

Republic of Tajikistan

Ministry of Transport



Central Asia Road Links Project – Republic of Tajikistan

Resettlement Action Plan

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Contents

Abbreviations	6
Definition of Terms	7
EXECUTIVE SUMMARY	10
CHAPTER 1. INTRODUCTION	12
Project Background	12
Project Scope of work	12
Magnitude of project impact	14
Measures taken to minimize adverse impacts	19
CHAPTER 2. SOCIO-ECONOMIC PROFILE OF PROJECT AFFECTED PERSONS	22
Project Affected Persons	23
Project Affected Dekhan Cooperatives	31
Project Affected State Institutions	32
CHAPTER 3. COMPENSATION ENTITLEMENTS	41
Objectives of Compensation Policy	41
Eligibility Criteria and cut-off date	41
Compensation Entitlements and mitigation measures	41
Additional Rehabilitation Measures	41
Taxation	46
Entitlement Matrix	47
CHAPTER 4. RAP IMPLEMENTATION STRATEGY	50
RAP Objectives	50

Land Acquisition Procedures	51
Dekhan Cooperatives	51
Individual PAHs	54
State Entities	56
Valuation Methodology and Unit Rates for project affected assets	58
Project Affected Structures	58
Project Affected Perennials	59
Project Affected Annual Crops	63
CHAPTER 5. RELOCATION PLAN	66
Site selection criteria	70
CHAPTER 6. CONSULTATION, PARTICIPATION AND RAP DISCLOSURE	73
General overview	73
Objectives of Public Information and Consultation	73
Consultation during RAP Preparation and Implementation	74
Public Information Booklet	74
RAP Disclosure	75
CHAPTER 7. GRIEVANCE REDRESS MECHANISM	76
Objectives	76
Grievance Redress Commission (GRC)	76
Local Authorized Person (LAP)	76
Functioning of the GRC within the Grievance Redress Mechanism	77
Technical Experts	78
Grievance Resolution Process	78
GRC Records and Documentation	79
CHAPTER 8. INSTITUTIONAL FRAMEWORK	80
General	80

Ministry of Transport of the Republic of Tajikistan (MOT)	80
Agency for Land Management and Geodesy (ALMG)	82
MBTI under the State Unitary Enterprise Housing and Communal Services	82
The Local Executive State Power in Districts (Hukumats)	83
Input of the Consultant in RAP preparation	84
Other Government Organizations	85
CHAPTER 9. MONITORING AND EVALUATION	87
INTERNAL MONITORING	87
External Monitoring	87
Training in RAP implementation	88
CHAPTER 10. RAP IMPLEMENTATION SCHEDULE	89
CHAPTER 11. RAP IMPLEMENTATION BUDGET	90
APPENDICES	91
Appendix 1. Land Acquisition & Resettlement Screening and Checklist for Section 1A	92
Appendix 2. Complaints and Grievance Submission Form	96
Appendix 3. Sample of Cash Compensation Agreement	97
Appendix 4. Actions to be applied in case of Temporary Impact	100
Appendix 5. RAP Related Legal-Regulatory Framework	102
World Bank Policy on Involuntary Resettlement	104
Legal Gap Analyses and reconciliations	106
Appendix 6. The Detailed Information on Project Affected PAPs and Assets	109
Appendix 7. Minutes of the Public meetings	109
Appendix 8. List of people who attended consultation meetings	111

Appendix 9. Project photos	113
Appendix 10. Minutes of public hearings (11.03.2015)	114
Appendix 11. Degree on allocation of land plots	118
Appendix 11. Information about project affected structures	120

Abbreviations

ALMGC	Agency for Land Management, Geodesy and Cartography
CAREC	Central Asia Regional Economic Cooperation
CC	Civil Code
DMS	Detailed Measurement Survey
EA	Executive Agency
GoT	Government of Tajikistan
GRC	Grievance Redress Commission
GRM	Grievance Redress Mechanism
HH	Households
ID	Identification Card
IM	Independent Monitor
Kg	Kilogram
LC	Land Code
MBTI	Municipal Bureau of Technical Inventorization
MoT	Ministry of Transport
NGO	Non-government organization
OP	Operational Manual (of World Bank)
PAH	Project Affected Households
PAP	Project Affected Person
PIB	Public Information Booklet
PIU	Project Implementing Unit
RAP	Resettlement Action Plan
RoW	Right of way
RT	Republic of Tajikistan
SUEHCS	State Unitary Enterprise for Housing and Communal Services
Sq.m.	Square meter
TJS	Tajik Somoni (currency)
WB	World Bank

Definition of Terms

Compensation	Payment in cash or in-kind for an asset to be acquired or affected by a Project at replacement cost at current market value.
Cut-off-date	The date, after which people will not be considered eligible for compensation, i.e. they are not included in the list of APs as defined by the census.
Dekhan Farm	Farms, usually mid-sized, that are legally and physically distinct from household plots, for which full user rights but not ownership is allocated to either individuals or groups.
Detailed measurement Survey	The detailed survey of project affected land parcels and inventory of affected assets.
Encroachers	People who move into the Project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the Project.
Entitlement	The range of measures comprising cash or kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution/business restoration, which are due to APs, depending on the type, extent and nature of their losses, and which suffice to restore their social and economic base.
Hukumat	Administration District
Inventory of losses	Pre-appraisal inventory of assets as a preliminary record of assets to be affected or lost as a result of the Project
Jamoat	Sub-district administration unit under each District
Land acquisition	Process whereby a person is compelled by a public agency to alienate all or part of the land she/he possesses, to the ownership and possession of that agency, for public purposes, in return for fair compensation.

Livelihood	Means of support; subsistence (source of income)
Non-titled	Physical persons who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant, i.e. those people without legal title to land and/or structures occupied or used by them.
Oblast	Region in Tajikistan
Project Affected Persons (PAPs)	All the people affected by the Project through land acquisition, relocation, or loss of incomes and includes any person, household (sometimes referred to as Project affected family), firm, or public or private institution. PAPs therefore include; i) persons affected directly by the road corridor, right-of-way, tower or pole foundations or construction work area; (ii) persons whose agricultural land or other productive assets such as trees or crops are affected; (iii) persons whose businesses are affected and who might experience loss of income due to the Project impact; (iv) persons who lose work/employment as a result of Project impact; and (v) people who lose access to community resources/property as a result of the Project.
Presidential Land	Land for which use rights have been allocated by Presidential Decree but ownership remains with the State.
Replacement cost	The method of evaluation of project affected assets ¹ to replace the loss at current market value, or its nearest equivalent, and is the amount of cash or equivalent in kind needed to replace an asset in its existing condition, without deduction of transaction costs or for any material salvaged and depreciation for age cannot be deducted from the compensation.
Reserve Fund Land	Land owned by the State and controlled by the district administration that may be rented, mainly for agricultural purposes.
Sharecropper	Same as tenant cultivator or tenant farmer, i.e., a person who cultivates land they do not own for an agreed proportion of the crop or harvest.
Significant impact	When because of project, 200 people or more will experience major impacts, which are defined as; (i) being physically affected from housing, or (ii) losing

¹ Replacement cost for project affected assets will be determined by the State Unitary Enterprise for Housing and Communal Services.

ten percent or more of their productive assets (income generating).

Vulnerable

Any person who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and includes; (i) female-headed households with dependents; (ii) disabled household heads; (iii) poor households (below poverty line); (iv) landless; (v) elderly households with no means of support; (vi) households without security of tenure; (vii) ethnic minorities.

Executive Summary

This Resettlement Action Plan (RAP) is a document prepared by the MoT of the Tajik Republic, which has been reviewed and cleared by the World Bank. The RAP will be uploaded to the web sites of the Ministry of Transport of the Republic of Tajikistan and the World Bank and will be distributed to the identified project affected people and local stakeholders who will be involved in the implementation of the RAP.

This RAP has been prepared for the proposed Project and outlined the resettlement principles and procedures ensuring that resettlement needs are identified, so that the executing agency (EA), Ministry of Transport (MoT) of the Republic of Tajikistan, will adopt and implement the procedures for land acquisition, involuntary resettlement, and potential loss of access to physical and economic livelihoods in compliance with the Government's applicable laws and regulations and the World Bank's policy on OP 4.12 Involuntary Resettlement.

The RAP sets out the project goals and project implementation schedule, eligibility criteria for project affected people (PAPs), legal framework and institutional involvement, determines valuation methodology, establishes compensation entitlements and unit rates, participation and consultation procedures, and grievance redress mechanism which will be employed to compensate, and restore the livelihoods and living standards of PAPs.

The main objective of the RAP is to identify the types, nature, and magnitude of potential resettlement impacts and to provide adequate measures to address these impacts to ensure that potential PAPs are:

- Informed about their rights and options pertaining to resettlement;
- Included in the consultation process and given the opportunity to participate in the selection of technically and economically feasible alternatives; and
- Provided with prompt and effective compensation at full replacement cost² for losses of land, assets, or access to assets and livelihoods because of sub-project works.

The preliminary surveys, conducted by the Design Institute along the road project sections at the stage of feasibility study and RPF preparation, revealed the impact on privately used land parcels³, perennials, and structures along the section 1A⁴.

² Please find the detail explanation on the meaning of the replacement cost in the Definitions of Terms.

³ Number of project affected land parcels were not specified at the stage of preliminary survey. However more than 1500 perennials and eight structures were reported to be potentially affected by the road project.

Additionally, during the detailed design work the possible need for temporary land take had been determined along the road section 4 Kanibadam – Patar. This temporary impact may occur during bridge rehabilitation, to allow vehicles pass the bridge site.

The other sections and sub-sections⁵ of the existing roads that are subject to rehabilitation have sufficient road-width. Thus, no physical resettlement or permanent land takes are anticipated to occur along the remaining seven (7) road sections.

Based on these findings reflected in the RPF the need for RAP preparation was affirmed.

Based on the detailed survey, census, socio-economic survey, and additional data collection the magnitude of impact of road project section 1 A was determined as follows:

Currently, there are total of fifty (49) project affected land parcels along the road project section 1A a total of fifty (49) project affected land parcels: among them thirty-five (35) are privately used land parcels, six (6) land parcels are used by Dekhan Cooperatives; three (3) land parcels by State/Public Institutions; one is abandoned structure, former meat processing facility, and four locations with water reservoir and water pumps; Besides, 3 921 perennials and 9 land parcels attached with various types of structures.

Therefore, this Resettlement Action Plan (RAP) is prepared for the proposed road Section 1A. This RAP provides the guidelines for processing compensation entitlements for all project affected persons experiencing permanent or temporary impact because of road rehabilitation project. The specially added Appendix 4 describes the actions to be applied in the case of any temporary impact⁶ occurring during the construction works undertaken along these eight (8) road sections⁷.

⁴ The completed screening checklist for the road Section 1A is provided in Appendix 1 and describes the needs for financing under the Project.

⁵ Please see the Table 1. Eight Road Sections Selected for Rehabilitation.

⁶ Please see the Appendix 4. Actions to be applied in case of temporary impact.

⁷ The rehabilitation of these eight (8) road sections was agreed between the WB and the government of Tajikistan.

Chapter 1. Introduction

Project Background

Within the framework of Central Asia Regional Economic Cooperation (CAREC) Program, Central Asian countries are cooperating to increase regional transport connectivity by coordinating investments in transport infrastructure and aligning respective policy and regulatory reforms to make impacts of those investments sustainable. This will improve the region's competitiveness, reduce poverty and expand trade, both within Central Asian economies, regionally, and globally. CAREC program focuses on investment and other activities along six transport corridors that link across north, south, east, and western Central Asia.

The proposed Central Asia Road Links program will be incorporated into the regional program comprising improvements prioritizing road links within Central Asian countries. This is anticipated to have a substantially positive impact on poverty reduction and economic growth, not only because of the high population density along the catchment area of the corridor, but also due to the existence of high poverty rates and its related effects on social cohesion and migration.

Tajikistan is a landlocked country and by area, the smallest nation in Central Asia, located between Uzbekistan and Kyrgyzstan to the west and north, Afghanistan to the south, and China to the east. It features the Pamir range of mountains, with more than fifty percent (50%) of the country's elevation over 3,000 meters (9,800 ft.) above sea level. Tajikistan depends on external trade for its development, and its export-driven business in agriculture and industry requires fast, reliable and economically affordable transport.

The Government of the Republic of Tajikistan requested financial assistance from the World Bank (among the other donors) to rehabilitate priority road links in Tajikistan's Sugd Oblast, which are of significant national and regional importance. Potential financing of the proposed program and project activities are subject to their inclusion into the Country Partnership Strategy agreed between the Government of Tajikistan and the World Bank (FY14-17).

Project Scope of work

This Resettlement Action Plan (RAP) is prepared for the road Section 1A and describes the land acquisition and compensation entitlements for the users of all the project affected land parcels as well as

specific terms and conditions to be addressed if any temporary impact⁸ occurs during the construction works undertaken along any of all eight road sections listed in the RPF approved by the government of the RT and the WB.

Table 1. Eight Road Sections Selected for Rehabilitation

Design Road Sections			
No.	Location	Road Category	Length (km)
1a	Guliston - Isfara Bypass (Option 1)	III	18.2
2	Isfara – Kim	III	13.0
3	Kim – Kanibadam	III	10.0
4	Kanibadam – Patar	II	12.4
6	Kim - Kuchkak (bypassing Kanibadam)	III	13.9
11	Dehmoi – Proletarsk	III	5.7
11A	Access to Intermodal Terminal	III	2.2
12	Proletarsk – Mandaniyat	III	9.0
Total			84.4

As revealed at the phase of feasibility study and confirmed later during detailed design and RAP preparation all above listed seven sections / sub-sections of the existing roads, except Section 1A, have sufficient road-width. Thus, no physical resettlement is anticipated to occur. Therefore, the decision was made to prepare this RAP specifically for the Section 1A.

The detailed surveys conducted by the design Institute during September-October, 2014 along the road project section 1A revealed a total of fifty (50) project affected land parcels: among them forty-one (41) are privately used land parcels, six (6) land parcels are used by large Dekhans and three (3) land parcels used by State/Public Institutions; besides 4 003 perennials and 7 out of 50 land parcels attached with project affected structures. The initial draft RAP was prepared based on this data.

However, later the slight realignment of centerline on a short distance in village Matpari caused some changes in the number of affected land parcels and PAPs. As a result, the eleven (11) land parcels being under use of local residents were released from road project impact. However, ten (10) new locations were added to the list of project affected land parcels. Correspondingly, the number of PAPs has changed as well.

Currently, there are total of fifty (49) project affected land parcels along the road project section 1A a total of fifty (49) project affected land parcels: among them thirty-five (35) are privately used land parcels, six (6) land parcels are used by Dekhan Cooperatives; three (3) land parcels by State/Public Institutions; one is abandoned structure, former meat processing facility, and four locations with water reservoir and water pumps; Besides, 3 921 perennials and 9 land parcels attached with various types of

⁸ Please see the Appendix 4 for Actions to be applied in case of temporary impact

structures. The initial draft RAP has been undated based on the additional information obtained during the last site visit on Nov 21-28, 2014.

Magnitude of project impact

The final results obtained from the field surveys and the output of data analyses determined the magnitude of project impact on local communities from resettlement and social impact perspectives.

The DMS surveys undertaken along the road section 1A identified that fifty (50) land parcels appear within the project ROW; among these 50 land parcels there are:

- a. thirty-five (35) land parcels used by 32 PAPs (individual physical persons and/or households)
- b. six (6) larger land parcels used by the Dekhan Cooperatives
- c. one (1) land parcel is used by Agricultural Scientific-Research Institute
- d. one (1) land parcel is used by Kindergarten No. 16 in village Matpari
- e. one (1) land parcel is used by Hospital in village Matpari
- f. nine (9) land parcels attached with project affected structures, such as residential, supplementary, wall/fence and commercial facilities.
- g. Owners of two (2) operating shops will face business stoppage, as the structure will be demolished
- h. twenty-one (21) PAPs will be severely affected due to the type of proportion of land take
- i. four (4) land parcels without identified boundaries attached with water reservoirs /pumps; among them one water reservoir is claimed to be built by a physical person residing in village Matpari.
- g. one (1) land parcel attached with old structure formerly meat processing factory, probably privatized years ago but now abandoned.
- h. the total of 3 921 perennials, including fruit-bearing, decorative and mulberry trees.

Table 2. Summary table reflecting the magnitude of the road sub-project impact in terms of number of units

No	Users of project affected land parcels	No of Parcels	No of PAPs	Total area of land parcels (ha)	Total are of land take (ha)	Proportion of land take
1	Individual land user	35	32 ⁹	1 101 494	15 853	1.44
2	Dekhan	6	2226 ¹⁰	2 123 090	68 916	3.25
3	Agricultural Scientific-Research Institute	1	29	914 100	5 278	0.58

⁹ Three PAPs are the users of two project affected land parcels each.

¹⁰ The initial number of 1449 shareholders was provided by Dekhan Directors. The new number of shareholders (2226) is retrieved from the official order of the Government Decision on reorganization of Dekhan Cooperatives.

No	Users of project affected land parcels	No of Parcels	No of PAPs	Total area of land parcels (ha)	Total are of land take (ha)	Proportion of land take
4	State Kindergarten No.16	1	14 ¹¹	3 400	375 ¹²	11.03
5	Hospital	1	11	N/A	N/A	N/A
6	Land parcels attached with water reservoirs /pumps	4	N/A	N/A	N/A	N/A
6	Abandoned building of meat processing factory	1	N/A	N/A	N/A	N/A
	Total	49	2312	4 142 084	90 422	2.18%

The project impact is mainly to be extended over physical persons, users of small size agricultural land parcels; some land parcels are designated as arable agricultural for agricultural produce, other land parcels are attached with residential dwellings.

In some cases, the possessors of residential houses standing along the road have constructed small buildings or allocated one room of their residential dwellings for a shop. These small size commercial facilities are located on their residential land parcels and are run as shops. All shop owners use this space legally. None are squatters or users of hired labor. They are sole traders and have official documents¹³ granting the right to operate a shop.

There is only one commercial facility with total area of 110 sq.m. The shop owner is deceased and owner's wife is attempting to operate the shop. She presented the MBTI documents and confirmed that she applied to the court to obtain ownership rights to the building and obtain the license, i.e. "Patent" in her name.

Therefore, prior to issuance of cash compensation and allocation of a new land parcel for construction of a new shop, the legal process of title transfer needs to be accomplished. This person¹⁴ will need additional technical assistance and legal advice to be provided by PIU, MOT, PIU and Resettlement Team to finalize the required procedures.

¹¹ The total of 70 children is attending the kindergarten.

¹² The area of land take needs to be specified.

¹³ This document is License, locally called "Patent". The "Patent" holders are tax exempt and paying only fixed amount (around 270 TJS) on a monthly basis allows them to operate a shop. The monthly Patent fee is calculated according to the administrative location and the area of the shop that is limited to 12 sq.m.

¹⁴ The list with full names of these persons and tentative budget for cash compensation will be presented to the Client /Donor as the attachment to the final RAP. However to protect the confidentiality of personal information this data is not designed to public review in difference from the RAP.

These several land parcels located within project ROW attached with structure-buildings potentially facing partial impact, meaning that some part of these buildings may require demolition, unless slight shifting of the central line or most likely reducing the width of the road project ROW is achieved prior to final approval of the RAP.

Table 3. Data on Project Affected Structures¹⁵

No	Act No	Designation	Land Parcel Location	Legal Status	Total area (sq.m.)	Land take (sq.m.)	Residential (sq.m.)	Supplementary Structures (sq.m.)	Fence (ln.m.) ¹⁶	Commercial (sq.m.)	NOTE
1	1	arable	Guliston	37	700	105			15		
2	11	residential	Shurtan	<u>not presented</u>	1100	42	48	30	44		
3	17	Arable	Kalachai Mazor	464	8400	1300					Stone quarry
4	45	Residential	Matpari	0500105/1098	1200	140		85	35		Producing clay bricks
5	46	Residential	Matpari	State decision	500	70	25	32	35		
6	47	shop attached to residential	Matpari	No 43 MBTI	400	100	200	80	6	12	Active shop
7	48	SHOP	Matpari	No 433	150					144	Active shop
8	51	Residential	Shurtan	3172	1850	54		100	36		Shed for trailers
9	54	Cafeteria	Matpari	35 A	172	172		10			cafeteria/not operating
	total				14472	1983	273	337	171	156	

All the users of project affected land parcels having been recorded during the census are eligible for cash compensation for income and assets loss due to road project purposes.

As a result of additional survey conducted during field trip (Nov 21-28) with regard to affected shop owners it was confirmed that shop owners do not use any hired laborers. The shops are run by license holder and his/her spouse, i.e. adult family members. The Consultant together with the field

¹⁵ For details, please see Chapter 5, tables 27, 28 and 29.

¹⁶ The abbreviation "ln.m." stands for linear meter.

team personally met with the owners of both shops and the owner of cafeteria, currently not operating.

It was confirmed that none of the shop owners use hired labor. Therefore, no risk for losing paid job is detected.

The road project will impact agricultural arable land parcels where land users grow annual crops and vegetables and have various types of perennials: fruit bearing and non-fruit bearing trees. The total number of affected trees equals to 3 921. Among them, 2151 are Mulberry trees mainly used for feeding silkworm to produce cocoon, 858 fruit bearing trees of various species and 912 non-fruit bearing trees.

The Inventory Acts prepared by Design Institute Field Team per each project affected land parcel record the number, age and approximate productivity of each species of perennial to be logged down for road project purposes.

Table 4. The summary data on project affected perennials

No	Act NO	Individual land user	Fruit trees	Mulberry (used in silk production)	Non-fruit trees	Total
1	6	Dekhan Cooperatives	595	1915	635	3145
2	41	Land parcels used by PAHs	142 ¹⁷	236	273	651
3	1	Research Institute	106	0	4	110
4	1	Hospital	5	0	0	5
5	1	Kindergarten	10	0	0	10
		TOTAL	858	2151	912	3921

The DMS surveys revealed the land parcels that face a threat of severe impact:

a. In case of the by-pass road, where ROW trespasses through the agricultural fields, due to the land takes, project affected land parcels will have to be divided into 3 components, where the middle section will be subject to land take. As a result, the PAP will have two (2) smaller size land parcels located on each side of the new road and the alternative land parcel provided to the land user as replacement land will be in another location.

b. In case of widening the existing road two land parcels attached with residential dwellings will be subject to demolition. The remaining portion of the land will not be sufficient land for the construction of a new and similar size residential dwelling. During RAP implementation, such specific cases will need additional planning with participatory involvement of the PAP, Heads of Jamoat and State Land Cadastre Committee in Isfara, to determine all reasonable options for replacement land

¹⁷ This figure includes 95 Apricot trees.

and come to an agreement with the PAP on selecting the most suitable option to PAP to ensure that the livelihood of the PAP is maintained during and following accomplishment of road construction.

Considering such specificities of the given road project the RAP foresees relevant mitigation measures as described below in this document.

Table 5. Project affected land parcels facing severe impact

No	Act No	Designation	Location	No of legal document	Total area	Area of land take (sq.m.)	Proportion of land take (%)
1	1	Arable	Guliston	37	700	105	15
2	5	Arable	Oftobru	4768	600	270	45
3	11/54 ¹⁸	Residential	Shurtan	Not presented	1100	48	4
4	17	Arable / Stone quarry	Kalachai Mazor	464	8400	1300	15
5	18/33 ¹⁹	Presidential-RESIDENTIAL /Arable	Kalachai Mazor	№320/0234933	300	200	67
6	19	Presidential-RESIDENTIAL /Arable	Kalachai Mazor	№320	300	300	100
7	20	Presidential-RESIDENTIAL /Arable	Kalachai Mazor	234919	300	300	100
8	22	Arable-Residential	Kalachai Mazor	35/A0426689	2700	440	16
9	23	Arable-Residential	Kalachai Mazor	A0426867	2700	1440	53
10	24	Arable-Residential	Kalachai Mazor	№0426865	2700	880	33
11	25	Arable-Residential	Kalachai Mazor	№0426864	2700	680	25
12	26	Arable-Residential	Kalachai Mazor	№0426862	7100	760	11
13	30	Arable-Residential	Kalachai Mazor	№0426878/2191	2700	1000	37

¹⁸ These two land parcels: Act No. 18 Residential with affected structures and Act No. 54 Cafeteria, currently not operating belonged to the deceased husband, whose widow is processing legal procedures to obtain updated land use title on her name.

