PROJECT : MIDELT SOLAR POWER COMPLEX PROJECT – PHASE I
COUNTRY : KINGDOM OF MOROCCO

LAND ACQUISITION PLANS 1, 2 AND 3 (LAP1, 2, 3) SUMMARY

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NOOR MIDEHLT SOLAR POWER COMPLEX PROJECT – PHASE I- SUMMARY OF LAND ACQUISITION PLANS (LAP 1, 2 and 3)

Introduction

In its drive to meet the energy needs commensurate with its socio-economic development ambitions, Morocco has embarked on the implementation of a large-scale strategy in the electric power sector, with a view to boosting its renewable energy production. By 2020, the combined installed capacity of wind, hydro and solar power should each reach 2,000 MW. It is against this backdrop that the 2,000 MW solar electric power development programme was prepared and entrusted to MASEN for execution.

The "Noor Midelt" project constitutes Phase II of Morocco’s solar power plan and consists in setting up a solar electric power complex with a minimum capacity of 500 MW near the town of Midelt.

The implementation of this phase of the programme will not cause any physical population displacement. However, the construction of the solar power complex on a piece of land measuring approximately 4141 ha, acquired under the expropriation for public purposes procedure (subject of LAP1 report); the provision of common off-site road facilities, notably the access road to the complex and the bridge over the Sidi Ayad wadi (subject of LAP 2) and the construction of raw water supply facilities (subject of LAP 3), will require the mobilization of land belonging to different stakeholders (public forest estates, or waterways or roads, common lands, etc.) and will warrant compensation to the affected groups or persons. The various LAPs have been drawn up in accordance with Moroccan legislation and Guidance Notes of IFIs¹ (International Financial Institutions) on involuntary population displacement and land acquisition. Accordingly, besides the national requirements, the present LAPs summarized below also serve as Involuntary Resettlement Plans for affected persons as recommended by the policies of IFIs, notably the AfDB’s involuntary population displacement policy.

After providing a brief description of the project, the document recalls the objectives of the various land acquisition plans prepared, the legal framework of land acquisition in Morocco and the description of the plans proper. This description includes the status of the lands, legal framework of land management, mobilization procedures for the required land, consultation processes, complaints and compensation management measures, as well as implementation and monitoring measures.

1. PROJECT SUMMARY

The Noor Midelt project (NOORM) consists of the construction of a solar power complex comprising several units (power plants). The project’s implementation provides for phased development under a power generation public-private partnership (PPP) in the form of an IPP², covering the design, financing, construction, operation and maintenance of the solar power plants over a 25-year period. Phase I i.e. "NOORM Phase I", which is the subject of this project, will cover two (2) CSP/PV hybrid solar power plants. Each plant will provide a CSP capacity of 150 MW to 190 MW and will be equipped with a thermal storage device enabling it to operate for a minimum 5 hours without solar radiation (after sunset or during

¹ Performance Standard 5 from the World Bank’s Operational Policy 4.03, AfDB Operational Safeguard No. 2 on Involuntary Resettlement, Standard No. 6 of EIB Environmental and Social Handbook, and Environmental and Social Guidelines of KfW and AFD.
² Independent Power Producer
cloudy periods). The CSP technology to be used could be parabolic trough or tower collectors (see section on analysis of alternatives for details).

The project has a single component detailed below.

### Table 1: Project Components

<table>
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<th>Description</th>
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<tr>
<td>Power Infrastructures</td>
<td>NOORm I Plant</td>
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<td></td>
<td>NOORm II Plant</td>
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<tr>
<td>Total Project Cost</td>
<td>UA 1.7 billion or USD 2.3 billion</td>
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The following are the associated infrastructures:

- **Water Supply Infrastructure:** (i) Water intake at the Hassan II dam reservoir; (ii) Pumping and sedimentation stations; (iii) Water pipe from the sedimentation station near the dam to the on-site storage tank; (iv) Power supply to water facilities (22kv line);

- **Road Infrastructure:** (i) Development of the main access road on an existing rural road from RN13 (National Highway 13) to the site; (ii) Development of a second access road from the Hassan II dam to the site on an existing rural road;

- **Electrical power infrastructure:** Two 22 kV power lines are provided for, to supply the site and hydraulic structures, namely: (i) Line No. 1: Linking the Zaïda substation to the site via the national highway and the easement of the access road to the site; this line will be extended to the dam to ensure redundancy; (ii) Line No. 2: linking the Mibladen substation with the site via an old 20 kV line and the access road easement with the site from the dam.

The electrical power infrastructure developed by ONEE to evacuate power generated by power stations (225 kV lines, setting up of substations, substation extensions, power line shifts, etc.) will be the subject of ESIA and specific resettlement plans. The other infrastructures have been covered by this ESIA.

