

COMPLAINT (REQUEST FOR INSPECTION) FORM

To:

The Executive Secretary, The Inspection Panel, The World Bank, MSN: MC 10-1007
1818 H St., NW, Washington, DC 20433, USA. Fax: +1(202)-522-0916. Email: ipanel@worldbank.org

Section 1: Complaint

1. What harm do you believe the World Bank-financed project caused or is likely to cause to you or your community? Please describe in as much detail as possible.

Hello,

My sister, my brother and I were the owners of an orchard in the village of Midane in Lebanon. It was spread on plots #870 and #871 of 19,510 m² and 68,802 m² respectively and the awwali river flows through it (see attached plan).

Our father was the beneficial owner of the orchard and it earned him a \$100,000 yearly income.

The plots of land were within the boundaries of the « lebanon greater water supply project », as a result we were expropriated from our land.

The process didn't go as planned in the RAP (Resettlement action plan de la WB – OP4.12).

By september 2019 the lebanese state was the official owner of the land although no payment was received from the CDR (World Bank representative) at this date and even though the valuation had been known since march and october 2018.

To this day we haven't received what is due !

In january and february 2020, we received 576,410,070 LBP (Plot #870) and 2,518,455,690 LBP (Plot #871) by check, this was after the collapse of the lebanese economy and of the lebanese pound. As a result it was blocked by the bank upon receipt due to regulations.

The second part still hasn't been paid and is still held by the CDR. This part is the difference between the amount ruled during the appeal in November 2018 and what has been paid so far.

	Ruled (LBP)	Paid (LBP)	Due (LBP)
Plot #870	907,350,000	576,410,070 ¹	330,939,930 (\$218,442 ²)
Plot #871	3,288,370,000	2,518,455,690 ¹	769,914,310 (\$508,195 ²)

1 The amount paid in bank is blocked and can only be withdrawn 5,000,000 LBP per month at a physical counter and the rate to convert back in dollar is \$1 = 82,000 LBP (as of 03/05/2023, there has been a lot of variation since the collapse)

2 The rate used here is \$1 = 1515 LBP which was the rate before the collapse

As of today, the facts are that the land that was taken from us has had no compensations neither income wise or capital wise as the only compensation we received is not usable and the CDR still owes us \$726,637 to this day.

We informed the CDR of the situation and of prejudice incurred by their handling of the case to no avail. We also contacted Ms Hamdan (Consultation and Research Institute, CRI) with the same result.

Regarding the payment delay, we filed a lawsuit in June 2020 in order to receive the legal interests on the amount due for late payment. We still have no answer from the court.

In September 2021 we contacted the GRS for help but we never managed to have a proper understanding of our situation from them. They consider that :

- The bank cannot provide a solution for the Lebanese pound devaluation and for all the RAP violations which caused a lot of complications (although chronology in the RAP is clear and payment represents a value and not an amount of money)
- The case should be closed as this should be addressed by the Lebanese state and not the bank but the very reason we were seeking help was because the state and its justice weren't efficient (April 2022)
- They can finally keep the case alive but asking for the impossible task of getting a clearance for a land that doesn't belong to us anymore. Please note that we did pay a clearance when the land was ours back in 2019 to be able to be paid and that we nevertheless asked for this new clearance but never received any answer from the administration which is on strike anyway since the last crisis... The GRS is aware of this situation.

Given all these circumstances, we decided to contact you as the solution proposed by the GRS doesn't meet our need, doesn't recognise our prejudice and require an impossible task from us without explaining the solution they foresee for us.

To give more details, in March 2018, our land was estimated by the ad-hoc committee and we were asked to do some task which we did and gave the necessary documents for the payment in June 2018. We also appealed the court decision within the delay of the RAP however the CDR did not pay 90 % of the amount due before the appeal as stated in the RAP...

In November 2018 even though the appeal granted us a better estimation of the plots, we did not manage to get paid by the CDR as they argued the World Bank wasn't providing the funds.

August 2019 : The CDR contacts us to pay what we are owed. It sends us a list of documents to prepare among which a clearance that we must pay to the Lebanese Ministry of Finance, this also had to be done before the payment for our parcels. The amount of the clearance is based on the appeal estimate and the clearance amount is 97,346,000 LBP (\$64,254 the rate being \$1 = 1515 LBP)

We paid the clearance, the procedure is done, the land is now owned by the state as of September 16th 2019 but we are still have not received any payment for what we are owed. December 5th, the CDR summoned us to explain that they had made a mistake and that the amount wasn't right. They plan to pay us based on the first ruling and forget about the appeal. They pressured us to accept this offer as the clearance is already paid and is only valid for a year... Given those circumstances we have no other choice than to sign with reservation.

The payment is finally made by check in LBP in February 2020 but the LBP was already devaluated and the capital control was effective.

Regarding the payment of the first estimate we were paid with an 18 months delay which was very detrimental to us given the situation in Lebanon. Our funds were devaluated and blocked whereas the RAP was advertising that money should be available as soon as the land was transferred and it is actually the case for all the land owners paid on time.

Regarding the appeal, we still have not received any payment since november 2018, that is 5 years ! As stated before, there is an outstanding amount of 1,100,854,240 LBP (\$726,637 rate \$1 = 1515 LBP in november 2018) to be paid which is the difference between the amount paid and the amount stated by the appeal.

The GRS explained lately that the clearance procedure should be done again to receive the remaining amount. The payment would be made in LBP which would mean a full devaluation of what we are owed... The initial \$720,000 would now be \$10,000 provided we would actually be able to use LBP.

To sum up, we were the owners of a land which was estimated to be worth \$2,500,000, more if the RAP was actually applied, and which provided a \$100,000 yearly income and now we are in a situation where we are completely spoiled...

