

Social Safeguard Monitoring Report

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Republic of Tajikistan:

CENTRAL ASIA REGIONAL ECONOMIC COOPERATION (CAREC) CORRIDORS 2, 5, and 6 - (DUSHANBE -KURGONTEPPA) ROAD PROJECT (PHASE 1)

SEMI-ANNUAL SOCIAL SAFEGUARD MONITORING REPORT (July -December 2022)

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Table of Contents

GLOSSARY	4
I. EXECUTIVE SUMMARY	6
1.1 Introduction	6
1.2 Project Background	6
1.3 Scope of Project Impact and LARPs preparation	6
1.4. New design changes	8
1.5 Public Consultations	9
1.6 Institutional Arrangements	9
1.7 Project Location Map	10
1.8 Clearance of Road Corridor	11
1.9 CAP Implementation in Complainants' Satisfaction	11
II. OBJECTIVES OF SOCIAL SAFEGUARDS MONITORING	12
2.1 General Aspects	12
2.2 Methodology for Internal Monitoring	13
2.3 Capacity for Social Monitoring	14
III. SOCIAL DUE DILIGENCE	15
IV. FINDINGS OF SOCIAL DUE DILIGENCE	16
4.1 General	16
4.2 Awareness of population within the project influence area	16
4.3 Grievance Redress Practice	17
4.4 Construction activities	18
4.5 Clearance and suspension of road works	18
4.6 G0510-TAJ Clean Energy Fund (CEF) Component	18
4.7 Korvon Market Road Upgrade	19
4.8 Status of CAP Implementation	19
4.9 Training and Capacity Building	20
V. FINAL CONCLUSIONS AND RECOMMENDATION	21
5.1 Monitoring Findings	21
5.2 Recommendation	21
5.3 Plans for the Next Reporting Period	21
VI. ANNEXES	22
Annex 1. Summary table for current status of grievance redress procedures carried out during the reporting period	22
Annex 2. Template on Safeguard performance for Monthly Progress Report prepared by PMSC	23
Annex 3. Photo Gallery	24

ABBREVIATIONS AND ACRONYMS

ADB	Asian Development Bank
AE	Affected Entity
AH	Affected Household
APs	Affected Persons
CAP	Corrective Action Plan
COI	Corridor of Impact
DMS	Detailed Measurement Survey
DPs	Displaced Persons
SSC	Social Supervision Consultant
EA	Executing Agency
GRC	Grievance Redress Commission
GRM	Grievance Redress Mechanism
GOT	Government of Tajikistan
IA	Implementing Agency
IPC	Interim Payment Certificate
LARDD	Land Acquisition and Resettlement Due Diligence (report)
LARF	Land Acquisition and Resettlement Framework
LARP	Land Acquisition and Resettlement Plan
MOT	Ministry of Transport
NSS	National Safeguards Specialist
PIU	Project Implementing Unit
PIURR	Project Implementation Unit for Road Rehabilitation
PMSCS	Project Management and Contract Supervision Consultant (also 'the Engineer' under FIDIC Construction Contracts for this Project)
SPS	Safeguards Policy Statement (ADB 2009)
SSS	Social Safeguards Specialists
TJS	Tajik Somoni

GLOSSARY

Displaced Persons (DP)	In the context of Involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residence, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihood) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or access to legally designated parks and protected areas (ADB SPS 2009).
Detailed Measurement Survey (DMS)	With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts and list of DPs. The final cost of resettlement can be determined following completion of the DMS.
Compensation	Payment in cash or in-kind to replace losses of lands, housing, income and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is a method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
Cut-off Date	The date after which people will not be considered eligible for compensation.
Dehkan Farm	Mid-size land, which is legally and physically distinct from the household plot for which full land use right, but not ownership is allocated either to individual, group of individuals, or legal entity. The Law No 48 of Dehkan Farms (dated 2002) regulate Dekhan Farms in Tajikistan.
Entitlements	The range of measures comprising cash or in-kind compensation, relocation cost, rehabilitation and transfer assistance, income substitution /business restoration, which are due to DPs, depending on type, extent and nature of their losses, and which suffice to restore their social and economic base.
Eligibility	Any person who resided in the Project area before the cut-off date that suffers from <ul style="list-style-type: none"> (i) Loss of house, (ii) Loss of assets or ability to access such assets, permanently or temporarily, or (iii) loss of income sources or livelihood, will be entitled to compensation and/or assistance.
Hukumat	District administration in Tajikistan.
Income Restoration	This is the reestablishment of sources of income and livelihood of the affected households.
Inventory of Losses (IOL)	This is a process in which all fixed assets (i.e. lands used for residence, commerce, agriculture; houses; kiosks, stalls and shops; ancillary structures, such as fence, gates, paved areas and wells, affected trees and crops etc.) with commercial value and sources of income and livelihood inside the Project right-of-way (Project area) are identified, measured, their owners identified, their exact location determined, and their replacement costs calculated.
Jamoat	A sub-district level administration
Land Acquisition	Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land/assets for public purposes in return for in-kind replacement or compensation at replacement costs.

