropriation of private property.
- State-owned or government land (*miri*) is land owned by the State or public entities. Public ownership is whatever by nature or what has been prepared for public use, after a fair possession for public interest. State ownership of land is addressed in the Constitution (Articles 18 and 19), Civil Law (Articles 118-120) and in Law no 21 of 1995.
- Communal land ownership is governed by customary laws and their management is entrusted to sheikhs. There is a growing trend towards private appropriation of communal land, primarily used for grazing and firewood collection, as land speculation has increased. Communal land ownership is governed by Republican Decrees no 170 of 1996 and Law no 21 of 1995.
- Other forms of land that are governed by law include: endowment (*waqf*) land, agricultural land, land for neighborhood rights.

141. Article 58 and 59 of Law no 21 of 1995 concerning State Land and Real Estate recognize the rights of squatters on public land to receive compensation.

5.2.2 Land Acquisition

142. **Law 1 of 1995**, “*The Public Eminent Domain Law*”, includes provisions that regulate the acquisition of land for public interest, provisions for expropriation and the definition of owners’ rights and the use of communal property:

- Article 1 of the Law authorizes Ministries, authorities and general institutions to carry out acquisitions for the public interest when justified by necessity in return for a fair compensation.
- Article 3 of the Law excludes the acquisition of private properties except when it is found that no property owned by the state satisfies the purpose for which the acquisition is carried out.

143. The Law defines four types of land acquisition in Yemen (see Figure below):

- Administrative acquisition* (Article 4 of Law 1 of 1995) establishes the procedures for administratively acquiring real estate owned by public institution. A mutual agreement has to be reached between the two parties regarding compensation. If the parties come under the same ministry, the respective minister shall settle any disagreements. If they are under different ministries, the Council of Ministers will settle the disagreement and the ruling shall be final and binding.
- Judicial acquisition* (Article 7-11 of Law 1 of 1995) involves making an application for acquisition to the court of appeal of the governorate in which the required property is located. The court is required to examine the application within 15 days of receiving the request. After undergoing due process as established by the law, which could take up to 6 weeks, the Court makes its ruling on the compensation and conditions of acquisition and the party applying for acquisition bears all the costs related to the application.
- Amicable/Mutually Agreed Acquisition* (Article 6 of Law 1 of 1995) requires the property requester to agree with the owner of the property in an amicable manner on a form of compensation either in cash or kind. If more than one person owns the property, the

⁴ This section is in large part based on Yemen Land Ownership and Agricultural Laws Handbook: Volume 1, Strategic Information and Regulations. International Business Publications Inc., 2013.

approval of all the part owners is mandatory. If the party making the request for acquisition does not respect the terms of compensation for the requested property, within thirty days of the written agreement between all the concerned parties, the Department of Real Estate Registry can void the agreement upon notice from the original owner.

- iv. *Temporary Acquisition* (Article 12-16 of Law 1 of 1995) allows authorities entitled by law to carry out acquisition of property in emergency and exceptional cases that necessitate quick response. The concerned authorities can carry out the temporary acquisition by issuing a decree stating the duration of the acquisition which should not exceed two years from the date that the decree is issued. The Law states the temporary acquisition procedures, including appropriate compensation. The authority acquiring the property temporarily must return it to the previous owner at the expiry of the acquisition period.

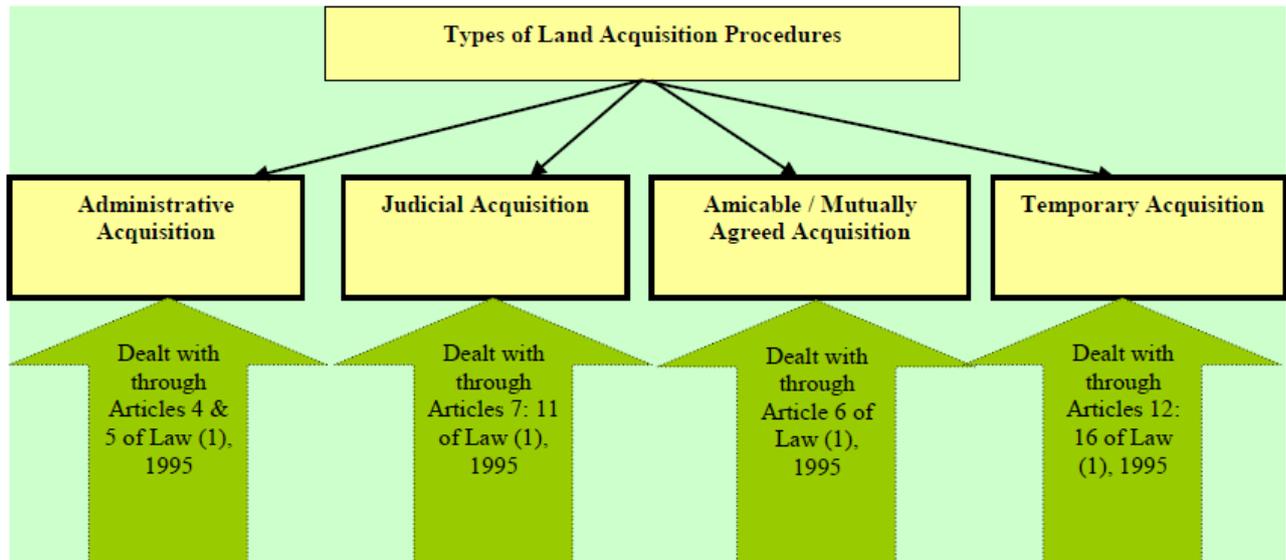


Figure 6. Types of Land Acquisition Procedures

5.2.3 Resettlement and compensation

144. Fair compensation is a constitutional condition for lawful expropriation according to Article 1166 of the Civil Code (19/1992), which states that the acquisition of property should be in accordance with the law and in exchange for fair compensation.

145. Under Articles 18 to 20 of the Law of State Lands Real Estates of 1995, the Minister of Justice establishes a permanent or temporary Estimation Committee (EC) in every governorate (or for each individual case) that comprised a judge, who takes the role of chairman, an engineer, a representative of the expropriating authority, and the owner(s) of the expropriated real estate or their representative. If there are many owners and they cannot agree on a representative, he/she shall be chosen on a majority basis, taking into account the percentage ownership, or selected by the Chief Justice of the Court of Appeal.

146. When assessing compensation, the EC takes account of:

- Prevailing real estate values within the project area.
- The condition of plants, buildings and installations, dates of construction, and the damage to be imposed.
- Any resulting improvement in the location of, or benefit from, the remaining parts of the real estate, or an increase in its value as a result of partial expropriation.
- Other factors identified by the EC.
- If the remaining portion of a partially expropriated estate becomes useless, the court should order the expropriation and appropriate compensation of the whole estate.

147. In accordance with **Article 59** of the Real Estate Law, the EC must recognize the rights of

squatters on public land to receive compensation for involuntary settlement. Legal guidelines of compensation differ between the different types of expropriation. All compensation payments must be made prior to commencement of project works.

148. Local authorities in some governorates, such as Hadramout and Aden, have also initiated local resettlement committees (LRCs), focusing on individuals who have no legal documents (squatters). These LRCs included, inter alia, representatives of the local authorities, owners' representatives and some community leaders. Efforts were made to compensate squatters by providing them with access to appropriate sites with basic services.

5.2.4 Gender

149. Yemen ratified the Convention on Elimination of all Forms of Discriminations Against Women (CEDAW) in 1984, and prepared a National Strategy for Women Development in 1997, which was updated in 2015. Implementation of CEDAW is delegated to relevant ministries and authorities (Decree 55/2009). Based on amendments proposed by the Women National Committee, 24 laws were amended to ensure building gender balance in accordance with the convention.

150. The Labor Law (Law 5/1995) states that women are equal to man in all aspects without any discrimination, and that equality should be maintained between women and men workers in recruitment, promotion, wages, training, social insurance. It also regulates work time for pregnant women.

5.2.5 Labor

151. The Labor Law regulates the rights and wages of workers, their protection, occupational health and safety. In addition, the Social Insurance Law regulates retirement compensation.

5.2.6 Child Labor

152. Yemen has ratified ILO Convention Number 138 on Minimum Age for Admission to Employment (Law 7/2001). The Convention establishes a minimum age for admission to employment.

153. Yemen has also ratified the ILO Convention 182 on the Worst Forms of Child Labor. It refers to child labor as work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by depriving them of the opportunity to attend school, by obliging them to leave school prematurely; or by requiring them to attempt to combine school attendance with excessively long and heavy work.

154. Drawing a line between "acceptable" forms of work by children and child labor can prove difficult, as it depends on the child's age, the types of work performed, the conditions under which it is performed and national.

