

**YEMEN FOOD SECURITY RESPONSE AND RESILIENCE PROJECT
(P176129)**

Resettlement Framework (RF)

**FOOD AGRICULTURE ORGANIZATION (FAO)
AND
UNITED NATION DEVELOPMENT PROGRAM (UNDP)**

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Abbreviations

AP	Affected Person
CFW	Cash for Work
DLCC	Desert Locust Control Centres
EC	Evaluation Committee
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FAO	Food and Agriculture Organization of the United Nations
GALSUP	General Authority for Land Survey and Urban Planning
HH	Household
IOL	Inventory of Losses
IPs	Implementing Partners
LURC	Land Use Right Certificate
MAI	Ministry of Agriculture and Irrigation
MoPWH	Ministry of Public Works & Highways
PAP	Project Affected Person(s)
PCU	Project Coordination Unit
PMP	Pest Management Plan
RCS	Replacement Costs Survey
RFRF	Resettlement Framework
RP/RAP	Resettlement Plan/Resettlement Action Plan
SEP	Stakeholder Engagement Plan
SES	Social and Environmental Safeguard Standards
SFD	Social Fund for Development
TOR	Terms of Reference
UN	United Nations
USD	United States Dollar
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure
WB	World Bank
YER	Yemen Rial
YFSRRP	Yemen Food Security Response and Resilience Project

Definitions

Project impacts	Any impacts relating directly to land acquisition or limit using legal areas or protected areas.
Affected Persons (Sometimes "Project Affected Persons")	Any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.
Cut-off-date	Is the date when the Government of Yemen issues the Notification of Land acquisition for the relevant project before implementation of detailed measurement survey. A census survey will be done before the cut-off date is announced to establish a list of potential affected households.
Eligibility	Any person who used the land affected by the project and listed before the cut-off-date: (i) with formal legal right to land; (ii) without formal legal right to land but have a claim to such land or assets recognized under the laws of the country; or (iii) without recognizable legal right or claim to the land they are occupying.
Environmental and Social Standards	The Environmental and Social Standards set out the requirements for Borrowers relating to the identification and assessment of environmental and social risks and impacts associated with projects supported by the Bank through Investment Project Financing. There are ten Environmental and Social Standards that establish the standards that the Borrower and the project will meet through the project life cycle.
Replacement cost	<p>For agricultural land, the replacement cost is 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.</p> <p>For land in urban areas, it is 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.</p> <p>For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, plus the cost of transporting building materials into the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.</p>

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 not restricted to its usual meaning-physical relocation. Resettlement 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 affected persons (APs), to improve (or at least restore) incomes and living standards.
Entitlements	Include compensation and assistance for APs based on the type and extent of damage.
Income restoration	Re-establishment of sources of income and livelihoods of the affected households.
Inventory of Losses	Is process of accounting for physical assets and income affected by project.
Livelihood	Economic activities and income streams, usually involving self-employment and or wage employment by using one's endowments (both human and material) to generate adequate resources for meeting the requirements of the self and household on a sustainable basis.
Other Interested Parties	All individuals, groups, or organizations with an interest in the project, which may be because of the project location, its characteristics, its impacts, or matters related to public interest. For example, these parties may include regulators, government officials, the private sector, the scientific community, academics, unions, women's organizations, other civil society organizations, and cultural groups
Stakeholders	All individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.
Socioeconomic Survey	A socio-economic survey (SES) of households, businesses, or other project-affected parties needed to: identify and accurately compensate or mitigate losses, assess impacts on household economy, and differentiate project affected parties by level of impact.
Vulnerable groups	Vulnerable or disadvantaged groups refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so. This will take into account considerations relating to age, including the elderly and minors, and including in circumstances where they may be separated from their family, the community, or other individuals upon which they depend.

People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits, include: (i) women headed household (single, widow, disabled husband) with dependents, (ii) disables (loss of working ability), the lonely elderly, (iii) poor and near poor household, (iv) the landless, (v) ethnic minority groups and (vi) The social-aided households .

EXECUTIVE SUMMARY

The project focuses on building the resilience of Yemeni households to food security crises and improving household food security and nutrition by increasing food availability, access, and utilization in the project areas. The project aims to serve as a scalable platform for broad-based support to food security in Yemen going forward. The project encompasses complementary activities to address the three core aspects of food security, including improving household incomes (improved food access), restoring and expanding agricultural production (improving food availability), and enhancing nutrition at the household level (improved nutrition). To achieve these objectives, the project includes five components, including: (1) Improving household incomes through Cash-for-Works for agricultural production infrastructure; (2) Increasing production and sale of nutritious crop, livestock, and fish products; (3) Improving the nutritional status of rural households; (4) Capacity building for food security management; and (5) Project management and knowledge management. The project aims to work through several Implementing Agencies – FAO, UNDP, and WFP, - which allows for both tailoring and scaling-up interventions based on the needs on the ground in Yemen. The specific locations where project sub-components will be implemented have not yet been identified. The project will be implemented in selected governorates in Yemen. The primary beneficiaries of the project are poor rural households who are most affected by food insecurity in the targeted governorates.

The RF is prepared to clarify resettlement principles, organizational arrangements and design criteria that will be applied to project components /subprojects prepared during implementation. The RF is skeleton to identify standard operating procedures (SOPs) to ensure all the resettlement procedures, arrangements are addressed and mitigated according to agreed criteria during the project implementation.

The RF defines the procedures for: (i) acquiring land (after all technical alternatives have been exhausted), (ii) dealing with any residual impacts from land acquisition (i.e., identifying, establishing the valuation of, and compensating people that suffer economic losses or loss of private property, (iii) monitoring and verification that policies and procedures are followed, and (iv) consultations with affected people and description of the grievance mechanisms.

This RF is based on relevant National laws and Decrees as well as the World Bank Environmental and Social Standard (ESS) 5 on Land Acquisition, Restrictions on Land Use, and Involuntary Resettlement. The RF serves the following specific purposes: (1) Reviews the existing national legal framework, compares it with the ESS 5 for gaps, if any, and indicates gap-filling measures; (2) Describes the approach to the acquisition of private land, assets and other common property resources; (3) Defines the eligibility criteria for defining various categories of affected people; (4) Defines the valuation process of impacted assets; (5) Identifies the consultation mechanisms/approaches to be adopted while preparing and implementing RAPs including public disclosures; (6) Defines the monitoring and evaluation arrangements including Grievance Mechanisms (GM);

This Resettlement Framework forms a core part of the Environmental and Social Management Framework. It may be updated by mutual agreement between FAO, UNDP and WFP and the World Bank.

1. Introduction

1.1. *Rationale and objective of the Resettlement Framework (RF)*

The World Bank's Environmental and Social Standard 5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (hereafter, "ESS5") and the Yemen Food Security Response and Resilience Project (YFSRRP) Environmental and Social Commitment Plan (ESCP) indicate that the Borrowers or recipients of funds (in this case, FAO and UNDP) prepare and endorse to the Association a Resettlement Framework (RF) consistent with ESS5 prior to implementation of any sub-projects with potential land acquisition, physical and/or economic displacement. In instances where the likely nature or magnitude of the land acquisition or restrictions on land use related to a project with potential to cause physical and/or economic displacement is unknown during project preparation, ESS5 require the Borrowers/recipients of funds to develop a framework with general principles and procedures compatible with ESS5. The RF is therefore prepared for civil works/subprojects where land acquisition is required to support implementation of such works/subprojects which have not yet been identified at project appraisal.

The objective of this resettlement framework is to highlight resettlement principles, organizational arrangements, and design criteria to be applied to subprojects to be prepared during project implementation. The RF also sets forth eligibility criteria, entitlements, grievance mechanism, and monitoring and evaluation arrangements to be applied to RP(s) that will be identified and prepared during project implementation.

As a World Bank supported, FAO and UNDP implemented project, this RF is prepared in compliance with the: (i) FAO Environmental and Social Safeguard on Involuntary Resettlement and Displacement; (ii) UNDPs' Social and Environmental Safeguard (SES) Standard 5: Displacement and Resettlement; (iii) World Bank's ESS5 on Land Acquisition, Restriction on Land Use and Involuntary Resettlement; and (iv) Yemen's national laws and regulations.

At the outcome level, this RF aims to:

1. Ensure that no impoverishment of people shall result as a consequence of land acquisition, acquisition of assets, and resettlement for purposes of Project implementation.
2. Ensure no affected person is worse off and DO NO Harm as a result of the project implementation.
3. Make sure all affected persons are aware of the procedures and processes available for the redress of grievances in a way which is easily accessible and responsive;
4. Have in place a consultative, transparent, and accountable resettlement process with a timeframe agreed to by the project owner (FAO, UNDP and implementing partners) and relevant affected persons;
5. Provide adequate assistance in the form of transport, temporary accommodation, housing, training, capacity building, service provision etc. to project affected persons.
6. To anticipate and avoid, or, when avoidance is not possible, minimize adverse social and economic impacts from land or resource acquisition or restrictions on land or resource use
7. To enhance and restore the livelihoods of all displaced persons, and to improve the standards of living and overall socioeconomic status of displaced poor and other displaced groups and to support efforts to progressively realize the rights to adequate housing and adequate standards of living for displaced populations
8. To ensure that resettlement activities are planned and implemented collaboratively with the meaningful and informed participation of those affected

The guiding principles for resettlement under this project are as follows:

1. Prohibit forced eviction;
2. Physical or economic displacement should be avoided, particularly for those who are vulnerable to social or economical hardship;
3. Where avoidance is not possible, adverse impacts should be minimized by examining all available design alternatives, technologies, and/or selection of site location, etc., and mitigation measure are exercised thereof;
4. If the need for resettlement is unavoidable, resettlement activities should be carried out as an integral part of the project, through providing sufficient investment resources to enable the persons affected by the project to enjoy the project benefits (in addition to implementation of mitigation measures mentioned above);
5. All project affected persons (PAPs) will be consulted in a meaningful manner, and should be given opportunities to participate in planning and implementing resettlement programs;
6. The Voluntary Guidelines on the Responsible Governance of Tenure (VGGT)¹ will be respected and inform project actions which involve resettlement.

This RF lays out potential negative environmental and/or social impacts which may accompany interventions and identifies measures to address and mitigate adverse socioeconomic impacts which may occur in relation to land acquisition, restrictions on land use, or involuntary resettlement.

Once the individual sub-projects are defined, and the necessary information becomes available, this RF will be expanded into one or more specific plans proportionate to the potential risks and impacts associated with the given subproject. No physical and/or economic displacement will occur until plans required by ESS5 have been finalized and approved by the Bank.

ESS5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project-related land acquisition or restrictions on land use may cause physical displacement (e.g. relocation, loss of residential land, or loss of shelter), economic displacement (e.g. loss of land, assets, or access to assets, leading to loss of income sources or other means of livelihoods), or both. The term “involuntary resettlement” refers to these impacts. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.

Experience and research indicate that physical and economic displacement, if unmitigated, may give rise to severe economic, social and environmental risks: production systems may be dismantled; people face impoverishment if their productive resources or other income sources are lost; people may be relocated to environments where their productive skills are less applicable and the competition for resources are greater; community institutions and social networks may be weakened; kin groups may be dispersed; and cultural identity, traditional authority, and the potential for mutual help may be diminished or lost. For these reasons, involuntary resettlement should be avoided. Where involuntary resettlement is unavoidable, it will be minimized and appropriate measures to mitigate adverse impacts on displaced persons (and on host communities receiving displaced persons) will be carefully planned and implemented.

This project involves activities such as water harvesting, road maintenance, agricultural practices, and others, some of which may require voluntary land donation, land acquisition, and/or restrictions on land use. As such, this RF has been developed to address any potential risks which may occur as a result.

¹ FAO. 2012. Voluntary Guidelines on the Responsible Governance of Tenure (VGGT). URL: <https://www.fao.org/3/i2801e/i2801e.pdf>

1.2. Coverage of the Resettlement Framework

Some reflections according to project nature

This RF applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation:

- Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law.
- Land rights or land use rights acquired or restricted through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures;
- Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas or buffer zones are established in connection with the project;
- Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project specific cut-off date;
- Displacement of people as a result of project impacts that render their land unusable or inaccessible;
- Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, hunting and gathering grounds and grazing and cropping areas;
- Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation;
- Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.

This RF does not apply to:

- Impacts on incomes or livelihoods that are not a direct result of land acquisition or land use restrictions imposed by the project.
- Voluntary, legally recorded market transactions in which the seller is given a genuine opportunity to retain the land and to refuse to sell it and is fully informed about available choices and their implications.
- Voluntary land donation and willing seller/willing buyer.

This RF is also applied to any *associated facilities or activities* that are not directly funded as part of the project but, in the judgment of the World Bank, are: (a) directly and significantly related to the project; (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist. For facilities or activities to be Associated Facilities, they must meet all three criteria.

2. Project Overview

2.1. *Project Development Objective & Description*

The overall objective of the Yemen Food Security Response and Resilience Project (YFSRRP) (hereafter the Project or YFSRRP) to improve the availability of and access to food and nutritious diets, both in the short and medium term, for targeted households in the Project Area, and to enhance Yemen's capacity to respond to food insecurity.

Progress towards this objective will be measured via the following outcomes:

- **Outcome 1: Short-term access to and availability of food and nutritious diets at household level improved**, including: (I) Percentage of households (HH) with improved Food Insecurity Experience Scale (FIES), of which female-headed households; (II) Percentage of women in beneficiary households with minimum dietary diversity; and (III) Percentage of children (6-23 months) consuming minimum acceptable diet.
- **Outcome 2: Medium-term access and availability of food and nutritious diets at household level improved:**
 - Increase in the volume of agri-food products commercialized by beneficiaries, of which by female beneficiaries.
- **Outcome 3: Country capacity to respond to food insecurity strengthened**
 - Preparedness to respond to food security crises improved, through the adoption of the food security preparedness plan and the use of the monitoring tool.

The project aims to achieve its objective through five components: (1) Improving household incomes through CFW for agricultural production infrastructure and building climate resilience; (2) Increasing production and sale of nutritious crop, livestock, and fish products; (3) Improving the nutritional status of vulnerable rural households; (4) Capacity building for food security management and climate resilience; and (5) Project management and knowledge management.

The only component with potential impacts with regard to land acquisition and physical and/or economic displacement, however temporary, is Component 1. Further details on this are provided in section 2.3.

2.2. *Project Beneficiaries*

The direct beneficiaries could include farmers, pastoralists, agro-pastoralists, and fishing communities; agro-enterprise producers, processors, and traders; internally displaced people, field agricultural extension officers, animal health workers. Based on early sector experiences, vulnerable or disadvantaged groups may include but are not limited to, historically underserved and disadvantaged communities in certain parts of the country, households facing food insecurity and food shortages, female-headed and elderly-headed households, internally displaced persons, people with disabilities, extremely poor and illiterate persons.

The target beneficiaries of the project are rural households most affected by food insecurity in the targeted governorates. With its various activities, the project is expected to reach around 1 million beneficiaries. The primary beneficiaries of the project can be categorized as follows: (a) moderately food-insecure rural households at risk of falling further into food insecurity, who will benefit from the

CFW program of Component 1; (b) smallholder farmers who will benefit from the agricultural production and commercialization activities of Component 2 and alternative agricultural production activities under Component 4; (c) women beneficiaries from moderately food insecure households at risk of falling further into food insecurity who will benefit from the women entrepreneurship activities of Sub-component 3.2; and (d) severely food insecure households with pregnant and lactating women (PLWG) and children under five who will benefit from the activities of Sub-components 3.1 and 3.3. Additionally, the government and local governments will be beneficiaries of the capacity building activities under Component 4. The outreach to beneficiaries will be coordinated with other donor and Bank-financed interventions. Set of 77 target districts in which the project will be operated and implemented not limited to the selected across ten governorates: Abyan, Al Bayda, Al Dhale'e, Al Hudaydah, Al Jawf, Amran, Dhamar, Hajjah, Lahj and Taizz

The project will aim to support less risky agriculture activities for women according to their capacity and interest. This may involve supporting kitchen gardens or backyard farms and home-based aquaculture as potentially less risky agricultural enterprises. The project will promote small ruminant husbandry to women to be considered as a promising strategy to support farming communities in conflict, as goats and sheep do not require specialized feed, and can be raised in large numbers closer to home.

2.3. Project Components with Potential Resettlement Requirements

Component 1: Improving household incomes through CFW for agricultural production infrastructure and building climate resilience

The proposed interventions in farmland and irrigation works under Component 1 are of rehabilitation and maintenance nature. They will all be planned to take place within their existing footprints and are expected to be quite small in scale. An exclusion list is included in the ESMF and indicates that land acquisition and/or resettlement must be avoided. Large-scale land acquisition or resettlement needs are not anticipated under the project and will not be allowed unless the acquisition takes place on government owned land.