Land Acquisition and Resettlement Plan (LARP)	A time-bound action plan with budget setting out compensation for affected land/assets and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation.
Non-titled	Means those who have no recognizable rights or claims to the land that they are occupying.
Poor	Means households whose combined monthly income falls below TJS 1020/-1. WB poverty line (standard) is used by different government and non -government institutions. On a regular basis, WB conducts monitoring (assessment) by interviewing HHs. The data is reflected in WB reports, which is presented to relevant government institutions. Also, this data is used to identify the poverty for the given period.
Rehabilitation	This refers to additional support provided to DPs losing productive assets, income, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
Replacement cost	The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued; (iv) transitional and restoration costs; and (v) other applicable payments, if any.
Resettlement	This includes all measures taken to mitigate all adverse impacts of the Project on DP's property and/or livelihood. It includes compensation, relocation (where relevant), and rehabilitation as needed.
Severely Affected	This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.
Significant impact	Means 200 or more people will experience major impacts, which are defined as; (i) being physically relocated from a house, or (ii) losing 10% or more of their income generating assets.
Vulnerable	Anyone 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 heads of household; (iii) poor households; (iv) landless; people (v) elderly households with no means of support; (vi) households without security of tenure; (vii) ethnic minorities; and (viii) small farmers (with landholdings of two hectares or less).

I. EXECUTIVE SUMMARY

1.1 Introduction

1. This is the tenth¹ Semi-annual Social Monitoring Report prepared for the Dushanbe-Kurgonteppa Road Rehabilitation Project – Phase 1 and covers the reporting period from July 1 to December 31, 2022. The report describes the status of project implementation, activities carried out by the contractor with regard to social safeguard issues, including grievances raised, resolved and/or rejected, mitigation measures provided during the monitoring period, and the actions planned to accomplish resolution of the outstanding issues.
2. In addition, the report provides suggestions for social impact management, a check-list for monthly reporting, and actions planned for the next reporting period covering January 1 to June 30, 2023 to be reflected in the 11th Semi-annual Social Monitoring Report, or the Final Completion Report.

1.2 Project Background

3. The Government of the Republic of Tajikistan (GoT), Asian Development Bank (ADB), and OPEC Fund for International Development (OFID) are financing the CAREC Corridors 2, 5, and 6 (Dushanbe-Kurgonteppa) Road Project. Phase 1 of the project covers a 33.200 Km road section which stretches from Dushanbe at Km 0+275 and ends at Km 33+475 at Chashmassor village (Galaobod Jamoat).
4. The project is supervised by Kocks Consult GmbH (Project Management and Contract Supervision Consultant (PMSCS), also ‘the Engineer’ under FIDIC Construction Contracts for this Project) and the Construction Contractor is Xinjiang Beijing Ltd.
5. The Ministry of Transport (MoT) is the Executing Agency. The Project Implementation Unit for Road Rehabilitation (PIURR) under the MoT is the project Implementing Agency.

1.3 Scope of Project Impact and LARPs preparation

6. The original road passes through the suburbs of Dushanbe to "Dushanbe Gate" as a dual two-lane highway, a built-up retail/industrial area where vehicles park on both sides of the road most of the day. At Dushanbe Gate, the original road narrowed to a single two-lane road that ran through the Jamoats of Chimteppa, Chorgulteppa, Lokhur, Fakhrobod, and Galaobod.
7. The Project required land and assets acquisition due to the enlargement of the road. Consequently, Land Acquisition and Resettlement Plan (LARP²) was prepared in compliance with country legislation, ADB SPS 2009 and the best international practice.

¹ The first Social Monitoring report is dated April 2018. The second Social Monitoring report is dated January 2019. The third Semi-annual Social Monitoring Report is dated July 2019. The fourth SSMR is dated March 2020, the fifth SSMR is dated July 2020 and the sixth SSMR was approved in January 2021. The seventh SSMR is dated July 2021.

² LARP was approved and disclosed in December 2016. The LARP Addendum disclosure took place in July 2017. The main objective of the LARP was to identify persons economically and/or physically displaced (DPs) due to the Project and to assist them to restore their livelihoods. The LARP compiled the relevant laws of the Republic of Tajikistan and the requirements of ADB’s Safeguard Policy Statement (SPS) 2009. The LARP was prepared to: (i) address and mitigate impacts caused by the project; (ii) ensure compliance with ADB’s SPS (2009) requirements and (iii) determine compensation, resettlement and rehabilitation assistance for the affected households.

8. The Census conducted in November 2016, identified 76 Project-affected households, Dehkan farms, including owners and users of land/buildings, business owners, and renters with a total of 624 persons.
9. Later based on the revised design and some changes in the ROW alignment, the additional DMS was conducted and relevant LARP Addendum No 1 prepared, approved, and implemented.
10. As a result, under LARP and LARP Addendum No 1 in total, 72 affected households (595 APs) received cash compensation in compliance with ADB SPS 2009, country legislation and approved LAR documents³.
11. The design changes that caused additional LAR impacts were addressed in LARP Addendum No 2 approved by the MOT and ADB on February 12, 2020.
12. Under LARP Addendum No 2, in total, ten (10) land parcels were affected. Among these, three (3) parcels belonged to Dehkan Farm and seven (7) land parcels were under legitimate possession of six (6) AHs comprising 43 APs⁴.
13. In the follow up, the PIU successfully implemented LARP Addendum No 2. By March 17, 2020 all eligible APs received full compensation in accordance with the approved LARP Addendum No 2. Internal Monitoring Report, i.e., Compliance Report, was prepared and submitted to PIU on March 24, 2020. The report details the activities carried out by the PIURR and includes the results of LARP Addendum No 2 implementation quality and APs satisfactory assessment.
14. Later on, more design changes with confirmed LAR impacts defined as a result of social due diligence were approved. These design changes caused slight realignment of the ROW and triggered LAR impacts over sixteen (16) land parcels attached with assets used by two AEs and twenty private persons were covered under the LARP Addendum No 3 approved by MOT/PIU and ADB in early December of 2020.
15. The project is being implemented under FIDIC Red Book Employer's (preliminary tender) Design Contract (with the Contractor responsible for final detailed design and working drawings). After the start of the Contract, the Employer instructed some realignments to reduce impacts, while in some other cases Traffic Police requested changes of U-turn locations, and the Employer instructed cut slope angle changes and other changes, which resulted in some additional small LAR impacts covered under separately prepared LARP Addendums No 1, No 2 and No 3.
16. Relevant analytical assessment of the alignment changes have been carried out to ensure minimize LAR impacts. In each and every case of realignment the most optimal alternative was selected and approved prior to commencement of field works and preparation of relevant LARP addendums.
17. The implementation of LARP Addendum No 3 was carried out by the PIURR during March 2021. The issuance of cash compensation for affected land and assets started on March 5, 2021 and by March 12, 2021 was fully implemented. All eligible APs received full compensation in accordance with the approved LARP Addendum No 3.