¹⁹ The land user of the land parcels recorded under Act No. 18 (residential, with 67 % of land take impact) and Act No. 33 (arable with only 8 % of land take) are included in the list of severely affected PAPs as both land parcels are impacted by road project.

No	Act No	Designation	Location	No of legal document	Total area	Area of land take (sq.m.)	Proportion of land take (%)
14	31	Arable	Kalachai Mazor	№0426880/2193	7100	800	11
15	32	Arable	Kalachai Mazor	№0426881/2194	8800	900	10
16	34	Arable	Kalachai Mazor	A0426882/2195	3600	400	11
17	45	Residential / Clay Brick Business	Matpari	0500105/1098	1200	140	12
18	46	Residential	Matpari	inheritance approved by official document form archive	500	70	14
19	47	Residential	Matpari	No 43 MBTI	400	100	25
20	48	SHOP	Matpari	433	150	144	96
21	52	Arable/Presidential	Matpari	B No. 0234939	300	200	67

Based on the analyses of data obtained through the census and socio- economic survey all vulnerable persons have been identified and additional rehabilitation measures developed to be provided to vulnerable PAPs²⁰.

The RAP is prepared to address all project related types of impact and suggests detailed description of actions to be undertaken during RAP implementation to ensure that each and every project affected person is cash compensated. Those in need will also be provided within additional rehabilitation measures as stipulated in the Entitlement Matrix of this RAP, and to foresee that all these actions are undertaken in accordance to the entitlements agreed under the RPF, this RAP and in adherence with the country effective legislation.

Measures taken to minimize adverse impacts

For the section 1A from Guliston to Isfara 3, route alternatives have been investigated as part of the feasibility study. Their main characteristics are given below:

²⁰ Additional rehabilitation measures will be allocated per household /family and not per affected person. This RAP specifies the difference between project affected persons (PAPs) and project c affected households (PAHs). PAPs are the total number of persons that is at least 5 times more than number of affected households. These two acronyms are suggested in some tables to enhance better understanding of project impact magnitude.

Alternative 1a: Guliston – Isfara Bypass, partial new alignment

The first part, of the in total 18.2 km long section, starts at Guliston Border Post, follows the existing road to Isfara for approximately 4.5 km, and then turns to a new alignment through the fields. After the end of the realigned section, the route follows a local road, turns to the second realignment across the fields, and joins the Isfara – Kim road at approximately 0.5 km from the entrance to Isfara. Within the second realignment, the section crossed a railway line with two tracks and the Isfara river. This section requires substantial land acquisition and resettlement. This alignment was adopted in the Isfara General Development Plan dated May 2013. As a result of the strategic comparison of the 3 route alternatives, this one was chosen for further design.

Section 1b: Guliston – Isfara Bypass, partial new alignment

The first part of the section follows the same route as Section 1a, until the end of the local road where the route joins the road leading to Dzomy and Markazi Streets, follows it to the junction with Somoni Street, and ends at the same point as Section 1a. This Section requires approximately less land acquisition and resettlement than Section 1a. A new replacement bridge is required inside Isfara. The total length of this section accounts for 22.1 km. Approx. 1.5 km before the section ends, it crosses a railway line at a grade. Due to the greater length of this option, construction costs will be substantially higher than for the other two route options. In addition, the traffic will pass at approximately 4 km length through densely populated parts of Isfara, leading to noise and air pollution for the residents as well as the risk of traffic congestions and higher potential for future traffic accidents. Thus, this route was not recommended for implementation.

Section 1c: Guliston - Isfara, existing route through the center of Isfara

The road starts at Guliston Border Post, follows the existing road to the entrance to Isfara, turns to the main street through the center of Isfara town until the exit to Kim. This Section was investigated for comparison purposes only because it is not considered to be a viable solution by the local authorities. Currently, the traffic in the center of the town is congested due to activities at the bazaar area. At the exit from the town of Isfara, the road goes through narrow streets, which need widening and partial demolition of private properties, including quite a number of residential dwellings, land acquisition and resettlement. For these and traffic safety reasons, in the new general development plan, the local city council wishes to divert transit traffic to a bypass. The total length of this section accounts for 17.6 km. Approximately 1.5 km before the section ends, it crossed a railway line at a grade.

The chosen design section is a category III²¹ road with a total road width of 12.0 m according to SNIP 2.05.02-85 (Roads and Highways). Urban sections were designed in accordance with guideline MKS CHT 30-01-2007. Depending on the existing available space between the structures in built-up sub-sections, the total road width was reduced to the possible extent with a minimum of 9.0 m. This was done to avoid or minimize adverse impacts to the structures alongside the road. To avoid the removal of structures the horizontal alignment foresees to shift the centerline to one side of the road to limit land take and removal of structures to one side only.

Prior to RAP Implementation the road design will be reviewed and the final ROW will be submitted by MoT to the government of RT for the official approval.

²¹ According to SNIP 2.05.02-85 roads are classified in categories I to V depending on the traffic volumes. Category I roads are dual carriageway motorways with at least two lanes per direction. Roads category II and III have a single carriageway with in total two lanes with a width of 3.75 m (category II) respectively 3.50 m (category III).

Chapter 2. Socio-economic profile of Project Affected Persons

The number of potentially project affected land parcels were identified during the feasibility study phase and RPF preparation. In cooperation with Design Institute, the Consultant, during DMSs, specified the number of project affected land parcels located within the ROW of the road project section 1A. The DMS revealed the necessity of land acquisition and resettlement only along this road, section 1A. Additionally, a potential need for temporary land take is foreseen along the ca. 100 meters long distance, required during bridge rehabilitation along the section 4 Kanibadam – Patar²².

Census, socio-economic survey and inventory of assets attached to project affected land parcels permitted determination of all project affected land parcel users and their assets to be cash compensated.

Therefore, following the RPF being agreed with the WB and the MoT on behalf of the government of Tajikistan, the RAP preparation commenced.

Under the Consultant's guidance, the Design Institute deployed to the project site, a Field Team equipped with road maps and specifically structured questionnaires used for the census. The results of inventory of project affected assets (structures, fences, perennials, and crops usually grown by HH²³) were entered into the Inventory Act, and signed by the persons present during the inventory. The Field Team worked two weeks in the field to accomplish their assigned tasks. They walked across the entire road section 1A²⁴ and based on the road design maps, visited each and every project affected land parcel. They met with all present land users, members of affected households, representatives of Dekhans and Public Institutions.

During October 3-11, the Field Team from the Design Institute conducted census and socio-economic surveys of all project-affected households and authorized representatives of project affected Dekhans, State, and Public Institutions. Field works for census and socio-economic data collection was accomplished by Monday, October 12, 2014.

The Design Institute Field Team together with the Kocks Social/Resettlement Consultant conducted another site visit on November 21-28, 2014 in order to conduct public consultations with PAPs, collect additional data and visit new land parcels that appeared within ROW after the slight realignment of centerline in village Matpari required to improve the curve of the bend for better road visibility. As a result of this realignment, several previously project-affected residential dwellings were released from

²² Appendix 4 describes the actions to be undertaken by EA in regard with land parcels that subject to temporary land take and required compensation entitlements.

²³ HH stands for households.

²⁴ The length of this road section is 18.42 km.

road project impact but extending the project impact on the wall of other land parcels of residential designation where only wall and shed will require being demolished.

Additionally, because of recent site visit it was revealed that Dekhan Cooperatives are undergoing the reorganization in accordance with the Government decision. Therefore, it was revealed that in case of project affected Dekhan Cooperatives the same project affected land parcels are transferred into the permanent use of physical individuals according to their shares in Dekhan Cooperative.

The process of reorganization is supported by a number of International Donors including the World Bank. This on-going process has raised the need for a special approach with regard to land acquisition of Dekhan cooperatives. Some additional activities may be required during RAP Implementation in order to avoid any misunderstanding during land takes and any overlaps/double payment of cash compensations.

Considering the importance of the second site visit findings, the last date of site visit, November 28, 2014, is counted as the cut-off-date for this RAP, that refers to road section 1A. Guliston (Kyrgyz border)-Isfara.

During the surveys, the Field Team interviewed the PAPs, and also undertook the inventory of project affected assets: structures (residential, commercial, supplementary structures and fence), fruit bearing, and non-fruit bearing perennials, collected information on annual crops grown by PAPs in individual farms and/or Dekhans²⁵. As a result of census and socio-economic surveys, the Field Team collected quantitative and qualitative data of all affected households.

In addition to PAPs, the Team obtained information on project affected legal entities: Dekhan, Hospital, Kindergarten, and State Agricultural Research Institute. The data on the number of employees in each entity was added with financial information on annual income, expenses of these entities and average monthly salaries paid to labor and employees.

Project Affected Persons

The Socio-economic profile of the PAPs is based on the results of socio-economic survey of 40 project affected households, with a total number of 208 affected persons. This is 100% of PAHs within the road section 1A.

The project affected area is in the vicinity of the town of Isfara, located within the Sudg region with administrative center Khujand city. The PAPs are located close to the Guliston border and Isfara town. These people are **mainly engaged in agriculture**. They utilize agricultural produce mainly for family consumption and only sell a small share of their produce at the local market. Growing agricultural

²⁵ Six project affected land parcels are used by Dekhans. Three more PAPHs, such as State Scientific-Research Institute, Hospital and Kindergarten No 16, each are the users of one project affected land parcel.

produce on their smaller sized arable land parcels is their usual activity, therefore, they mostly do not quite consider themselves as farmers, but they prefer to have a regular job opportunity to earn monthly cash. Due to the scarcity of regular salary paid jobs, youth often go to Russia to work in the construction industry.

Most of the PAPs have land parcels of residential designation where some portion of land is allocated for orchards and fruit trees next to the residential dwellings, supplementary structures (kitchen, bathroom toilet) cattle barn, tundur²⁶, shed, water reservoir constructed under the ground, with concrete walls and ceiling, etc. Besides a majority of them have another land parcel allocated from the Presidential Fund. These irrigated land parcels located in the vicinity of the village settlement the PAPs use for agricultural activities and grow wheat or corn. Sometimes they grow small amounts of vegetables (tomato, paprika, and onion) as the second yield. The road section 1A traverses six villages²⁷ of Jamoat Kurgan. The table below shows the spatial distribution of project affected individual²⁸ land parcels according to the villages and along the road section 1 A.

Table 6. The breakdown of individual PAHs and PAPs according to villages trespassed by Section 1A

No	Name of a village	Number of Land Parcels occupied by PAPs ²⁹	Number of PAPs	Designation of land parcels			
				Residential	Arable	Commercial	State/Public
1	Guliston	1	4	0	1	0	0
2	October	1	4	0	1	0	0
3	Shurtan	2	5	1	0	1	0
4	Gumbos	2	12	0	2	0	0
5	Kalachai Mazor	20	112	11	9	0	0
6	Matpari	13	41	4	3	3 ³⁰	3 ³¹
	Total	39	178	16	16	4	3

²⁶ Stove made of clay for baking bread and traditional pie.

²⁷ The villages of Jamoat Kurgan are as follows: 1. Guliston 2. Oftobru 3. Shurtan 4. Gumbazi 5. Kajachai Mazor 6. Matpari

²⁸ Aside to individually used project affected land parcels, there are land parcels used by six Dekhan cooperatives and three land parcels used by State Institutions.

²⁹ PAPs residing in villages of Guliston, Oftobru, Gumbazi and Shurtan were visited and briefed on RAP stipulations, compensation entitlements, additional mitigation measures, eligibility to cash compensation for lost assets and income; procedures for land for land replacement and Grievance redress procedures. On November 26 through the assistance of the Head of Jamoat two Public Meetings were organized in the villages Matpari and Kalachai Mazor. The Public meetings were attended by all present PAPs and other residents of these villages.

³⁰ Two land parcels attached with commercial facilities (shop and cafeteria), that were not operating during census and socio-economic survey. There is one land parcel among these three is attached with old building (presumably privatized and abandoned).

³¹ Two water pumps and one water reservoir.

According to the number of PAPs to be affected by the road project, most number of PAPs is cumulated in three villages. In terms of the number of affected persons, the residents of village Kalachai Mazor make up more than half of the total PAPs.

The total number of PAPs is 178 amongst these, 79 are female and 99 are male. Out of 178 PAPs, there are 45 persons (14 girls and 31 boys) of underage - less than 18 years old. The table below shows the Age composition of the PAPs according to the gender and age group divided into adults and underage persons.

Table 7. Breakdown of PAPs according to age groups and gender

Age group	Female		Male		TOTAL	
	No of PAP	%	No of PAP	%	No of PAP	%
Adult	65	82.28	68	68.69	133	74.72
Underage (below 18 years)	14	17.72	31	31.31	45	25.28
Total	79	100	99	100	178	100

The average size of HHs is 5.56 persons per HH. Families are large and often several households live under one roof sharing income and expenses.

Many men travel abroad, mainly to Russia, seeking to be hired as labor in the construction industry. However, these are mostly seasonal opportunities, which do not guarantee regular cash inflow. The data on employment and main types of occupation applies to the adult PAPs (133 persons, among them 65 females and 68 males).

Most of the females are housewives taking care of family and children and they also tend to the fields growing crops. A few have paid jobs as civil servants or run small shops/kiosks selling consumer goods.

As composed in the table below, the major source of income of the PAPs is based on the information provided by the census and socio-economic survey of 100% of the PAHs.

Table 8. Breakdown of PAPs according to their occupation disaggregated by gender

Occupation	Female		Male		TOTAL	
	No of PAP	%	No of PAP	%	No of PAP	%
Farmer	11	13.92	20	20.20	31	17.42
Pensioner	5	6.33	15	15.15	20	11.24
Unemployed	4	5.06	24	24.24	28	15.73
Civil servant	3	3.80	3	3.03	6	3.37
Business (not farming)	2	2.53	6	6.06	8	4.49
Housewife	29	36.71	0	0.00	29	16.29
Students/Schoolies/kids	22	27.85	24	24.24	46	25.84
Other	3	3.80	7	7.07	10	5.62
Total	79	100	99	100	178	100

The table shows that project impact on land parcels will affect the main source of income for PAPs. According to the analyzed data, most of the women are housewives and majority of adult men are unemployed. The section "other" stands for the short-term work opportunities in country or abroad or the remittances from the relatives outside of the family.

People in project affected area live mainly in houses built with concrete foundations; walls are constructed of locally produced clay bricks. The roof is mainly covered by asbestos sheeting placed on wooden rails. The houses are single floor and often have a bath and kitchen attached with external access.

The overall average annual income of the households along the Project area is 158 190 TJS, with average 4 343.44 TJS. However, the figures for annual income of PAHs vary from households to households. Three (3) PAHs could not specify the amount gained from agricultural activity, while others reported rather different and varying figures as well.

Most of the surveyed households keep some livestock and poultry. However, they did not report this as the main source of income.

In fact, thirty-one PAPs out of the 133 adult PAPs (23.31 %) confirmed agriculture was the source of income, that on average made 43.43 TJS and the total amount equaled to 96 000 TJS.

Table 9. Breakdown of the expenditures of the PAPs

Household Expenditures	Average monthly (TJS)	Percentage
Food	30500	37.94
Housing	2925	3.64
Education	8485	10.55
Utilities	2505	3.12
Health	10345	12.87
Farming	14960	18.61
Business	2200	2.74
Transport	8270	10.29
Other	200	0.25
Total	80390	100

Although, the biggest share of expenses of PAHs come from farming, confirming farming and agricultural produce to be the main source of income for the majority of PAPs, some interviewed persons did not name farming as their main activity and confirmed that they were looking for stable and regular paid jobs.

The level of durable goods possessed varied however, most of them have Color TV, mobile phone and refrigerator. Among 40 households, only sixteen keep vehicles. And 12% of PAPs have personal computer and Internet.

Table 10. Breakdown of the possession of durable assets of PAPs

Item	No of PAH	Percentage
Color TV	31	100.00
Satellite Dish	5	16.13
Telephone	4	12.90
Mobile phone	31	100.00

Item	No of PAH	Percentage
Internet	5	16.13
Personal Computer	5	16.13
Washing machine	20	64.52
Refrigerator	28	90.32
Motorcycle	2	6.45
Car	16	51.61

Education and literacy

The level of literacy of PAHs is reported at 100%. The majority of adult PAPs (65 females and 68 males) attended secondary schools. Eleven men and 2 women have higher education degrees, while only 11 men are technical school graduates.

Table 11: Education and Literacy sex-disaggregated

Education/Literacy	Female		Male		TOTAL	
	No of PAP	%	No of PAP	%	No of PAP	%
Primary	2	3.08	2	2.94	4	3.01
Secondary	61	93.85	44	64.71	105	78.95
Technical	0	0.00	11	16.18	11	8.27
High Education (University)	2	3.08	11	16.18	13	9.77
Illiterate (primary not completed)	0	0.00	0	0.00	0	0.00
Total	65	100	68	100	133	100

Vulnerability

Vulnerable PAHs have been identified during the census and socio-economic survey. Four female and 4 male disabled persons are the recipients of state aid for 2nd and 3rd category of invalidity. Among six (6) female-headed households, four women are widows. These persons were selected to be qualified as vulnerable according to their (social status and illness).

Table 12. Vulnerable PAPs according to the land parcel Act Numbers and location

No.	Act No	PAH/Land Parcel Location	Female Headed HH	Widow /Female	Single elderly	Female Disabled	Male Disabled	No of PAPs	No of PAHs
1	1	Guliston				X		1	1
2	30	Kalachai Mazor	X					1	1
3	47	Matpari				X/X ³²		2	1
4	11	Shurtan		X				1	1
5	18	Kalachai Mazor					X	1	1
6	26	Kalachai Mazor		X				1	1
7	23	Kalachai Mazor	X					1	1
8	27	Kalachai Mazor					X	1	1
9	33	Kalachai Mazor					X	1	1
10	45	Matpari				X		1	1
11	48	Matpari		X				1	1
12	52	Matpari		X				1	1
		Total	2	4		4	3	13	12

Major cropping pattern

Corn and wheat are major crops PAHs grow but mainly for personal consumption. Only a small share of their annual crops would be sold at the local market mainly through wholesalers. Vegetables, mainly potato, beans, cucumber, tomato, garlic, and onion is grown in the orchards organized in their backyards of the land parcels assigned for residential purposes.

A source of income is fruit trees, mainly Apricot trees with high yield capacity, and Mulberry trees. Mulberry trees are planted along the roads and streets. In general, these are fruit bearing trees, however in the project area, these perennials are mainly used for feeding silk worms to produce cocoon for later sales.

³² One PAH possessing project affected land parcel (Map Number 47) has two disabled daughters in a family. Since vulnerability is identified according to the PAHs this family is recorded in the list as one PAH. Therefore, the total number of vulnerable PAHs is thirteen (13) as shown in the relevant table.

Table 13. Breakdown of major agriculture (annual crops) produce according to the 33 land parcels used by 32³³ PAPs

Type of crop	No of PAH	Percentage
Wheat	19	61.29
Maize	15	48.39
Other grain crops	2	6.45
Potato	23	74.19
Garden crop	18	58.06
Other fodder crop	2	6.45
Grass for pasture	3	9.68
Apricot trees	4	12.90
Other fruit trees	5	16.13

Table 14. Major agriculture (annual crops) grown by 6 Dekhans

Type of crop	No of PAH	Percentage
Wheat	6	100
Maize	6	100
Other grain crops	2	33.33
Beet	0	0
Potato	2	33.33
Garden crop	4	66.67
Luzern	0	0
Other fodder crop	0	0
Grass from hay production	0	0
Grass for pasture	1	16.67
Apricot trees	6	100

³³ Three PAPs have under possession two project affected land parcels.

Other fruit trees	6	100
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Project Affected Dekhan Cooperatives

In addition to PAPs, the project is expected to impact six Dekhan Cooperatives. The proportion of size of land acquisition with respect to the entire area of the land parcels used by the Dekhans will have insignificant project impact.

Table 15. Ratio of land take versus the entire of land under use of project affected Dekhan Cooperatives

No	Act NO	Individual land user	Total area of affected parcels (sq.m.)	Total area of land take (sq.m.)	% of land take
1	3	PP «Kishovarzoni Navgilem»	10 271 300	42 783	0.42
2	4	K.I. «Kishovarzoni Oftobru»	2 306 900	3 075	0.13
3	13	K.I. «Gumbazi»	159 870 000	11 100	0.01
4	16	K.I. «Guzari Eshon»	1 138 900	6 200	0.54
5	21	K.I. «Kali Surkh»	1 243 100	3400	0.27
6	38	K.I. «Istofarakh»	3 743 700	6100	0.16
		TOTAL	178 573 900	63158	0.04

However, during the census and socio-economic survey the Field Team met with the Directors of these Dekhan Cooperatives, or their authorized representatives, and collected some data on the number of employee, annual income, expenses and average monthly salary rates. The information is described in the table below.

Table 16. Information on Dekhan shareholders and financial data

No	Act NO	Individual land user	Shareholders ³⁴	No of Shareholders ³⁵	F ³⁶	M ³⁷	Annual Income TJS	Annual Expenses TJS	Average monthly salary TJS
1	3	PP «Kishovarzoni Navgilem»	1119	700	354	346	25 000	17 000	265
2	4	K.I. « Kishovarzoni Oftobroi»	179	221	134	87	30 000	35 000	180
3	13	K.I. «Gumbazi»	194	194	91	103	340 000	350 000	160
4	16	K.I. «Guzari Eshon»	179	143	80	63	Not presented	Not presented	250
5	21	K.I. «Kali Surkh	150	185	75	110	100 000	70 000	200
6	38	K.I. «Istofarakh»	405	6	2	4	Not presented	Not presented	Not presented
		Total	2226	1449	736	713	495 000	472 000	211

During the second site visit, the Design Institute Field Team together with the Kocks Consultant had several meetings with Directors of the Dekhan Cooperatives. During these meetings, the Consultant discussed all RAP related topics; valuation methodology and procedures stipulated in the RAP on cash compensation payments and land take procedures. Dekhan Cooperative Directors provided the list of the shareholders, copies of Charter, copies of the Letter on assigning the Director to represent the shareholders in third party relation³⁸.

³⁴ The figures given in this column are extracted from the official government decision of reorganization of Dekhan Cooperatives. Most likely the figures mentioned in the official government document are based on the initial data reported by the moment of forming Dekhan cooperatives. However, this assumption has to be confirmed and the actual number of shareholders as well as the current status in respect with reorganization should be inspected at the RAP implementation preparation phase, prior to commencement land acquisition and compensation entitlements.

³⁵ The column with cumulative figure 1449 numbers and gender-disaggregated data is provided by Dekhan Cooperative Directors during census and socio-economic survey.

³⁶ F - Female

³⁷ M - Male

³⁸ The copies of official documents in Tajik language are attached to Tajik language version of the final RAP.

The meetings with Dekhan cooperatives provided specific issues:

- Number of persons reported as employees equals the number of shareholders. There are no other employee's other than shareholders receiving monthly salary.
- Each shareholder (person) receiving a monthly salary is the holder of an equal share.
- The process of reorganization of Dekhan Cooperatives supported by WB funded project is under way in Sudg region. Several Dekhan Cooperatives have already distributed shares to some individual members who received updated Certificates granting the Certificate holder with permanent right to use and alienate the land.
- None of the project affected Dekhan Cooperates accomplished the reorganization process, as the assets have not been distributed and therefore the process of liquidation is not yet accomplished.
- The process of land take and issuance of cash compensation for project affected Dekhan Cooperatives will require additional activities to determine whether the land within ROW is or not already distributed to individual land users, to ensure that land take and cash compensation is provided in legally valid manner to all eligible PAPs.

The procedures and necessary activities to be undertaken with regard to project affected Dekhan Cooperatives is described in detail in Chapter RAP Implementation.

According to the studies and census conducted by the Field team during October 3-11, 2014, it was identified that a total of **2226 persons** were the shareholders of the six project affected Dekhan Cooperatives prior to the commencement of the reorganization process.

These persons would have been eligible to receive cash compensation for the loss of fruit bearing perennials, in equal amounts according to their percentage of shares held in Dekhan Cooperative, prior to the commencement of the reorganization process.