5.3 Comparison of World Bank and Yemeni requirements

155. The Table below highlights differences between the OP 4.12 requirements and Yemeni Laws. OP 4.12 complements Yemeni laws. In case of differences between the Laws of the ROY and the requirements of OP 4.12, the principles and procedures of OP 4.12 would prevail and would be applied.

156. Yemeni legislation does not make provisions for addressing temporary or permanent economic displacement.

Table 20. Comparison of OP 4.12 and Yemeni Legal Framework regarding Involuntary Resettlement

Issue	World Bank OP 4.12 Requirements	Yemeni Requirements	Comments
Land Owners	Recommends land-for-land compensation Cash compensation is at replacement cost	While legislation requires fair compensation, in practice valuation is often lower than full market and replacement values because of the lack of capacity to carry out valuation	<ul style="list-style-type: none"> • PAPs would be given opportunity to choose preferred form of payment: cash or in-kind at other location • Compensation of structures at replacement cost • Build capacity of concerned authority to meet Bank's requirements on valuation
Land Tenants	Are entitled to some form of compensation regardless of the legal recognition of their occupancy	Addresses involuntary land taking resulting in relocation or loss of shelter and loss of assets	Compensate replacement cost of non-movable property installed with consent of the property owner
Squatters	Resettlement activities based on OP 4.12 is to restore standard of living and preferably improve livelihoods of encroachers. At the least, compensate any investment they have made on the land and loss of livelihood related to that.	Yemeni Law recognizes squatters	Payments of allowances help the squatters to improve their livelihoods
Encroachers after cut-off date	Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance	No provisions for cut-off date and encroachers	<ul style="list-style-type: none"> • Those who encroach after the cut-off date have to demolish their assets themselves without any compensation, if they refuse, the authority concerned will demolish at their cost. • It is strictly prohibited to build a house or to plant permanent trees and crops within the Way-Leave after the survey and census is done, the area is marked, and people are informed.
Livelihood restoration	Resettlement activities based on OP 4.12 is to restore standard of living and preferably improve livelihoods. Compensation for lost assets can be monetary, in-kind or both.	Under Yemen law, payment is made for disturbance, loss of accommodation, loss of profit and transport allowances. Compensation is on monetary basis only. However, there is no measure for livelihood restoration.	Apply OP4.12 requirements

Issue	World Bank OP 4.12 Requirements	Yemeni Requirements	Comments
Resettlement options and alternatives	Inform PAPs about their options and rights, offer choices, provide technically, economically feasible resettlement alternatives, provide prompt, and effective compensation at full replacement cost for lost assets attributable directly to the project.	PAPs are to be informed about their rights, consulted on, provided FULL, FAIR and PROMPT compensation based on market value of the Property for lost assets attributable directly to the project. PAPs have chance to dispute the amount to the Land Tribunal through the district commissioner to choose alternatives	Compensation in Yemen laws gives PAPs the opportunity to choose alternatives. However, in majority of cases it is on monetary basis. This provides equal opportunity to all PAPs to restore the assets lost; but compensation in-kind, recommended by OP 4.12 ensures permanent assets will replace those lost.
Forms of payment	Preference should be given to land-based resettlement for PAPs whose livelihood is land-based.	Prompt and fair compensation is paid on monetary basis only to replace the lost land within a distance not more than 20 km from the project place.	Prompt and fair compensation give room for PAPs to buy alternative land at their most preferable places; resettlement in-kind helps ensure livelihoods from land use are not lost.
Replacement of lost assets	Resettlement activities required for the project implementation should be completed before the affected land, asset or resources is taken for project use. Provide prompt and effective compensation at full replacement cost for lost assets attributable directly to the project	Construction work can start after all PAPs receive their money and given time to vacate the compensated land and assets.	Both recognize the importance of prompt and fair compensation before implementation of the project
Absentee property owner	In case of absentee owner, make effort to contact the owner and negotiate with them on the terms, type and amount of compensation. For absentee owners not contacted, reserve sufficient funds to cover the future payments	Valuers and local leaders must make a sincere and necessary effort to contact the landowner or the representative during the valuation. Local government leaders will represent the interests of the unknown owner and the payments will be retained by district executive director while effort is taken to find the owner	Both procedures recognize the importance of contacting landowner. Interest will be paid to the owner if the time lag will be more than six months from the date of acquisition or revocation.
Unknown owner	For unknown owners, sufficient funds to cover the future payments should be reserved	Local government leaders will represent the interest of the unknown owner and the payments will be retained by district executive director while effort is taken to find the owner	Same as above: Interest will be paid to the owner if the time lag will be more than six months from the date of acquisition or revocation.
Public participation, consultation and disclosure	Displaced persons should be meaningfully consulted and should have opportunities to	<ul style="list-style-type: none"> PAPs should be informed about the resettlement decisions through the compensation committees that negotiate 	<ul style="list-style-type: none"> Where LRCs exist, they can play a role in organizing public participation and consultation. Where they do not exist,

Issue	World Bank OP 4.12 Requirements	Yemeni Requirements	Comments
	<p>participate in planning, implementing and monitoring resettlement programs.</p> <p>Disclosure of WB-approved resettlement instruments by Bank and Government</p>	<p>with them and gather information about asset inventory, number of family members.</p> <ul style="list-style-type: none"> • District Commissioner/public body required to serve public notices of land likely to be acquired for any public purpose, 	<p>World Bank guidelines for consultation will be applied.</p> <ul style="list-style-type: none"> • Apply WB regulations on consultations and disclosure.
Grievance mechanism	<p>Appropriate and accessible grievance mechanisms should be established in order to insure PAPs clearly spell out grievances and that actions are taken to respond to these grievances.</p>	<p>Article 51 of the Constitution allows for recourse to the courts. Law 1 of 1995 provides for the right of grievance before the Estimation Committee/courts.</p> <p>To address grievances, PAPs can first seek satisfaction through local customary practices for resolving conflict. They can then initiate legal proceedings in accordance with provincial national law.</p>	<ul style="list-style-type: none"> • Establish accessible mechanisms with initiation and with full cooperation from various stakeholders. • Grievances should be heard prior to resettlement
Vulnerable groups amongst displaced persons	<p>Considers needs of vulnerable groups amongst the displaced - those below poverty line, landless, elderly, women and children, indigenous peoples, ethnic minorities.</p>	<p>Does not recognize any vulnerable groups.</p>	<ul style="list-style-type: none"> • Apply World Bank guidelines and work with local authorities and resettlement committees to address the needs of the vulnerable groups. • Consult vulnerable groups throughout project cycle and assist in improving their socio-economic condition

Chapter 6

ELIGIBILITY

157. This Chapter describes eligibility criteria for defining various categories of displaced persons and methods of valuing affected assets or livelihoods.

6.1 Conditions that could lead to Involuntary Resettlement

158. The Project is not expected to involve any permanent land acquisition or physical displacement as it will support the rehabilitation of damaged infrastructure, and all activities are planned to take place on existing footprints. The Project will not fund subprojects if there are encroachers or squatters within the proposed area of any activities, who would need to be relocated.

159. Current practice by implementing partners is to work with local authorities and leaders to avoid involuntary resettlement, for example by scheduling spot and pothole repairs, crack sealing, and patch works on roads late at night or early morning, when both formal and informal businesses are not active. Subprojects could also be designed not only to avoid involuntary resettlement but also to improve livelihoods. For example, landfill subprojects could organize waste pickers by integrating them formally in the waste disposal system.

160. Activities that might require involuntary resettlement include:

- i. **Land take on temporary terms.** Temporary taking of land for diversion of traffic during construction, stock piling of building materials, excavated soils and overburden. Additionally, temporary taking of land for workers' camp, engineers offices and accommodation of night guards.
- ii. **Blocked/restriction of access.** Construction activities might restrict access to houses, shops, businesses, gardens or other properties.
- iii. **Livelihood impacts.** Includes temporary or taking if land used for crops and horticulture, petty traders, market stalls, or the temporary exclusion of waste pickers from landfills.

161. For these reasons, the World Bank's Operational Policy on Involuntary Resettlement (OP 4.12) is applied for precautionary purposes to the entire Project.

162. It is not possible at the time of preparing the RPF to estimate the potential number of PAPs given that subprojects that might trigger resettlement have not been designed. The number of PAPs will be established before when preparing the RAP or ARAP for any subprojects causing involuntary resettlement.

6.2 Eligibility

6.2.1 Principles

163. Eligible PAPs include those whose land or other assets would be acquired involuntarily, which would result in:

- a) Relocation or loss of shelter by the persons residing in the project area
- b) Loss of assets or involuntary restriction of access to assets including national parks, protected areas or natural resources
- c) Loss of income sources or means of livelihood because of the project, whether or not the affected persons are required to move.

