

RP1681

Final Report

**Azerbaijan Regional Roads Development Project:  
Resettlement Policy Framework (RPF)**

**Government of Azerbaijan,  
Ministry of Transport,  
Azeryolservis OJSC, PIU  
Baku**

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## Acronyms

AP	Affected Person
aRAPs	Abbreviated Resettlement Action Plans
ARS OJSC	Azer Road Service Open Joint-Stock Company
ARS-LAD	Azer Road Service-Land Acquisition Department
ARS-LAD, SLCC	Azer Road Service-Land Acquisition Department- State Land & Cartography Committee
ARS-PIU	Azer Road Service- Project Implementation Unit
CA	Control Authority
CBOs	Community Based Organizations
EA	Expropriation Authority
GoA	Government of Azerbaijan
GRC	Grievance Redress Committees
GRM	Grievance Redress Mechanism
IBRD	International Bank for Reconstruction and Development
IDPs	Internally Displaced People
LAD	Land Acquisition Division
LALSN	Law on Acquisition of Lands for States Needs
LAR	Land Acquisition and Resettlement
MoF	Ministry of Finance
NGO	Non-Government Organization
OJSC	Open Joint-Stock Company
OP	Operational Policy
PAP	Project Affect People
PIU	Project Implementation Unit
PIU-ARS	Project Implementation Unit-Azer Road Service
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SC	Supervision Consultant
SCPI	State Committee on Property Issues
SIA	Social Impact Assessment
SLCC	State Land & Cartography Committee
WB	World Bank's

## **RESETTLEMENT POLICY FRAMEWORK**

### **1.0 PROJECT DESCRIPTION:**

#### **1.1 Background:**

The Government of Azerbaijan (GoA) intends to receive a loan from the International Bank for Reconstruction and Development (IBRD) in connection with the Azerbaijan Regional Roads Development Project. The Project will be co-financed by the Government of Azerbaijan (GoA). The Project entails the rehabilitation of the below two regional roads and up to 100 km of local roads connected to them:

- 41 km long R45 Shirvan-Noxudlu-Salyan Road;
- 42 km long R46 Salyan-Neftchala Road.

The Project is to be implemented by the Azeryolservis OJSC under the aegis of the Ministry of Transport. The GoA has allocated funding from the Second Highway Project loan/credit towards consulting services within which a Resettlement Policy Framework has been prepared for the rehabilitation of these regional and local roads and implementation of a socio-economic study to support pro-poor project design, including field trips and stakeholders workshops for the regions of Shirvan, Sabirabad, Salyan and Neftchala.

The reconstruction of these roads is expected to follow the existing road alignment, with the possible exception of limited realignments to improve geometric characteristics and eliminate safety hazards. Every effort will be made to avoid or minimize the need for land acquisition and resettlement. However, where it cannot be avoided and adverse social impacts are identified, a Resettlement Action Plan or an abbreviated Resettlement Action Plan will be prepared based on the general guidelines provided in this RPF.

Reconstruction of the Respublica roads will include pavement strengthening, providing a typical carriageway width of 7.5m (2x3.75m lanes) with two 3.75m shoulders of which 0.75m will be paved. Within urban areas a carriageway width of 9.0m with a footpath of 1.0 to 1.5m width each side is to be adopted.

#### **1.2 Rationale for Preparation of the Resettlement Policy Framework (RPF):**

The World Bank policy requires screening of all projects proposed for World Bank financing to ensure that these projects are environmentally and socially sound and sustainable. In the process of project preparation and during conducting of socio-economic study, it was found that implementation of the Project would result in some physical and economic displacement of the Project Affect People (PAP), although very minimally. The PAP comprise those people who are directly affected both socially and economically by the World Bank-assisted investment Project, as a result of involuntarily taking of land and other assets resulting in:

- Relocation or loss of housing.
- Loss of assets or loss of access to assets.
- Loss of income or means of livelihood irrespective of the need for physical relocation.

This RPF has been prepared with the objectives of addressing impacts that may result from the implementation of this particular project; thus by definition does not address other Bank financed projects in the region.

The objectives of the assignment are:

- To prepare a Resettlement Policy Framework (RPF) to outline overall resettlement principles and objectives;
- To analyze and report on the socio-economic situation in the project area, including:
  - To undertake analytical work using existing studies on the socio-economic situation at the Shirvan, Sabirabad, Salyan, and Neftchala rayons (counties);
  - To identify project beneficiaries and explore how the rehabilitation of R45 and R46 and local roads could have a pro-poor, equity-enhancing impact;
  - To provide recommendations on additional baseline studies and propose an impact evaluation design<sup>1</sup>
- To set out the policies and procedures for the delivery of entitlements; implementation process; grievance redress mechanisms and arrangements for independent monitoring for land acquisition and resettlement that may occur as the result of the Project.

### **1.3 Objectives of the Project Resettlement Policy Framework (RPF):**

The operational objective of the framework is to restore the livelihood of PAP at least to the pre-project level. In addition to Azeri legislation, the principles of the World Bank's Operational Policy 4.12 on involuntary resettlement will be respected in preparing this Resettlement Policy Framework. In this regard, the following key principles and objectives should be applied:

- **Minimization of expropriation of land:** The expropriation of private land should be carried out only in cases where there is no alternative;
- **Legal process will be obligatory:** All expropriations must be carried out according to the provisions of Azeri Law and World Bank rules and regulations;
- **Compensation and eligibility principles:** Whenever expropriation of private land is unavoidable, such cases will be handled according to Azerbaijan law and World Bank regulations;
- **Methods and procedures for evaluating assets:** Details of planned expropriation are to be outlined in the Resettlement Action Plans (RAPs) /Abbreviated resettlement Action Plans (aRAPs). The project land acquisition and resettlement impacts will be guided by Abbreviated Resettlement Action Plan (aRAP) if number of people to be displaced with a loss of assets or restriction of access to assets is less than 200 persons. The relevant office for legislation and compensation, in cooperation with PIU will ensure that Resettlement Action Plans conform to the requirements of both Azerbaijan laws and World Bank policies;
- **Entitlements:** Entitlements will vary according to land types, assets and resources and who occupies the land should be specified, including how legislation distinguishes between owners and tenants and Project Affected People (PAPs) with and without occupancy rights; people who use the land for commercial purposes; people who have made improvements of any nature; years of occupancy etc;

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<sup>1</sup> A socio-economic study report has been prepared separately to address these issues.

- **Organizational responsibilities and institutional framework:** Detail on the overall responsibility for implementation and enforcement of the Resettlement Policy Framework and for planning and implementing RAPs. The process of delivery of entitlements shall describe in detail, noting who is involved at each stage;
- **Funding for implementing Resettlement Action Plans:** Will clearly describe responsibility and process for financing (based on the cost estimated and presented in the RAPs);
- **Public participation and consultation:** Ensure that PAPs participate in the project throughout various stages of the planning and implementation of the RAPs. Prior to the preparation of the RAPs, the PAPs will be informed of the provisions of the Resettlement Policy Framework at public meetings and information will be publicly disclosed. Each PAP will be fully informed of their entitlements and rehabilitation choices as outlined in the RPF/RAP;
- **Complaints and grievances:** Based on the legislation of Azerbaijan Republic grievances receive and redress mechanisms will be applied to ensure that all grievances of the PAPs are dealt with fairly. Particular attention shall be given to women and vulnerable groups. During monitoring, all grievances and resolutions made by PAPs are recorded to ensure that these grievances are addressed in a timely manner;
- **Monitoring and supervision:** A monitoring mechanism will be in place to supervise implementation of the RAPs. Whenever considered necessary an independent specialist will be contracted to carry out external monitoring and evaluation of the implementation of RAPs. Besides gathering information on project's socio-economic impact, to measure changes off the baseline data collected, the external monitor will gather information on project's socio-economic impact on the PAPs and suggest modifications, if any, in the implementation procedures of the RAP to achieve the desired objectives of the RPF;
- **Resettlement planning:** Detailed socio-economic surveys of the PAPs will cover their age, sex, ethnicity, education & occupation, estimates of household expenditure patterns, livelihood skills, savings & debts, and record of fixed and moveable assets. As a part of the socio-economic survey, the team is advised to establish measurable indicators on livelihood restoration for PAP monitoring and evaluation purposes.
- **Disclosure:** In addition to the consultation process, and in accordance with the World Bank's Public Consultation and Information Disclosure Policy OP 17.50, each RPF and RAP will be made available locally in Azeri before the start of any expropriation activities.

The RPF applies to all persons affected by the project regardless of the severity of impact and whether or not they have legal title to land or other assets. The site-specific Resettlement Action Plans (RAP) will be prepared and approved by the World Bank, and implemented, prior to the commencement of civil works that provides a package of compensation and rehabilitation measures eligible for PAP, as defined by this RPF and Bank OP 4.12. Land-take and taking of related assets can take place only after all compensation and rehabilitation measures, defined in the relevant RAP, have been provided to eligible PAP. In the event that some PAPs need to be physically relocated, particular attention will

be paid to ensure that their livelihoods are at least restored to the pre-project level. Particular attention will be paid to the needs of vulnerable groups among those displaced, especially those living below the poverty line, the landless, the elderly, women and children.. An outline of RAP is presented in **Appendix I**.