The project component 1 and its activities are directly contributing to climate change adaptation and mitigate greenhouse gas emissions. The component would provide climate adaptation benefits by promoting livelihood interventions for food insecure populations through resilience-building measures (Sub-projects). Climate-resilient irrigation and water conservation and management practices will restore degraded lands (including terracing) and affected water infrastructure for subsequent productive, climate-smart technology use in agricultural production and allow beneficiaries to earn much needed income from their repair and maintenance through cash-for-work. An estimated 15,700 farmers will have improved access to water infrastructure, irrigation networks, rehabilitated lands, and rehabilitated rural roads. These actions also contribute to climate change mitigation and adaptation by increasing carbon sequestration and improving water management.

UNDP will implement this component through the Social Fund for Development (SFD) and the Public Works Project (PWP). The SFD will take the lead in implementing the CFW program, which will provide employment opportunities directly to beneficiary laborers from the communities in the project area. The PWP will implement small-scale infrastructure-related works through selected locally sourced contractors which are also expected to create employment opportunities for the communities. It is expected that 85 percent of the component financing will be allocated for CFW activities, with the remaining 15 percent channelled through the PWP. The Component one is to ensure immediate access to food for an estimated 18,800 food-insecure households (26,500 individual beneficiaries) by creating temporary employment opportunities through a Cash-for-Work (CFW) program, focusing on restoring damaged public and collective productive assets, including those affected by the 2020 floods. The

project would target youth (18 – 32 years of age) through the community outreach programs and encourage them to participate in the CFW program. The Component will also seek to support employment generation activities targeting women.

The component one (1) includes activities on:

- Rehabilitation and maintenance of terraces,
- On-farm water harvesting facilities (underground cisterns and open wadi pits), watershed management/rainwater harvesting structures in mountainous areas (check dikes and gabions/retaining walls in wadi beds),
- Spate irrigation works in lower mountains and foot-hills (small spate diversion canals, shallow wells, and springs),
- Irrigation canals and farm-level conveyance systems,
- Rehabilitation of small rural access roads to isolated villages/communities,
- Activities can be performed by women, the project would seek to support employment generation activities targeting women, such as childcare², meal preparation, weaving of fishing nets and making other tools necessary for the fishing trade and production.

These activities and subprojects will be implemented in small scale areas belonging to communities which agree to voluntarily donate (see Annex 6 for the Voluntary Land Donation conditions) a given area of land or community infrastructure and, therefore, the activities are expected to have low-to-no impact in terms of physical and economic displacement and resettlement-related issues covered under the resettlement safeguard requirements of the WB's ESS5, UNDP's SES 5, and FAO's ESS6. The three agency-safeguard standards will be applied for all activities involving resettlement and/or displacement (physical or economical) to avoid any related risks (including the risk of forced displacement, which is not permitted under the project). Any potential of land acquisition must comply with relevant provincial national laws and rules, and Involuntary Resettlement Framework of the World Bank, UNDP, and FAO, which requires establishment of a Resettlement Framework (RF). Compensation stipulated in the Law has not always been adequate to provide for equal or enhanced living status to resettled persons affected by projects. In this regard the Framework provides mitigation to resettlement and rehabilitation of the person and bridge the gaps between the three agency safeguard standards and Yemeni national laws to ensure compensation payments and other financial supports are provided according to the principles of the resettlement framework.

Component 2: Increasing production and sale of nutritious crop, livestocklivestock, and fish products.

FAO will be implementing Component 2, which has a subcomponent (2.2) with activities that support the funding and use of seedling centres, post-harvest centres, hydroponic greenhouses, and dairy processing facilities. As such, the following arrangement is foreseen with regard to establishing/utilizing facilities:

- **Seedlings centers:** land for the seedling centres will be rented from the landowner for a 5-10 year block, as the rent dues are 10% from the seedlings profits (please refer to Annex 7 for details on the social framework agreement to be used in these instances);
- **Post-harvest centres:** these centres will be donated by local communities as part of their community participation in the project, with donations coming either from farmers associations/community committees or from local councils in the targeted

² The option of childcare as an income generating activity under Component 1 would also be available for women being trained under component 4.

areas under the supervision and management of MAI offices in the targeted governorates.

- **Hydroponic greenhouses:** hydroponic greenhouses will be co-owned by groups of five farmers based on an appropriate social framework agreement (SFA) (see Annex 7 for details) for the land use (either donated or rented) which must be agreed upon between the targeted farmers under the supervision and management of MAI offices in the targeted governorates;
- **Dairy processing facilities:** for these facilities, an appropriate place or shop will be rented by the participating farmers' association for the project operation, based on an appropriate SFA (similarly to the arrangement for hydroponic greenhouses).

Based on the arrangements to ensure provision of and access to the aforementioned facilities, there will be no land acquisition/restriction on land use/involuntary resettlement – all arrangements would be voluntary. Moreover, all loan agreements would be implemented by FAO, not by SMEPS.

To mitigate project risks relating to resettlement/displacement, the project's implementing agencies have committed to preparing, disclosing, adopting, and implementing this Resettlement Framework (RF) in accordance with ESS5 for potential resettlement issues for activities under the project, in a manner acceptable to IDA. The grievance mechanism (GM) to address resettlement related complaints is described in this RF and covers minor, temporary resettlement which could arise during small works. Further details may also be added later if any sub-project screenings indicate potential risks during the implementation stage; for the planning and consultation stage, no risks on resettlement and land sequestration are foreseen.

2.4. Baseline Information on Land Ownership and Institutional Capacities

Land ownership issues are complex in Yemen and beyond the scope of this project to resolve. Land tenure issues can generally raise unpredictable legal impediments which could delay the implementation of a project. Outside of the national legal framework covered under Section 3, the customary law of the Yemeni tribes recognizes the importance of avoiding harm and damage to property. It facilitates actions to improve resettlement implementation and resolves land issues and conflict. In rural areas, customary law plays an important role and entrusts sheikhs with the management of communal lands, primarily used for grazing and firewood collection.

Despite that Yemen may have traditional arrangements capable of handling rural land issues as well as legal and institutional frameworks for urban areas, practical application of traditional practices and land legislations is confronted with many challenges. For example: the growing confusion over communal land and privately-owned land has resulted in lack of clarity and is continued to be a source of conflict. There is a trend toward increased private appropriation of communal land. There is also little public confidence in the Land Registry System, mainly in the rural areas, where owners depend on local community leader for obtaining documents/ deeds, which serve as the base for unregistered land.

Currently, no unique institution oversees resettlement and compensation issues. These issues are dealt with through several institutions, including:

- The General Authority for Land Survey and Urban Planning (GALSUP).
- Ministry of Public Works & Highways (MoPWH); and
- The Local Councils are the relevant governmental organizations that have roles and responsibilities related to land acquisition, resettlement, and compensation.

In several cases overlapping responsibilities and bureaucratic procedures have led to delayed responses to project affected persons (PAPs) in terms of paying their compensation and listening to their grievances. These issues, in turn, may result in troubling situations which necessitate legal action and judicial procedures which can be long and complex. Prior complaints about projects with land acquisition usually related to unfair estimation of compensation for the asset losses. Poor experience with estimation and grievance redress, in turn, has resulted in lack of trust among people who are entitled to compensation from the respective authorities.

Law enforcement is challenging, and Yemen's judicial system also exhibits weaknesses due to the absence of exact definitions for issues related to land acquisition within civil law. As such, this RF sets out alternative measures to ensure the issues set out and protected by law are addressed. It is necessary that this RF and any subsequent Resettlement Plans (RPs) take this social context into account and adapt to the local conditions of a given sub-project.

2.5. Potential Impacts & Mitigation Measures

The project will largely have a positive impact with regard to improved community resilience, strengthened and diversified livelihoods, and increased capacity to address Food insecurity. From a social standpoint, by restoring lost assets and providing temporary employment opportunities through the Social Fund for Development (SFD) and PWP, especially to poor and most vulnerable segments of the beneficiary communities (i.e. women, youth, elderly from the poorest rural households, especially the work-capable individuals of the most-in need ones, etc.), the proposed project will deliver some positive impacts such as a robust social protection response to farmers, livestock owners, beekeepers, fisheries and other primary producers experiencing losses as a result of the poor livelihood.

The potential adverse environmental and social impacts from the implementation of some project activities are predominantly linked and the project focuses on building the resilience of Yemeni households to food security crises and improving household food security and nutrition by increasing food availability, access, and utilization in the project areas. The project aims to serve as a scalable platform for broad-based support to food security in Yemen going forward. The project encompasses complementary activities to address the three core aspects of food security, including improving household incomes (improved food access), restoring, and expanding agricultural production (improving food availability), and enhancing nutrition at the household level (improved nutrition). To achieve these objectives, the project includes five components, including:

1. Improving household incomes through Cash-for-Works for agricultural production infrastructure;
2. Increasing production and sale of nutritious crop, livestock, and fish products.
3. Improving the nutritional status of rural households;
4. Capacity building for food security management; and
5. Project management and knowledge management.

The project aims to work through several Implementing Agencies FAO, UNDP, and WFP, - which allows for both tailoring and scaling-up interventions based on the needs on the ground in Yemen.

There is also a risk that CFW activities and capacity building sessions may potentially exclude vulnerable and very poor groups, such as households headed by women, youth/minors/children, elderly tenant farmers, and sharecroppers. Livelihood restoration activities risk by passing some of the producers, including female and/or youth laborers, small-scale farmers, livestock producers, and beekeepers who are highly dependent on these activities.

Mitigation Measures: To manage and mitigate associated project risks, the Stakeholder Engagement Plan (SEP), Pest Management Plan (PMP), Labour Management Plan (LMP), Environmental and Social

Management Framework (ESMF), Security Management Plan (SMP) and this RF were developed and will be used throughout project implementation. Training and awareness raising will also be offered to communities to avoid and reduce negative impacts on community health and safety.

When considering economic and/or physical displacement, concerns regarding temporary economic displacement due to impact of activities from Component 1 are mitigated and addressed through providing Cash-for-Work (CFW) and livelihood diversification opportunities. Such opportunities could potentially include clearing dead locusts from affected agricultural lands, planting crops, rehabilitating small reservoirs, collecting untreated locusts for feed and fertilizer, (re)introducing pollinators, and providing childcare near CFW sites for working women. Women may also receive training related to health and nutrition and hired as community health workers in project targeted areas.

For the construction and rehabilitation activities of component 1 will be assessed and checked before submitting the subprojects for approval to ensure no land acquisition and arbitrary resettlement actions are taken place, the Resettlement Plans (RPs) will need to be prepared, which involves identifying the number of affected people and providing compensation to eligible project affected peoples (PAP) before the start of construction activities. This process for developing a RP is described in Section 4 of this RF.

3. Legal Framework

This Resettlement Framework was prepared in compliance with the (i) FAO Environmental and Social Safeguard 6 on Involuntary Resettlement and Displacement; (ii) World Bank's ESS5 on Land Acquisition, Restriction on Land Use, and Involuntary Resettlement; (iii) UNDP Social and Environmental Safeguard 5; and (iv) Yemen's national laws and regulations related to land acquisition, compensation, support, and resettlement.

3.1 National Legislation Regulating Land Acquisition

Yemeni Legislation includes several provisions which regulate the process of declaring land plots for public interest, the provisions for expropriation and compensation and the definition of rights of owners and use of communal property. The key subjects related to land property and land acquisition and the main pieces of Yemeni legislation that deal with them are as follows:³

- **Public Ownership:** Yemeni Constitution, Article 18, 19 and Civil Law, Articles 118, 119, 120;
- **Private Property:** Yemeni Constitution, Article 7, 20 and Civil Law, Articles 1154, 1159;
- **Common Use of Land:** Law no. 21 (1995) concerning State Land and Real Estate and The Republican Decree 170 (1996);
- **Waqf / Endowment Land:** Waqf Law no. 23 (1992) and The Republican Decree 99 (1996);
- **Agricultural Land:** Yemeni Constitution, Article 7, para (C) and Civil Law, Articles 761, 765, 770, 1159;
- **Neighborhood Rights:** Civil Law, Articles 1161, 1163, 1164;
- **Squatters:** Law no. 21 (1995) concerning State Land and Real Estate, Articles 58, 59;
- **Land acquisition for the public interest:** Law no. 1 (1995) (The Public Eminent Domain Law)
 - Articles 1, 2 (defining projects for public interest)
 - Article 4 on the administrative procedures for land acquisition
 - Article 6 on the mutually agreed procedures for land acquisition
 - Articles 12-16 on temporary acquisition
 - Articles 21, 27 on provisions for land acquisition

3.2 3.2. Land Ownership and Categorization within the Yemeni Law

Land ownership is based mainly on the principles of Islamic law (Shari'a law). The main types of land include:

Privately Owned Land (*mulk*): Privately owned land (*mulk*), covers all lands held in private ownership, urban or rural, which is neither *waqf* (inalienable religious endowment or trust) nor *miri* (state owned land). It is subject to Sharia Law which dictates that the direct descendants of the rightful owner will inherit the land on the death of the owner, and if this is not possible others in the agnatic line may inherit it. Private land may be Freehold, in which case certain interests are owned in perpetuity, or Leasehold, where certain interests are for a specific period.

Privately owned land is administered under customary law through a "Title Deed", or other contractual document, signed by a religious authority or a sheikh. While this practice provides for the availability of information on tenure, boundaries and other features, there is often conflict between these documents and the details shown in cadastral records. Private land property is also governed by Constitutional and the Civil Law, as indicated in table.

³ The information provided in this section on national legislation draws from various RFs prepared for other World Bank supported projects in Yemen and from FAOLEX, an online FAO legal repository.

Table 1. Yemeni Legislation Governing Private Land Property	
Constitution	<p>Article 20. Public appropriation of property is forbidden. Private appropriation is unlawful without judicial decision.</p> <p>Article 7 Paragraph (c). “Private property shall be respected and protected. Actions contrary to what have been stated will be taken if and only if it is absolutely necessary and is in the best common interest and against fair compensation in accordance with the Law.”</p>
Civil Law	<p>Article 1159. The article does not give the right to anyone to deprive any other of his property except in accordance with the provisions of jurisprudence and the procedures described therein, and against fair compensation in accordance with the law.</p> <p>Article 1154. “Only the owner of the entity can benefit from it, use it and exploit it as he wishes but within the limits of the provisions of the Jurisprudence laws.”</p>

Despite legislation, practical application of these laws to private land management issues faces many challenges. Namely, there is:

- No complete inventory of privately owned land;
- Growing confusion over communal land and privately owned lands, which creates conflict;
- A trend toward increasing private appropriation of communal land;
- An overlap of responsibilities between the locally-based traditional systems and the central government;
- Difficulty associated with intervention from the central government;
- Low public confidence in the Land Registry, particularly in the rural areas where owners depend on local community leaders to obtain documents/deeds; this reliance is the basis for unregistered land, and Sheiks who often experience land conflict cannot be neutral arbitrators;
- An ineffective court system overburdened with land conflict cases and the absence of defined classifications for the issues related to land acquisition in the Civil Law.

State–Owned or Government Land (*Miri*): this is defined as whatever the State or public bodies own or own in accordance with the law. Such property shall not be disposed of or confiscated. Individuals shall not be entitled to the ownership of such property if it remains public. Any other form of property shall be considered private whether owned by the State or public bodies or owned by an individual. State-owned land is discussed in Article 18 and 19 of the Constitution and Articles 118-120 of the Civil Law and Law no. 21 of 1995. Government land⁴ is land which was previously the property of the formal Royal family and was taken over by state upon the formation of Yemen Arab Republic in 1962. It consists of large areas of open land; land for military use; land on which public service buildings (schools, hospitals, and ministries) are built; and land granted by the Government for public utility (e.g. roads and streets). Table 2 indicates the relevant legislation as it relates to state-owned or government land.

⁴ Public property is defined under Article 118 of the Civil Law as: Whatever the State or public bodies actually own, or owns in accordance with the law, such property shall not be disposed of or confiscated. Individuals shall not be entitled the ownership of such property if it remained public other than this form of property shall be considered as private whether owned by the State or public bodies or owned by an individual.