### Project Area

The site of the future Midelt solar power complex (NOOR_M) is administratively located in Midelt Province, on the Haute Moulouya plateau approximately 20 km northeast from the town of Midelt.
is accessible 30 km from the Route Nationale RN13 (highway), which links Meknès with Midelt. The flat profile of the site is suitable for the construction of a solar power complex. The site is also located 14 km from the Hassan II Dam (400 million m³) which will supply water to the complex. It is worth noting that the site lies merely around 10 km from the Mibladen transformer substation (225 kV) which can serve to evacuate part of the power generated by the complex.

**Figure 1: Location map of the project in MIDELT province**

![Location map of the project in MIDELT province](image1)

**Figure 2: Project location map on topographic map (scale 1: 50,000)**

![Project location map on topographic map](image2)
Area of Influence: The project site comprises two sections:

- A main zone covering a total area of 3,153.06 Ha, consisting of two parcels, the one belonging to the forest estate under the Forestry and Anti-Desertification High Commission measuring 956.31 Ha, and the other, a common parcel belonging to the Ait Ouefla and Ait Masoud Ouali Enjil ethnic communities, measuring 2,196.75 Ha;

- An extension zone: covering a total area of 988.07 Ha, consisting of a parcel belonging to the forest estate under the HCEFLCD and measuring 471.17 Ha, and common land belonging to the Ait Rahou Ouali ethnic community, measuring 516.90 Ha.

Immediate Impact Area:

It seems clear that the project area communes, namely Zaïda and Mibladen in Midelt Province, are those chiefly concerned. It is proposed that to these should also be added Ait Ben Yacoub municipality located in Midelt Province, and Enjil Commune belonging to the neighbouring Boulemane Province. Due to their location in the immediate vicinity of the project site, all these municipalities fall within the project’s immediate area of influence.

The project’s immediate impact area dwellers could currently number just under 30,000, nearly half of them in Zaida township and its rural hinterland. There are quite few human settlements in the area and a handfull of village communities, notably: (i) Aït Ghiat: 490 inhabitants for 131 households; (ii) Agoudim: 420 inhabitants for 84 households; (iii) Arbane: 360 inhabitants for 72 households; (iv) Ahouli: 126 inhabitants for 26 households; (v) Rahala Sidi Ayad: 432 inhabitants for 52 households; and (vi) Aïn Dheb: 51 inhabitants for 15 households.

Remote Impact Area:

The project is expected to be a major impactful economic operation that will have far-reaching effects throughout a sub-region characterized by a harsh physical environment as well as its extremely weak economic base and structures. The two economically fragile provinces where it is located, namely Midelt and Boulemane will thus be considered the project’s remote socio-economic impact area. It is worth noting that despite the project’s location in the immediate geographical proximity of Boulemane Province, the bulk of its activities will be centred in Midelt Province.

To mobilize the land needed for the implementation of this project, MASEN has set up three land acquisition plans (LAP 1, 2 and 3) in accordance with applicable Moroccan legislation, notably that on the disposal of collective property and forest assets.

The land acquired under LAP1 will host infrastructure for the solar power complex, broken down into several power plants. Each plant will be equipped with a thermal storage system.

The LAP 2 plots will host off-site infrastructure, namely the access road and the bridge over the Sidi Ayad wadi.

Regarding common infrastructures covered by LAP 3, they comprise a raw water supply system from the Hassan II dam to a storage tank and then to the Noor- Midelt solar power complex over a distance of approximately 14 km. It will in fact entail the construction of (i) a
water intake at the dam, (ii) a water tank; (iii) a loading tank; (iv) a water pipe from the dam to the storage tank and then to the site; (v) a power supply line for water facilities and (vi) an access road along that line.

2. POTENTIAL PROJECT IMPACTS

The implementation of the project will produce both positive and negative impacts on the communities in the project's direct and indirect area of influence throughout its life cycle.

The impact sources consist of all planned activities and facilities during the project’s construction and operation phases that are likely to affect the natural and human environment. During the construction phase, this will concern the building of the plant and associated and associated facilities such as the water supply infrastructure, electrical power infrastructure, access roads and power transmission line. The potential impacts of these works include soil degradation, water and air pollution, waste generation, noise, accident risks, etc. In the operation phase, the main impact sources concern operation of the complex with the noise and required human presence; accident and pollution risks, etc.

The positive impacts include easier access, job creation, increased activity of the enterprises under contract, reduced travel time and costs; in short, poverty reduction and improved living conditions for the people (especially women) in the vicinity of its power generation sites, and environmental protection (mitigation of greenhouse gas emissions).