However, since the process of reorganization has commenced, the RAP Implementation Team will have to conduct additional research to determine whether the land within ROW had already been transferred to the State for new road construction purposes and confirm the names of individual shareholders that had or had not received their share of land from the Dekhan Cooperatives as a result of the reorganization process.

In order to determine the land use status of the land located within ROW, the RAP Implementation Team will need to request information from the State Land Management Committee located in Isfara, and also check the records of the Isfara Office of Land Cadastre Centre supported by the World Bank.

Table 17: Legal documents on project affected Dekhan Cooperatives

No	Act NO	Name of Dekhan Cooperative	Tax Payer's No	No of Certificate of land use right issued to Physical Person	Date of Issue Land use certificate	No of Order on reorganization	Date of Order on reorganization
1	3	PP «Kishovarzoni Navgilem»	To be obtained later	0193265	January 7, 2009	# 285	April 21, 2014
2	4	K.I. «Kishovarzoni Oftobru»	550007923	0193264	January 7, 2009	To be obtained later	To be obtained later
3	13	K.I. «Gumbazi»	550007944	0193261	January 7, 2009	# 191	March 3, 2014
4	16	K.I. «Guzari Eshon»	To be obtained later	To be obtained later	To be obtained later	To be obtained later	To be obtained later
5	21	K.I. «Kali Surkh», Under the K.I. «Immomidin Shakhobidinov»	5550009858	0336289	July 19, 2011	#35	January 28, 2014
6	38	K.I. «Istofarakh»	550008574	0239772	June 20, 2010	To be obtained later	To be obtained later

Project Affected State Institutions

The Field Team obtained similar data from the 3 State Institutions identified within the project ROW. It is worth noting that due to the recent realignment of centerline in village Matpari, the Public School No 65 is no more affected by road project. Instead, the project impact will be extended over the fence and five apricot trees standing on the narrow strip of Hospital garden that also appears within the road project ROW.

The separate tables below provide the updated cumulative data with regard to the project affected State Institutions and reflects the number of personnel, annual income, expenditures, and average monthly salary.

Table 18. Information on number of employees and financial data of Agricultural Research Institute

No	Act No	Name of Organization	Number of Employees	Female	Male	Annual Income TJS	Annual Expenses TJS	Average monthly salary TJS
1	2	Research Institute	29	12	17	120 000	100 000	230

As verbally confirmed by the directors of these three (3) State Institutions, road project impact will not impact the job opportunities of their staff and employees.

Data provided below is based on the information obtained because of the census and socio-economic surveys. To some extent, this data may be used as the baseline data for further assessment of project impacts undertaken during internal and external monitoring; the number of employees and monthly salary rates can be examined for any changes³⁹ in the process of road project implementation and beyond.

During RAP implementation the process of land take and issuance of cash compensation for the employees of the Research Institute will differ from land take procedures, cash compensation for project affected Kindergarten, and local Hospital located in Matpari. These procedures are in detail described in this document in the Chapter RAP Implementation.

Table 19. Information on number of employees and financial data of Kindergarten No 16

No	Act No	Name of Organization	Number of Employees/ Students	Female	Male	Annual Income TJS	Annual Expenses TJS	Average monthly salary TJS
1	42	Kindergarten	14 teachers & technical personnel	N/A	N/A	N/A	N/A	260
			70 Children					

³⁹ Neither Kindergarten nor Hospital may face the need to reduce the number of personnel or salary rates due to the land take for road project purposes. In case of these two institutions the reason of firing and hiring may not at any condition related to road project impacts. However, the records of Agricultural Scientific-Research Institute may be used as base line data for future monitoring, even though the land take is insignificant in terms of proportion towards the entire area of land used by this Institution.

The Kindergarten Director showed the certificate from MBTI on the building-structure. The land is state owned and allocated to the kindergarten. The land take topic was discussed with the Director of the Kindergarten and two female colleagues. The director agreed that the area of land parcels attached to the kindergarten is quite large. Therefore, although the size of land take is around 400 sq.m. it will not impact the play area of the kindergarten. However, provision of replacement land of similar size in another location will not make any positive impact to the kindergarten unless it is attached to the existing parcel to allow merging. Otherwise 400 sq.m. of a separate land parcel allocated to the kindergarten in another location even in the vicinity of the existing land parcel, would be difficult to use for the same purposes.

As a result of land take, the kindergarten will not face loss of income, as kindergarten is not agricultural organization. They have quite large territory in proportion with the number of children.

The road project will impact several fruit bearing trees standing on the territory allocated to the Kindergarten and Hospital, which need to be logged down during land take for road project purposes. During the second site visit, the Consultant and the field team had met with the Director of the Kindergarten No. 16 located in village Matpari. According to the records of the Director, fruit grown in the garden of the kindergarten was used to prepare a drink⁴⁰ for children.

Additionally, she mentioned that in 2012 she managed to distribute the yield from the fruit trees to the teachers and technical personnel of the kindergarten, mainly to single mothers with 2-3 children.

The Consultant obtained the detailed information on the current personnel of the Kindergarten to identify the number of persons who may face some loss of income after project affected perennials would be logged down and included in the final RAP budget to receive cash compensation for fruit bearing trees.

Cash compensation per each project affected fruit tree will be calculated according to the valuation methodology described in this RAP and cumulative amount will be equally distributed among the personnel of the kindergarten. Besides, the allocated cash would be enough to purchase 3 year old quality seedlings of similar species to be planted on the territory of the kindergarten along the concrete fence after being moved to a new location in accordance with the road ROW final approved design.

In addition, vulnerable persons will receive a one-time allowance as stipulated in the entitlement matrix of the RAP.

With regard to the need of moving the wall constructed of concrete tiles, the Construction Company will be in responsible to undertake this work at its sole cost prior to commencement of any earth

⁴⁰ Commonly named "Kompot" is non-alcohol drink made of various fruits boiled in water and sweetened later; served warm or chilled.

works along the road in the vicinity of the kindergarten to ensure the safety of attending children, mothers, and kindergarten personnel.

To ensure the health and safety of children attending the kindergarten additional measures⁴¹ need to be planned and undertaken during road construction and the operation period.

Table 20. Information on the project affected land parcel attached with the Hospital

No	Act No	Name of Organization	Number of Personnel	
			Female	Male
1	49	Hospital in v. Matpari		
		Doctor		2
		Nurse	6	
		Technical personnel	2	
		Guard		1
		Sub-total	8	3
		Total		11

NOTE: The data on the Hospital was obtained during the Interview with the Doctor of Pediatrics. The Hospital is on the State subsidy. The loss of a small portion of land will not cause any loss of income for the Hospital personnel, as the land is not used for agricultural purposes. For the same reason, no replacement land of similar size needs to be allocated for the Hospital. However, the market value of five (5) apricot trees to be logged down for road project purposes and 15 TJS to purchase and plant new 3 year old seedlings will be transferred to the bank account of the Hospital. The amount of cash compensation will be distributed among the Hospital personnel in equal share.

With regard to the iron-meshed fence to be moved to allow road works, this will be undertaken by the Construction Company at its sole cost and before the commencement of any earthworks along the road in close vicinity of the Hospital to ensure the safety of patients and personnel.

Thus, no cash compensation will be paid to the Hospital to finance the movement of the iron-meshed fence, as the Construction Company will implement this work.

⁴¹ Provision of additional safety hedge between the road and footpath to the kindergarten, strip lines for pedestrian crossing and at least two speed bumpers to reduce the speed of vehicles approaching kindergarten from both directions of the road.

Landholding status

During Census and Socio-economic survey, special attention was paid to determine the affected land parcels and their legitimate users.

Table 21. Breakdown of project affected land parcels occupied by State Institutions according to the status of land tenure

No	Act No	Name of Organization	No of Certificate of land use right
1	2	Research Institute	No: 5000572
2	42	Kindergarten No 16	MBTI document of structure building
3	49	Hospital in v. Matpari	<i>To be provided upon request</i>

Based on the preliminary surveys, it was expected that majority of PAPs would turn out to be the holders of land use rights. However, during the Census, time was allocated for title search to determine the type of land use rights of PAPs, Dekhans, and the three State Institutions.

Three tables below provide the description of land tenure status separately for each type of PAPs

Table 22. Summary of project affected land parcels occupied by PAPs

Land parcels used by households	Number of Land parcels	Number of affected PAPs	Total No of Persons	Total area of affected parcels (sq.m.)	Total area of land take (sq.m.)	Certified	Certificate not presented
Individual land users	35	32	178	1 101 494	15 853	33	2

Table 23. Summary information on the magnitude of land take with regard to Dekhan Cooperatives

No	Act NO	Individual land user	Total area of affected parcels (sq.m.)	Total area of affected parcels (ha)	Total area of land take (sq.m.)
1	3	PP «Kishovarzoni Navgilem»	10 271 300	1 027.13	42 783
2	4	K.I. « Kishovarzoni	2 306 900	230.69	3 075

No	Act NO	Individual land user	Total area of affected parcels (sq.m.)	Total area of affected parcels (ha)	Total area of land take (sq.m.)
		Oftobroi»			
3	13	K.I. «Gumbazi»	159 870 000	15 987	11 100
4	16	K.I. «Guzari Eshon»	1 138 900	113.89	6 200
5	21	K.I. «Kali Surkh	1 243 100	123.31	3400
6	38	K.I. «Istofarakh»	3 743 700	374.37	6100
		TOTAL	178 573 900	17857.39	72 658

These six project affected land parcels traditionally belonged to Dekhan Cooperatives. These land parcels are considered as a separate category due to number of significant factors: large area of land, legal status of the cooperatives that have charter and are operated by the assigned director. Additional survey conducted during the field trip in November, confirmed that the meaning of Dekhan employees is the same as the shareholders.

On November 24, 2014, in the office of the local executive power, special meeting was held with the Directors of these Dekhan cooperatives. They presented the official documents of the Dekhan cooperatives; Chapter, Minutes of the Meetings of cooperative shareholders assigning the cooperative director to represent the organization in relation with third parties, Certificates on land use rights, and/or land use lease agreements.

In addition, the Directors of these Cooperatives were advised to present the List of all persons getting any income from the Cooperative that includes paid personnel and shareholders. The provided documents confirmed that the number of persons recorded during the Census as employees is the number of shareholders. Each person is the holder of the similar share.

Indebtedness

None of the interviewed persons reported bank loan or receipt of any targeted aid.

Infrastructure

Major health care and social facilities are located in the town of Isfara. The 10.75% of PAP expenditures are used for transportation. Besides small shops run by local residents, major markets for trading purposes are in the town of Isfara, the administrative center is at 4.5 km distance to the project affected area.

Potable water is extracted from a well, and often from delivery tracks. Most of the households use wood as the major source of fuel for cooking and heating in wintertime. Wood and crop residues are most commonly used as fuel for cooking because of the high price (and low availability) of gas and the high cost of electricity.

Women in the Local Context

The majority of affected households are headed by men; out of 35 land parcels used by PAPs only in three (3) the land use right certificate is registered in the name of a female; besides in case of four (4) project affected land parcels men are deceased and the widows are under processing inheritance by law to register updated land use right certificate on their names.

Women are mainly involved in household activities such as horticulture, animal husbandry, and general household works. There are several females who trade or run a local shop selling consumer goods. Only two females are civil servants at the local institutions. Women participate in household decision-making processes and organizing family matters. During census and socio-economic survey, female respondents were active and willing to participate in project planning initiatives.

Impact on Ethnic Minorities

No impacts on Indigenous People are expected for the Project.

The PAHs are primarily composed of Tajik people. Kirgiz and Uzbek people who lived there for decades are fully integrated into institutional, cultural, and economic processes undertaken in project influence area. No group of local residents showed any specific or unique features that could be classified as a distinct minority group.

Other vulnerable groups such as female-headed households and disabled PAPs will be provided additional rehabilitation measures by the Project as mentioned in the entitlement matrix of this RAP. The Project will include appropriate measures to mitigate the potential risk of HIV/AIDS and other sexually transmitted diseases, as well as drug and human trafficking. These measures include raising public awareness on these issues.

Construction and Supervision Company will be in charge to undertake relevant workshops to raise awareness among the project affected communities. The PIU staff and a local CSO will be hired for communication activities to support the entire road project implementation process.

Chapter 3. Compensation Entitlements

Objectives of Compensation Policy

The implementation of resettlement activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place.

As stipulated in OP 4.12 and as described in this RAP all project related impacts identified during the relevant studies should be addressed accordingly, meaning that all project affected persons will be provided with relevant compensation and other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons.

Eligibility Criteria and cut-off date

Compensation eligibility is limited to PAPs by a **cut-off date, October 12, 2014** the date when Census, socio-economic survey of PAPs and inventory of project affected assets has been accomplished. **However, the cut-off date was updated based on the field trip findings and specified as November 28, 2014 the last date of the latest site visit.**

PAPs who settle in the affected areas after the cut-off date will not be eligible for compensation. They, however will be given sufficient advance⁴² notice, requested to vacate premises and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and they will not pay any fine or sanction. Forced eviction will only be considered following exhaustion of all other efforts.

⁴² PAP will have to dismantle affected structure and vacate the land parcel within 3 months' time period, from the date when PAP willingly signs Receive - Delivery Act and receives for free the legal certificate on a new land parcel. The PIU, RAP Implementing Unit and local executive power will be responsible to provide all required assistance (technical, legal etc.) to a PAP if he/she is not capable to comply with such tasks; For instance female HH, single elderly, etc. In addition, all PAPs who are subject to physical resettlement will also be compensated by the government for moving related expenses and transportation assistance. Details are provided below in the Compensation Entitlements and Mitigation Measures.

The RAP determines the eligibility criteria of project affected persons (PAPs) and provisions for compensating all types of losses: land, crops/trees, structures, business/employment, and workdays/salaries/wages. All PAPs, including non-certified land users will be compensated for lost income and assets. Loss of land will be compensated by provision of replacement land of the same area⁴³, productivity, and designation in vicinity of current location, as described in this RAP.

The criteria for eligibility to compensation are based on PAP⁴⁴s belonging to one of three groups:

1. those who have certified and/ or formal rights to use of occupied land;
2. those who do not have formal legal rights to land at the time of the DMS or census begins but have a claim to such land or assets - provided that such claims are recognized under the laws of the RT or become recognized in accordance to the effective legislation of the RT.
3. those who have no recognizable legal right or claim to the land they are occupying (i.e. land users without registered certificate and informal settlers).

The PAPs who are entitled to compensation under the Project include:

1. Persons whose houses or structures are in part, or in total, affected temporarily or permanently by the Project;
2. Persons whose residential or commercial premises and/or agricultural land (or other productive land) is in part, or in total, affected (permanently or temporarily) by the Project;
3. Persons whose businesses are affected in part, or in total, (temporarily or permanently) by the Project;
4. Persons whose employment or hired labor is affected, temporarily or permanently, by the Project;
5. Persons whose crops (annual and perennial) and/or trees are affected in part, or in total, by the Project;
6. Persons whose access to community resources, public facilities, or property is affected in part, or in total, by the Project.

Where land is to be acquired, land users (PAPs) with registered Certificate and/or PAPs who do not hold the Certificate but are eligible to claim for Certificate will receive in-kind compensation i.e. these PAPs will receive land-for-land (of equal size and productive value and be satisfactory to the PAP).

Those PAPs that are not eligible to registration land use right under no rules or regulations being in force in the Republic of Tajikistan are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required (especially in the case of vulnerable PAPs).

⁴³ The size of replacement land parcel for partially affected land parcel of residential designation will be no less than 500 sq.m. if the residential dwelling is not to be affected by road project and the size of land take is 180 sq.m. and more. Plus, the PAPs will be allowed to keep the remaining portion of the project affected land parcel.

⁴⁴ All PAPs have been identified based on the affected land parcels, meaning that all PAPs use land parcels, even though they may not have a document at hand, this does not mean that they do not have the right to claim for certificate.

Households headed by single women with dependents and other vulnerable households will be eligible for further assistance⁴⁵ to fully mitigate project impacts. Table 23 below presents the Project's entitlement matrix, based on detected potential losses.

Compensation Entitlements and mitigation measures

Entitlement provisions for PAPs losing land, houses, assets, income, and rehabilitation subsidies, will include provisions for permanent and temporary loss of land, residential house and commercial buildings, annual crops and trees, relocation subsidy, and business loss allowance based on tax declarations and/or lump sums as determined in the RAP.

These entitlements are detailed below:

Agricultural land impacts will be compensated at replacement value: in form of land-for-land through provision replacement land equal in value and productivity to the plot lost.⁴⁶ The cost of preparation the land to levels similar to those of the affected land and any fees/taxes related to processing transaction registration will be covered by implementing agency. When >10 % of an **income generating** land is affected, PAP (land-users, leaseholders and sharecroppers) will receive an additional allowance for severe impacts equal to the market value of a year's gross yield of the land lost or one-time subsistence in the amount of consumer basket for a family of five members (475 TJS/month) for twelve (12) months.

Residential/commercial land will be compensated at replacement value in the form of land-for-land of equal size and use, with similar or improved public infrastructure facilities and services and located in vicinity of the affected land. The cost of any registration and transfer taxes will be covered by implementing agency.

Loss of land use rights will only be compensated in the form of land for land (in-kind) compensation with plots of equal value and productivity to project affected land parcel, free of taxes, registration fees or land use right transfer costs.

Houses, buildings, structures will be compensated in cash at replacement cost, i.e. construction cost without any deductions for depreciation, salvaged materials, or transaction costs. The compensation for houses/buildings will include the cost of lost water and electricity connections. Construction cost calculation considers market cost of the materials to build a replacement structure with an area and

⁴⁵ Additional rehabilitation measures for vulnerability considers one- time allowance (5 700 TJS) and technical assistance rendered under the supervision of Hukumat and Head of the Jamoat at any stage of RAP implementation.

⁴⁶ Property valuation according to the International Valuation Standards will be undertaken by the Isfara Branch of the State Enterprise existing at the State Committee for Investment and State Property Management of the Republic of Tajikistan.

quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractor's fees, plus the cost of any registration and transfer and any applicable taxes. **In addition, as part of "restoration of livelihood" principle, the government will also provide technical assistance with building the replacement structure.**

The legally based land compensation method that exists in Tajikistan is compensation with replacement land, i.e. the land-for-land compensation. This topic was widely discussed during RPF consultations and at the public meetings held in villages Kalachai Mazor and Matpari. The Government and the local population⁴⁷ prefer this approach if the adjoining or nearby land to the affected plot is readily available. The current practice is to allocate a replacement plot of 500 m² residential land to citizens affected by land acquisition especially those who may lose significant portions of their land parcels because of land acquisition.

In case if as a result of land take, the remaining land parcel is in the situation of losing its current designation, whether it is residential, commercial or agricultural, land-for land compensation scheme will be fully exercised, meaning that the PAP will receive a new land parcel similar to size, designation and location as the entire size of the project affected land parcels. Besides, he/she will be allowed to keep the remaining portions, if interest expressed.

Replacement land if the land take refers to a narrow strip of a land along the road, which cannot be used for agricultural produce. However, all assets⁴⁸ attached even to this narrow strip of land will be fully compensated at replacement cost at current market values.

Trees: Cash compensation shall reflect income replacement. Cash compensation will be calculated at current market value and according to type, age, and productive value of project affected fruit tree. Annual yield capacity of a mature fruit-bearing tree multiplied to market price of a fruit (kg/TJS) and multiplied to the number of years required to grow a new tree to same productivity age.

Each fruit-bearing tree in addition shall be compensated for purchase of seedlings. PAPs will be eligible to dispose logged trees themselves. Construction Company ensures free delivery of timber to the residence of PAPs.

Crops: Cash compensation at current market rates for the net annual harvest actually being lost. Crop compensation will be paid to land users and/or tenants based on their specific sharecropping agreements being made between these parties, if any.

⁴⁷ Suggested approach for land-for-land compensation was supporting by attendees of RPF public disclosure and during the public consultations on November 26, 2014 and during face-to-face meetings with individual PAPs lead by the Consultant during the last field trip to project affected area.

⁴⁸ Perennials, structures, fences, walls, verandas, sheds and etc.

Businesses: compensation for permanent business losses will be in cash for one year income based on tax declaration or, if unavailable, based on the official minimum annual salary; compensation for temporary business will be cash covering the income of the interruption period based on tax declaration or, where this data is not available, official minimum monthly salary multiplied to the number of months of actual stoppage of business.

Business workers and employees: Indemnity for lost wages for the period of business interruption up to a maximum of three (3) months. In case, tax declaration reports cannot be provided due to simple reason that shop owners being "PATENT" (license) holders are only responsible to pay fixed monthly fee, they will be suggested to present a document - Personal Statement of Monthly Income Form and specify the average monthly income (in TJS) they gain from operating their shop. By applying personal signature, they will agree to be responsible for honesty and accuracy of the presented information. The document will be reviewed and the same amount multiplied to three will be paid to the shop owner to compensate the loss of income for intermittent business stoppage, caused during road rehabilitation works.

Shop owners reluctant to fill out and submit Personal Statement of Monthly Income Form will be eligible to one-time subsistence calculated in the amount of consumer basket for a family of five members (475 TJS/month) multiplied to three (3) months, (475 TJS X 3 = 1 425 TJS).⁴⁹

Agricultural land leaseholders and workers: Affected leaseholders will receive either a renewal of the lease in other plots or cash corresponding to the yearly yield of land lost for the remaining years of the lease up to a maximum of 3 years. Sharecroppers will receive their share of harvest at market rates (if impact is temporary) plus one additional crop compensation (if impact is permanent). Agricultural workers, with contracts to be interrupted, will receive an indemnity in cash corresponding to their salary in cash including portion in-kind compensation for the remaining part of the agricultural year.

Residential land renters/leaseholders and house renters: who have leased land and/or a house for residential purposes will be provided with a cash grant of three (3) months' rent at the prevailing market rate in the area and will be assisted in identifying alternative accommodation.

Rental subsidy: project affected persons who subject to physical resettlement will be in addition provided cash compensation to cover the rental fee for temporary residence, i.e. amount that will allow them to rent a temporary residence facilities (in the amount of \$ 300/month for 12 months) and live there while their new residence is ready to a habitable condition.

Relocation subsidy: PAPs forced to relocate will receive a one-time relocation subsidy sufficient to cover transport costs of belongings twice, first time to relocate to temporary residential dwelling (rented

⁴⁹ In case intermittent interruption of shop operation exceeds 3 months due to time-delayed road rehabilitation works the Construction Company will be in charge to compensate shop owner business stoppage allowance for each such month in the same amount as stated in the RAP.

facilities) and second time when the new residential dwelling is ready to move in). The amount of relocation subsidy will equal to $\$ 250 \times 2 = \500 for two relocations.

Additional Rehabilitation Measures

The RAP considers additional rehabilitation measures to be provided to the PAPs that qualify as vulnerable and severely affected PAPs.

Assistance for vulnerable people: In addition to the compensation of lost land and assets vulnerable PAHs will be provided with additional rehabilitation measures; in particular, one-time allowance set to one year payment of the subsistence level in the amount of consumer basket for family of five members (475 TJS/month⁵⁰) for 12 months; i.e. $475 \text{ TJS} \times 12 = 5\,700 \text{ TJS}$ one time allowance.

Besides, the members of vulnerable PAHs will be given priority in employment in project-related jobs.

PAHs - holders of severely affected land parcels: PAPs experiencing road project severe impact will also be provided additional assistance: one-time rehabilitation allowance for severe impact will be equal to market value of annual gross harvested from the affected portion of a land parcel in addition to standard crop compensation, or one-time allowance set to one year payment of the subsistence level in the amount of consumer basket for family of five members (475 TJS/month⁵¹) for 12 months; i.e. $475 \text{ TJS} \times 12 = 5\,700 \text{ TJS}$ one time allowance.

Taxation

In none of these cases, the PAPs will be liable for any taxes and eventual transaction fees; these will be paid by the implementing agency unless waived by government of RoT. Besides, the amount to cover bank service fees will be added on top of the amount of cash compensation to be received by PAPs at the banks.

⁵⁰ Source: Ministry of Labor of RT.

⁵¹ Source: Ministry of Labor of RT.

