



Republic of Lebanon

Council for Development and Reconstruction

Lebanon Water Supply Augmentation Project

Environmental and Social Panel (ESP) of Experts

Second Mission – Final Report

(January 30th–February 1st, 2017)

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Acronyms and Abbreviations

BMLWE	Beirut Mount Lebanon Water Establishment
BP	(World) Bank Procedure
BSP	Benefit Sharing Program
CESMP	Construction Environmental and Social Management Plan
CDR	Commission for Development and Reconstruction (Lebanon)
CH	Cultural Heritage
DGA	Directorate General of Antiquities
DRB	Dam Review Board, aka Dam Safety Panel of Experts (Bisri)
DSP	Dam Safety Plan
E&S	Environmental and Social
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESP	Environmental and Social Panel of Experts (Bisri)
ICH	Intangible Cultural Heritage
IDB	Islamic Development Bank
OP	Operational Policy (of the World Bank)
PAD	Project Appraisal Document
PCR	Physical Cultural Resources
PMU	Project Management Unit
RAP	Resettlement Action Plan
SCBR	Shouf Cedar Biosphere Reserve
SP	Safeguard Policy (of the World Bank)
ToR	Terms of Reference
UNHCR	United Nations High Commission on Refugees

WB	World Bank
WSAP	Water Supply Augmentation Project

1. Introduction and Overview

1. This report presents results of the field mission undertaken in January-February 2017 by ‘Environmentalist’ and Panel chair Jean-Roger Mercier (JRM) with ‘Social scientist’ Arbi Ben Achour (ABA).
2. The field mission was complemented by a videoconference with Ania Kotarba-Morley (AKM), ‘Cultural Heritage (CH) specialist’.
3. This report is therefore presented by the complete Environmental and Social Panel (ESP) of the Bisri Dam project. Findings and recommendations of the ESP are presented here.
4. For Background on the Project see Mission 1 report points: 1-6.
5. This report also contains, as per ESP’s Terms of Reference, mission’s findings, recommendations as well as suggested next steps.

2. Terms of Reference (ToR) of the Environmental and Social Panel (ESP) of Experts

6. According to individual experts’ contract, these Terms of Reference consist in “*...ensuring that the components of the [WSA] Project, as designed and built, comply with international standards of excellence and safety for water resources infrastructure as reflected in the World Bank Safeguard Policies and the GoL’s legislations, regulations and guidelines. The ESP’s oversight is comprehensive and extends to project siting, design, construction and operation, impact mitigation and monitoring plans and resettlement instruments.*”

3. Recent achievements

7. The Panel notes that CDR’s Project Management Unit has been enhancing its capacity since the first mission (one in March 2016 by JRM and AKM and one in May by ABA – both jointly called Mission I), particularly on environmental themes with the presence of Ms. Lamia Mansour. The Unit’s communication capacity is also programmed for enhancement within the coming months. These added capacities will be very precious to complement Unit head’s dynamism and multiply its impact at a key moment of project’s life.

4. ESP Mission’s organization

8. It should be noted that the second mission of the ESP did not include the Cultural Heritage specialist during the field visits, whose presence in later ESP missions will be mandatory. The absence of the CH specialist is temporary and due to the practical timing constraints. Her recommendations, based on the video-conference with ESP, CDR and World Bank team are included as a part of this report and added for completeness.

5. Relationships with CDR and the World Bank team

9. The mission benefitted from a thorough preparation, particularly owing to the dedication of Mr. Ellie Moussalli, Unit Manager, with the assistance of Ms. Lamia Mansour and Ms. Elissar Eloreibi. That high degree of preparation maximized ESP's contribution and the Panel is grateful to the organizers for that optimization.
10. The combination of field visits and meetings at CDR and World Bank premises was particularly useful.
11. The mission was designed to coincide with the presence of the World Bank project team, led by Ms. Amal Talbi. The exchanges with the team during both the field visits and the meetings were fruitful and highly welcomed by the Panel members. The full list of WB team members appears in the list of persons met at the end of the present report.

6. Communications ahead of field mission

12. Conference calls and work by remote preceded Panel's mission to Lebanon and involved all Panel members. Of particular relevance, were contacts with the CDR and WB teams, in particular, in addition to the persons met in Lebanon during Mission II, the videoconference with Ms. Arlene Fleming, Cultural Heritage consultant on the Bisri project and a key drafter of WB's OP/BP 4.11 policy on Physical Cultural Resources.
13. The Panel welcomes these interactions in between two field missions and encourages the CDR to use their knowledge of the project and its environmental/social/cultural heritage implications to continue such interaction while committing to keep the quick turnaround response to future queries.