Negative impacts concern expropriation and use of land belonging to others (local authorities or public property of the State), increased industrial and occupational health hazards (accidents, hazardous materials spills, electrocution, etc.), soil and water pollution risks, especially during construction works, increase in water needs and water offtake from the Hassan II dam; fire hazards, etc.

It is noteworthy that land acquisition for the implementation of the various project components constitutes a major constraint. While these lands may unsuitable for farming or grazing and there is no loss of dwellings or crops, their use by the project may restrict any subsequent use by the owners. Agreements and fair compensation must precede, in accordance with the requirements of the applicable policies in the country and the international financing institutions involved in the project. The various PAT that have been prepared and are covered by this summary, meet this requirement.

SOCIOECONOMIC PROFILES OF PERSONS AFFECTED BY THE PROJECT

The project’s immediate impact area dwellers are estimated at approximately 30,000. However, the municipalities most concerned are the communes of Zaida (13,181 inhabitants), Aıt Ben Yacoub (4,012 inhabitants) and Mibladen (3,084 inhabitants). Women constitute 50.5% of these affected populations.

The main occupation of these people is traditional farming. Their rate of illiteracy is high, particularly among women: 28% for men and 50% for women in Zaida; 37% for men and 59% for women in Aıt Ben Yacoub and 44% for men, against 62% for women in Mibladen, compared to 38% for women and 18% for men at the national level. Consequently, the unemployment rate is also extremely high, especially among women: the overall unemployment rate is 13.4, 4% in Mabladen against 53% for women; 12.5% in Aıt Ben Yacoub against 17.6% for women and 11% in Zaida against 25% for women. Healthwise,
medical coverage is extremely low for all municipalities. Maternal and infant mortality rates are twice as high as the national averages estimated at 27.6\% and 121 deaths per 100,000 births respectively. Access to utilities - electricity (e.g. 75\% in Mibladen compared to more than 90\% at the regional level), drinking water (69\% in Ait Ben Yacoub and 75\% in Mibladen) and transport - remains relatively low compared to other regions.

4. LEGAL FRAMEWORK FOR LAND ACQUISITION AND COMPENSATION PROCEDURES IN MOROCCO

4.1 Purpose of Land Acquisition Plans

The various land acquisition plans under LAP1, LAP 2 and LAP3, pursue the same objectives. Overall, the procedures followed to mobilize land will be described, with emphasis mainly on: (i) study area and legal status of the land, (ii) legal framework governing land acquisition; (iii) land acquisition procedures used (iv) public consultation methods, and (v) compensation methods and mitigation measures recommended, if any.

As a reminder, the Land Acquisition Plan, which is the subject of the LAP 1 report, describes the procedures for acquiring the land that will host the power generation complex; LAP 2 describes the procedure for acquiring the land needed for the provision of the off-site road infrastructure, in particular the access road to the complex and the bridge over the Sidi Ayad wadi, and the LAP 3 describes the procedures for the acquisition of land for infrastructure of the raw water supply to the Noor -Midelt solar power complex from the Hassan II dam, in particular the water pipe from the dam to the reservoir, the power supply to the water facilities and the access road along the pipe.

4.2. Land Tenure in Morocco

The legal framework governing land acquisition and compensation in Morocco distinguishes between the different land ownership regimes, to wit: common lands, private land, public and private property of the State, State forest estate, etc. Acquisition procedures thus vary according to the ownership status of the land concerned or the land tenure. It should be recalled that private ownership is the largely predominant status. Lands under this regime belong to one or more persons having full enjoyment.

Common lands belong to tribal communities and are under the supervisory authority of the Ministry of Interior. They are "impresscriptible, inalienable and unseizable". Their rightful claimants only have usufruct, which itself is inalienable. Communities with legal personality collectively own a land area that may be registered and delimited.

Public property of the State consists of all portions of the territory and all structures which cannot be privately owned because they are for everyone’s use, and their administration is the responsibility of the State as guardian of community interests. Public property is inalienable, impresscriptible and unseizable. For the purposes of economic development and investment projects, such property may be temporarily contracted out for medium or long-term occupancy (Dahir of 30-11-1918) or made available under specific agreements.

The private property of the State comprises various properties (land included) obtained through amicable acquisitions, the decommissioning of the Public Property, expropriations for public purposes and vacant estates.
The following are considered part of the State’s forest estate: State forests (natural woody vegetation); esparto fields so-called “alfatières”; land dunes and maritime dunes up to the boundary of the public coastlands; forest houses and their annexes, forest roadways, reafforested State lands, land acquired by the forest estate for reforestation, as well as their annexes: forest houses, nurseries, etc. Forest estates are inalienable and imprescriptible. They may be removed from the forestry regime only for public purposes.

