EXECUTIVE SUMMARY

POPULATIONS’ RESETTLEMENT FRAMEWORK

April 2014
I. INTRODUCTION

The Bank was approached by the consortium OMV/STGP consortium to finance the STGP project in 2011. A Project Evaluation Note (PEN) was approved by OPSM management for a senior loan of up to USD 200 million as a project finance facility. However, under the post revolution scenario and in light of the Hasdrubal project experience in 2010, ETAP and the Bank have shown a preference for a corporate loan facility in favor of ETAP to finance its investment plan over the years 2013-2020.

It is noteworthy that within the Hadsrubal financing framework, the Bank requested from ETAP and monitored the implementation of an environmental and social management plan (ESMS) for all ETAP's activities in compliance to international standards. The Bank had then assisted ETAP in this assignment and approved the ESMS.

ETAP’s Investment Program (IP) for the period 2013-2020 comprises two major activities: i) further development of oil & gas fields production and related infrastructure in the Tunisian southern region, and ii) the expansion of treatment and transport infrastructure for products from the fields to the port of Gabès. The STGP project represents the backbone of gas infrastructure network and will lay the foundation to develop hydrocarbon resources for future energy sufficiency.

ETAP currently hold participation interests in 23 concessions which are all under production. Capex investments are required in these concessions to either: (i) increase the production profile of hydrocarbon resources by drilling additional wells; or (ii) maintain as long as possible the current production levels and delay depletion of concessions. Pursuant to the strategic orientations and in particular the objectives aimed at the social well-being and the improvement of the citizens' living conditions contained in the Natural gas Development Programme, the Southern Tunisian Gas pipeline project (Nawara) emerges as a necessity for the development of the gas fields of the Tunisian south and the reinforcement of the exploitation of national gas reserves, as well as to meet required contribution to the country's energy balance.

This document constitutes the summary of the Populations' Resettlement Framework (PRF). This document examines how the people susceptible of being affected by the implementation of the project should be handled as well as the modalities to compensate them.

The aim of the study consists of elaborating a Resettlement Framework of the populations that could be affected by the activities of the construction and exploitation of the Southern Tunisian Gas pipeline (Nawara) project financed by the African Development Bank (AfDB).

The responsibilities for the AfDB in this regard will apply only to the Southern Tunisian Gas pipeline project, which it finances.
The policies and procedures described in this PRF are in conformity with the African Development Bank's Policy as regards the involuntary displacement of populations and with all its associated principles as well as the applicable Tunisian regulations.

II. PROJECT DESCRIPTION

1. PROJECT DESCRIPTION

The project comprises the following components:

- A Processing Centre in Nawara (PC): Located in Nawara, the station will collect the gases from Nawara and potentially from the southern fields, where they will be compressed before being transported by pipeline.

- A gas transfer pipeline of: 28” in diameter and 370 kilometres long, with a rated capacity of 7 million m$^3$/day.

- A Gas Treatment plant (GTP): the factory will be located at Ghannouch in the industrial park close to Gabès and will include LPG storage installations. The treatment plant will be designed with an initial processing capacity of 4 million m$^3$/day, which can be increased up to 10 million m$^3$/day. The gas will be conditioned for sale, whereas the condensate (LPG) will be recovered to produce commercial propane and butane.
Figure 1: Project location map*
*Gas pipeline route, production centres and the gas treatment unit in Gabès.
2. COMPONENTS OF THE PROJECT

2.1 The Processing Centre in Nawara (PC)

The installations of the Nawara production centre include:

- A system of reception of the fluids stemming from the wells in production through multiphase pipes;
- A system of separation of gases, condensate and water;
- A stabilization column for the crude and a fix roof vat of a capacity of 5000 barrels;
- A gas compression unit and a gas dehydration unit;
- A propane cooling unit;
- A recovery station for oily water;
- Two gas turbines of a unit capacity of 5 MW;
- The utilities necessary to the operation of the production centre (electricity, water, compressed air, etc.).

The treatment consists of separating, treating and stabilizing the fluids to produce 2.7 MSm³/day of gas and 7000 barrels a day of condensate.

The stabilized crude will be routed through a 10 km long pipeline with a diameter of 6” towards a point of connection with the pipeline of the TRAPSA, whereas a gas pipeline will be installed for the export of gas towards the Ghannouch compression centre in the area of Gabès.

The production centre will cover a surface area of 2.25 hectares beside the Nawara-1 well. Two gas turbines of a unit capacity of 5 MW will provide the electricity necessary for the needs of the base camp and the equipment.

The Nawara base camp will be used to accommodate the operating staff of the centre; the estimated number of staff is 10 people.

The construction of the installations of the Nawara production centre, the installation of the infield pipelines and of the shipping pipelines will entail four building phases:

- Civil engineering works to level the sites and to build the concrete foundations;
- The installation and assembly of the buildings, pipes and equipment;
- The installation, the connection and the testing of the pipes;
- The commissioning of the installations.

Building works will stretch over approximately two years. The mobilized team will be made up of approximately 300 people. The building manager will set a building camp to accommodate the contractors involved in construction activities.

Petrol will be supplied by tankers, and will be used to cover the base camp and equipment needs.
During the operational phase, fuel gas is a prime necessity for the production of electricity. Gas consumption is estimated at 0.1 MSm²/d.

All the required and effective means of communication will be available for the staff's work and for their safety needs.

![Project Diagram](image)

**Figure 2: Project diagram**

### 2.2 The gas pipeline

The gas pipeline will be 370 km long and 24" of diameter. The pipeline's routes crosses four Governorships, e.g. Tataouine, Mednine, Kébili and Gabès. The gas pipeline will be used to channel the gases treated at the Nawara concession, in the Tunisian South. These gases will be conveyed via this gas pipeline towards the Gabès treatment station.

The gas pipeline will be composed of the following elements:

- The main line: a 370 km long pipe.
- 12 switching stations (every 30 km, as per the ASME code guidelines for distance safety).
- The switching and dispatching stations offices.
- Markers every 10 km (along the principal gas pipeline).
- Anti-corrosive protection installations and lighting stations installations.

#### 2.2.1 Categories of sites

The sites where gases transportation works are located and which fall under standard NT109.01 relating to transportation works of fuel gas by pipe, are classified in three categories, namely A, B and C according to the nature of land use:

- **Category A:** Desert or mountainous areas, agricultural land, forests, rangeland, pastures and rural areas with a population density lower than 6/hectare.
- **Category B**: Rural areas with a population density varying between 6 and 30/hectare maximum, the suburban areas of urban centres, sites located less than 75 m from an establishment open to the public, public roads and state-owned maritime or river areas.

- **Category C**: Urban centres or rural centres with a population density higher than 30/hectare.

### 2.2.2 Gas pipeline route

Two alternatives were initially proposed with regard the gas pipeline route: the Eastern route and the Western route.

The Western route was selected by taking into account certain factors, such as the length of the gas pipeline and infrastructural needs. The Western route crosses four Governorships, e.g.: Tataouine, Mednine, Kébili. 12 cutting valves will be built along the gas pipeline, as a means to ensure the control and the safety of the transfer of gases of the Nawara PC towards the Gabès treatment station.

### 2.2.3 Project implementation works

The duration of the construction phase is estimated at three years and includes in particular the following phases:

- Development of the plans, drawings and implementation documents
- Implementation of the following operations:
  - Occupation of the rights-of-way (35 m)
  - Opening of the tracks
  - Digging of the trench
  - Crossing of obstacles

The building manager will also be responsible for:

- Making the intervention areas secure and protected
- Hydraulic testing will be carried out under the control of an organisation approved by the Ministry of Industry, in accordance with standard NT109.01 and before the start of operations.

