



Tafila Wind Energy Project
Tafila Governorate
(Hashemite Kingdom of Jordan)

Resettlement Policy Framework
(RPF)

Report No. 11-1-3058d_rev.0

Project Company:

JWPC

Prepared by:

CUBE Engineering GmbH

Al-Rawabi Environment & Energy Consultancies

20th of November, 2012

Document List of Revision

Current Rev.	Date	Page Affected	Prepared By	Checked by (technical)	Checked by (quality assurance)	Released by
11-1-3058d_rev.0	20.12.2012	All	TM, AGÜ, REEC	ASC, JF LK, SC, PR, MaB	AGÜ	REEC
Document: 12-12-20_ESIA_Tafila_RPF.pdf						

Overall Project Management:

CUBE Engineering GmbH (Germany)



Local Project Management:

REEC - Al-Rawabi Environment & Energy Consultancies (Jordan)



Project Developer and Sponsor:

JWPC - Jordan Wind Power Company (Jordan)



This report has been prepared independent by CUBE Engineering GmbH and REEC - Al-Rawabi Environment & Energy Consultancies with all reasonable skill, care, diligence and best practice on behalf and support from JWPC as the developer of this project.

Disclaimer

The contents of this report are confidential. CUBE Engineering GmbH (“CUBE”) and Al-Rawabi Environment & Energy Consultancies (“REEC”) have partly relied on information provided by third parties and cannot guarantee the accuracy of such information thereof.

It is important to acknowledge that the information also contains some forward-looking statements on the environmental impact of the planned wind farm. Such statements are subject to risks, uncertainties, assumptions and other important factors, many of which are outside consultants’ control that could cause actual economic performance to differ materially from the results discussed in the forward-looking statements, but will not interfere with or change the fundamental result of the report.

The work of CUBE and REEC was carried out on the assumption that the documentation and information provided to us is reliable, accurate and complete in all material respects.

CUBE and REEC accept no responsibility in the event that the documentation or information provided by the third party turns out to have been incomplete or inaccurate. Under no circumstances shall neither the authors nor CUBE nor REEC be liable for any damage or loss suffered or incurred as a result of the statements made in the ESIA or otherwise in connection with this study.

Table of contents

List of abbreviations	V
1. Introduction.....	- 1 -
2. Project description	- 1 -
3. Guidelines and methodology	- 3 -
3.1. Guiding principles of resettlement.....	- 3 -
3.2. Process for developing the subsequent RAP.....	- 3 -
3.3. Estimated population and displacement likely categories of displacement.....	- 4 -
3.4. Legal framework and implementation process.....	- 4 -
3.5. Funding arrangements	- 4 -
3.6. Grievance redress procedures (disputes).....	- 5 -
3.7. Monitoring of compensation.....	- 5 -
4. Project-specific evaluation of the need for resettlement	- 5 -
4.1. Need for resettlement and valuation methods	- 5 -
4.2. Compensation consultation and participation.....	- 5 -
4.1. Estimated population and displacement likely categories of displacement.....	- 6 -
4.2. Need for resettlement action plan	- 6 -

List of abbreviations

DLS	Department of Land and Surveys, Jordan
ESIA	Environmental and Social Impact Assessment
GIS	Geo Information System
IFC	International Finance Cooperation
JD	Jordan Dinars
JWPC	Jordan Wind Project Company
MOU	Memorandum of Understanding
NGO	Non-governmental organization
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
TOR	Term of Reference
WTG	Wind Turbine Generator

1. Introduction

Designed by the International Finance Corporation (IFC) as a way to protect residents in the area of planned projects from unfairly losing their housing and livelihoods, the Resettlement Policy Framework (RPF) sets the basis for a subsequent Resettlement Action Plan (RAP). The RAP has been prepared for this study according to the Government of Jordan resettlement principles, which are similar to those of the IFC. The commitment of Jordan Wind Power Company, PSC (JWPC) to such principles is based on the laws of Jordan which ensure that affected people are fairly compensated for their land. These principles include the following aspects:

- © Involuntary resettlement should be avoided, or minimized where unavoidable.
- © Where resettlement is unavoidable, resettlement plans and activities should be seen and executed as development programs;
- © Resettled persons should be provided with sufficient investment resources and opportunities to share in project benefits;
- © Displaced persons should be meaningfully consulted, and participate in planning and implementation of resettlement programs;
- © Displaced persons should be compensated for their losses at full replacement cost, within three months of confiscation date (according to the Acquisition Law of the year 1987 and its Amendments which is similar and in line with IFC Guidelines);
- © The resettled persons should be assisted with the move and provided with support during the transition period;
- © Resettled persons should be assisted with their efforts to improve, or at least restore, their former living standards and income earning capacity.