7. Field mission

14. Field mission took place from January 30th, 2017 morning to the evening of February 1st, 2017.
15. The schedule of field mission was as follows:
 - a. On Monday January 30th
 - i. Briefing meeting with CDR on the state of related matters with the Wadi Bisri project with an emphasis on an explanation and discussion on the ESMP tracking table;
 - ii. Meeting with representatives of United Nations High Commission on Refugees (UNHCR).
 - b. On Tuesday January 31th
 - i. Field visit to Wadi Bisri catchment area with an emphasis on meeting Project Affected Persons (PAP) and getting their feedback on several issues, focusing on compensation and grievance management.
 - c. On Wednesday February 1st
 - i. Field visit by the environmentalist of the Panel, along with CDR and WB representatives, to the Shouf Cedar Biosphere Reserve;

- ii. Meeting of the ‘Social Scientist’ with: (i) UNHCR representatives to discuss issues related to refugees potentially affected by the project; (ii) with the members of the Expropriation Committee of Mount Lebanon (Chouf area) to discuss issues related to compensation in particular the adequacy of unit prices used to determine the level of compensation and whether those prices are adequate to cover all costs that the affected population might be faced with as a result of the expropriation (replacement cost).
 - iii. Videoconference with Panel’s cultural heritage specialist and Arlene Fleming managed by CDR with World team members participating;
 - iv. Wrap-up meeting with the World Bank and debriefing with CDR, chaired by CDR’s Unit manager.
16. The full cooperation and openness of the persons met during the field mission have been instrumental for the preparation of the present report and its findings and recommendations.

8. Follow-up and recommendations drafting

17. As agreed at the debriefing session, the Panel was given until February 24th, 2017 to draft and send to CDR its mission report. It is expected that CDR will validate the report in order for the report to be published in final form, and that the CDR will rapidly update the CDR response tracking table based on that final ESP report.

9. Persons and organizations met

18. The list of persons and organizations met is attached in appendix.

10. Documents analysed

19. The list of documents received and analyzed is attached in appendix.

11. Mission II’s findings

11.1. Overall progress

20. According to the discussions with CDR’s PMU, the pre-qualification of dam builders is done and sealed. The ESP does not have, at this stage, the schedule of the final selection of the building company and would like to receive that schedule, an information that will help with the determination of the optimal dates for ESP Mission III.
21. The field visit of Tuesday January 31st was a unique opportunity for the ESP to get to the real interface between project management and some of the PAPs, in group and individually. The social scientist of the Panel, in particular, was able to participate in the formal and informal discussions, which mainly focused on the level of compensation, considered too low. To a lesser extent, issues related to land titling were also discussed as well as issues pertaining to communication with CDR. These issues will be addressed in the report.

22. The ESP was also able to meet with new key players in the continued design and implementation's institutional arrangements of the Environmental and Social Management Plan (ESMP) of Bisri, in particular:
 - a. The Shouf Cedar Biosphere Reserve and its senior advisor
 - b. Representatives from the UNCHR
23. The Mission also had time, before and during the February 1st video-conference, to be briefed about the overall progress of the ESMP continued design and implementation.

11.2. PMU/CDR Response to Mission I well noted

24. The Panel takes stock of CDR's response to Panel's Mission I report. In order to make their recommendations readable (see last chapter of the present report), the Panel will not expect any further use of the response to its previous report and will expect CDR/PMU to respond to its recommendations in a new tracking table.

11.3. Document review Recommendations and next steps

25. The Panel has taken stock of the ESMP tracking table and its annexes, a very useful and pertinent « organic » document that's, in particular, maintained by Ms. Lamia Mansour and which forms both a basis and a framework that is abundantly utilized in the present report to make recommendations for an appropriate implementation of the ESMP, a condition of Bisri project's compliance with World Bank safeguard policies. When reference is made to the ESMP tracking table and its annexes, the reference will be, for instance ESMP TT Annex N.

12. Recommendations and 'next steps'

12.1. Environment and overall project implementation

12.1.1. Ecological offset

26. Completing the design and moving rapidly on the ecological offset is an imperative for the compliance with OP/BP 4.04 on Natural Habitats, as prescribed by the ESP in its Mission I report. The ESMP Tracking Table correctly mentions in its Annex 6 (Biodiversity Management Plan) that there are five steps in the design and preparation of a Biodiversity Offset Plan :
 - Activity 1: Define the temporary and permanent habitat loss expected despite implementation of the ESMP;
 - Activity 2: Propose the offsetting measures including their cost and location;
 - Activity 3: Identify the financing sources of the offsetting in the short- and the long-term;
 - Activity 4: Identify the implementation modalities of the offsetting measures including legal and institutional aspects;
 - Activity 5: Establish a monitoring and evaluation plan of the offsetting measures under the ESMP's overall process and schedule.
27. The preparation of the ecological offset program is barely at Stage 1. What is available so far is just a piecemeal inventory of some of the key ecosystem components, but the value of the

soon-to-disappear natural elements must be evaluated on the basis of a systemic approach, after which Stages 2 through 5 must be conducted and only after that.

28. CDR/PMU, under the leadership of Lamia Mansour, is currently preparing the terms of reference for the Offset Plan and the ESP will want to have a look at these terms of reference to validate them before the call for proposals is launched. Two items of particular importance for this process are the analysis of options (at the heart of Stage 2), public consultation and the overall schedule of Plan's preparation.