Entitlement Matrix

Table 24. Entitlement Matrix

Asset Specification	Specification	Affected People	Compensation Entitlements
Permanent Loss of agricultural (arable) land	All land losses independent from impact severity	Individual/Family land user (registered/recognizable)	Land for land compensation with plots of equal value and productivity to project affected land parcel; free of taxes, registration fees or land use right transfer costs
		Leaseholder (registered or not)	Renewal of lease in other plots of equal value/productivity of affected land parcel; or Cash compensation equivalent to market value of gross yield of affected land for the remaining lease years (up to a maximum of 3 years)
		Agricultural workers losing their contract	Cash indemnity corresponding to their salary (including portions in kind) for the remaining part of the agricultural year
		Non-titled land users / Squatters	One-time rehabilitation allowance equal to market value of 1 year gross harvest (in addition to crop compensation) for land use loss
	Additional provisions for severe impacts (More than 10% of land loss)	Farmer/Titleholder Legalizable Leaseholder Non titled/ Squatters	One-time rehabilitation allowance for severe impact equal to market value of annual gross harvest of the affected land in addition to standard crop compensation
Residential/ Commercial Land	Land loss	Titleholder	Land for land compensation through provision of a plot comparable in value/location to plot lost free of taxes, registration fees and land use right transfer costs
		Renter/Leaseholder	One-time allowance equal to monthly rental fee (specified in the lease agreement) multiplied to 3; if Lease agreement is not available, minimum monthly salary multiplied by 3

Asset Specification	Specification	Affected People	Compensation Entitlements
		Squatters	Accommodation in a government resettlement area or a self-relocation allowance
Houses and Structures		All relevant PAPs (including squatters)	Cash compensation at replacement rates for affected structure and other fixed assets free of salvageable materials, depreciation, and transaction costs. In case of partial impacts full cash assistance to restore remaining structure
Crops	Crops affected	All PAPs (including squatters)	Crop compensation in cash at full market rate for annual harvest to be paid to land-user or tenant will be determined based on specific sharecropping agreements made between these parties
Trees	Trees affected: Fruit bearing perennials	All PAPs (including squatters)	Cash compensation at market value on the basis of type, age, and productive value of fruit tree; Each fruit bearing tree in addition shall be compensated for purchase of saplings; PAPs will be eligible to dispose logged trees themselves. Construction company ensures free delivery of timber to the residence of PAPs
	Trees affected: Non-fruit bearing perennials		No cash compensation will be issued for perennials not bearing fruits. PAPs will be eligible to dispose logged trees themselves. Construction company ensures free delivery of timber to the residence of PAPs
Business Employment	Temporary or permanent loss of business or employment	All PAPs (including squatters)	Business owner: (i) Cash compensation equal to one-year income, if loss is permanent; (ii) cash compensation for the period of business interruption, if loss is temporary. Worker/employees: Indemnity for lost wages for the period of business interruption up to a maximum of 3 months

Asset Specification	Specification	Affected People	Compensation Entitlements
Relocation	Transport and transitional livelihood allowances	All PAPs affected by relocation	Provision of sufficient allowance to cover transport expenses and livelihood expenses for one month
Community Resources			Access shall be maintained or reinstated; Rehabilitation/substitution of the affected structures/utilities (i.e. bridges, roads, schools, health-centers, water pipes, irrigation channels, etc.)
Vulnerable PAP livelihood		PAPs below poverty line; disabled people; pensioners; widows; female headed households; impoverished	Employment priority in project-related jobs; participation in income restoration programs; In addition to compensation for assets lost, a disturbance allowance set to be one year payment of the subsistence level
Temporary impact	Loss of access to land parcel	Owners/Users	Temporary access will be set up by Construction Company
	Income loss due to lack of temporary access road to the business activity	Business units	Temporary access will be set up by Construction Company
	Temporary loss of income caused by occupying land parcels for the camps and quarries	Owners/users	During camps' site selection process, Construction Company should coordinate with relevant state agencies and give priority to vacant lands not used for agricultural /residential purposes. But in case the land parcels selected for camps and quarries will have private land-users, all losses, and amount of due compensation shall be determined according to the principles of compensation entitlements provided under this RPF and relevant RAP.
Any other unforeseen	As required	Any	As required, in the spirit of the Resettlement Policy

Asset Specification	Specification	Affected People	Compensation Entitlements
Impacts			Framework

Chapter 4. RAP Implementation Strategy

RAP Objectives

The RAP comprises three important elements: (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and, (iii) assistance for restoration of livelihood to achieve at least the same level of well-being with the Project as without it. The RAP is based on the following principles:

- Involuntary resettlement is to be avoided or at least minimized;
- Compensation must ensure the maintenance of the PAPs' pre-project living standards and strive to improve their pre-project living standards;
- PAPs should be fully informed and consulted on compensation options;
- PAPs' socio-cultural institutions should be supported as much as possible;
- Compensation will be carried out with equal consideration of women and men;
- Lack of formal legal land title should not be a hindrance to rehabilitation;
- Particular attention should be paid to households headed by women and other vulnerable groups and appropriate assistance should be provided to help them improving their living standards;
- Land acquisition and resettlement should be conceived and executed as a part of the project, and the full costs of compensation should be included in project costs and benefits; and
- Compensation/rehabilitation assistance will be paid prior to commencement of civil works, i.e. before an impact occurs.

Social impact assessment surveys required during preparation of the RAP for the road section 1 A based on census, inventory of losses (IOL) and detailed measurement survey (DMS)⁵². The summary results of census, IOL and DMS that covered entire road section 1 A are provided in Appendix 6. The table reflects the number of PAPs area of land take and assets or access to land and assets under the Project. The surveys covered 100% of PAPs.

The entitlement matrix provided in the RAP⁵³ is the improved version of the approved RPF. These resettlement entitlements have been reviewed and improved based on the findings of census, inventory

⁵² An IOL or DMS is dependent on the level of design available. An IOL is usually undertaken based on preliminary design while a DMS is usually undertaken based on detailed design and demarcation of the extent of impact on the ground. Any plans prepared on the basis of an IOL will be updated following detailed design through the completion of a DMS.

⁵³ Please see the Appendix 6.

of project affected assets and socio-economic and livelihood survey of users of all project affected land parcels and assets. The PAPs were identified by the land parcel units. The census, inventory of affected assets and livelihood survey of PAPs started from the starting point -Guliston Border point (0.00 km) and ended at 18.2 km, i.e. Isfara, which is the last point of this road section 1 A. Each PAP in connection with the project affected person was enumerated according to the Inventory Act numbers. The location of affected land parcels is identified by two KPs⁵⁴ (start and end of the land parcel boundary) along the ROW. Besides the Inventory Act specifies which side of the ROW (left / right) is the land parcel located. The field Team has obtained the Names of the PAPs and identified them in correlation with project affected land parcels being used by these PAPs. Besides, project affected land parcels are also identified according to their location (name of Jamoat and Village).

The field Team obtained the data on the area and type of land affected (and total land holding of PAP), the type, size and use of any other assets affected (structures, crops, perennials, business, ect.), community property affected, and the compensation for each type of loss.

The RAP includes the measures to ensure that socio-economic conditions, needs, and priorities of women being identified during census and socio-economic surveys are addressed accordingly to ensure that land acquisition and resettlement does not disadvantage women.

The RAP includes a budget for implementation identifying where the funds will come from and an implementation schedule linked to the procurement of civil works. Construction of civil works will not commence until compensation has been paid to PAPs. Compensation will be determined based on the replacement cost at current market rates and valuation methodology described in the RAP per each type of loss the identified for the given project.

Land Acquisition Procedures

The overall approach to land take is to ensure that in case, of land taken, and the remaining land parcel is in the situation of losing its current designation, whether it is residential, commercial or agricultural, the land-for land compensation scheme would be exercised.

Dekhan Cooperatives

Compensation of project affected land parcels used by Dekhan Cooperatives

The land parcels used by Dekhans are significantly large in size. Therefore, the impact incurred to these land parcels is in terms of the proportion of land take versus with the entire size of the land parcel is

⁵⁴ KP stands for Kilometer Point.

rather insignificant. However, the new by-pass will divide these large land parcels into two parts. Therefore, it is important to ensure that the system of original irrigation channels is maintained and access roads to both portions provided.

It is worth noting that large land parcels used by Dekhans will be affected due to new road construction. As per the verbal information provided by the representatives of local government, the ROW of suggested sub-section has already been excluded from the balance sheets of these Dekhans. The reason was the government decision to build a bypass road, which was approved and included in the General Plan of Isfara road network rehabilitation project. During the project site visit Nov 22-26, 2014, at the meeting with Chairman of the t. Isfara Executive Power (Hukumat), the original of the General Plan was shared. The official document confirms that the land for new road construction was removed from the balance of the Dekhan Cooperatives to be returned to the State for by-pass road construction purposes. However, the Map attached to the General Plan does not provide cadastral coordinates to explicitly locate the area of land allocated for road construction purposes.

Besides, during the field trip (Nov 21-28, 2014) the attendees of the public meeting in Kalachai Mazor presented updated certificates issued as a result of reorganization Dekhan Cooperative, in which they had shares before reorganization. Besides, the commencement of reorganization of Dekhan Cooperatives was confirmed by the Head of State Land Cadastre Committee. Out of six Dekhan Cooperatives, five presented the documents and the lists of individual persons holding equal share in the Cooperative and updated certificates with limited number of persons.⁵⁵

Considering the fact that all project affected Dekhan cooperatives were ordered to undertake reorganization and commenced the process as described above, the most important activity is to determine exact status of land tenure within the ROW for the sub-section of a new road.

At the preparation phase of RAP implementation, the Resettlement Unit formed by the MoT with the direct assistance of the local Hukumat, relevant Jamoats and the Land Cadastre Committee will have to undertake several activities:

- A. Collect all documents/information on project affected land parcels available:
 - at the Land Cadastre Committee
 - in Jamoat records
 - in State Archive
 - with the PAP
 - in Dekhan Cooperative
 - at Land Cadastre Centre in Khujand (WB supported project)

⁵⁵ The final conclusions will be made after the review of the translation of these documents.

B. Revision of collected information/document to confirm current legal status of PAP using the project affected land parcel; check the availability of:

- updated Certificate on permanent right to use the land formerly being under Dekhan Cooperative balance
- separate PAPs holding the updated certificates on permanent right to use the land parcel located within the project ROW.

C. Organize and conduct demarcation of all project affected land parcels located within the ROW:

- In cooperation with representatives of State Land Cadastre Committee of town Isfara undertake desk survey of collected documents; using the coordinates provided on the updated certificate granting the permanent land use right, identify the land parcels located within the ROW.
- Consult with PAP holding the updated Certificate and the representatives of the Dekhan Cooperative former land user of this land; determine the accuracy and detect discrepancy, if any;
- If the need for demarcation is detected providing the PAPs with initial notification on planned initiative-Demarcation.
- Invite PAPs holding the updated certificates for adjacent land parcels, representative of local Jamoat, State Land Cadastre Committee of town Isfara and qualified land surveyor to undertake demarcation:
 - PAP will have to point the boundaries of his land parcel in the presence of the land users of adjacent land parcels;
 - land surveyor then surveys the land parcel using the coordinate system accepted in the country;
 - All persons being present during demarcation sign the Demarcation Act.
 - Later land surveyor creates the Cadastre map of the surveyed land parcels and imposes electronic version of the road ROW to detect the area and share of project impact to the given land parcel;

Demarcation of project affected land parcels located within the road project ROW specifically along the new road sub-section will help to determine which project affected land parcel had already been transferred from Dekhan cooperative to individual land users.

The names of these persons will be identified as individual PAPs and will be eligible to receive replacement land and cash compensation for affected assets attached to their land parcels.

Besides, demarcation will identify the location of those land which is still used by Dekhan Cooperative and determine the exact number and names of individual shareholders that have not be allocated their share of land in kind and are eligible to receive their share of compensation amount paid to the Dekhan Cooperative.

Therefore, the following approach is suggested to compensate land take in case of Dekhans:

1. Authorized representative of Dekhan presents the official documents, such as founding documents of the Dekhan:
 - a. Valid copy of the Charter with the full data on the Dekhan Shareholders
 - b. Valid document (Minutes of the Meeting of Dekhan shareholders) specifying the name of the individual authorized to represent the Dekhan with third parties
 - c. Valid Certificate and Copy of Registered Certificate granting the Dekhan the right to use project affected land parcel. Valid copy of any effective lease agreement issued to the Dekhan to the given project affected land parcel.
2. After the review of all presented documents, the EA is eligible to require provision of additional documents and or information.
3. No cash compensation will be issued to the Dekhan for land take.
4. No replacement land in size of the land taken for road project purposes will be allocated for the Dekhan if confirmed that the land under ROW is already extracted from the balance of the Dekhan.
5. Legal documents (including Certificate, lease agreement) will be provided to each Dekhan reflecting the actual size of the land parcel and other data including the terms and conditions of land use rights.
6. Land parcels divided into two parts will be provided with proper access roads, to ensure undisturbed use of the rest of the land parcel.
7. All assets, in particular fruit bearing perennials and annual crops will be cash compensated according to the valuation methodology described in the RAP.
8. In order to receive cash compensation each Dekhan with the valid copy of the shareholders' meeting minutes, that will specify the name of the person(s) authorized to sign Cash Compensation Agreements between the Dekhan and MoT.
9. The Cash Compensation Agreement made between Dekhan and MoT will be signed by legally authorized person(s) on behalf of the Dekhan.
10. The Cash Compensation Agreement will be composed in accordance with the information retrieved from the Dekhan Charter. The main purpose is to assist Dekhans to ensure that all eligible persons may then be Dekhan shareholders or even hired labor force, receive relevant portion of cash compensation as specified in the Dekhan Charter.
11. Person(s) authorized by the Dekhan will also sign Receive-Delivery Act after the amount of cash compensation is confirmed to be wired on the bank account provided by the Dekhan.

Individual PAHs

The approach for land compensation is based on the sub-division of project affected land parcels into specific categories. They are as follows:

1. Rural Residential: these smaller sized land parcels of 600-700 sq.m. are used by local households for residential purposes, with some area used as orchards and gardens.
2. Arable land used by HHs: These are relatively large land parcels of proximately several thousand square meters used by local households for agricultural produce.
3. Agricultural arable land under Dekhans' leasehold rights.
4. Rural agricultural land parcels used by State Institutions.

In terms of the magnitude of land take, the major impact is incurred by the first two sub-categories where local households use land:

1. Rural residential
2. Arable

These land parcels, as well as all lands in the Republic of Tajikistan, are State-owned. Therefore, no cash compensation is considered for land to be acquired for project needs. Hence, allocation of replacement land of similar designation and location acceptable to the affected households needs to be taken into consideration in all cases of land takes.

However, in some cases allocation of the replacement land in size similar to land take may not be economically feasible or attractive to the PAHs. This refers to the cases when due to widening of the road ROW only a narrow strip of land is to be taken for road project purposes. Certainly all assets, such as structures, fences crops or perennials are to be separately cash compensated, but allocation of similar size land (for instance 100 sq.m. of land parcel with 100 meters length and 2.7 meters width) as replacement land is far from any common sense.

Compensation of project affected Rural Residential land parcels

Suggested approach for project affected rural residential land parcels considers the following:

1. PAHs will release the portion of project affected land parcel without any compensation.
2. PAHs will keep the remaining portion of this land parcel and receive registered certificate with updated size.
3. PAPs will be allocated another land parcel of 600 sq.m. as a replacement land and receive registered certificate on land use rights to this land parcel as well.
4. Besides, PAHs will receive cash compensation for all affected assets located on the project affected land parcel.
5. PAPs will have to open personal bank account at their designated bank and provide necessary details to EA to process wire transfer after signing the Cash Compensation Agreement.
6. PAPs and authorized representative of EA (MoT) will sign Cash Compensation Agreement prior to wire transfer.

7. The PAPs will sign Receive-Delivery Act after the amount of cash compensation is confirmed to be wired to their personal bank accounts.

Compensation of project affected Arable land parcels

Although, arable land parcels used by PAHs are relatively large in size, the same approach is suggested to provide land compensation in-kind. The steps for processing land take and issuance of cash compensation will be the same as above:

1. PAHs will release the portion of project affected land parcel without any compensation.
2. PAHs will keep the remaining portion of this land parcel and receive registered certificate with updated size.
3. PAHs will be allocated another land parcel of similar size as land taken for road project purposes as a replacement land and receive registered certificate on land use rights to this land parcel as well.
4. Besides, PAHs will receive cash compensation for all affected assets located on the project affected land parcel.
5. PAHs will have to open personal bank account at their designated bank and provide necessary details to EA to process wire transfer after signing the Cash Compensation Agreement.
6. PAHs and authorized representative of EA (MoT) will sign Cash Compensation Agreement prior to wire transfer.
7. The PAHs will sign Receive-Delivery Act after the amount of cash compensation is confirmed to be wired to their personal bank accounts.

State Entities

Compensation of project affected land parcels under possession of Scientific-Research Institute

The project affected land parcels being under possession of scientific-research agricultural institute are also affected by the road project.

The following approach is suggested to compensate land take in this case.

1. Authorized representative, Director of the Institute presents following official documents:
 - a. Valid copy of the Order that he/she is the Director of the given Institution and is authorized to act on behalf of the Institute in third party relations
 - b. Valid Certificate and Copy of Registered Certificate granting the Institute the right to use project affected land parcel
 - c. Valid copy of any effective lease agreement issued to the Institute to the given project affected land parcel, if such exists.

2. After the review of all presented documents, the EA is eligible to require provision of additional documents and or information.
3. No cash compensation will be issued to the Institute for land take.
4. No replacement land in size of the land taken for road project purposes will be allocated for the Institute, if confirmed that the land under ROW is already extracted from the land balance of the Institute.
5. Institute will provide all legal documents (including Certificate, lease agreement, etc.) reflecting the actual size of the land parcel, other data including the terms and conditions of land use rights.
6. Land parcels divided into two parts will be provided with proper access roads, to ensure undisturbed use of the rest of the land parcel.
7. All assets, in particular fence, fruit bearing perennials and annual crops will be cash compensated according to the valuation methodology described in the RAP.
8. In order to receive cash compensation the valid copy of the Minutes of the Meeting of Institute Board is required, to confirm the name of the person(s) authorized to sign Cash Compensation Agreement between the Institute and MoT.
9. The Cash Compensation Agreement made between Institute and MoT will be signed by legally authorized person(s) on behalf of the Institute.
10. Person(s) authorized by the Institute will also sign Receive-Delivery Act after the amount of cash compensation is confirmed to be wired to the bank account provided by the Institute.

Compensation of project affected land parcels under possession of the Kindergarten No. 16

The project affected land parcels being under possession of Hospital and Kindergarten is also affected by the road project.

Almost similar approach is suggested to compensate land take in these two cases.

1. Authorized representative, Director of the organization will present following official documents:
 - a. Valid copy of the Order that he/she is the Director of the given Institution and is authorized to act on behalf of the State Institution in third party relations
 - b. Original registered Certificate and the valid Copy confirming the right to use project affected land parcel
 - c. Valid copy of any effective lease agreement issued to these Institutions to the given project affected land parcel, if such exists.
2. After the review of all presented documents, the EA is eligible to require provision of additional documents and or information.
3. No cash compensation will be issued to these Institutions for land take.
4. No replacement land in size of the land taken for road project purposes will be allocated for these Institutions.

5. All assets, in particular fruit bearing perennials and fence will be cash compensated according to the valuation methodology described in the RAP.
6. These land parcels will not be divided into two parts because of land take, however easy and safe access will be organized during road construction and road operation period as well.
7. Affected fences will be moved at the cost of Construction Company prior to commencement of any earthworks along the road in vicinity of the land parcels occupied by these institutions; OR additional amount at replacement cost according to the current market values will be calculated, allocated and transferred to the local Jamoat to procure local construction company and ensure provision of replacement fence/wall during RAP implementation prior to commencement any road works along the road in vicinity of these land parcels to ensure improved safety of children, mothers accompanying kinds to kindergarten as well as hospital patients and personnel.
8. Fruit bearing perennials will be cash compensated according to the valuation methodology described in the RAP.
9. In order to receive cash compensation these Institutions will present the valid copy of the Order from the Regional Offices of the Ministry of Education and Ministry of Health to grant the right to sign the cash Compensation Agreement, receive and disburse the amount of cash compensation to these Institutions and also confirm the name of the person(s) authorized to sign Cash Compensation Agreement between the Public School / Kindergarten and MoT.
10. The Cash Compensation Agreement made between Public School/Kindergarten and MoT will be signed by legally authorized person(s) on behalf of these institutions.
11. Authorized Persons will also sign Receive-Delivery Act after the amount of cash compensation is confirmed to be wired to the bank accounts provided by the institutions.

Valuation Methodology and Unit Rates for project affected assets

The methodology used during determination of unit rates per each type of asset and income loss because of road project is described below.

Project Affected Structures

The actual construction cost will be identified by professional valuer of the State Unitary Enterprise for Housing and Communal Services.

Project impact is anticipated towards residential houses, supplementary structures, clay brick walls built on concrete foundations, as well as the economic income in the form of loss of access to local shops.

The residential houses and supplementary structures will be site visited. In the presence of property users/owners detailed inspection will be undertaken and construction costs report prepared. For RAP Budget, some preliminary research has been undertaken. The construction market in Isfara region has

several new developments with advertised sales prices by the square meter. Certainly, developer companies are business entities oriented on gaining some profits, therefore currently suggested sales prices might be higher than actual construction by the square meter of single floor rural residential dwellings.

However, one important condition should be taken into consideration. Market price for construction materials for retail buyer intending to build a family house in rural area will be higher than for the wholesale buyer placing large orders.

Besides, organizing, managing, and monitoring construction process for non-professionals is always related to the number of unexpected complications and time delayed process, rather than large-scale developer company with skillful labor and well-organized construction process.

Therefore, during determining of cash compensation amounts for each project affected residential house or supplementary structure being under ownership/possession of individual households these inconveniences should be taken into consideration. The construction cost calculation should be added up with additional amount enough to allow PAH hiring local construction group to expedite accomplishment of new structures.

Suggested minimum unit rates for affected structures:

- a. Residential house: 250 \$/sq.m.
- b. Supplementary structures: 175 \$ /sq.m.
- c. Walls (clay brick fences on concrete foundations): 100 \$/linear meter.

Project Affected Perennials

All trees to be logged down due to road project needs will be compensated according to the following unit rates:

a. Non-fruit bearing, decorative perennials

No cash compensation will be issued for perennials not bearing fruits. However, a cash amount will be allocated per each affected non-fruit bearing tree to allow the PAP to purchase saplings and plant them on the remaining portion or on a newly allocated replacement land parcel.

Construction Company ensures free delivery of timber to the residence of PAPs. PAPs will be eligible to dispose logged trees themselves.

Fruit - bearing perennials

Cash compensation at market value based on type, age, and productive value of fruit tree. In addition, compensation for each fruit-bearing tree will be available for the purchase of saplings and planting on the remaining portion or on a newly allocated replacement land parcel.

Additionally, the Construction Company ensures free delivery of timber to the residence of PAPs, and the PAPs will be eligible to dispose of logged trees themselves.

The unit rate for replacement value of project affected fruit-bearing perennials was calculated based on the methodology suggested in the RPF. The average productivity (kg/yr/tree) of each mature fruit bearing perennial was determined during the inventory of project affected trees in discussion with PAPs and representatives of affected Dekhans.

The number of years required for saplings of 2-3 years to reach the same productivity has been determined based on the available scientific research materials. Please see table 24.

The market price (TJS/kg) for each type of fruit was obtained during census, socio-economic survey, and data collection at the local agricultural market. Please see table 24.

The Unit rates per each type of fruit tree were calculated according to the following formula:

Average yield capacity of mature tree (kg/yr/tree) X by the number of years required for 2-3 years sapling to grow to the same productive lever (No of yrs) X Market price of a fruit (YJS/kg).

The comparison of figures for yield capacity for mature and semi-productive perennials shows that fruit tree give at least ten times less yield in comparison with average yield capacity of mature fruit trees. Therefore, based on this difference, Unit Rate for semi-productive trees was determined by dividing the Unit rate for mature trees by ten.