2. Project description

The proposed project is a 117 MW wind energy project (“wind farm” or the “project”) to be located in rural land in the Governorate of Tafila. The development group for the Tafila wind project, JWPC, signed a memorandum of understanding (MOU) with the Ministry of Energy and Mineral Resources in June 2011 to evaluate the potential of a wind energy facility in the area of Tafila. The area was selected based on its low intensity of human habitation, proximity to existing transmission infrastructure, expected favorable wind resource, its far distance to the Jordan Valley and the correspondingly low expected impact on the nature and environment.

Construction of the project is planned to begin in 2013, and will continue for approximately 18 months. The project will operate for a period of 20 years, after which the project will be decommissioned and the equipment fully removed.

There are no permanent dwellings or other living structures in the project area that would be affected by the construction or operation of the project. Some land is used for wheat and barley production by the local residents. After the wind turbines are constructed and operational, this production can continue as in the past. Therefore, no residents will be affected and forced off of their land. The soil will also not be deteriorated or polluted in any way, so that the local residents will be able to expect the same amount of production as before the existence of the wind farm.

The relevant parties were directly consulted through a public consultation questionnaire, where they were informed about the phases and characteristics of the wind farm and its impact.

Most land required for the construction and operation of the wind farm is owned by the Government of Jordan. The rest of the land will be leased directly from the owners, who will continue to use their remaining lands for agriculture as usual during the operational phase.

The process of land identification began with acquisition of land parcel data in AutoCAD format (.DWG) from the Department of Land and Surveys, Jordan (DLS). These parcel boundaries were imported in a GIS mapping program, along with detail on the access and constraint features in the area. Once mapped, information on parcel ownership for parcels of interest to the wind farm was requested from the DLS, and this information was used to assess the layout of land ownership.

The typical procedure for land leasing included the identification of land parcels via GIS software the usage of the parcel number to find the appropriate deed for the land which contains the owners' names, along with their percentage of ownership. Either a local parliament representative (senator) who is familiar and well known to local residents or a the local real estate agent who is also very familiar to local residents contacted the land owners to get the telephone numbers or physical address of the owner's house.

The process continued with series of meetings with land owners to explain the nature of the project and the expected effects and benefits on the surrounding environment and people. Leases were presented to owners and any queries or questions were answered. Leases were discussed and finally signed and registered. Through negotiations, an average value of 30 JDs per Dunum per year was accepted as a fair compensation, while the owner will also have the right to use the land in a normal way except for those areas where the wind turbines and their adjacent structures will be located. Upon execution of leases, the first year of lease payment was paid to the owners, and the leases were recorded in Tafila with the local jurisdiction.

The rights of lease of JWPC include, but are not limited to:

- ④ Installation and construction of
 - ④ Wind turbine;
 - ④ Temporary access roads;
 - ④ Construction compound;
 - ④ Underground / overhead electric cables;
 - ④ Electrical switching / monitoring equipment;

- ⦿ Foundations;
- ⦿ Other as required (see draft lease).

- ⦿ Improvements to the land through:
 - ⦿ Excavation / shoring;
 - ⦿ Construction of roads;
 - ⦿ Rock removal.

- ⦿ Termination of lease.

3. Guidelines and methodology

3.1. Guiding principles of resettlement

In case the project requires resettlement, the following principles of the Jordan Acquisition Law, No. 12 of the year 1987 must be observed:

- ⦿ Principle 1: Resettlement must be avoided or minimized
- ⦿ Principle 2: Genuine consultation and participation must take place
- ⦿ Principle 3: A pre-resettlement data baseline will be established
- ⦿ Principle 4: Assistance in relocation must be made available
- ⦿ Principle 5: A fair and equitable compensation must be negotiated
- ⦿ Principle 6: Resettlement must take place as a development that ensures that directly affected communities benefit
- ⦿ Principle 7: Vulnerable social groups must be specifically catered to
- ⦿ Principle 8: Resettlement must be seen as an upfront project
- ⦿ Principle 9: An independent monitoring and grievance procedure must be in place
- ⦿ Principle 10: The developer will accept responsibility for resettlement and ensure that “Best Practice” is adopted

3.2. Process for developing the subsequent RAP

The process of developing the an RAP, should one be necessary, is detailed in the IFC Performance Standard 5 -Land Acquisition and Involuntary Resettlement. Paragraph 2 of this document states:

Unless properly managed, involuntary resettlement may result in long-term hardship and impoverishment for the Affected Communities and persons, as well as environmental damage and adverse socio-economic impacts in areas to which they have been displaced. For these reasons, involuntary resettlement should be avoided. However, where involuntary resettlement is unavoidable, it should be minimized and appropriate measures to mitigate adverse impacts on displaced persons and host communities should be carefully planned and implemented. [...] Experience demonstrates that the direct involvement of the client in resettlement activities can result in more cost-effective, efficient, and

timely implementation of those activities, as well as in the introduction of innovative approaches to improving the livelihoods of those affected by resettlement.