#### **1.4 Involuntary Resettlement Requirements under the World Bank Involuntary Resettlement Policy (OP 4.12):**

The World Bank Policy on Involuntary Resettlement is based on the following principles:

- Involuntary resettlement, including land acquisition and all associated impacts, is to be avoided or at least minimized;
- Compensation and/or other forms of rehabilitation assistance will be provided as necessary to provide those affected with opportunities to improve, or at least restore, their incomes and living standards;
- Compensation for land, structures or other assets will be paid at replacement cost;
- Affected persons should be fully informed and consulted on impacts and planned mitigation measures;
- The socio-cultural institutions of affected should be supported/used as much as possible;
- Compensation will be carried out with equal consideration of women and men;
- Lack of legal title should not be a bar to compensation or alternative forms of assistance in lieu of compensation;
- Particular attention should be paid to households headed by women and other vulnerable groups, and appropriate assistance should be provided to help them adapt to changed circumstances caused by the project;
- Full costs of compensation should be included in project costs;
- Compensation and resettlement subsidies will be paid in full, without deductions for depreciation, titling, taxes, or for any other purpose, to the affected persons prior to clearance of right of way, ground leveling and demolition.

## **2.0 LEGAL FRAMEWORKS:**

### **2.1 National Legal Framework:**

In Azerbaijan several legal codes and Acts regulate issues related to expropriation of private lands for the State needs. Article 29 of the Constitution of Azerbaijan (12 November, 1995) establishes the right of citizens to possess property and protection of their property rights. It also ascertains that no one is dispossessed of land without appropriate Court safeguards, and that alienation of property for State needs shall only be allowed upon fair reimbursement of the market value of the asset in question.

A **Law on Acquisition of Lands for State Needs (LALSN)** was passed on 20 April, 2010 that provides a detailed procedure of acquiring the lands for state needs; calculating the amount of compensation; rules of paying this compensation as well as stipulates other relations between the parties relating to the land acquisition. Prior to the enactment of this Land Acquisition Act, there were no laws or legislation in Azerbaijan that specifically addressed matters of involuntary resettlement. However, besides this new legislation, a few regulatory instruments already exist in the country that provide the basis for regulating and



managing the acquisition of land, properties and productive assets and for compensation for the loss of these assets. They are as follows:

- **The Civil Code (01 December 1998):** This Civil Code states that any rights to immovable properties must be registered with the state, and that land may be recalled from owners for state needs by payment of compensation equal to market cost of the acquired land
- **Land Code (25 June 1999):** According to this Code, when land is required for projects of state needs, compensation is initially offered on the basis of valuations made in accordance with a standard code of 1998. If landowners are unhappy with this valuation, there is scope for agreeing on a revised valuation. In the event that such agreement cannot be reached, the acquiring authority can process its application for acquisition through the courts.
- **Law on Land Reform (1996) & Law on Land Market (1999):** These laws stipulate that ownership, use and renting rights of owners on lands may be sold or bought only upon their personal consent and through land auctions.
- **Presidential Decree (23 October 2003, N972) - On Additional Steps Relating to Implementation of Law “On Land Rent” and approving the Rules about the running of auctions relating to the allocation (ownership or renting) of state or municipality lands:** These normative acts provide that the lands which are in state ownership may be allocated to ownership or rent through auctions by the decision of local executive power.
- **Cabinet of Ministers Resolution N158 (1998) – On Establishment of New Normative Prices for Land in the Republic of Azerbaijan:** Establishes the normative or cadastral rates for lands in each district.
- **Cabinet of Ministers Resolution N110 (1999) – On Approval of Regulations for an Inventory Cost Estimation of Buildings Owned by Natural Persons:** This resolution outlines procedures for acquisition and compensation valuation for affected buildings and immovable properties. It refers to the standard code No. 58 that is to be used for making valuations of land and property to be acquired. These valuations are made on the basis of standard unit rates for different types of construction in different regions of Azerbaijan.
- **Cabinet of Ministers Resolution No. 42 (2000) – On Some Normative and Legal Acts relating to the Land Code of the Republic of Azerbaijan:** This resolution outlines procedures for the compulsory acquisition of land for state needs.
- **Decree on application of the Road Law (2000) & Decree on Additional Activities for Regulating the Use of Road Reserves (2004):** Both the laws are applicable to all roads related activities in Azerbaijan.
- **Decree of the President (26 December 2007):** Ensures execution of the law No. 506-3 QD dated 7 December 2007 on “Amendments and Additions to the Civil Code of the Azerbaijan Republic” requires the provision of 20% additional compensation to the calculated market price of the acquired property to compensate for the damages resulting from the purchase of property,...

## 2.2 Analysis of different provisions and their mutual application

Many provisions of the World Bank's OP 4.12 requirements are covered under national legislation of Azerbaijan but there remain differences, as presented in **Table 2.1**, as below:

**Table No. 2.1: Comparison of Azerbaijan Laws on Land Acquisition & Involuntary Resettlement and WB's OP 4.12\***

SI No	Azerbaijan Laws and Regulations	WB OP 4.12
1.	Compensation to title holders; tenant with legal rights; legal long-term occupants including renters. Resettlement assistance for non-title holders	Lack of title should not be a bar to compensation and/or rehabilitation. Non-titled landowners receive rehabilitation and assistance.
2.	Compensation to be determined based on market value as well as replacement value. In case both principles are applicable, the one that provides larger compensation will be applied. (Article 55.2, 58 & 59 of LALSN, 2010)	Compensation for lost or damaged structures should be based on replacement value.
3.	As per the Decree of the President of Azerbaijan, an additional 20% compensation amount shall be paid to cover additional costs. (LALSN, 2010)	Depreciation is not considered in the valuation of structures.
4.	Under the national legislation (LALSN, 2010), in cases where the number of people to be relocated 100 metres away from their land exceeds 200, a resettlement plan is to be prepared. In other cases, only a resettlement manual will be prepared..	RAPs/aRAPs will be prepared in line with the provisions of the World Bank OP 4.12. In particular, a census, socio-economic survey and consultation with PAP will be conducted while preparing a RAP and its implementation will be monitored and reported, irrespective of numbers of people affected.
5.	Grievance Commission (Article 75 of LALSN, 2010) to be appointed in large scale projects in case of necessity. The Executive Agency, Land Acquisition Group, Control Agency, local Executive Power, municipalities and CSC are able to receive, consider, and solve grievances and complaints.	Complaints & grievances are resolved informally through community participation in the Grievance Redress Committees (GRC), Local governments, and NGO and/or local-level Community Based Organizations (CBOs).
6.	No additional provisions for income rehabilitation, allowances for severely affected or vulnerable Aps considered.,.	WB policy requires rehabilitation for income/livelihood, severe losses, and for expenses incurred by the APs during the relocation process.
7.	Public meetings are to be conducted to discuss land expropriation proposal at the preparatory stage.	Public consultation and participation is the integral part of WB's policy which is a continuous process at conception, preparation, implementation and post implementation period.

***\*Instances where there are discrepancies between the two – gaps as identified, the project will follow the World Bank Resettlement Policies and procedures.***

### **3.0 GUIDING PRINCIPLES FOR RESETTLEMENT:**

The principles of the World Bank's Operational Policy 4.12 on involuntary resettlement and relevant Azeri legislation will be respected in this Resettlement Policy Framework. In this regard, the following key principles of resettlement will be applied:

- Minimization of expropriation of land: The expropriation of private land will be carried out only in cases where there is no alternative;
- Legal process is obligatory: All expropriations must be carried out according to the provisions of Azeri Law and World Bank rules and regulations;
- Compensation and eligibility principles: whenever expropriation of private land is unavoidable, then such cases will be handled according to Azerbaijan law and World Bank regulations.

Apart from these key principles, following steps will be taken to ensure transparency and fairness:

- Compensation for land and other affected assets will be provided at replacement cost to eligible PAPs, without deduction for depreciation, taxes, fees, or any other purposes;
- Clear procedure to determine compensation for temporary loss of land/ assets during construction and permanent acquisition of land and assets;

#### **3.1 Compensation and Eligibility Principles:**

The land acquisition and resettlement tasks in this project will be carried out according to the compensation eligibility and entitlement provisions developed in line with the Azeri laws and the World Bank Policy 4.12.

##### **3.1.1 Eligibility:**

Under this project, following affected persons will be eligible for compensation and rehabilitation assistance.

- Persons losing land and other assets with legal title/traditional land rights
- Persons losing land under valid legal rights, and
- Persons losing land without legal status are eligible to be compensated for loss of structures, perennial crops, etc. sited on the land, but not the land
- Tenants and sharecroppers
- Owners of buildings, crops, plants and any other objects attached to the land
- Persons losing business, income and salaries
- Vulnerable groups losing livelihoods

Compensation eligibility will be limited by a cut-off date to be set for each subproject on the date of the approval of specific resettlement documents by the PIU. Persons who settle in the affected areas after the cut-off date will not be eligible for compensation.

##### **3.1.2 Compensation Entitlements:**

Compensation will include provisions for permanent and temporary land losses; house and buildings losses; crops and trees losses; a relocation subsidy; and a business losses allowance based on tax declarations and/or a lump sum. Details of these entitlements are presented below:

- **Private and agricultural land:** Affected persons with legal title/traditional land rights will be compensated at replacement value in cash at current market rates, or through replacement of land equal in value/productivity to the plot lost. Eventual transaction taxes/fees will be paid by the executing agency or will be waived by local governments. Additional compensation will also be made for the remaining land which is no longer viable to continue current use. In addition, any other compensation will be considered, as agreed between affected people and expropriation authority.

In case residential land (in towns, suburban and rural areas) - In addition to the replacement cost of land of the same size and purpose, the plot should have the same or improved public infrastructure in the adjacent area. Compensation will also include the cost of designing and approval of new real estate and fees/taxes for obtaining property titles.

In case of agricultural land – Will include cost for improving the quality of the land similar to the condition of the adjacent land, as well as fees and taxes for the transfer of land title.