### 2.2.4 Operation of the works

Once the works and the tests have been completed and OMV has signed off on the building works and once all reticulations to future consumers, e.g. households and industry have been completed, the operation phase will begin.

The gas pipeline's right-of-way area is 6 m. This area can only be used for agricultural purposes (with crop root systems not exceeding 0.5 m of depth) or pastures.

#### 2.2.4.1 Exceptional interventions

Renovation work on the pipe could occur punctually and locally, generally after several years of operation, or when new connections are added to the pipeline.

#### 2.2.4.2 Monitoring of corrosion of the gas pipeline
The monitoring of internal and external corrosion along the pipe will be carried out on a regular basis in accordance with standard NT109.01. Paragraph 6 Operation of transport works (6.3 - Monitoring of corrosive actions).

2.2.5 Works decommissioning phase

The production run of the gas pipeline is estimated at 30 years. At the end of this period, three scenarios must be considered:

- To proceed with removing the pipe and with discarding all the elements in a public dump
- To discontinue in situ operation and to study its effects on the natural environment
- To study the possibility of a later use

2.2.6 Equipment and human resources

- Construction and laying phase

For the needs of the gas pipeline laying works, it is planned to mobilize 300 people as well as digger loaders and other machinery necessary for the provisioning of the building site.

The works will be carried out by companies specialized in the field and will be supervised by control bureaus and the OMV project team of project accordance with the applicable regulations.

Trucks trailers will transport the pipes to be laid. Each truck will transport a maximum of 10 sections with a maximum length equal to 14.6 m. Side booms will be used to lower the sections of pipe to be laid.

During the construction phase, authorized companies will ensure the supply of fuel. The fuel will be stored close to the building camps. Drinking water will be provided in mineral water bottles. The personnel's daily consumption is 100L. The leak tests will require water, which will be taken from a water well at the level of the NAWARA concession. The drilling authorization has been submitted to the regional and central agricultural and hydraulic authorities.

- Production run

During this phase, a trained team of 6 people will ensure the maintenance of the gas pipeline.

During the operation of the gas pipeline, PV systems will provide electric power to the stations. These stations will require nitrogen, which will be provided in bottles.

- Decommissioning phase

A plan of decommissioning will be submitted to the competent authority and carried out in compliance with the applicable regulations and procedures. The programme and the allocated means will be detailed in this plan.

2.3 Gas treatment plant (GTP)

2.3.1 Location of the unit

The Gas treatment unit is located on a plot of 35 hectares located in the industrial park of Gabès (Governorship of Gabès).

2.3.2 Equipment installation phase
The design of the gases treatment unit will go through the following stages:

- Site preparation, clearing access paths and building of the premises.
- Installation of the storage surfaces and layout of the rain water supply network, the drinking water supply network, the sanitation network and the electrical supply network.
- Installation of heavy equipment.

The gas treatment unit includes the following units:

- Unit for the reception of gas (triphase separator)
- Mercury dehydration and elimination unit
- NGL recovery unit and GPL fracking unit (of the columns)
- Commercial gases compression unit
- LPG storage and shipping unit and forwarding and stabilized condensate storage and shipping unit.
- End products tax measuring units

The gases treatment unit must essentially comprise the following utilities:

- A service and drinking water unit and a sanitary effluents treatment unit
- Drainage of treated oily water
- Fire extinction water supply network
- Principal system of electrical energy production and distribution

2.3.3 Treatment phase at the level of the GTP in Ghannouch

Crude natural gas is not transported in the state in which it was extracted. It must be treated in order to deliver a consumption gas in accordance with the regulatory specifications required by the customers.

The gas coming from Nawara that was pre-treated at the level of the PC (Nawara concession, Governorship of Tataouine) was treated using the Amine absorption system. This process will have made it possible to eliminate traces of H$_2$S that would possibly be present in crude gases.

As a result, there will not requirement for an H$_2$S elimination phase in the treatment process that will be adopted at the Ghannouch gas treatment unit.

At the level of this unit (Ghannouch), treatment will primarily be based on the process of Mercury elimination.

Certain metal substances such as Mercury can indeed be found in traces in natural gases. The presence of Mercury even in traces can lead to corrosion problems; in particular in the aluminium exchangers used in the liquefaction processes.
In the case of the Nawara concession gases, the Mercury rate could reach up to 70ng/m³.

The GTP was conceived to treat gases with Mercury content of up to 100ng/m³.

The Mercury elimination process would be based on an absorption unit (filters confined in cartridges) with a capacity to treat 2.7 Nm³ crude gas/d.

Once the treatment is completed, the recovery of LPG would be ensured by a first pipeline which would be able to produce 2.45 MSm³ commercial gas /d. Once treated, the LPG will be separated and the commercial gases will be compressed in order to be delivered respectively to the SNDP and the STEG.

The daily production of the gases treatment unit (2.7MSm³/d for the first phase) is as indicated in the table below:

<table>
<thead>
<tr>
<th>Product</th>
<th>Unit</th>
<th>Maximum quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Propane</td>
<td>T/D</td>
<td>230</td>
</tr>
<tr>
<td>Butane</td>
<td>T/D</td>
<td>220</td>
</tr>
<tr>
<td>Commercial gas</td>
<td>MSm³/J</td>
<td>2.45</td>
</tr>
<tr>
<td>Condensate</td>
<td>T/D</td>
<td>30</td>
</tr>
</tbody>
</table>

2.3.4 Human resources and equipment

- Building Phase

The building of the unit and the installation of the equipment will require a labour force of (500) five hundred people.

During the building phase, water (drinking water and domestic water needs for the workmen) and electricity (to run the equipment and the lighting of the unit) will be required. There will be respectively provided by the SONEDE and the STEG.

- Operational phase

During the operational phase, 50 people will ensure the various activities carried out within the unit. Electricity will be produced within the treatment unit.

Separate outlet pipes will be used for the routing of the end products towards the STEG and the SNDP.

III. LEGAL FRAMEWORK AND PROBLEM SOLVING MECHANISMS AND RECOURSE

In Tunisia, land cover modalities and compulsory purchases in the public interest are regulated by the text of Act n° 2003-26 of April 14, 2003, amending and supplementing Act n° 76-85 of August 11, 1976 revising the legislation relating to compulsory purchases in the public interest in the Republic of Tunisia. It regulates the State and public land tenure system in Tunisia. It is today regarded as the text of reference on the matter.

1. Tunisian land tenure system and regulations as regards to compulsory purchases.
The Tunisian regulatory framework as regards compulsory purchases in the public interest provides that only people holding a land title deed can receive compensation. The Recognition and Conciliation Commission instituted by Act n° 2003-26 of April 14, 2003 will order the Ministry of State-owned Property (MDE) to proceed with advertising the intention of expropriating after having collected the real and technical data related to the project. Advertising is done through posters and by submitting to the Governorship, the Delegation, the municipality and the regional direction of State-owned land and Land Affairs of the places where the above-mentioned land or habitations are located for a period of one month:

- A descriptive list comprising the names of the owners or presumed owners;
- The plot plan established by the Topography and Land register Office (OTC) and showing the plots and residences to be compulsory purchased

Sound and written communication medium are also used for advertising. The commission convenes at its headquarters the owners or presumed owners in order to reach an agreement on the amount of the value of the good to be compulsorily purchased. This value is evaluated on the basis of reports:

- The first one is compiled by the expert of the Ministry of State-owned Land, and
- The second is compiled by an expert registered on the list of the legal experts that the beneficiaries or some of them can choose.