Table 25. Yield capacity of fruit bearing perennials (according to age and species)

#	Perennial Species	Semi-productive age (Yrs)	Average Semi-productive yield capacity (kg/yr/tr)	Maturity age (Yrs)	Average Yield capacity in Mature age (kg/yr/tr)
1	Walnut	8-10	3-4	22-25	40-45
2	Apple	3-7	3-5	10-12	80-350
3	Sour cherry	2-3	2-3	6-7	15-16
	Sweet cherry	2-3	2-3	6-7	15-16
4	Peach	3-4	3-4	6-7	40-50
5	Quince	5	3	8-10	30

6	Apricot	4	2-3	10-12	50
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Table 26. Average market price for fruits (TJS/kg)

#	Perennial Species	Average Yield capacity in Mature age (kg/yr/tr)	Years required to grow similar yield capacity)	Market Price (TJS/kg)	UNIT RATE (TJS/mature tree)	UNIT RATE (TJS/semi-productive tree)
1	Walnut	50	12	8	4800	480
2	Apple	50	7	3	1050	105
3	Sour cherry	15	6	5	450	45
4	Sweet Cherry	30	6	5	900	90
5	Peach	30	6	5	900	90
6	Quince	30	7	3	630	63
7	Apricot	50	10	2.5	750	75

Mulberry trees

A large number of Mulberry trees will be logged down for project purposes. In the project area Mulberry trees are mainly used in sericulture. In Tajikistan Sericulture has a historical root. The country is in a leading position in cocoon production in Central Asia. Sericulture includes cultivation of mulberry, silkworm egg production, cocoons production, and primary processing.

Accordingly, compensation pattern for Mulberry trees in this RAP is addressed separately from the other fruit bearing perennials. PAPs will receive cash compensation for each Mulberry tree logged down sufficient to purchase and plant new high-yielding varieties and hybrids of Mulberry trees which produce yields in 5 - 7 years.

Market price per one high quality 3 year sapling of Mulberry was confirmed (15 TJS/sapling) by the public meetings and the leading personnel of the Agricultural Scientific-Research Institute. The calculation of the unit rate for one Mulberry tree was based on the information shared by the public meeting attendees, residents of village Kalachai Mazor who was in business a couple of years ago but decided to resign due to delayed payments⁵⁶.

⁵⁶ Several persons confirmed that organization called "Raisholk" owes them cash for the cocoon they grew three years ago.

Traditionally local people used to receive a box of silkworm (24 gr) to feed and grow cocoon at home. To grow one box of silkworm several hundred kg of leaves and twigs are to be collected, requiring around 150 Mulberry trees. Plus silkworm require warm conditions, meaning that when the city power was off they had to use kerosene heaters to keep warm the facilities allocated for growing the cocoon. This seasonal activity lasts only for two months: May and June. On average a cocoon weighs about 55 kg⁵⁷ and suggested price per 1 kg cocoon was 3 TJS.

Below is the formula used for calculation of unit rate for Mulberry tree replacement cost:

- The average weight of the best quality cocoon local people were capable to produce: 70 kg/cocoon
- Market price suggested by the only buyer (RAISHOLK) at the local market: 3 TJS/kg of cocoon
- Maximum number of years required to quality sampling to reach full maturity: 7 years.
- Highest current price for quality sapling at the local market: 15 TJS / sapling
- Amount of advance payment RAISHOLK used to pay to a person receiving silkworm to grow cocoon: 30 TJS.

Formula:

$(70 \text{ kg cocoon} \times 3 \text{ TJS/kg} \times 7 \text{ yrs} / 100 \text{ trees}) + (15 \text{ TJS /sapling} + 30 \text{ TJS/advance payment}) = 59.70 \text{ TJS} \approx 60 \text{ TJS}.$

Suggested unit rate to cash compensate project affected Mulberry tree is 60 TJS/tree.

Project Affected Annual Crops

The loss of annual crops will be compensated in cash at full market rates for annual harvests to be paid to the land-user, unless it is confirmed that land is used by tenants based on specific sharecropping agreements made between respective parties.

The census, socio-economic survey, and inventory revealed that most PAHs grow annual crops mainly for self-consumption. They often follow rotation, meaning that after growing corn for several years they change to wheat or potato etc.

This RAP suggests establishing cash compensation pattern for loss of annual crops at the highest value rate, considering that local population practice late first season harvest, potato, or rice followed with second season maize and rice harvest. Besides, many PAPs reported growing wheat.

Establishing prices and yields was possible as a result of research provided literature, professional studies, and information obtained from official sources, with regard to yield capacity of the most valuable

⁵⁷ As per the local people the best quality cocoon often weights 70 kg. In very rare cases one cocoon may weight 100 kg as well.

staples (wheat and potato) grown by PAPs in project affected area. The reported average yield capacity in 2010/2011 for Sugd region was as follows:

Table 27. Yield capacity of Wheat and Potato in Sugd region

Type of crop	Area	t/ha	Prod-t
Wheat W ⁵⁸	1359	2.3	3126
Potato	445	21.3	9479

Source: <http://www.fao.org/docrep/015/an110e/an110e00.pdf> Crop and Food Security Assessment Mission Report, Tajikistan 2011, Ministry of Agriculture of the Republic of Tajikistan and FAO.

The same source⁵⁹ provides average retail price data:

- Wheat flour (first grade) in Sugd region: 2.4 TJS/kg.
- National average retail price of potato: 1.6 TJS/kg.

The annual crop losses were calculated based on these data unit rates.

Table 28. Data on average retain prices on Wheat and Potato

Type of Crop	Ton/ha	Kg/sq.m.	Retail price in 2011 (TJS/kg)	Unit Rate with 5% inflation rate
Wheat	2.3	2.3	2.4	5.80 TJS/sq.m.
Potato	2.13	2.13	1.6	3.58 TJS/sq.m.

The table displays the yield capacity and price of crops per one square meter. The unit rate taking into account 5% inflation rate was calculated as set out below.

The unit rate for all types of annual cereal crops will be cash compensated at the highest value, which is Wheat. The unit rate calculation formula for affected cereal annual crops is as follows:

- 2.3 kg/sq.m. (yield capacity of Wheat) X 2.4 TJS/kg = 5.52 TJS/sq.m.

Considering 5% inflation rate:

- $5.52 + (5.52/100 \times 5) = 5.796 \approx 5.80$ TJS/sq.m.

The unit rate for all types of annual crops (vegetable) will be cash compensated at the highest value of the staple potato.

The unit rate calculation formula for affected vegetables is as follows:

- 2.13 kg/sq.m. (yield capacity of potato) X 1.6 TJS/kg = 3.408 TJS/sq.m.

Considering 5% inflation rate:

⁵⁸ In this table "W" stands for winter.

⁵⁹ p. 27. Crop and Food Security Assessment Mission Report, Tajikistan 2011, Ministry of Agriculture of the Republic of Tajikistan and FAO. <http://www.fao.org/docrep/015/an110e/an110e00.pdf>

- $3.408 + (3.408/100 \times 5) = 3.578 \approx 3.58$ TJS/sq.m.

Chapter 5. Relocation plan

The table below describes two types of land parcels where provision of replacement land and temporary relocation of affected households may be required for road construction purposes.

These are land parcels attached with project affected structures.

Table 29. Land parcels with affected residential houses

No	Act No	Certificate	Village	No of PAPS	Size of structure (sq.m.)	Total area of land parcel (sq.m.)	Size of land take (sq.m.)	Proportion of land take (%)	Remaining area of land parcels (sq.m.)
1	11	N/A ⁶⁰	Shurtan	4	48	1100	42	4	1058
2	46	YES ⁶¹	Matpari	3	25	500	70	14	430
3	47	YES ⁶²	Matpari	6	200	400	300	75	100
		Total		26	273	2000	412		1588

In order to determine whether the size of remaining land is still sufficient to build a new residential house, several actions are to be undertaken:

- title search and identification as to what is the total area allocated to the owner of the structure and determine the legal status of ownership right;
- identify whether there are some legal steps required, such as transfer of the title through inheritance (for instance if the spouse is deceased and inheritance by will or by law has not yet been identified).

⁶⁰ The PAP did not present a certificate; however, this is not the proof that she is the illegal encroacher. Local Jamoats will be in charge to assist all PAPs in organizing their legal documents as required during the RAP Implementation process. The costs of registration including all fees and taxes will be covered by the MOT from the RAP implementation Budget.

⁶¹ The PAP presented the original copy of the document issued by the State Archive verifying his ownership right to the residential structure located in v, Matpari (Act No. 46).

⁶² The PAP presented original package of the document No 43, issued by the MBTI verifying his ownership rights to the structures (residential and supplementary) attached to the project affected land parcel recorded under Act No. 47.

- c. survey the land parcel to identify the exact size of the parcel;
- d. all existing communications (natural gas/water pipes, water reservoir, drainage, electivity, large perennials, supplementary structures should be applied showing the areas and cadastre coordinates.
- e. after the detailed cadastre map attached with all standing structures is prepared, the subdivision in accordance to the ROW is important.
- f. As a result of onsite examination and comparison with the cadastre design map, PAP and Project implementing group will, in coordination, make a final decision: whether remaining land portion of the land parcels can be used for any reasonable purposes by the PAP. The PAP, in addition to newly allocated land parcel, will be provided with the relevant certificate to remaining, as well as, to the new replacement land parcel.

In the process of assessment actual project impact and validity for further use of the remaining portion, the head of the Jamoat and the Architect of the town of Isfara will be involved to assure that any suggested option is technically feasible and also acceptable to the PAPs.

However, All the PAPs, who will be left with less than 1000 sq.m. will receive replacement land parcel of 600 sq.m. to be allocated from the Presidential land fund or residential land reserve fund of the relevant Jamoat, according to the project affected land parcel location.

Table 29.1 Land parcels with affected commercial facilities (shops)

No	Act No	Certificate	Village	No of PAPs	Size of structure (sq.m.)	Total area of land parcel (sq.m.)	Size of land take (sq.m.)	Proportion of land take (%)	Remaining area of land parcels (sq.m.)
1	47	MBTI No 43	Matpari	6	78	400	100	25	300
2	48	No. 433	Matpari	13	(144) ⁶³	1000	65	6.5	935

In regard with these three PAPs (owners of the local shops) additional information, such as annual income, number of hired personnel and their wages will be obtained by the Consultant during upcoming project site visit, prior to public meetings to be held on Nov 25-26. Relevant cash compensation package will be prepared for business stoppage and loss of wages for hired personnel.

⁶³ The newly constructed commercial facilities, run by PAHs as shop for consumer goods is located on the project affected land parcel, but outside of ROW. Potential risks for business stoppage due to road works will be additionally inspected prior to RAP budget finalization and if such need is confirmed relevant mitigation measures or cash compensation for business stoppage will be reported in the final version of this RAP.

Table 30. Land parcels with affected supplementary structures

No	Act No	Certificate	Village	No of PAPs	Size of structure (sq.m.)	Total area of land parcel (sq.m.)	Size of land take (sq.m.)	Proportion of land take (%)	Remaining area of land parcels (sq.m.)
1	11	N/A ⁶⁴	Shurtan	4	48	1100	42	4	1058
2	45	0500105/1098	Matpari	6	84	1200	140	12	1060
3	46	N/A	Matpari	3	32	500	70	14	430
4	47	MBTI No 43	Matpari	6	78	400	100	25	300
5	51	No 31.72	Shurtan	9	100	1850	54	2.92	1750
6	54	35 A	Matpari	5	172	172	10	5.82	162

The total area of affected supplementary structures is 360 sq.m. The size of remaining land seems to be enough for reconstructing structures of similar size and designation using the cash compensation allocated to the PAHs.

However, special attention is required in regard with land parcels identified with Act numbers 46 and 47, where aside to supplementary structures residential house seems to be affected as well. The final decision will be made in coordination and full consent of the PAH, prior to exercising land take procedures and issuance of cash compensation.

Table 31. Land parcels with affected fences (walls)

No	Act No	Certificate	Village	No of PAPs	Linear meter of Fence (ln.m.)	Total area of land parcel (sq.m.)	Size of land take (sq.m.)	Proportion of land take (%)	Remaining area of land parcels (sq.m.)
1	1	47	Guliston	4	15	700	105	15	595
2	11	N/A	Shurtan	4	44	1100	42	4	1058
3	45	0500105/1098	Matpari	6	35	1200	140	12	1060

⁶⁴ The PAP did not present a certificate; however, this is not the proof that she is the illegal encroacher. Local Jamoats will be in charge to assist all PAPs in organizing their legal documents as required during the RAP Implementation process. The costs of registration including all fees and taxes will be covered by the MOT from the RAP implementation Budget.

No	Act No	Certificate	Village	No of PAPs	Linear meter of Fence (In.m.)	Total area of land parcel (sq.m.)	Size of land take (sq.m.)	Proportion of land take (%)	Remaining area of land parcels (sq.m.)
4	46	State Decision	Matpari	3	35	500	70	14	430
5	47	MBTI 43	Matpari	6	6	400	100	25	300
6	51	No 31.72	Shurton	9	36	1850	54	2.92	1796

The reconstruction of fences, more specifically solid walls built on concrete foundation with clay bricks and cement does not require relocation of PAHs, but important to ensure safety measures to avoid any injuries of PAH members and elderly and children in neighborhood.

To summarize, if re-routing or reducing the width of the ROW is not achievable, the PAHs with affected residential structures more likely will have to be temporarily relocated, so that they reconstruct a new residential dwelling. However, it is worth clarifying those PAHs who do not have to move to a completely new location, are still included in the RAP. Although, the remaining portion of land will be sufficient to allow PAHs construction of a new residential dwelling on the remaining portion of the land parcel, the fact is that they will be subject to land acquisition, and loss of structure (residential, supplementary) therefore, they are eligible to receive replacement land and cash compensation for full replacement cost calculated at current market prices, as stipulated in the RAP and relevant RPF adhering to WB OP. 4.12.

The EA of the MoT and all state institutions and agencies involved in RAP implementation will assist such PAHs in timely accomplishment of all required steps to ensure that PAP is eligible and capable to timely re-construct a replacement building. **The scope of technical assistance will be provided to PAPs free of charge.**

1. Preparation on architectural design and planning for a new structure, on the same land parcel
2. Issuance of construction permit
- 3. If requested by the PAP provision of relevant construction company/group to undertake construction activities within determined timeframe and quality;**
4. Monitoring of construction process and inspection of construction quality
5. Accomplishment of required procedures to ensure that the newly built structure is timely accomplished and examined to be accepted for exploitation by authorized state agency
6. Processing registration of new structure at the relevant state agency and issuance of ownership certificate to the name of the PAP.

The PAHs with affected structures will need some time to reconstruct new building. The practice showed that construction process takes more time than initially planned. Therefore, these PAHs will be in addition provided with relocation subsidy enough to transport in rented facilities their personal belongings of the family and /or goods and equipment of the shops and cover the rent for the period required to build new structures⁶⁵.

The PAHs, i.e. individual land-users of land parcels qualified as severely affected will also need to be addressed in compliance to these RAP stipulations. In particular, these smaller size land legally used by individual households where due to land take more than 10 % of income generating land will be lost, need to be provided with replacement land.

Site selection criteria

The EA of MoT will allocate replacement land of similar size but allow the PAHs to keep the area of land remaining after land takes. The PAHs will receive registered land use title to remaining land parcel as well as to newly allocated replacement land parcel. The EA will assist such PAHs to accomplish construction and move to the new structure. During temporary relocation, these PAHs will be issued rental amount.

The Resettlement Team assigned by the PIU and MoT, together with the representatives of Isfara Hukumat, Head of relevant Jamoat, and State Land Cadastre Committee of town Isfara, will discuss relocation options with individual PAHs⁶⁶, since that type of impact is only expected to be faced by 3 PAHs.

The EA of MoT is responsible to coordinate with relevant State Agencies⁶⁷ on National and rayon levels to ensure timely allocation of replacement land parcels for eligible PAHs.

Land take and /or allocation of a land parcel is undertaken in accordance to the Land Code of the country. Land take is undertaken based on the Decision of the Government of the Republic of Tajikistan, or under the decision of Chairman of the Region (Oblast), rayons, or towns according to the level of competence.

In order to select a land parcel the local state government body of rayon (town) forms the commission composed by:

1. Chairman of the commission - Deputy Chairman of the rayon, town monitoring the agriculture;

⁶⁵ The rental allowance is suggested to be calculated for a year and 6 months for a commercial structure.

⁶⁶ The outcome of these meetings will be reflected in the updated Final RAP.

⁶⁷ The Rules on allocation land parcels for physical and legal persons approved on September 1, 2005 by the Government of the Republic of Tajikistan, regulates the procedures of land take and allocation of land parcels notwithstanding who is the user of such land, except the cases stipulated under the legislation of the Republic of Tajikistan.

2. Land Management Committee (of town);
3. Rayon (town) Architect;
4. Sanitation and Fire Prevention Body
5. Environment and Forestry Protection Agency
6. Water Management Body
7. Rayon (town) Electricity Network Agency
8. Initial land arranger and parties interested in land take/allocation
9. Other relevant institutions of rayon (town).

During selecting alternative options the following features should be taken into consideration, mainly based on the site selection criteria specified below:

The selection criteria vary according to the category and land use types:

1. Arable agricultural
2. Rural residential
3. Urban residential

Table 32. Replacement Land Selection Criteria

No	Selection Criteria For new land parcel designed as:		
	Arable Agricultural	Rural Residential	Urban Residential
1	Easy access to land parcel	Easy access to land parcel	Easy access to land parcel
2	On similar distance or even in closer vicinity to PAP's permanent residence	As preferred by PAP/PAH, in the same or suggested by PAP/PAH community	As preferred by PAP/PAH, in the same or suggested by PAP/PAH community
3	Proven productivity of soil	Proven productivity of soil	Proven Seismic stability
	Presence of irrigation opportunity	Irrigation and potable water supply confirmed	potable water supply confirmed
4	Legal clearance to assure a land parcels is free from lien, financial liabilities or third party interest	Legal clearance to assure a land parcels is free from lien, financial liabilities or third party interest	Legal clearance to assure a land parcels is free from lien, financial liabilities or third party interest
5	Access to markets/trade/mills / processing facilities	With access to health care, social and educational faculties, schools (at least similar to current)	In vicinity to jobs, markets, shops, health care, social and educational facilities
6	N/A	Proven availability of communications (mobile, land-line telephone, internet)	Proven availability of communications (mobile, land-line telephone, internet)
7	N/A	Proven availability of Electricity supply	Proven availability of Electricity supply
8	Additional reasonable requests of PAP	Additional reasonable requests of PAP	Additional reasonable requests of PAP
9	N/A	Proven availability of developed infrastructure facilities, or at least similar to current location	Proven availability of developed infrastructure facilities, or at least similar to current location

Chapter 6. Consultation, Participation and RAP Disclosure

General overview

Following WB policies, the MoT will ensure that the RAP translated into Russian is distributed to local government agencies. Besides, the MoT will prepare Public Information Booklet (PIB), i.e. reduced version of the final RAP in understandable language and format for PAPs. The Public Information Booklet will be prepared into Russian and Tajik languages and provided to all PAPs as personal copies and Hukumats (and Jamoats) to be publicly disclosed in the project site. Local government representatives are responsible to make the Public Information Booklet accessible to the local population, including potentially affected communities within the project influence area for review, comments and input made during the RAP disclosure period. All comments and suggestions will be collected through the heads of Hukumats and provided to MoT. MoT and Consultant will review, address accordingly and if relevant reflect in the final version of the Resettlement Action Plan. The MoT will undertake all measures to ensure the Final version of the RAP is provided to each Hukumat within project area.

Oblast, rayon, and Hukumat (Jamoats) officials will be informed about the project, and their assistance will be solicited in the conduct of the inventory of affected assets and the census of PAPs. In addition, prior to the finalization of the RAP, and its submission by PIU, PAPs will be thoroughly informed on the results of the census and inventory of impacts, and their preferences on compensation and/or other resettlement assistance will be given due consideration. The processes and mechanisms ensuring the active involvement of PAPs and other stakeholders will be detailed in the RAPs, which will also include an appendix with dates, list of participants, and minutes of consultation meetings.

Objectives of Public Information and Consultation

Information dissemination to PAPs and involved agencies is an important part of RAP preparation and implementation. Consultation with PAPs and ensuring their active participation will reduce the potential conflicts and minimize the risk of project delays. To ensure that local authorities, as well as representatives of PAPs, will be included in the planning and decision-making processes, PIU/MOT will continue a dialogue with district and village (Jamoat) authorities and NGOs, as relevant, during subproject implementation to ensure:

- Fully sharing information about the proposed subproject components and RAP activities with the PAP;

- Obtaining information about the needs and priorities of PAPs, as well as receiving information about their reactions to proposed policies and activities;
- That PAPs are fully informed about the decisions that will directly affect their incomes and living standards, and that they will have the opportunity to participate in activities and decision-making about issues that will directly affect them;
- Obtaining the cooperation and participation of the PAPs and communities in activities necessary for resettlement planning and implementation;
- Transparency in all activities related to land acquisition and resettlement.

Consultation during RAP Preparation and Implementation

Public consultation and participation plan will be included in the Project to involve the stakeholders, especially the people either directly benefiting from, or affected by the subprojects, through participation in the design, implementation, and monitoring of the subprojects. All communications will be in the language most appropriate for involved and engaged parties in the project area. During RAP preparation and implementation, the PIU, with assistance as required from the project supervision consultant, will undertake the following:

- Conduct information dissemination and consultation for all PAPs, NGOs and other stakeholders on a regular basis;
- Establish the rates/unit prices to be used as the basis of compensation awards, and confirm land acquisition and impact on properties through the IOL/DMS/census and demarcation, in consultation with PAPs;
- Conduct a survey (as part of the IOL/DMS) to:
 - inform them about possible resettlement options;
 - request information from PAPs about their preferences and choices of resettlement options; and,
 - request that PAPs indicate services such as education/ health/markets that they are currently using and their distance from such services;
- the PAPs will be provided a key focal contact for any queries about compensation/livelihood restoration, including focal point on the government side and on the World Bank side⁶⁸.

Consultation regarding the PAPs preferred option for livelihood stabilization and/or rehabilitation assistance (where required). This applies to PAPs experiencing significant impacts and vulnerable PAPs.

Public Information Booklet

⁶⁸ Ms. Nigina Aliyeva, EXT officer in the Bank office

To ensure that PAPs, their representatives, and local government agencies in subproject areas fully understand the details of the RAP process, and are also informed about the compensation and rehabilitation packages applicable to the Project, a Public Information Booklet (PIB) will be prepared by the consultant.

This PIB will be distributed to all PAPs and communities in the subproject area. The PIB will be translated into Tajik and Russian. The general contents of the PIB will include the following:

- Brief description of the project, implementation schedule;
- Project impacts, entitlements and rights of PAPs;
- Resettlement and rehabilitation policies for all types of impacts;
- Institutions responsible for resettlement and time-frame (schedule);
- Information dissemination to and consultations with PAPs and stakeholders;
- What to do if PAPs have a question or a problem;
- Outline of the grievance redress procedure; and
- Requirements for monitoring and evaluation, including independent monitoring.

RAP Disclosure

In addition to the RPF, summary of this RPF (or PIB), RAPs (without the names of PAPs and compensation amounts) and overall implementation schedule will be posted in affected villages and the MOT central and regional/oblast offices. These postings will be updated whenever adjustments to the RPF or RAPs are made. Any amendments to RAPs will also be disclosed to PAPs (including DMS, detailed asset valuations, entitlements, and special provisions, grievance procedures, timing of payments and implementation schedule) before submission to World Bank for review and approval.

These activities will continue throughout the implementation of the subproject. There will also be press releases to print and electronic media sent directly to Hukumats prior to advise of the commencement of the consultation process.

This RPF will be translated into Tajik and Russian languages and will be disclosed to the PAPs; The RPF in English will be posted on the World Bank website after endorsement by the MOT. Besides, MOT will also disclose it on its website and in the project areas so that PAPs and all interested persons have full access to the document.

1.

Chapter 7. GRIEVANCE REDRESS MECHANISM

Objectives

Grievance Redress Mechanism (GRM) will be established to allow PAPs appealing any disagreeable decision, practice or activity arising from implementation of RAPs. PAPs will be fully informed of their rights and of the procedures for addressing complaints whether verbally or in writing during consultation, survey, time of compensation and implementation of the project. Care will always be taken to prevent grievances rather than going through a long redress process.

The GRM will cover issues related to social, environmental, and other safeguard issues under the World Bank Safeguard covenants and active Legislation of the Republic of Tajikistan.

Grievance Redress Commission (GRC)

The GRC will be established for the duration of project implementation. The GRC is tasked with all activities needed to discuss a grievance, assess its validity and the scope of eventual impacts, decide eventual required compensation and instruct/facilitate the functioning of the grievance redress mechanism. It will consist of representatives of the PIU, consulting companies, road administration and maintenance units, local authorities, PAPs⁶⁹ and NGOs.