- **Residual agricultural land:** Residual portions of plots affected by the required right-of-way that are reduced or rendered unusable by alterations in access, irrigation, or workability will be included in the affected land and compensated as per provisions made above.
- **Loss of income:** Affected person's (owners, leaseholders, sharecroppers, and squatters) income from agricultural land, if affected, then s/he will get cash compensation equivalent to officially reported wage during the period of disruption up to a maximum of three months.
- **Residential/commercial land:** Legal settlers and title holders will be compensated at replacement value either in the form of land for land or cash at current market rates, free of transaction costs and depreciation.
- **Houses, buildings and structures:** will be compensated in cash at replacement value free of deductions for depreciation, salvaged materials, and transaction costs irrespective of the registration status of the affected item. The cost of lost water and electricity connections will be included in the compensation. Based on the decree of the President of Azerbaijan Republic, an additional 20% of compensation amount will be paid to cover additional costs.
- **Loss of crops:** in case if harvesting of seasonal crops is not possible cash compensation at current market rates for the gross value of 1 year's harvest losses. Crop compensation will be paid both to landowners and tenants based on their specific sharecropping agreements.
- **Trees and standing crops:** The construction schedule is adjusted so farmers will be able to harvest the annual crops. In the event that the schedule cannot be adjusted and some loss of crops becomes inevitable, compensation based on the replacement value will be provided. Annual crops will be valued at full market rate at farm gate prices. Cash compensation for affected trees will be based on the price index provided by the Ministry of Agriculture for replacement cost of trees.
- **Businesses:** If business is lost permanently it will be compensated in cash equal to a 1-year income based on tax declaration or, if unavailable, based on the official

minimum salary; temporary business losses will be compensated in cash for the business interruption period based on tax declaration or, if unavailable, official minimum salary.

- **Business workers and employees:** Indemnity for lost wages for the period of business interruption up to a maximum of 3 months.
- **Agricultural land leaseholders, sharecroppers, and workers:** Affected leaseholders will receive a renewal of the lease in other plots. Leasing costs and lost income will be compensated.
- **House renters:** House renters who have taken a house on lease for residential purposes will be provided with a cash grant of 3 month's rent at the prevailing market rate in the area and will be assisted in finding alternative accommodation.
- **Squatters:** The squatters, whose livelihoods are affected, will be provided with actual crop loss compensation and resettlement assistance.
- **Community structures and public utilities:** in case if needed these assets will be fully relocated or rehabilitated so as to meet their pre-project functions and utilities.
- **Temporary impacts during construction:** The civil works contract will require the contractor to be responsible for the temporary acquisition and reinstatement of all land required outside the road reserve for construction camps, offices, borrow pits, materials storage sites, materials processing sites and haul roads. The contractor will select the land parcels they require and they will be responsible for negotiating agreements with land owners to occupy the land. In the event that a contractor fails to obtain the agreement of any landowner, he would be required to select an alternative site and negotiate a new agreement. No involuntary occupation of land for temporary construction purposes would occur. Provision will be made in the civil works contract for the contractor to be responsible for providing adequate measures to cater for existing traffic while the road/bridge rehabilitation/construction works are in progress. The contractors shall be required to obtain the approval of the executing agency for all proposals for traffic management during the construction of the civil works contracts and they shall also be required to maintain all temporary diversion roads and existing roads used to carry diverted traffic from the main road.
- **Vulnerable groups:** Vulnerable groups affected will be given priority in employment in project-related jobs; will be assisted with their livelihoods restorations.

#### **4.0 METHODS AND PROCEDURE FOR VALUATION OF ASSETS AND ENTITLEMENT MATRIX:**

##### **4.1 The methodology for assessing unit compensation values of different items will be as follows:**

- **Agricultural land** will be valued accordingly to two principals as per provisions of the Law on Acquisition of Lands for State Needs.
  - a) Market cost of the land is calculated based on the active land markets (article 58)
  - b) in case if active land markets do not exist for identification of market value of the land it will be compensated based on the replacement cost. (article 59)in case if both of these principles are applicable, the one that provides higher cost will be applied.

- **Houses/buildings** will be valued at replacement cost or market price based on construction type, cost of materials, type of construction, labor, transport and other construction costs. No deduction for depreciation and transaction costs will be applied. Physical relocation of households is not anticipated under this Project, and buildings and structures used for dwelling would not be impacted. If such impacts prove to be unavoidable under the final designs, these structures will be valued at replacement cost. Loss of or damage to farm outbuildings, fences, walls and other impacted structures will be compensated based on the replacement value. Cash compensation will be available as a preferred option for structures, such as extra buildings lost, that are not the main house or house in which some-one is living.
- **Annual crops.** In case if the construction schedule does not allow harvesting of annual crops and crop loss becomes inevitable, the lost crops will be compensated
- The formula used for calculating compensation for annual crops is as follows:  
**CrC = ((RP x Yd) – CC) x A x T**  
CrC = compensation for loss of income from annual crops; RP = retail price of the produce (Azeri Manat/100 kg); Yd = yield (100 kg/hectare); CC = growing costs including material inputs, agro-technical activities, transportation, taxes and duties (Azeri Manat/hectare); A = area cleared by the project (hectares) and T = number of lost growing seasons.
- **Trees** will be valued according to different methodologies depending whether the tree lost is having only timber value or a fruit-bearing one.
  - a) Trees having timber value will be assessed based on (a) age category (a) seedling; (b) medium growth and (c) full growth (d) timber value and (e) volume.
  - b) Fruit-bearing/productive trees will be valued based on (a) age (b) seedling (c) adult-not fruit bearing and (d) fruit bearing. Stage (b) and (c) trees will be compensated based on the value of the investment made; stage (d) trees will be compensated at net market value of 1 year income multiplied by number of years needed to grow a fully productive tree.

The unit value of compensation will be initially assessed by project consultants and finally evaluated or by the authorized independent evaluator based on clear and transparent methodologies acceptable to the executing agency. The assessed compensation rates will then be verified and certified by the relevant government authority.

- **Temporary impacts:** Compensation for temporary impacts during construction will cover the following components:
  - Loss of annual crop production
  - Loss of any trees or perennial crops
  - Loss of immovable assets and land attachments

Upon completion of construction, the land used for temporary access roads will be reinstated to its pre-project condition and returned to the owner or user.

- **Residential/Commercial Land:** Legal settlers will be compensated at replacement value either (i) in form of land for land, or (ii) cash at current market

rates free of transaction costs and depreciation. Renters/leaseholders will receive a 3 months' rent allowance. Squatter settlers will be rehabilitated through the provision of a free or leased plot in a public resettlement area or through a self-relocation allowance. Besides, the project will also look into the livelihood issues of the squatter settlers.

- **Businesses:** If business is lost permanently it will be compensated in cash equal to a 1-year income based on tax declaration or, if unavailable, based on the official minimum salary; temporary business losses will be compensated in cash for the business interruption period based on tax declaration or, if unavailable, official minimum salary. In case of business workers and employees, an indemnity for lost wages for the period of business interruption up to a maximum of 3 months will be provided.
- **Agricultural land leaseholders, sharecroppers, and workers:** Affected leaseholders will receive a renewal of the lease in other plots. In case if the leaseholders lose their harvest they will receive compensation for the lost income. In addition, the leased land development costs, if any, will be also compensated to the leaseholders
- **Loss of livelihoods:** Financial and other assistance will be provided to the affected persons whose livelihoods will be lost by taking period of transition in to consideration. In addition, training will also be provided to them which will assist in their restoration of living and living standards after resettlement.
- **Community structures and public utilities:** will be fully replaced or rehabilitated so as to satisfy their pre-project functions.
- **Vulnerable people's livelihood:** Vulnerable people (affected persons below the poverty line) will be given priority in employment in project-related activities.

#### 4.2 Entitlement Matrix:

The compensation and rehabilitation entitlements for each affected item are presented in **Table 4.1**.

**Table 4.1: Entitlement Matrix**

SI No	Type of Loss	Application	Entitled Person	Compensation Measures	Policy Basis	Responsible Agency
1.	Permanent loss of private land	Agricultural, residential and commercial land	Land owner	Land/structure with same size, quality and production value for the lost land/residential structure. In case of agricultural land, same size, quality and production value for the lost land, in addition to compensation for standing crops. Cash compensation based on market value free of transaction cost plus 20% additional compensation according to Presidential Decree dated 26, 12, 2007. If preferred, land plots of	Law on Acquisition of Lands for State Needs (LALSN, April 20, 2010);  The President Decree (December 26, 2007) on provision of 20% additional compensati	ARS-LAD, SLCC

SI No	Type of Loss	Application	Entitled Person	Compensation Measures	Policy Basis	Responsible Agency
				the same size and quality. Any other compensation, as agreed between affected people and expropriation authority.	on to the calculated market price of the acquired property to compensate for the damages resulting from the purchase of property	
	Permanent loss of public land	Municipal Land/Other public land	Municipality and rayon	Affected persons who have rights to cultivate on these lands are entitled to compensation for the loss of using and harvesting these lands. Leaseholders will not be reimbursed by the municipality for the period of lease not utilized on the portion retaken as the lease has set limitation in case of recall by the government of the said land for public use. However, leaseholders who intend to lease a new plot will be assisted in obtaining a new lease.	Law on Acquisition of Lands for State Needs (LALSN, April 20, 2010);	ARS-LAD, SLCC and the executive powers of respective areas
2.	Loss of structures	Private, residential, commercial and other types like fences and animal stables  Community Structures and public utilities	Owners (Including those with no registered right on the land where the structure is located).  Rayon administration	Cash compensation based on replacement cost as per market value plus transportation of construction materials and expenses associated with designing and registration costs.  Replacement or restoration of community structures to pre-project status as part of Contractor's	Law on Acquisition of Lands for State Needs (LALSN, April 20, 2010);  The President Decree (December 26, 2007) on provision of 20%	ARS-LAD