The concerned administrative party will be expected to consign the value set by the commission in light of a motivation report that it will compile. The right-holders must inform the Commission of their acceptance or refusal of the said value.

Any person claiming to have a right on the grounds or goods to be compulsorily purchased is allowed to submit a motivated opposition to the commission with regards to either the existence of the public interest, or the dueness aspect of the expropriation. In the event of an opposition, the commission proceeds with carrying out the necessary investigations. The opponents are convened to this investigation through administrative channels with at least eight days notice. The opponents as well as all the other interested parties are thus heard and their observations are compiled in an official report established by the commission. The latter examines the oppositions after seeking the opinion of the OMV and the MDE, and then orders the OMV to proceed with the final sub-division of the good to be compulsorily purchased, as well as with the final plan concerning the non-registered building. This is done via the OTC, the surveyor or any recognized organisation duly authorized for this purpose. OMV can for this purpose request the necessary court orders to ensure that the entire building to be compulsorily purchased is accessible.

Also, Act n° 2003-26 of April 14, 2003 revising the legislation relating to compulsory purchases in the public interest lays the emphasis on a procedure which comprises the following stages: (i) the declaration of public interest; (ii) the public investigation known as the expertise; (iii) the work of the CRC; (iv) the CRC report which indicates the properties to compulsorily purchase and the setting of compensations; (v) its publication; (vi) the voluntary sale; (vii) the absent people or people in opposition; (viii) the expropriation decree; (ix) the payment of the allowance to the beneficiaries; and (x) the ownership of the good. These are stages followed within the scope of this project.

2. **LEGAL MECHANISM UNDERPINNING THE PROVISIONS OF ACT N° 2003-26 OF APRIL 14, 2003.**

Should the Recognition and Conciliation Commission fail to have the expropriating party and the expropriated party reach an agreement or in the event of a dispute on the principle of the right or quality of the applicants, the allowance amount is determined via a legal channel.
Actions relating to a compulsory purchase in the public interest, with the exception of recourse in the event of abuse of power, fall under the jurisdiction of the court order with its various degrees envisaged by the civil procedure and commercial code. The court seized with the intention of obtaining the expropriation allowance orders the assignment in forced intervention of any creditor who owns duly registered valuable securities attached to the good that is compulsorily purchased.

The above-mentioned actions lie in the first instance under the responsibility of the court of First Instance of the locality where the compulsorily purchased goods are located. The court pronounces a judgement within three months, with the three months period commencing on the date that the first hearing of the case is held. This judgement:

i) Sets the expropriation allowance, which is opposable to any right-holder at whatever time they make themselves known;

ii) Authorizes the building site manager to take possession of the compulsorily purchased good once the expropriation allowance has been deposited with the National Treasury of Tunisia;

iii) Orders the withdrawal of the aforesaid allowance, taking into account the priority of the creditors over the owners, within the limits of the value determined according to all the rights existing on all or part of the compulsorily purchased good and within the limits to all the actions involving a claim or a contestation and all other real actions, which are transferred onto the expropriation allowance.

The compulsory purchase decree, accompanied by a final subdivision plan or a final plan depending on the case, is published in the Official Journal of the Republic of Tunisia and states that these formalities have been completed.

The owner involved in the compulsory purchase procedure can, in the event of conflict with the Administration, bring an appeal before a legal authority if he/she is not satisfied with the proposed expropriation allowance. The procedure is automatic the moment the person to be expropriated does not sign the compensation certificate (voluntary agreement contract). The allowance is then deposited with the Treasury until the judge gives his/her verdict, on the basis of possible expertise that the interested party or the Administration can decide to have executed by a sworn expert.

This procedure has suspensive effect until the moment the compulsory purchase takes place and the STA gets to enjoy the right of the concerned good. However, once the compulsory purchase judgement has been pronounced, it is enforceable, without notice, even if the interested party lodges a new appeal before the competent jurisdiction. In this instance, the recourse emanates from a deliberate intention of the applicant. In this case the expropriation of the good can thus be carried out even if the owner did not perceive his/her allowance. This allowance then remains with the Treasury until either the interested party abandons the procedure and perceives it, or the jurisdiction of appeal renders its judgement.

3. MECHANISMS OUTSIDE OF THE PROCEDURE

All the compensation and allowances are done entirely and exclusively within the Tunisian judicial and regulatory framework. The provisions made by the Bank’s directives will allow minimizing the number of complaints and recourse. In this case the applicable system is as follows:

i. In the first place, the allowance agreement certificate is subject to the signature of the person affected by the project;

ii. If there is an agreement, the allowance agreement certificate is signed and put in the circuit for the other parties to sign and for the payment documents to be established;
iii. If there is a dissension, a negotiation is initiated with the PCC (Project Coordination Cell) until an agreement acceptable to both parties is reached, with the possible recourse to a third expert;

iv. If the negotiation cannot succeed, the recourse will be dealt with by the local authority representative (Omdas).

Within the framework of this project, the PCC envisages a conciliatory approach in order to preserve the rights of the people affected by the project, while privileging a sound management of the compensation budget.

4. **CONSISTENCY WITH BANK’S PRINCIPLES ON COMPENSATION AND RESSETLEMENT**

It is noteworthy that the Tunisian regulation does not request resettlement of persons affected by the project but acknowledges compensation. The Orientation paper of the Bank on resettlement stipulates:

- To design the project is such way that displacement of populations is avoided or minimized considering the project’s alternatives.
- Mitigate the negative social incidents resulting from the loss of goods or restrictions related to land uses by providing compensations.

The national measures to be taken into consideration for compensation and resettlement (by providing indemnities) as described below are consistent with the bank’s requirements except resettlement which is not considered under the Tunisian regulation. Relocation is also not considered but can be an alternative depending on circumstances and availability.

### Table 1: Consistency between Bank’s policy and Tunisian regulation

<table>
<thead>
<tr>
<th>Concept</th>
<th>Bank’s policy</th>
<th>Tunisian Framework</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Compensation and resettlement due to physical or economic displacement (improve or at least restore the lifestyle and means of subsistence of displaced persons)</td>
<td>Monetary compensation only</td>
</tr>
<tr>
<td>Relocation costs</td>
<td>Complete costs (including loss on revenues)</td>
<td>Market value of lands and goods</td>
</tr>
<tr>
<td>Eligibility of persons that can benefit from a compensation</td>
<td>Persons affected by the different sub-projects, with or without legal property titles, for the lands, properties or shop/entreprises</td>
<td>Persons with title on a registered land</td>
</tr>
<tr>
<td>Execution of expropriation and compensation</td>
<td>The measures (compensation –monetary or resettlement- and accompanying measures plus monitoring) should be in place before expropriation</td>
<td>Compensation should be before expropriation in case of agreement with the affected person, a contract will be agreed upon and the person indemnified</td>
</tr>
<tr>
<td></td>
<td>in case of refusal, there will be a recourse to expropriation, and the land value will be consigned to the general treasury waiting for tribunal judgment</td>
<td></td>
</tr>
</tbody>
</table>

Table 1: Consistency between Bank’s policy and Tunisian regulation
IV. INSTITUTIONAL FRAMEWORK

1. ORGANISATIONAL ARRANGEMENTS

The official institutions and the organisations intervening in the programming of the various stages of the implementation of the RP are the company OMV as building site manager (OMV/ETAP), the Ministry of State-owned Land, the Ministry of Justice and the Ministry of Finances. In accordance with the regulation, the PRF makes provision for the establishment of a Resettlement and Compensation Plan (RCP) implementation Commission.