GRC is for individuals and their communities, for local people and representatives of civil society, located in project affected areas.

Assessment of received complaint is tasked to local authorized person or to responsible point of GRC on local level.

Local Authorized Person (LAP)

Local Authorized Person - a person who is officially assigned to perform and make timely responses to complaints and petitions received from individuals and their communities.

⁶⁹ Individual representative of PAPs to the sit in the GRC will be named by the residents of project affected village (in particular Shurtan, Kalachai Mazor and Matpari, where the majority of project affected land parcels and PAPs are cumulated).

Following the registration of a complaint, an authorized person explains the grievance redress process and mechanism to the applicant.

After receiving the complaint, a local authorized person must conduct a meeting with the complainant/person (or persons) within 3 working days and obtain documentary evidence confirming the complaint or petition.

The authorized person must consider a submitted complaint or petition and make a decision on the issues raised and must inform the complainant/person of their decision.

A local authorized person is responsible for receiving and registration of complaints to the GRC, record keeping of each registered complaint, claim and grievance.

Functioning of the GRC within the Grievance Redress Mechanism

The grievance redress mechanism (GRM) involves the following 3 stages of appeals⁷⁰.

Stage 1: Local Level

The grievances will be first lodged at the local level. The complainant will report on a given case to the local authorized person (Assistant of engineer), who is nominated to GRC by MOT. The LAP will trigger the action of the Grievance Redress Commission (GRC) which will assess the situation and seek a solution through consultation with complainant(s). After consultation with GRC, the GRC makes final decision on submitted complaint(s) and determines the eligibility of the complaint and any required redress. Then LAP notifies the claimant on the final decision of the GRC. In case the grievance remains unresolved at the local level, the complaint or statement of claim attached with the relevant information, acquired documentary evidence and result is sent to the applicant and the regional level of GRC.

Stage 2: Regional Level

In case within 15 days of registration the grievance/claim is still unresolved at the local level, the claimant with support of the LAP will further raise the issue to regional level. Regional level of GRC, which consists of representatives of the PIU, road administration, local authorities, PAPs and NGOs, will expeditiously review the complaint; make a decision on the eligibility and relevance of the complaint case. In the case, the grievance again remains unresolved at regional level, the relevant

⁷⁰ The mechanism for Grievance Redress is borrowed from the CARS-1 (Kyrgyz Republic) RPF and suggested in this draft RPF for MOT /PIU review and adjustment to ensure that suggested Grievance Redress process is the most applicable and implementable in Tajikistan.

information, acquired documentary evidence and result is sent to the applicant and the central level of GRC.

Stage 3: Central Level

In case within an additional 15 days the grievance is still unresolved at regional level, the relevant information, acquired documentary evidence and result is sent to the applicant and to the central level of GRC. Central level of GRC together with representatives of PIU makes a decision on the eligibility and relevance of the complaint and provides the means of resolving the issue(s).

In case the grievance remains unresolved at central level, the appellant can communicate his/her concern to the World Bank, funding the specific project (Contact in the Tajikistan office: Nigina Alieva (nalieva@worldbank.org) or to the Court.

The public information booklet will provide the grievance redress information, including the names, phone numbers, and emails of individual focal points on the government and on the World Bank side.

Technical Experts

As needed, once summoned to provide expert advice for the assessment or evaluation of an impact claim by a claimant/complainant the relevant technical expert will carry out the required technical investigations and prepare a report with a copy to be submitted to the complainant and the GRC. The tasks will include:

- Provision of relevant technical opinion for the reviewed claim;
- Undertake the required investigations relevant to the claim within the scope of their expertise;
- Provide recommendations when the legal opinion from the relevant state agencies is necessary.

Grievance Resolution Process

The LAP of GRCs will be regularly available and accessible for PAPs to address concerns and grievances. He/she will assist the aggrieved PAPs in formally lodging their claims to the GRC. The complaints and grievances from the PAPs will be addressed through the process described below in table 32.

Table 33. Grievance Resolution Process

Steps	Action level	Process Timeline
Step 1	Local Level	3 Days
Process:		
The grievances will be first lodged at the local level. The complainant will report his case to the Local		

Authorized Person (LAP)⁷¹, who is nominated to GRC by MOT. The LAP will trigger the action of the Grievance Redress Commission (GRC) which will assess the situation and seek a solution through consultation with complainant(s), local Roads Maintenance Unit (RMU), PIU, representatives of local government bodies and local NGO.

After consultation with PIU, the GRD makes final decision on submitted complaint(s) and determines eligibility of the claim. The LAP delivers the final decision of the Local Level GRC to the applicant. In case the grievance is unresolved at local level, the complaint or statement of claims, attached with the relevant information is sent to the applicant and the regional level GRC.

Step 2	Regional Level	15 Days
<p>Process:</p> <p>In case within an additional 15 days the grievance remains unresolved at the local level, the complainant with support of the LAP will further raise the issue to regional department of MOT through the representatives of PIU). Regional level of GRC after consultations with representatives of PIU will decide on the eligibility and relevance of the claim/complaint case. In case the grievance remains unresolved at the regional level, the relevant information is forwarded to the applicant and the central level of GRC.</p>		
Step 3	Central Level	15 Days
<p>Process</p> <p>In case within an additional 15 days the grievance still remains unresolved at regional level, the relevant information from the applicant is sent to the central level of GRC in the Office of PIU at MOT. The Central level of GRC together with representatives of PIU makes a decision on the eligibility and relevance of the claim/complaint, and offers means to resolve the issue(s). In case the grievance remains unresolved at Central level, the relevant information is sent to the applicant together with information on his rights to appeal at international organizations, including international financial institutions funding the specific project.</p>		

The GRC will not restrict or influence the PAP from applying to court for legal remedies or World Bank.

GRC Records and Documentation

PIU of MOT will ensure that GRC maintains Grievance Log and all the documents and records of complaints for regular monitoring of grievances and results of services performed by the GRCs, and for periodic review of World Bank representatives.

⁷¹ The name and contact information of this person will be provided in the final RAP and PIB.

Chapter 8. Institutional Framework

General

This chapter below describes the specific role and responsibility of each State Agency participating in the given project.

The Ministry of Transport of the Republic of Tajikistan (MoT) will be the Executing Agency (EA) having the lead responsibility for the road construction, as well as the RAP implementation in the process of land acquisition and issuance of cash compensation and additional rehabilitation measures. Besides MoT, a number of other governmental departments will play an instrumental role in the design, construction and operation of the Project.

The Agency on Land Management and Geodesy is responsible for allocation and registration of new land plots. The Ministry of Justice is responsible for registration of any changes of the rights to affected immovable properties that will be evaluated by the State Unitary Enterprise for Housing and Communal Services⁷². MBTI will register any changes regarding immovable property and its physical condition and issue technical passport. Further, the State Committee for Investment and State Property Management of the Republic of Tajikistan is responsible for an independent evaluation of all affected structures based on their current market value. Representatives of these agencies together with representatives of Hukumat of each Rayon (district) comprise an ad-hoc Committee to adequately respond and assist MOT in the process of project implementation.

Ministry of Transport of the Republic of Tajikistan (MOT)

In order to attain the target of RAP implementation and monitoring the MOT will form a Project Implementation Unit (PIU) and assign a Project Director. Project Director will be in charge of guiding the PIU staff in the process of implementing the projects, and will manage and monitor PIU daily activities. The PIU staff will be composed of engineers, lawyers, land acquisition and safeguard specialists with relevant qualifications and previous experience in similar projects.

⁷² State Unitary Enterprise for Housing and Communal Services is authorized to assess property of physical and legal persons.

The PIU will hire one full time designated resettlement specialist who, with assistance from other designated officials as required, will be over-viewing and managing the implementation of RAP and ensure coordination of the work of all involved agencies.

Additionally, WB will ensure that the funds allocated under component 3 of the project will be used to finance the implementation of the communications strategy, including the hiring of a communications specialist within the project implementation group for strategy implementation and citizens engagement.

In order to address land acquisition and resettlement issues associated with the given road Project, the MOT will form a Working Group for land acquisition planning (Resettlement Working Group) comprising the following representatives:

- First Deputy Minister, MOT
- Deputy Head of Department for Construction and Road Administration of MOT.
- Head of Cadastre and Land Registration, Land Management, Geodesy and Mapping Agency under the Government of the Republic of Tajikistan
- Senior Construction Supervision Inspector, Construction and Architecture Agency under the Republic of Tajikistan
- Engineer of IZDP unit, State Unitary Enterprise “Research, Design & Surveying Institute”
- Coordinator for consultants in PIU
- Representatives of the all Hukumats and Jamoats in Sugd region that are immediately located in project area.
- Consultant with experience in RAP actual implementation to assist at the starting level of RAP implementation (Demarcation of project affected land parcels, title search and other actions described in the chapter RAP Implementation) and be available for intermittent involvement to advice on the best solutions of specific tasks.

The principal task of this group is to adhere to the general principles and this RAP and ensure the group will be in charge to follow this RAP and defined the methodology for the assessment of a fair replacement value for residential and commercial land, and adhere to established principles and processes for cash compensation payments. The Resettlement Working Group will gain the assistance by the representatives of the various state departments involved in RAP planning and implementation, as well as officials at central and local government level. In addition, number of consultations on WB OP 4.12. safeguard requirements will be provided to the Resettlement Working Group on RAP implementation procedures and steps.

After the MOT obtains the approval from the Government of the Republic of Tajikistan to the final list of project affect persons (physical and legal), their affected assets will be evaluated and RAP implementation budget⁷³ will be presented to the government for approval.

⁷³ However, bank service fees (varying between 0.5% - 1 %) will be added on top of the amount of cash compensation PAPs will receive at the banks.

Agency for Land Management and Geodesy (ALMG)

The ALMG is the central government body with executive power for land management⁷⁴. This Agency, together with the state enterprises under its control, is responsible to:

- promote and develop unified state policy in land matters, and the management of government land. undertake government activities on land management, land cadastre, geodetic, aerial imagery, mapping
- coordinate scientific research on the study of natural resources using satellite imagery for Government departments
- conduct registration of land use rights and implementation of land reform
- undertake surveying and land plot formation activities
- prepare and issue of Land Use Right Certificates (LURC)⁷⁵
- register changes of land user
- allocate new land plots
- acquire land as required for the state
- survey the land plots, the subject of land use rights
- develop Projects for allocation of land use rights for non-agricultural needs, and
- implement land assessment work, soil assessment and economic valuation of land⁷⁶.

MBTI under the State Unitary Enterprise Housing and Communal Services

The State Unitary Enterprise Housing and Communal Services, together with the state enterprises under its control are the suppliers of public utilities in Tajikistan, including 31 local Departments of Bureau of Technical Inventory (MBTI). MBTI is established as a self-funding enterprise, operating at district and city levels. It is mainly in charge of technical inventory of immovable property, buildings (houses, constructions, etc.). The Government Decree No 513, dated 30 December 1998 provides the following roles for MBTI: technical inventory of private houses, buildings, apartments and state companies:

- technical inventory and valuation of constructions and structures
- technical inventory of the affected assets
- technical inventory of engineering networks, and registration of ownership and preparation of an Ownership Certificate for immovable assets.

⁷⁴ Regulation on Agency on land management, geodesy and cartography under the Government of Republic of Tajikistan, approved by the Government Decree from December 28 2006, № 613.

⁷⁵ This is a legal document that verifies the title holding of any parcel of land.

⁷⁶ The Government Decree No.613, dated 26 December 2006 provides the details of the roles and responsibilities, organizational structure and its associated enterprises.

The registration of structures and other objects is conducted to establish ownership rights on houses, buildings and apartments and their registration in cities and villages. MBTI registers immovable properties in its Registration Book, based on land plots, including the following information: (i) Date, (ii) Identification Number in the Register, (iii) Address of immovable property, (iv) owner's name, (v) shares, (vi) legal documents, (vii) Encumbrances, (viii) Signature of registering staff member, and (ix) Remarks. A unique number is applied for buildings and apartments based on postal address: (i) District name, (ii) Block Number, (iii) Street name, (iv) Building Number, and (v) Apartment Number. However, the block is different to that used by the ALMG. MBTI is required to update the data about the changes of structure and the value of the buildings every three years, mainly for taxation purposes. MBTI offices have specialists in architecture and construction for each district.

The Local Executive State Power in Districts (Hukumats)

The District Hukumat is the local administration body, established in all cities and districts. It is under the Oblast level and there are Jamoats under the District Hukumats. The Hukumat is led by a chairperson who has a wide range of responsibilities and authorities, including land management, housing and infrastructure, social security, law and order, health care and production. The planning and implementation of any LAR activities related to land and assets is undertaken through Hukumats. This is the local administration having a direct link with the people and most of small grievances related to allocation and distribution of land rights. In relation to land and immovable property administration, the Hukumat assists the concerned departments (land commission/MBTI/PIU etc.) in resolving the issues such as allocation of land use rights, and decisions on acquisition of land use rights and allocation of alternate sites for resettlement. Special Commission is functional to address and resolve Land Acquisition/Compensation/Resettlement issues.

For defining the losses to land users due to land acquisition for state and public needs or for the temporary occupation of land parcels, the valuation commissions are formed consisting of the following members⁷⁷:

- a representative of the district Hukumat, usually the deputy chairman of the district or town,
- the head of the district agency for land management, geodesy and cartography,
- a representative of the district or town office of architecture,
- representatives of Jamoats,
- a representative of the district for environmental protection

⁷⁷ Item 31, Regulation about the order of compensation of losses to the land users, approved by the Government Decree dated December 30, 2000, №515.

- representatives of the affected land users,
- representatives of the enterprises and/or institutions interested in land acquisition, and
- representatives of other organizations as defined by the Hukumat.

The local commissions will review the reported agricultural losses and if required adjust the compensation amounts for PAPs per each affected land parcel and obtain the approval of relevant Jamoats.

During RAP implementation, MBTI will be responsible to issue technical passport for each affected buildings and structures, valuation will be undertaken by the independent appraisal group in compliance with the legislation of RT. In addition, during the RAP implementation, the State Committee on Investment and State Property Management of the Republic of Tajikistan will conduct independent evaluation of all affected structures based on their current market value.

Input of the Consultant in RAP preparation

International and Local Consultants were involved in the RAP preparation.

The International Consulting Company was hired to prepare the RAP document. The International Consulting Company hired a local company with relevant experience and qualification to assist with DMS and Socio-economic surveys of PAPs and collection of all data required to produce RAP as requested by the Client.

MOT, PIU and Resettlement Working Group are in charge of implementing the RAP agreed with the Government of Tajikistan and accepted by the World Bank through issuance of No Objection.

The MOT will engage an **Independent Monitor⁷⁸ (the IM)**, an entity/agency or an individual consultant, for independent monitoring and evaluation of the implementation of the RAP as well as monitoring and assessment of social and environmental impacts, including community health and safety issues.

The IM will work according to the terms of reference agreed with WB and report on their compliance with the RAP approved by MOT and WB, before the commencement of any civil works on project sites. IM hiring procedure will go through the WB clearance prior to engagement of IM in monitoring task.

⁷⁸ Preferred option will be selected later, when the RAP is ready, and the scope of work (number of affected land parcels /persons) is specified.

Other Government Organizations

The Ministry of Finance (MOF) is responsible for allocating the budget for RAP implementation. The MOF will allocate the budget for resettlement project implementation on the estimates included in the RAP.

The entire institutional arrangement for the implementation of the entire RAP is presented in the following figure.

Figure 1. Institutional Arrangements

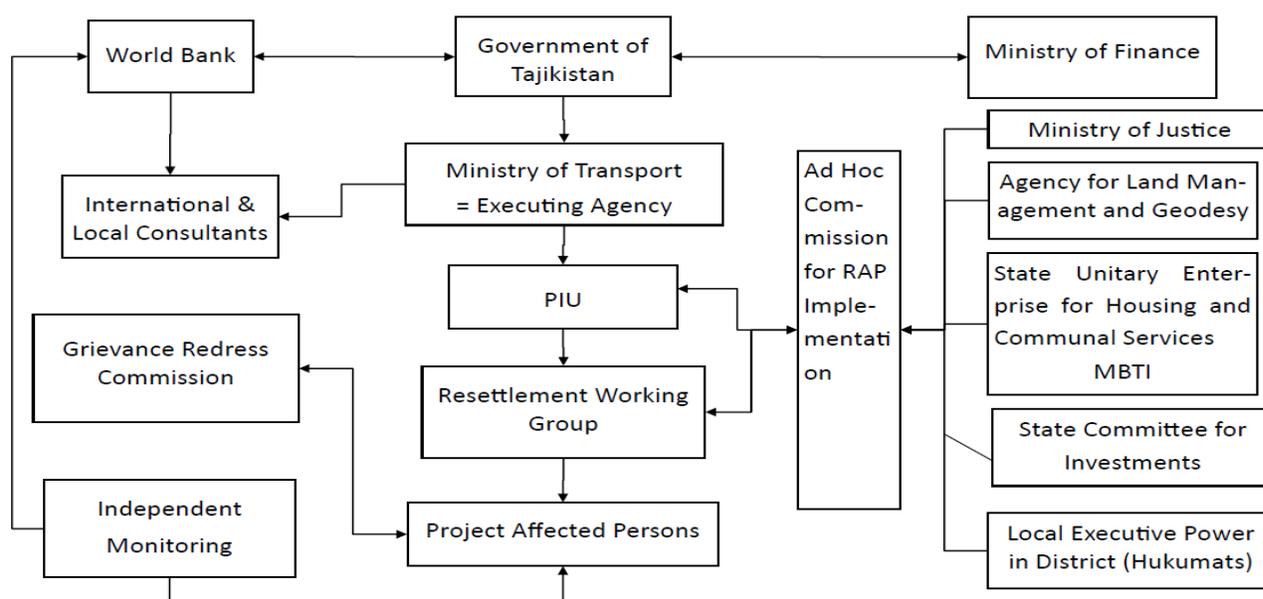


Table 34. Timetable for all resettlement activities according to the responsible agencies tied to overall sub-project timetable

N	Agencies	Responsibilities
1	World Bank	Guidance for RAP preparation Approval of RAP Disclosure of RAP on World Bank website Issuance of no objection letter for commencement of civil works

N	Agencies	Responsibilities
2	Government of the Republic of Tajikistan	Approval of RAP and budget Decision to allocate government budget for RAP implementation
3	Ministry of Transport	Coordination between GOT and WB; Overall responsibility for RAP preparation and implementation; Monitoring and assessment of RAPs Implementation
3	PIU	Coordination with MOT, Resettlement Working Group and International Consultants and GRC on managing the preparation and implementation of the RAPs
4	Grievance Redress Commission	Following the Grievance Redress Procedures established under the approved RAP; Timely review each Grievance submitted by PAPs; Maintain and regularly update Grievance Log. Put relevant attempts to ensure that PAPs' Grievances/complaints are resolved timely and peacefully. Participate in Court hearing in case unsatisfied PAP decides to apply to the Court.
5	Resettlement Working Group	Review/approval of Identification of impacts surveys and AP census Consultation of APs Approval of assets valuation Active participation with International Consultants in the process of RAP preparation; RAP implementation
6	Ministry of Finance	RAP Budget allocation
7	MBTI	Valuation of affected assets
8	Consultants	Execution of impacts surveys, census and socio economic surveys Actual preparation of RAP in coordination with relevant State Agencies, PIU, Client and all stakeholders. Participation in Public Orientation and RAP Disclosure Meetings; Provision of necessary trainings for PIU, Resettlement Working Group and GRC. Assistance to GRG and APs for grievance redress
9	IM	Independent monitoring and evaluation of RAP implementation; Monitoring and assessment of social, environmental impacts, community health and safety issues.

Chapter 9. MONITORING AND EVALUATION

INTERNAL MONITORING

Internal monitoring will be carried out routinely by the PIU, with the results being communicated on a quarterly basis to the World Bank through the project implementation progress reports. Indicators for the internal monitoring will relate to the process and immediate outputs and results. This information will be collected directly from the field and reported monthly to the PIU to assess the progress and results of RAP implementation, and to adjust the work program, if and where necessary. The monitoring reports will be consolidated in the standard supervision reports to the World Bank. Specific monitoring benchmarks will include:

- Information campaign and consultation with PAPs;
- Status of land acquisition and payments on land compensation;
- Compensation for affected structures and other assets;
- If and where required, relocation of PAPs;
- Payments for loss of income;
- If and where required, selection and distribution of replacement land areas; and
- Income restoration activities.

The above information will be collected by the resettlement staff of PIU and resettlement specialists of the project supervision consultants' team responsible for monitoring the day-to-day resettlement activities of the project, which will be conducted through the following methods:

- Review of census information for all PAPs;
- Consultation and informal interviews with PAPs;
- Sample survey of PAPs;
- Key informant interviews; and
- Community public meetings.

External Monitoring

External monitoring will be implemented by IM twice per year, and monitoring results will be communicated to the PIU and World Bank through semi-annual reports. Subprojects with an implementation timeframe of less than six months will be monitored only once. Indicators for external monitoring include - Review and verify internal monitoring reports prepared by PIU, which will include:

- Review of the socio-economic baseline census information of PAPs;
- Identification and selection of impact indicators;
- Impact assessment through formal and informal surveys with the affected persons;
- Consultation with PAPs, officials and community leaders for preparing review report; and
- Assessing the resettlement efficiency, effectiveness, impact, and sustainability, and drawing lessons for future resettlement policy formulation and planning.

The IM will also assess the status of project affected vulnerable groups such as female-headed households, disabled/elderly and families below the poverty line. The following will be considered the basis for indicators in monitoring and evaluation of the project:

- Socio-economic conditions of the PAPs in the post-resettlement period;
- Communications and reactions from PAPs on entitlements, compensation, options, alternative developments and relocation timetables etc.;
- Changes in housing and income levels;
- Rehabilitation of squatters;
- Evaluation of project affected attestations;
- Grievance procedures;
- Disbursement of compensation; and
- Level of satisfaction of PAPs in the post resettlement period.

About a year after completion of its implementation, the IM will carry out a post-implementation evaluation of the RAP. The compelling reason for this study is to assess and confirm the degree of successfully achieving the objectives of the RAP. The benchmark data of socioeconomic survey of any severely affected PAPs conducted during the preparation of the RAP will be utilized to compare and assess the pre and post project conditions. The IM will recommend appropriate supplemental assistance for the PAPs should the outcome of the study identify unattained objectives of the RAP.

Training in RAP implementation

All concerned staff within PIU involved in the land acquisition and resettlement activities, including officials of local government, and NGO staff will be provided training in World Bank resettlement policy and management. The training will be provided by the international specialist under the project supervision contract and will cover the following topics:

- Principles and procedures of land acquisition;
- Public consultation and participation;
- Entitlements and compensation & assistance disbursement mechanisms;
- Grievance redress; and
- Monitoring of resettlement operations.

Chapter 10. RAP Implementation Schedule

The RAP implementation schedule is described in Table 34 below together with the main sub-project implementation milestones.

Table 35. RAP Implementation Schedule

Tasks	2014-2015											
	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	
RAP Preparation	=====											
Draft RAP public discussions and finalization			●									
MoT/WB RAP Approval			●									
RAP Disclosure			=====									
Govt. approval of PAPs List				●								
Mobilization period					=====							
RAP implementation					=====	=====	=====	=====				
Selection of replacement lands					=====	=====						
Valuation of affected structures and determination of construction cost					=====	=====						
Preparation of compensation package per each PAP					=====	=====						
Assisting PAPs in opening personal bank accounts					=====	=====						
Processing land takes and Compensation Agreements						=====	=====					
Delivery of compensation						=====	=====					
Internal Monitoring Reports							●	●				
Independent Monitoring Report									●			
Construction Contract award										●		
Construction Supervision and										=====	=====	
External Monitoring												●

Chapter 11. RAP Implementation Budget

Prior to commencement RAP implementation the project implementing group will prepare cash compensation package separately for each project affected land parcel and offer to the PAP for review prior to signing cash compensation agreement. Below is given the cumulative of the tentative RAP Budget.