3.3. Estimated population and displacement likely categories of displacement

The RPF lists the types of people who would qualify for resettlement assistance and associated eligibility criteria are as follows:

- © Loss of Residence;
- © Loss of Business;
- © Loss of Land;
- © Loss of Communal resources;
- © Loss of Places of Worship.

3.4. Legal framework and implementation process

Should it be determined that resettlement is necessary to complete the project, a plan for the implementation process will be drawn up, according to the appropriate local and national legal framework. For example fair compensation will be agreed upon through direct negotiations with land owners where land is leased based on the Law of Rent and Owners no. 22 of the year 2011. The Primary Court has jurisdiction in the area when and if any grievances occur. This plan will contain significant amounts of community involvement, in order to be a fair and transparent process. The delivery of any entitlements will take place according to the IFC guidelines and all applicable laws.

Such a plan will be constructed after the evaluation of the need for resettlement, if it is found that resettlement is needed.

3.5. Funding arrangements

JWPC must provide both financial and additional administrative and technical expertise into the compensation processes. Based on that, the role of JWPC's responsibility will comprise the following activities:

- © Maintain overall responsibility for the implementation of the compensation processes;
- © Ensure that the Guiding Principles are adhered to;
- © Ensure maximum participation of the affected people;
- © Obtain sufficient funds to finance to provide just and fair compensation;
- © Accept financial responsibility for payment of compensation;

- © Ensure monitoring and evaluation of the undertaking of appropriate actions so to deal with grievances.

3.6. Grievance redress procedures (disputes)

Dispute mechanisms are essential tools for allowing affected people to voice concerns about the leasing and, if necessary, resettlement process as they arise. Such mechanisms are based in on the Rent and Owners Law no.22 of the year 2011.

Fair compensation will be agreed upon through direct negotiations with land owners where land may be leased based on that Law and the Primary Court that has jurisdiction in the area when and if any grievances occur.

3.7. Monitoring of compensation

JWPC is responsible for the implementation of the compensation plan. JWPC will also be responsible for providing finances for compensation and its delivery to the rightful people, and grievances are being attended to.

Internal monitoring will be conducted through qualified persons within the Ministry of Energy and Mineral Resources as well as local government. On the other hand, external monitoring will be conducted through IFC Supervision missions. Both monitoring levels should assure that fair compensation was delivered to the correct individuals.

4. Project-specific evaluation of the need for resettlement

4.1. Need for resettlement and valuation methods

As described in the project description in section 2, the project will not require any land acquisition or resettlement, as all land are either owned by the Government of Jordan or leased.

Since no land was confiscated nor any resettlement will occur, valuation of land leasing rates were negotiated directly with land owners based on the Jordan Law of Rent and Owners no. 22 from 2011.

4.2. Compensation consultation and participation

Compensation requires negotiation and communication with affected stakeholders. Consultation with affected communities has already been conducted through four persons or groups:

- ☉ A local parliament representative (senator) who is familiar and well known to local residents;
- ☉ A local real estate agent who is also very familiar to local residents;
- ☉ The team working on the environmental and social impact assessment (ESIA);
- ☉ Representative of JWPC.

As stated in the project description, the required agreements for land lease were obtained by involving a local senator or a real estate agent who arranged the final lease agreements. During the lease process the nature of the project and the expected effects and benefits on the surrounding environment and people were explained and leases were presented to owners and any queries were answered.

Other consultations activities included the scoping session process held by the company and the ESIA study team and the one-on-one meetings held as part of the socio-economic assessment study. Based on such consultation, JWPC decided to provide job opportunities for villagers within the project construction phase (see also the socio-economic assessment chapter in the ESIA).

The Ministry of Energy and Mineral Resources will monitor the process to ensure proper implementation, and is in line with the RPF and specific RAPs, that grievances are being attended to, and that any necessary changes to the overall process are being timely and sensibly made.

4.1. Estimated population and displacement likely categories of displacement

According to the statements made in the previous section, the table for categories of impact and estimated cost, which was introduced in section 3.3, has been completed below in Table 4-1 for the Tafila Wind Farm:

Table 4-1: Categories of impact and estimated cost

Category of Impact	Estimated No. of project affected persons	Estimated Average Value	Total Cost (JDs)
Residences	Not Applicable	Not Applicable	Not Applicable
Religious Structures	Not Applicable	Not Applicable	Not Applicable
Permanent Land Loss, Agricultural Fields	Not Applicable	Not Applicable	Not Applicable
Temporary Land Loss, Agricultural Fields	Not Applicable	Not Applicable	Not Applicable
Trees	Not Applicable	Not Applicable	Not Applicable

4.2. Need for resettlement action plan

In summary, no land acquisition or resettlement will occur for the wind farm project. Leased land within the project area will be compensated according to the Rent and Owners Law no. 22 of the year 2011 through direct negotiations with land owners. Therefore, a Resettlement Action Plan is not required.