The Company OMV, operator of the venture between ETAP and OMV, will ensure the management of the RF programme. The PIU (Project Implementation Unit) of OMV will ensure the development and the implementation of the Resettlement and Compensation Plan (RCP) and will set up the RCP Monitoring Committee which includes the representatives of the following structures:

- OMV for the account of OMV and ETAP
- Ministry for Justice
- Ministry of Home Affairs
- Ministry of State-owned Land
- Ministry of Finances
- Regional Development Commissioner (CRDA) of the concerned governorships (Tataouine, Kebili, Mednine and Gabès).

The implementation of the RCP (Resettlement and Compensation Plan) will be ensured by the RCPC especially set up for this operation under the supervision of the Ministry of Industry /ETAP through the URP/OMV. The RCPC will be housed in the buildings of the OMV.

2. RESPONSIBILITY OF THE PROJECT COORDINATION CELL

It is proposed that the gas pipeline building project PCC and the provisioning of 19 municipalities be made responsible for the entire resettlement activities. In practice, this includes the following tasks and responsibilities:

- The coordination of all the social aspects of the Project, including the implementation of the provisions made in the Populations Resettlement Policy Framework.
- To form Information and Mediation Groups (IMG) within each delegation concerned by the project. They will include the concerned parties, NGOs, a person in charge of the local authority (Omdas), a representative of regional directorates and a representative of OMV. Their mission will be to inform the population concerned.
- To ensure that the compulsory purchase procedures are initiated where necessary (preparation of the expropriation plans, and elaboration of the decrees requesting compulsory purchases by the relevant authorities),
- To select and recruit the consultants in charge of preparing the PARs and PSRs, to ensure that the consultants comply with the terms of reference and that they submit quality deliverables on time.

3. IMPLEMENTATION

The PARs and PSRs will be carried out by an IMG, which will be selected by the PCC and will act under the supervision of the latter. The IMG will have the task of:

- Carrying out surveys aimed at identifying the occupants, evaluating the affected goods and determining their value, in consultation with the population and the elected officials;
- Preparing the declaration of public interest which will integrate the list of the goods and the affected people as well as the compensation proposals;
- Implementing resettlement and/or compensation measures

The organisation of the Resettlement and Compensation Framework

- Building site manager
- Project Coordination Cell (PCC)
- Information and Mediation Group (IMG)
  Representative of the people concerned, NGOs, Omdas and local governments representatives
- Service providers
- People concerned
V. ESTIMATE OF THE VARIOUS TYPES OF LOSSES AND POPULATIONS AFFECTED BY THE PROJECT

The most significant environmental and social impacts/losses will occur through the gas pipeline building works, laying and operation, through the Nawara production centre as well as the gas treatment unit in Gabès, which envisages activities such as the preparation of the accesses and the digging of trenches.

1. POSITIVE SOCIAL SPIN-OFFS OF THE PROJECT

The Southern Tunisian Gas pipeline (Nawara) will contribute significantly to reinforcing the exploitation of national gas reserves, improving the energy balance of the country, as well as improving the social well being and the living conditions of the citizens, all priorities outlined in the Natural Gas Development Programme. The project thus becomes necessary for the development of gas fields of the Tunisian South.

If the necessary measures are indeed taken, the project will be able to generate considerable positive spin-offs. The improvement and the extension of the gas network will improve the availability of energy, contribute to further developing production and service activities and to alleviate poverty through the creation of income generating activities, which will lead to an increase in the incomes of households and which will allow the population to meet their primary needs especially in terms of schooling for their children, access to the healthcare, etc.

2. POTENTIAL IMPACTS OF THE PROJECT ON THE PERSONNEL AND ON GOODS

The potential impacts, which could result from the gas pipeline building works and operations are as follow:

- **Impact on the land:**
  - Temporary limited occupation of land during the building works phase.
  - Rights-of-way generally limited to a few hundred square meters.
  - Land losses to be compensated. In the following paragraphs, an estimate of the various costs is mentioned.
  - Two pieces of land will be occupied by the project: the Nawara production centre (2.5 ha) located in the middle of the desert and the gas treatment unit (38 ha) located at the Gahannouch industrial park.

- **Impact on agriculture:**
  - Felling of the trees in the sectors permanently acquired;
  - Damages to crops in the rights-of-way in the excavation works and opening up of access tracks impact areas.

- **Impact on the buildings and other structures (wells, etc.):**
  - Loss of habitats or farm buildings: no loss is noticed along the entire gas pipeline project.

- **Impact on the livelihoods and incomes:**
  - Where farmers' crops are destroyed or damaged, be the affected people land owners or tenants;
  - Where the landowner loses the incomes drawn from the hiring of his land. In rural areas, the risk can especially pertain to the agricultural activities and to forest formations.
3. ESTIMATE OF THE NUMBER OF AFFECTED PEOPLE

According to the Bank's regulations, the notion of People Affected by the project refers to the people who are socially and economically directly affected by the investment projects that receive the Bank’s support, because of:

- The involuntary grabbing of land and other goods causing:
  - The removal or the loss of shelter,
  - The loss of goods or access to goods,
  - The loss of income or livelihood sources,

Or

- The involuntary restriction of access to legally protected designated parks and areas causing negative impacts on the displaced people’s living conditions.

The settlement policy applies to all the components of the programme and to all the displaced people whatever their total number and whatever the severity of the impacts and it also applies to the affected people, whether they have a legal right to the land or not.

It is at this stage not feasible to precisely estimate the number of people who will be affected. However, it is possible to have a general idea on the probability of resettlement (compensation) if one takes into account the sites of the various components of the project and the nature of the interventions.

Given the nature of the activities of the project, the number of people to compensate will be relatively low, since the programme will insofar as possible avoid harming third parties, in particular through the loss of land or other collectively or community owned goods.

Even if the resettlement/compensation is kept to a minimum, one can consider that within the framework of the gas pipeline project, certain infrastructure projects will trigger various impacts on people.

4. CATEGORIES OF AFFECTED POPULATIONS

At the present stage of the programme preparation and taking into account the project's potential impacts, one draws a distinction between three main categories of affected populations:

- **Affected individual**: These are the individuals who have suffered, as a result of the sub-project, the loss of goods, land or property and/or access to natural or economic resources and to whom a compensation is due;

- **Affected household**: A household is regarded as affected if one or more its members suffers a prejudice caused by the activities of the programme (loss of property or land, or loss of access to natural resources or sources of income, or any other damage). This damage can concern:
  - A member of the household (man, woman, child, other dependent, etc.),
  - People made vulnerable because of their age or of a disease and who cannot carry out any economic activity,
  - Other vulnerable people who cannot take part, for physical or cultural reasons, in productive activities;

- **Vulnerable households**: The vulnerable households are those that are likely to become more vulnerable following the resettlement process. These are households having compensation measures and additional mitigation measurements requirements that are higher than the other households. These vulnerable households mainly include:
i. **Rural women** (whose vulnerability is related to the absence or lack of support that they receive. The specific needs of these women will be taken into account within the framework of the resettlement plans),

ii. **The elderly** (whose involuntary resettlement should not result in separating them from the people or the household on which they depend),

iii. **The disabled** : those who have difficulties, because of a physical or visual disability, to carry out their economic activities normally.

iv. **Children in a difficult situation**, particularly those without a home, orphans.