4.3. Land Acquisition Method

Land in Morocco is governed by the regulations in force, as follows:

- Acquisition through transfer by mutual agreement (sale, exchange, donation); or
- Acquisition through succession (inheritance and sharing of an estate); or
- Acquisition through expropriation for public purposes (for the benefit of the State or public establishments); or
- Acquisition following a court decision (seizure, order, dispute resolution).

These acquisitions are granted by authentic instruments in accordance with Section 4 of Law No. 39/08 relating to the real property rights code. The terms and conditions of the acquisition and the expropriation procedure are detailed below.

(i) Method of acquisition of common land

Under the supervisory authority of the Ministry of Interior, these lands are transferred by the tutorship council of the owner communities, chaired by the Ministry of Interior and also including those in charge of agriculture and forestry. In accordance with the law of 27 April 1919 and due to their nature, such lands are imprescriptible, inalienable and unseizable. However, notwithstanding the Dahir of 27 April 1919 organizing administrative oversight of ethnic communities and regulating the management and disposal of common property, the State, public establishments and communal authorities may acquire common land.

(ii) Method of acquisition of forest land

Moroccan law has established the principle of State ownership of forests, based on the principle of presumption, and their inalienability with the exception of the three forms of land transactions provided for by the regulations, namely removal from the forestry regime, real estate exchange and the temporary occupancy of the forest estate.

A parcel of land may be removed from the forestry regime only for public purposes. It is pronounced by decree on the recommendation of an administrative board. It is automatic when it results from expropriation for public purposes or a real estate exchange. The latter is granted to enable forest estate grouping concerning land of vital importance to the forest estate. The forest land to be taken in exchange must be intended to host an investment project duly validated by the competent services. The exchange is done with equal value or with balance. The market values of the land to be exchanged or acquired are determined by the administrative appraisal commissions.

As regards temporary occupancy of the forest estate, it is one of the exceptions to the fundamental principle of inalienability of the forest estate. It thus constitutes, and in the
absence of other alternatives outside the forest estate, a procedure whereby the Administration makes available to the applicant (public or semi-public body, community, company, private individual, etc.), on a tentative and provisional basis, a parcel of the forest estate, for use compatible with the purpose of this estate and without detriment to the public interest.

(iii) Procedure for Expropriation for Public Purposes

The right to property is a constitutional right. However, the law may limit its scope and exercise where warranted by the Nation’s economic and social development requirements. In such case, it is done through a public interest declaration in accordance with Moroccan law No. 07/81 regulating the procedure of expropriation for public purposes.

This expropriation procedure, which is applicable only to real property and all the rights pertaining to it, seeks to strike a balance between the owners’ interests and the general interest. This legislator’s concern is apparent in the conditions and obligations imposed by law, requiring the expropriating party to fulfill all the precise and well-defined formalities in time and space, for the purpose of informing the rightful claimants.

This procedure is conducted in two phases: the administrative phase and the judicial phase. The administrative phase is triggered following the public interest declaration and the designation of the property to be expropriated. It involves stringent formalities which are required and must be fulfilled before initiating the judicial phase. It goes through the following stages: public interest declaration, administrative inquiry; determination of the compensable factors, valuation of the affected assets, amicable agreement, deed of transferability (approved by the head of government), deposit of the compensations at Caisse de Dépôt et de Gestion (CDG) in case of non-immediate collection of compensation paid amicably.

The dispute phase requires the approval and prior publication of the deed of transferability, which is the Final Expropriation decree. It takes place in three stages: taking of possession (ordered by the judge after confirmation of the public interest), transfer of ownership and setting of the compensation amount (in case of dispute over the amount proposed by the expropriating party at the amicable stage).

5. NOOR MIDElt PROJECT LAND ACQUISITION PROCEDURES

It should be recalled that the laws and regulations governing land acquisition are the same in Morocco regardless of the project concerned. The procedures followed for each of the LAPs depend on the legal status of the land and were conducted in accordance with national regulations. The main outlines for LAP 1, LAP2 and LAP 3 are summarized below.

5.1 Land Acquisition Procedures for the Power Generation Complex (LAP 1)

The land concerned is common land and forest estate land. For the acquisition of the land to host the Noor Midelt energy production complex, MASEN opted to proceed by mutual agreement in accordance with the legislation governing the management of the common land and forest estate land. This land comprises 5 Plots spread over common lands and land belonging to the forest estate. Under the said mutual agreement on common lands, the following method was used: (i) determination of the sale price of the land by an appraisal commission in accordance with the law of 19 March 1951 and (ii) obtaining the required
authorizations from the competent authorities (written agreement by local communities and authorization by the common lands supervisory board).