³ Original LARP dated December 2016 and LARP Addendum No 1 date July 2017.

⁴ Under LARP addendum No 2, only 3 AHs (18 APs) were new APs, while Dehkan Farm and 3 AH (27 APs) cash compensated for impact defined under LARP Addendum No 2 were already included in the original LARP and Addendum No 1 and issued cash compensated for impact covered under the original LARP and/or LARP Addendum No 1.

18. The Internal Monitoring Report, i.e. Compliance report was prepared and submitted to PIU on March 31, 2021. The report detailed the activities carried by the PIURR and included the results of LARP Addendum No 3 implementation quality and APs satisfactory assessment. Internal monitoring was completed on April 16th 2021 by the ADB approval to LARP Addendum No 3 Compliance Report.
19. In April 2022 the CAP was prepared and approved by ADB for associated facilities located in vicinity to km 19+500 km 19+600 RHS (new ceremonial area, i.e. welcoming spot for Khuroson District). In May 2022 the CAP was fully implemented and relevant Compliance Report prepared and cleared by ADB.
20. Later, the CAP for two adjacent land parcels located at km 7+350 - km 7+645 and attached with unfinished structures of non residential designation owned by two complainants prepared to address the complaints based on the updated SUE Valuation Report was approved by ADB in October 2022 and fully implemented by PIURR in December 2022.
21. In total 98 AHs (724 APs) and 2 AEs covered under the approved original LARP, LARP Addendums No 1, No 2, No 3, and two CAPs have been fully cash compensated during the entire project cycle as shown in table 1 below.

Table 1. Summary data on APs/AEs eligible to compensation during the entire project cycle from the beginning of project till the end of December 2022

Description	Approval date	No of parcels	No of AHs	No of APs	No of AEs	Status of Compensation Issuance
Original LARP+ Addendum No 1	July 2017	72	72	595	1	Compensated
LARP Addendum No 2	Feb, 2020	10	6 (only new 3 AHs)	43 (27 new APs)	1 (new impact to the same Dehkan)	Compensated
LARP Addendum No 3	Dec 2020	16	20	73	2 (1 same dehkan and 1 newly affected)	Compensated
CAP	May 2022	1	1	16	0	Compensated
CAP	Oct 2022	2	2	13	0	Compensated
Total numbers without double counting		101	98	724	2	Compensated

1.4. New design changes

22. During this reporting period no design changes have been required. No cases of any temporary impact have occurred during this reporting period.

1.5 Public Consultations

23. During the entire project implementation process, public consultations had become an integral component of the project implementation process. As per established practice, and in compliance with ADB SPS 2009, ad-hoc meetings were conducted to consult the public regarding project related matters and temporary impacts incurred during civil works as needed.
24. Public consultations were conducted during preparation and implementation of the original LARP, all LARP addendums and CAPs through the entire project period.
25. In addition, numerous informal public consultations were conducted together with PIURR, representatives of Jamoats, Raisi Mahalla, Construction Contractor, and local residents to effectively and quickly address issues raised by the local population, or individual APs, or any interested party.
26. These included completing relevant safeguards documents, and the disclosure of LARPs following issuance of cash compensation for AHs, and covering the project affected Dehkan Farms and businesses.
27. The activities carried out since commencement of the road construction project till the end of this reporting period:
 - a) Original LARP and LARP Addendums No 1, No 2 and No 3 in English were uploaded on the ADB website⁵.
 - b) Copies of the LARP in the Russian language were distributed through the offices of local authorities.
 - c) Approved LARP and LARP Addendum No 1, No 2 and No 3 in the Russian language were posted on the MOT⁶ website.
 - d) Internal Monitoring Report on LARP Addendum No 3 compliance was approved in April 2021.
 - e) In April 2022 the CAP was prepared and approved by ADB for associated facilities located in vicinity to km 19+500 km 19+600 RHS (new ceremonial area, i.e. welcoming spot for Khuroson District).
 - f) In May 2022 the CAP was fully implemented and relevant Compliance Report prepared and cleared by ADB.
 - g) The CAP for two adjacent land parcels located at km 7+350 - km 7+645 and attached with unfinished structures of non residential designation owned by two complainants prepared to address the complaints based on the updated SUE Valuation Report was approved by ADB in October 2022 and fully implemented by PIURR in December 2022.
28. Overall, due to the active co-working with local community in the project influence area, public awareness on project objectives, impact, benefits, and GRM availability were significantly prioritized.