The number of PAPs (People Affected by the Project) is estimated at 1,340.

### 5. PRELIMINARIES ESTIMATE OF THE RESETTLEMENT COSTS

The estimates of the losses of land and crops are specified for information purposes only. Exact calculations can only be done following the exhaustive inventory of the affected people and organisations. Experts specialized in the field and following negotiation with the concerned people must carry out these inventories.

#### 1. Land Losses

##### a. Building works phase

In the gas pipelines laying phase, the affected people and organisations will be compensated for the occupation of land for a period of three years. An estimate of the costs of the land is indicated in the following table. *Compensation for one hectare, set by an expertise carried out in the area of Kebili, is estimated at 1.250 dinars per annum. This value was adopted for information purposes only.*

<table>
<thead>
<tr>
<th>Facility</th>
<th>Length, km</th>
<th>Unit occupation ha/km</th>
<th>Total Hectares</th>
<th>Financial estimate TD on a flat rate basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gas pipeline Ø 24&quot;</td>
<td>370</td>
<td>3.5</td>
<td>1,295</td>
<td>4,852,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>4,852,000</strong></td>
</tr>
</tbody>
</table>

Table 2: Land occupied during the 3 year phase of installation of the gas pipeline.

##### a. Operational phase

We have identified two categories of land to be occupied in the operational phase:

- Land to be compulsorily purchased for the installations and works of the project;
- Land through which the gas pipeline will be routed; the resulting limited use of the land by the affected people should be compensated.

We estimate that the allocation of small surfaces on agricultural land that will be crossed by the pipe will not constitute a potential loss of land use, given the exiguity of the trench’s right-of-way.

The costs of the land are very variable and it is difficult to give a correct figure at this stage

- **Land to be compulsorily purchased and compensated**

Land to be compulsorily purchased for the installation of Nawara Production Centre and the Ghannouch gas treatment unit (38 ha).
The following table presents an estimate of the land to be compulsorily purchased or compensated over 30 years.

<table>
<thead>
<tr>
<th>Facility</th>
<th>Unit occupation Ha/km</th>
<th>Total Hectares</th>
<th>Financial estimates TD on a flat rate basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nawara production centre</td>
<td>2.5</td>
<td>25,000</td>
<td></td>
</tr>
<tr>
<td>Gas pipeline (370km)</td>
<td>0.6</td>
<td>222</td>
<td>8,325,000</td>
</tr>
<tr>
<td>Gas treatment unit</td>
<td>38</td>
<td></td>
<td>5,748,150*</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>14,098,150</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Table 3: Land to compulsorily purchase/compensate for the project.*

*The AFI (Industrial Land agency) prices were communicated to the building site manager.*

2. **Losses in trees and crops**

It is however necessary to flag that the gas pipeline route crosses agricultural land planted to trees, primarily olive-trees, on a distance of approximately 25,000m. This could entail cutting down approximately 100 olive-tree stands and probably 100 fruit trees.

Knowing that the number of trees to be felled is usually a function of the size of the right-of-way to clear to carry out the digging and laying works, and also function of the measures which will be taken to minimize the damage, in particular with regard to the trench's routing.

<table>
<thead>
<tr>
<th>Cultures</th>
<th>Numbers</th>
<th>Unit price, TD</th>
<th>Total price, TD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Olive-trees</td>
<td>100</td>
<td>700</td>
<td>70,000</td>
</tr>
<tr>
<td>Fruit trees</td>
<td>100</td>
<td>800</td>
<td>80,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>150,000</strong></td>
</tr>
</tbody>
</table>

*Table 4: Trees to be felled for the operation of the gas pipelines.*

The olive-trees costs include the resettlement costs. The Regional Agricultural Development Commissioner provided the costs of the trees.

As for the land losses on the other cultivated grounds (except for arboriculture), they will be in our opinion more important, that is to say approximately **15 to 20 hectares** will have to be mowed down to carry out the laying works. We consider these losses acceptable in light of the importance of the project, even more so that these losses will be temporary.

Knowing that it is possible to resume this non-tree type of cultures (vegetable gardens, pastures, etc.) after the remediation of the site of the pipe's right-of-way (which will be laid about 2 m deep). In the following table, the losses of cultures in the building works phase are mentioned for information purposes only.

<table>
<thead>
<tr>
<th>Cultures</th>
<th>Surface</th>
<th>Unit price, TD</th>
<th>Numbers of years</th>
<th>Total price, TD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vegetable gardens</td>
<td>20 hectares</td>
<td>3,000</td>
<td>03</td>
<td>180,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>180,000</strong></td>
</tr>
</tbody>
</table>
Table 5: Cultures impacted during the gas pipelines laying work phase.

The number of PAPs (People Affected by the Project) is estimated at 1,340.

The preliminary total compensation cost is approximately: 19,257,650 Tunisian Dinars.

VI. RESETTLEMENT PLANS PREPARATION AND VALIDATION PROCESSES

This PRF outlines the general principles, which will guide with all the resettlement operations within the framework of the gas pipeline construction and operation project.

For the gas pipeline construction and operation project, it is proposed to provide a general framework in terms of the number of people affected, but this framework will have to be adapted on a case-by-case basis during the implementation of the resettlement.

a. RESETTLEMENT PROCESS

Detailed investigations must be carried with the populations or communities potentially affected. The investigation will expressly focus on:

1. Carrying out an exhaustive census of the people and goods. Carrying out the complete inventory of the project's right-of-way:
   - Plots with title deeds,
   - Customary plots,
   - Occupants of all kinds, be there land owners or not, including those considered as illegal or informal,
   - Immovable property and structures of all kinds (buildings, trees, cultures, draining or irrigation systems, wells, graveyards, etc.), including those pertaining to occupants
2. Inventoriing the physical and economic impacts of the project with regards to involuntary displacements or losses of buildings, lands or productive activities.
3. Defining time frames and specifying the budget and the funding sources.

b. VALIDATION

The ETAP and OMV venture will validate the Resettlement Action Plan once the investigations have been completed and the exact number of the affected goods and people has been determined. The African Development Bank will give the project's final validation. The AfDB reserves the right to make sure that the plans comply with the principles of this PRF.

VII. METHODOLOGY FOR EVALUATING LOSSES INCURRED BY THE PEOPLE AFFECTED BY THE PROJECT

1. Principles guiding the resettlement costing

The gas pipeline construction and operation project requires the temporary occupation of land during the building phase and the hiring of the land necessary at the time of the works' operation.

For this purpose, OMV generally chooses to hire the land required for the implementation of its projects.

In the case of purchases, OMV has the mission, in consultation with the Ministry of State-owned Property and Land Affairs to ensure the acquisition of estate goods in the public interest.
With this intention, and following the preliminary identification of the land constituting the right-of-way area of the projected public utility site, a State expertise will determine the value of the said land.

1.1. **Methods of acquisition**

The methods of acquisition differ according to whether there is acceptance from the aforesaid owners or not:

- If there is assent, and after receiving the opinion of the advisory commission on land operations, the operation will be concluded according to ordinary common law rules and will be drawn up in a purchase contract.
- In the absence of consent, the Recognition and Conciliation Commission in charge of compulsory purchases in the public interest will take over the case.