On the **forest estate lands**, MASEN submitted an application for removal to the Forestry and Anti-Desertification High Commission approved by the committee responsible for making recommendations. Thereafter, a commission of experts met to estimate the market value of the land to be removed, and then the removal draft was sent by the HCEF to the Ministry for review and signature.

However, as a result of the disputes between the communities and the forest estate for parcels 1, 2 and 5, as well as a third party objection to plot 3 (see map below) not being resolved after almost two years of negotiation, MASEN finally initiated a procedure of expropriation for public purposes. This procedure was initiated to (i) maintain a balance between the owners’ interests and the general interest and (ii) preserve the rights of all parties concerned. It followed the following steps: (i) preparation of the draft expropriation decree and its fulfillment of the publicity and posting requirements, (ii) an administrative inquiry aimed at gathering any claims from interested parties, and (iii) transmission of the final expropriation decree prepared by the Ministry of Energy, Mines, Water and Environment (MEMEE) for approval by the Head of Government, (iv) Administrative Commission for the assessment of provisional compensations, (v) Publication of final expropriation Decree, (vi) deposit of compensations with Caisse de Dépôt et de Gestion (CDG), (vii) court order to take possession, (viii) Transfer of Ownership.

**Map 1: Parcel Plan of Noor Midelt complex**
5.2 Land Acquisition Procedures for the Energy Production Complex (LAP2)

The infrastructures covered by LAP 2 include the access road to the site, the Sidi Ayyad wadi bridge and the MV electrical power infrastructure required to supply the Noor Midelt complex from the Zaida town. The lands concerned are essentially national land.

As regards the acquisition process, the access road and the MV power lines will be built on the easement of Provincial Road No. 7321 over a distance of about 10 km and then over a distance of 14 km following the existing rural road leading to Sidi Ayad. Part of this rural road crosses a parcel of land occupied by seismic monitoring stations set up by the National Centre for Scientific and Technical Research - CNRST, and will be deviated as a safety measure.

The easements of these common infrastructures, which are about 24 km long, are composed of four sections (see map below). Section 1, approximately 10 km long from the junction with National Highway RN 13, will be located on Provincial Highway No. 7321, forming part of public roads. Section 2, which is about 14 km long, lies on land belonging to the "Ait Rahhou Ouaali" community. Section 3, which is about 125 m long, forms part of the public water ways (bridge) while Section 4, approximately 445m long, lies on land belonging to the "Ait Oufella" communities.

Map 2: Access road to the Noor Midelt solar complex

Section 1 of the access road to the site will be built on Provincial Highway No. 7321 (currently a public road to be developed and widened). It should be specified that this road is classified as a public road and its development does not require additional land mobilization or acquisition.
Sections 2 and 4 will be constructed on an existing public rural road considered to be a right-of-way traversing the properties of the Ait Rahhou Ouaali and Ait Oufella communities. Hence, there is no need for additional land mobilization or acquisition. As a safety measure and by mutual agreement between the parties concerned, part of this rural road will be diverted to avoid the seismic stations set up by CNRST where the old rural road passes. The land concerned by the new road alignment is desert land and of low economic value, and its mobilization does not require any population resettlement or economic activities. The said Sections 2 and 4 will be constructed in accordance with the provisions of Law 39-08 concerning right-of-ways which was promulgated by Dahir No. 1-11-178 of 22/11/2011, which stipulates in Section 44 that "the de jure right holder of a right-of-way on property belonging to a third party may undertake all works necessary to operate and maintain the same, as well as the developments necessary to make it accessible and easily usable at its own expense and without the substance being severely impaired." Both communities and the provincial authorities agreed to the construction of Road infrastructure for these sections.

Section 3 concerning the construction of a bridge over the Sidi Ayyad wadi, will be implemented on the public waterway. This section was regularized with the Moulouya water basin agency (ABHM) as temporary occupancy.

5.3 Land Acquisition Procedures for the Energy Production Complex (LAP3)

Regarding LAP3, it should be recalled that the infrastructures to be built on these lands consist in bringing raw water from the Hassan II dam to a storage tank and then to the Noor Midelt solar power complex over a distance of approximately 14 km. The land required will carry water supply infrastructure, road infrastructure and electrical power infrastructure supplying energy to the water supply infrastructure. The map below shows the planned infrastructures and their location.

Land Mobilization by land status

Considering the status of the lands traversed, the mobilization of the land necessary for this sub-project includes the mobilization of common land, temporary occupancy of forest land and temporary occupancy of land on public waterways.