SI No	Type of Loss	Application	Entitled Person	Compensation Measures	Policy Basis	Responsible Agency
				responsibility.	additional compensation to the calculated market price of the acquired property to compensate for the damages resulting from the purchase of property	
3.	Loss of trees, crops	Standing crops and trees	Owners/ cultivators, tenants, lease holders	60 days' advance notice to harvest standing seasonal crops. If crops cannot be harvested within 60 days, cash compensation for crops (or share of crops) equivalent to prevailing market price. Cash compensation for perennial crops and fruit bearing trees based on replacement principle. Cash compensation equivalent to prevailing market price of timber for non fruit bearing trees. Lumber from these trees may be kept by the owner. No compensation will be provided for crops already harvested.	Law on Acquisition of Lands for State Needs (LALSN, April 20, 2010);  The President Decree (December 26, 2007) on provision of 20% additional compensation to the calculated market price of the acquired property to compensate for the damages resulting from the purchase of property,	ARS-LAD and the civil works contractor
4.	Severe	Severely	Severely	Priority to be given to	Civil works	ARS-PIU,

SI No	Type of Loss	Application	Entitled Person	Compensation Measures	Policy Basis	Responsible Agency
	impact/vulnerable house holds	affected people (10% or more land take) as well as households headed by an elderly or woman	affected people (10% or more land take), households headed by an elderly or woman	able household members in employment opportunities under the civil works contracts and jobs created in service/rest areas that will be established once the highway becomes operational.	contract	contractor and executive powers
5.	Income loss	Income loss due to disruption of business operations	Business Owner /Worker	Cash compensation during period of disruption based on the income from the previous fiscal year confirmed by tax authorities. Cash compensation equivalent to officially reported wage (if not available based on the official monthly minimum) during the period of disruption up to a maximum of 3 months	Law on Acquisition of Lands for State Needs (LALSN, April 20, 2010);	ARS-LAD
6.	Temporary impacts	Various types: temporary impacts concerning traffic diversion and temporary loss of access	General public, owners of roadside structures	The contract will require the civil works contractor to be responsible for the temporary acquisition and reinstatement of all land required outside the road reserve for construction camps, offices, borrow pits, materials storage sites, materials for processing sites and haul roads. The contract will select the land parcels they require and they will be responsible for negotiating agreements with land owners to occupy the land. In the event that a contractor fails to obtain	Civil works contract	PIU-ARS, contractor and executive powers

SI No	Type of Loss	Application	Entitled Person	Compensation Measures	Policy Basis	Responsible Agency
				agreement with any land-owner, he will be required to select an alternative site and negotiate a new agreement. No involuntary occupation of land for temporary construction purposes will be allowed.		

ARS-LAD= Azer Road Service-Land Acquisition Department; PIU= Project Implementation Unit; SLCC= State Land & Cartography Committee

## **5.0 GENDER IMPACT AND MITIGATION MEASURES:**

In a roads rehabilitation project like this, both men and women will have important socio-economic roles and responsibilities as they will engage in a very wide range of income-generation and livelihoods activities both in the agricultural and non-agricultural sectors. The project will pay particular attention to ensure that women receive compensation and assistance as per their entitlements. As women are the de-facto household heads, need to be listed as beneficiaries and stakeholders of compensation and rehabilitation process. In order to ensure greater participation of women in the project, following steps will have to be considered:

- Gender disaggregation of data to focus on women who are likely to be affected by the project and how to ensure their participation in every stage of the project.
- Ensure participation of women in all the public consultation processes to determine and negotiate for compensation entitlements and for effective implementation of the RAP.
- Ensure special attention of women and other vulnerable groups during monitoring and evaluation of the RAP.

## **6.0 ORGANIZATIONAL RESPONSIBILITIES & INSTITUTIONAL FRAMEWORK:**

As per recent legislation on land acquisition (**Law on Acquisition of Lands for States Needs, 2010**), a Central LAR Commission will be established, which will be chaired by the Ministry of Transport and will comprise representatives of the Ministry of Transport, Ministry of Economic Development, Ministry of Finance, State Land and Cartography Committee, and the State Committee on Property Issues. The function of this commission will be to ensure effective interagency coordination; carry out a final review of this Resettlement Framework and of the resettlement plans, and provide the official approval of these documents for their final financing and implementation.

Regarding land acquisition and resettlement planning, implementation & monitoring, a number of agencies will be involved, including ARS-LAD, the State Committee on Property Issues (SCPI), the State Land and Cartography Committee (SLCC), executive agencies of the Rayon, Supervision Consultant (SC) and the civil works contractors.

### **6.1 Azer Road Service Open Joint-Stock Company (ARS OJSC):**

ARS OJSC will have overall responsibility for all roads and highway projects funded by the World Bank, including preparation, implementation, and financing of all LAR tasks and for interagency coordination. ARS OJSC will exercise its functions through the Project Implementation Unit (PIU), which in turn will be responsible for project execution and overseeing day-to-day project activities at rayon/subproject levels. At present, ARS-PIU has a full-time Safeguards Specialist who will coordinate with the Land Acquisition Division (LAD) of ARS on safeguards related matters.

### **6.2 ARS-Land Acquisition Division (ARS-LAD):**

The PIU will be assisted by the Land Acquisition Division (LAD) in the preparation and implementation of LAR-related tasks, including surveys, asset valuation, public consultation and LAR-related interagency coordination. The LAD's tasks involve coordinating and supervising the activities of different units of ARS. It recommends to ARS management actions related to compensation, expropriation and resettlement assistance. The LAD is responsible for ensuring that all project affected are duly compensated. PIU will ensure that the civil work contractors adhere to all mitigating measures as caused due to temporary impacts like hauling of transport and machinery, borrow areas, construction camps, labor camps etc.

The ARS-LAD will be supported by other units of ARS to deal with the affected people on matters related to land acquisition and resettlement. They will also be provided with the required training and capacity building from time to time. The organizational chart of PIU has been presented in **Appendix III**.

#### **6.2.1 Supervision Consultant (SC):**

A Supervision Consultant will be engaged for the project to monitor the civil works contractor's activities on social safeguards and resettlement issues. It is recommended that SC will engage the service of a national resettlement specialist to work closely with the contractor in identifying women, members of severely affected and vulnerable households, who could benefit from local employment opportunities. S/he might also assist the contractor in conducting community consultation to receive grievances and other feedbacks directly from the project affected. This will help the PIU in monitoring progress on resettlement and other social safeguards issues.

#### **6.3 Local Governments:**

The local administration, especially at the rayon level plays a crucial role in matters of identification of land titles, valuation of assets and other such matters related to land acquisition and resettlement. Therefore, it is important to coordinate through field representatives of ARS-LAD and ARS-PIU with these staff on a regular basis. In order to provide effective interagency coordination and official endorsement of compensation rates and survey findings in the appropriate regions, special commissions (Resettlement Commission) will be formed subject to specific agreements between the expropriation authority and relevant executive authorities.

#### **6.4 Civil Works Contractor:**

As a rehabilitation measure, members of households which are either severely affected or vulnerable will be given priority in project-related employment. This requires close coordination with the civil works contractor and the municipalities in informing and prioritizing workers from the targeted households. Moreover, the contractor will be responsible for identifying areas that may be affected temporarily during construction and in negotiating and compensating affected households/owners.

## **6.5 Local Team:**

In order to expedite the resettlement process, a local and international consultants will be involved by the Design Consultant to assist the PIU in the preparation of RAP during design stage. The ARS/ PIU will take the responsibility of periodic monitoring of the implementation process and will also validate the resettlement plans.

## **6.0 FUNDING FOR RESETTLEMENT ACTION PLAN (RAP):**

All preparation and implementation costs of the resettlement plan, including cost of compensation and LAR administration, will be considered as an integral part of project costs and will be contributed by the Government of Azerbaijan. Each resettlement action plan will include a budget section indicating (i) unit compensation rates for all affected items and allowances, (ii) methodology followed for the computation of unit compensation rates, and (iii) An estimated cost table for all compensation expenses including administrative costs and contingencies. In order to ensure that sufficient funds are available for LAR tasks, Government of Azerbaijan will allocate 100% of the cost of compensation at replacement cost plus 15% of contingencies before the implementation of the RAP.

ARS will be responsible for the timely allocation of the funds needed to implement resettlement action plans. In order to ensure timely delivery of fund, ARS will closely coordinate with the MoF and the Cabinet of Ministers. Allocations will be reviewed twice a year based on the budget requirements indicated by the RAP. The fund allocated for compensation payments for various losses and resettlement assistance will be disbursed by ARS through the LAD directly in coordination with concerned local governments.

## **8.0 PUBLIC PARTICIPATION/CONSULTATION:**

The important objective of public consultation is to engage the affected people in resettlement planning. Meaningful consultation has to begin early and is carried out on a continual basis throughout the project period. Ensuring consultation with wider sections, including women and vulnerable groups will be the major goal of public participation. The participation mechanisms facilitate the consultative process. This includes information sharing, consultation with the affected persons and other stakeholders, and active involvement of the affected persons in project tasks, committees, and decision making. Consultation with the affected persons and discussion of options with them is essential during preparation and implementation of the resettlement action plan.

Prior to the finalization of a RAP and its submission to Project authorities, affected people will be informed through a series of consultations. These consultations will be continued upon the mobilization of the SC to ensure that communities are fully aware of the project activities, their entitlements in case of emerging LAR issues during implementation, grievance redress mechanism, livelihoods and employment opportunities in the civil works etc.

During preparation of this RPF, an extensive consultation process took place through several round of discussion with the relevant government representatives, including the representatives of the ARS Land Acquisition Department; officials from the affected rayon; representatives of the affected municipalities and villagers. The full list of people consulted is provided in **Appendix III**.