164. Based on OP 4.12, paragraph 15, the Project classifies PAPs persons in one of the following three groups:

- a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country)

- b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under Yemeni laws or become recognized through a process identified in the resettlement plan
- c) those who have no recognizable legal right or claim to the land they are occupying

165. Persons covered under a) and b) would be provided compensation for the land they lose, and other assistance as required by the policy. Persons covered under para. c) would be 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 a cut-off⁵ date established by the UNOPS and its implementing partners. All persons included in a), b), or c) would be provided compensation for loss of assets other than land.

166. Information regarding the cut-off date and delineated area should be well documented and widely disseminated throughout the project area. All PAPs irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, would be eligible for some kind of assistance if they occupied the land before the cut-off date. Persons who occupy the area after the cut-off date would not be eligible for compensation or any form of resettlement assistance, nor will assets created after the cut-off date will be eligible for compensation after valuation. The Project will ensure that affected persons and communities are informed about the cut-off date and its implications before the start of construction works.

167. The classification of PAPs according to the three above-mentioned groups would involve the review of tenure documents owned by occupants, interviews with households and groups in the affected area as well as input from community leaders. PAPs that have legal rights to the land or a valid claim to Project impacted land would be:

- i. informed about their options and rights pertaining to resettlement.
- ii. consulted on or offered choices among, and provided with technically and economically feasible resettlement.
- iii. provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

6.2.2 Eligibility for resettlement/relocation

168. Eligibility for compensation and/or resettlement would consider:

- Affected households whose family land and/or assets, business, services and buildings are located within a subproject site that has to be expropriated, temporarily or permanently, for effective implementation of the Project.
- Households that occupy land that will be permanently acquired by the Project and the remaining piece is considered economically unviable.

6.2.3 Eligibility for Community Compensation

169. Eligibility might also be claimed collectively, for example by a community or religious group, when the assets lost are of communal property or use. Groups that own communal land and properties thereon, would be eligible for compensation if expropriated or if their access to assets or resources under customary rights is blocked by the project. This measure would ensure that the socioeconomic status of impacted communities would be restored to the level before the Project.

6.2.4 Loss of Income and Livelihood

170. Persons who might lose their income due to the Project, and workers who might lose their

⁵ The cut-off date for the determination of eligibility will be determined in a manner acceptable to all parties, documented and widely disseminated. Normally this cut-off date is the date the census begins. The cut-off date could also be the date the subproject area was delineated prior to the census, provided that there has been an effective public dissemination of information on the area delineated and systemic and continuous dissemination subsequent to the delineation to prevent further population influx (from footnote 22 of OP 4.12)

employment because of the Project would be entitled to transitional income support. Compensation would be equivalent to lost income for the duration of the impact. In addition, PAPs would be entitled to transitional assistance, which might include moving expenses, support for acquisition/making of temporary residences (if necessary), and employment by the subproject.

6.2.5 Assistance to Vulnerable Groups

171. The Project would provide assistance to vulnerable affected persons, such as female headed households, the elderly, orphans, disabled persons, critically ill persons, and the poor. PAPs would be entitled to compensation and resettlement assistance that would help in the restoration of their livelihoods to at least, pre-project standards.

6.2.6 Entitlement Matrix for Various Categories of PAPS

172. The entitlement matrix below provides guidance for eligibility and entitlement according to this RPF. This could be used as a template for subproject resettlement process, but would have to be amended to be appropriate to the situation and to incorporate discussions and agreements with affected stakeholders.

Table 21. Entitlement Matrix for Various Categories of PAPs

Asset Affected	PAP Category	Type of Impact	Compensation Guide
Land	Land owner	Temporary acquisition of land for works and construction	Rental for land based on market tariffs taking into account the rates as of the current period and land restoration and all assets located on the land in the previous condition, including compensation for removal and transportation of: <ul style="list-style-type: none"> • movable assets, usable material; • state and municipal assets; • recovery of income sources for a period used. • any potential restriction on the use of land and civil works in the future as a result of works and construction under the project
Land	Informal user	Temporary acquisition of land for works and construction	Restoration, replacement or compensation of all assets damaged or removed. In the case of loss of income, disturbance allowance set on the basis of minimum wage for each week (7 days) of disturbance calculated on a pro rata basis
Assets	Informal User	Permanent acquisition of land for works, construction.	Compensation in cash for linked assets at replacement value. In case of income loss, compensation will be paid based on minimal wage for six months and the right to salvage usable materials.
Any structure including fence or sanitation structure	Owner of structure	Permanent acquisition of structure	Replacement structure or cash compensation at replacement value and the right to salvage usable materials.
Section of residential compound temporarily affected or access to house affected by works	Tenant or House owner	Restriction of access to houses	<ul style="list-style-type: none"> • Restoration of land to its initial condition. • Provision of alternative temporary access to house/compound • In kind compensation for affected needs such as alternative car parking. • Disturbance allowance set on the basis of minimum wage for each week (7 days) of disturbance calculated on a pro rata basis (a specific formulation of the allowance would be established in the relevant RAP).
Business	Vendors or business entrepreneur	Loss of business due to works.	Cash compensation of estimated business loss assessed from records of preceding 3 months or equivalent business (if no records) during the time of works when business is interrupted. Disturbance allowance equivalent to 7 days of business profit
Business	Owner of business	Loss of business place	Compensation for income loss during transition period, resettlement assistance to move business and economic rehabilitation assistance to ensure income is restored, as needed.
Crops	Owner	Loss of crops	In addition to land compensation, the owner would be allowed to take standing crop and cash compensation at highest market value for agricultural season.

Asset Affected	PAP Category	Type of Impact	Compensation Guide
			For temporary use of land, when swing time is lost, compensation will be paid for lost vegetation based on market value of previous crop.
Crops	Tenant	Loss of crops	Allowed to take standing crop and cash compensation for agricultural season. For temporary use of land, when swing time is lost, compensation will be paid for lost vegetation based on market value of previous crop.
Fruit tree	Owner	Trees	Price of a sapling and cash compensation for the value of the harvest multiplied by number of years it will take for the sapling to reach maturity.
Non-fruit trees	Owner	Trees	Timber of cash equal to timber value, and based on the life, present age and size of the tree.
Residential and commercial assets/ Recovery of income sources	Vulnerable people identified on the basis of social assistance payments (disability payments, pensioners, widows, female-headed households, and households below the poverty level) as determined by consultations	Vulnerable people	<ol style="list-style-type: none"> 1. In addition to compensation for assets lost, a disturbance allowance set to be one year of supplemental social assistance payments. 2. Support rendered in removal and transportation of materials. 3. Special attention will be paid to income recovery and measures such as a) assistance in applying for unemployment status and b) other type of assistance required on case by case situation 4. Benefits in terms of social welfare within one year have been envisaged
Buildings/ structures	Public assets	Permanent acquisition	Compensation will be provided in kind in terms of construction of new structures or repair of structures partially affected by the project.
Loss of livelihood	All PAPs identified as having lost livelihood	Livelihood loss	In case of loss of livelihood, all PAPs losing livelihood, irrespective of possession of title to the land, will receive assistance, including ragpickers (where relevant).

6.3 Asset Valuation

173. In the event of involuntary resettlement, UNOPS would contract an evaluation expert to develop a standardized procedure for asset valuation, which can then be applied by the ESSO and the focal points in the implementing partners. The procedure would include a series of look-up tables for estimating asset value by type according to the approximate size and condition of the existing asset. The tables would be developed using legally acceptable valuation procedures accepted by acceptable to UNOPS and the World Bank, and compliant with Yemeni laws and regulations.

174. Lost assets would be valued at their replacement cost. This approach is based on the premise that the costs of replacing productive assets should be based on damages caused by Project. The approach covers an amount that is sufficient for asset replacement, moving expenses and other transaction costs. Depreciation and salvage value of the asset would not be deducted while computing the compensation. The following table summarizes the replacement cost approach:

Table 22. Valuation of the affected assets

Affected Property		Valuation Method
Land	Agricultural	Full replacement value equals: <ul style="list-style-type: none"> the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land plus the cost of preparing the land to levels similar to those of the affected land plus the cost of any registration and transfer taxes
	Urban	Equals the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
Crops and trees	Crops	Based on prevailing market value
	Fruit tree	Market price of a sapling and cash compensation for the value of the harvest multiplied by number of years it will take for the sapling to reach maturity.
	Non-fruit trees	Cash equal to market value of timber, based on the life, present age and size of the tree.
Houses/Structures		Full replacement cost based on: <ul style="list-style-type: none"> size of affected structures (full or partial loss) market cost of the materials used (similar or better quality) transportation costs to deliver materials to construction site cost of any labour and contractors' fees cost of any registration and transfer taxes
	Vulnerable people	In addition to compensation for assets lost: <ul style="list-style-type: none"> disturbance allowance - one year of supplemental social assistance payments. Support rendered in removal and transportation of materials. assistance in applying for unemployment status and b) other type of assistance required on case by case situation
Community asset/resource		In kind reconstruction at a site agreed upon with the affected community. The alternative community asset will be at least of the same standard as or better standard than the affected asset.
Loss of business income		Lost income and production during the transition period (the time between losing the business and full re-establishment of livelihood). This will be estimated based on the daily or monthly income of the affected parties.
Inflation		Considered when computing compensation costs.