Table 36. RAP Implementation Budget (tentative)

	Cash Compensation for	Amount in TJS	Amount in USD
I	Annual crops (1st & 2nd yield/yr)	938 141	183 949
II	Perennials		
	Fruit-bearing perennials	1 114 342	218 498
	Sub-total	1 114 342	218 498
	Decorative (non fruit trees)	13 680	2 682
	Mulberry trees	129 060	25 306
	Sub-total	1 256 975	246 466
III	Construction Cost		
	Residential	637 500	125 000
	Commercial	198 900	39 000
	Supplementary	300 773	58 975
	Fences/walls	234 600	46 000
	Sub-total	1 371 773	268 975
IV	Additional Allowances		
	Vulnerability	68 400	13 412
	Severe Impact	119 700	23 471
	Business Stoppage	4 275	838
	Relocation subsidy	7650	1 500
	Rental allowance	36720	7 200
	Sub-total	236 745	46 421
V	<u>TOTAL of Cash Compensation</u>	<u>3 978 392</u>	<u>780 077</u>
VI	Other Costs		
	Registration and Certificates	1 210 230	237 300
	Moving water pumps	102 000	20 000
	Sub-total	1 312 230	257 300
VII	TOTAL COSTS	5 115 863	1 003 110
VIII	Contingency (20%)	1 023 173	200 622

IX	TOTAL SUM	<u>6 139 036</u>	<u>1 203 733</u>
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APPENDICES

Appendix 1. Land Acquisition & Resettlement Screening and Checklist for Section 1A

a) Location: District: Sugd Region, Isfara rayon:

Jamoat: Kurgan, village: Guliston

Jamoat: Naugle, villages: Oftobru, Shurtan, Gumbazi

Jamoat: Shahrak, villages: Kalachai Mazor, Matpari

Brief Description:

The total length of the Section 1A is 18.20 km. The Section starts at the Guliston border point and end up at a junction in Isfara, where the alignment joins the main road from Isfara to Kim. The road works consider rehabilitation of 4.6 km from the start to the first realignment, in total 8.3 km upgrade from km 7.5 to km 13.3, from km 15.3 to km 15.7 and from km 16.1 to km 18.2 as well as new construction of 5.3 km of road from km 4.6 to km 7.5, from km 13.3 to km 15.3 and from km 15.7 to km 16.1.

The project ROW impacts 50 land parcels; among them 41 parcels are used by 207 individuals, 6 land parcels are used by Dekhans, and Scientific-Research Institute, Kindergarten No 16 and Hospital in village Matpari use one land parcel each.

The project affected community is composed by local population mainly involved agriculture activity. Individual households use land parcels located along the existing road where road widening is foreseen for road rehabilitation purposes; therefore, the size of land take is less significant. However, due to their close location of land parcels with residential designation some walls built of clay bricks subject to demolition.

Three structures (residential dwelling under construction and two operating shops) are partially to be affected by road works.

The size of land takes for the new road construction purposes are rather significant as the ROW traverses virgin land used by large Dekhans for growing annual crops (mainly corn and wheat) and impacts several thousand of perennials (mainly fruit bearing apricot trees and Mulberry trees widely used for local silk production).

Worth to be noted that project affected portions (creating ROW for the new road) of six land parcels currently used by large Dekhans according to the local government have already been excluded from Dekhans balance. This territory was included in the General Plan prepared by the government for the new road construction purposes.

All project affected land parcels are of agricultural designated and used by Dinkins and individual PAPs are all state owned. Except the Kindergarten No 16 and one Deskman⁷⁹, all five Dinkins, Scientific-research Institute and Public School no. 65 hold the Certificates. Among 41 privately used land parcels, only 13 land parcels were reported used without legal certificate. However, at the starting stage of RAP implementation additional inquiry is required to ensure that land users eligible to certified land use rights are not omitted from the list of PAPs eligible to land-for-land compensation.

b) Screening Questions for Resettlement Categorization

Probable Involuntary Resettlement Effects	YES	NO	POSSIBLE	REMARKS
Will project include any physical construction Works?	√			
Does the project include upgrading or rehabilitation of any facilities?	√			Sidewalks, drainage, electricity poles
Is the subproject likely to lead to loss of housing, other assets, resource use or incomes/livelihoods?			√	If not avoided 3 structures may require relocation
Is land acquisition likely to be necessary?	√			
Is the site for land acquisition known?	√			
Is the ownership status and current usages of the land known?	√			
Will easements be utilized within an existing ROW?			√	
Are there any non-titled people who live and earn their income at the site or within the ROW?	√			
Will there be loss of housing?			√	
Will there be loss of agriculture plot?	√			
Will there be loss of crops, trees, and fixed assets?	√			
Will there be loss of business or enterprises?			√	If not avoided 2 shops may be partially affected, requiring replacement

⁷⁹ Dekhan Kishovarzorni Oftobru" using 230.69 ha of agricultural land

Will people lose access to facilities, services?		√		
If involuntary resettlement impact are expected:				
Are local laws and regulations compatible with World Bank's Involuntary Resettlement policy?		√		Only partially
Will coordination between government agencies be required to deal with land acquisition?	√			
Is there sufficient skilled staff in the Executing Agency for resettlement planning and implementation?			√	Past experience from similar projects in the area
Are training and capacity-building interventions required prior to resettlement planning and implementation?			√	Additional training prior to resettlement implementation may be of help

INFORMATION ON AFFECTED PEOPLE		
Any estimate of the likely number of households that will be affected by (road project)	YES	NO
<p>If yes, approximately how many households?</p> <p>40 PAHs (207 PAPs); 6 Dekhans (1443 persons: 734 female and 709 male)</p> <p>Are any of the households vulnerable i.e. households?</p> <p>10 PAHs without double counting: Widows: 4 Disabled persons in PAHs: 6 NOTE: one HH has 2 disabled daughters</p>	<p>√</p> <p>√</p>	
<p>Are any of the households vulnerable i.e. households that:</p> <p>(i) are headed by divorced or widowed females with dependents and low income;</p> <p>(ii) include disabled or invalid persons;</p> <p>(iii) include persons falling under the generally accepted indicator for poverty as defined by the Ministry of Social Security/Secretariat of State of for Social Assistance & Natural</p>	<p>√</p> <p>√</p> <p>N/A</p>	NO

Disasters, or the landless; and/or, (iv) are elderly with no means of support?		√
If yes, approximately how many households?	6	
If yes, briefly describe their situation: Female headed HHs: 9 (land use certificate issued on their names; these females are committed to support the family and children) Among 9 females recorded Heads of HH widows are: 4		
If yes, briefly describe their situation: Disabled PAPs: 7 persons (4 Female and 3 male); in total 6 PAHs (there are 2 disabled daughters in one HH)		
If yes, briefly describe their situation: Country does not record HHs below poverty line, therefore no official data on PAHs below poverty line.		

c) Involuntary Resettlement Category

After reviewing the answers above, the Project Team Leader and Social Development/Resettlement Specialist agree, subject to confirmation, that:

Project Categorization and Resettlement Planning Requirements

Based on the definition of impacts in the World Bank's OP 4.12 <i>Involuntary Resettlement</i> : CATEGORY A – significant (severe) resettlement impact, a FULL resettlement plan is required	
Screening Form & Checklist compiled by:	
Name: Lela Shatirishvili Designation: Social/Resettlement Specialist Date: November 2, 2014	Signature:
Screening Form checked by: Name: Thomas Voigt Designation: Team Leader Date: November 3, 2014	
Screening Form checked by: Name: <i>Designation:</i> <i>Date:</i>	Signature:

Appendix 2. Complaints and Grievance Submission Form

Detail Information of Complainer	
Name: Village: Hukumat: City: Rayon: Oblast: Mobile: Email:	Village: City: Oblast: Phone: Fax:
Language for Communication	Russian _____ Tajik _____ Other (Please specify) _____
Complain submission date:	Date of hearing:
Results/decisions of complain after hearing:	
If complaints/grievance are not resolved, please write down the reasons:	
Signature: _____ Date: _____	

Appendix 3. Sample of Cash Compensation Agreement

Cash Compensation Agreement

ISFARA, SUDG REGION

---/---/---

-- (date)

1. This sales agreement is made by and between:

a) **The LANDUSER:** _____ (full name)
_____ (Valid personal ID number):

and

b) **The PAYER: MoT**, represented by its authorized representative
_____ (Full Name) _____ (Valid personal
ID number) _____

2. SUBJET OF THE AGREEMENT

2.1. Land Parcel area: ----- (-----) square meters, occupied with the right to use under the registered certificate:

No. _____, issued by _____ (full name of the state agency) on _____ (date of Issuance) and valid until _____ (expiration date, if applicable).

3. Total amount of cash compensation in TJS: _____ (in figures),
_____ in letters.

Where of:

3.1. Replacement value at market price for fruit trees: _____ /
_____ TJS

3.2 Replacement value at market price for annual crops: _____ /
_____ TJS

3.3. Replacement value at market price for affected structures: _____ /
_____ TJS

3.4. Cash compensation for business stoppage: _____ /
_____ TJS

4. The LANDUSER willingly agrees to release the subject of the agreement in favor of the PAYER, in lieu for the _____ / _____ TJS for the assets described above that the LANDUSER willingly released to the PAYER for road construction purposes.

5. The amount of cash compensation will be wire transferred to the bank account specified by the LANDUSER, _____ within _____ bank days, as of the date both PARTIES affix their signatures to this Cash Compensation Agreement.

6. The subject of the agreement being under legitimate use right of the LANUSER that is evidenced and proved by the following document(s):

6.1. Valid copy of the land use rights registration certificate, registration number _____.

6. There is no encumbrance imposed on the given assets attached to this land parcel, it is not sold, sub-leased, mortgaged or otherwise imposed by any rights in favor of a third party, that is evidenced by the official document No: _____ issued on: _____ date of issue, by _____

Full name of the relevant agency.

7. The parties agree that the amount of cash compensation incorporates all expenses for fences on the subject of the agreement and expenses for all assets including perennials, structure-buildings, standing crops and portion of released land, thus the PAYER has the right to cut plants and take over and occupy the subject of agreement and, and the LANDUSER agrees not to deny access of the PAYER or his/her authorized persons to the acquired land and assets for any reason, as soon as the amount of cash compensation is wire transferred to the personal Bank Account of the LANDUSER.

8. In the period of civil works and road construction activities the PAYER or any authorized person has the right to demolish the fence or any other type of buildings on the acquired territory of the given land parcel and to cut down the plants and perennials at its own discretion.

9. The PAYER is obliged to pay all state and municipal taxes related to the transfer of the subject of agreement.

10. Pursuant to the statement of the LANDUSER the subject of agreement (land parcel with attached project affected assets is not under dispute and the third person/persons cannot have any claim regarding the Subject of the Agreement.

11. The PAYER stated that the land parcel is qualified to the objectives of the PAYER.

12. The following documents provided on ____ / _____ pages are attached to this Agreement:

12. a. Valid copy of the land use rights registration certificate, registration number _____.

12. b. DMS Form

12. c. Copy of the power of attorney (provide details if applicable)

13. The AGREEMENT is the sole document determining the final and absolute agreement between the parties on the land parcels and attached assets.

14. This AGREEMENT comes into force when both parties have affixed their signatures here below. The AGREEMENT is composed in Tajik language in four (4) copies each party is given ____ copy/copies.

The Parties with their signatures affixed hereby prove their consent in regard with the above stated:

LANDUSER

PAYER

(Full Name)

(Full Name)

Authorized representative of the
Ministry of Transport of the Republic of Tajikistan

Signature: _____

Signature: _____

Date: _____

Date: _____

Appendix 4. Actions to be applied in case of Temporary Impact

This Appendix 4 describes the actions to be applied in the case if any temporary impact occurring during earth and road construction works undertaken along these eight (8) road sub-sections.

Practical experience indicates that often during actual works constructions, for a number and various reasons, may cause the necessity of additional land takes, mostly for temporary use purposes. When this occurs, Companies adhering to best practice alter the EA and notify in written format attached with relevant site maps, additional land area details with time frames they need to occupy for works purposes.

The EA immediately responds to such notifications and conducts follow up actions to ensure that temporary impact caused by additional land take does not cause damage to property or loss of income from assets. Therefore, the field team is located on site to identify and verify whether the requested land area is currently vacant or under private use of any person.

If the survey confirms that the land is vacant and no physical or legal person may claim for loss reimbursement, in coordination with local authorities, the temporary land allocation act is processed.

However, if the area of interest for temporary use is under usage by any physical/legal person or if the area is designated for public use, some further actions should be applied. The EA needs to identify the actual land user, designation of this land, and conduct inventory of potentially affected assets (structures, crops, perennials etc.). The EA will ensure correct calculation of the amount of cash compensation using as the guidance this RAP and unit rates identified for each type of loss as stipulated in the RAP.

User of temporarily affected land parcel will be notified in advance about the potential impact and pending cash compensation, in return for releasing the given area of land for road construction purposes. The offer and copy of cash compensation agreement will be provided to PAP to review and comment.

After the agreement is achieved, the parties sign the Cash Compensation Agreement. Land user will sign receive-delivery act right after the agreed amount of cash is wired to his/her personal bank account. After signing the Receive-Delivery Act, within time period agreed between the parties and specified in the Cash Compensation Agreement, compensated land user is obliged to release the area and allow the Construction Company undisturbed access and use of this territory.

Meanwhile, Construction Company is responsible to allow land user(s) undisturbed access to the remaining portion of land and strictly keep the boundaries of temporarily occupied territory. In addition the Construction Company will have to cash compensate the land user(s) if the later fails to keep its activities within the identified boundaries, marked with special signs or fenced if required for social or safety reasons.

After completion of construction activities on temporarily occupied territory, the Construction Company is responsible to reinstate it to its prior condition, meaning that construction company will have to clean the site from construction remnants, reinstate the top soil so that after return to original land user/or to local government this area of land can again be used for the same purposes as used before road construction commenced.

The EA, GRC, and Internal Monitoring need to follow up with such cases to avoid any possibility of deterioration of livelihood of any PAP in the project area.

Appendix 5. RAP Related Legal-Regulatory Framework

The Resettlement Action Plan for the Project is based on the Legislation of Republic of Tajikistan and the WB OP 4.12 on Involuntary Resettlement⁸⁰. In Tajikistan legislation, there is no special law that regulates the issues of resettlement and/or land acquisition or expropriation of rights to land and immovable property for state or public needs.

Moreover, there is no separate law that completely provides norms and mechanisms for the determination of a full, fair, market value of land. The key legislative acts regulating land management relations and the ownership rights to immovable properties in the Republic of Tajikistan are the following:

- Constitution of the Republic of Tajikistan (1994, as amended in 2003)⁸¹
- Land Code (as amended in 2008⁸² and 2012)⁸³
- Civil Code (as amended in 2007)⁸⁴
- Regulation “about compensation of losses to the land users and losses of agricultural products” (approved by the Decree of Government of the Republic of Tajikistan, 2000. № 515)⁸⁵.

The Constitution of the Republic of Tajikistan is the main legal document guaranteeing citizen’s rights. Article 12 states: “The economy of Tajikistan is based on various forms of ownership. The state will guarantee freedom of economic activity, entrepreneurship, equality of rights, and the protection of all forms of ownership, including private ownership.” Further, article 13 states “land, bowels of the earth, water, airspace, animal and vegetable kingdoms, and other natural resources are owned by the state, and the state guarantees their effective use in the interests of the people.”

The legal basis for state acquisition of private property for public works is outlined in Article 32 which states “the property of an individual is taken away only on the basis of the law, with the consent of the owner and to meet the requirements of the state and society, and with the state paying full compensation.”

Compensation for land withdrawal and other impacts due to public interest projects are also regulated by other legislative acts such as the Land Code RT (LC), the Civil Code RT (CC) and various normative-legal acts, which govern land withdrawal, land allotment and impacts compensation to the citizens.

⁸⁰ OP 4.12 dated December 2011 and revision dated April 2013.

⁸¹ Constitution, November 6, 1994, as amended on 22 June 2003

⁸² Land Code, as amended by N 498 from December 12, 1997. N 746 from May 14_ 1999, N 15 from May 12 2001, N 23 from February 28, 2004. From 28.07.2006 №199, from 5.01.2008 №357, from 18.06.2008 №405.

⁸³ Land Code of the Republic of Tajikistan as amended on 01 August 2012

⁸⁴ Civil Code, as amended by August 6, 2001, N 41: May 3 2002 №5, March 1 2005, N 85; April 29, 2006 №180, May 12, 2007.№247).

⁸⁵ Approved by the Decree of Government of Republic of Tajikistan, December 30, 2000.№515

The withdrawal/allotment of lands and resettlement is based on the principles for compensation for losses incurred by land users or users of other registered rights connected to land when the land plot is withdrawn for state and public need.

The withdrawal of land plots for state and public need from land users and users of other registered rights regarding land may be made after:

- Allocation of a land plot of equal value;
- Construction of housing, production, and other buildings with same purpose and same value, instead of withdrawal, in a new location by the natural persons and legal entities to whom the land plot had been allocated, in accordance with established procedure, or cash payment;
- Full compensation for all other losses, including lost profits, in accordance with the legislation of the Republic of Tajikistan.

Annulment of use right to a land plot with a right to alienate it for state and public needs can be carried out after allotment to the land user of equal land plot with right to alienate it and compensation of other expenses provided for by part one of present article. (L.C. Article 41; In RT Law edition dated 1 August 2012, No. 891).

Procedure for compensation of losses to land users or users of other registered rights regarding land and losses connected to the removal of land from circulation regulated by Article 43 of the Land Code edition dated 1 August 2012, No. 891:

In the event of withdrawal of a land plot for state and public need, compensation for losses to land users or users of other registered rights regarding a land plot and losses connected to the removal of land from circulation, shall be made by natural and legal persons whose activity led to the necessity of the withdrawal prior to the withdrawal.

In the event of withdrawal of a land plot for state and public need, the procedure for compensation of losses to land users or users of other registered rights regarding a land plot and losses connected to the removal of land from circulation shall be defined by the Government of the Republic of Tajikistan (In RT Law edition dated 5 January 2008, No. 357).

At termination of the rights of property then property will be assessed based on its market value (Article 265 Civil Code). Land user or user of other registered rights associated with land should be noticed in writing about land withdrawal by local executive government body not later than one year before the pending withdrawal of the land (Article 40, Land Code of the RT amendment dated as of August 1. 2012 no. 891).

In the event that international agreements recognized by the Republic of Tajikistan establish other rules than those contained in the Land Code of the Republic of Tajikistan, the rules of international agreement shall be applied (Article 105, LC of the RT edition dated 28 February 2004 No. 23).

The LC, 1997 is the core legal document related to land acquisition. It has been updated several times and most recently in August 2012. Article 2 of LC states that “land is an exclusive ownership of the State...[but]...guarantees its effective use in the interests of its citizens”. However, Articles 10-14, the LC outlines land title as being of long-term, short-term, and inherited land use entitlement. Article 14 of the LC of the RT also states that land users may lease land plots by agreement (In RT Law addition dated 1 August 2012 No. 891).

Article 24 of LC describes the **allocation of land for non-agricultural purposes**, and provides that when choosing a suitable location for such land uses, land not suitable for agricultural should be favored. The same principle is stressed by Article 29 LC, which discourages the use of high-yielding agricultural land for non-agricultural use. However, Article 29 also allows for allocation, and sequestering of agricultural land for “other very important State objects”.

Article 19 of LC states the rights of land users, including clauses allowing a land use rights holder to:

- Execute civil-legal transactions (buying-selling, gift, exchange, mortgage and other) with allocated (acquired) use right to a land plot with a right to alienate it independently without interference of executive government bodies, except for provisions of present Code; (In RT Law edition dated 1 August 2012 No. 891)
- Lease the land plot;
- Establish private (based on consent) servitude to a land plot; (In RT Law edition dated 1 August 2012 No. 891)
- Mortgage the right to a land plot; Receive compensation in the event of withdrawal of the right to use the land plot for state and public need in accordance with Article 41 – 43 of the present Code.

In this Project, it could be interpreted as compensation for permanent loss of land use and crops, and complying with (ii) and (iii) above, the need to compensate for temporary loss of use of land and disturbance of cropping patterns for construction purposes.

A compensation for land, which belongs to the State but which is allocated and essentially leased to users by each Hukumat, will be implemented in the following way: a land user will receive a new land parcel of equal value and if he cannot harvest the crops he will receive relevant cash compensation at market value at same unit determined for annual loss of crops.

World Bank Policy on Involuntary Resettlement

The World Bank's safeguard policy on Involuntary Resettlement – OP 4.12⁸⁶ seeks to ensure that impoverishment risks due to involuntary resettlement are addressed and minimized.

The overall objectives of the World Bank's policy on involuntary resettlement are:

Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

- Where avoiding resettlement is not feasible, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

The policy covers direct economic and social impacts that result both from Bank-assisted investment projects and are caused by the involuntary taking of land resulting in:

- relocation or loss of shelter;
- loss of assets or access to assets; or
- loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of PAPs.

Where impacts on the entire displaced population are minor (fewer than 200 people are displaced)⁸⁷, an abbreviated resettlement plan may be prepared. For projects causing significant resettlement (more than 200 people are displaced), a full resettlement plan is required. The resettlement plan will include measures ensuring that the displaced persons are informed about their options and rights pertaining to resettlement; appropriately consulted, offered choices or options, and provided with technically and economically feasible resettlement alternatives; and provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. The policy requires that in the resettlement planning process:

- Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, appropriately consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring

⁸⁶

<http://web.worldbank.org/external/default/main?Email=Y&contentMDK=20064610&menuPK=64701637&pagePK=64709096&piPK=64709108&theSitePK=502184>

⁸⁷ Impacts are considered "minor" if the affected people are not physically displaced and less than 10% of their productive assets are lost

resettlement activities. Appropriate and accessible grievance mechanisms are established for these groups;

- In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as water supply, grazing areas, fuel, fodder etc.);
- Patterns of community organization appropriate to the new circumstances are based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of re-settlers and any host communities are preserved and re-settlers preferences with respect to relocating in pre-existing communities and groups are honored.

To achieve the objectives of World Bank policy, the RAP pays particular attention to the needs of vulnerable groups amongst those displaced, especially those recipients of targeted assistance, the landless, the single elderly, females leading the households and people with disability.

Legal Gap Analyses and reconciliations

The framework for the Project is based on the WB OP 4.12 on Involuntary Resettlement as embedded in the WB Policy Requirements for Involuntary Resettlement (Operational Manual O.P. 4.12) the Constitution of the Republic of Tajikistan, and the Land Code of the Republic of Tajikistan. Where differences exist between the legislation of project host country and the WB policies and practices, the resettlement for this Project will be resolved in favor of the later.

In principle, the laws of the Republic of Tajikistan and World Bank Policy both adhere to the objective of compensation at replacement cost, but Tajikistan law does not provide for rehabilitation and in practice this has been left to ad hoc arrangements taken by project proponents in order to meet international donor requirements. To clarify these issues and reconcile eventual gaps between Tajikistan law and World Bank Policy, this RAP has been prepared for the given Project, ensuring compensation at replacement cost of all items, the rehabilitation of people not holding land use rights and informal settlers, and the provision of subsidies or allowances for PAPs that may be relocated, suffer business losses, or may be severely affected or qualify as vulnerable.

The main provisions affording reconciliation of the differences between Country legislation and World Bank Policy includes:

- Any PAPs, regardless of title (holding/not-holding titles); will be entitled to compensation (for structures, crops and trees) and rehabilitation measures under the project. This includes landless people using land and squatters;

- PAPs and affected communities will be consulted on options and any impacts of land acquisition and resettlement;
- If land for land compensation is not technically or sociably feasible, compensation will be in cash at full replacement cost at current market value;
- Compensation for any other assets affected (structures, crops and trees, as well as business/income loss) will be in cash or kind at full replacement cost at current market value. Vulnerable PAPs will be entitled to additional measures as relevant, and gender issues will be addressed;
- The RAP includes measures for severely impacted PAPs and includes additional rehabilitation measures required for their livelihood restoration.