Table 2. Yemeni Legislations Governing State/Government Land Property	
Constitution	<p>Article 19. Public property and assets have certain inviolability, which should be protected and safeguarded by the state and all civilians. Any infringement or transgression of such property or assets is an aggression and sabotage against society. The perpetrator of such wrongdoing shall be punished in accordance with the Law.</p> <p>Article 18. Public property, funds, assets, and property owned by the state or public body corporate, and shall be allocated to public benefit in deed or pursuant to a Law or resolution. Such funds may not be disposed of or be confiscated or put in the possession of individuals as long as these remain public. Individuals or persons may benefit from public funds according to the purposes for which they are designed and in line with the Law. Other than that, funds are private property irrespective of whether owned by the state body corporate or natural persons.</p>
Civil Law	<p>Article 118 (Defines Public Property as explained above)</p> <p>Article 119 Public Property shall lose its identity by ending the purpose for its use as Public Property, or in accordance with a law or a resolution or by ending the purpose for which it has been assigned as public utilization.</p> <p>Article 120 The State and Public Bodies may deal with its property in all forms of dealings indicated in the law. Barren lands not owned by any person shall be considered permissible to all, the State or the individual may possess ownership in accordance to what is indicated by the law. The article does not give the right to anyone to deprive any other of his property except in accordance with the provisions of jurisprudence and the procedures described therein, and against fair compensation in accordance with the law.</p>
Law No.21 (1995) concerning State Land and Real Estate	<p>Under this Law, State lands are also deemed to include the following:</p> <ul style="list-style-type: none"> • White lands: Land which is situated outside the boundaries of official urban plan and connected with surveyed lands. Such lands are situated within the structural plans of cities; • Al Muraheq Al Amma: mountains, hills and steep slopes that receive and discharge rain water and the Great Wadis through which the collected flood water runs; • Coasts: their natural protected boundaries and semi-depopulated islands; • Barren land: open or abandoned land, forests, sand areas and land covered by sand, where not otherwise the property of an individual; and • Land and estate not owned by an individual and with no inheritors according the principles jurisdictions of Sharia Law.

Communal Land: Communal land is primarily used for grazing and firewood collection. Customary law entrusts sheikhs with the management of communal lands. There is an increasing trend towards private appropriation by traditional natural leaders in villages (Sheikhs). As land speculation has increased, especially in areas close to towns, there is a growing confusion between communal land and privately owned land. Yemeni legislation dealing with communal land are shown in Table 3.

Table 3. Yemeni Legislation Governing Communal Land Property	
Republican Decrees	<p>Republican Decrees no. 170 (1996) concerning law no. 21 (1995) on Lands and Real Estate: Defines it as an annex to cultivated land if it is adjacent to it, and if the average height of the Common-Use Land is not greater than twenty degrees, or similar. If the average height of the Common-Use Land is greater than this average then the slope must be measured from the demarcation line between the Common-Use Land and the adjoining cultivated land such as mountains, mounds, and slopes that constitutes rainwater catchment areas and run-off routes. Among Common-Use Land is the ‘great rainwater run-off route’ which constitutes the main rainwater flow route into which branch routes discharge their content.</p> <p>Article 2 of the Republican Decree concerning Law No. 21 dated 1995 concerning State land and property, Article 41 of the Law referred to above Provide the following definition: “Common-Use Lands are considered to be fully and completely owned by the State.”</p>
Law No.21 (1995) Concerning State Land and Real Estate	<p>Article 43. The right of ownership of the ‘<i>Raqabah</i>’ by owners of land which is adjacent to Common-Use Land does not take effect in accordance with the provisions of the previous Article (above) until after the expiry of the common benefit rights of neighborhood in these Common-Use Lands.</p> <p>Article 44. The right to benefit from Common-Use Land or from parts of it and which is owned by the State remain to all whether for grazing or logging for firewood or others. The State cannot violate these rights except when these violations are in the best interest of all.</p> <p>Article 46. Cultivated steps that pass through Common-Use Land or those which will be constructed in future outside the limits of main cities will be considered as private property of their owners before the issue of this Law.</p> <p>Articles 163 – 165 of the Republican Decree No. 170 (1996) (the executive bylaw of the Law concerning State owned land and properties No. 21). “State Properties Authority or its offices in the governorates is to identify the State’s Common-Use Lands, fix their positions, calculate their total areas, measure their slopes and then put them on special maps. Copies of these documents and maps must then be distributed to Trustees and authenticating offices in each city, and to Property Registration offices so that no document shall be issued with regards to dealing with these lands except after securing the express permission of the State’s Properties Authority.” Those concerned should approach the Authority or its concerned office with respect to sorting and identification of Common-Use Land they are interested in accordance with the provisions of the Law mentioned above.</p>

Endowment (*Waqf*) Land: Waqf endowment means “hold, confinement or prohibition”. The word ‘*waqf*’ is used in Islam in the meaning of holding certain property and preserving it for the confined benefit of certain philanthropy and prohibiting any use or disposition of it outside that specific objective.” There are two types of Waqf: family Waqf and charitable Waqf.

Of those two types (family and charitable), you can further categorize Waqf property as follows:

- **Inner Waqf:** comprising all mosques and their land in urban areas and properties held in the rural areas whose revenues are used for the benefit of urban mosques;

- **Outer Waqf:** comprising all mosques and their land in rural areas used for the upkeep of mosques and religious institutes in villages; and
- **Private Waqf:** land in private ownership where a portion of income is donated for religious purposes and remains an encumbrance on the land in perpetuity.

Legislation addressing endowment/Waqf land are covered in Table 4.

Table 4. Yemeni legislation dealing with endowment or Waqf land

Constitution	Article 22. Endowments have sanctuary rights, and those responsible for it have the duty of improving and developing their resources in a manner that fulfills its objectives and the jurisprudence requirements.
Waqf law no. 23 (1992) and Estates Republic Decree No. 99 (1996)	Defines leasing of Waqf Lands.

Agricultural Land: is defined as actual cultivated land or lands which are prepared for cultivation. Legislation regulates the management of agriculture lands, as detailed in Article 7 of the Constitution and Articles 527, 756, 1159, 761, 765 and 770 of the Civil Law, as shown in Table 5.

Table 5. Yemeni Legislation Governing Agricultural Land

Constitution	Article (7) paragraph (c). Private property shall be respected and protected and shall not be infringed except when justified by necessity and for the public interest, this shall be in return for a fair compensation according to the law. (This legislation applies to urban land, not rural areas).
Civil Law	<p>Article 527. Registering the contracts emphasizes that in selling lands, ownership as a result of sale shall not be transferred between the contractees or for others except from the time when the deed of sale is registered in the records prepared for this purpose and in accordance with the special laws.</p> <p>Article 756. Permits the leasing of agricultural lands and other type of lands according to the consent of the contractees.</p> <p>Article 1159. It is not permissible for anyone to deprive any other person from his rightful property except when it is allowed by the jurisprudence law (Islamic Law) and in a manner stated in this law and with a fair compensation.</p> <p>Article 761, 765 and 770. Defines the terms plantation, farming and irrigation respectively.</p>

Land for Neighbourhood Rights: Yemen Civil Law, Article 1161, explains what is meant be neighbourhood rights by stating that an owner must not exercise his rights excessively to the extent of causing harm to the property of his neighbour, nor should the neighbour blame his neighbor for any unavoidable harm that may suffer due to being neighbours. This is regulated by Articles 1161, 1163 and 1164 of the Civil Law as shown in Table 6.

Table 6. Yemeni Legislation Governing Neighbourhood Rights

<p>Civil Law</p>	<p>Article 1161. Explains what is meant by neighborhood rights, as above.</p> <p>Article 1163. If an owner builds a water duct or canal in his property, then it does not become permissible for his neighbors to use unless after reaching an agreement. Thereafter if what has been agreed upon is implemented, the participation of the neighbors with the owner in the cost of construction and maintenance are indications of the satisfaction of the owner.</p> <p>Article 1164. The owner of a land must allow sufficient water to flow through his land to irrigate pieces of land that are far from the source of water, or to allow the flow of surplus water for discharge into a nearest discharge point, against fair compensation. If a piece of land through which passes a water stream suffers harm or damage then the owner has the right to demand a fair compensation for suffering such harm or damage. While, on the other hand, an owner who has through his land right of flow or discharge cannot prohibit the normal flow even if it causes harm.</p>
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Laws Governing Squatters: Squatters are those who undertake control of any lands or estates which are owned by the State. The most important law which deals with squatters and their rights is Law no. 21 (1995) on Land and Real Estate, particularly under Articles 58 and 59 as shown in Table 7.

Table 7. Yemeni Legislation Governing Rights of Squatters

<p>Law No.21 (1995) on Land and Real Estate</p>	<p>Article 58. Every normal or legal person has undertaken controlling before the issuance of this Law for any Lands or Estates which are owned by the State, is considered aggressor and shall be punished by the punishment which is stipulated in the Article No (48) of this Law, and it shall be exempted from this punishment everyone has initiated by writing informing the Authority for what he/she is controlling provided that the informing shall contain statement of the Land Site, its area and any another information, and what has been created in this Land by him/her after the aggression, during a maximum period of three months begins from the announcement date which is issued by the Authority through the different media, anyone has delayed of this deadline would be treated as aggressor on what he/she is controlling of Lands and the Authority in coordinating with the security and judiciary bodies shall undertake the ensuring measures for recovering the land by legal methods and pursuit the aggressors and handing them to the judiciary.</p> <p>Article 59. Every one of those controllers has informed the Authority on time according to the Provisions of Previous Article, the right for purchasing or renting for the land, which is controlled by him/her. If the land use was contrary of the detailing designs, he/she has the right to get another plot as alternative in the area to fulfill the objective of the previous land use, which he/she was intending to implement this objective as much as possible, and it a Technical Committee shall be formed for estimating the selling or renting prices of these Lands according to the principles and standards which shall be set forth by the Minister's Decree for formation the Committee with due consideration of the situations of limited income holders.</p>
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Other Types of Land:

- *Barren Lands:* defined as open left lands or lands that are deserted;

- *Desert Lands*: sandy lands, or lands that are covered with a sandy layer;
- *White Land*: lands that are situated outside the boundaries of the detailed plans and that are connected with surveyed lands, such lands are situated within the structural plans of cities;
- *Al Murafeq Al Amma*: mountains, hillocks, and inclinations that receive and drain rain water. The Great Wadis through which the collected flood water runs are considered as part of Al Muraheq al Amma.

Land Acquisition Procedures: Table 8 depicts the land acquisition procedures and relevant Yemeni laws related to each method of expropriation.

Table 8. Types of Land Acquisition Procedures			
Administrative Acquisition	Judicial Acquisition	Amicable/Mutually Agreed Acquisition	Temporary Acquisition
Dealt with through Articles 4 & 5 of Law no. 1 (1995)	Dealt with through Articles 7-11 of Law no. 1 (1995)	Dealt with through Article 6 of Law no. 1 (1995)	Dealt with through Articles 12-16 of Law no. 1 (1995)

3.3 National Institutions Regulating Land Acquisition

General Authority for Land Survey and Urban Planning (GALSUP): Subject to law of Land and Real Estates no. 21 of 1995, the General Authority for Land Survey and Urban Planning (GALSUP) was established under the Presidential Decree no. 35 of 2006 which merged the Survey and Notary Public Authority with Planning Department (formerly an affiliate of General Works & Roads) in General Authority for Land Survey and Urban Planning (GALSUP) which became responsible for all land related tasks; planning, preparation, concession/ownership contracts, notarization and executing expropriation process with assistance from technical experts contracted by the concerned ministry. GALSUP encompassed the following departments:

- **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 of the estate property in the owner's name, priorities, and facilities;
- **Control and Inspection Department:** This is one of the important offices for its daily follow-up and control of any violations, whether infringement upon state land, building on unplanned land/without licenses. It imposes fines and refers the violators to the prosecution.

Under Decree 35 of 2006, GALSUP is responsible for executing expropriation process with assistance from technical experts contracted by the concerned ministry. The Authority will appoint an 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.

The Ministry of Public Works and Highways (MoPWH): 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.

The Ministry of Finance (MoF): The Department of Public Domain maintains urban land records such as registers of transactions, sales, and purchase leases.

Local Councils: According to the Local Administration Law no. 4 (2002), the Local Councils represent the executive authority on the level of governorates. According to this law, the administrative bodies at the governorates or directorates, represented by the elected members of the Local Councils in addition to the Governor or the General Secretary of the governorate or the directorate are authorized to plan, prepare budgets, and manage human resources and infrastructure various project including any associated resettlement that might be encountered. They are represented by governors. They play a role in the control of resettlement processes. A significant role was played by the executive authorities in organizing the resettlement process (involving IR) in many previous cases in Yemen.

Additional Mechanisms: Under Articles 18-20 of the Law of State Lands & Real Estates (1995), the Minister of Justice established a permanent or temporary Estimation Committee (EC) in every governorate (or for each individual case) comprised of 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. When assessing compensation, the EC will therefore take 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.

In accordance with Article 59 of the Real Estates 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. For all, compensation payments are to be made prior to commencement of the project works.

Local authorities in some governorates like Hadramout and Aden also initiated local resettlement committees (LRCs) which included, inter alia, representatives of the local authorities, owners' representatives, and some community leaders. The LRCs objective was to find solutions for resettlement cases, both those that have already been done as well as potential cases. Their assistance was focused on individuals who have no legal documents (squatters). Efforts were made to compensate those individuals by providing them with access to appropriate sites with basic services. These procedures and efforts had a positive impact on the resettlement process for those individuals.

3.4 Gaps Analysis between the ESF and Yemeni National Legislations

While much of the Yemeni legislation aligns with the spirit of both the World Bank, UNDP, FAO, SFD and PWP safeguards concerning resettlement and displacement, gaps predominately relate to the practical application of the national laws. The table, below, provides an overview of gaps and ways forward.

ESF REQUIREMENTS (World Bank, FAO and UNDP)	Applicable National Laws	Gaps and gap filling measures that will apply
<p>Affected persons includes all those affected by the project with respect to economic and/or physical displacement, regardless of size of damage</p>	<p>Law no. 21 of 1995 considers affected persons to be “legal owners and squatters”</p>	<p>Gap: Differing definitions of affected persons.</p> <p>Recommendation: adoption and including of the ESF is recommended.</p>
<p>To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives. Avoid forced eviction.</p>	<p>Yemeni Constitution: article 7c: Protection and respect for private ownership, which cannot be confiscated unless necessary in the public interest, in lieu of fair consideration and in accordance with Law.</p> <p>The Public Eminent Domain Law (Law 1 of 1995) clearly states that property and/or land expropriation is to take place only when no suitable public land alternative is available and fair compensation should be provided.</p> <p>Article 1166 of the Civil Code no. 19 of 1992 states that no one can be deprived of property except according to various relevant laws and in exchange of fair compensation.</p>	<p>Gaps: No Gap. National requirements and ESF objectives are aligned and complement each other. All implementing agencies and implementation partners will apply both the ESF and the national requirements.</p>

ESF REQUIREMENTS <i>(World Bank, FAO and UNDP)</i>	Applicable National Laws	Gaps and gap filling measures that will apply
<p>To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher</p>	<p><u>Yemeni Constitution: article 7c:</u> Protection and respect for private ownership, which cannot be confiscated unless necessary in the public interest, in lieu of fair consideration and in accordance with Law.</p> <p><u>The Public Eminent Domain Law (Law 1 of 1995)</u> clearly states that property and/or land expropriation is to take place only when no suitable public land alternative is available and fair compensation should be provided.</p> <p><u>Article 1166 of the Civil Code no. 19 of 1992</u> states that no one can be deprived of property except according to various relevant laws and in exchange of fair compensation.</p>	<p>Gaps: Both Yemeni Laws and the World Bank agree on the need for compensation for any land and structure affected by project activities. Under Yemeni laws, the value of the affected land or structure is assessed by the Estimation Committee (EC) and compensation is made prior to displacement. FAO and World Bank safeguards provide guidance on methods to calculate land and/or structure compensation rates and requires evidence that these rates are consistent with full replacement value. The ESF also clarifies that payment should be made prior to displacement, land acquisition, or before any civil works begin. Previous experience suggests valuation is often substantially below full market replacement value because no real valuation is done. There is a lack of experience, and the value of equivalent real estate is not properly identified.</p> <p>Recommendations: Follow ESS5, UNDP SES 5, FAO’s ESS6 and the VGGT with calculation of compensation at full replacement cost. Payment should be made prior to displacement in all cases.</p>
<p>To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.</p>	<p>N/A</p>	<p>Recommendation: Adopt and integrating ESF requirements.</p>

ESF REQUIREMENTS (World Bank, FAO and UNDP)	Applicable National Laws	Gaps and gap filling measures that will apply
<p>To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.</p>	<p>N/A</p>	<p>Recommendation: Adopt ESF requirements.</p>
<p>To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.</p>	<p><u>Yemeni Constitution: article 7c:</u> Protection and respect for private ownership, which cannot be confiscated unless necessary in the public interest, in lieu of fair consideration and in accordance with Law.</p> <p><u>Law no. 21 (1995);</u> According to Law no. 21 of 1995, PAPs should be informed about the resettlement decisions through the compensation committees that negotiate with them and gather information about asset inventory, number of family members, etc.</p> <p><u>Election Law.</u></p> <p><u>Local Administration Law.</u></p>	<p>Gaps: The Yemeni Constitution, Election Law, and Local Administration Law each recognize the importance of community participation, but no specific procedures or guidelines on the practical application of community participation are given. On the other hand, the ESF is explicit about treatment of displaced persons and their communities, including the need for timely and relevant information, consultation, provision of resettlement options, and opportunities to participate in planning, implementing, and monitoring of the resettlement. Community participation, thus, is perceived as a key ingredient in the process of resettlement.</p> <p>Recommendations: As the national law does not make explicit the need to consult iteratively with the affected persons, thus UNDP, FAO, SFD and PWP will apply the more stringent ESF consultation and disclosure requirements.</p>