12.1.2. Laying out all the reasonable offsetting options

29. One of the key steps of Stage 2 will be to lay down a set of reasonable alternative ways and means of offsetting the unavoidable ecological loss described and valued in Stage 1. OP/BP 4.04 mandates that «If the environmental assessment indicates that a project would significantly convert or degrade natural habitats, the project includes mitigation measures acceptable to the Bank. Such mitigation measures include, as appropriate, ...establishing and maintaining an ecologically similar protected area.»
30. As part of the latter strategy, it is in the logic of the safeguard policies to identify, analyze, characterize and compare alternative offsets. In most recent World Bank cases of application of OP/BP 4.04, the solution identified relies on the establishment of new « block » protected areas, especially in the form of legally protected nature reserves and their requirements in national laws. In other cases, the strengthening of the control over existing protected areas has been retained as an acceptable compliant solution¹. A unique opportunity is offered for the Bisri project to value ongoing Lebanese initiatives, based on solutions being tested by the Shouf Cedar Biosphere Reserve : the so-called Mediterranean Mosaic approach.
31. In this approach, shared with several regional countries and regions, notably Italy, the protection of ecological values and functions is not performed via the top-down highly-regulated “nature reserve” approach, but rather using the sustainable development co-management concept. The approach is described as seeking to “**engage local societies and decision makers in the formulation of a long-term, shared “landscape visions” while, at the same time, testing and implementing innovative measures to manage and restore ecosystem connectivity and functionality, and for the sustainable management of natural resources.**”². This approach was introduced to the ESP during their visit to the Shouf Cedar Biosphere Reserve (SCBR).
32. The ESP understands that this Med Mosaics concept is at present half way between research and development. The precious work being undertaken by the competent staff of the SCBR should be valued by integrating their state-of-the art experimental processes and data on a real time basis. By the time the Ecological Offset Plan is being prepared, there may have been progress in the improved knowledge of the feasibility, reliability and sustainability of this approach. Far from expecting that the Med Mosaics concept will in the short term fully replace conventional protected areas approach to nature conservation, the ESP estimates that the concept should be given a chance to be fairly and systematically compared with conventional approaches during the analysis of alternatives of the Ecological Offset Plan preparation.

¹ Examples include the Lom Pangar dam project in Cameroon (upgrading of the Deng-Deng forest protection, in particular) ; also in Cameroon the Campo Ma'an national park upgrading (Chad Petroleum Exploitation and Export project and its 1,000 km pipeline crossing most of Cameroon) ; and, eventually, the Niger Kandadji Dam project.

² Source : <http://www.mediterraneanmosaics.org/mediterranean-mosaics-project/>

12.1.3. Overall process and schedule.

33. The ESP wants to reemphasize the need of moving forward urgently on the preparation of the Ecological Offset Plan. The annex 6 of the WSAP-ESMP Tracking table is an appropriate draft scoping document for the preparation of the Plan. However, there urgency now is to (i) stabilize the objectives, content and title of that scoping document which the ESP suggests should be called “Ecological Offset Plan” as compensating mechanism to ensure compliance with OP/BP 4.04 on Natural Habitats and (ii) draft the terms of reference and launch the procurement process for the preparation of such Plan. Given the ini-country expertise, a combination of international and domestic capacity would, in the eyes of the ESP, be optimal. The Panel asks to be consulted on the final documents for the call for proposals, including the terms of reference. The turnaround time of the Panel will be minimized, but it is essential that it is consulted on the final full version of the ToRs.

12.1.4. Public consultation

34. Those ToRs should include a strong emphasis on analysis of alternatives as well as on a very open and transparent Ecological Offset Plan preparation. Consultation at key decision moments and on the basis of free, prior and informed participation should involve primarily a representative section of the potentially affected population, but also of the relevant national and local authorities, business and civil society representatives.

12.1.5. Watershed/shoreline plans

35. "Under study" option. The ESP has reviewed the January 28, 2017 version of the Terms of reference for the development of the Master Plan for the Bisri Dam Catchment Area and Shoreline development and has found the document overall excellent and calling for the comments made in the following paragraph. In the meanwhile, the ESP has during its field visit found out about a regulatory option available in Lebanon: declaring the shoreline of the future Bisri dam reservoir as an “under study” area, an approach that would guarantee a welcome freeze on new constructions in the area. That approach would clearly facilitate the task of preparing the shoreline management sub-plan by not “killing” future options potentially jeopardized by existing infrastructure once the reservoir is full.
36. Comments draft ToRs. The Terms of reference for the development of the Master Plan should:
 - a. include, in the determination of the optimal distance (“width”) of the shoreline a reflection on (i) what constitutes the boundary between the reservoir and the end of that buffer zone: highest reservoir level, average reservoir level, lowest waters?, as well as (ii) the optimal distance, based on regulatory requirements and a reflection of what constitutes a reasonable buffer distance for a reservoir meant for potable water production.
 - b. cross-reference the Benefit Sharing study and its safeguards interface (see further down);
 - c. adopt a “future study” approach to the development of the common vision (activity 3). The ESP can make more specific and detailed comments and suggestions on what constitutes an optimal “future study” approach, including the development and prioritization of factors affecting the future of the area and the preparation and description of alternative contrasted scenarios, a method that would perfectly fit into the approach described in the draft terms of reference, especially with the highly educated local representatives met during the field visit and the existence of inter-communal institutions

- d. the SEA component of the master plan should be described and prescribed as being in constant interaction with master plan's preparation in order to cross-fertilize the sub-processes;
- e. the master plan study and its SEA should also feed into the Geographical Information System that CDR/PMU is developing, as stated by Ms. Mansour.

12.1.6. Pending document review

- 37. This recommended activity requires a preliminary desk review of the existing Benefit Sharing study and its degree of preparation and relevance to ensure well-being of local dwellers.