1.6 Institutional Arrangements

29. The core agencies and organizations involved in the LAR process are: ADB, Ministry of Transport, Project Implementation Unit for Road Rehabilitation (PIURR), Ministry of Finance, Ministry of Agriculture, State Committee for Land management and Geodesy (SCLMG), State Unitary Enterprise for Valuation (SUE) 'Narkhguzori', District Authorities,

⁵ <https://www.adb.org>

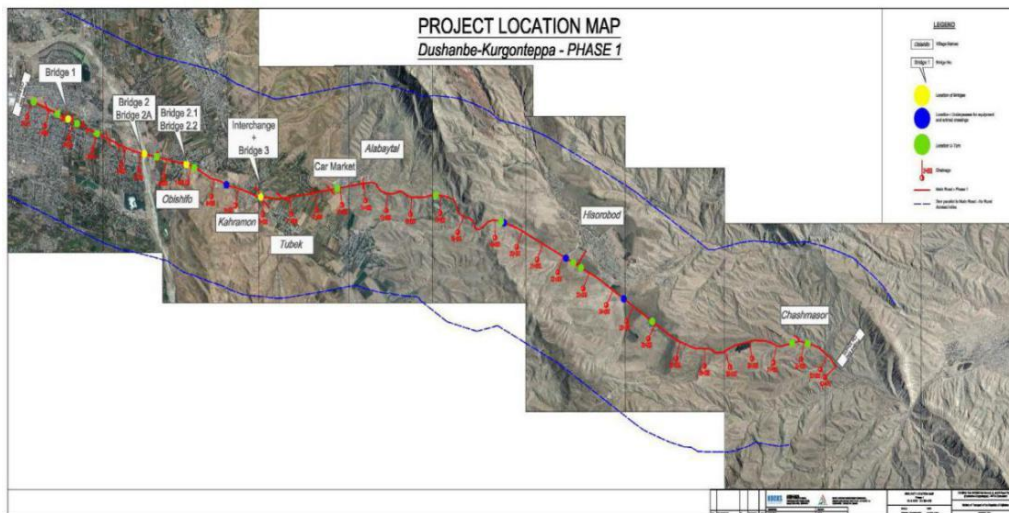
⁶ <http://www.mintrans.tj>

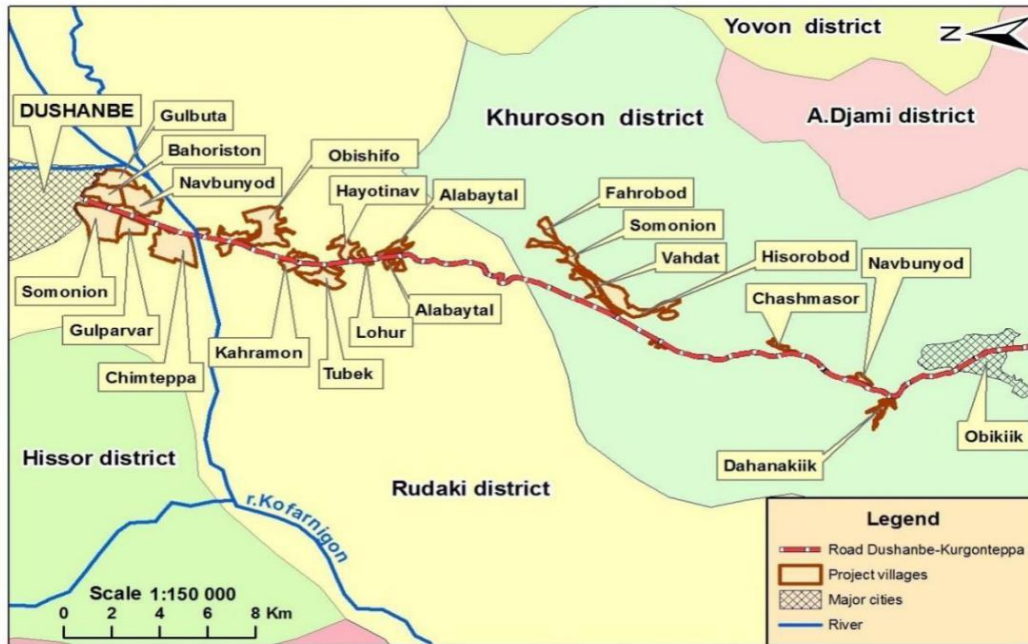
Local Executive Government Districts (Hukumats), Jamoats, City and Town Local State Executive Authorities, LAR Committee, and other state agencies.

30. The Ministry of Transport (MoT) is the Executing Agency. The MoT has the overall responsibility for the Project in areas such as preparation, implementation and financing of all LAR tasks, cross-agency coordination, management, monitoring and evaluation of all project implementation aspects, including procurement of goods, services, and works on the projects.
31. The Project Implementation Unit for Road Rehabilitation (PIURR) of MoT is the Project Implementing Agency. The PIURR is in charge to ensure the operation of the project implementation unit and provision of adequate resources and skilled personnel. The PIURR employs staff with extensive experience in managing ADB Projects including a full-time designated safeguards specialist who, with assistance from other designated officials as necessary, is managing the implementation of the LARP, including co-ordination of project related activities of all involved agencies. The PIURR Social Safeguard Specialist is responsible and directly reports to the PIURR Director.

1.7 Project Location Map

32. These maps show the location of the given road project.





1.8 Clearance of Road Corridor

33. The entire site was handed over to the Construction Contractor after the approval of the 1st Social Monitoring Report, i.e., LARP Implementation Compliance Report. During the reporting period, the specific section covered under LARP Addendum No 3 was acquired and sites cleared for civil works after the approval of relevant Compliance Report in April 2021.
34. No other design changes, temporary disturbance or LAR impacts have occurred during the reporting period.