ESF REQUIREMENTS (World Bank, FAO and UNDP)	Applicable National Laws	Gaps and gap filling measures that will apply
<p>A grievance mechanism (GM) is made available in an accessible format and is well advertised, with the GM fully functioning prior to implementation of activities and time-bound commitments to processing and addressing grievances in a clear and transparent manner, including a separate GM (as needed) for (i) labour directly employed by the project; and (ii) sexual exploitation and abuse (SEA).</p>	<p>Under Article 51 of the Constitution, any citizen may resort to the court for the protection of his right and legitimate interests, and is entitled to lodge complaints, criticisms, and suggestions to state entities and organizations, directly or indirectly. The Yemeni law provides for the right of grievance before committees/courts. 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>	<p>Gaps: There is need for proper and practical mechanism to address PAP grievances.</p> <p>Recommendations: As such, a project-level GM will be used to ensure accessibility and full cooperation from various stakeholders. Grievances should be heard prior to resettlement.</p>

4. Steps to Develop a Resettlement Plan

4.1 Process for Preparing and Approving Resettlement Instruments

When a sub-project's final engineering design and site is made available, the scale and severity of its impact on livelihoods – including physical and economic displacement (including any squatter or encroachers) – will be assessed and determined by the UNDP and FAO's Environmental and Social Safeguards Specialists and team. For example, access to natural resources might be restricted, land may be acquired, and livelihoods could be negatively affected. When these possibilities are apparent, UNDP and FAO will gather information on potential PAPs and their assets and assess ant subproject' ESMP. The information will be used to: (i) determine the applicability of the World Bank's ESS5, UNDP's SES 5 and FAO's ESS6; (ii) identify potential PAPs and vulnerable groups in the project areas; (iii) establish baselines for evaluating income restoration and/of housing replacement measures; and (iv) design technically feasible and socially acceptable alternatives and resettlement plans. This requires the UNDP and FAO's Environmental and Social Safeguards Specialists to conduct studies to document existing conditions in the early stages of each subproject preparation, in consultation with the PAPs, in coordination with SFD, PWP and SMEPs. These studies will include the following depending on specific situations and local contexts.

Where land acquisition or restrictions on land use are unavoidable in a sub-project, this process would begin with conducting a census as part of the sub-project's environmental and social assessment. The census would identify the persons who will be affected by the sub-project. Using the census, UNDP and FAO will establish an inventory of affected land and assets which will determine eligibility for compensation and assistance and discourage ineligible persons (e.g. opportunistic settlers) from claiming benefits. The social assessment, which is part of the RP, will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users. In conjunction with the census, FAO will establish a cut-off date for eligibility. Information regarding the cut-off date will be well-documented and disseminated throughout the sub-project area at regular intervals in written and (as appropriate) non written forms and in relevant local languages, keeping in mind that much of the population is illiterate. Notification may include posted picture/text warnings that persons settling in the project area after the cut-off date may be subject to removal.

For components (notably Component 1) requiring construction and rehabilitation works, UNDP and/or FAO, in coordination with SFD, PWP, SMEPs and other national agencies, including the Ministry of Agriculture and Irrigation (MAI), will prepare the Land Acquisition Status for each subproject site and inform the Bank of the project's intention to acquire land. The relevant implementation agency for that sub-project would then also commence preparation of the RP, if needed. Upon preparation of the RP, the World Bank would ensure that the RP is in accordance with ESS5 requirements.

If it is determined that a RP is required, the RP must address the physical and/or economic displacement identified for the subproject, depending on the nature of the impacts expected. The project may use alternative nomenclature, depending on the scope of the resettlement plan; for example, where a project involves only economic displacement, the resettlement plan may be called a "livelihood plan" or where restrictions on access to legally designated parks and protected areas are involved, the plan may take the form of a "process framework" and will be prepared as a separate instrument and for site specific subproject, the required instrument will be the RP. The scope of requirements and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement and will be discussed and reviewed by the UNDP and FAO with their project partners. An overview of the key elements for a RAP are provided in Annex 1. The RAP should be based on up-to-date and reliable information about (a) the proposed subproject and its potential impacts on the displaced persons and other adversely affected groups; (b) appropriate and feasible mitigation

measures; and (c) the legal and institutional arrangements required for effective implementation of resettlement measures.

As the RP is proportionate to the risks and impacts associated with a given sub-project, note that:

- For sub-projects with minor land acquisition or restrictions on land use and no significant impact on incomes or livelihoods, the RP will establish eligibility criteria for affected persons, set out procedures and standards for compensation, and incorporate arrangements for consultations, monitoring and addressing grievances;
- For projects causing physical displacement, the plan will set out the additional measures relevant to relocation of those affected persons;
- For projects involving economic displacement with significant impacts on livelihoods or income generation, the plan will set out the additional measures relating to livelihood improvement or restoration; and
- For projects that may impose changes in land use that restrict access to resources in legally designated parks or protected areas or other common property resources on which local people may depend for livelihood purposes, the plan will establish a participatory process for determining appropriate restrictions on use and set out the mitigation measures to address adverse impacts on livelihoods that may result from such restrictions.

4.2 Principles and Policies for Compensation, Support, Resettlement, and Livelihood Restoration

It is not foreseen that much (if any) acquisition of land will occur under the project, as the SFD, PWP and SMEPS interventions will be built predominantly (if not entirely) on government land. That said, in instances where displacement does occur, all projects affected people (PAP) who have assets within or reside within the identified area before the cut-off date stipulated by UNDP, FAO and WFP and are entitled to compensation for their losses. Those who have lost their income and/or subsistence will be eligible for livelihood rehabilitation assistance based on the criteria of eligibility defined by the project in consultation with the PAPs. The compensation rates will be determined based on the results of independent appraisal of the land/crops/assets (associated with the land) in a timely and consultative manner. All fees and taxes on land and/or house transfers will be waived or otherwise included in a compensation package for land and structures/or houses or businesses. The local authorities will ensure that any PAP choosing relocation on their own obtains, without additional costs, the necessary property titles, and official certificates commensurate with similar packages provided to those who chose to move to the subproject resettlement sites (if applicable).

Land will be compensated “land for land”, or in cash, according to the PAP’s choice, whenever possible, and with no PAP – or any poor and/or vulnerable peoples – losing more than 10% of their productive land. If land is not available, the Project Coordination Unit (PCU) must assure itself that this is indeed the case and assist, instead, with livelihood restoration activities.

PAPs who prefer “land for land” will be provided with land plots with the equivalent productive capacity for lost lands or a combination of land (a standard land plot) in an area nearby and cash adjustment for the difference between their lost land and the land plot provided. The resettlement area will be planned properly and implemented in consultation with the PAPs.

PAPs who prefer “cash for land” will be compensated in cash at the full replacement cost. These PAPs will be assisted in rehabilitating their livelihoods and making their own arrangements for relocation. Compensation for all residential, commercial, or other structures will be offered at the replacement cost, without any depreciation of the structure and without deduction for salvageable materials. Structures shall be evaluated individually. Any rates set by category of structure must use the highest value structure in that group (not the lowest).

Households which are economically displaced as a result of construction (temporary impact) will be compensated for based on the replacement costs principle. For households which are physically displaced (e.g. displaced from existing residential land), the FAO, UNDP, WFP, SFD, PWP and SMEPS and any implementation partners need to conduct consultations and agree upon solutions to assist with new shelters for affected households. For households which are displaced from their homes but are still capable of building a new house on the remaining land (i.e. not fully displaced), the general policies of the project in accordance with the agreed entitlement matrix will be applied.

The PAPs will be provided with full assistance (including a transportation allowance) for transportation of personal belongings and assets, in addition to the compensation at replacement cost of their houses, lands and other properties.

Compensation and rehabilitation assistance must be provided to each PAP at least 30 days prior to the taking of the assets for those who are not to be relocated, and at least 60 days prior for those who will have to be relocated. Exceptions should be made in the case of vulnerable groups who may need more time.

If, by the end of the project, livelihoods of affected household have not been yet restored to pre-project levels, additional measures will be provided. Additional efforts, such as economic rehabilitation assistance, training, and other forms of assistance, should be provided to PAPs losing income sources, especially to vulnerable groups, in order to enhance their future prospects toward livelihood restoration and improvement, if not already supported and covered under Component 1 or other components of the project.

Compensation Policy Guidance: All PAPs who are identified in the project-impacted areas on the cut-off date will be entitled to compensation for their affected assets, and rehabilitation measures sufficient to enhance, or at least restore their livelihoods in real terms relative to pre-project levels; and to improve the standards of living of the affected poor and other vulnerable groups. The cut-off date will be the date indicated by UNDP, FAO, WFP, SFD, PWP and SMEPS when they prepare and disclose the Land Acquisition Status. A census survey will be done before the cut-off date is announced to establish a list of potential affected households. Those who encroach into the investment area or build new assets (rehabilitation, construction of houses/structures, new tree planting) after the cut-off date will not be entitled to compensation or any other assistance.

i. Guidance on Compensation for Permanent Impacts

For Transfer of Government Land

Government owned land which is not owned by MAI must be obtained through a Voluntary Land Donation agreement (Letter of Agreement). The Voluntary Land Donation agreement would involve the ministry donating the land and MAI as the recipient and must be endorsed by the land survey authorities.

For Loss of Agricultural Land

Legal land users: This project will not acquire more than 10% of land from any given PAP (with the exception of government land). If the lost area represents less than 10% of a Household's (HH's) land holding and the remaining area is economically viable, compensation in cash will be at 100% replacement cost for the lost area.

If the lost area represents 10% of the HHs' land holding or the remaining area is economically not viable, then "land for land" compensation should be considered as the preferred option. If no land is

available, then FAO, UNDP, WFP and implementing partners must demonstrate this to the World Bank's satisfaction before proceeding.

If land is not available, or if the PAP prefers cash compensation, then cash compensation will be provided for the lost area at 100% of land replacement cost, and the PAP will be provided with rehabilitation measures to restore the lost income sources, such as agricultural extension, job training, provision of non-agricultural land at a location appropriate for running off-farm business or services. If the PAPs wish, and there is land of similar value elsewhere, the project should also assist these PAPs to visit these areas and help with legal transactions should they wish to acquire them. For agricultural land lying intermixed with residential areas, and garden- and pond-land lying adjacent to residential areas, apart from compensation at the price of agricultural land having the same use purpose, monetary support shall also be provided; with the prices for such support being equal to between 50% and 70% of the prices of adjacent residential land; and with the specific support levels being decided by the local authorities to suit local conditions.

Users with temporary or leased rights to use communal/public land (PAPs who rent communal or public land): Cash compensation at the amount corresponding to the remained investment put on the land or corresponding to the remained value of the land rental contract if it exists. For PAPs currently using land assigned by State-owned agricultural or forestry farms on a contractual basis for agricultural, forestry, or aquaculture purposes (excluding land under special use forests and protected forests), compensation shall be provided for investments made on the land, but not for the land itself, and these PAPs will also receive additional support for income rehabilitation if they are directly involved in agricultural activities as per Government's regulations. Where PAPs receive land on a contractual basis but are other than the individuals specified as above, they shall only receive compensation for investments made on the land.

Land Users who do not have formal or customary rights to the affected land: In cases where the land is rented through civil contracts between individuals, households, or organizations, then the compensation for crops, trees or aquaculture products will be paid to the affected land users and the PCU shall assist the renter to find similar land to rent.

In cases when PAPs utilize public land (or protected areas), with an obligation to return the land to the Government when requested, the PAPs will not be compensated for the loss of use of the land. However, these PAPs will be compensated for crops, trees, structures, and other assets they own or use, at full replacement cost.

The social and baseline assessment should consider whether a physical impediment caused by the Project (such as a new public safety restriction) will impose additional costs on PAPs, and whether additional compensation is required to offset these costs.

For Loss of Residential Land

Loss of residential land without structures on it: for legal and/or legalizable land users, all compensation for loss of land will be made in cash at full replacement cost. For land users who have no recognizable land use right, financial assistance will be provided. The amount will be determined by the respective local authority/EC.

Loss of residential land with structures built thereon, where the remaining (non-acquired) land is adequate to rebuild the structure (reorganizing PAP): Compensation for loss of land will be made in cash at either: (i) full replacement cost for legal and legalizable land users; or (ii) financial assistance of an agreed amount, provided to land users **who do** not have recognizable land use rights.

Loss of residential land with structures built thereon, and the remaining land is not adequate to rebuild the structure (relocating PAP): For PAPs who have legal or legalizable rights to the affected land, they should be offered either:

- A land plot of equivalent size and quality, in a well-developed resettlement site. Where land is not available, an apartment will be provided to the PAP. This will be done in consultation with the PAP. Full ownership title to the land or apartment will be given at no cost to the PAP; or
- Cash compensation at full replacement cost, plus the amount equivalent to the value of the infrastructure investments calculated as an average for each household in a resettlement site (this latter option being determined on request of and with full consultation with the PAP). In this case, the household will be expected to relocate themselves.

In the event that the compensation amount to be paid is less than the cost of a minimum land plot/apartment in the project's resettlement site, PAPs will be given the support needed to allow them to acquire the new land plot/apartment at no additional cost to them. If a land plot/apartment in the resettlement site is not PAP's chosen option, a financial assistance, equivalent to the difference in the value of the chosen and received land plot/apartment will be provided to them.

For PAPs who do not have formal or customary rights to the affected land, they should be offered:

- Financial assistance of an amount to be determined by the local authorities/EC; or
- If the PAP has no place to move, a land plot or an apartment satisfactory to the PAP, located within the resettlement site, where they can either pay or rent for living.

In case the relocated PAPs belonging to poor or vulnerable groups or households, additional assistance (in cash and kind) will be provided to ensure that they are able to fully relocate to a new site.

For Loss of House/Structures

Compensation or assistance in cash will be made for all affected private-owned houses/structures, at 100% of the replacement costs for materials and labor, regardless of whether or not they have title to the affected land or a construction permit for the affected structure. The compensation/assistance amount will be sufficient to rebuild the affected house/structure of the same quality. As per ESS5, cash compensation will be at full replacement cost in local markets. No deductions will be made for depreciation or salvageable materials.

If the house/structure is partially affected, a financial assistance will be provided to enable PAPs to repair the affected house/structures to restore it to the former condition, or better, at no additional cost to them.

Tenants: Tenants of state-owned or organization-owned houses will be: (i) entitled to rent or buy a new apartment of an area at least equal to their affected ones. The affected structures built at the PAP's own costs will be compensated for at full replacement costs. Tenants who are leasing a private house for living purposes will be provided with transportation allowance for moving assets and will be assisted in identifying alternative accommodation.

For Loss of Standing Crops, Trees, and/or Aquaculture Products

For annual and perennial standing crops, trees, or aquaculture products, regardless of the legal status of the land, cash compensation at full replacement cost will be paid to the affected persons who cultivate the land. The compensation will be sufficient to replace the lost standing crops, trees, or aquaculture products at local market rates. Perennial crops or trees will be compensated at a rate calculated on their lifetime productivity. Where affected trees can be removed and transported, compensation will be paid for the loss of the tree plus the transportation cost.

For Loss of Income and/or Business/Productive Assets

For PAPs losing income and/or business/productive assets because of land acquisition, the mechanism for compensation will consist of:

-
- **Allowance for employees who are affected by acquisition of residential/commercial land, public land, or enterprise land:** Allowance equivalent to the minimum regulated salary of the affected employees during the transition period which can last up to a maximum of 6 months. Assistance in finding alternative employment will also be given.
- **If the business must be relocated:** the project will assist in finding an alternative site with location advantage and physical attributes similar to the land lost, and with easy access to a customer base, satisfactory to the PAP. Alternatively, the PAP will receive compensation in cash for the affected land and attached structures at replacement cost, plus transportation allowance for movable assets.

Compensation for Other Assets

If the affected households are equipped with a telephone system, water meter, electric meter, cable TV, internet access (subscription), or other services, they shall be compensated according to the unit price of installing new units, providing a service announcement, and/or relocation costs due to service provider regulations.