Table 32. Legal Matrix⁸⁸

World Bank Policy on Involuntary Resettlement	Provisions of relevant Laws of Tajik Republic	Meeting the Gaps
Lack of formal legal title to the land by some affected groups should not be a bar to PAP to receive compensation or rehabilitation.	Pursuant to the active legislation, compensation for land is provided only to registered settlers.	All land users with registered (legalizable) Certificates will receive replacement land as the compensation for land acquired for Project purposes. PAPs not holding Land Certificate or any documents originating land use rights are not eligible for compensation for land but will receive compensation for assets attached to land and other assistance as required. Local Community will be informed about their rights, responsibilities, eligibility to compensation and cut-off-date provisions, to prevent squatters within the project affected area.
PAPs are to be informed / consulted on resettlement / compensation options.	Active legislation does not require public consultations.	Communities within project influence area will be involved in priority selection process, consulted and informed on resettlement and compensation and options. Besides, Public Information Booklets will be distributed to PAPs. The RAP will be officially disclosed to public.
PAPs to be compensated and assisted, so that their economic/social future would be generally as	Active legislation provides compensation for loss of project affected assets only.	PAPs, in addition to compensation for income and assets loss, will also receive additional rehabilitation measures in the form of technical assistance (updated land use

⁸⁸ The Legal Matrix will be included in the main part of the Public Information Booklet (PIB).

<p>favorable as it would have been in the absence of the Project</p>		<p>certificates, relocation /transportation costs covered, utilities to be provided to new resettlement sites, etc.) and other additional allowances as determined under this RAP.</p>
<p>WB safeguards provide for additional rehabilitation allowances for PAPs in need, including vulnerable and severely affected PAPs.</p>	<p>Active legislation does consider additional rehabilitation for vulnerable or determines procedures for severe impact.</p>	<p>PAPs in need qualified as vulnerable or severely affected will be eligible to additional cash and/or in-kind compensation. This entitlement measure will be determined based on the analyses of information and data obtained during Census, DMS and livelihood surveys and detailed description will be provided to stakeholders in the form of draft RAP for their input.</p>

Appendix 6. The Detailed Information on Project Affected PAPs and Assets

For safety and the protection of private information measures, the detailed information on project affected persons, as well as the assets subject to in-kind replacement and/or cash compensation, will not be disclosed publicly as the RAP component, but will be submitted to the Client as separate document for internal use only.

Appendix 7. Minutes of the Public Meetings

The table informs the question - answer sessions as the closing part of the public consultation meetings held by Consultant during the RAP preparation period.

Public Consultations in Matpari, Nov 26, 2014	
Question/Request	Response
Is it necessary to have a registered certificate to the project affected residential dwelling in order to receive cash compensation	<p>Certainly, the issuance of cash compensation for project affected assets including residential dwellings will proceed with some legal steps, to ensure that compensation is issued to the legitimate possessor(s)/user(s) of the affected property. The fact of legitimate possession will be reconfirmed by the Project implementing group.</p> <p>Each and every project affected person will be provided with required legal and technical assistance before the transfer of project affected assets to the MoT; all related costs, fees and taxes will be covered by project EA.</p>
<p>We have MBTI documents on structures, but do not have registered certificate on land allocated to these structures.</p> <p>Shall we still receive cash compensation for affected structures?</p>	<p>Yes, you will be eligible for cash compensation for project-affected structures at full replacement cost calculated at current market values as discussed during consultation meeting, today, and as it will be described in the final RAP.</p> <p>Cash compensation for project affected structures, whether it be a residential dwelling, commercial, cattle house, or fence will be cash compensated at full replacement costs.</p>
My husband who is registered as the owner of the commercial facilities died 2 years ago. Now I am going through inheritance procedures to register the real	Yes, through the head of the Jamoat. You, and all persons whose property is project-affected, will be provided with necessary help, such as legal consultancy, technical assistance in preparation of official documents and guidance through the process to ensure that all legal steps are accomplished in a timely and legally valid manner.

<p>property in my name and then obtain the license (so called "Patent") in my name. It seems that these commercial facilities appear within the project-affected area and may need to be demolished for road project purposes. Can I be assisted with this process?</p>	
<p>Public consultations in Kalachai Mazor, Nov 26, 2014</p>	
<p>Question/Request</p>	<p>Response</p>
<p>I think that after land take I will have two smaller size pieces of land on each side of the road?</p>	<p>You will receive a replacement land parcel of similar size, designation and access. The size of a new land parcel will be the same as the size of your current land parcel that may be affected by road project. Additionally, if you wish, you can keep the remaining portions of the current land parcel on each side of the road. Moreover, the project EA in coordination with relevant government institutions will provide you, free of charge, with an official certificate on land use rights to the newly allocated land parcel(s), as well as the updated certificates to the remaining portions of project-affected land parcels.</p> <p>These entitlements will be extended to all PAPs identified as the users of land parcels located within project right of way.</p>
<p>Will we be allowed to negotiate the land exchange between each other? For instance, as a result of land take, several of us will keep two small pieces of land on each side of the road. We do not want to deal with the small pieces of land on both sides of the road. We think to exchange, (swap) between each other: one person gives one piece of land to another person who also has two smaller pieces on each side of the road. At the end each of us will consolidated land parcel: one piece on one side of the road instead of two smaller on each side of the road.</p>	<p>This type of exchange is certainly possible and permitted. You will get required assistance from government so that this exchange is recorded as an official exchange and each of you receive relevant Certificate specifying that the Certificate holder is granted with the land use rights to these specific land parcel.</p>

Appendix 8: List of people who attended consultation meetings

The two tables below provide the names and contact details of the persons who attended public consultation meetings organized with the assistance of local Hukumat in the villages of Kalachai Mazor and Matpari.

Table 1. List of the attendees of the Public Consultation meeting held in Village Matpari on November 26, 2014 (2.00 PM - 3.45 PM)

#	Full Name	Occupation	Contact
1	Ymatova Nazira	Director of the Kindergarten (Female)	927 08 90 69
2	Madjhidov Orifbek		901 06 48 43
3	Dadaboev Khikmat	PAP, Matpari resident	918 71 23 32
4	Masiloev Abdusidik	PAP, Matpari resident	928 91 44 62
5	Shosinov Boir	PAP, Matpari resident	926 12 45 90
6	Chibilov Rakhim	PAP, Matpari resident	915 09 58 88
7	Mykhtarov Otakhon	PAP, Matpari resident	927 56 44 37
8	Sattorov Abdyfattokh	Matpari resident	2 21 48 (land line)
9	Yrinov Mannon	Matpari resident	927 83 71 00
10	Makhmudjaeva Mykkarama	PAP, Matpari resident (Female)	987 70 13 37
11	Kurgurova Kh.	Matpari resident (Female)	919 11 93 70
12	Isaev Makhmud	PAP, Matpari resident	919 10 78 54 2 38 08

Table 2. List of the attendees of the Public Consultation meeting held in Village Kalachai Mazor on November 26, 2014 (4.00 PM - 6.30 PM)

#	Full Name	Occupation	Contact
1	Arpamisheva Nazipabony	Dekhan Chairwoman	928193583
2	Mamadchonov Ekubchon	Makhala chairman	927512550
3	Goibov Khakim	Dekhan member	985979033
4	Ymarov Akmalkhon	Dekhan member	929485144
5	Aliev Khurshed	Dekhan member	42 41 39
6	Kholikova Khadisa	Dekhan member (Female)	918866553
7	Savridinova Kholisa	Dekhan member (Female)	929816337
8	Zievinov Asror	Dekhan member	928407729
9	Shapirova Mukhlisa	Dekhan member (Female)	928147401
10	Nazirov Tolibchon	Dekhan member	987702521
11	Rashidov Shukhrat	Dekhan member	928230689
12	Dekhonov Khvasaboi	Dekhan member	927506049
13	Rashidov Abdunaim	Dekhan member	928939267
14	Akparalieva Myassar	Dekhan member (Female)	918221899
15	Putolov Piruz	Dekhan member	918 51 95 62
16	Vokhidov latif	Dekhan member	918 477 115
17	Kholmatov Sheroz	Dekhan member	
18	Obidov Zokirchon	Dekhan member	918645493
19	Vakhaboev Safo	Dekhan member	929988665

Appendix 9. Project Photos

Appendix 10. Minutes of public hearings (11/03/2015)

Minutes

of public hearings on discussion of the Resettlement Action Plan (RAP) for the
Second Phase of the Central Asia Road Links Program (CARs-2)

Date and venue: March 11, 2015, Administration of Isfara city, Sogdiyskaya oblast Republic of Tajikistan.

Number of participants: 13 people.

Distributing materials: all documents were distributed between Administration of Isfara city, State departments, Jamoats, farms and project affected persons.

Result of discussions: Mr.Mamatov O. - Vice-chairman of Isfara city, Abdullaev M. - leading engineer of SUE Research and Design and Surveying Institute and Mr.Makhsudov S. - chief of the Committee on land management of Isfara city.

Main questions of the meeting:

- Was the local population of Isfara city informed about road construction and how the road will pass?
- Were the project affected persons informed about type of compensation which will be paid?
- Will project affected persons get any assistance from Jamoats and Khukumats?
- Where project affected persons can receive any information about resettlement?

Public hearings on discussion of the Resettlement Action Plan (RAP) for the Second Phase of the Central Asia Road Links Program (CARs-2)	
Questions of the participants	Answer
1. Was the local population of Isfara city informed about road construction and how the road will pass?	All participants who attended the public hearings unanimously answered YES. However, during visits to individual households where structures will be affected, some project affected households mentioned that they did not receive information

	about when the construction will start, where the replacement lands are located and what will be the resettlement compensation.
2. Were the project affected persons informed about type of compensation which will be paid?	Each person will be considered individually. According to the type of damage caused during the construction assumed the following types of compensation: A - Cash compensation; B -allocation of the land plot; C -construction on a new place the house or shop; D -purchase of tree seedlings;
3. Will project affected persons get any assistance from Jamoats and Khukumats?	Using the Khashar's method (collective work on volunteer basis) each Jamoat will assist in realization of resettlement. But they need to have information when the resettlement will start.
4. Where project affected persons can receive any information about resettlement?	Project affected persons can get any information about resettlement in Jamoats and Khukumats.
5. How will be vulnerable PAPs resettle?	Jamoats have information about all vulnerable PAPs. And all expenses arising to resettlement will be incurred by Jamoats.
6. How the land will be allocated to the shareholders?	The land plots to the shareholders will be allocated in the same Jamoats. The shareholders will get land plots in the size of land taken.
7. Where will be allocated the land plots for the project affected Rural Residential land parcels?	In this cases the householders will get the land plots from Jamoats in the same kishlaks.
8. Will be the project affected persons provided with all necessary infrastructure after resettlement?	The places of resettlement has all necessary infrastructure, such as electricity, water, schools, shops and medical institutions.
9. Will the project affected persons have the same conditions of life after resettlement?	The project affected persons will have the same life conditions as they have before resettlement.
10. When the construction will start? It's a very	The construction will begin in the middle of

important information for the project affected persons, because many of them left places of work in other countries, after hearing that their property will be affected by the project.	summer.
11. How the land will be allocated if two householders are living in one place?	To each householder will be allocated 0.6 ares of land.
12. Will be any compensation paid to the land users for the lost crops?	Yes, crop compensation will be paid after the evaluation of damage.
13. Will be any compensation paid to PAPs for losing houses/buildings/structures?	Yes, after evolution of the damage the compensation will be paid.
14. During the implementation of the project will demolishe fences of a kindergarten and a hospital. On what kind of compensation they can claim?	Khukumat made a decision to allocate them a land plot.
15. How long it will take to resettle all PAPs in Kalachi-Mazor?	Jamoats are responsible for this issue. And after receiving all necessary documents, they will try to resettle all PAPs in a short time.
16. Who will built new houses to project affected person?	This decision the project affected persons will take themselves: if they want the construction of the houses will be made by special company or they can do it by themselves.
17. What kind of compensation will be paid to Dehkan Cooperatives?	According to Hukumat's decision all project affected Dehkan Cooperatives will get land plots in the size of land taken and compensation for lost crops and trees.
Offers:	<ul style="list-style-type: none"> - to submit scheme and list of project affected persons; - to provide construction of subways and irrigation pipes and to hire local staff; - to revise the Resettlement Action Plan;
The made decision:	Submit to Hukumat all schemes after Public examination and the list of project affected persons.

The same meetings were held in kishlak Shurtang and kishlak Motpari. The project affected persons of these two kishlaks also were informed about principles of resettlement and types of compensation. They agreed with the resettlement in case if they will allocate an equivalent land plots. However, the visit revealed that the project affected people do not have enough information on finalized road designs, timing of the land acquisition and resettlement, compensation amounts, and other aspects of the Resettlement Action Plan. It was agreed that Ministry of Transport and local authorities need to intensify its community outreach efforts. It was agreed that a safeguards and community outreach consultant will be hired in Khujand, as part of the first batch of project recruitment. This consultant will be responsible for maintaining systematic communication with the project stakeholders about project timelines and planned activities, as well as the social and environmental impacts of the project. This person will also function as the focal point for any requests, questions, and complaints from project stakeholders, including documenting how potential issues are resolved throughout project implementation.

- КН «Калиновка» 0,40га аз он 2,4га заминти қорам;
- КН «Калиновка Гумбази» 1,42га аз он 1,8га заминти қорам, 0,24га дарахтони бисёррости ва 0,20га зери соялмон;
- аз қиммати дарахти Шаҳрияш 3,18-га аз он аз ҳаёбати заминдон
КН «Ауари Дивон» 0,57га аз он 0,7га заминти қорам;
- КН «Қалъи Қурх» 1,04га аз он 1,00га заминти қорам, 0,04га дарахтони бисёррости;
- КН «Нетоғирах» 0,73га аз он 0,32га заминти қорам, 0,41га дарахтони бисёррости;
- КН «Дилорба дивон» 0,53га аз он 0,53га заминти қорам; ғудо қарди, 0,01га заминти

3. Аз маълумоти иттифоқи ҳокимияти давлатии вилояти Суғд дар ҳақиқи ҳолати ҳаёти ва ҳаҷми мазкурро тафтиҳ намудан.

4. Шаҳриро яндро қаблти мақур ба заминни мувофиқи ҳуқуқи раван шаҳр Қашғари Суғдони таъин.

Раиси шаҳр



Д. Зоҳидода



Appendix 11. Information about project affected structures

Information about project affected structures										
No	Name	Act	No of the legal documents	Jamoats	Kishloks	Under demolish	Quantity (pieces)	area, length	Compensation for the demolish A-cash compensation B-land C-reconstruction	Tel.
1	2	3	4	5	6	7	8	9	10	11
1	Usmonkhodjaev K.	1	37	Kulkant	Guliston	Concrete racks	10	15m ²	A	918395913
						White silver	14		A,B	
2	Horticultural Institute	2	Б-000572	Kulkant	Guliston	Trees				919102840
						Apricot - 45 years	42		A,B	
						Apricot - 4 years	51		A,B	
						Almonds- 45 years	5		A,B	
						Almonds - 20 years	4		A,B	
						Oleaster-25 years	3		A,B	
						Willow- 30 years	1		A,B	
						White silver	4		A,B	
3	Cooperative "Kishovarzoni Nav-Gilem"	3	841	Navgilem	Navgilem	Apricot - 5-60 years	318		A,B	927039944
						Peaches - 15 years	4		A,B	
						Quince - 8 years	4		A,B	
						Cherry - 8 years	3		A,B	
						Oleaster-5 years	7		A,B	
						Mulberry - 5-40 years	185		A,B	
						White silver	74		A,B	

					Willow	5		A,B		
4	Cooperative "Kishovarzoni Oftobru"	4		Navgilem	Oftobru	Apricot - 15-40 years	17		A,B	927241955
						Cherry - 10 years	27		A,B	
						Pear - 8 years	2		A,B	
						Apple - 8 years	4		A,B	
						Quince - 7 years	34		A,B	
						Peaches - 5 years	1		A,B	
						Mulberry - 8-40 years	588		A,B	
						Oleaster-5-25 years	51		A,B	
						White silver	213		A,B	
						Willow- 5-20 years	29		A,B	
						Pomegranate-7years	11		A,B	
					Plum-13years	11		A,B		
5	Mukhidinov Nodirjon	5	4768	Navgilem	Oftobru	Apricot - 5 years	11		A,B	
						Quince - 5 years	1		A,B	
						White silver	12		A,B	
6	Marafiev Shavkat	51	3172	Navgilem	Shertang	Fence from clay bricks, metal gates	1	36m ² _{5m2}	B,C	918874478
						Trees				
						Apricot	2		A,B	
						Peaches	1		A,B	
						Almonds	1		A,B	
						Pomegranate-7years	4		A,B	
Mulberry	1		A,B							
7	Mahmadjonova Lutfinisso	58	35a	Navgilem	Shertang	Metal canopy, oven (dining room)		10m ²	B,C	
						Fir-tree	3		A,B	
						Cherry - 10 years	2		A,B	
						Pomegranate-7years	3		A,B	
						Quince	1		A,B	
8	Mahmadjonova Lutfinisso	11	Technical certificate	Navgilem	Shertang	Brick house	1	24m ²	B,C	
						Brick house	1	42m ²	B,C	
						Terrace	1	33m ²	B,C	
						Fence from clay bricks		44m	B,C	

						Barn from clay bricks		15m ²	B,C	
						Barn from clay bricks		10m ²	B,C	
						Trees				
						Nut-tree	1		A,B	
						Cherry - 10 years	3		A,B	
						Aprocot	5		A,B	
						Quince - 7 years	8		A,B	
						Oleaster-5 years	1		A,B	
						Pomegranate-7years	1		A,B	
9	Road agency of Isfara city	57		Navgilem	Shertang	Pump	1		B,C	
10	Kaumov Abdulahad			Navgilem	Shertang	Fence from clay bricks		27m ²	B,C	
11	Cooperative "Gumbazi"	13	193261	Navgilem	Gumbai	Aprocot -3 - 50 years	21		A,B	927809095
						Mulberry	3		A,B	
						White silver	61		A,B	
						Willow	35		A,B	
12	Noshmatov Rafikjon	14	349913	Navgilem	Gumbazi	Mulberry	7		A,B	927912220
						White silver	9		A,B	
						Willow	9		A,B	
13	Ashurov Abdurashid	15	989	Navgilem	Gumbazi	Water pump	1		B,C	919222222
						Trees				
						Aprocot -5 - 12 years	53		A,B	
						Peaches	6		A,B	
						Cherry	12		A,B	
						Willow	10		A,B	
						White silver	50		A,B	
						Fir-tree	2		A,B	
14	Cooperative "Guzari Ishon"	16	171	Shahrak	Gumbazi	Apricots 2 -10 years	39		A,B	929500633
						Mulberry	54		A,B	
						White silver	67		A,B	
15	LLC"Maskan" Director Ikromov Karimhuja	17	464	Shahrak	Kalachi Mazor	Quarry				
						Apricot	7		A,B	927667985
						White silver	24		A,B	
16	Zievadinov Asror	18	№50234933	Shahrak	Kalachi Mazor	Arable		200m ²	A,B	

17	Rashidov Naim	19	№320	Shahrak	Kalachi Mazor	Arable		300m ²	A,B	
18	Vokhodov Naim	20	60234919	Shahrak	Kalachi Mazor	Arable		300m ²	A,B	918477115
						Trees				
19	Cooperative "Kalai Surh"	21	№35	Shahrak	Kalachi Mazor	Apricot	1		A,B	928193583
						Mulberry-15 - 50 years	477		A,B	
						White silver	70		A,B	
						Apple	1		A,B	
						Oleaster	7		A,B	
						Quince	2		A,B	
20	Alberdiev Husen	22	ANe0426689	Shahrak	Kalachi Mazor	Willow	18		A,B	
						Apricot	7		A,B	929601531
						Cherry	12		A,B	
						Quince	4		A,B	
						Poplar	9		A,B	
21	Holikova Hadisa	23	ANe0426867	Shahrak	Kalachi Mazor	Willow	9		A,B	
						Apricot	1		A,B	918866553
						White silver	78		A,B	
22	Aliev Khurshedjon	24	ANe0426865	Shahrak	Kalachi Mazor	Arable		880m ²	A,B	918424139
23	Soliboev Ozodjon	25	ANe0426864	Shahrak	Kalachi Mazor	Arable		680m ²	A,B	929709878
24	Vohidova Munochothon	26	ANe0426862	Shahrak	Kalachi Mazor	Arable		760m ²	A,B	929505121
25	Dekhonov Khavasboi	27	ANe0426838	Shahrak	Kalachi Mazor	Arable		240m ²	A,B	927506049
						Mulberry	10		A,B	
26	Razokov Abdujabor	28	ANe0239778	Shahrak	Kalachi Mazor	Arable		560m ²	A,B	
						Mulberry	90		A,B	927733014
27	Umarov Akmalhon	29	ANe0426876	Shahrak	Kalachi Mazor	Arable		200m ²	A,B	929485144
28	Savridova Holosahon	30	ANe0426878	Shahrak	Kalachi Mazor	Arable		1000m ²	A,B	917768663

29	Pulotov Firuz	31	ANo0426880	Shahrak	Kalachi Mazor	Arable		800m ²	A,B	918519562
30	Vahobov Safo	32	ANo0426881	Shahrak	Kalachi Mazor	Arable		800m ²	A,B	926093757
31	Zievaddinov Asror	33	ANo0426883	Shahrak	Kalachi Mazor	Arable		300m ²	A,B	
32	Sharipova Muhlisa	34	ANo0426882	Shahrak	Kalachi Mazor	Arable		400m ²	A,B	928147401
						Willow	10		A,B	
						Oleaster	2		A,B	
33	Nozirov Tolibjon	35	ANo0426884	Shahrak	Kalachi Mazor	Arable		150m ²	A,B	987702521
34	Goibov Hakim	36	ANo0426886	Shahrak	Kalachi Mazor	Arable		200m ²	A,B	
35	Akbaralievva Muyasar	37	ANo0426887	Shahrak	Kalachi Mazor	Arable		200m ²	A,B	
36	Rashidova Khamroh	52	BNo0234939	Shahrak	Kalachi Mazor	Arable		400m ²	A,B	928230689
37	Cooperative "Istophorakh"	38	ANo0239772	Shahrak	Matperi	Mulberry-3- 50 years	683		A,B	927102400
						Apricot -50 - 100 years	35		A,B	
						White silver	3		A,B	
						Willow	4		A,B	
38	Cooperative "Illhomiddin Shahobiddinov"	39	ANo0336289	Shahrak	Matpari	Mulberry	110		A,B	927503600
39	Kindergarden №16	42	3698a	Shahrak	Matpari	Concrete fence		120m ²	A,B	927089069
40	Chilov Rakhim	45	BNo0500105	Shahrak	Matpari	Fence from clay bricks		35m ²	B,C	915005888
						Barn from clay bricks	1	44m ²	B,C	
						Toilet	1	4m ²	B,C	
						Shed	1	36m ²	B,C	
						Trees				
						Apricot	4		A,B	
						White silver	36		A,B	
Mulberry	9		A,B							

						Nut-tree	6		A,B	
41	Masoilov Adbusidik	46	Dicision of administration in 1963	Shahrak	Matpari	Fence from clay bricks		32m ²	B,C	928914462
						Brick house	1	25m ²	B,C	
						Barn from cklay bricks	1	20m ²	B,C	
						Bathhouse	1	6m ²	B,C	
						Toilet	1	6m ²	B,C	
						Apricot	4		A,B	
42	Dadaboev Khikmat	47	№43	Shahrak	Matpari	Garage	1	27m ²	B,C	918712332
						Unfinished house	1	15m ²	B,C	
						Shed	1	27m ²	B,C	
						Kitchen with basement	1	12m ²	B,C	
						Brick house	1	15m ²	B,C	
						Brick house	1	9m ²	B,C	
						Shop	1	12m ²	B,C	
						Trees				
						Apricot	1		A,B	
						Apple tree	1		A,B	
Pistachios	1		A,B							
43	Makhmajonova Mukaram	48	433	Shahrak	Matpari	Shop with warehouse	1	144m ²	B,C	987701337
44	Mukhtorov Atakhon	53		Shahrak	Matpari	Водозабор	1	8m ²	B,C	927564437
45	Vodokanal of Isfara city Shomirsaidov R.	56		Shahrak	Matpari	Water pump	1	30kw	B,C	928265544
46	Meat processing plant	59		Shahrak	Matpari	Metal and concrete fence		130m ²	B,C	
47	Hospital	60		Shahrak	Matpari	Metal fence		20m ²	B,C	
48	Former building of DFD	61		Shahrak	Matpari	Structures				

Made by: Abdullaeva M.

Agreed with: S.T. Nazrishoev

F. Gurezov