1.9 CAP Implementation in Complainants' Satisfaction

35. In October 2022 ADB approved the Corrective Action Plan (CAP) prepared for two adjacent land parcels owned by Complainant APs. These land parcels were not included in the original LARP because they were located outside the road project COI and ROW during the DMS conducted in 2016 for preparation of original LARP. The impact to these land parcels was incurred later, during road construction works. The landowners, seeking for compensation for damages, applied to the MOT. The direct impact to land within road project ROW and indirect impact of linear structures located within the COI was assessed. Based on the assessment findings the decision was made to develop the CAP in compliance with the ADB SPS 2009 and country legislation.
36. The CAP was developed based on the updated SUE Valuation Report. The CAP was reviewed and approved by ADB in October 2022. In December 2023 the PIURR completed the implementation of the CAP to satisfy the needs of complainants.
37. The CAP implementation Compliance Report was prepared and submitted to the ADB for review in December 2022.

II. OBJECTIVES OF SOCIAL SAFEGUARDS MONITORING

2.1 General Aspects

38. As per the approved LARP and LARP Addendums, the implementation of the LARP is subject to internal monitoring as the Project encountered an insignificant number of project-affected persons facing involuntary resettlement⁷. Therefore, internal monitoring of social safeguards has been undertaken on a regular basis by the PIURR assisted by the consultant's national and international social safeguards and resettlement specialists.
39. Consultant's national social safeguard specialist is obliged to conduct regular site visits, examine whether road works had incurred any unmitigated impact to local residents, or land users. If any social impact is detected, the National Safeguards Specialist prepares relevant report and submits to the project Team Leader for further follow up, and shared with International Safeguards Consultant to keep updated, informed, and to receive feedback if required. These reports are specific and provide descriptions of the impact, full name and contact details of affected person(s), exact location of the affected area (Km/side of the road), and relevant photos. These reports initiate follow up actions to resolve the case(s) and their current status is reflected in the Monthly Progress Reports.
40. The PMSC is assisting the PIURR with international and national Social Safeguards and Resettlement specialists who are engaged in the process of internal monitoring to effectively detect and address any emerging social safeguards issues during the LARP implementation process and the construction period as well. The key objective of the internal social safeguard monitoring is over-viewing the process of the LARP implementation such as the compensation process and grievance redress procedures during the entire project cycle.
41. At the project implementation phase Social Safeguards monitoring identifies two major aspects:
- a) LARP and Addendums to LARP implementation monitoring, and
 - b) Social safeguards monitoring.
 - c) The key objective of LARP implementation monitoring is to assess whether the actual impacts of the project were addressed correctly and fully compensated as required by LARP stipulations and budget. In addition, due attention should be paid to the application of grievance redress procedures during the entire project cycle:
 - d) Compensation payments disbursed;
 - e) Replacement lots allocated (Not applicable to this Project);
 - f) Housing and infrastructure construction completed;
 - g) Relocation of people completed (Not applicable to this Project);
 - h) Income restoration and development activities initiated (if required);
 - i) Monitoring and evaluation reports submitted.
42. Social Impact monitoring indicators:
- j) Assessment of GRM application and GRC efficiency through monitoring to determine whether:
 - k) All physical inputs committed in the LARP have been delivered and all services provided;

⁷ The ADB SPS 2009 considers involuntary resettlement impact is significant if 200 or more persons are to be physically displaced from their home or lose 10% or more of their productive or income-generating assets.

- l) Mitigation actions prescribed in the LARP have provided the desired effects;
 - m) Socioeconomic status of affected population against the baseline conditions before the displacement has not been deteriorated as a result of the Project impact;
 - n) GRC was effective and efficient, and
 - o) Project affected persons were fully aware of GRC availability⁸.
43. These objectives were satisfied by a methodical review of the compensation records and an exacting verification confirming that the actual amounts paid to the APs corresponded with the amounts indicated in the final LARP and the processed AP contracts.

2.2 Methodology for Internal Monitoring

44. As stated above the major purpose of the internal monitoring is to determine whether the LARP compliance indicate that the compensation program had been carried out in accordance with the provisions of the laws of the Republic of Tajikistan, ADB SPS 2009, and to the satisfaction of the APs. In addition, it is important to assess that social impacts are well mitigated through the instruments stipulated under the approved LARP and LARP Addendums undertaken in compliance within the country legislation, social safeguards guidelines and to the extent possible meet the best international practice.
45. Regular communication through telephone and Skype calls has been maintained with national social safeguards specialist and the lead Resettlement Specialist of PIURR during the entire reporting period.
46. The following areas are routinely addressed during the internal monitoring and evaluation of project performance process:
- a) Grievance Redress Mechanism;
 - b) Unanticipated/temporary impacts or damages;
 - c) Possible needs for realignment of ROW, design changes;
 - d) Possible needs for livelihood restoration, provision of mitigation measures, or need for preparation LARP Addendum.
 - e) Listed below are the Instruments and Indicators for Social Impact and Project Performance monitoring and assessment:
 - f) Assessment of the efficiency of Grievance Redress measures:
 - g) Frequency and contents of lodged grievances
 - h) Practice of Grievance redress, timing of collection, review and response time required by GRC
 - i) Assessment of resolved and rejected grievances.
 - j) Instruments and timing exercised to address any cases of unanticipated impacts
 - k) Assessment of the effectiveness of provided mitigation measures based on the recipients' feedback
 - l) Assessment of income restoration of vulnerable and severely affected AHs, and if required, provision of relevant mitigation measures.

⁸ Except the complainants who verbally claimed during the meeting with the members of ADB Safeguards Review Mission that they could not find the GRC Contact and applied directly to MOT.