12.1.7. Integration with the Benefit Sharing study

- 38. In essence, the Benefit sharing study bears a lot in common with the application of World Bank's environmental and social safeguard policies as well as with Lebanese rules and regulations as applied to a large infrastructure project like the Bisri dam. The Benefit sharing study aims at determining the fair and appropriate level of the "local tax" that offers potentially affected persons and communities the opportunity to raise their economic and social status to a higher level than before the works. In practice, however, this ideal link between benefit sharing and safeguards hardly works because (i) of the lack of appropriate conceptual link and (ii) the not-unusual inefficiency of the Benefit sharing mechanisms designed by external consultants and not followed by actions for lack of preparedness and/or local consultation. More often than none, funds set aside in application of the Benefit sharing approach remain unspent and everyone is frustrated. Pending the review of the existing Benefit Sharing program documents and process, the ESP proposes to help CDR/PMU establish the conceptual and operational link with the ESMP. This is beyond compliance, but would show good will and smart use of public money by CDR.

12.2. Resettlement

- 39. Background. During mission 1, the Social Scientist of the panel assessed positively the overall consultation, communication and compensation processes for phase 1 of the expropriation process in Chouf and Jessine. In a nutshell, the assessment can be summarized as follows:
 - a. The consultation with the PAPs was conducted in a participatory manner and continues as a process;
 - b. The required socio-economic study, the census and the identification of the PAPs and their affected assets have been properly identified and classified and absentees, workers and refugees were duly identified;
 - c. A promulgation of a cut-off date at the end of the census was achieved;
 - d. A promulgation of an expropriation decree was done in accordance with the national law; and
 - e. The Expropriation commission for Mount Lebanon conducted hearing sessions with the PAPs in the presence of CDR and negotiated the unit prices with the PAPs that are aligned with the prevailing market prices.
- 40. The social scientist of the team also made a number of recommendations to be addressed by CDR in order to help improve its expropriation and compensation procedures and comply with

donors' requirements and the RAP's prescription. These recommendations are summarized below:

- f. Improvement of the internal monitoring system;
- g. Preparation of an implementation plan for the expropriation and compensation process as required in the RAP. An aggregated model was also proposed to help achieve this goal; and
- h. Preparation of a Grievance Redress Mechanism (GRM).

41. Social safeguard objectives of the present mission. During this mission, the objectives assigned to the social scientist are fourfold:

- i. determine whether the recommendations of the previous mission have been addressed,
- j. identify new/additional social safeguard issues CDR might be faced with,
- k. make recommendations to address them, and
- l. make suggestions for the next step.

42. Follow up on the recommendations

- m. *Improvement of the internal monitoring system:* A considerable progress has been made in this area. Indeed comprehensive tracking tables have been prepared, giving information on the progress made so far in terms of expropriation and compensation. Through these tracking tables and triangulation with information obtained during field visits, discussions with the PAPs and individual interviews, access to and analysis of information concerning land acquisition, expropriation and compensation process became more accessible and easier to monitor. Based on information from those sources, the mission was able to appreciate the good progress made in the implementation of the expropriation and compensation process during phase one, as shown in Table one below.

Table 1. Expropriation and compensation progress, Phase 1

Phases	Villages	Expropriation (ha)	Number of PAPs living in the area	Number of PAPs absentees	Estimated time for completion of compensation
Phase one	Haref, Mazraat El Chouf, Khirbit, Bisri, Bsaba, Mazraat El Daher	107	73	34	3 months

43. It is important to mention that although this progress is highly appreciable, it still needs to be further developed and refined along the following lines:

- n. The results of the internal monitoring system should be contained in a separate and concise monthly self-standing monitoring report and not scattered in various reports.

Important information are contained in CDR progress report, but what is needed is a detailed monitoring report specially conceived for the purpose of monitoring, containing monthly detailed information about progress, problems, solutions and suggestions.

- o. Indeed, the report and its tables should contain information on the status of compensation and related issues: How many PAPs rejected the proposed compensation,² for what reasons?, where and how to mitigate the issues?; and
 - p. The report should be analytical and should contain recommendations and suggestions to help project and CDR management take informed and fair decisions.
44. A good, regular and analytical internal monitoring report can greatly help management make informed decisions to improve the implementation of the RAP and remain in line with national and donors' requirements. It also would help donors supervision missions as well as future evaluations and audits of the implementation of the RAP.
45. **Preparation of an action plan for the implementation of the RAP:** As mentioned, during the precedent mission, a framework for an action plan was proposed to CDR's legal department but no action has been taken so far. However, a wealth of information has been provided concerning the progress made in the implementation of the RAP, but again it is scattered in different reports and tables rendering its exploitation somehow cumbersome. It is of prime importance that this recommendation be taken into consideration, It would well serve the internal and external monitoring process and most importantly it would make justice to all the effort deployed so far by CDR to implement the RAP within international standards.
46. Perhaps a short workshop on how to prepare an action plan and how to report, with details and analytically, would be in order. During the same short workshop, some directions and instructions could be provided as to how to prepare a monitoring report. The communication expert on the WB supervision team could conduct this workshop.
47. **Preparation of a grievance redress mechanism:** A booklet detailing the project's objectives, components and impact on the local communities in terms of land and other assets acquisitions has been prepared and distributed to the local authorities and to the communities. It also explains the procedures of land and assets acquisition as well as well as the amicable recourse procedures available to the PAPs, before et without using the national legal system. Regular and email Addresses and phone numbers are also provided. Il also indicates that a liaison person has been designated at the level of CDR to receive, address, inform the project management and respond to complains within a period of two weeks maximum. This booklet contains all necessary information to help the PAPs and any other stakeholders understand the project, its national importance, the role of CDR, PAPs rights and entitlements and amicable recourse procedures proposed to them.
48. This document, written in simple Arabic, is very useful and describes a GRM that is straight forward, simple and accessible to all. But this is a first step. The proposed GRM has now to come to life and become operational. It should be constantly supported by meetings and minutes (procès verbaux) of those meetings, a monthly visit program and a monthly report containing precise information on complaints, where they come from, the nature of the complaints, the solutions proposed and the final output. The monthly report should clearly contain all statistics of the month related to complains, and how those complaints are being addressed. All the meeting minutes should be attached as an annex. Without such a reporting system, the proposed GRM would lose much of its projected objectives and impact. The attention of the communication specialist of the WB should be drawn to this matter. In sum, the success of the social safeguard component depend largely on the communication skills of CDR's instances in charge of its implementation.