Chapter 7

SUBPROJECT SCREENING

175. As part of the preparation of annual investment plans, the ESSO and the focal points will prepare an environmental and social screening form for each subproject.

176. *Any subproject that has any of the following attributes will not be eligible for support under the Project:*

Category A attributes, such as:

- Activities with significant adverse impacts that are sensitive, diverse, or unprecedented, or that affect an area broader than the sites or facilities subject to physical works
- Major resettlement
- Greenfield subprojects

Solid Waste

- New disposal site

Irrigation

- Construction of new or the expansion of existing irrigation and drainage schemes.

Income Generating Activities

- Activities involving the use of fuelwood, including trees and bush.
- Activities involving the production or use of hazardous substances or explosives

Labor

- Activities a high risk of significant adverse impacts related to labor influx, child or forced labor.

Natural Habitats

- Activities with impacts to natural habitat should be excluded, particularly impacts to critical natural habitats, sensitive areas, high biodiversity values, and protected areas.

Pesticides

- Activities requiring pesticides that fall in WHO classes IA, IB, or II.

Physical Cultural Resources

Damage to cultural property, including but not limited to activities that affect:

- Archaeological and historical sites
- Religious monuments, structures and cemeteries

Involuntary Resettlement

- Activities requiring the involuntary taking of private land and relocation of PAPs
- Activities that require the relocation of encroachers or squatters

Dams

- Construction of dams more than 5 meters high
- Rehabilitation of dams more than 15 meters high
- Any activities that may be affected by the operation of an existing dam

177. The ESSO will also apply the following Environmental and social screening criteria:

A. Zoning and Land Use Planning

1. Will the subproject affect land use zoning and planning or conflict with prevalent land use patterns?
2. Will the subproject involve significant land disturbance or site clearance?
3. Will the subproject land be subject to potential encroachment by urban or industrial use or located in an area intended for urban or industrial development?

B. Utilities and Facilities

4. Will the subproject require the setting up of ancillary production facilities?
5. Will the subproject require significant levels of accommodation or service amenities to support the workforce during construction (e.g., contractor will need more than 20 workers)?

C. Water and Soil Contamination

6. Will the subproject require large amounts of raw materials or construction materials?
7. Will the subproject generate large amounts of residual wastes, construction material waste or cause soil erosion?
8. Will the subproject result in potential soil or water contamination (e.g., from oil, grease and fuel from equipment yards)?
9. Will the subproject lead to contamination of ground and surface waters by herbicides for vegetation control and chemicals (e.g., calcium chloride) for dust control?
10. Will the subproject lead to an increase in suspended sediments in streams affected by road cut erosion, decline in water quality and increased sedimentation downstream?
11. Will the subproject involve the use of chemicals or solvents?
12. Will the subproject lead to the destruction of vegetation and soil in the right-of-way, borrow pits, waste dumps, and equipment yards?
13. Will the subproject lead to the creation of stagnant water bodies in borrow pits, quarries, etc., encouraging for mosquito breeding and other disease vectors?

D. Noise and Air Pollution Hazardous Substances

14. Will the subproject increase the levels of harmful air emissions?
15. Will the subproject increase ambient noise levels?
16. Will the subproject involve the storage, handling or transport of hazardous substances?

E. Destruction/Disruption of Land and Vegetation

17. Will the subproject lead to unplanned use of the infrastructure being developed?
18. Will the subproject lead to long-term or semi-permanent destruction of soils in cleared areas not suited for agriculture?
19. Will the subproject lead to the interruption of subsoil and overland drainage patterns (in areas of cuts and fills)?
20. Will the subproject lead to landslides, slumps, slips and other mass movements in road cuts?
21. Will the subproject lead to erosion of lands below the roadbed receiving concentrated outflow carried by covered or open drains?
22. Will the subproject lead to long-term or semi-permanent destruction of soils in cleared areas not suited for agriculture?
23. Will the subproject lead to health hazards and interference of plant growth adjacent to roads by dust raised and blown by vehicles?

F. Expropriation and Social Disturbance

24. Will the subproject impact internally displaced persons (IDP) negatively?
25. Will the subproject lead to induced settlements by workers and others causing social and economic disruption?
26. Will the subproject lead to environmental and social disturbance by construction camps?
27. Will the subproject cause economic displacement?
28. Will the subproject temporarily displace squatters, economically or physically, or other informal groups?
29. Will the subproject cause a loss in productive assets or income source?
30. Will the subproject restrict access to resources?

31. Will the subproject affect the livelihoods or vulnerable people, such as persons with disabilities, widows or the elderly?
32. Will the subproject create social conflict over the distribution of benefits or resources?

178. The screening form will indicate if the subproject might cause involuntary resettlement because of economic displacement, a loss in productive assets or income sources, land acquisition or restriction of access to resources. The Screening for involuntary resettlement is part of the overall subproject screening for environmental and social impacts that is also used by the ESMF.

179. The ESSO or the focal points in the implementing partners might need to conduct field visits to determine if the subproject might cause any resettlement impacts. No subproject design will be finalized unless it is clearly determined that no involuntary resettlement might be caused, or that every effort has been made to minimize resettlement impacts. The Project will not fund any subproject causing major resettlement. Any subproject causing any involuntary resettlement impacts would have to be approved by the World Bank.

180. As described in the following Chapter, UNOPS and its implementing partners would ensure the preparation of a Resettlement Action Plan (RAP) for any subproject causing involuntary resettlement. The screening form would indicate if a full RAP is required, if 200 or more persons are affected, or if an abbreviated RAP (ARAP) is sufficient, if fewer than 200 persons are affected.

Chapter 8

RESETTLEMENT PLANNING AND IMPLEMENTATION

181. UNOPS and its implementing partners would oversee all resettlement planning and coordinate all issues related to compensation.

182. This section details the procedures and accountability for the preparation of subproject Resettlement Action Plans. As necessary, UNOPS would select consultants to address involuntary resettlement impacts, who would work under the direct supervision of the ESSO. The ESSO would prepare ToRs for such consultancies, which would be submitted to the World Bank for prior review.

183. While no physical or economic displacements are currently expected, the Project would ensure that a Resettlement Action Plan (RAP) would be prepared and implemented using the procedures described in this RPF, if it might cause permanent or temporary physical or economic displacement, or loss of income.

184. No civil works would start if impacts that trigger OP 4.12 occur before the RAP is developed and deemed acceptable by the Bank. Any compensation measures should be completed prior to start-up of the particular construction activities that triggered OP 4.12.

8.1 Census of PAPs and Inventory of their Assets

185. For every subproject that might cause involuntary resettlement, the ESSO and the focal points, working together with local leaders, would prepare a comprehensive census of PAPs and an inventory of their affected assets.

8.1.1 Socioeconomic Survey of PAPs

186. The ESSO and the focal points would conduct a socioeconomic survey of affected individuals and households to determine the socioeconomic status of each PAP (age, family status, number of dependents, level and sources of income, available material assets, debts). Special attention would be paid to the needs of vulnerable people among the PAPs.

187. The cut-off date for the determination of eligibility will be determined in a manner acceptable to all parties, documented and widely disseminated. Normally this cut-off date is the date the census begins.

8.1.2 Asset Inventory

188. The ESSO and focal points would:

- i. count, measure and value all affected buildings and structures, as well as trees and crops, in the presence of the PAP and a local leader
- ii. prepare a location map of affected assets
- iii. prepare a Compensation Assessment Form for each PAP, recording affected assets and the total compensation
- iv. ensure that all the participating parties verify the contents of the Compensation Assessment Form before signing it; signature by each PAP would be witnessed by a spouse, a child above 18 years, or any other person as chosen by the PAP
- v. provide each PAP with a copy of the signed Compensation Assessment
- vi. take a photograph of each PAP to ensure that the right persons are compensated. The photograph would be attached to each PAP's file that is kept by UNOPS

189. The ESSO and the focal points would verify ownership of land and other assets with the help of local authorities, neighbors, clan members, family members and documents like land titles and land sale agreements.