2.3 Capacity for Social Monitoring

47. The PMCSC had on board International⁹ and National¹⁰ Social Safeguards Specialists, providing regular assistance to the PIURR in order to accomplish the internal monitoring assignment during the project cycle.
48. The responsible persons for the social safeguards management and monitoring of the project were as follows:
- m) **PIURR Safeguards Unit:**
 - i. Ms. Muhayo Alimshoeva, Chief specialist on Social issues
 - ii. Ms. Shakirova Sharis, Chief specialist on Environmental issues
 - iii. Mr. Nodirkhonov Shodikhon, Chief specialist on Resettlement issues
 - n) PMCSC: International Social Safeguards Specialist Mrs. Lela Shatirishvili and National Social Safeguards Specialist: Mr. Fozil Fozilov.
 - o) **Contractor:** International Social Safeguards Specialist (Liang Haosheng) and National Social Safeguards Specialist (Rustamov Egemberdi).
49. The PIURR Team is responsible for overall monitoring of infrastructure projects including the given road project.
50. The Lead Resettlement Specialist of the PIU is responsible for day-to-day activities required for planning, implementing and monitoring LAR plans, grievances and social safeguards issues from PIU's side. While Mrs. Lela Shatirishvili is responsible for the preparation of LAR plans, implementing intermittent monitoring, and providing guidance and training to the local counterparts and personnel involved in the day-to-day activities of social monitoring.
51. During this reporting period the International Social Safeguards Specialists of the PMCSC on-distance maintained daily communication with PIURR staff and National Social Safeguards Specialists of the PMCSC.

⁹ Lela Shatirishvili

¹⁰ Fozil Fozilov

III. SOCIAL DUE DILIGENCE

52. During the reporting period (July - December 2022) there were no new design changes
53. The detailed information on operating GRM and current status is provided below in sub-chapter 4.3 Grievance Redress Practice.
54. In the course of the entire project, most project-related social issues and grievances have been addressed within the reasonable time limits¹¹ in coordination with Construction Contractor, PIURR team and representatives of GRC, Hukumat and aggrieved APs, as per GRM requirements set for the project.

¹¹ Except the sole case of complaints related to the land parcels located at km -7+350 - km 7+645 attached with unfinished structures of non-residential designation. The CAP is submitted for MOT/ADB review.

IV. FINDINGS OF SOCIAL DUE DILIGENCE

4.1 General

55. The Consultant was focused specifically on social safeguards monitoring and effectiveness of grievance redress procedures undertaken during given reporting period with regard to the following indicators:
- a) Awareness on project of population with project influence area;
 - b) Public consultations and consultations avenues;
 - c) Grievance redress practice;
 - d) Cases of unanticipated/temporary impacts or damages;
 - e) Realignment of ROW, design changes;
 - f) Potential for project related impacts including unforeseen losses and damages that might occur during construction or operation phases, requiring careful monitoring and remedial steps to be taken, as required.

4.2 Awareness of population within the project influence area

56. In order to deliver relevant project information to project affected people and other stakeholders, the PIURR staff, and the Social Safeguards Specialist of the Consultant, pursue Stakeholder Communication Strategy through regular public consultations in normal life conditions.
57. During the entire project cycle Social Safeguards Specialists of the PMCSC, the Specialists of the PIURR and representatives of local government regularly met with local population and updated them on project activities, implementation schedules, GRM benefits and all other project related issues.
58. During this reporting period no public consultations were conducted, except the individual meetings with the two complainant APs covered under the ADB approved CAPs.
59. During CAP preparation and implementation the PIURR representatives and PMCSC National Safeguards Specialist of PMCSC several times in person met with the both complainant APs. The APs were individually consulted and provided with full information on project details, conditions for eligibility and principles for compensation for impact to given land and assets.
60. From March, 2022 till present the PIURR maintained communication with two complainants covered under the CAP.
61. On August 3 and 17, 2022 the PIURR met with the landowners and discussed the results of project direct and indirect impact and agreed on compensation modalities as described in this CAP.
62. Later on, during the finalization of the CAP several more meetings were organized by the PIURR with active participation of ADB Senior Social Safeguards Specialist from Manila, HQ in Dushanbe and Social Safeguards Team of the PMCSC.
63. The last meeting organized by the PIURR. The PIURR contacted both complainant APs representing two (2) AHs eligible to cash compensation and invited to face-to-face meeting at PIURR office. On December 21, 2022 the meeting was held and final agreement achieved between the PIURR and both complainant APs. The process of land and assets acquisition and issuance of compensation to both eligible complainant APs was carried out within one working day, on December 21, 2022 in PIURR facilities.

4.3 Grievance Redress Practice

64. Grievance redress procedures have been established and exercised in the process of project implementation cycle. The GRM is effectively utilized by the GRC in the process of provision effective and systematic mechanism in responding to queries, grievances and complaints from any aggrieved person and project stakeholders.
65. The special metal boxes are efficiently used for collecting grievances. Preferably selected location of Grievance Boxes allows any interested person to deposit an envelope with a claim, grievance or inquiry to access the grievance redress commission. Project Manager opened the boxes once every two weeks, collected envelopes and delivered to Grievance Redress Committee for further review and processing.
66. The Boxes for Grievances are installed at the following locations:
- Km 2+380 residential settlement on the left side of the project road;
 - Km 9+400 residential settlement on the right side of the project road;
 - Km 19+460 in the vicinity of the construction camp on the right side of the project road, and
 - Km 22+660 residential settlement on the left side of the project road.
67. No complaints have been lodged during this reporting period.
68. During the previous reporting period two complainant APs, owners of commercial land parcels attached with unfinished structures of non-residential designation covered under the ADB approved CAP were fully cash compensated at APs satisfaction and the complaint was closed.
69. The Table 2 below summarizes the status of grievance redress during the current and previous reporting periods. Annex 1 provides detailed information on lodged and processed grievances during this reporting period and also the status update for Grievance redress of previous reporting periods.