The three parcels described hereinafter comprising the said land (also see map) are: (i) Section 1, consisting of two parcels of common land of a total area of about 6Ha belonging to the "Ait Oufella " community on an area of 0.67 Ha forming part of the DA 425, and to the " Ait Rahhou Ouaali " community on an area of 5.47 ha included in the registration application No. R5780 / 42; (ii) Section 2, consisting of a parcel of approximately 49.5 ha of forest estate forming part of the registration application No. R3339/42, and (iii) section no. 3, consisting of two parcels of an overall area of about 1 Ha 28A, which is part of the public waterway, the first covering an area of 84A at the dam and the second of an area of 44A at the crossing of Sidi Ayyad wadi.

The common lands cover the two parcels of section No. 1 and will be acquired as part of the development of an existing public rural road and considered a right-of-way traversing the properties of the Ait Rahhou Ouaali and Ait Oufella communities. This section will be constructed with the agreement of both communities and the provincial authorities in accordance with the provisions of Law No. 1-11-178 of 22/11/2011, relating to the real property rights code.
Regarding forest estate lands, their occupancy had to go through the stages of (i) delimitation of the portions of land in the forest estate by a topographical survey engineer (with administrative and legal references); (ii) review of the file by the services concerned; (iii) issuance of an order for temporary occupancy; after payment by MASEN of the fees defined by the appraisal commission.

The temporary occupancy of land on public waterways of section 3 will be done under the concession contract relating to the use of water from the Hassan II dam reservoir for the construction and operation of the Noor Midelt solar complex.

Map 3: Location of LAP 3 infrastructures

6. PUBLIC CONSULTATIONS AND COMMUNITY INFORMATION

The public consultations were crucial to land acquisition and will so remain subsequently for smooth project implementation. Accordingly, they must be conducted in an appropriate
manner, while seeking to be as inclusive as possible. The following steps were followed: (i) information meetings and stakeholder agreement; and (ii) establishment of a complaints prevention and management mechanism.

The specific objectives were to: (i) establish and maintain constructive dialogue between the developer, affected communities and other stakeholders throughout the project’s life cycle; (ii) ensure that all stakeholders (including vulnerable populations) are properly identified, involved in decision-making and committed and (iii) involve stakeholders in the process of disclosure, commitment and consultations throughout the project’s life cycle in line with the principles of public participation, non-discrimination and transparency.

These same objectives are reiterated in the stakeholders’ commitment plan prepared by MASEN, which aims to ensure that the local populations involved in the project and all its components receive all the necessary information, in a simple and clear format, in order to understand the project impacts on their communities and proposed mitigation measures designed to support the population and cushion any adverse effects. The activities required for this commitment (summaries of the framework ESIA, consultation organizations, meetings, meeting reports, etc.) were undertaken as part of the framework environmental and social impact assessment.

During acquisition under LAP1, consultation meetings were held between the various parties involved in the Midelt energy complex project and associated common infrastructures to be provided, as part of the Framework Environmental and Social Impact Assessment. They were intended to provide answers to the questions raised by the populations and collect their opinions and proposals. The meetings brought together the provincial and local authorities, the Presidents of the territorial communes concerned, representatives of the population and the Nouabs of the communities concerned, the directors and heads of the administrative departments in Midelt, local associations, representatives of civil society and inhabitants of Douars and neighbouring villages.

MASEN organized a consultation and information meeting on 10 March 2016 in the "Afrah Atlas" hall in Midelt. The language of communication used for these meetings was Arabic dialect and had been agreed with the participants. The invitations were sent by post to the local authorities for posting at offices and through the national newspapers in Arabic and French.

During these meetings, the main concerns raised by the populations were the following: land acquisition and compensation, site selection and impact of mirror radiation on the health of neighbouring populations, the impact of consumption of the Hassan II dam water on the drinking water supply to the populations of neighbouring villages, employment of the local youth and the recruitment and social actions that MASEN intends to undertake. All these questions were answered appropriately and action will be taken during project implementation.

This consultation process will be continued during the project’s implementation and operation phases to ensure sustained public support and ownership of the project's objectives and activities.

Regarding LAP 2, as under LAP1, MASEN organized a meeting in Midelt for stakeholder information and agreement on 10 March 2016. The said stakeholders are mainly the Highways Departments, the Nouabs of the communities concerned and the Moulouya Water
Basin Agency - ABHM. The meeting was attended by the provincial and local authorities, the Presidents of the territorial communes concerned, the representatives and the Nouabs of the communities concerned, the directors and heads of the administrative departments in Midelt, local associations, representatives of civil society and Douars and neighbouring villages. At the end of this consultation, all the agreements were obtained with the Highways Departments and ABHM.