49. Other issues also need to be discussed. Those include: Unit prices used for compensation, refugees and labor influx.
50. ***Unit prices used for compensation:*** During the mission's meetings with the PAPs in Majrat Chouf, Busri and Haref, the issue of insufficient level of compensation was repeatedly raised by some of the PAPs. PAPs indicated that the unit prices used to calculate the compensations for various assets were below the market price. At the same time, CDR representatives argued that to the contrary the unit prices are equal or superior to the market price. Not being an expert on that matter, ESP's social scientist decided to meet with the members of the expropriation committee (EC) in charge of evaluating and determining compensation for land and other assets. The EC members all insisted that the prices they offer are fixed on the basis of fair exchanges with the PAPs, experts and the study of local markets as well as the nature, characteristic, location and vocation of the assets being compensated. The members repeatedly ascertained that the final price is equal or superior to the prevailing market prices. In addition, they explained that the PAPs do not encounter any additional costs except for the cost of a stamp that does not exceed half a US dollar, which means that the final cost is in fact a cost of replacement. According to the EC members, some PAPs are trying to get the maximum they could, knowing that the WB is involved in financing the project.
51. To avoid any further speculation and possible delays, ESP's social scientist recommends that this issue of level of compensation be scrutinized by an independent expert/consultant to be appointed either by CDR or, even better, by the donors.
52. ***Refugees:*** In his previous mission ESP's social scientist stated that OP/BP 4.12 does not apply to displaced people as a result of an act of God or an armed conflict. However he proposed that the refugees affected by the project be considered as a vulnerable group and benefit from two specific actions: (i) negotiation with UNHCR to relocate the refugees in a close by and safe area and re-house them, and (ii) CDR negotiates with the future contractors to employ them as laborers or and skilled workers during the construction period. The idea was well received by CDR. During the present mission, a meeting was organized with UNHCR representatives and the proposition was thoroughly. discussed and well received but no commitment was obtained from HRHCR. The mission recommends that CDR continues this effort but at a much higher level, and proposes that CDR management sends an official government proposal to UNHCR management.
53. As to employment of refugees by the contractors, the negotiations should start once the final choice of the contractors is achieved. If and when a commitment to employ refugees is obtained, the mission recommends that the commitment be put officially in the "cahier des charges" of the contractors. Last, the mission noticed that in the tables contained in the Quarterly Progress Report of December, 2016, there is no mention of or reference to refugees. The data just concerns landowners. Not even Lebanese workers. This should be corrected in future reports.
54. ***Labor influx:*** Labor influx due to construction works in internationally co-financed projects is increasingly becoming an important concern because of its possible cultural and health impact on local communities. The WB, for instance, requires that preventive and mitigation measures be prepared, showing how to prevent any negative impacts, such as sexually transmitted diseases and behaviors not in line with local cultures. The mission recommends that this aspect be added in its next quarterly progress report. Emphasis should be put on where will workers be housed and a definition of a code of conduct. Those measures should also be mentioned in the "Cahier des charges" of the retained construction enterprises.
55. **In conclusion** the implementation of the RAP is progressing satisfactorily and is in line with the national and donors requirements. So far, no delays have been registered as far as the first

phase is concerned. There is, however, room for improvement as highlighted in this report. Recommendations to that end have been made and are summarized in the overall ESP Mission II recommendation summary table with a time frame for their achievement.

Figure 1 Images from meeting with Diocese.



12.3. Cultural Heritage

12.3.1. Background and some key issues

56. It is crucial to note once again at this point that CH specialist was unable to join Jan-Feb 2017 Mission II so this part of the report was prepared remotely. In light of the list presented below this section of the report will focus on revision of available documents, summary of key video-conference points and their implications as well as reiterate key points from Mission I report that require further focus.