Table 2. Status of grievance redress disaggregated according to reporting period and cumulative of previous reporting periods

Description	Total No. of Grievances	No. of satisfied grievances	No. of Rejected grievances	Ongoing
Grievances for the reporting period July - December 2022	0	2 ¹²	0	0
Grievances from the beginning of the project through January-June 2022	39	34	3	0
Total*	39	36	3	0

*Cumulative information collected from all grievance receiving points

70. It is worth noting that the reasons for the GRC's rejection of the claims were well explained and elaborated to the aggrieved persons to assist with full understanding and to enhance satisfaction with the GRC decision.
71. Though in general, the time required for the GRC to review submitted claims or grievances requires a maximum of three (3) weeks. However, during the pandemic, temporary delays could not have been avoided.

¹² Two complainant APs covered under ADB approved CAP and fully cash compensated in December 2022.

4.4 Construction activities

72. During the reporting period, the following roadworks were undertaken¹³ along the road section from Km 0+275 to 33+475 (Proposed New Road), including the following minor outstanding works and defects corrections:
- a. Bridge and culvert works
 - b. Excavation work and preparation of embankment layers
 - c. Applying capping layer, granular sub-base, base course, binder course asphalt, curb stone.

4.5 Clearance and suspension of road works

73. Based on the April 2018 Compliance Report the entire road COI (Km 0+275 to Km 33+475) was handed over to the Construction Company under the official letter of the MoT. During the reporting period, road works along the road section from Km 0+275 to Km 33+475 did not require any additional land take. The original road works are currently approximately 99% complete, with a gap at Km4+877RHS (Existing Bridge 2 Kafarnigan River, additional repair works of Pier 6 and spans 6,7) which are in progress within the original COI. Therefore, no impact was caused to any private land, annual crops, perennials, structures or any private improvements.

4.6 G0510-TAJ Clean Energy Fund (CEF) Component

74. Social Safeguards Due Diligence Report¹⁴ covering all CEF components was prepared and submitted to PIU and ADB. Final SDDR was approved and disclosed September 24, 2019.
75. Additional social assessment was carried out based on the approved design. The PIU obtained relevant documents to confirm the land allocation for the selected locations for pumping station and reservoir, as requested under the country legislation and described in the SDDR, which was disclosed in April 2021.
76. The updated CEF Component SDDR was reviewed and approved by MOT/PIU and ADB and uploaded to ADB/MOT websites on May 1, 2021. The Contract was awarded on 31/12/2021, and the work was scheduled for completion by 31/7/2022. However due to poor performance of the Contractor, the Contract was terminated in mid-March 2022, and ADB approved the termination and rebidding, with a new completion date of 31/3/2023.
77. The replacement Contract CP-02 was awarded on 11/10/2022. The contractor has started works and all works are being carried out according to the finalized Corridor of Impact (COI) and final design based on which due social impact assessment had been carried out and findings of the assessment, which confirmed no Involuntary Resettlement (IR) impact were reflected in the SSDDR disclosed in April 2021. Continues social safeguard monitoring confirmed No deviations from the finalized COI and final design and any social impact till present.
78. Further the PMCSC together with PIURR plan to carry out routine social safeguards initiatives in March, 2023. Public consultation will be conducted in village Lolazor to update the local population on project, its benefits, work schedule, HSE measures and opportunity for applying GRM in case if during civil works any social and or environmental concerns or claims are raised by any person.

¹³ These activities are undertaken and all works are carried out within the already acquired COI.

¹⁴ https://www.adb.org/sites/default/files/project-documents/49042/49042-004-sddr-en_0.pdf

79. People will be reminded that regular social safeguards assessment will be carried out during the entire project cycle. The results of social safeguards initiatives will be included in the Jan-June 2023 SASMR. However, PMCSC will ensure immediate reaction and provision of immediate notice to PIURR and ADB if any potential risk for social and/or environmental impacts are detected during the project cycle.

4.7 Korvon Market Road Upgrade

80. GoT/MOT with ADB support is upgrading the 1.85 Km road section, so called Korvon Market road, which is not a part of Dushanbe - Kurgonteppa Main Road Project.
81. Korvon Market road upgrade is being carried out within the boundaries of existing road and does not cause any LAR impacts, as identified during the social due diligence. Social Due Diligence Report was prepared for Korvon Market Road Reconstruction Project and submitted to the MOT/PIU. On October 4, 2019 the revised draft SDDR was submitted to ADB for final review. The Korvon Market Road Reconstruction Project Due Diligence Report was approved by GoT in February 2020 and uploaded to ADB official website¹⁵. As per the observation of National Social Safeguards Specialist of the PMCSC and Lead Resettlement Specialist of PIURR road works have been implemented in accordance with planned civil works and following preventative measures as prescribed in the SDDR. Construction works have been carried out to allow market functionality and uninterrupted access of sellers and buyers to the market. Relevant visual signage has been displayed to allow traffic and pedestrian access following temporary re-routing schedules. The Contractor failed to complete by 17/11/2020 for unforeseeable reasons, Extensions of Time to 17/4/2021 and again to 31/8/2021 (latest) were approved. The Contract is currently approximately 97.5% complete, the Contractor has been unable to complete minor remaining works to date due to adjacent ongoing commercial developments by others, and a decision will be made soon whether to cancel these minor remaining works.