## 9.0 COMPLAINTS & GRIEVANCES:

The Grievance Redress Mechanism (GRM) is a process through which the affected people need a trusted way to voice and resolve concerns about the project and the project also finds an effective way to address affected people's concerns. In this project, the grievance mechanism will be in place by which the affected people will be fully informed of their rights and procedures for addressing complaints whether verbally or in writing during consultation, survey, and at the time of receiving compensation and resettlement assistance. In order to streamline this process, a grievance redress mechanism will be established as per provisions of the Law on Expropriation of Lands for State Needs (Article 75). A Grievance Redress Commission (GRC) will be set up consisting of 3 to 5 persons having knowledge and experience of mediation and conflict management. Steps to be followed to address grievance are as given below:

**Step 1 (Grievance Redress Commission):** The GRC will act as the mediator between aggrieved parties and will make efforts to resolve conflicts through mutual consent. Recommendations of GRC are sent to the Expropriation Authority (EA). The Expropriation Authority is responsible for addressing the grievances of the PAPS and if necessary will forward these grievances to appropriate agencies/ offices for taking action. Excluding recommendations on compensation costs, the EA will accept all recommendations of the GRC and forward them to the Control Authority (CA).

**Step 2 (Control Authority):** The Control Authority (CA) will send recommendations of GRC, associated with compensatory amount (Article 75.6) and opinion of expropriation authority in this regard to the assessment commission.

**Step 3 (Court of law):** The court of law will be the last resort before the AP. The Affected Persons can appeal to court should s/he disagrees with the decision of the Control Authority

## 10.0 MONITORING AND SUPERVISION:

The monitoring systems will be in place to track delivery of the planned resettlement activities to the affected people. The monitoring system will also set responsibilities for specific tasks, including data collection, data analysis, verification, quality control, coordination with related agencies, preparation of reports, submission of reports to the executing agency and the World Bank.

### 10.1 Internal Monitoring:

Internal monitoring will be carried out by the LAD/PIU. The results will be communicated to the ARS and the World Bank through the quarterly project implementation reports. Indicators for internal monitoring will be those related to process and immediate outputs and results. This information will be collected directly from the field by the supervision consultant and will be reported monthly to the LAD/PIU to assess the progress and results of implementation of resettlement plans and to adjust the work program, if necessary. The monthly reports will be quarterly consolidated by the PIU and will be submitted to ARS and the Bank.

In the internal monitoring, specific benchmarks will be (i) information campaign and consultation with affected persons; (ii) status of land acquisition and payments on land compensation; (iii) compensation for affected structures and other assets; (iv) relocation of affected persons; (v) payments for loss of income; (vi) selection and distribution of replacement land areas; (vii) payment of resettlement assistance, and (viii) income & livelihoods restoration activities. The above information will be collected by LAD/PIU, which are responsible for monitoring the day-to-day resettlement activities under the project through the following instruments: (i) review of census information for affected persons (ii) consultation and informal interviews with affected persons (iii) in-depth case studies (iv) sample survey of affected persons (v) key informant interviews, and (vi) community consultation meetings.

## **10.2 External Monitoring:**

External monitoring will be carried out twice a year through an external monitor and its results will be communicated to the PIU and the World Bank through half-yearly reports. External monitoring reports will be presented to ARS. Indicators for external monitoring tasks will include (i) review and verification of internal monitoring reports prepared by LAD and PIU; (ii) review of the socioeconomic baseline census information of the potentially affected persons; (iii) identification and selection of impact indicators; (iv) impact assessment through formal and informal surveys with affected persons; (v) consultation with affected persons, officials, community leaders for preparing review report; and (vi) assessing the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement policy formulation and planning.

The following factors will be taken in to consideration while assessing the status of affected people:

- Socio-economic conditions of affected persons in the post-resettlement period;
- Response from affected persons on entitlements, compensation, resettlement options, alternative developments, and relocation timetables etc.;
- Changes from income and consumption levels;
- Rehabilitation of Internally Displaced People (IDPs) and informal settlers;
- Valuation methods adopted for businesses and properties;
- Grievance procedures adopted;
- Disbursement of compensation and resettlement assistance; and
- Level of satisfaction of affected persons in the post resettlement period.

Apart from reviewing compensation and resettlement assistance process in general, the external monitor will also assess the status of project affected vulnerable groups such as female-headed households, disabled/elderly and families below the poverty line.

The external monitor will carry out a post-evaluation of the resettlement plan about a year after completion of its implementation. The purpose of this study will be to find out whether the desired objectives of the resettlement process have been attained or not. The benchmark data of socioeconomic survey of severely affected persons conducted during the preparation of the resettlement plan will be used to compare the pre- and post-project conditions. Finally, the external monitor will recommend appropriate supplementary



assistance for affected persons should the outcome of the study show that the desired objectives of the resettlement plan have not been attained.

#### **11.0 RESETTLEMENT PLANNING:**

A resettlement plan is required for all projects with involuntary resettlement impacts. Its level of detail and comprehensiveness will commensurate with the significance of potential involuntary resettlement impacts and risks. The outline of a resettlement plan is presented in **Appendix I**.

The preparation of RAPs is supported by the following inter-related activities:

- Social Impact Assessment (SIA).
- Demarcation Survey
- Market Survey

The purpose of the SIA is to identify the Project Affected People (PAP) to establish the social baseline of the project impact. A census will be carried out, based on which the inventory of project impact for individual PAP will be prepared and a list of categories of entitlements be established. Among the project affected people, vulnerable groups will be identified for whom additional rehabilitation measures may be provided to ensure their livelihood. All PAPs identified in the project impacted areas as of the date of census will be eligible for compensation and/or resettlement. The SIA will be linked to the socio-economic baseline surveys and RAP indicators.

Demarcation survey will be conducted during the early phase of RAP preparation in presence of affected individuals which will determine the exact scale of impact, and their lost assets, incomes, businesses and livelihoods. The inventory of impact will be updated which will form the basis on which compensation amounts will be determined for eligible PAPs. A market survey will be undertaken as part of the RAP preparation to collect current market values of assets to be affected and prevailing wage levels. They will be used as unit prices in determining compensation for eligible PAPs.

Throughout the process, PAP will be provided with information such as valuation methodology, entitlements, budgetary provisions of compensation and resettlement and other assistance, which will be summarized and made available to PAPs in a booklet. The Draft RAP will be consulted with PAPs and non PAPs locally and comments received will be incorporated in the draft RAP. The Draft RAP will be reviewed by the ARS and Bank, and no civil works will be allowed to be commenced until the RAP for the project is approved by ARS and the Bank.

A summary of the action and responsibility to be taken regarding land acquisition and resettlement process in this project is presented below:

**Table 11.1: Process of Land Acquisition and Resettlement Tasks**

Step	Action	Responsibility
<b>A.</b>	<b>Project Preparation</b>	<b>PIU, Consultants</b>
1.	Identification and finalization of road networks	ARS/PIU
2.	Review and update the RPF	ARS/PIU
<b>B.</b>	<b>Due Diligence on LAR</b>	<b>ARS</b>
1.	Assess the poverty and social impacts of the project	Consultants
2.	Review LAR implications of any design changes or update	DC
3.	Prepare RAP in case of impact to private property	DC
3.	Collect cadastral and maps of the project area	LAD, DS, State Property Committee and State Committee on Land and Cartography
4.	Verify land records in affected areas, update cadastral maps and carry out impacts and valuation surveys.	Local Governments, DC, LAD
5.	Conduct public consultations	PIU, DC,
6.	Integrate data from census into the RAP.	DC
7.	Submit RAP for approval of ARS/World Bank	LAD, Government, WB
<b>C.</b>	<b>Implementation of Resettlement Action Plan (RAP)</b>	
1.	Distribute RAP updates and information pamphlets in Azeri among project affected people; publish English version in the info shop of WB	LAD, Local Governments, WB
2.	Approve contract awards	ARS/WB
3.	Distribute Relocation Notices to PAPs	LAD
4.	Award cheques for land compensation	LAD, PAPs
5.	Award cheques for other compensation and assistance/ rehabilitation	LAD, PAPs
6.	Demolish and relocate affected structures and assets	Contractor
7.	Review RAP implementation	LAD, PIU, WB
8.	If implementation of resettlement plans found satisfactory, issue notice to proceed for civil works	WB, PIU
<b>D.</b>	<b>Post-Implementation Task</b>	
1.	External monitor to review RAP implementation	Individual Consultant
<b>E.</b>	<b>Cyclical and Continuous Tasks</b>	
1.	Internal monitoring, quarterly reporting	SC
2.	External monitoring, half-yearly reporting to ARS/WB	Individually hired Consultant
3.	Grievances redressal and law suits, if any	LAD, PIU, Court
4.	Interagency coordination and communication with PAPs.	PIU, LAD, Local Governments

## 12.0 DISCLOSURES:

Concerned officials of the Government of Azerbaijan, rayon's, municipalities and villages 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 APs. Also, prior to the finalization of the RAP and its submission to project authorities, the APs will be informed and consulted on the results of the Census, and their preferences on compensation or other resettlement assistance will be given due consideration. The processes and mechanisms followed ensuring active involvement and participation of cross-section of APs will be recorded and summary of the same will be attached as appendix in the RAP.

The English version of RPF will be disclosed in the *info shop* of the World Bank, as per provisions under OP 17.50 and the Azeri version of the RPF will be disclosed at the ARS-PIU/ARS-LAD offices and at the rayon (district) offices where the project roads under pass through. The Azeri version of the RAPs will be disclosed to affected communities and a pamphlet in Azeri, summarizing compensation eligibility and entitlement provisions, will be sent to all PAPs, detailing pending land acquisition and resettlement activities, before the initiation of the compensation/rehabilitation process and before signing contract awards. The consultation process will be continued throughout the project cycle.