This commission sits at the level of each Governorship, with the aim to reach voluntary settlements through the means of a transaction involving a surcharge on the administrative offer and a waiver on part of their claims.

Should the commission's work prove to be unfruitful, the compulsory purchase order will be issued in a final report by the Commission that will state the failure of conciliation attempts.

Once the compulsory purchase intention has been published and plots to be compulsorily purchased in the public interest have been identified, any person claiming a right on these plots can record his/her opposition in writing.

<table>
<thead>
<tr>
<th>Nature of the land</th>
<th>Methods of payment</th>
<th>Observation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case 1  Registered ground (With title deed)</td>
<td>Payment of the allowance if there is assent and consignment of the allowance with the treasury if there is refusal</td>
<td>Exceptional possibility of solving the matter by way of exchange, especially for houses and in the case of acquiring/hiring a title deed (very rare case for gas pipeline projects)</td>
</tr>
<tr>
<td>Case 2  Non registered land (Without title deeds)</td>
<td>Application of article 25 of Act n°1976/85 of August 11, 1976 revising the legislation relating to compulsory purchases in the public interest as modified by Act n° 2003/26 of April 14, 2003 concerning the advertising of non registered land (if no opposition was raised after an advertising period of 6 months, one proceeds with the payment of the allowance). If there is opposition, the allowance is deposited with the general treasury while waiting for the final judgement.</td>
<td>Exceptional possibility of solving the matter by way of exchange, especially for houses and if it is about acquiring/hiring a title deed (very rare case for gas pipeline projects)</td>
</tr>
<tr>
<td>Case 3  State-owned land occupied by a third party, either with a leasing agreement or illegally</td>
<td>Once the approval of the Ministry of State-Owned Property and Land Affairs was received, the affected people are given the compensation for the use of the surface.</td>
<td>Possibility in parallel of hiring other state-owned plots so that the occupants can keep on farming.</td>
</tr>
</tbody>
</table>

1.2. **Criteria of eligibility of the affected people**
The Tunisian legislation recognizes only modern law. All the people affected by the project (PAPs), be they owners or lessees and who were listed with the project's right-of-way are considered eligible to receive the envisaged indemnities.

Compulsory purchases concern only the people whose goods (land, dwellings, equipment, etc.) are located within the project's right-of-way and who will have been listed by the valuation survey and appraised by the State-Owned Land Services. The categories of people met are as follow:

- People with title deeds who will (totally or partially) lose their land: fall under Case 1 of the preceding table
- People with a title deed, and who own real goods or infrastructure located on the compulsorily purchased land: fall under Case 1
- People with a leasing agreement on a private or State-owned plot: falls under Case 3
- People without official title deed/land right of the property or land use or trades affected by the project but who have established their use of State-Owned land by investing in goods, crops, etc.: fall under Case 3

1.3. Census and deadline

The deadline corresponds to the ending of the 6 months advertising period of the untiited ownership of the plots.

The duration of the Recognition and Conciliation Commission's work is in principle two months with the possibility of extending it by a month.

1.4. Indemnification and Compensation procedure

To guarantee the success of a compulsory purchase in the public interest, the compensation procedure should comprise the following stages:

i) Disclosure and information relating to the criteria of eligibility and compensation principles:

ii) The work of the Recognition and Conciliation Commission consists of:

a. Negotiating the compensation granted to people.


c. Concluding agreements.

d. Compiling a report in closure of the work of RCC.

e. Paying out allowances.

2. Preparation of Indemnification and Compensation plans for the sub-projects

This document constitutes a standard and general document from which to write the sub-projects' indemnification and compensation plans.

The data specific to sub-projects will be provided to the AfDB as the report progresses. This data relates to the following elements:
- Presentation of sub-projects
- A summary of the state of plots (number of plots, PAPs, types of properties)
- An appraisal of the allowance amounts as evaluated by the MDE experts
- The conclusions of the RCC work

Nota bene: for the gas pipeline, the right-of-way area to be compensated/purchased is reduced and does not have a great influence on the activity of the owner in the case of agricultural land. With regard projects located in the urban areas, the project tries to avoid affecting constructions; should this prove impossible to avoid, the Administration will then seek to restore the living standards and livelihoods of the affected people.

VIII. PUBLIC CONSULTATION MECHANISM

1. PARTICIPATION OF THE POPULATIONS TO THE RESETTLEMENT PROCESS

The participation of the populations in the planning and implementation of the resettlement plan's process is one of the central requirements of the African Development Bank. Sub paragraph 4.1.5 of the fourth chapter titled “Implementation Strategy” of the “IN VOLUNTARY DISPLACEMENT OF POPULATIONS POLICY” of the Bank specifies that “the affected populations and the recipient communities must be involved in the design of the resettlement plan”.

2. CONSULTATIONS CARRIED OUT

In accordance with the requirements of the African Development Bank's procedure on the matter, a series of dialogues with the actors and in particular the local populations and the engineering departments of the building site manager, were carried out during the field visits.

The discussions and exchanges engaged at the time of the various public consultation meetings allowed to specifically put the following forward:

- The common and shared will to give the affected population the long term and perennial access to the natural resources necessary to the viability of their economic activity.
- The consulted population's loud and clear request to have their right to be concerted respected during all the resettlement and compensation operation. Their participation in the evaluation of the value of the affected goods and the determination of the allowance and/or corresponding compensation measures are earmarked as absolute prerequisites to the success of the process.
- The need to plan specific actions targeting vulnerable groups.
- The need to envisage social and environmental development measures for the sites to be compensated.

The adoption of a participative approach requires a dialogue with the local authorities and stakeholders who are installed on land crossed by the gas pipeline. The goal of this approach is to get a precise understanding of the affected people's opinion concerning the project, the route of the gas pipeline and possibly the compensation for right-of-way. Three meetings took place the 20, 21 and May 31, 2013. This step led to the identification of the stakeholders' concerns.

The following table gives a summary of the meetings held during the public consultations emanating form the preparation of this Populations’ Resettlement Framework.
<table>
<thead>
<tr>
<th>Location of the meetings</th>
<th>Relevant questions</th>
<th>Concern and proposals</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Governorship: Gabès</td>
<td>- Presentation of</td>
<td>- The route of the</td>
</tr>
<tr>
<td>- Delegation: Ghanouch</td>
<td>the project</td>
<td>network, especially</td>
</tr>
<tr>
<td>- Location: Delegation</td>
<td>- Agricultural</td>
<td>the part which</td>
</tr>
<tr>
<td>- Date: May 20, 2013</td>
<td>Activities</td>
<td>concerns the</td>
</tr>
<tr>
<td></td>
<td>- Compensation</td>
<td>Ghanouch delegation</td>
</tr>
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<td>at the entry of the</td>
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<td></td>
<td>city up to the</td>
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<td></td>
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<td>industrial park where</td>
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<td></td>
<td></td>
<td>the gas treatment</td>
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<td>station will be</td>
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<td></td>
<td></td>
<td>established</td>
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<td>- The authorities</td>
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<tr>
<td></td>
<td></td>
<td>confirm that this</td>
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<td>section goes through</td>
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<td></td>
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<td>State-owned land</td>
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<td></td>
<td>and that this will not</td>
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<td>be cause for concern</td>
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<td>considering there is</td>
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<td></td>
<td>no infrastructure or</td>
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<tr>
<td></td>
<td></td>
<td>human settlement in</td>
</tr>
<tr>
<td></td>
<td></td>
<td>this area (industrial</td>
</tr>
<tr>
<td></td>
<td></td>
<td>park).</td>
</tr>
</tbody>
</table>