- a. Documents made available to CH specialist by CDR including:
 - i. Decree 3057 DGA Arch,

- ii. Decree 3058 DGA Arch,
 - iii. 08.01.2017-CDR response to ESP - March 2016 & July 2016
 - iv. 12.01.2017-WSAP-ESMP tracking table-responding to JRM Comments
- b. Videoconference of 1st of Feb 2017 with CDR and World Bank teams including Ms. Arlene Fleming joining from Washington.
57. To reiterate the findings of Mission I report CH is rightly recognised as a critical component of this project and it is clear that the significance, magnitude and quantity of remains expected to be preserved in the Valley was understated during preparation of the ESIA. The significance of this issue seems to not have been fully conveyed to the WB expert Ms. Fleming based on the videoconference discussion. From the discussion held it seems that available surveys from the Valley have not been shared with CDR and Ms. Fleming by DGA. This is important for the client so that the CDR management can form an independent opinion regarding the scope, the extent and the timescale of proposed activities on CH front to be able to fulfill all their other responsibilities whilst remaining in compliance with donor's requirements without hindrance. Those surveys that were in possession of CH specialist have now been made available to CDR (correspondence with Ms. Elissar Eloreibi and Mr. Ellie Moussalli from 1st and 2nd Feb).
58. It should be noted that, based on available documentation, no progress report has been submitted to CDR by DGA, or at least, none such document was made available to CH specialist and ESP Panel. Additionally, to the best of CH Specialist's knowledge there were no discussions in the field with the DGA during the mission with other members of the panel (JRC and ABA) and therefore this report is prepared solely based on information acquired remotely.
59. No Action Plan has been made available to the ESP and CH specialist. cursory evaluation of two documents provided: Decree 3057 and 3058 shows them to be outlining methodology rather than an Action Plan dedicated specifically to the Wadi Bisri project. This will be discussed in more detail below.

12.3.2. Available information

60. As stated in Mission I report point 24: Important archaeological and sacrificial sites are already known to exist in the Wadi Bisri Valley based on previous surveys, including work undertaken in 2004, 2005, and 2008 by the Polish-Lebanese survey team, conducted by Krzysztof Jakubiak, Michal Neska and members of the University of Warsaw and DGA (surveys are publicly available online); a number of surveys conducted by Wissam Khalil of the Lebanese University; and a Spanish epigraphic survey. These have now (after videoconference on 1st of Feb) been shared with CDR. No doubt, more sites will be discovered in areas yet to be surveyed, and through chance finds procedures.
61. As per Mission I report it is important to remember that: to date, at least 83 archaeological sites are known in the upstream area, with 29 recognized downstream (Buffer Zone), with Polish, Lebanese and Spanish surveys attaining approx. 85% coverage (Jakubiak, *pers. comm.*). A number of plots are already on the legal protection register under Lebanese Law (see figure in Mission I report with a map provided by DGA, not included in ESIA).

12.3.3. Evaluation of available documents

62. 08.01.2017-CDR response to ESP - March 2016 & July 2016 in response to recommendations from the Mission I report states that: 'Discussions under way with DGA and the Maronite

Diocese of Saida to agree on Annex 1. Relocation Plan for the archaeological and cultural heritage which will be included as bidding requirements in the Contractor's Tender Documents and in the Supervising Engineer's Terms of Reference.' This is agreeable with more details discussed below.

63. Evaluation of document 12.01.2017-WSAP-ESMP tracking table-responding to JRM Comments. This presents Annex 1 on 'Relocation Plan for the archaeological and cultural heritage'. The document seems to follow the recommendations from ESMP and takes less consideration of recommendations by ESP and CH specialist presented in Mission I report. Statements at issue are underlined and should be corrected if this is to be included in any further discussions, official documents or ToR for the Supervising Engineer. Whilst some of these changes are of a purely semantic nature it is important that they are implemented to disambiguate some of the statements and to conform with the WB OP/BP 4.11. The mentioned Annex 1 is what resembles the Action Plan the closest and suggests:
- c. Collection of pottery shards, glass and other artefacts from surface soils and shallow excavations at previously identified sites; - This should be disambiguated to: *Collection of artefacts (e.g. pottery shards, glass) and ecofacts from the surface and from excavations of previously identified and new sites.*
 - d. Trial pitting and/or geophysical surveying at selected sites where buried structures may be present; This should be disambiguated to: *Excavations including sondages and test-pitting as well as geophysical surveying at selected sites where buried structures and archaeological features may be present.*
 - e. Major excavation and the removal of material at Marg Bisri Roman temple; and, This should be disambiguated to: *Major excavations, documentation and targeted relocation of archaeological remains from Marj Bisri Roman site.*
 - f. Excavations in the vicinity of Mar Moussa Church and the remains of St. Sophia's monastery. This should be disambiguated to: *Excavations and documentation of archaeological remains in the vicinity of Mar Moussa Church and the remains of St. Sophia's monastery.*
 - g. Proper removal and reconstruction of Mar Moussa Church and of St. Sophia's Monastery; This should be disambiguated to: *Documentation, relocation and reconstruction of Mar Moussa Church and of St. Sophia's Monastery supervised by conservation or vernacular architect.*
 - h. Scavenging old building materials from the ruins of 19-20th century houses to provide for new construction adjoining the relocated Mar Moussa Church. This should be disambiguated to: *Supervised collection of historical and traditional building materials from the ruins of 19-20th century houses to aid construction adjoining the relocated Mar Moussa Church.*
 - i. Moreover, the DGA cost estimate has been validated by Arlene Fleming during the WB mission of November 2016 and no comments were made on this aspect. This point requires further clarification since the approved budget (numbers and items) has also not been included in the Annex so the ESP and CH Specialist cannot make a comment on how realistic does it seem.
 - j. The document does not mention how intangible heritage will be preserved or recorded nor is there any discussion regarding the Buffer zone. It is unclear whether those issues have not been taken into consideration or whether a specific decision has been made to exclude them. Whilst neither of these are clearly referred in the old version of WB OP/BP 4.11 they are discussed in the 2015 drafts of ESS8 and are part of national

Lebanese legislation and international laws ratified by Lebanon (UNESCO Conventions) – it is ESP's and CH specialist's recommendation that this is given a second consideration.