Compensation for Loss of Public Structures

In cases where community infrastructure such as schools, factories, water sources, roads, sewage systems, medical centers, distribution/transmission, communication, and fiber cable are damaged and the community wishes to reuse them, the project will ensure that these are restored or repaired at no cost to the community. Public infrastructure directly related to people's livelihoods and developmental needs, such as irrigation canals, school, clinic, etc. will be restored/rebuilt to pre-project or higher quality levels or compensated at replacement cost, as determined through consultation with the affected community.

ii. Guidance on Compensation for Temporary Impacts during Construction

When PAPs are adversely impacted by project works on a temporary basis, they are entitled to:

- Compensation for all affected assets/investments made on the land, including trees, crops, etc., at full replacement cost; and/or
- Cash compensation for rental loss, which is at least equivalent to the net income which would have been derived from the affected property during the period of disruption.

Damages caused by contractors to private or public structures:

Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works. Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to repair the damage and may also be required to pay compensation to the affected families, groups, communities, or government agencies at the same compensation rates that are applied to all other assets affected by the Project.

Public structures may include, but are not limited to, community infrastructure, such as schools, bridges, factories, water sources, roads, sewage systems. As such, if damaged, the project will ensure

that these will be restored or repaired at no cost for the community and be done to a standard that meets the community's satisfaction.

Any other impacts that may be identified during implementation:

Any other impacts identified during project implementation will be compensated in accordance with the principles of this RF which will be applied to all implementing agencies and project implementation partners. Any disruption of business will be compensated in accordance with the principles of this RF. Households whose income generation activities, or livelihoods are temporarily and negatively impacted by construction will be compensated for at replacement costs principle.

iii. Guidance on Allowances and Rehabilitation Assistance

Besides the compensation for affected assets, PAPs will be provided with financial assistance to cover their expenses during the period of transition, which can last for a maximum of six months. The assistance levels will be adjusted, considering inflation factor and price increase to be appropriate to the payment time. They include, but are not limited to assistance for:

Impacts on Residential Land

Transportation Allowance to relocating PAP: the level of support required to assist with transportation will be determined by the local authority.

Removal Support: Organizations and PAPs that are allocated or leased land by the state or are lawfully using land and must relocate their productive and/or business establishments are entitled to financial support for the dismantling, relocating, and re-installing of their establishment. Support levels will be determined by actual costs at the time of removal, based on self-declaration of the organizations and verification by the agency in charge of compensation. This will then be submitted to the relevant authorities for approval.

House Renting Allowance or temporary accommodation: will be provided to PAPs who may be forced to relocate from their original homes and are still awaiting the replacement land plots or apartments. In the case of replacement land plots, the rental allowance will extend to the period during which the new house is being built.

Impacts on Agricultural Land:

Allowance for Loss of Livelihoods (during transition period)⁵: poor and more vulnerable groups of PAPs losing 10% of their agricultural landholding will be given compensation for as either food, cash, or agricultural assistance (e.g. technical assistance, inputs, etc.), depending on the size of the land, at a rate to be determined during the RAP of the given sub-project, to be provided per person, per month, for six months if they do not have to relocate, and for up to 12 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided for a maximum of 24 months. In case of land-for-land compensation, PAPs will be assisted with seedlings, agricultural-forestry extension programs, animal husbandry, etc.

Alternative forms of livelihoods support, if not already provided under Project Components 1 & 2 (e.g. cash for work, livelihood diversification, etc.), may be considered. Examples from other agricultural investment project have included the following:

⁵ Only applicable if the PAP is not already benefiting from the Cash for Work and/or livelihood diversification activities under project Components 1 and 2.

Alternative forms of livelihoods support, if not already provided under Project Components 1 & 2 (e.g. cash for work, livelihood diversification, etc.), may be considered. Examples from other agricultural investment project have included the following:

- **Support for Skill/Job Change:** Offering a range of training options in consultation with the affected PAPs and relevant to the market demand and needs of the area. The financial compensation could range from 1.5-5 times the agricultural land prices established by the local authorities/EC of the acquired agricultural land, but subject to the local limits based on national legislation.
- **Support for training, apprenticeships on vocational training establishments:** At least one member of each affected household could be offered vocational training and assistance in getting employment. The PAPs participating in such training programs would then be exempt from payment of tuition fees. After finishing training courses, they would be given priorities to be recruited in local manufacturing industries.
- **Assistance for agricultural, garden and pond land adjacent to, but not included in the category of residential land:** Additional assistance (equivalent 40% of the cost of compensation for the adjacent residential plot) for garden land and pond land; and (at 50% of the cost of compensation for the adjacent residential plot) for agricultural land.

Other examples and types of allowances/assistance:

Repair Allowances: If a house/structure is partially affected and the remaining structure is viable for continued use, the project would provide a repair allowance to enable PAPs to restore it to former or better conditions.

Relocated households which are eligible for resettlement but choose to self-accommodate: an amount to support infrastructural investments (cost/m²) may be provided, where the land area to support is the actual recovery land but not exceeding the limit of land allocation in accordance with regulations.

Education support: Households relocating with school-going children will be supported with contributions towards tuition feeds.

Apart from the assistance mentioned above, based on the actual situation, the Project may consider other forms of support to secure life stabilization, culture, production, and livelihoods of PAPs.

5. Affected Persons, Eligibility, and Entitlements

Project Affected Persons: Project affected persons (PAPs) are directly affected by the project through the loss of land, residence, other structures, business, assets, and/or access to resources/assets. Specifically, they are persons whose:

- Agricultural land will be affected (permanently or temporarily) by the Project;
- Residential land/houses will be affected (permanently or temporarily) by the Project;
- Leased-houses will be affected (permanently or temporarily) by the Project;
- Businesses, farming activities, occupations. or places of work will be affected (permanently or temporarily) by the Project;
- Crops (annual and perennial)/trees will be affected in part or in total by the Project;
- Other assets or access to those assets will be affected in part or in total by the Project; and
- Livelihoods will be impacted (permanently or temporarily) due to restriction of access to protected areas by the Project.

Vulnerable Groups or Households: vulnerable groups of households will generally include:

- Poor and near poor households as identified by the national government and local authorities;
- Landless and land poor households who have limited productive land (this will be determined by the minimum amount of farmland needed to be a viable farmer in the project area);
- Ethnic minority households;
- People with disability or people in poor physical health; infants, children, and women without assistance;
- Poor, women-headed households, or women-headed households with dependents and with no other support;
- Food insecure households as per international reports;
- Other PAPs identified by the PCU and who may not be protected through national land compensation or land titling; and/or
- Any additional groups identified by the socio-economic surveys and meaningful public consultations.

Eligibility Criteria for PAPs: The World Bank's ESS5 defines three categories of PAPs who are eligible for coverage under ESS5:

1. Those who have formal legal rights to land or assets (including customary and traditional rights recognized under the laws of the country – in which case, it is also useful to document for how long they have been using the land and associated assets);
2. Those who do not have formal legal rights to land or assets at the time the census begins, but have a claim to such land or assets recognized under national law (such claims could be derived from adverse possession or from customary or traditional tenure arrangements); and/or
3. Those who have no recognizable legal right or claim to the land or assets they occupy or use.

While people in all three categories are entitled to assistance under ESS5, the nature of assistance may vary. For example, persons covered under (i) and (ii) may be provided compensation for the land they lose, as well as other assistance. Persons covered under (iii) are provided resettlement assistance in lieu of compensation for the land they occupy, as well as other assistance, as necessary, to achieve the objectives set out in ESS5 of the World Bank, UNDP's SES5 and FAO's ESS6, so long as these persons were occupying the project area prior to the cut-off date established by UNDP, FAO and implementing partners and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not

entitled to compensation or any other form of resettlement assistance. All persons included in (i), (ii), or (iii) are provided compensation for loss of owned or used assets other than land (see table 9 below).

Table 9: Entitlement Matrix

Type of Loss	Entitled Person(s)	Entitlement
Land loss (resulting in physical and/or economic displacement)	<ul style="list-style-type: none"> • Who have formal legal rights to land or assets (including customary and traditional rights recognized under the laws of the country • Who do not have formal legal rights to land or assets at the time the census begins, but have a claim to such land or assets recognized under national law 	<p>Compensation for the land lost (either financial or physical replacement of valuable assets) and other assistance (e.g. supporting livelihoods activities, which are provided for/covered within the project itself in order to mitigate economic displacement).</p> <p>House renting allowance or temporary accommodation will be provided to PAPs who may be forced to relocate from their original homes and are still awaiting the replacement land plots or apartments. In the case of replacement land plots, the rental allowance will extend to the period during which the new house is being built.</p> <p>Please note: This compensation does not hold if the land was donated voluntarily as part of the Voluntary Land Donation process.</p> <p>For further details on compensation, please refer to “Guidance on Compensation in Section 4.2”: If the lost area represents less than 10% of a Household’s (HH’s) land holding and the remaining area is economically viable, compensation in cash will be at 100% replacement cost for the lost area. If the lost area represents 10% of the HHs’ land holding or the remaining area is economically not viable, then “land for land” compensation should be considered as the preferred option. If no land is available, then FAO, UNDP, WFP and implementing partners must demonstrate this to the World Bank’s satisfaction before proceeding. The PAPs will be provided with full assistance (including a transportation allowance) for transportation of personal belongings and assets, in addition to the compensation at replacement cost of their houses, lands and other properties.</p>

Type of Loss	Entitled Person(s)	Entitlement
	<p>Persons who have temporary rental or leased rights to the land, but do not hold legal ownership.</p>	<p>Cash compensation at the amount corresponding to the remained investment put on the land or corresponding to the remained value of the land rental contract, if it exists. For PAPs currently using land assigned by State-owned agricultural or forestry farms on a contractual basis for agricultural, forestry, or aquaculture purposes (excluding land under special use forests and protected forests), compensation shall be provided for investments made on the land, but not for the land itself, and these PAPs will also receive additional support for income rehabilitation if they are directly involved in agricultural activities as per Government's regulations.</p> <p>Tenants of state-owned or organization-owned houses will be entitled to rent or buy a new apartment of an area at least equal to their affected ones. The affected structures built at the PAP's own costs will be compensated for at full replacement costs.</p> <p>Tenants who are leasing a private house for living purposes will be provided with transportation allowance for moving assets and will be assisted in identifying alternative accommodation.</p>
	<p>Who have no recognizable legal right or claim to the land or assets they occupy or use</p>	<p>Resettlement assistance in lieu of compensation for the land they occupy (please refer to "Guidance on Allowances and Rehabilitation")</p> <p>For further details, please see the RF section 4.2: In cases where the land is rented through civil contracts between individuals, households, or organizations, then the compensation for crops, trees or aquaculture products will be paid to the affected land users and the PCU shall assist the renter to find similar land to rent. In cases when PAPs utilize public land (or protected areas), with an obligation to return the land to the Government when requested, the PAPs will not be compensated for the loss of use of the land. However, these PAPs will be compensated for crops, trees,</p>

Type of Loss	Entitled Person(s)	Entitlement
		structures, and other assets they own or use, at full replacement cost
Loss of occupying and/or using the land without having ownership	Persons who encroach on the area after the cut-off date	Not entitled to compensation or any other form of resettlement assistance
Loss of owned or used assets other than land	<ul style="list-style-type: none"> • Who have formal legal rights to land or assets (including customary and traditional rights recognized under the laws of the country) 	Full compensation for loss of owned or used assets other than land
	<ul style="list-style-type: none"> • Who do not have formal legal rights to land or assets at the time the census begins, but have a claim to such land or assets recognized under national law 	Full compensation for loss of owned or used assets other than land
	<ul style="list-style-type: none"> • Who have no recognizable legal right or claim to the land or assets they occupy or use 	Full compensation for loss of owned or used assets other than land

6. Methods of Asset Valuation

As required by the World Bank's ESS5, a Replacement Costs Survey (RCS) will need to be done for each subproject with PAP land acquisition/displacement to establish the basis for calculating replacement costs of the land, crops, maintenance to the water resource, dams structures, assets, etc. that will be affected by the Project. An independent price appraisal consultant specialized in assessing such costs should be engaged by the PCU to conduct the replacement costs survey.

More specifically, for the loss of residential land, PAPs (including those without formal/customary right to the land) would receive financial compensation determined by local authorities/Evaluation Committee. In addition, compensation would be given for specific assets on the land itself (e.g. housing). For agricultural land, compensation is currently only provided for crops or trees. Valuation for these are crops/trees and different compensation categories is conducted by inventory committees from the Ministry of Public Works and Highways, in close coordination and collaboration with other relevant ministries and departments. For example, compensation for trees is based on their market value, as decided by the MPWH in consultation with relevant staff within the department of agriculture, forestry, horticulture, sericulture, etc. The latest rates will be used and clearly indicated within any subproject RPs. The compensation for the crops and trees considers land, age, type of fruits (if flowering), and a checklist for all types of crops/trees already endorsed by the government agency with prices. Once a compensation amount is determined, the evaluation committee then negotiates with the beneficiaries and signs a certification document stating that the beneficiary agrees with the certificate. Once signed, the beneficiary takes this certificate to the financial department or MAI (with five locations, including Aden and Hodaida).

The Government of Yemen will need to ensure that compensation payment proposed to affected households is at the replacement costs (for land and structures) and/or at market prices (for crops/trees). The RCS will be conducted in a participatory manner with relevant stakeholders. The formal process involves the Evaluation Committee (which includes a legal, financial, and technical expert) defining the area of land in question, determining the right of way, and checking the documents of the land-owner/beneficiary/tenant in question. The EC then conducts an initial evaluation of the land and prepares and signs a report with their valuation. Based on this, the EC prepares a compensation statement. The compensation is then paid by Local Authorities and endorsed by the recipient(s).

In most instances, the land used will be either: (i) government lands donated through a Voluntary Land Donation (VLD) agreement between the ministries involved, and thus compensation will not be required; or (ii) community/farming land donated through a voluntary land donation between the community/farmers and the MAI/project implementing agencies, in which case the voluntary land donation does not require compensation as it is voluntary and covered the VLD agreement.

Asset Valuation Methods: Asset valuation will depend on whether the asset is tangible or intangible. Specifically:

- **Tangible assets:** The valuation of losses in physical assets will be carried out by assessing the market value of the assets, if known, and estimating the replacement cost. Replacement cost is simply calculated as the cost of replacing the lost assets plus any transaction costs associated with bringing the asset to pre-displacement value.
- **Intangible assets:** For intangible losses that cannot easily be valued in monetary terms (i.e., access to employment opportunities, public services, natural resources, social capital), the project will attempt to establish access to equivalent resources and earning opportunities that are acceptable to the PAPs.

7. Project's And Risks and Impacts

UNDP and FAO with their IPs should assess and ensure the voluntary land donation to avoid any risk is connected to the following, below:

Table 10: Potential risk, impact and mitigation actions

Potential risk	Impact	Mitigation actions
Sub-projects with minor land acquisition or restrictions on land use	No significant impact on incomes or livelihoods	<ul style="list-style-type: none"> • RP to establish eligibility criteria for affected persons. • Set out procedures and standards for compensation, and incorporate arrangements for consultations; and • Setup monitoring and addressing grievances;
Projects causing physical displacement	low impact on resettling some of the affected people to new location	<ul style="list-style-type: none"> • A detailed plan will set out the additional measures relevant to relocation of affected persons;
Intervention or projects involving economic displacement	significant impacts on livelihoods or income generation	<ul style="list-style-type: none"> • A mitigation plan will set out the additional measures relating to livelihood improvement or restoration
projects that may impose changes in land or protected areas or other common property resources that local people may depend for livelihood means.	Impacts on restricting access to resources in legally designated parks or local people impacted negatively on their may depend for livelihood purposes	<p>A mitigation plan will establish including and not limited to</p> <ul style="list-style-type: none"> • A participatory process for determining appropriate restrictions on use • set out the mitigation measures to address adverse impacts on livelihoods that may result from such restrictions
Projects that include voluntary land donation	Impacts on lands belongs to multiple inheritors or may have legal issues in courts	Insure that the voluntary donated land is free from any legal issues or inheritors problem by a stamped and approved document from the legal agency and court.

8. Consultation & Disclosure

Consultations and subsequent disclosure of information pertaining to this RF, subprojects involving resettlement, and/or any physical and/or economic displacement will follow the process outlined in the project's Stakeholder Engagement Plan. Community consultation and participation will be undertaken from the planning stage to implementation and monitoring phases of subprojects involving: a) land acquisition; b) compensation (including for economic or physical displacement); and/or c) asset/property replacement.