| - Governorship: Gabès   | - Presentation of | - The people attending  |
| - Delegation: Western   | the project       | the various organized   |
| - Location: Delegation  | - Agricultural    | meetings have raised    |
| - Date: May 20, 2013    | Activities        | a few questions of      |
| A few affected people   | - Socio-economic  | concern with regards to |
| and some leaders of     | and land data     | the project, e.g. the   |
| the projects’ area      | - Compensation    | prices for leasing      |
| were in attendance.     |                   | land, the payment       |
|                         |                   | modalities. Thee        |
|                         |                   | representatives         |
|                         |                   | expressed the wish for  |
|                         |                   | any litigation to be    |
|                         |                   | solved in an amicable   |
|                         |                   | manner, failing which   |
|                         |                   | the case will be put    |
|                         |                   | before the courts of    |
|                         |                   | the competent jurisdiction|
|                         |                   | in Gabes and not in     |
|                         |                   | Tunis.                  |
|                         |                   | - In conclusion, the    |
|                         |                   | population accepts the  |
|                         |                   | installation of the     |
|                         |                   | project as long as their|
|                         |                   | suggestions and remarks |
|                         |                   | are taken into account. |

| - Governorship: Gabès   | - Agricultural    | - Some parcels are a     |
| - Delegation: Matmata   | Activities        | source of conflict      |
| - Location: Jadida      | - Socio-economic  | between the inhabitants  |
| - Date: May 21, 2013    | and land data     | (this issue is to be    |
|                         | - Compensation    | addressed by the        |
|                         |                   | Management Board that    |
|                         |                   | has committed to solve   |
|                         |                   | such problems before    |
|                         |                   | the start of the works). |
|                         |                   | - The Management Board   |
|                         |                   | should be consulted     |
|                         |                   | during the building     |
|                         |                   | phase of the gas        |
|                         |                   | pipeline laying in      |
|                         |                   | order to solve any      |
|                         |                   | problem that could      |
|                         |                   | stall the mission's      |
|                         |                   | progress and to         |
|                         |                   | negotiate the interests  |
|                         |                   | of the affected         |
|                         |                   | inhabitants.            |

| - Governorship: Gabès   | - Agricultural    | - The members of the     |
| - Delegation: Matmata   | activities        | council informed us that |
| - Location: delegation  | - Socio-Economic  | the gas pipeline will     |
| - Date: May 21, 2013    | situation and     | pass through land       |
|                         | land data         | owned by the local      |
|                         | - Compensation    | tribes and that parallel |
|                         |                   | to the law, the         |
|                         |                   | Management Board is     |
|                         |                   | regarded as the         |
|                         |                   | representative of the    |
|                         |                   | concerned population.   |
|                         |                   | - The Chair of the      |
|                         |                   | Management Board will    |
|                         |                   | make it his/her         |
|                         |                   | responsibility to contact|
|                         |                   | the owners to inform     |
|                         |                   | them and convince them   |
|                         |                   | of the importance of    |
|                         |                   | the project and its      |
|                         |                   | impact on the region,   |
|                         |                   | given that most of the   |
|                         |                   | stakeholders were not    |
|                         |                   | present and that most    |
|                         |                   | of them live far from   |
|                         |                   | Matmata.                |
|                         |                   | - In conclusion, it is   |
|                         |                   | advised to contact the   |
|                         |                   | Management Board at the  |
|                         |                   | time of the construction |
|                         |                   | and laying phase in      |
|                         |                   | order to solve any       |
|                         |                   | problem that could       |
|                         |                   | stall the mission's      |
|                         |                   | progress and to         |
|                         |                   | negotiate the interests  |
|                         |                   | of the affected         |
|                         |                   | inhabitants.            |

| - Governorship: Gabès   | - Agricultural    | - The first meeting was  |
| - Delegation: Matmata   | activities        | postponed to the 31      |
| - Location: delegation  | - Socio-economic  | because of demonstrations |
| - Date: 22 and May 31,  | and land data     | that have been taking    |
| 2013                    | Compensation      | place in the city for a   |
|                         |                   | while.                  |
|                         |                   | - The population        |
|                         |                   | suggests that payment    |
|                         |                   | (expenses to hire land)  |
|                         |                   | should be made in       |
|                         |                   | advance, and that the    |
|                         |                   | price should be         |
|                         |                   | negotiated.             |
|                         |                   | - In conclusion, the    |
|                         |                   | frequent demonstrations  |
|                         |                   | in the area of El        |
|                         |                   | Hamma, the suggestions   |
|                         |                   | of the population, and   |
|                         |                   | the need to open the     |
|                         |                   | dialogue via the        |
|                         |                   | Management Councils    |
|                         |                   | must all be taken into  |
|                         |                   | account.                |
IX. MECHANISMS FOR DEALING WITH COMPLAINTS

1. TYPES OF COMPLAINTS TO ADDRESS

In practice, the complaints and conflicts that appear during the implementation of a resettlement and compensation programme can be as follow:

- Mistakes in the identification and the evaluation of the goods,
- Dissension on the boundaries of plots, either between the affected people and expropriation agency, or between two neighbours,
- Conflict over the ownership of a good (two affected people, or more, declare being the owner of a certain good),
- Dissension on the evaluation of a plot or another good,
- Family successions, divorces, and other problems resulting in conflicts between heirs or members of a same family, over the ownership, or the ownership of shares of a given good,
- Dissension on resettlement measures, for example on the location of the new site, on the type of dwelling proposed or the characteristics of the resettlement plot,
- Conflict over the ownership of a company or a commercial activity (for instance, the owner of the trade and person running this trade are two different people, which causes conflicts over the sharing of the allowance).

2. PROPOSED MECHANISM

OMV will set up an extra-judicial mechanism to deal with the disputes requiring explanations and mediation by a third party. Any affected person, whilst obviously preserving his/her right to initiate legal proceedings, will be able to call upon this mechanism, according to the procedures specified further. It will consist of two principal stages:

- The recording of the complaint or the dispute,
- The amicable settlement complaints or disputes, at three successive levels:
  1. Internal treatment by the Project Cell (PCC in OMV),
  2. In the event that level 1 fails, resort to an informal amicable mediation carried out by mediators independent of the PCC,
  3. In the event that level 2 fails, recourse to services of the Mediator.

3. RECORDING OF THE COMPLAINTS

OMV, in consultation with the Local and National Coordination Committees, will set up, in accordance with the regulation applicable in Tunisia, a complaints' register as soon as census activities are launched of in a given area.

4. AMICABLE RESOLUTION MECHANISM

Level 1: Internal treatment by OMV

When a complaint is recorded, OMV will respond by examining whether the plaintiff’s grievance appears to be legitimate.

Depending on the case, a positive response (e.g. the complaint is taken into account) or a negative response (e.g. the complaint is turned down) will be given.
Level 2: Mediation Committee
On the assumption that significant resettlement and compensation activities would be required, OMV will set up at the level of the areas concerned by the resettlement a mediation committee, composed for example of the following people:
A representative of the Regional Authority,
Three representatives of the population, selected among grassroots community organisations, the elders, traditional authorities,
A representative of an NGO active in the field in the concerned area and that is highly regarded by the population.
Only the complaints that have already been examined by OMV on level 1 will be put before the mediation committee of the Region. This Committee will meet when necessary to examine the complaints, which could not be solved by the people involved in the field.