64. Decree 3057 DGA Arch – first part of this document (8 first pages) is in Arabic and no translation was provided to CH specialist or ESP Panel so no comments can be made on it at this stage. Following this is a methodological framework introducing excavations, finds processing and inventory policies as per DGA standards, as well as policy-making and consultations with the DGA; health and safety and security requirements and lastly the proposed staffing, budget and tools and machinery. This is certainly a comprehensive document and the methodologies presented by the DGA are in compliance with the WB OP/BP 4.11. However, the English part from p. 9 onwards, after cursory examination, shows no particular mention as to how this methodology will be employed in particular to the Wadi Bisri sites. Such addition will be very welcomed by the ESP and CH specialist since some of the sites mentioned (i.e. Marj Bisri complex covered by thick alluvial deposits) are of a very specific nature and specialist methodology might need to be implemented to address potential issues that are expected to occur during this particular project.
65. Decree 3058 DGA Arch – this document is only in Arabic and no translation was provided to CH specialist or ESP Panel so no comments can be made on it at this stage.

12.3.4. Final remarks and key points of videoconference from 1st Feb

66. It is ESP and CH specialist's view that some of the recommendations included in Mission I report should be revisited. The 'understated' ESMP should also not be used as a key document on which to base ToR for Supervising Engineer. This should rather be undertaken in discussion with the DGA and ESP and its CH specialist.
67. Whilst it is believed that communication has been re-established with the DGA the nature of this communication is still rather elusive to CH specialist of ESP due to her remote participation in Mission II. However, the fact that till 2nd of Feb CDR had no access to archaeological surveys of the project area is alarming. A regular communication with a designated DGA representative, allocated to the project, should be established with progress reports delivered in timely manner to CDR, ESP and WB teams. This can aid the CDR management in making informed decisions to follow the progress on CH front and to remain in line with national and donors' requirements.
68. It is of utmost importance and highest priority that the DGA and the ESP are provided with a detailed Action Plan from the DGA on the treatment of CH with a timeline and breakdown of tasks in each part of the project area and per site. This has been discussed during the videoconference and agreed upon by all parties. If necessary pressure should be applied for this to happen before the ToR are released.
69. Overall, until Action Plan and ToR are finalized and made available to CH specialist and ESP Panel there is no more to comment upon.
70. It is important that CH specialist visits as soon as possible and is able to meet the representatives of DGA and CDR in person to form an independent opinion on reported progress or lack thereof.

12.4. Lesser priority/optional

71. Communication and safeguards. Since a communication management plan is being prepared separately and that the recruitment of a communication specialist at CDR/PMU has been announced, a welcome addition to a competent and dedicated, but overwhelmed, team, the ESP would like to suggest that the development of the communication plan be coordinated with all safeguard-related activities, especially those dealing with public consultation, information disclosure and external communication. CDR/PMU and the World Bank team’s specialist have been briefed on this possibility and there have been informal exchanges on the subject. The ESP is available to contribute further to this approach, even by remote. This is beyond compliance but would, like on Benefit Sharing, a very progressive stand taken by CDR.

13. Summary of Mission II’s recommendations

It is presented in tabulated form to facilitate communication with CDR.

Table 2 Summary of the social safeguard recommendations

Proposed actions	Responsible parties	Timing
Environmental safeguard expert		
Ecological offset plan preparation should be given the highest priority, should be subject to Panel’s advice from the earliest stage on, and with a view to finish its preparation as soon as possible. Draft ecological offset plan to be shared with ESP before finalisation.	CDR/PMU to finalise the ecological offset plan after extensive consultation.	Aim for an offset plan ready before June 30 th , 2017
Watershed/shoreline management, of lesser urgency and priority, should also be subject to Panel’s advice and start being prepared as soon as possible.	CDR/PMU to finalise the terms of reference, validate them with the ESP and launch the call for proposals after extensive consultation.	Aim for a call for proposals before August 15 th , 2017
Panel should be provided with the latest documentation on the Benefit Sharing programme study and Panel should be consulted for a possible integration of safeguard components in the Benefit Sharing programme.	CDR/PMU to provide the ESP with the latest documentation on the Benefit Sharing programme.	Aim for documentation reaching the ESP before March 31 st , 2017
Panel should optionally be involved in the preparation of the Communication plan and of the job profile of the communication specialist, to allow the ESP to contribute a “greening” of the communication plan and of the communication specialist time and resource allocation.	CDR/PMU to work with the World Bank and the ESP on these communication issues.	Cooperation can be launched any time that CDR wants.
Social safeguard expert		