8.2 Consultations in RAP process

190. Throughout the resettlement process, the ESSO and the focal points would consult and sensitize PAPs and any relevant stakeholder to the types of compensation, valuation principles, and the Grievance Redress Mechanism. PAPs and stakeholders would be given the opportunity to freely participate in meetings and to raise any queries, concerns or questions. All concerns raised would be taken into consideration when preparing the Resettlement Action Plans.

191. More specifically:

- i. Following subproject identification, the ESSO would visit potential PAPs to inform them on the subproject, its scope and impacts, their options and rights, and to receive their opinion. This might result in changes to subproject scope that would minimize the need for resettlement.
- ii. Once the inventory and valuation of assets is complete, the ESSO would present and discuss the details with PAPs, to confirm accuracy and acceptability, while ensuring that technically and economically feasible choices and alternatives are offered
- iii. PAPs would be provided with copies of the completed RAP in a language and format acceptable to them.
- iv. Compensation packages would be discussed with each eligible PAP for their endorsement before compensation is done.
- v. PAPs would be entitled to have a third party (such as community leader) during the steps leading to compensation.
- vi. PAPs could instigate a complaint using the Project's GRM.

192. Consultations would take into account factors such as literacy and cultural obstacles to the participation of certain PAPs. PAPs would be advised both in writing and verbally of their rights throughout the resettlement process, through meetings, information booklets, and announcements published on information boards at public places. This would include the grievance redress procedures, and the entitlement matrix. Verbal information would be provided to illiterate people. PAPs would be provided with the opportunity to express their feedback and concerns. Efforts would be made to inform absent PAPs through relatives or neighbors.

193. In light of the FCV context, the ESSO will ensure that PAPs are not exposed to risks as part of their participation in subproject consultations, for example by avoiding large meetings, and not disclosing personal information/photos.

8.3 Development of the RAP

194. This section details the procedures and accountability for the preparation of subproject Resettlement Action Plans (RAPs) or Abridged Resettlement Action Plans (ARAP).

195. Following the census of PAPs and the inventory of affected assets, the ESSO and focal points would initiate for each subproject either the preparation of a RAP or ARAP. The RAP or ARAP would document the eligibility criteria, including the entitlement matrix, and the asset valuation principles (Chapter 5), as well as the socioeconomic census, the identification of affected assets, the socioeconomic profile of PAPs, and the consultations conducted for the specific subproject (7.1 and 7.2 in this Chapter).

196. As necessary, UNOPS would select consultants to address involuntary resettlement impacts, who would work under the direct supervision of the ESSO and the focal point of the relevant implementing partner. The selection of external consultants would be made on the basis of consultants' qualifications and relevant resettlement experience. The ESSO would prepare ToRs for such consultancies, in coordination with the relevant focal point. The UNOPS Program Manager would then submit the ToRs to the World Bank for prior review and approval by the Project Manager. The ESSO will oversee the preparation of the RAP by the selected consultant, in collaboration with the focal point at the relevant implementing partner.

197. UNOPS would prepare RAPs according to the detailed outline in Annex 1 (extracted from OP

4.12, Annex A, paragraphs 2-21).

198. UNOPS would prepare ARAPs according to OP 4.12, Annex A, paragraph 22, which specifies the following minimum elements:

- i. a census survey of displaced persons and valuation of assets
- ii. description of compensation, other resettlement assistance and entitlement matrix
- iii. consultations with displaced people about acceptable alternatives
- iv. institutional responsibility for implementation and procedures for grievance redress
- v. arrangements for monitoring and implementation
- vi. a timetable and budget.

199. While household-level data is essential to the preparation of RAPs or ARAPs, for the purposes of privacy, information identifying individuals or households would not be publicly disclosed.

8.4 Disclosure and Approval of RAPs and ARAPs

200. The following steps would be followed once the subproject RAP or ARAP is available:

- i. The ESSO would share the draft RAP or ARAP with the PAPs and no less than one week later would meet with the PAPs to collect their comments and proposals
- ii. The ESSO would reflect comments and proposals from PAPs into the RAP or ARAP.
- iii. The ESSO would provide the RAP or ARAP for approval by the Project Manager.
- iv. The Project Manager would formally submit the RAP or ARAP to the World Bank for review and clearance.
- v. Following clearance by the World Bank, the RAP or ARAP would be publicly disclosed in the World Bank's website. UNOPS would disclose it on its website and to stakeholders in a manner and language culturally appropriate. For any changes to these documents, the same process of clearance and disclosure will be followed

8.5 Compensation

201. Once the RAP or ARAP has been cleared by the World Bank and disclosed, the ESSO and the focal points would notify the PAPs regarding compensation procedures.

202. Individual and household compensation would be made in cash, in kind, or through any other means agreed by the PAP, and with the knowledge and presence of both man and wife and adult children where applicable. The type of compensation would be an individual choice. For payment of compensation in-kind, the timing and alternative locations would have to be decided and agreed upon by each PAP. Compensation could be done in the following forms:

- *Cash Payment.* Compensation would be calculated at new replacement value, adjusted for inflation.
- *In-kind compensation.* Compensation might include items such as land, houses other buildings, of equal or better value. If building materials were provided then their transport and labor costs would also have to be provided.
- *Additional assistance.* Resettlement assistance would comprise a disturbance allowance valued at 5% of the value of the land and of the assets thereon.
- *Economic Rehabilitation Assistance* may include training, capacity building as well as provision of assistance to facilitate reestablishment of livelihood activities.

203. Following compensation, the ESSO would update the PAPs database of PAPs accordingly, indicating where and when compensation was completed, with supporting documents.

8.6 Implementation schedule

204. No individual or affected household would be displaced (economically or physically) due to civil works funded by the Project before compensation is paid to PAPs, and if necessary, before resettlement sites with adequate facilities are prepared and provided for subproject affected individuals or homesteads. Each RAP would include an implementation schedule to address resettlement, from

the preparation to completion of works, with indications of specific terms for achievement of intended benefits both for PAPs and local population.

Chapter 9

MONITORING AND REPORTING

205. The ESSO will monitor the overall implementation of the RPF by UNOPS and its implementing partners, most particularly the:

- i. timely preparation of environmental and social screening forms for all subprojects (list of subprojects by risk category by date)
- ii. timely preparation and clearance of subproject RAPs and ARAPs, as needed (list of instruments with dates)
- iii. management of prior review requirements of the World Bank (non-objection requests with dates)
- iv. monitoring of RAP implementation, including monitoring of compensation, and any livelihood restoration measures (indicators)
- v. training of project staff and implementing partners (list of persons, dates and places)

206. The ESSO will prepare:

- i. quarterly reports summarizing monitoring results, to be included in the Project's Quarterly Reports to the World Bank
- ii. reports that aggregate and analyse monitoring results ahead of regular "reverse" World Bank implementation support missions with UNOPS
- iii. an annual evaluation of all environmental and social monitoring activities, which will be submitted to the World Bank as part of overall project implementation reporting

207. Safeguards aspects are also part of the scope of the Third-Party Monitoring (TPM) services TPM contracted by UNSO. More specifically, TPM will report on the compliance with safeguards requirements and on the implementation of environmental and social mitigation measures.

9.1 Environmental and Social Database

208. The ESSO will establish, maintain and regularly update a database of subprojects that will be shared with the implementing partners. The database will include for each subproject:

- i. type of subproject, name of subproject, implementing partner
- ii. safeguards risk level
- iii. timeline (clearance of screening form, clearance of ToRs, clearance of safeguard instruments)
- iv. supervision reports by ESSO and focal points during implementation
- v. contractor reports
- vi. noncompliance by contractors
- vii. cross references to the Grievance Redress Mechanism's log of complaints.

9.2 Monitoring of RPF Implementation

209. The ESSO will also establish, maintain and update a database on the subprojects requiring the preparation of a RAP or ARAP, including the following statistics for each subproject:

- i. number of affected households and individuals (women, men and children)
- ii. length of time from subproject identification to compensation of all PAPs
- iii. timing of compensation in relation to commencement of physical works
- iv. amounts of compensation paid to PAPs (if in cash), or the nature of compensation (if in kind)
- v. number of people raising grievances in relation to each subproject
- vi. number of unresolved grievances

9.3 Socioeconomic monitoring of PAPs

210. The ESSO would establish and maintain a database of affected households and individuals for each subproject, using the data collected through the socioeconomic survey of PAPs (Section 7.1.1).