The dates and locations of disclosure workshops and the list of participants, their affiliation and address/telephone numbers along with summary minutes is attached in **Appendix IV**.

## Outline of a Resettlement Plan

### Introduction:

- Briefly describe the project
- List project components including associated facilities (if any)
- Describe project components requiring land acquisition and resettlement; give overall estimates of land acquisition and resettlement

### Minimizing Resettlement:

- Describe efforts made to minimize displacement
- Describe the results of these efforts
- Describe mechanisms used to minimize displacement during implementation

### Census and Socio-Economic Surveys:

- Provide the results of the census, assets inventories, natural resource assessments, and socioeconomic surveys
- Identify all categories of impacts and people affected
- Summarize consultations on the results of the various surveys with affected people
- Describe need for updates to census, assets inventories, resource assessments, and socioeconomic surveys, if necessary, as part of RAP monitoring and evaluation
- Provide livelihood restoration indicators and gender disaggregated data

### Legal Framework:

- Describe all relevant local laws and customs that apply to resettlement.
- Identify gaps between local laws and World Bank Group policies, and describe project-specific mechanisms to address conflicts
- Describe entitlement policies for each category of impact and specify that resettlement implementation will be based on specific provisions of agreed RAP.
- Describe method of valuation used for affected structures, land, trees, and other assets.
- Prepare entitlement matrix.

### Resettlement Sites:

- Does the project require community relocation sites? Have affected people been involved in a participatory process to identify sites, assess advantages and disadvantages of each site, and select preferred sites?
- Have the affected people been involved in developing an acceptable strategy for housing replacement? Will new housing be constructed/allocated?
- Does the project involve allocation of agricultural land or pasture/rangeland?
- Have the individual households that will be allocated lands been involved in identifying potential new sites, and have they explicitly accepted the selected sites?
- Describe the specific process of involving affected populations in identifying potential housing sites, assessing advantages and disadvantages, and selecting sites
- Describe the feasibility studies conducted to determine the suitability of the proposed sites, including natural resource assessments (soils and land use capability, vegetation and livestock carrying capacity, water resource surveys) and environmental and social impact assessments of the sites.
- Demonstrate that the land quality and area are adequate for allocation to all of the people eligible for allocation of agricultural land. Provide data on land quality and capability, productive potential, and quantity
- Give calculations relating to site requirements and availability
- Describe mechanisms for: 1) procuring, 2) developing and 3) allotting resettlement sites, including the awarding of title or use rights to allotted lands

- Provide detailed description of the arrangements for site development for agriculture, including funding of development costs
- Have the host communities been consulted about the RAP? Have they participated in the identification of likely impacts on their communities, appropriate mitigation measures, and preparation of the RAP? Do the host communities have a share of the resettlement benefits?

**Income Restoration:**

- Are the compensation entitlements sufficient to restore income streams for each category of impact? What additional economic rehabilitation measures are necessary?
- Briefly spell out the restoration strategies for each category of impact and describe their institutional, financial, and technical aspects
- Describe the process of consultation with affected populations and their participation in finalizing strategies for income restoration
- How do these strategies vary with the area of impact?
- Does income restoration require change in livelihoods, development of alternative farmlands or some other activities that require a substantial amount of training, time for preparation, and implementation?
- How are the risks of impoverishment to be addressed?
- What are the main institutional and other risks for the smooth implementation of the resettlement programmes?
- Describe the process for monitoring the effectiveness of the income restoration measures
- Describe any social or community development programmes currently operating in or around the project area
- If programmes exist, do they meet the development priorities of their target communities? Are there opportunities for the project proponent to support new programme or expand existing programmes to meet the development priorities of communities in the project area?

**Institutional Arrangements:**

- Describe the institution(s) responsible for delivery of each item/activity in the entitlement policy; implementation of income restoration programmes; and coordination of the activities associated with and described in the resettlement action plan
- State how coordination issues will be addressed in cases where resettlement is spread over a number of jurisdictions or where resettlement will be implemented in stages over a long period of time
- Identify the agency that will coordinate all implementing agencies. Does it have the necessary mandate and resources?
- Describe the external (non-project) institutions involved in the process of income restoration (land development, land allocation, credit, training) and the mechanisms to ensure adequate performance of these institutions
- Discuss institutional capacity for and commitment to resettlement
- Describe mechanisms for ensuring independent monitoring, evaluation, and financial audit of the RAP and for ensuring that corrective measures are carried out in a timely manner

**Implementation Schedule:**

- List the chronological steps in implementation of the RAP, including identification of agencies responsible for each activity and with a brief explanation of each activity
- Prepare a month-by-month implementation schedule (using a Gantt chart, for example) of activities to be undertaken as part of resettlement implementation

- Describe the linkage between resettlement implementation and initiation of civil works for each of the project components

**Participation and Consultation:**

- Describe the various stakeholders
- Describe the process of promoting consultation/participation of affected populations and stakeholders in resettlement preparation and planning
- Describe the process of involving affected populations and other stakeholders in implementation and monitoring
- Describe the plan for disseminating RAP information to affected populations and stakeholders, including information about compensation for lost assets, eligibility for compensation, resettlement assistance, and grievance redress

**Grievance Redress:**

- Describe the step-by-step process for registering and addressing grievances and provide specific details regarding a cost-free process for registering complaints, response time, and communication methods
- Describe the mechanism for appeal
- Describe the provisions for approaching civil courts if other options fail

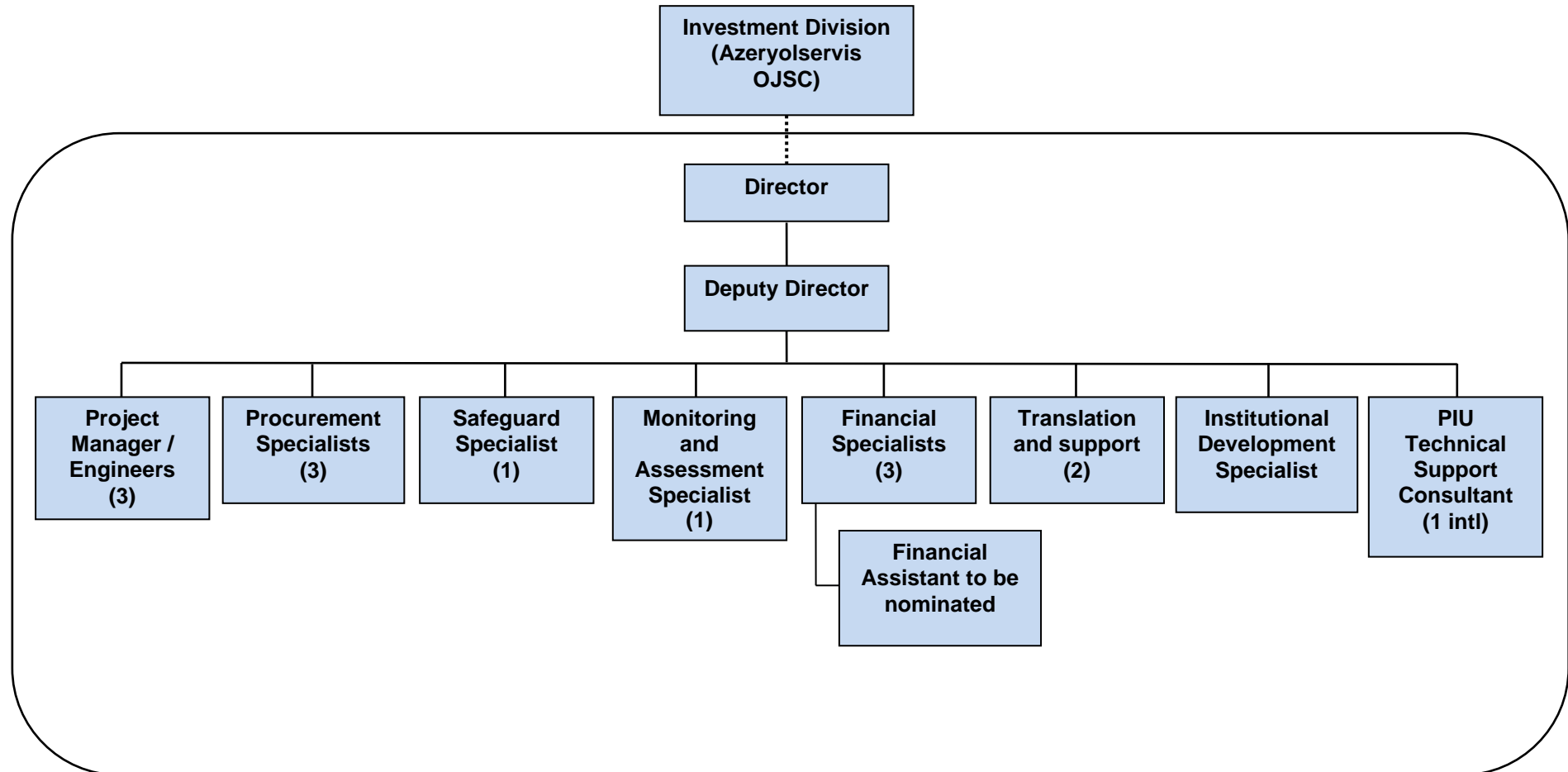
**Costs and Budgets:**

- Provide a clear statement of financial responsibility and authority
- List the sources of funds for resettlement and describe the flow of funds
- Ensure that the budget for resettlement is sufficient and included in the overall project budget
- Identify resettlement costs, if any, to be funded by the government and the mechanisms that will be established to ensure coordination of disbursements with the RAP and the project schedule
- Prepare an estimated budget, by cost and by item, for all resettlement costs including planning and implementation, management and administration, monitoring and evaluation, and contingencies
- Describe the specific mechanisms to adjust cost estimates and compensation payments for inflation and currency fluctuations
- Describe the provisions to account for physical and price contingencies
- Describe the financial arrangements for external monitoring and evaluation including the process for awarding and maintenance of contracts for the entire duration of resettlement

**Annexes:**

- Copies of census and survey instruments, interview formats, and any other research tools
- Information on all public consultation including announcements and schedules of public meetings, meeting minutes, and lists of attendees
- Examples of formats to be used in monitoring and reporting on RAP implementation.