Public consultations and participation are essential features of this project, and the project will use public consultation as a platform for to inform and receive feedback from its project beneficiaries and other key stakeholders. Public consultation and participation will also help to create sense of ownership for the project. The consultation mechanism detailed in the SEP aims to provide people with an opportunity to present their views and values. It encourages discussion on and consideration of sensitive social and economic mitigation measures and potential trade-offs, as well as alternative options to sub-project interventions which may otherwise result in economic or physical displacement (even if only temporary). The public consultation shall be an on-going activity taking place throughout the entire project cycle. Hence, public consultation shall take place during:

- Project inception and planning.
- Screening and assessing phase;
- Implementation and monitoring phase
- Compensation planning.
- Drafting and reading/signing of the compensation contracts

Given the emergency context in Yemen and the covid-19 complications, consultation to develop this RF has been limited to key informant discussions with government counterparts and implementing agencies. In order to address the need for further consultation, consultation on all safeguards instruments under the FSRRP are planned for the project's Inception Workshops (one in the North, one in the South). The Inception Workshop in the South (Aden) was already organized on the 6 December 2021 with the participation of UN head of agencies (FAO, WFP and UNDP) and related stakeholders. The Inception Workshop for the North (Sana'a) is planned for January 2022.

Moving forward, consultations will involve more locals at community-level and will be conducted based on (i) on ground presence (in-person meetings, when possible and safe); and (ii) remote consultations if/when access to areas are limited, be that due to security or covid-restrictions.

Consultation for the development of subsequent RPs (based on the principles in this RF and focused on beneficiaries/Project Affected Persons (PAPs)/relevant communities/other stakeholders) are to be held prior to subproject implementation of a given subproject involving resettlement and/or economic displacement. In most instances, the relevant implementing agency would conduct consultations (including with women, minorities, and vulnerable populations) in the sub-project area and will record attendance (gender disaggregated) and key takeaways for inclusion in the related RP.

Disclosure & Notification Procedures: in instances where non-government or communal land is required, the Government will issue a notice which indicates the:

- Government's proposal to acquire the land.
- Purpose for which the land is needed.
- Proposal or plan may be inspected at various access points, including offices of the local authorities in the project governorate, during working hours.

- PAPs may, by written notice, object to the transaction giving reasons for doing so, through the project's GRM with copies shared with to the local authorities.
- Timeline for filing objections following the first public announcement or appearance of the notice.
- Project team will ensure that PAPs have received this notification ahead of time

Approval and Disclosure of RF and subsequent RPs: This RF and subsequent RPs are to be approved/cleared by the government of Yemen and implementing partners, translated into local language, and disclosed to the PAPs and stakeholders in a culturally appropriate manner. Principles for disclosure should follow the guidance provided in the project's Stakeholder Engagement Plan, specifically for guidance on ensuring understanding amongst illiterate groups (e.g., use of pictures when needed to depict the process followed; orally delivering the messages; etc.).

9. Grievance Mechanism

To address complaints or concerns related to project activities, UNDP will be managing complaints received under component 1. It will be critical to have good communication on the processes of the GM system, both in terms of beneficiaries' rights and the boundaries of the system. Complaints received by the GM system will be registered, tracked, investigated, and promptly resolved. This GM is summarized in the Stakeholder Engagement Plan and will be further elaborated and updated. The proposed project will adopt the GM of FAO UNDP and WFP in addition to the SFD, SMEPS and PWP GM. The FAO and WFP will take overall responsibility for managing complaints received through SFD and SMEPS, under components 2,3 and 4. The FAO will disseminate the hotline number at regional and local levels to increase accountability at those levels to citizens' inquiries. This GM system will include multiple uptake mechanisms (telephone, complaints box, website, email, and text messaging).

The FAO grievance mechanism (GM) for this project is already in place (in accordance with ESS10) and will be used to capture and address specific concerns about compensation, relocation, and/or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. The project follows the already established FAO, UNDP and PWP in Yemen and SFD, PWP and SMEPS's Grievance Mechanism (GM). All project partners will facilitate the amicable resolution of beneficiaries' concerns of project activities respectively regarding alleged or potential violations of FAO's, UNDP, WFP, PWP, SMEPS and SFD's, but also World Bank Group's ethical, social, environmental, and Gender Based Violence / Sexual Exploitation and Abuse (GBV-SEA) standards and commitments.

The primary and overall purpose of the project's GM is threefold: (i) respect project stakeholders' Human Rights; (ii) Do No Harm during the project interventions to beneficiaries, including affected, interested and disadvantages people will be addressed immediately; and (iii) provide clear and accountable means for project affected and/or impacted persons to freely raise complaints and seek remedies when they believe they have been harmed by the project interventions and/or project staff, and their lives have been worse off as a result of such interventions. An effective, inclusive, and responsive GRM also facilitates project progress by reducing the risk that unaddressed complaints eventually lead to construction delays, adverse public attention, and lengthy court procedures as a last resort.

Within the project's GM, FAO, UNDP, and WFP will consider feedback and complaints that may be received by stakeholders⁶, as part of its commitment to engaging Yemen citizen recipient of project activities, freely and fairly. It is the responsibility of all project staff to clearly explain the rights to complain and the method(s) in which to convey those complaints in a formal manner for grievance redress.

FAO, UNDP, WFP and implementing partners together with their financial partner, the World Bank, will always maintain confidentiality for any beneficiary wishing to make a formal complaint about FAO, UNDP, and WFP's programme. Awareness of the GM will be raised among stakeholders in every stakeholder's consultation and participation meeting during the lifecycle of the project. The Project Manager, in close collaboration with the supporting safeguards team in the FAO, UNDP and WFP Office (including GBV specialist), will take overall responsibility for addressing concerns brought to the attention of the FAO team (focal points) regarding any social and environmental safeguards and/or GBV impact issues due to subproject activities. Concerns must be addressed at the closest appropriate

⁶ Feedback can be both positive and negative and is generally to do with minor issues; it can be given formally or informally. Complaints are often to do with more serious issues, when things have gone wrong and when whoever makes the complaint wants a tangible change and a respect of his/her human rights to occur.

level. If a concern or grievance cannot be resolved through consultations and mediations at the project management level, a complaint requesting a Compliance Review may be filed with the Office of the Inspector-General (OIG) in accordance with the Guidelines for Compliance Reviews; as well as with the GRS (grievance redress system) of the World Bank Group.

Once the sub-project activities and areas are clearly defined, and in consultation with local communities, arrangements for registering grievances and/or complaints from project-affected and/or impacted people will be developed and relevant to that given subproject. Multiple access points will be provided (e.g., toll-free telephone number, short-message-system/SMS, website, email, etc.) so that beneficiaries will know whom to contact about their concerns. The contact information of FAO, UNDP, WFP, SFD, PWP and SMEPS will be shared with target communities in local (Arabic) languages.

Where the community members or potential beneficiaries see the risk of being excluded from the project, they can contact the project partners via the access points mentioned above. Staff will treat complaints with respect by listening, accepting and receiving the complaints from the recipient communities. If complaints can be solved immediately on the spot in a more amicable way, then staff must be encouraged (and managed) to explore it fully, and clearly documents it in the project document for records and archives, as well as lessons learned to feed into next generation projects in Yemen and/or sub-region, sharing the same cultural behaviour.

The above access points will be established at the level of central offices of FAO, WFP, SMEPS and SFD. The SFD and PWP and SMEPS has also an established mechanism in place at the level of its field offices and branches throughout the country. On the ground level, FAO Monitoring & Evaluation Officers will be in charge of day-to-day monitoring of activities in the field and will regularly report to PMU any cases revealed with regards to the feedback and complaint. Similarly, UNDP Safeguard and M&E officers and specialist will be following up and reporting with SFD and PWP in any complaints and HCM to the WB, PMU and UNDP HQ.

Dedicated staff from UNDP, including Project manager and deputy, M&E (international and two national staff) and Safeguard (IESS, ESS, OHS and Gender officer) will be working collaboratively with SFD and PWP to ensure handling the complaints cases according to WB and UNDP safeguards requirements. Besides SFD and PWP have existed system and designated staff to on safeguard, M&E and Gender specialist to ensure handling the complaints at fields, branches, and HQ offices.

A dedicated person at the FAO Representation level (i.e., Project Task Team Leader [TTL]'s Team Assistant) will assist both the TTL and the Social and Environmental safeguards specialist, as well as the GBV specialist, in properly recording all complaints and other grievances taken to ensure timely recording and address of project stakeholders' complaints and efforts to seek restoration or enforcement of their human rights. In short, this team will be responsible for regularly recording complaints received by FAO, WFP, SMEPS and SFD and ensure both their timely management including recording how they were addressed. Quarterly status reports aggregating information on grievances received and addressed will be prepared and shared with the PMU for concordance, prior to being shared with the World Bank and made available for external monitoring and evaluation purposes for the Components 2, 3 and 4.

Grievance Resolution:

For component 1 (this component has low impact on land and resettlement)

In cases complaints are not resolved by SFD and PWP, they should be escalated to UNDP for further investigation, study, and closure. Complaints Handling Mechanisms (HCM) will be applied as following:

- IPs GRM will apply, and will activate at three levels of complaint settlement (at 1st field, 2nd branch, 3rd Head Office levels of SFD and PWP).
- The TPM Call Center will be assigned by UNDP to verify the lists of complaints on monthly basis and provide a report. IPs therefore will need to share GRM list bi-weekly (perhaps through linking to the new MIS)
- UNDP will dedicate a number (call, SMS, WhatsApp) for complainants who might not be satisfied with IPs' resolution and would want to escalate to higher level (4th level of HCM).
- IPs will ensure that the dissatisfied complainants are well-informed to the UNDP's dedicated number. TPM may also assist in this issue, by calling all complainants and refer the dissatisfied ones to the 4th level of UNDP)
- If still complainant is dissatisfied after UNDP's intervention, another level will be introduced to escalate to UNDP SRM HQ (UNDP Regional office).

UNDP and partners (component 1)	Address and contact
At SFD and PWP	Field and Branches offices should response within 5 days
At SFD HQ	Contact person: Mr. Mohammed Al-Antari Email: chm_hq@sfd-yemen.org 8009800/772045256 The complaints cases should be mitigated within 14 days and response within 5 days.
At PWP HQ	Contact person: Mr. Abdulrahman Sarhan Email: a.sharhan@pwp-yemen.org 8002626/77526262 The complaints cases should be mitigated within 14 days and response within 5 days.
At UNDP in Yemen	Nahid Hussein Email: nahid.hussein@undp.org UNDP Safeguard Specialist Email: mey.ahmed@undp.org UNDP M&E Specialist: Email: kazi.hossain@undp.org
At UNDP HQ Office	Call: 001-844-595-5206 Email: project.concerns@undp.org Address: Attn: SECU/SRM, OAI, UNDP 1 U.N. Plaza, 4th Floor, New York, NY USA 10017

For the components 2,3 and 4 (these components have no impacts on land and resettlement as ESF indicated)

In cases where the grievance cannot be handled at the project level, the PMU will first explore any likely mediation stream at ministerial and/or local administration level prior to upscaling it to the FAO Representation in the country.

Project Management Unit	Must respond within 5 working days.
Project Coordination Unit	Any organization may receive a complaint and must provide proof of receipt, inviting the person to have a meeting specifically to document the case. If the case is relevant, the receiver must send the information to all Technical Steering Committee (TSC) members and call for a meeting to deal with the problem. The response must be sent within 5 working days after the meeting of the steering committee.
FAO Representation	Must respond within 5 working days, in consultation with Technical Steering Committee TSC. FAO-YE@fao.org Dr. Hussein Gadain Hussein.Gadain@fao.org Toll-free telephone number and SMS (from all mobile companies and land line): 800 19 19 WhatsApp: 776 01 30 30 Email: Yemen-Feedback@fao.org
Regional FAO Office for Near East and North Africa	Must respond within 5 working days in consultation with FAO's Representation. Serge Nakouzi FAO-RNE@fao.org ; RNE-ADG@fao.org Serge.Nakouzi@fao.org Tel: (202) 3331 6000 to 3331 6007
Office of the Inspector General (OIG)	To report possible fraud and bad behavior by fax, confidential: (+39) 06 570 55550 By e-mail: Investigations-hotline@fao.org By confidential hotline: (+ 39) 06 570 52333

For details on the handling of GBV/SH/SEA cases, please refer to the ESMF's Annex 4, which provides the detailed case management process and principles to follow.

10. Implementation & Monitoring Arrangements

The implementation and monitoring for the RF will be conducted in line with the overall project ESMF. Specifically, implementation of the RF will occur in tandem with the broader ESMF screenings and subsequent document preparation (e.g., RPs, ESMPs), and will be ultimately supervised by the Lead National Social & Environmental Safeguards Specialist. Implementation of subsequent Resettlement Plans (RPs) for the sub-projects will be periodically supervised and monitored by the UNDP and its respective project implementation team and Third Monitoring Party (TMP) in a close coordination with the SFD and PWP and project safeguards and M&E specialists. Information will also be provided, if/when needed, to any independent monitoring agencies deemed necessary during project implementation. Report and Findings will be submitted and presented in quarterly basis to the WB and monthly with safeguard specialists from the project partners. recorded in biannual reports to be shared with the FAO's Project Coordination Unit and the World Bank. Internal monitoring and supervision will:

- Verify that the baseline information of all PAPs has been carried out and that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements has been carried out in accordance with the provisions of this Framework and the respective RP.
- Oversee that the RPs are implemented as designed and approved.
- Verify that funds for implementing the RPs are provided in a timely manner to the Project Implementation Teams and in amounts sufficient for their purposes, ensuring that such funds are used by the respective implementation teams in accordance with the provisions of the RP.
- Record all grievances and their resolution and ensure that complaints are dealt with in a timely manner.

Whilst most compensation is predominantly land-for-land and/or covered under other supports from the project (to avoid any economic displacement), site-specific Resettlement Plans will include details on compensatory budget arrangements as needed. For guidance, please refer to Annex 4, which includes examples of the monitoring indicators and required details. For budget to cover the cost of consultations and engagement throughout the development of RPs, this is listed within the broader ESMF as a lump-sum for funds required to prepare the documents and consult with communities/etc.

For examples of monitoring indicators, please refer to Annex 4.

11. ANNEXES

11.1 *Annex 1. Elements and Outline for a Resettlement Plan*

Resettlement Plan

The scope of requirements and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed project and its potential impacts on the displaced persons and other adversely affected groups, (b) appropriate and feasible mitigation measures, and (c) the legal and institutional arrangements required for effective implementation of resettlement measures.

Minimum elements of a Resettlement Plan

1. Description of the project. General description of the project and identification of the project area.

2. Potential impacts. Identification of:

- a. the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project.
- b. the zone of impact of such components or activities;
- c. the scope and scale of land acquisition and impacts on structures and other fixed assets;
- d. any project-imposed restrictions on use of, or access to, land or natural resources;
- e. alternatives considered to avoid or minimize displacement and why those were rejected; and
- f. the mechanisms established to minimize displacement, to the extent possible, during project implementation

3. Objectives. The main objectives of the resettlement program.

4. Census survey and baseline socioeconomic studies. The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures, and other fixed assets to be affected by the project. The census survey also serves other essential functions:

- a) identifying 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;
- b) information on vulnerable groups or persons for whom special provisions may have to be made;
- c) identifying public or community infrastructure, property or services that may be affected;
- d) providing a basis for the design of, and budgeting for, the resettlement program;
- e) in conjunction with establishment of a cut off date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and
- f) establishing baseline conditions for monitoring and evaluation purposes. As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:
 - g) land tenure 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 project area;
 - h) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and

(i) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

5. Legal framework. The findings of an analysis of the legal framework, covering:

- a. the scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
- b. the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available grievance mechanisms that may be relevant to the project;
- c. laws and regulations relating to the agencies responsible for implementing resettlement activities; and
- d. gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps.

6. Institutional framework. The findings of an analysis of the institutional framework covering:

- a. the identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;
- b. an assessment of the institutional capacity of such agencies and NGOs/CSOs; and
- c. any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation.

7. Eligibility. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut off dates. This should be included and mentioned in the ESMP.

8. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of Compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.

9. Community participation. Involvement of displaced persons (including host communities, where relevant):

- a. a description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities;
- b. a summary of the views expressed and how these views were considered in prepare the resettlement plan;
- c. a review of the resettlement alternatives presented and the choices made by displaced person regarding options available to them; and
- d. institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

10. Implementation schedule. An Implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

11. Costs and budget. Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for

expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

12. Grievance mechanism. The plan describes affordable and accessible procedures for third party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

13. Monitoring and evaluation. Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

14. Arrangements for adaptive management. The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes. Additional planning requirements where resettlement involves physical displacement. When project circumstances require the physical relocation of residents (or businesses), resettlement plans require additional information and planning elements. Additional requirements include

16. Transitional assistance. The plan describes assistance to be provided for relocation of household members and their possessions (or business equipment and inventory). The plan describes any additional assistance to be provided for households choosing cash compensation and securing their own replacement housing, including construction of new housing. If planned relocation sites (for residences or businesses) are not ready for occupancy at the time of physical displacement, the plan establishes a transitional allowance sufficient to meet temporary rental expenses and other costs until occupancy is available.