4.8 Status of CAP Implementation

82. In October 2022 ADB approved the Corrective Action Plan (CAP) prepared for two adjacent land parcels owned by Complainant APs. These land parcels were not included in the original LARP because they were located outside the road project COI and ROW during the DMS conducted in 2016 for preparation of original LARP. The impact to these land parcels was incurred later, during road construction works. The landowners, seeking for compensation for damages, applied to the MOT. The direct impact to land within road project ROW and indirect impact of linear structures located within the COI was assessed. Based on the assessment findings¹⁶ the decision was made to develop the CAP in compliance with the ADB SPS 2009 and country legislation.
83. The CAP was developed based on the updated SUE Valuation Report. The CAP was reviewed and approved by ADB in October 2022. On December 21, 2022 the PIURR completed the implementation of the CAP to satisfy the needs of complainants¹⁷.
84. The CAP implementation Compliance Report was prepared and submitted to the ADB for review in December 2022. On January 9, 2023 the CAP Compliance Report revised after ADB comments was submitted to PIURR for ADB final review and approval. On February 7, 2023 the CAP Compliance Report was cleared and disclosed on ADB website.

¹⁵ <https://www.adb.org/sites/default/files/project-documents/49042/49042-004-sddr-en.pdf>

¹⁶ The detailed description of impact assessment surveys carried out during the CAP preparation is provided in Chapter III Social Due Diligence Process of the ADB approved CAP.

¹⁷ Documents verifying the issuance of full cash compensation are available in CAP Compliance Report as Annex 4. Statements of Complainants verifying the receipt of compensation.

4.9 Training and Capacity Building

85. Daily communication has been maintained on distance to provide guidance to the National Social Safeguards Specialist of the PMCSC and ad-hoc consultancy upon request of PIURR safeguards team.
86. Capacity building and more training activities will also be conducted during the remaining period of the project cycle in case any specific need is identified in the course of the project.

V. FINAL CONCLUSIONS AND RECOMMENDATION

5.1 Monitoring Findings

87. GRC is in place, grievances are reviewed and complainants are provided with due feedback on average within a two (2) weeks' time period. However, depending on the specificity of the claim more time has been required in several cases.
88. APs and general population within project affected area are aware of the existence of GRC and on application procedure in case if road works cause impact to their assets or access to assets.
89. Under regular communication and guidance of the International Social Safeguards Consultant, the National Social Specialist as part of professional Team of PMCSC, together with the PIURR, undertakes internal monitoring of grievances bi-weekly; visits specific location and reviews the grievance and all supporting materials required to be available in the course of grievance redress procedures and to assess progress.

5.2 Recommendation

90. Considering the recent complaints, it is highly recommended to ensure all complaints especially if any lodged directly to PIU or MOT to be immediately recorded in the Grievance Log and reported to the Safeguards Team of the PIURR and PMCSC to ensure timely application of GRC services and GRM procedures.

5.3 Plans for the Next Reporting Period

91. Maintaining the regular communication, coordination and guidance on project related challenges and routine safeguards activities.
92. Accomplish implementation of ADB approved CAP and preparation of relevant CAP compliance report.
93. Regular monitoring on social safeguards and any possible LAR impacts along the entire road project. Follow up with GRM procedures, other routine tasks, reporting requirements and additional assignments upon request.

VI. ANNEXES

Annex 1. Summary table for current status of grievance redress procedures carried out during the reporting period

No	Claimant	Address	Contact phone	KM & L/R hand side	Date of grievance	Request	Date of GRC feedback	Final Result / Status / Other Remark
1	Boboev Dilovarsho Kodirov Karim	Region Rudaki Jamoat Chorgulteppa		7+350 7+645L HS	01.09.2018 04.02.2021 03.30.2022 04.02, 2022	Main request to address indirect impact of linear structures by issuance cash compensation to allow reconstruction of existing unfinished non-residential structure into commercial facility of different designation instead of initially planned fuel station	CAP was approved by ADB in October 2022. December 21, 2022 the PIURR completed the implementations of CAP, except for Item 7 Removal/regarding of dumped materials, which is currently in progress, expected to be complete by 31/1/2023.	On December 21, 2022 the PIURR paid full cash compensation to both complainant APs covered under ADB approved CAP. Resolved and closed including Item 7 Removal/levelling the piles of soil dumped on the land parcels. complete by 31/1/2023.

Annex 2. Template on Safeguard performance for Monthly Progress Report prepared by PMCSC

SAFEGUARD PERFORMANCE

A. Land Acquisition and Resettlement Plan Status

(insert narrative consistent with Internal Monitoring Report/External Monitors Report as per the request of LARP/LARF; list Right-of-Way [ROW] handed over to contractors; attach map in Appendix)

B. Environment Management Plan Status

(insert updated status of the EMP; insert status of contractor's health and safety compliance; list any major issues and actions to address them)

C. Gender Action Plan Status

(insert historical submission and status of GAP)

D. Grievance Redress Mechanism Status

(insert updated status as per the project's GRM)

E. Traffic Safety Management Plan

(insert narrative on contractor's performance and compliance)

F. Complaints Management Status

(list complaints with status of resolution)

Annex 3. Photo Gallery



No 1. Photo of adjacent land parcels and unfinished structures located at km 7+350 - km 7+645 LHS of Dushanbe -Kurgonteppa Phase 1 road section and covered under the CAP (original condition).



No 2. Photo of further reinstatement (filling) work conducted on the land parcels located at km 7+350 - km 7+645 LHS of Dushanbe -Kurgonteppa Phase 1. All works being carried as requested by the affected persons and agreed by all parties.



Photo No 3. Contractor levelled the piles of soil as requested by the owners.



Photo No 4. Contractor followed the request to the owner and gathered some soil on one side of the land parcel to alleviate the level of ground surface