PIU for World Bank Funded Roads / Highways Projects



## Appendix III

## List of People Consulted During Development of the RPF (2014)

Date	Location	Person	Position
03 March 2014	ARS OJSC Project Implementation Unit	Adil Gojayev	Director
04 March 2014	World Bank office in Azerbaijan	Nijat Valiev	Senior Infrastructure Specialist
13 March 2014	World Bank office in Azerbaijan	Elizabeth Wang (DC office through skype) Steven Farjweiss(DC office through skype) Sadig Aliev Farid Bakhshiev	Infrastructure & safeguards team of Baku and DC office
18 March 2014	Salyan	Elibar Huseynov	Deputy Ex-Com, Salyan rayon
18 March 2014	Garaghaj village, Sabirabad rayon	Galib Mirzayev	ExCom Local Representative
18 March 2014	Azadkend village, Sabirabad rayon	Habib Guliyev ExCom Local Representative	ExCom Local Representative
18 March 2014	Khursud village, Salyan rayon	Akif Safarov	ExCom Local Representative
18 March 2014	Duzanlik, Salyon rayon	Israfil Suleymanov	Deputy ExComl Local Representative
18 March 2014	Khalaj village, Salyon rayon	Aliyev Seyfali	ExCom Local Representative
18 March 2014	Khalaj village, Salyon rayon	Safar Garayev	Municipal Chairman
19 March 2014	Hajigahramanly settlement, Shirvan city	Tarlan Myradov	Deputy of ExCom Local Representative
19 March 2014	Hajigahramanly settlement, Shirvan city	Matanat Bashirova Mehriban Haiyeva Sevil Mammadova	Women representatives of Shirvan



Date	Location	Person	Position
19 March 2014	Ashaghy Surra, Neftchala rayon	a) Habibulla Rahimov b) Anvar Taghiyev c) Tahir Naghiyev d) Mammadagha Guliyev e) Yusif Mammadov f) Asad Abbasov g) Aghasdig Sadigov h) Ilgar Baghirov i) Mirjafar Aghalarov j) Fizuli Babayev	Villagers
19 March 2014	Boyat village, Neftchala rayon	Nigar Ibrahimova	Deputy ExCom Local Representative
20 March 2014	Khojaly, Salyan rayon	Abas Mammadov	Rayon Executive Committee Representative
20 March 2014	Yukhary Garamanly, Neftchala rayon	Rafael Huseynov	Water Users Association Executive director
20 March 2014	Yukhary Garamanly, Neftchala rayon	Elkhan Alakbarli	Deputy Local ExCom Representative
21 March 2014	Baku city	Sardar Huseynov	National consultant
24 March 2014	PIU office, Baku	Ilaha Ilyasova	Safeguard Specialist
26 March 2014	World Bank office, Baku	Elizabeth Wang (DC office through skype) Steven Farjweiss(DC office through skype) Sadig Aliev Farid Bakhshiev	Infrastructure & safeguards team of Baku and DC office
08 April 2014	World Bank office, Baku	Elizabeth Wang (DC office through skype) Steven Farjweiss(DC office through skype) Nizat Valiev Ilaha Ilyasova (PIU)	Infrastructure & safeguards team of Baku and DC office
09 April 2014	Garaghaj village, Sabirabad rayon	Teymur Ismayilov	Deputy Local ExCom Representative
09 April 2014	Boyat village, Neftchala rayon	Asif Gafarov	Local ExCom Representative
21 April 2014	PIU office, Baku	Ilaha Ilyasova	Safeguard Specialist
25 April 2014	PIU office, Baku	Ilaha Ilyasova Sardar Huseynov	Safeguard Specialist National Consultant

## Summary Minutes of Disclosure Workshop

Disclosure Workshops (May 29-30, 2014)  
Venue: Salyan and Neftchala

## General suggestions made:

1. Realign to reduce number of curves
2. Safe passage for livestock
3. Footpaths for pedestrians and school-going children
4. Check migration by creating local employment through rehabilitation of roads
5. Livelihood provisions for squatters and the poorest

## Specific suggestions made:

Rayon	Village/ Settlement	Participant	Issues raised	Clarification provided
Salyan	Kurgaragashli	Mammadov Abbas Abdulla	Will the road from Kurqaraqashli village connected to the Salyan-Neftchala Road be rehabilitated?	Local Roads are to be identified during Design Stage of the Project. Will be finalized through public consultation.
	Arbatan	SafarovAkifAlaska r	Will the road to Xurshud be included as project local roads?	Local Roads are to be identified during Design Stage of the Project. Will be finalized through public consultation.
	Kurgaragashli	Mammadov Abbas Abdulla	Size of underpasses to be wider	-
	Duzenlik	ZeynalovAgazade Amniyyat	<ol style="list-style-type: none"> <li>1. With better road rehabilitation, migration will be checked.</li> <li>2. If displaced, villagers will be reluctant to sell their land.</li> <li>3. Due to bad road condition, children are unable to attend school and farmers are unable to sell their products in the market.</li> </ol>	As the design suggests, physical displacement will seldom happen. A very progressive resettlement action plan will be prepared to address all issues related to land acquisition and resettlement.
	Duzenlik	MelikovRustemSa diq	Whether the road to Kura River (Salyan) is included in the project and how soon the project work will start?	It will probably be part of another project and the work is expected to start in 2015
	Kursayli	AskerovVilayetSa mad	When road construction work will start?	Expected in 2015
	Yolustu	BashirovIlkinYaqu b	Add Duzenli village road in the current proposal	

Rayon	Village/ Settlement	Participant	Issues raised	Clarification provided
<b>Neftchala</b>				
<b>Neftchala</b>	AshagiSurra	TagiyevElshadTavakkul	Include construction of runabout connecting village AshagiSurra with highway in this proposal	
	The rayon Gaz maintenance Department, Senior Engineer	M.R. Gozelov	Who are the squatters and encroachers?	Will be identified during survey and preparation of RAP
<b>Shirvan</b>				
Shirvan		IbrahimovaAbidaRufulla	The road going to Hajiqahramanli settlement of Shirvan is in bad condition	
	Hajiqahramanli settlement	AbdullayevaSolmaz Aga	The Shirvan-Salyan road is in terrible condition	
Shirvan		HajiyevaAlmaraBazatkhan	The Shirvan-Salyan road is in terrible condition.	
		HasanliQachayFarux	The Shirvan-Salyan road is in a poor condition. When construction will take place?	Will start in 2015
		Gancaliyev Salehugur	Encourage local employment in construction work	Contractor hired will be persuaded to engage local labor.
		IbrahimovTofiqEixan	Encourage local employment in construction work	Contractor hired will be persuaded to engage local labor.
		SalimovFarhad	Pay attention to the quality of work, pay in time to workers, appropriately spending of the allocated fund, all needed conditions for the workers to be provided	
		RahimovFaxraddin	Ensure completion of project on time	
		MustafayevaPariYusif	<ul style="list-style-type: none"> <li>When will the project start?</li> <li>Will this project include reconstruction of Sarijalal settlement road of Saatli (between Sabirabad and Saatlirayons)?</li> </ul>	Expected to start in 2015. Not within the project scope. Will recommend to be included.
		HaciyevSakit Amir	Will the locals be given jobs in the construction work?	Yes
		AhadovBakikhan	When will the project start?	Expected to start in 2015

Rayon	Village/ Settlement	Participant	Issues raised	Clarification provided
			When the roads at the newly set residential area in the village will be paved?	Not within the scope of this Project.
<b>Sabirabad</b>				
		YolchiyevAfqanYo lchu	The road must be rehabilitated and widened soon	
	Yakha-Dellek	AmirovAgaselimV ahid	Bad road conditions hamper movement of patients to hospitals, especially in the winter	
	Dallek	ZahidAmirov	My disappointment is that too small distance of local roads (100km) will be rehabilitated within this project	
	Garagaj	AgamirAliyev	Disappointed to learn that only 100 odd km will be rehabilitated within this project	
	Garagaj	Orujev Rashad	Require animal underpasses for cattle, since their absence cause accidents.	
	Garagaj	VasifHuseynov	What is the authorized distance from the road to open the business?	35 meters away from the both sides of the centerline
	Garagaj	NurlanZalov	Would have been better if the main streets in the villages were also considered in the project	
	Azadkend	Guliyev Habib Misir	Who will be the Contractor, when start? Will the road side constructions be affected?	Will be clarified during design stage. Locals will be informed in advance.
	Minbashi	IsmaylovSamada gaBahman	Disappointed to learn that only 100 odd km will be rehabilitated within this project	

## List of Participants Attended Disclosure Workshops

AZƏRBAYCAN RESPUBLİKASI NƏQLİYYAT NAZİRLİYİ  
AZƏRİYOLSERVİS ASC  
ŞİRVAN - SALYAN (R45) YOLU ÜZRƏ ƏTRAF MÜHİT VƏ SOSIAL QIYMƏTLƏNDİRMƏ