17. Site selection, site preparation, and relocation. When planned relocation sites are to be prepared, the resettlement plan describes the alternative relocation sites considered and explains sites selected, covering:

- a. institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is better or at least comparable to the advantages of the old site with an estimate of the time needed to acquire and transfer land and ancillary resources;
- b. identification and consideration of opportunities to improve local living standards by supplemental investment (or through establishment of project benefit-sharing arrangements) in infrastructure, facilities, or services;
- c. any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
- d. procedures for physical relocation under the project, including timetables for site preparation and transfer; and legal arrangements for regularizing tenure and transferring titles to those resettled, including provision of security of tenure for those previously lacking full legal rights to land or structures.

18. Housing, infrastructure, and social services. Plans to provide (or to finance local community provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to maintain or provide a comparable level of services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

19. Environmental protection and management. A description of the boundaries of the planned relocation sites; and 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).

20. Consultation on relocation arrangements. The plan describes methods of consultation with physically displaced persons on their preferences regarding relocation alternatives available to them, including, as relevant, choices related to forms of compensation and transitional assistance, to relocating as individual households families or with pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and for relocation of, or retaining access to, cultural property (e.g., places of worship, pilgrimage centers, cemeteries).

21. Integration with host populations. Measures to mitigate the impact of planned relocation sites on any host communities, including:

- a. consultations with host communities and local governments;
- b. arrangements for prompt tendering of any payment due the hosts for land or other assets provided in support of planned relocation sites;
- d. arrangements for identifying and addressing any conflict that may arise between those resettled and host communities; and
- e. any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to meet increased demands upon them, or to make them at least comparable to services available within planned relocation sites. Additional planning requirements where resettlement involves economic displacement

If land acquisition or restrictions on use of, or access to, land or natural resources may cause significant economic displacement, arrangements to provide displaced persons with sufficient opportunity to improve, or at least restore, their livelihoods are also incorporated into the resettlement plan, or into a separate livelihood's improvement plan. These include:

23. Direct land replacement. For those with agricultural livelihoods, the resettlement plan provides for an option to receive replacement land of equivalent productive value or demonstrates that sufficient land of equivalent value is unavailable. Where replacement land is available, the plan describes methods and timing for its allocation to displaced persons.

24. Loss of access to land or resources. For those whose livelihood is affected by loss of land or resource use or access, including common property resources, the resettlement plan describes means to obtain substitutes or alternative resources, or otherwise provides support for alternative livelihoods.

25. Support for alternative livelihoods. For all other categories of economically displaced persons, the resettlement plan describes feasible arrangements for obtaining employment or for establishing a business, including provision of relevant supplemental assistance including skills training, credit, licenses or permits, or specialized equipment. As warranted, livelihood planning provides special assistance to women, minorities or vulnerable groups who may be disadvantaged in securing alternative livelihoods.

26. Consideration of economic development opportunities. The resettlement plan identifies and assesses any feasible opportunities to promote improved livelihoods as a result of resettlement processes. This may include, for example, preferential project employment arrangements, support for development of specialized products or markets, preferential commercial zoning and trading arrangements, or other measures. Where relevant, the plan should also assess the feasibility of prospects for financial distributions to communities, or directly to displaced persons, through establishment of project- based benefit-sharing arrangements.

27. **Transitional support.** The resettlement plan provides transitional support to those whose livelihoods will be disrupted. This may include payment for lost crops and lost natural resources, payment of lost profits for businesses, or payment of lost wages for employees affected by business relocation. The plan provides that the transitional support continues for the duration of the transition period.

11.2 Annex 2. Typical Information Required in a Socioeconomic Survey

- (i) Data about PAPs, total number of PAPs:
- Demographic, education, income, and occupational profiles;
 - Inventory of all property and assets affected;
 - Socioeconomic production systems and use of natural resources;
 - Inventory of common property resources if any;
 - Economic activities of all affected people, including vulnerable groups;
 - Social networks and social organization;
 - Cultural systems and sites;
 - Public utilities such as clinics, post offices, water supply, power supply, markets, etc.;
- (ii) Data on land and the area:
- Map of the area and villages affected by land acquisition
 - Total land area acquired for the Project
 - Land type and land use
 - Ownership, tenure, and land use patterns
 - Land acquisition procedures and compensation
 - Existing civic facilities and infrastructures
- (iii) Data on land sequestration and resettlement if the intervention can lead to
- Temporary or permanent and full or partial physical displacement (including people without legally recognizable claims to land)?
 - Economic displacement (e.g. loss of assets or access to resources due to land acquisition or access restrictions – even in the absence of physical relocation)?
 - Risk of forced evictions?⁷
 - Impacts on or changes to land tenure arrangements and/or community-based property rights/customary rights to land, territories and/or resources?

⁷ Forced eviction is defined here as the permanent or temporary removal against their will of individuals, families, or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection. Forced evictions constitute gross violations of a range of internationally recognized human rights.

11.3 *Annex 3. Include Resettlement Plan Monitoring and Evaluation in the ESMP*

The Resettlement Plan (RP) consultation, risk and monitoring and evaluation will be indicated in the ESMP, as indicated bellow:

In the ESMP Introduction, ii subproject:

Sub-project description

- Scope of work
- Location
- Land acquisition and re-settlement
- Resources and services access restrictions
- Child labour
- COVID-19 sensitivity

If the subproject indicates risk on land acquisition and resettlement

The mitigation plan and monitoring and reporting in the ESMP should included all mitigation measures and action plan with indicators.

11.4 Annex 4. Indicators for RP Monitoring and Evaluation

Hierarchy of resettlement activities	Resettlement Process	Indicators	Means of verification	Monitoring Frequency
INPUT	Budget commitment and availability Appointment of social specialist in UNDP, SFD and PWP, FAO Training of PMU's social specialist	<ul style="list-style-type: none"> • Timely availability of budget for compensation payment • Is appointment made after project appraisal completes. • Timely availability of budget for compensation payment 	Implementation monitoring (IM) reports, and Evaluation Monitoring (EM) reports	
ACTIVITIES/PROCESS	Additional consultation with PAP	<ul style="list-style-type: none"> • Is additional consultation with PAP carried out during RAP updating exercise? • To which extent the consultation is conducted, covering the following key areas: <ul style="list-style-type: none"> ○ Proposed replacement costs for affected assets. ○ Proposed cash support for affected assets; ○ Proposed livelihood restoration activities are consulted with affected households 	Safeguard specialists, IM, EM reports	
	Disclosure of final updated RAP	<ul style="list-style-type: none"> • Is <u>updated RAP</u> disclosed locally in at project site and on Bank's website following Bank's No Objection and local government approval; • Is Project Information Booklet (PIB) delivered to affected households? 	Safeguard specialists, IM, EM reports	<ul style="list-style-type: none"> • Following appraisal completion;
OUTPUT	Compensation payment	<ul style="list-style-type: none"> • % of households receiving full compensation package within agreed timeline. 	Safeguard specialists, IM, EM reports	<ul style="list-style-type: none"> • Monthly • Quarterly

<i>Hierarchy of resettlement activities</i>	<i>Resettlement Process</i>	<i>Indicators</i>	<i>Means of verification</i>	<i>Monitoring Frequency</i>
		<ul style="list-style-type: none"> Total compensation and support made vs total amount committed. 		
	<u>Grievances</u>	<ul style="list-style-type: none"> Number of grievances lodged (as monitored by PMU) per month Number of grievances solved per month Number of grievances submitted at PMU level. Number of grievances submitted at Governorate level. 	Safeguard specialists, IM, EM reports	<ul style="list-style-type: none"> Monthly Quarterly
	Resettlement	<ul style="list-style-type: none"> Are resettlement sites ready for physical relocation as per approved updated RAP? 	Safeguard specialists, IM, EM reports	<ul style="list-style-type: none"> Monthly Quarterly
	Livelihood Restoration	<ul style="list-style-type: none"> Is Livelihood Restoration carried out in accordance with the approved updated RAP – in terms of timeline and number of activities? 	Safeguard specialists, IM, EM reports	<ul style="list-style-type: none"> Monthly Quarterly (following completion of compensation payment)
OUTCOME	Livelihood Restoration Program	<ul style="list-style-type: none"> Does Livelihood Restoration achieve the planned objective as indicated in the approved updated RAP? % Of households participating Livelihood Restoration Program confirm their full Livelihood Restoration (to pre-project level) after six months 	Safeguard specialists, IM, EM reports	<ul style="list-style-type: none"> Monthly Quarterly (monitoring started six months upon full completion of a) physical resettlement and b) re-establishment of new businesses in the new location.
	Sustainability of Livelihood Restoration Program	<ul style="list-style-type: none"> Confirm if the Livelihood Restoration Program works, indicative of it's a) outcome and b) its sustainability. 	Safeguard, IM, EM, and TMP reports	<ul style="list-style-type: none"> Monthly Quarterly

11.5 *Annex 5. Typical Information Required for a Public Information Booklet (PIB)*

General contents of the PIB should include the following:

- Brief Description of the sub-project;
- Implementation schedule;
- Sub-project impacts (social and environmental; permanent vs. temporary);
- Entitlements of PAPs, Resettlement and Rehabilitation Policies;
- Institutions Responsible for Resettlement and Information Dissemination;
- Consultations and participation mechanism adopted with PAPs;
- What to do if PAPs have a question;
- Grievance Redress Procedure;
- Monitoring and Evaluation requirements.

11.6 *Annex 6. Voluntary Land donation conditions, procedures for land donation, and procedures for rented land / structures*

- The land donors have been appropriately informed and consulted about the project and the choices available to them.
- potential land donors are aware that refusal is an option and have confirmed in writing their willingness to proceed with the donation.
- the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels.
- No household relocation is involved.
- The land donor is expected to benefit directly from the project; and
- for community or collective land, donation can only occur with the consent of individuals using or occupying the land

Procedure for Voluntary Land Donation

- **Private land donation:** In the rural areas the customary system of donating land for public interest projects is still being applied. No formal legislation exists with regard to land acquired for public interest projects in rural areas, and the process followed is based upon well-established traditional community-level systems where project affected persons donate land. Rural communities in Yemen have traditionally been solving land acquisition issues through consultation and internal dispute resolution arrangements. In many cases, the affected lands owners are expected to voluntarily donate the land needed for a public benefit project. However, the voluntary donation of land will have to take place within the context of a mutually accepted understanding and within local Social Framework Agreement (SFA) that would be signed by the asset owner(s), the Chair of the Beneficiary Committee (BC) and Representative from local authorities or benefited ministries offices in the targeted areas. No cash compensation is involved. However, in-kind replacement for buildings and physical structures will be negotiated with the property owner.

- To the extent possible the SFA should list the exact amount of land that is being taken or donated from each property owner. The document requires the signature by the landowner prior to project implementation. This provides documentation of the awareness and consent of landowners of the amount of his or her land used for the project.

The SFA specifies the terms under which the voluntary donation of land is made. The terms in the SFA will be based on local traditional practices concerning private land donation for FSRRP operation and specify any special terms or conditions related to the particular case, which are to be settled internally by community. Generally, these terms can include one of the following options:

- a) The affected person freely donates the land to the community, or
- b) The community may allocate part of its land to the affected person.

The above options should be witnessed by the the Beneficiary Committee (BC) and Representative from local authorities or benefited ministries offices in the targeted areas and endorsed either by court, local council or agriculture office in the targeted areas and original agreement would be saved with agriculture office with copyies with the beneficiary community, farmers group and FSRRP files.

- **Government land donation:** Formal legislation to transform the land ownership from governmet to the public benefit of the project will be made and endorsed by local council or related authorities. A Social Framework Agreement (SFA) would be signed by the the Chair of the Beneficiary Committee (BC) and Representative from local authorities or benefited ministries offices in the targeted areas.

To the extent possible the SFA should list the exact amount of land that is being taken or donated from government property. The SFA specifies the terms under which the transformation of land is made and it may be witnessed by the the Beneficiary Committee (BC) and Representative from local authorities or benefited ministries offices in the targeted areas and endorsed by local council or related authority or agriculture office in the targeted areas and original agreement would be saved with agriculture office with copyies with the beneficiary community, farmers group and FSRRP files.

Procedures for rented land / structures

For the propsoed rented land for the seedlings centers; hydroponic greenhouse; and dairy processing facilities. Formal rent agreement will be made between land owner(s) and Beneficiary Committee (BC) and endorsed by local council or related authorities. A Social Framework Agreement (SFA) would be signed by the the Chair of the Beneficiary Committee (BC) and Representative from local authorities or benefited ministries offices in the targeted areas to define the roles and responsibilities.

To the extent possible the SFA should list the exact amount of operational cost, rent, and wages. The SFA specifies the terms under which the operational procedures of the rented facilities and it should be witnessed by the the Beneficiary Committee (BC) and Representative from local authorities or benefited ministries offices in the targeted areas and endorsed by local council or related authority or agriculture office in the targeted areas and original agreement would be saved with agriculture office with copyies with the beneficiary community, farmers group and FSRRP files.

11.7 Annex 7. Templates for the Social Framework Agreement for Horticulture Collection Centers and Horticulture Seedline Centers

The following templates are based on the previous World Bank supported SAPREP project, and they serve as templates which can then be updated/amended per subproject, as needed, during the implementation of FSRRP.

A. A nomination record of locating and Community Committee for the Horticulture collecting center:

Village.....Sub-district.....District.....Governorate.....

Day date \ \ 2022

- 1- District director general Mr. /.....
- 2- Member of the Services Committee of the Local Authority in the District Mr.\.....
- 3- Director of the Agriculture Office in the district Mr. /.....
- 4- Official of partner implemented for activity Mr. /.....
- 5- Notables and Figures of the local community, and they are: - Mr. /....., Mr. /....., and Mr. /.....
- 6- Largest number of the Horticulture Farmers (Vegetables and Fruits) in district, they were () farmers. Should not be less than (80 - 100).

At the beginning of the meeting, the district director general, the director of the agriculture office in district and the official in IPs explained important the horticulture collecting center, the implementing stages, operating mechanism and revenues management. As mentioned in this meeting the implemented organization (FAO) and Financed by the World Bank.

Before determining the location of the horticulture collecting center, everyone was informed about the site selection criteria, which are as follows:

The site should be safe, appropriate, and mediates the largest slice of horticulture farmers.

The site should be get approving (80 - 100) horticulture farmers in district and the responsible in the district and governorate.

The land is level and its area is not less than (30 * 30) m2.

The land ownership is permanently moved for favor the horticulture collecting center through submit all the legal documents (Original property and waiver document). All this documents should be edited by the district’s court, then reserves the original documents at the HCC’s community committee and two copy of it in the agriculture office in the district and governorate.

The site should be close or next to the main road of the district and not to be in a busy area for easy access to transport trucks from and to the center.

All attendees realized importance the horticulture collecting center, they reviewed the site selection criteria, then they defined and agreed on the final site for the horticultural collecting center is in the village/..... Sub district/ in ownership , who was attended this meeting, agreed, and he submitted all legal documents (Original property and waiver documents), All this documents should be legally and it edit by the district’s court for set up the horticulture collecting center in the district.

Data of owner land:

Owner	Name of the legal representative	His Position in ownership	Sex	Age	ID Number	ID Type	Phone No.	Signature and Stamp

Data of the land:

1. Name of the land:
2. Limits of the land: from the north, from the south, from the east, and from the west
3. Dimension of the land: L m, W m = m².
4. Coordinates: N, E

Since this project is community-based and has a high developmental momentum, and based on local authority regulations and community action regulations, the community should recommend (3) horticulture farmers as a community committee representing the society as a whole in the following order:-

- 1- They represent the community, the organization, the local authority, the agriculture office in the governorate and the district.
- 2- Signing the program agreements on behalf of the community.
- 3- Nomination of (2) two individuals to HCC manage.
- 4- Nominate of (15) the as workers in the HCC in accordance with the criteria of the program without bias to anyone.
- 5- Supervise and follow up on the workflow and evaluate the performance of the HCC management.
- 6- Supervise the expenses and purchases and the distribution of revenues according to the percentages specified.
- 7- Ensure the continuity of the work of the HCC.

After knowing all these details, all the attendees recommended the (3) individuals as a community committee representing the community as a whole.

- Community Committee Information :-

No.	Name	Sex	Age	ID Number	ID Type	Phone No.	Fingerprint or signature
1	Head						
2	Member						
3	Member						

Finally, the director general of the district explained the role of the local authority in the district, and that it will be a facilitating and a supervisory agency on the progress of the HCC's work and ensure its continuity. Also they considered this record is as a guarantee for FAO and governorate.