211. The ESSO would update the PAPs database once subproject compensation is completed, to indicate amounts paid (if in cash), or the nature of compensation (if in kind).

212. The ESSO would provide each affected individual or household with a signed dossier recording the initial situation and the compensation agreed on and received.

213. The ESSO and the focal points would conduct a second socioeconomic survey of PAPs for each subproject within a year after compensation, to evaluate that the income and standard of living of PAPs have been fully restored. The ESSO would bring cases where the income and standard of living were not fully restored to the Project Manager's attention for further action, as necessary.

Chapter 10

STAKEHOLDER ENGAGEMENT

214. The RPF will be translated into Arabic by UNOPS and hard copies of the full document in English and Arabic will be available at the UNOPS project office in Sana's, as well as on the UNOPS project web site and implementing partner's websites (PWP, UW-PMU, and RMF-IU). The RPF will also be made publicly available through the World Bank website.

215. Public consultations are a significant challenge in a politically complex context of Fragility, Conflict, and Violence (FCV), as currently faced by Yemen. UNOPS instead met with its implementing partners, the Public Works Project (PWP), the Road Maintenance Fund Implementation Unit (RMF-IU), and the Urban Water Project Management Unit (UW-PMU), to discuss the RPF, identify key issues, and determine how their concerns would be addressed in subproject design and implementation.

216. Two sets of meetings were held with the implementing partners. The first set of meetings in November 2017 provided the opportunity to present the overall project design, explain its benefits, and begin to outline some of the anticipated adverse environmental and social impacts expected to result from subproject activities. The second set of meetings was the opportunity to share the draft RPF and ESMF and to collect views and observations.

10.1 Meeting with PWP on 6 November 2017

217. UNOPS RPF and ESMF consultants met with Public Works Project staff in their Sana's office on Monday 6/11/2017, to discuss the reparation of the RPF:

Name	Position
Eng. Saed Abdo Ahmed	PWP Director
Eng. Ibtihal Fuad	Investment Planner Water and Environment
Eng. Abdulwali Alshami	Head water and Environment unit
Eng. Nasrah Salem	Technical Support

10.2 Meeting with PWP on 10 January 2018

218. UNOPS's RPF and ESMF consultants met with the following PWP staff to collect their comments and observations on the draft RPF and ESMF:

Name	Position
Eng. Saed Abdo Ahmed	PWP Director
Eng. Ibtihal Fuad	Investment Planner Water and Environment
Eng. Abdulwali Alshami	Head water and Environment unit
Eng. Jamil	Procurement Officer



- PWP acknowledges the contents of both reports and the methodology.
- They appreciate keeping cost of ES safeguard issues to be defined in the bill of quantity aiming for the contractor commitment.
- PWP is committed to implement the RPF and ESMF
- PWP will take steps to form the GRM committee follow the steps mentioned in both reports.

10.3 Meeting with UW-PMU on 6 November 2017

219. UNOPS's RPF and ESMF consultants met with Eng. Jamal Al-Sayyadi, the Director General of UW-PMU, at his office in Sana'a on Monday 6/11/2017, to discuss the preparation of the RPF:



220. The UW-PMU Director General brought up the following issues:

- UW-PMU does not currently have environmental and social officers. Consultants were used in previous project to manage safeguard issues
- UW-PMU plans to recruit environmental and social officers under the Project
- UW-PMU have prepared and submitted a list of subprojects to be implemented by UNOPS

221. UW-PMU shared the following documents with the consultant:

- ESMF and environmental and social clauses for contracts
- The list of projects for the first year
- Meeting with PWP ES officers:

10.4 Meeting with UW-PMU on 13 January 2015

222. UNOPS's ESSO, as well as the RPF and ESMF consultants, met with Eng. Jamal Al-Sayyadi, the UW-PMU Director, in his office to discuss the draft RPF and ESMF. The UNOPS team highlighted that urban water and sanitation subprojects would be limited to supplying and replacing of work projects equipment.



10.5 Meeting with RMF-IU on 4 November 2017)

223. UNOPS's RPF and ESMF consultants met with the following RMF staff on 4 November 2017 to discuss the preparation of the RPF:

Name	Position
Eng. Nabilah Mohamed Al-Sirry	General director
Eng. Mohamed Al-Abiadh	Environmental specialist
Eng. Nabil Al-Kori	Social specialist



224. RMF usually conducts roads rehabilitation outside of cities. They showed the consultants the steps that they follow to prepare ESIA's and RAPs for Category B subprojects, including forming beneficiary associations for each subproject and signing a social memo with local councils.

225. The RMF team brought up the following issues:

- New material for road maintenance is usually bought by the contractor from licensed quarries
- The waste material from the roads is disposed with arrangements with the local councils of each directorate in each city as urban center.
- The construction of new roads is done by the Local Office of Public Works and Highways rather than RMF.
- The cost of implementing mitigation measures specified in the ESMF should be included in the bill of quantities
- All RMF-IU documents are available at http://www.rmfyemen.org/rmfindex.php?id_p=showPage&id_m=10
- RMF-IU is screening subprojects for environmental and social impacts using their own checklist. It was agreed that the consultant would go through their checklists and see if we need to add or delete something. The list will be discussed during the final public consultation.

226. RMF shared the following documents with the consultant

- ESMF and RPF for RAMP
- Environmental clauses for tender documents
- List of subprojects implemented

10.6 Meeting with RMF-IU on Saturday, 6 January 2018

227. UNOPS's RPF and ESMF consultants met again with the RMF-IU staff that they met on 4 November 2017, to discuss the draft RPF and ESMF. RMF-IU provided the following comments and observations:

- RMF-IU acknowledge being informed regarding the content of both reports and their methodologies
- They agree to add the cost of ES safeguard issues to the BOQ for the contractor commitment.
- They pointed out that all UNOPS subproject are classified as Category B

- RMF IU is committed to following the World Bank’s safeguard policies.
- As a precautionary measure, they will make sure that the GRM committee is formed according to defined steps mentioned in both reports.



10.7 Public consultation with stakeholders and community leaders

228. On Monday 15th January, the public consultation concerning the ESMF and RPF discussion was held at the meeting hall (at PWP- Sana'a). Twenty-two participants, 12 females (table 1) and 10 males (table 2) representing several districts have participated in the public consultation as follows:

Table 23. Female participants at January 15th public consultation

no	Name of participants
1	Noha Jamal Ali Al-Husami
2	Zubaidah Mogbil Mohamed Al-Zubaidi
3	Asma Mohamed Ali
4	Nizam Mohamed Shaif Al-Absi
5	Intisar Nasr Ahmed Al-Qubati
6	Aateqah Mohamed Zabarah
7	Intesar Hamoud Mohamed Al-Ghorbani
8	Aamenah Ahmed Husain Al-Najdi
9	Munirah Ali Mohamed Abdalla
10	Amriah Abdalla Al-Taizzi
11	Arwa Noaman Saeed Ghanem Al-Qahri
12	Faizah Ahmed

Table 24. Male participants at January 15 public consultation

no	Name of participants
1	Fadhli Hamoud Al-Suaidi
2	Yehyah Mohamed Jiash
3	Waleed Ali Hajeb
4	Ali Abdulwali Majed Al-Qatabry
5	Sam Abdurrahman Nasher
6	Abdulbaset Abdallah Hassan Al-Shamiri
7	Jehad Taha Mujahed Mohamed
8	Ahmed Abdallah Yehya Al-qaifi
9	Ahmed Mahyoub Al-Nawaserah
10	Moneer Mohamed naser Al-jahafi



The RPF and ESMF consultants started by presenting a summary of the RPF and ESMF draft reports. The participants were then divided into four groups to discuss both reports.

- i. The first group discussed the expected impacts and mitigation measures for subprojects implemented by implementing partners during the implementation stage. The group acknowledged the expected impacts and the suitability of the proposed mitigation measures.
- ii. The second group discussed the expected impacts of solid waste management subprojects and the mitigation measures that would be implemented by PWP. They realized the importance of rehabilitation/extension of the landfill before any collection and/or transfer of solid waste.
- iii. The third group discussed the expected impacts of urban water and sanitation subprojects. They realized the importance of rehabilitating the existing WWTP at Sana'a in order to be in full operation.
- iv. The fourth group discussed urban roads. They realized the importance of slope in order to avoid ponding of water on the streets.

229. Regarding the RPF, two groups discussed the importance of forming beneficiary committees (men and women) including stakeholders and community leaders. They stressed the need for project information campaigns describing the benefits of the project. Arrange training for the project maintenance, they acknowledge of the formation of GRM. The importance of labor insurance during the implementation of sub-projects.