Yer: ŞirvanTarix: 30.05.2014









No	Adı, Soyadı	İş yeri	Vəzifəsi	Əlaqə telefonu	İmza
1.	Əsgərov Səfər Vəqif	Şirvan şəhər Şəra Həkimiyəti	Şəhər Şəra Həkimiyəti başcaşuası müavini	050-518-89-99 055-244-68-00	
2.	Abdullayeva Səlimə Səlim qızı	Şirvan şəhər Həqiqətinməallə	Həqiqətinməallə Bələdiyyəsinin sədri	051-331-8890 055-584-60-84	
3.	İbrahimova Abidə Ruxar qızı	Şirvan şəhər Həqiqətinməallə	Həqiqətinməallə Bələdiyyəsinin mühasib	0-55-606-15-34	
4.	Həliyeva Almazə Rəzək qızı	Şirvan şəhər Regional post Filialı	Şirvan şəhər R.P.F əməliyəti	0-50-411-36-79	
5.	Abdulləhmedov Güllənəz Səlim oğlu	Şirvan şəhər R.P.F - fərfəci	Regional post fərfəci	051-5175438	
6.	Həsəni Rəşad Fəzəl oğlu	Səhibkərdliq vs məqəg qəzetci	redaktor məqəvli	050 3020084	
7.	Günəliyev Səhəb Səhəb oğlu	Şirvan TƏƏ baş müəvli	baş müəvli	051-282-83-84	
8.	İbrahimov Səhəb Ələm	Şirvan TƏƏ	məqəvli	0505135455	

9.	İslimov Fəhəd Hüseynxan	Müstəqil yurnalist	jurnalist	055-418-10-94	
10.	Rəhimov Fəxrəddin <small>Hoşad</small>	Sohn Ağsaqqalla Lurədiyyin işlədi və işlədi qətəti zoolanı	jurnalist	05033388-62	
11.	Müstəfayeva Pəri	DHT sədri	müəllim	0505165938 0558645022	
12.	Muradov Tərlan	Kaçerləşməyə iştirak etmə. müəllim	müəllim	051.446-72-34	
13.	Cəfərov Təlmən	Sizvan EL. Şəb	Baş müəllim	0502506843	
14.	İsmailov Əhməd. Q. oğlu	Sizvan s. Lurədiyyin	Rəis müəllim	050-301-96-46	
15.	Kəçeriyev Səvər İsmail	İçmə nəvəsi			
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**AZƏRBAYCAN RESPUBLİKASI NƏQLİYYAT NAZİRLİYİ**  
**AZƏRİYOLSERVİS ASC**  
**ŞİRVAN - SALYAN (R45) YOLU ÜZRƏ ƏTRAF MÜHİT VƏ SOSIAL QIYMƏTLƏNDİRMƏ**

Yer: Sabirabad, Minbaşı k.





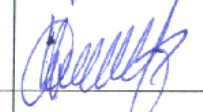



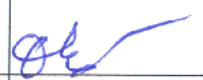


Tarix: 30.05.2014

No	Adı, Soyadı	İş yeri	Vəzifəsi	Əlaqə telefonu	İmza
1.	Rəfiq Rəsulov	Təşəvvüatçı	F/Təşəvvüatçı		
2.	İsmail İsmayilov	F - Təşəvvüatçı			
3.	Əliyev Əsəd	F - Təşəvvüatçı	Azadkənd kənd İsmayilov m. m. m.		
4.	Rəsulov Fəqim	F - Təşəvvüatçı			
5.	Yelcuşev İfqan	F - Təşəvvüatçı			
6.	Salahov Fəmil	Azadkənd Əlçələsi			
7.	Abdullayev Rəşad	Fərdi Təşəvvüatçı			
8.	Əliyev Əsəd	Fərdi Təşəvvüatçı			

9.	İdilov İbrahim	fəzoli təşviqatçı			İB
10.	Ağayev Fəxrət	fəzoli təşviqatçı			Ağay
11.	Ağayev Uzeyir	B.İ.İ.İ.İ.İ.İ.İ.İ. Sədr			İB
12.	İsmayılov Teymur	keşibəşl xmd ieza nüm müq			İB
13.	Ağayev Qurbanqulu	mühafiz			Ağay
14.	Ağayev Rəşad	kitabxanacı			İB
15.	Əliyeva Əmilya	uşaq Bax. müdrə			İB
16.	Normanova Səlahət	müəllim			İB
17.	Əliyeva Rəşad	K/xanəqə			İB
18.	Əliyeva Səlahət	metodist			İB
19.	Əliyeva Rəşad	metodist			İB
20.	İsmayılov Elçin	Qarağac K. D. M. Direktor			İB












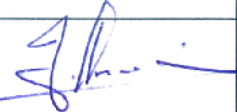
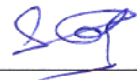
21.	Gliseynov Hüseyn	umutlu				
22.	Somudova Axtar	umutlu				
23.	Musimov Yaxf	orta umutlu				
24.	Somudov Seyma	orta umutlu				
25.	Hüseyn Zahir	orta umutlu				
26.	Albasov İbrahim	orta umutlu				
27.	Axtarov Hacıyev	SİB sədri.				
28.	İsmayil İsmayil	F/taşın				
29.	Hacıyev Vüqar	Fermer.				
30.	Babayev Vahid	F/taşın				
31.	Babayev Əlman	Komercant				
32.	Məmməd Əsədli	müəllif				

33.	Mommedov Intiqam	Buxalter			
34.	Rasulov Zohrab	fordi tasarrifatga			
35.	Jamsalov Ilham	hissallik			
36.	Ibrodov Elvin	Siyon sh. qilingan			
37.	Jasnov Agil	fordi tasarrifatga			
38.	Imriddova Gulnabat	Direktor			
39.	Ismayilov Elmuz	1987			
40.	Haeriyev Imamali	1987			
41.	Ormirov Errol	fordi bosh			
42.	Musayipov Baholi	fordi bosh			
43.	Haeriyev Gulab	ovakdan			

**AZƏRBAYCAN RESPUBLİKASI NƏQLİYYAT NAZİRLİYİ**  
**AZƏRİYOLSERVİS ASC**  
**SALYAN-NEFTÇALA (R 46) YOLU ÜZRƏ ƏTRAF MÜHİT VƏ SOSIAL QIYMƏTLƏNDİRMƏ**



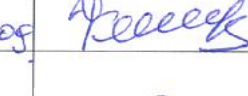
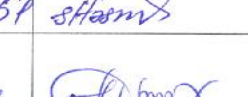

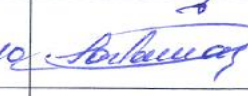


Yer: SalyanTarix: 29.05.2014


No	Adı, Soyadı	İş yeri	Vəzifəsi	Əlaqə telefonu	İmza
1.	Məmmədov Abbas Abdulla oğlu	Kür-Qaragöblü kənd inzibati ərazi olucunun üzvü nümayəndəsi	Nümayəndə	050-389-5075	
2.	Vəliyev Fəxrəddin Həsən oğlu	Kürqaragöblü bələdiyyəsi	Bələdiyyə sədri	020-647-7908	
3.	Bəşirəddin İsmailov Yaqub oğlu	Yolüstü kənd inzibati ərazi dairəsinin nümayəndəsi	Nümayəndə	050232 0374	
4.	Leyla Əliyeva Əliniyaz oğlu	Yolüstü bələdiyyəsi	Bələdiyyə	050.3943542	
5.	Əliyev Rəşad Səadət oğlu	Xalac inzibati ərazi dairəsi nümayəndəsi	Nümayəndə	050 552 1858	
6.	Qarayev Səfər Ədalət oğlu	Xalac bələdiyyəsi	Bələdiyyə	0504994265	
7.	Məlikov Rüstəm Səadət	Əhə-Kür İstiqamət bələdiyyəsi	Sədr	050 381-1542	
8.	Kərimov İbrahim Qurban oğlu	OMBF T.O.R.U.N	koordinatör	0506314478	

9.	Məlikov Həsənqan Bələm qı -	Salyan ƏP	Əparici mük.	050 635-4853	
10.	Əhmədov Anar Vəqif oğlu	Salyan QİB	baş mübahir	055 687-0068	
11.	Əliyev Həsən Z.	Lənkəran K	ƏR. Məhəmmədov	050-390-84.09	
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**AZƏRBAYCAN RESPUBLİKASI NƏQLİYYAT NAZİRLİYİ**  
**AZƏRİYOLSERVİS ASC**  
**SALYAN-NEFTÇALA (R 46) YOLU ÜZRƏ ƏTRAF MÜHİT VƏ SOSIAL QIYMƏTLƏNDİRMƏ**

Yer: NeftçalaTarix: 29.05.2014

No	Adı, Soyadı	İş yeri	Vəzifəsi	Əlaqə telefonu	İmza
1.	Şağiyev Elşad	Aşağı Surza İŞDN.	Nümayəndə	050-337-77-78	
2.	Əliyeva Böyükxanım	Bəyab Bələdiyyəsi	Bələdiyyə sədri	050-674 45-87	
3.	Kərimova Xanım	Yux. Qaraman Bələdiyyəsi	Bələdiyyə sədri	050-58814-09	
4.	Əhmədov Şahzad S.	Neftçala Elektrik Şirkəti	reis	050 250 68 51	
5.	Coxolar Mehraq R. oğ	Neftçala Qaz İstismar Sahisi	Əlaqə mühəndisi	051.949.07.07	
6.	Əliyev Yalçın, Malik	Yuxarı Qaramanlı İ.Ş.D.N.	Nümayəndə	070-430-3140	
7.	Nəziyev Şahin Nəziyev oğlu	Neftçala rayonu A.Şimko Bələdiyyəsi	Bələdiyyə sədrü	050 627-26-10	
8.	Əsədov Əsif Əsədov oğlu	Bəyab İŞDN	Nümayəndə	070-378-02-58	

9.	Əliyeva Böyükhanım İsmayıl				
10.	Əmirə Əlsən Həsənoğlu	Naxçevə Rayonu 1022 kəndiyyəti	baş məsləhətçi	050-528-78-98	
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