No.	Name	Position	Signature
1	Mr.	Head of the community committee.	
2	Mr.	Official of IPs	
3	Mr.	Notables and Figures of the local community.	
4	Mr.		
5	Mr.		
6	Mr.	Agriculture director in district	
7	Mr.	Member of the services committee in the district	
8	Mr.	District director general.	
9	Mr.	Agriculture director general in governorate.	

Attached documents:

1. Legal waiver document for moving the land ownership for HCC. ((Edited it by the district's court).
2. Original document for moving the land ownership for HCC. (Edited it by the district's court).
3. Signature list of farmers who attended the meeting.

B. A nomination Record for Administration and labors horticulture collecting center

Village.....Sub-district.....District.....Governorate.....

Day date \ \ 2022

A meeting was held between:-

- 1- Member of the Services Committee of the Local Authority in the District Mr.\.....
- 2- Director of the Agriculture Office in the district Mr. /.....
- 3- Official of IPs implemented for activity in the District Mr. /.....
- 4- Largest number of the vegetables farmers in district, they were () farmers. Should not be less than (80 -100)
- 5- Notables and Figures of the local community, and they are: - Mr. /....., Mr. /....., and Mr. /.....
- 6- Members of the Community Committee and they are: - Mr. /....., Mr. /....., and Mr. /.....

The focus of the meeting was to determine the final tasks of the HCC before it is implemented.

- 1- Nominate 2 individuals to manage the HCC.
- 2- Nominate 15 individuals as seedlings production labor.
- 3- Revenue distribution mechanism according to the program guidelines, which guarantees production continuity.

First: nominate 2 Individuals to manage the HCC.

The HCC technical trainer in the governorate explained to all the attendees mentioned above, the criteria of HCC management, and what are the tasks entrusted to them:

Criteria and conditions for selecting HCC management officials are as follows:

- 1. Have the full willingness and readiness to manage the HCC and take responsibility for the success of the project.
- 2. They are nominated by the community committee, and the nursery workers must be unanimous in their choice.
- 3. They should be from agricultural families for horticulture crops. Or have previous experience in the horticultural crops packing.
- 4. Preferably have university qualifications or agricultural diploma, or any academic qualification, or secondary certificate.
- 5. They have driving ability, wide chest capacity and absolute transparency.
- 6. They are active, energetic and impartial, and have a wide relationship with the farmers of the region and the surrounding areas.

7. They are ambitious, successful and love others.
8. Be near residents of the HCC site.

Their tasks are as follows:-

1. They are responsible to the Community Committee, the local authority, the Directorate and the agricultural offices for the conduct of the work and management of the HCC.
2. Build relationships with farmers and look for deals with wholesalers, and sign contracts with them.
3. Adherence to the best specifications for the packaging and marketing all the horticultural crops.
4. Manage expenses and revenues according to the relevant records.
5. Organizing work among HCC workers and distributing work among them according to a weekly plan.
6. Manage the supplies store and take care of tampering with them, and maintain all the components of the HCC.
7. Transparency in all their tasks, as their work is sensitive, so they needs absolute transparency.

After reviewing the various details, the Community Committee nominated (2) persons as the HCC administration, who were attended this meeting and agreed to all the aforementioned tasks and any administrative tasks that work to organize the workflow of the center.

No.	Name	Sex	Age	Type of qualification	ID Number	ID Type	Phone Number	Signature or fingerprint
1								
2								

Second: Selection 15 individuals as HCC's labors:

Selection Criteria:

- 1- Poor and impoverished agricultural labor possesses the vigor and desire for agricultural work. And team worker.
- 2- Agricultural labor from poor, impoverished families who have lost their productive assets and may be displaced or affected by war.
- 3- Labor from poor families with experience in the horticultural crops packing.
- 4- Agricultural labor from destitute poor families that do not have any sources of income.

- 5- Agricultural labor from poor, destitute families with labor and unemployed working hands.
- 6- They should not be related to each other, to the companions of the land, or to the community committee.
- 7- Preferable if they can write and read.
- 8- Their ages should be between the ages from 18 – 60 years.

Their tasks: Is to do various all work within the HCC, and take instructions from the head of workers who choose him, and maintain all the requirements and components of the HCC, attendance to work according to the weekly plan approved, and God in the help of all.

The Community Committee, having been informed of these details, nominated the following brothers as key productive workers:

No	Name	Age	Sec	ID Number	ID Type	Signature or Fingerprint
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						

No	Name	Age	Sec	ID Number	ID Type	Signature or Fingerprint
14						
15						

Third: The mechanism of distribution and percentage of revenues in accordance with the program standards to ensure continuity of HCC's work:

9- Revenue shall be distributed at the end of each month according to specific percentages that will ensure benefit to the beneficiaries, as well as the continuity of HCC's work:

10-

11- (45%) workers' salaries.

12- (42%) Maintenance, tools, stationery, water and electricityetc.

13- (5) % of the community committee.

14- (5%) the management of the collecting center.

15- (3) % local authority.

16-

17- Finally, the Chairman of the Community Committee, the representative of the local authority and the Director of the Agriculture Office in the Directorate explained that this report is considered a nomination record and at the same time, it is considered as a guarantee by all concerned before the local authority in the Directorate, and that the Community Committee must replace the retirees from them unconditionally.

18- This report is also a guarantee from the local authority in the District and the Agriculture Office in the governorate before FAO, and that they provide all possible facilities for HCC, which serves many of the agricultural community segments in the district.

No.	Name	Position	Signature
1	President Mr.	Head of the community committee	
2	Member Mr.	Member of the community committee	
3	Member Mr.	Member of the community committee	
4	Mr.	Official of IPs	
5	Mr.	Notables and Figures of the local community.	
6	Mr.		

7	Mr.		
8	Mr.	Agriculture director in district	
9	Mr.	Member of the services committee in the district	
10	Mr.	District director general.	
11	Mr.	Agriculture director general in governorate.	

List of farmers who attended the meeting

No	Name	Age	Sec	ID Number	ID Type	Land Area (Ha)	Signature or Fingerprint
1							
2							
3							
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5							
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List of farmers who attended the meeting

No	Name	Age	Sec	ID Number	ID Type	Land Area (Ha)	Signature or Fingerprint
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List of farmers who attended the meeting							
No	Name	Age	Sec	ID Number	ID Type	Land Area (Ha)	Signature or Fingerprint
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100							

No.	Name	Position	Signature
1	President Mr.	Head of the community committee	
2	Member Mr.	Member of the community committee	
3	Member Mr.	Member of the community committee	
4	Mr.	Official of IPs	
5	Mr.	Notables and Figures of the local community.	
6	Mr.		
7	Mr.		
8	Mr.	Agriculture director in district	
9	Mr.	Member of the services committee in the district	

10	Mr.	District director general.	
11	Mr.	Agriculture director general in governorate.	

C. A nomination record of locating and Community Committee for the horticultural Seedling Center:

Village.....Sub-district.....District.....Governorate.....

Day date \ \ 2022

A meeting was held between:-

- 1- District director general Mr. /.....
- 2- Member of the Services Committee of the Local Authority in the District Mr.\.....
- 3- Director of the Agriculture Office in the district Mr. /.....
- 4- Official of IPs implemented for activity in the District Mr. /.....
- 5- Notables and Figures of the local community, and they are: - Mr. /.....,
- 6- Mr. /....., and Mr. /.....
- 7- Largest number of the vegetable farmers in district, they were () farmers. Should not be less than (50).
- 8- At the beginning of the meeting, the district director general, the director of the agriculture office in district and the official in IPs explained important the community vegetable nursery, the implementing stages, operating mechanism and revenues management. As mentioned in this meeting the implemented organization (FAO) and Financed by the World Bank.
- 9- Before determining the location of the nursery, everyone was informed about the site selection criteria, which are as follows:
- 10- The site should be safe for implementation in terms of local and tribal conflicts.
- 11- Taking into account all aspects that ensure the survival of the project as a community project, without being acquired by community figures or a particular entity.
- 12- The willingness and approval of the local community about the selected location of where the nursery, and produce vegetable seedlings and ensure its continuity.
- 13- The location should be accessible and close to vegetable farmers as much as possible in order to serve the largest segment of them, and preferably close to the main road of the District.
- 14- The suggested location should be a flat area of (900) m2, a length and width of nearly (30) meters.
- 15- A source of irrigation water should be very close and suitable for irrigation throughout the year.
- 16- The suggested location should not be in open and windy area.

- 17- The site should have suitable environmental conditions in terms of low wind strength, suitable temperature, not to be in high elevated cold area or a low hot area to ensure a high productivity throughout the year.
- 18- All attendees realized importance important the vegetables nursery, they reviewed the site selection criteria, then they final defined it site and agreed is in the village/..... Sub district/..... in the farmer's ownership, who was present and agreed to set up the nursery in his land, provided that it will be rented by a lease between him and the community committee for only 10 % of the revenues of seedlings sales/each year throughout (10) years with compliance of all Yemeni legal items.

Data of land owner :

Name of owner	Sex	Age	ID Number	ID Type	Phone No.	Fingerprint or signature

Data of the land:

5. Name of the land:
6. Borders of the land: from the north....., from the south
....., from the east, and from the west
.....
7. Dimension of the land: L m, W m = m².
8. Coordinates: N , E
9. Irrigation source: Is it always available?

Since this project is community-based and has a high developmental momentum, and based on local authority regulations and community action regulations, the community should recommend (3) vegetable farmers as a community committee representing the society as a whole in the following order:-

- 1- They represent the community, the organization, the local authority, the agriculture office in the governorate and the district.
- 2- Signing the program agreements on behalf of the community.
- 3- Nomination of (2) two individuals to manage the nursery.
- 4- Nominate the beneficiary workers producing vegetable seedlings in the nursery in accordance with the criteria of the program without bias to anyone.
- 5- Supervise and follow up on the workflow in the nursery and evaluate the performance of the nursery management.
- 6- Supervise the expenses and purchases and the distribution of revenues according to the percentages specified.
- 7- Ensure the continuity of the work of the nursery.

After knowing all these details, all the attendees recommended the three individuals as a community committee representing the community as a whole.

- Community Committee Information :-

No.	Name	Sex	Age	ID Number	ID Type	Phone No.	Fingerprint or signature
1	Head						
2	Member						
3	Member						

Finally, the director general of the district explained the role of the local authority in the district, and that it will be a facilitating and a supervisory agency on the progress of nursery work and ensure its continuity. Also they considered this record is as a guarantee for FAO and governorate.

No.	Name	Position	Signature
1	Mr.	Official of IPs	
2	Mr.	Notables and Figures of the local community.	
3	Mr.		
4	Mr.		
5	Mr.	Agriculture director in district	
6	Mr.	Member of the services committee in the district	
7	Mr.	District director general.	
8	Mr.	Agriculture director general in governorate.	

Attached documents:

4. The lease contract is edited by a legal authority in district.
5. Signature list of farmers who attended the meeting.

D. A nomination Record for Administration and labors the horticultural Seedling Center:

Village.....Sub-district.....District.....Governorate.....

Day date \ \ 2022

A meeting was held between:-

- 1- Member of the Services Committee of the Local Authority in the District
Mr.\.....
- 2- Director of the Agriculture Office in the district Mr.
/.....
- 3- Official of IPs implemented for activity in the District Mr.
/.....
- 4- Largest number of the vegetable farmers in district, they were () farmers. Should not be less than (50)
- 5- Notables and Figures of the local community, and they are: - Mr.
/.....,
Mr. /....., and Mr.
/.....
- 6- The Community Committee and they are: - Mr.
/.....,
Mr. /....., and Mr.
/.....

The focus of the meeting was to determine the final tasks of the community vegetable nursery before it is implemented.

- 4- Nominate 2 individuals to manage the Nursery.
- 5- Nominate 15 individuals as seedlings production labor.
- 6- Revenue distribution mechanism according to the program guidelines, which guarantees production continuity.

First: nominate 2 Individuals to manage the nursery.

The nursery technical trainer in the governorate explained to all the attendees mentioned above, the criteria of the nursery management, and what are the tasks entrusted to them:

Criteria and conditions for selecting nursery management officials are as follows:

- 1- Have the full willingness and readiness to manage the nursery and take responsibility for the success of the project.
- 2- They are nominated by the community committee, and the nursery workers must be unanimous in their choice.
- 3- They should be from agricultural families for vegetables. Or have previous experience in growing vegetables.
- 4- Preferably have university qualifications or agricultural diploma, or any academic qualification, or secondary certificate.
- 5- They have driving ability, wide chest capacity and absolute transparency.
- 6- They are active, energetic and impartial, and have a wide relationship with the farmers of the region and the surrounding areas.
- 7- They are ambitious, successful and love others.
- 8- Be near residents of the nursery site.

Their tasks are as follows:–

- 1- They are responsible to the Community Committee, the local authority, the Directorate and the agricultural offices for the conduct of the work and management of the nursery.
- 2- Build relationships with Farmers and look for deals with vegetable growers, and sign contracts with them.
- 3- Production of vegetable seedlings according to annual, quarterly or periodic production plan.
- 4- Manage expenses and revenues according to the relevant records.
- 5- Organizing work among nursery workers and distributing work among them according to a weekly or monthly plan or production cycle
- 6- Manage the supplies store and take care of tampering with them, and maintain all the components of the nursery as a whole.
- 7- Transparency with society and employment when buying and selling, as their work is sensitive and needs absolute transparency.

After reviewing the various details, the Community Committee nominated (2) persons as the HCC administration, who were attended this meeting and agreed to all the aforementioned tasks and any administrative tasks that work to organize the workflow of the vegetable nursery:

No.	Name	Sex	Age	Type of qualification	ID Number	ID Type	Phone Number	Signature or fingerprint
1								
2								

Second: Selection 15 individuals as vegetables seedlings production labors:

Selection Criteria:

- 1- Poor and impoverished agricultural labor possesses the vigor and desire for agricultural work. And team worker.
- 2- Agricultural labor from poor, impoverished families who have lost their productive assets and may be displaced or affected by war.
- 3- Labor from poor families with experience in the production of vegetable seedlings.
- 4- Agricultural labor from destitute poor families that do not have any sources of income.
- 5- Agricultural labor from poor, destitute families with labor and unemployed working hands.
- 6- They should not be related to each other, to the companions of the land, or to the community committee.
- 7- Preferable if they can write and read.
- 8- Their ages should be between the ages from 18 – 60 years.

Their tasks: Is to do various productive work within the nursery, and take instructions from the head of workers who choose him, and maintain all the requirements and components of the nursery, attendance to work according to the weekly plan approved, and God in the help of all.

The Community Committee, having been informed of these details, nominated the following brothers as key productive workers:

No	Name	Age	Sec	ID Number	ID Type	Signature or Fingerprint
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2						
3						

No	Name	Age	Sec	ID Number	ID Type	Signature or Fingerprint
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5						
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Third: The mechanism of distribution and percentage of revenues in accordance with the program standards to ensure continuity of production:

Revenue shall be distributed at the end of each production cycle according to specific percentages that will ensure benefit to the beneficiaries, as well as the continuity of production and the functioning of the nursery. The income distribution ratios are as follows:

- 1- (40)% of the total sale of seedlings is distributed equally among (17) people, namely the employment and the administrative body.
- 2- (45)% of the total sale of seedlings is the purchase of production requirements for the next season in accordance with the annual or quarterly production plan of the nursery, and also to face any maintenance or damage.
- 3- (10)% of the total revenue of seedlings is the land owner share.
- 4- (5)% of the total sale of seedlings is distributed among the members of the community committee for their tasks.

Finally, the Chairman of the Community Committee, the representative of the local authority and the Director of the Agriculture Office in the Directorate explained that this report is considered a nomination record and at the same time, it is considered as a guarantee by all concerned before the local authority in the Directorate, and that the Community Committee must replace the retirees from them unconditionally.

This report is also a guarantee from the local authority in the district, and that they will provide all possible facilities to implement this community vegetables nursery, which serves many of the agricultural community segments in the District.

No.	Name	Position	Signature
1	President Mr.	Head of the community committee	
2	Member Mr.	Member of the community committee	
3	Member Mr.	Member of the community committee	
4	Mr.	Official of IPs	
5	Mr.	Notables and Figures of the local community.	
6	Mr.		
7	Mr.		
8	Mr.	Agriculture director in district	
9	Mr.	Member of the services committee in the district	

10	Mr.	District director general.	
11	Mr.	Agriculture director general in governorate.	

List of farmers who attended the meeting							
No	Name	Age	Sec	ID Number	ID Type	Vegetable Area (Ha)	Signature or Fingerprint
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List of farmers who attended the meeting							
No	Name	Age	Sec	ID Number	ID Type	Vegetable Area (Ha)	Signature or Fingerprint
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37							
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No.	Name	Position	Signature
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