Once a complaint or dispute has been recorded, OMV will prepare the technical elements (for example the suggested compensation, the list of talks or meetings held with the plaintiff, the exact reason for the dispute, etc.) for the benefit of mediation committee. The plaintiff(s) will be convened before the mediation committee, which will attempt to propose a solution acceptable to both parties. If necessary, other meetings will be organised, and the committee will be able to nominate one of its members to resume the arbitration within a framework less formal than the monthly meetings.

The possible agreement will be sanctioned by a protocol signed by the parties of which the mediation committee president will be the guarantor by also signing this protocol.

Level 3: Recourse to the mediation or judicial institutions at a national level
Each and every Tunisian citizen who feels aggrieved by an action of the programme can appeal to national mediation or judicial institutions, in accordance with the applicable procedures.

However, the authority specialized in the mediation (the Mediator of the Republic, or the High Court), will be seized only in the events that levels 1 and 2 fail to reach a settlement of the dispute that is acceptable to both parties.

The decision of this authority is final.

X. ORGANISATIONAL RESPONSIBILITY
1. ORGANISATIONAL SET-UP
To ensure Sustainable Development as a requirement to the resettlement of the populations operation, and in light of the diversity of interventions and of the significant number of stakeholders and operators and the fact that these fall under four different governorships, a detailed attention will be given to organisational and management aspects.

The establishment of an effective and efficient organisational structure that can rely on skilled people to ensure the overall coordination and coherence of the project, to centralize information flows and to carry out monitoring and evaluation, is of paramount importance to ensure the success of the implementation of the resettlement operation.

This will result in the need to secure:

- Effective and strengthened institutions;
A partnership between the various stakeholders (Administration, private operators, association and grouping of the target population) stipulating easy and clear relationships and the required flexibility within the framework of a participative approach.

It is recommended to set up at Project Coordination Cell (PCC) at the level of OMV that will act as an implementation unit.

2. RESPONSIBILITY OF THE PROJECT COORDINATION CELL

It is proposed that the gas pipeline construction and provision of 19 municipalities project PCC assumes full responsibility of the resettlement actions. In practice, this includes the following tasks and responsibilities:

- To recruit a socio-economist expert within the PCC who will be responsible for the coordination of all the Project's social aspects, including the implementation of the provisions made in the Populations Resettlement Policy Framework.
- To set up Information and Mediation Groups (IMG) within each delegation affected by the project. These IMGs will be composed of affected people, NGOs, a local person from the local authority (Omdas), a representative from the regional directorates and an OMV representative. Their mission will be to inform the affected population. By the same token, the IMG will be in charge of the implementation of the social aspects of the Project and with providing assistance to the vulnerable people,
- To evaluate the impacts of each sub-project in terms of displacement, and to pre-identify the sub-projects which must be subjected to PARs or PSRs,
- To ensure that compulsory purchase procedures are initiated when necessary (preparation of the compulsory purchase plans, and elaboration of the decrees requesting compulsory purchases by the relevant authorities),
- To select and recruit the consultants responsible for the preparation of the PARs and PSRs, to ensure that the consultants comply with the terms of reference and that they submit quality deliverables on time, to ensure that consultations and information take place on schedule, in consultation with the CNC and the CLC such as the regional and local Authorities, the local monitoring committees, the representatives of the populations, NGOs and community organisations, to supervise the implementation of the monitoring and evaluation actions.

3. IMPLEMENTATION

The PARs and PSRs will be carried out by an IMG that will be selected by the PCC and will work under the supervision of the latter.

The IMG will have the following tasks:

- To carry out, in consultation with the populations and the elected officials, investigations to identify the occupants, to evaluate the affected goods and to determine their value;
- To prepare the declaration of public utility which will integrate the list of the goods and the affected people as well as the compensation proposals;
- To implement resettlement and/or compensation measures.

4. BUILDING RESPONSE CAPACITY
In order to successfully carry out the PARs and PSRs within the framework of the gas pipelines project, a response capacity building programme must be followed when implementing such involuntary resettlement actions, in compliance with the African Development Bank procedures. At this level, the two following actions are proposed:

- A training workshop to be organized at the beginning of the project implementation phase. The organisation of this workshop should be entrusted to a consultant with experience in the field of resettlement (a few days of training based on case studies, which will among other include an analysis of the situations envisaged in the project, when those will be known in more detail than they are currently known). The recipients of this training will be the executive staff of the regional resettlement cells.

- Technical support: The PCC should throughout the implementation of the resettlement be supported by an experienced council on a part-time basis (a mission every six-months for example), which can help the PCC with formulating or re-framing its strategies.

**Figure 2:** Organisation of the Resettlement and Compensation Framework
XI. MONITORING AND EVALUATION MODALITIES

1 MONITORING OF RESETTLEMENT IMPLEMENTATION ACTIONS

The monitoring and evaluation of the resettlement plan are particularly important and complex, given the socio-economic scope of the operation, the multitude of affected stakeholders and the number of actions contributing to the achievement of the resettlement objectives, as envisaged by national regulations and by the African Development Bank's policy on the matter.

The Project Coordination Cell will focus its activities on monitoring activities so that it can deliver on this function as a matter of priority.

The monitoring activities will be focused on the extent to which the social and economic conditions that displaced populations and recipient communities have reached or maintained comply with the provisions made in the resettlement plan.

Monitoring and evaluation will be subject to a (quarterly) periodic report, transmitted to the piloting authorities, the investors, as well as the institutions taking part in the gas pipeline building project. Reports on the state of progress of the global project will expressly and entirely deal with the resettlement dimension.

2 MONITORING AND EVALUATION INDICATORS

In order to evaluate the how resettlement progresses, one refers to criteria such as:

- Effectiveness: appreciation of the differences between the planned outcome and achievement;
- Efficiency: comparison between the results and to the allocated means or, in other words, cost/benefit analysis;
- Impact: appreciation of the effects of a resettlement action on the environment in the broad sense (economic, technical, social, cultural, ecological impact, etc.);
- Viability: appreciation of the capacity of the actions to be pursued or their chances of survival when the external supports are discontinued;
- Intervention strategy: efficiency of the strategy adopted;
- The participation/satisfaction of the recipients.

The evaluation of the objectives of a project requires that they these objectives translated into measurable, verifiable and reliable indicators. Some of these indicators represent an aggregation of the information collected by the physical and financial monitoring system. Other indicators require a specific and cyclic collection of information on a more elementary level of the programme's intervention area.

Indicators of achievement: they are established for each resettlement action and translate in parameters of measurement of achievements:

- The number of households and people affected by the activities of the Project,
- The number of households and people physically moved by the activities of the Project,
- The number of households compensated by the Project,
- The number of households and people resettled by the Project,
- Total amount of the paid compensations.

Indicators of the impacts related to the specific objectives of the resettlement actions:

- Conformity of the implementation with the objectives and methods specified within the resettlement policy framework and the PARs,
- Conformity of the implementation with national laws and payments, as well as with the policy of the African Development Bank,
- Speed of the process followed for the compensation, displacements, and resettlement.
- Satisfaction of the PAP with regards to the compensations and the resettlement measures received compared to the suffered losses,
- Viability of economic and socio-economic rehabilitation,
- Provisions of services to the sites,
- Compensation of the vulnerable groups.