230. At the end, the four groups demonstrated an understanding of the lesson learned from the implementation of World Bank projects in Yemen as follows:



10.7.1 Positive impacts

- i. participation and contribution of the local community beside availability of work

- opportunity
- ii. control of natural disasters
- iii. implementation of project having priority for community needs
- iv. the provision of subprojects to remote areas
- v. giving importance to women's participation
- vi. Training and awareness; concerning of the ES impacts.

10.7.2 Negative impacts

- i. the impositions of international experts while local experts are available
- ii. the high percentage of project funds allocated for cars
- iii. a preference for renting World Bank offices instead of building their own
- iv. the imposition of the English language as the sole language in tender documents, while they should be in both Arabic and English
- v. the imposition of the project's design for the interventions
- vi. the imposition of many conditions and regulations by the donor as a condition for the project approval
- vii. the imposition of sophisticated irrigation design beyond the ability of farmers to operate and maintain, while ignoring traditional irrigation systems.



Figure 7. Group discussion during public consultation

10.8 Stakeholder Engagement Program

231. Beyond the stakeholder interviews and consultations that were conducted as part of the preparation of the ESMF and RPF instruments, the ESSO and the focal points in the implementing partners will continue to engage stakeholders throughout Project implementation, including:

- consultations with individuals and communities that might be affected by a subproject, as described in ESMF Section 9.3, *Consultation and Disclosure Requirements*
- consultations with PAPS, as described in the RPF, most particularly Sections 8.2, *Consultations in RAP process*, and 8.4, *Disclosure and Approval of RAPs and ARAPs*
- citizen engagement, as described in Subcomponent 2.2 of the Project, including:
 - 1.a context-sensitive public communication plan that will be devised and rolled out with the start of subproject implementation and throughout Project duration.
 - 2.citizen engagement in the identification, prioritization and monitoring of investment projects.
- the preparation and dissemination of a public version of the annual report in Arabic, focusing on environmental and social issues

- the involvement of stakeholders during the independent results verification of subprojects conducted by the TPM agent.
- yearly informed gender-sensitive and inclusive consultations with Project stakeholders, most particularly implementing partners, local councils, NGOs, and concerned citizens and academics, to hear about concerns and expectations.

Chapter 11

GRIEVANCE REDRESS MECHANISM (GRM)

232. This section describes the Grievance Redress Mechanism that UNOPS will establish and manage to enable beneficiaries to communicate their concerns regarding the Project. More specifically, the GRM details the procedures that communities and individuals, who believe they are adversely affected by the Project or a specific subproject, can use to submit their complaints, as well as the procedures used by UNOPS and its implementing partners to systematically register, track, investigate and promptly resolve complaints. The Project's GRM will be used for both resettlement (RPF) and environmental/social (ESMF) issues.

233. The UNOPS Program Manager based in the Sana'a Office has the overall responsibility to address Project activity-related complaints from Project affected communities or individuals regarding any environmental or social impacts due to subproject activities. UNOPS will recruit a dedicated focal point in its Sana'a Office to handle Project activity-related complaints. Each of the three Implementing Partners will designate a GRM focal point.

234. In practice, grievances and disputes that are most likely during the implementation of a resettlement program are the following:

- i. Misidentification of assets or mistakes in valuing them;
- ii. Disputes over plot limits, either between the affected person and the Project, or between two neighbors;
- iii. Dispute over the ownership of a given asset (two individuals claim to be the owner of this asset);
- iv. Disagreement over the valuation of a plot or other asset;
- v. Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset;
- vi. Disagreement over resettlement measures, for instance on the location of the resettlement site, on the type or standing of the proposed housing, or over the characteristics of the resettlement plot;
- vii. Disputed ownership of a business (for instance where the owner and the operator are different persons), which gives rise to conflicts over the compensation sharing arrangements.

11.1 Procedures for Complaints

11.1.1 Registering Complaints

235. UNOPS is providing multiple access points to the UNOPS GRM focal point for beneficiaries to voice their concerns. These access points will be advertised at subproject level, and include: complaint box at the UNOPS Office in Sana'a, mail, telephone, email and website:

Address	Haddah Street, former European Union Office Building, Sana'a
Telephone	+967 1 504914 and +967 1 504915
Email	grm-yemen@unops.org
Website	www.unops.org

236. Grievances can be brought up by affected people in case of: (i) non-fulfillment of contracts or agreements; (ii) compensation entitlements; (iii) types and levels of compensation; (iv) disputes related to destruction of assets or livelihoods; (v) disturbances caused by construction activities, such as noise, vibration, dust or smell. Anonymous complaints will be admissible.

237. The Implementing Partners and Project contractors will also keep a log of issues brought directly to their attention verbally or in writing by Project affected communities or individuals, and relay these concerns in writing to UNOPS on a next day basis. UNOPS will determine if these

concerns rise to the level of a complaint.

238. UNOPS will register the complaint in a dedicated log, including a copy of the complaint and supporting documents. A draft template for registering grievances is found in Annex 2.

239. UNOPS will record and document complaints received in the subproject file and the subproject progress reports, including the number and type of complaints and the results of their resolution.

11.1.2 Tracking, Investigating and Resolving Complaints

240. The GRM log maintained by UNOPS will track the date the complaint was received, date responded to, the type of response, and if the complaint was resolved to the satisfaction of the plaintiff.

241. The GRM Focal Point will coordinate with implementing partners, local field staff and local government officials to ensure prompt follow up action in response to each complaint. More specifically, the GRM focal point will for named complaints:

- i. inform the plaintiff if the complaint is accepted or rejected within one week of receiving the complaint; any technical input from Project engineers; if necessary the response will require input from Project engineers
- ii. if the complaint is accepted, send the plaintiff an officially stamped review card indicating:
 - plaintiff name or legal representative
 - plaintiff address
 - complaint title
 - review date
 - list of annexes submitted with the complaint
- iii. work with engineers, implementing partners, and contractors to resolve the complaint within 28 days of its submission

242. UNOPS will include the log of complaints to the World Bank as part of UNOPS quarterly reporting to the World Bank.

11.1.3 Gender sensitivity

243. UNOPS will make the GRM gender sensitive by recruiting female staff to:

- inform women about the project and its possible benefits to women, in a culturally sensitive manner
- inform women of the project GRM procedures
- receive any project-related complaints from women

11.1.4 Activating the GRM mechanism

244. UNOPS will conduct a kick off workshop involving the implementing partners and beneficiary representatives to inform them on GRM procedures.

11.2 Grievance Redress Service

<http://pubdocs.worldbank.org/en/440501429013195875/GRS-2015-BrochureDec.pdf>

245. The World Bank's Grievance Redress Service (GRS) provides an additional, accessible way for individuals and communities to complain directly to the World Bank if they believe that a World Bank-financed project had or is likely to have adverse effects on them or their community. The GRS enhances the World Bank's responsiveness and accountability by ensuring that grievances are promptly reviewed and responded to, and problems and solutions are identified by working together.

246. The GRS accepts complaints in English or the official language of the country of the person submitting the complaint. Submissions to the GRS may be sent by:

Email: grievances@worldbank.org

Fax: +1-202-614-7313

Letter: The World Bank
Grievance Redress Service (GRS)
MSN MC 10-1018
1818 H St NW
Washington, DC 20433, USA

11.3 World Bank Inspection Panel

http://ewebapps.worldbank.org/apps/ip/Documents/Guidelines_How%20to%20File_for_web.pdf

247. The Inspection Panel is an independent complaints mechanism for people and communities who believe that they have been, or are likely to be, adversely affected by a World Bank-funded project. The Board of Executive Directors created the Inspection Panel in 1993 to ensure that people have access to an independent body to express their concerns and seek recourse. The Panel assesses allegations of harm to people or the environment and reviews whether the Bank followed its operational policies and procedures.

248. The Panel has authority to receive Requests for Inspection, which raise issues of harm as a result of a violation of the Bank's policies and procedures from:

- Any group of two or more people in the country where the Bank financed project is located who believe that, as a result of the Bank's violation of its policies and procedures, their rights or interests have been, or are likely to be adversely affected in a direct and material way. They may be an organization, association, society or other group of individuals;
- A duly appointed local representative acting on explicit instructions as the agent of adversely affected people;
- In exceptional cases, a foreign representative acting as the agent of adversely affected people;
- An Executive Director of the Bank in special cases of serious alleged violations of the Bank's policies and procedures.

249. The Panel may be contacted by:

email at ipanel@worldbank.org
phone at +1-202-458-5200
fax at +1 202-522-0916 (Washington, D.C.)
mail at: Inspection Panel, Mail Stop MC 10-1007, 1818 H Street,
N.W., Washington, D.C. 20433, U.S.A.