Proposed actions	Responsible parties	Timing
Preparation of a self-standing monitoring report	CDR: Project management and legal department	Monthly, starting March 2017
Preparation of an action plan for the implementation of the RAP	CDR: Project management	April, 2017 with monthly updates
Workshop on reporting techniques and on how to prepare an action plan	Nationally or internationally recruited expert	March, 2017
Preparation of a monthly GRM report	CDR: Legal department	March, 2017
Recruitment of an independent expert to determine adequacy of unit prices for compensation	CDR (project management) or donors	April, 2017
Preparation of an official request to UNHCR for a contribution to relocate project affected refugees in a close by area and provide them with shelter.	CDR senior management	March/April, 2017
Insertion of information on affected workers and refugees in tables and in quarterly progress reports	CDR: Project management and legal department	As from march, 2017 and on
Cultural Heritage Expert		
Regular communication with a designated DGA representative, allocated to the project, should be established with progress reports delivered in timely manner to CDR, ESP and WB teams.	CDR - DGA	Bi-monthly
The ESMP should not remain a key document on which to base ToR for Supervising Engineer. This should rather be undertaken in discussion with the DGA and ESP and its CH specialist and based on their recommendations.	CDR - DGA	As soon as possible
It is of highest priority that the Panel is provided with detailed Action Plan for CH with a timeline and breakdown of tasks in each parts of the project area and per site.	CDR - DGA	As soon as possible and before the ToR are released.
Panel should be provided with the latest documentation regarding the newly approved CH budget and communication on the matter with the DGA.	CDR	As soon as possible
Documentation and preservation of intangible heritage and heritage in the 'Buffer Zone' in compliance with national and international legislation should be revisited by CDR and discussed further with DGA.	CDR-DGA	As soon as possible and before the ToR are released.

Proposed actions	Responsible parties	Timing
Full ESP Mission		
Timing of Mission III should be discussed and dates finalised as soon as possible	CDR in consultation with donor.	Dates finalised before April 30 th , 2017

14. Looking ahead

14.1. Next Mission

1. The ESP recommends that its third mission be strategically programmed to ensure the participation of the three experts. Given their existing constraints, a short mission at a very precise period in September (during the 25th-29th week) is an option. From November on, the possibilities are more open. CDR/PMU is welcome to start exploring this issue in more detail at its earliest convenience.

14.2. Reporting Mission II

2. The ESP expects CDR/PMU to provide rapid and detailed feed-back to the present report, replicating the tracking system that was conveniently used for Mission I.

15. Annexes

15.1. Annex 1 – List of persons and organizations met

Person	Institution	Email	Telephone	Function
Arsac Maguelone	UNHCR			Officer
Daher Mohmmad	Bisri Expropriation Committee			Expert
El Mousawi Nizar	Bisri Expropriation Committee			Engineer
El Oreibi Elissar	CDR	eo-reibi@cdr.gov.lb	+9611980096	Project Engineer
Hani Nizar	Shouf Biosphere Reserve	ni-zar@shoufcedar.org	+9613513845	General Manager
Kandeel Mohammad	World Bank	mkandeel@worldbank.org	+20(2)25741670	Senior Environmental Specialist
Maasri Raji	Mores	raji.maasri@mores.com.lb	+9613756464	General Manager
Mansour Lamia	CDR/Bisri Project	la-miamansour1@gmail.com	+961 3 777 134	Senior environmentalist
Moussalli Ellie	CDR/Bisri Project	emoussalli@cdr.gov.lb	+9611980096	Manager
Noueihed Ali	UNHCR	Noueihed@unhcr.org	+9611849201	Assistant Protection Officer
Petrescu Dan	World Bank	dan.petrescu@euromg.ro		Communication Expert
Talbi Amal	World Bank	atalbi@worldbank.org	+1202 4731000	Task Team Leader

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Yehya Abou Karroum	Federation of Chouf Souayjani Municipalities	Arch_ye- hya@hotmail.com	+9615304340	President and Mayor of Mazraat El Chouf
Zgheib Sally	World Bank	szgheib@worl dbank.org	+9611962900	Water Supply & Sanitation Specialist

15.2. Annex 2 – List of documents reviewed

15.2.1. By ESP Field mission

- CDR (2017) WSAP-ToRs for Master Plan of Bisri Dam -version dated 28/01/2017
- CDR (2017) Updated ESMP Tracking Table & ESP com-response table (January 2017)
- CDR (2005) Schéma directeur d'aménagement du territoire Libanais
- Ministry of Energy and Water (2012) National Water Sector Strategy
- Ministry of Environment and UNDP (2011) Etat de l'environnement et ses tendances au Liban
- Ministry of Environment and UNDP (2005) Strategic environmental assessment of plans and programs in Lebanon – Training Manual
- Plan Bleu (2015) Environmental and social assessments in Mediterranean – Management of ESA for development projects, plans, programs and policies – J.R. Mercier
- Shouf Biosphere Reserve (2015) La grotte forteresse de Chqif Tayroun à Niha
- Shouf Biosphere Reserve (2014) Field guide and information booklet
- Shouf Biosphere Reserve (2014) Cedars and faces
- Shouf Biosphere Reserve (2013) Memoirs of a cedar – A history of deforestation, a future of conservation – Faisal Abu-Izzedin
- Other documents produced and published by the Shouf Cedar Biosphere Reserve can be found at <http://www.shoufcedar.com>

15.2.3. By Cultural Heritage expert

- 08.01.2017-CDR response to ESP - March 2016 & July 2016
- 12.01.2017-WSAP-ESMP tracking table-responding to JRM Comments
- Decree 3057 DGA Architecture
- Decree 3058 DGA Architecture