MASEN proceeded in the same manner for LAP3. With the consultation and information meeting, the Agency aimed to (i) establish and maintain a constructive dialogue between the proponent, affected communities and other interested parties throughout the project’s life cycle; (ii) identify and engage all stakeholders; (iii) involve stakeholders in the process of disclosure, commitment and consultation in an appropriate and effective manner throughout the life cycle of the project (including common infrastructure), in line with the principles of participation, non-discrimination and transparency, and lastly, ensure that relevant stakeholders, including groups ordinarily marginalized on the basis of gender, poverty, academic profile and other social vulnerability elements have the same opportunity to express their views and concerns as those included in the draft decision process.

7. COMPLAINTS PREVENTION AND MANAGEMENT MECHANISMS

Public consultations also serve as a framework for detecting and addressing any discontentment, grievance or conflict that may arise during the various phases of preparation, implementation and operation.

The complaints management mechanism will consist of several elements: (i) Publication of the Stakeholder Engagement Plan (SEP) and the public consultation report on the project developer’s website (www.masen.org.ma); (ii) Provision of contact information: address, telephone, fax and email; (iii) Opening of a complaints register; and (iv) Updating of the Register.

Complaints can also be filed via the email address midelt@masen.ma. A qualified expert will be recruited to collect and handle complaints and grievances, manage conflicts and lastly, monitor and evaluate local development projects. MASEN will regularly communicate with and report to communities and individuals throughout the life cycle of the project. Maintaining a written record of all complaints is essential for effective complaint management. The registered file will include the date of the complaint, all follow-up actions, their final result and the means and date of communication of this decision to the complainants. All registered complaints must be answered within 30 days.

8. COMPENSATION FOR LOSS OF LAND

Acquisition under LAP1 resulted in the payment of compensation under expropriation for public purposes. Following such expropriation, compensation will be paid to the rightful claimants. The compensation amounts fixed by the Administrative Assessment Board during the administrative phase of the expropriation procedure were deposited as provisional compensations at the Caisse de Dépôt et de Gestion (CDG) by MASEN. Once the final Transfer of Ownership judgment is pronounced and the required formalities of publicity and posting are fulfilled, a release of the compensation deposited is issued to the rightful claimants.
PAT 2 did not result in any physical displacement or compensation as the land concerned was not a dwelling place for the local people but was used for travel purposes and as a passage by people.

Under LAP 3, an annual fee will be paid only for the temporary occupancy of portions of the forest estate; the other lands (waterways and land belonging to the Ait Rahhou Ouali and Aït Oufella communities) will respectively be granted free of charge and used as part of the development of the existing rural road (community land).

9. IMPLEMENTATION SCHEDULE OF THE « LAP »

Land mobilization for the complex (LAP1) followed the timeline below

<table>
<thead>
<tr>
<th>Acquisition process</th>
<th>Start of acquisition procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>Start of acquisition procedures</td>
</tr>
<tr>
<td>1/10/2014</td>
<td>Obtaining the agreement of the Nouabs of &quot;Ait Oufella&quot; and &quot;Ait Massoud Ouali&quot;</td>
</tr>
<tr>
<td>31/3/2015</td>
<td>Obtaining the agreement of the Nouabs of &quot;Ait Rahou Ouaali&quot;</td>
</tr>
<tr>
<td>11/6/2015</td>
<td>Obtaining the recommendation of the HCEFLCD Board</td>
</tr>
<tr>
<td>2/3/2016</td>
<td>Launch of the expropriation procedure</td>
</tr>
<tr>
<td>5/5/2016</td>
<td>Pricing by the Administrative Assessment Board (EAC)</td>
</tr>
<tr>
<td>3/10/2016</td>
<td>Publication of the final expropriation decree</td>
</tr>
<tr>
<td>5/12/2016</td>
<td>Deposit of compensations in CDG account</td>
</tr>
<tr>
<td>9/12/2016</td>
<td>Application to Administrative Court for Possession Order</td>
</tr>
<tr>
<td>16/12/2016</td>
<td>Order for MASEN to take possession of the land</td>
</tr>
<tr>
<td>27/12/2016</td>
<td>Declaration of deposit of compensation with CDG</td>
</tr>
<tr>
<td>25/1/2017</td>
<td>Application to the court to fix final compensation and transfer ownership to MASEN</td>
</tr>
<tr>
<td>1/3/2017</td>
<td>Judgment of final transfer of ownership to MASEN and fixing of compensation for expropriation in the first instance</td>
</tr>
<tr>
<td>Q2 2017</td>
<td>Registration of expropriated properties in the name of MASEN</td>
</tr>
<tr>
<td>Pending</td>
<td>Final judgment fixing compensation for expropriation and disbursement of amounts paid to rightful claimants</td>
</tr>
</tbody>
</table>