Chapter 12

CAPACITY

250. This section reviews the capacity and skill available within UNOPS and its implementation partners to implement and monitor the RPF, including the preparation, supervision and monitoring of subproject RAPs and ARAPs.

12.1 UNOPS

251. UNOPS will:

3. Deploy a permanent environmental and social safeguards officer (ESSO) based in UNOPS' Sana'a office from Year one to oversee the management of environmental and social safeguards for the Project. The ESSO will:
 - Review and clear environmental and social screening forms for all subprojects that are prepared by the implementing partners
 - Prepare ToRs for any RAPs or ARAPs required as part of subproject preparation
 - Provide draft ToRs for subproject RAPs or ARAPs to the World Bank for their prior review
 - Supervise the preparation of RAPs and ARAPs prepared by consultants selected by UNOPS
 - Provide draft subproject RAPs and ARAPs to the World Bank for review and clearance
 - Monitor subproject compliance with their RAPs and ARAPs, including field visits and spot checks
 - Work closely with UNOPS engineers and procurement officers to incorporate safeguard issues into subproject design, appraisal and resource mobilization
 - Oversee and coordinate the environmental and social focal points in the local implementing partners.
 - Compile quarterly, biannual and annual reports on safeguards performance of the Project that will be incorporated into the Project's M&E report
 - Provide assistance and deliver capacity building trainings to UNOPS staff and implementing partners
 - Organize and oversee the preparation, production and distribution of training manuals and awareness materials
4. Deploy a second ESSO in UNOPS' future Aden office from Year 2. The Aden ESSO will fulfill the same role as the Sana'a ESSO for the Aden based portfolio. A third ESSO might be recruited in Year 3 for UNOPS activities in Eastern Yemen.
5. Recruit an international expert to be available, on a needs basis, to oversee the overall implementation, monitoring, and reporting of safeguards aspects

12.2 Public World Projects (PWP)

252. PWP currently employs an environmental and a social expert who cover safeguard issues for PWP's current portfolio of projects. These two experts will cover safeguards for the Project, including the preparation of environmental and social screening forms for all subprojects, and monitoring contractor compliance with subproject ESMP requirements and any RAPs or ARAPs. As necessary, PWP will recruit additional staff or employ local consultants.

12.3 UW-PMU

UW-PMU does not currently have any permanent staff covering environmental or social safeguards and instead will hire local or international consultants as needed. The Project will fund the

recruitment of one environmental and social safeguard specialist to serve as the Project's safeguards focal point within UW. The focal point will prepare the environmental and social screening forms for all subprojects, and monitor on-site contractor compliance with subproject ESMP requirements and any RAPs or ARAPs.

12.4 RMF-IU

RMF-IU currently employs two environmental and social experts. The Project will provide them with on the job training and guidance to raise their capacity and serve as the safeguards focal point within RMF-IU. The focal point will prepare the environmental and social screening forms for all subprojects, and monitor on-site contractor compliance with subproject ESMP requirements and any RAPs or ARAPs.

12.5 Capacity Development

253. UNOPS will fund safeguards training and capacity enhancement for the UNOPS Project team, implementing partners, participating contractors, and Local Councils. UNOPS will also finance the production of training manuals and awareness materials as needed.

254. More specifically, the ESSO will:

- i. organize a launch workshop with the focal points in the implementing partners to operationalize the RPF and agree on roles and responsibilities moving forward
- ii. jointly with the safeguard focal points, organize a workshop with UNOPS engineers and technical staff to explain the RPF and its implementation
- iii. organize specialized and on-the-job training and technical assistance for the safeguards focal points in the implementing partners
- iv. jointly with the safeguards focal points, organize sessions to sensitize the local councils to the RPF and its implementation

ANNEX 1

OUTLINE FOR PREPARING RESETTLEMENT ACTION PLANS (RAP)

This template is extracted from OP 4.12 Annex A. Its full description can also be on the World Bank's external website: www.worldbank.org.

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 subprojects covered under a RPF includes, but is not limited to, the following:

Description of the subproject. General description of the subproject and identification of subproject area or areas.

Potential Impacts. Identification of the: (i) the subproject 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 subprojects.

Socioeconomic 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 individuals and households 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
- 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:

- i. 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 subproject area;
- ii. Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the subproject;
- iii. Public infrastructure and social services that will be affected; and
- iv. 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 subproject;
- 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 subprojects;
- 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 subprojects, 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 subprojects.

The institutional framework governing RAP implementation generally covers:

- i. Agencies and offices responsible for resettlement activities and civil society groups like NGOs that may have a role in RAP implementation;
- ii. Institutional capacities of these agencies, offices, and civil society groups in carrying out RAP implementation, monitoring, and evaluation;
- iii. 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). The RPF will guide the valuation of assets in the RAP.

Resettlement Measures. A description of the compensation and other resettlement measures that will assist each category of eligible PAPs to achieve the objectives of OP 4.12. 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:

- i. 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;
- ii. Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- iii. Procedures for physical relocation under the project, including timetables for site

- iv. preparation and transfer;
- iv. 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;
- 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, local governments, and project proponents;
- 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
- iv. 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 agency's 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 subprojects 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 2**SAMPLE GRIEVANCE AND RESOLUTION FORM**

Name (Filer of Complaint): _____
ID Number: _____ (PAPs ID number)
Contact Information: _____ District/Community mobile phone)

Nature of Grievance or Complaint:

Date **Individuals Contacted** **Summary of Discussion**

Signature _____ Date: _____

Signed (Filer of Complaint): _____
Name of Person Filing Complaint: _____ (if different from Filer)
Position or Relationship to Filer: _____

Review/Resolution

Date of Conciliation Session: _____
Was Filer Present? Yes No
Was field verification of complaint conducted? Yes No
Findings of field investigation:

Summary of Conciliation Session Discussion:

Issues

Was agreement reached on the issues? Yes No
If agreement was reached, detail the agreement below:
If agreement was not reached, specify the points of disagreement below:

Signed (Conciliator): _____ Signed (Filer): _____

Signed: _____
Independent Observer

Date: _____

ANNEX 3**SAMPLE HOUSEHOLD SURVEY FORM****1: Household Survey Questionnaire Identification**

- 1.1 Survey Control Number.....
- 1.2 Date of Interview.....
- 1.3 Place of Interview.....
- 1.4 Name of Interviewer.....
- 1.5 Checked by Supervisor.....

2. Basic Profile of PAPs

- 2.1 Name of Interviewee:.....
- 2.2 Physical Address of the Interviewee
 - i. District.....
 - ii. Community.....
- 2.3 Relation to Head of Family (Choose one)
i.) Myself [] ii) Wife [] iii) Child [] iv) Parents [] v) Other (Specify) []
- 2.4 How Many Years have you been living here?

3. Profiles of Head of Affected Household

- 3.1 Name of head of Family
- 3.2 Sex 1. Male, 2. Female
- 3.3 Age
- 3.4 Marital Status: Married [] Unmarried, [] Widow [] Widower []
- 3.5 What is the highest educational level you attained?
i. Never schooled [] ii. Primary school [] iii. Secondary school iv. College/ University []
- 3.6 What other skills did you learn after school?.....
- 3.7 Head of affected household's major economic activities (spend more time)
 - i. Farming (cultivation, husbandry) []
 - ii. Wage employment []
 - iii. Business []
 - iv. Petty trader []
 - v. Others (specify)
- 3.8 Head of affected household's secondary economic activities (spend more time)
 - i. Farming (cultivation, husbandry) []
 - ii. Wage employment []
 - iii. Business []
 - iv. Petty trader []
 - v. Others (specify)
- 3.9 Head of affected household's major source of income
 - i. Farming (cultivation, husbandry) []
 - ii. Wage employment []
 - iii. Business []
 - iv. Petty trader []
 - v. Others (specify).....
- 3.10. Head of affected household's major source of income
 - i. Farming (cultivation, husbandry) []
 - ii. Wage government employment []
 - iii. Business []
 - iv. Petty trader []

5.1 Did you have alternative land?
 (Yes/No)..... location.....

5.2. PAPs housing condition

Type	Walls	Roof	Toilet facilities	Energy	No. of rooms
1. Mud	1. Poles and mud	1. Corrugated iron sheets	1. Flush toilet	1. Kerosene	1. 1-2
2. Cement	2. Sun dried bricks	2. Tin or metal sheets	2. Pit latrine	2. Solar	1. 3-4
3. Tiles	3. Burnt bricks	3. Thatches	3. None	3. Electricity	2. More than 4
4. Timber	4. Concrete bricks	4. Others			
5. Cement and tiles					
6. Others	5. Others				