Our parent are now in a dire situation, they have lost everything. My father was earning \$100,000 yearly and now has \$120 monthly (his retirement money in France).

As a result we strongly ask for your intervention and your help to find an urgent solution to this situation. The RAP which guaranteed that our social level would be preserved should be applied as it is not the case at the moment...

Therefore we are asking for the urgent payment of the remaining unpaid amount in dollars or euros which are liquid and not blocked at the bank. Should this be paid in LBP the amount paid should reflect the new rate, meaning the original amount in dollar converted in LBP not the other way around. Moreover we need that money to be available for transfer to France and not blocked again.

Additionally, we need a way to retrieve the money from the first payment which is blocked at the bank at the moment.

Finally, the prejudice and the total loss of means since 2018 need to be accounted for

Note : To have a clear view of the chronology and how everything unfolded we are attaching the document « numbers and dates », please refer to it if needed.

2. What is the name of the World Bank project? (If known)

THE LEBANON GREATER WATER SUPPLY PROJECT

3. Where is the World Bank project located? (Please include country name)

LIBAN

4. Do you live in the project area?

Oui au moment du projet

5. Have you previously reported your concerns to World Bank management? If yes, please provide the details about those communications and explain why you are not satisfied with the Bank's action in response.

Oui.

J'ai parlé au CDR qui représente la banque mondiale au Liban.

J'ai parlé au bureau de Kamal Hamdane (consultation and research institute - CRI) qui a assuré les suivis des actions de la banque mondiale sur ce projet et qui nous a rencontré à Saida en juin 2018.

J'ai contacté le GRS le 20 septembre 2021 sous la référence FY22 – GRS - 1149

6. If known, please list the World Bank's operational procedures you believe have not been followed.

The procedure items haven't been processed in the order described in the RAP and some of them even didn't adhere to the RAP :

- After the comity decision regarding the price estimate 90 % of the amount must be paid to the land owner before the appeal.

In our case the comity decided in march 2018 that :

2,600,360,000 LBP (1 716 409 \$) should be paid for plot 871

712,250,000 LBP (470 132 \$) for plot 870

Please note that at that time \$1 = 1515 LBP.

The appeal started in june 2018 and we haven't received any money at that date.

Also note that these amounts are less than what the RAP states as the loss of livelihood (100,000 \$/year) and the cost of the equipment haven't been factored in.

- Following the appeal ruling, the compensation amount is final.

In our case, this decision was made in november 2018. The payment occurred in february 2020 so a year and a half after the decision and the amount paid was the one from the first decision, so they didn't take the « final » into consideration. To this day the difference between those 2 amounts has not been paid !

For the record the second decision prices were 3,288,370,000 LBP for plot 871 and 907,350,000 LBP for plot 870.

- The payment is done on an escrow account that the land owner can cash out immediately.

In our case, we didn't have access to the escrow and we received the payment by check and after the beginning of the crisis in Lebanon which resulted in our money being blocked and devaluated. We do not have access to it even now.

- The expropriation is done only after the payment never before.

In our case it was on september 16th 2019 before the payment.

- The RAP guarantees that no loss of income or of living standard should happen and the right to be helped by the world bank should these conditions be not met. The payment delay and the lack of payment had huge consequences on us. This orchard was something they were planning to rely on for leaving a peaceful retirement. Now they've lost the income from it and they were not properly compensated. The prejudice is huge and we ask for the RAP to be applied so that they can live decently taking advantage of what they earned

- The procedure is free. In our case we had to pay the clearance (64 000\$), attorney fees (35,000,000 LBP), stamps for the CDR (12,429,230 LBP)...

7. Do you expect any form of retaliation or threats for filing this complaint to the Inspection Panel?

Je ne suis pas à l'abri et je ne suis pas sereine.

Section 2: Contact Information

8. Are you complainants or a representative of complainants?

Complainants: Representing a complainant or community:

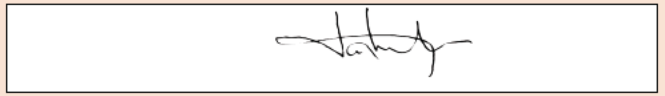
9. Would you like your name and contact details to be kept confidential? (The Inspection Panel will not disclose your identities to anyone without your prior consent.) Yes No

10. Complainants' Names (Minimum two names and signatures are required):

Complainant 1	Complainant 2
<p>Name</p> <p>Myriam Nahouli Saquet</p> <p>Address</p> <p>[Redacted]</p> <p>Phone</p> <p>[Redacted]</p> <p>Email</p> <p>[Redacted]</p>	<p>Name</p> <p>Nadim Nahouli</p> <p>Address</p> <p>[Redacted]</p> <p>Phone</p> <p>[Redacted]</p> <p>Email</p> <p>[Redacted]</p>
Complainant 3	Complainant 4
<p>Name</p> <p>Yara Nahouli</p> <p>Address</p> <p>[Redacted]</p> <p>Phone</p> <p>[Redacted]</p>	<p>Name</p> <p>Mohamad Nahouli</p> <p>Address</p> <p>Please contact me at my lawyer :</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>Phone</p> <p>[Redacted]</p>

11. We, the undersigned, request the Inspection Panel to investigate the issues described above.

Signatures (More signatures can be sent as an attachment document):

A rectangular box containing a handwritten signature in black ink, which appears to be "Nmyra".A rectangular box containing a handwritten signature in black ink, which appears to be "Nad".A rectangular box containing a handwritten signature in black ink, which appears to be "U".A rectangular box containing a handwritten signature in black ink, which appears to be "Stahly".

NOTES:

- Please attach supporting documents, if available.
- If you have any difficulty in completing the form, please contact the Inspection Panel at ipanel@worldbank.org or by phone: +1-202-458-5200.