As a reminder, the land acquired under LAP2 was mobilized free of charge from the Ait Rahhou Ouaali and Ait Oufella communities and from the administration of the Moulouya Water Basin Agency (ABHM). The key dates for the mobilization of these areas from sections 2, 3 and 4 are listed below. It should be noted that Section No. 1 of the access road will be built on Provincial Highway No. 7321 classified as a national land and its development requires no additional land mobilization or acquisition.

| 10/03/2016          | Consultation and information meeting in Midelt as part of the framework environmental and social impact assessment (FESIA) |
| 16/06/2016          | Agreement with the communities for section 2 |
| 30/06/2016          | Agreement with ABHM for temporary occupancy of section 3 |
| 15/07/2016          | Agreement with ABHM for section 4 |
Land acquisition under LAP3 is being finalized. The process was conducted according to the following schedule:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>30/6/2016</td>
<td>ABHM Agreement in principle for temporary occupancy under the concession contract</td>
</tr>
<tr>
<td>30/12/2016</td>
<td>Application to HCEF for temporary occupancy</td>
</tr>
<tr>
<td>5/1/2017</td>
<td>MASEN’s application to the supervisory authority for mobilization of common land</td>
</tr>
<tr>
<td>4/5/2017</td>
<td>Obtaining Agreement in principle from HCEF</td>
</tr>
<tr>
<td>5/1/2017</td>
<td>Obtaining agreements of Nouabs of 2 communities (Ait Oufella &amp; Ait Rahou Ouali)</td>
</tr>
<tr>
<td>Q3 2017</td>
<td>- Deliberation of the municipal council;</td>
</tr>
<tr>
<td></td>
<td>- Assessment Committee meeting to fix the fee amount</td>
</tr>
<tr>
<td>Q3 2017</td>
<td>Signature of concession contract between MASEN and ABHM</td>
</tr>
</tbody>
</table>

10. COSTS AND FINANCING

The financing of costs generated by the land acquisition process is covered by MASEN's own investment budget. The amount for land acquisition for the Noor Midelt site has been estimated at approximately DH 83 million. The amount of annual fees payable for forestry and water resources under LAP3 is yet unknown. It should be added to this amount. Land acquisition under PAT2 does not involve payment. Rather, they concern agreements with the various administrations and communities, for use as a right-of-way, or as part of national land.

11. MONITORING AND EVALUATION

Monitoring and evaluating the implementation of commitments to affected populations and communities play a vital part in the conduct and achievement of project objectives. To that end, having consulted the stakeholders during the study and preparation phase, MASEN, through its Prospecting Department and the Project team will ensure systematic monitoring and evaluation: for each acquisition and compensation operation, the operations monitoring tables drawn up will be updated. They will be available when necessary for any consultation and will be transmitted regularly to the IFIs as part of the semi-annual progress reports and as many times as requested by the IFIs to keep them abreast of major developments. The monitoring budget will be included in MASEN's overall budget. Furthermore, a social expert who will be recruited by MASEN and will be based at the site in Midelt and directly attached to MASEN’s local development department will be responsible for collecting and processing complaints and grievances in case of conflicts and lastly, for the monitoring and evaluation of local development projects.

In addition, a public communication mechanism will be established to ensure proper management of any request from the communities. Regular reports to communities and individuals concerned throughout the project’s life cycle will also be produced.

12. CONCLUSION

The land acquisitions under LAP 1, LAP 2 and LAP3 have all been undertaken and are well advanced. They were conducted in accordance with the applicable law in Morocco and in accordance with international donors’ requirements. Compensation will be paid in accordance with the law where the land ownership status so requires. The populations concerned have been consulted and will be consulted throughout the life cycle of the project. Socio-economic
activities likely to enhance the project impact for their benefit will be undertaken following an in-depth socioeconomic study and consultation of the populations around the project.

13. REFERENCES AND CONTACTS

The preparation of this summary was based on the following documents:

- MASEN- Projet de Complexe d’énergie solaire de 800 MW à Midelt – Maroc. Plan d’Acquisition de terrain (PAT1) ; June 2017
- MASEN- Projet de Complexe d’énergie solaire de 800 MW à Midelt – Maroc. Plan d’Acquisition de terrain lié aux infrastructures communes routières (PAT 2) ; June 2016
- MASEN- Projet de Complexe d’énergie solaire de 800 MW à Midelt – Maroc. Plan d’Acquisition de terrain lié à l’adduction d’eau brute (PAT3) ; June 2017.

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