

Resettlement Plan

Project Number: 48424-002
October 2015

KAZ: CAREC Corridors 1 and 6 Connector Road (Aktobe–Makat) Improvement Project

Prepared by the Ministry of Investments and Development, Republic of Kazakhstan.

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ИНВЕСТИЦИЯЛАР ЖӘНЕ ДАМУ
МИНИСТРЛІГІНІҢ АВТОМОБИЛЬ
ЖОЛДАРЫ КОМИТЕТІ
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Asian Development Bank

Regarding publication of RAP and IEE at the website

Herewith Committee for Roads of the Ministry for Investment and Development of the Republic of Kazakhstan sends the documents agreed with the Bank and approved by the Committee – “Land acquisition and resettlement Framework” and “Initial Environmental Examination” on project “Aktobe – Makat” for publication at ADB website.

Appendixes: *RAP and IEE.*

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Азиатский Банк Развития

Касательно размещения на сайте ППЗП и ПЭО

Комитет автомобильных дорог Министерства по инвестициям и развитию Республики Казахстан направляет согласованные с Банком утвержденные Комитетом документы – «План выкупа земель и переселения» и «Предварительная оценка воздействия на окружающую среду» по проекту «Актобе-Макад» для размещения на сайте АБР.

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Resettlement Planning Document

Land Acquisition and Resettlement Plan
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Republic of Kazakhstan CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Prepared by the Ministry of Investments and Development, Republic of Kazakhstan.

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CONTENTS

EXECUTIVE SUMMARY	7
CHAPTER 1. INTRODUCTION	13
1.1 Project Overview	13
1.2 LAR-Related Conditionalities	20
CHAPTER 2. IMPACT ASSESSMENT	21
2.1 Data Collection Methodology	21
2.2 Land Losses	21
2.3 Loss of Trees and Perennial Plants	22
2.4 Structure Losses	22
2.5 Business Losses	22
2.6 Employment Loss	22
2.6 Relocation Impact	23
2.7 Number of Affected Persons	23
2.8 Vulnerable DPs	23
2.9 Severely affected DPs	24
2.10 Consultations, Perceived Impacts and Suggestions	24
2.11 Temporary impacts	24
2.12 Access issues to be considered during final design stage	25
CHAPTER 3. SOCIO-ECONOMIC PROFILE	26
3.1 General Characteristics of Aktobe Oblast	26
3.2 General Characteristics of Atyrau Oblast	27
3.3 Profile of the Displaced Population	27
CHAPTER 4. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS	30
4.1 Kazakhstan Legal Framework and Practices	30
4.2 ADB's Provisions on Involuntary Resettlement under the SPS (2009)	35
4.3 Comparison of ADB Involuntary Resettlement Safeguards and Kazakhstan's Legislation and Actions to Address the Difference	36
4.4 Actions to Address the Gaps	38
4.5 Policy Framework and Entitlements	38
CHAPTER 5. CONSULTATIONS AND DISCLOSURE	44
5.1 Consultations	44
5.2 Disclosure of information	45
CHAPTER 6. GRIEVANCE REDRESS MECHANISM	46
6.1 Levels and Procedure for Grievance Redress	46
6.2 Grievance Focal Points	48
6.3 Disclosure of the Grievance Process	49
CHAPTER 7. COMPENSATION, RELOCATION, AND INCOME RESTORATION	50
7.1 Compensation for Leased Lands	50
7.2 Compensation for trees and plants	50

CHAPTER 8. INSTITUTIONAL FRAMEWORK	51
8.1 Committee of Roads	51
8.2 JSC «NC KazAutoZhol»	51
8.3 Akimats.....	52
8.4 Project Management Consultant.....	52
8.5 Construction Supervision Consultant	53
8.6 Other Agencies and Institutions	53
8.7 ADB.....	53
CHAPTER 9. RESETTLEMENT BUDGET AND FINANCING	55
CHAPTER 10. IMPLEMENTATION SCHEDULE.....	56
10.1 General.....	56
10.2 LARP Preparation Phase	56
10.3 LARP Implementation Phase	56
CHAPTER 11. MONITORING AND EVALUATION	59
ANNEXES	
ANNEX A. LIST OF DISPLACED PERSONS AND AFFECTED LAND PLOTS / PROPERTY	60
ANNEX B. SOCIO-ECONOMIC SURVEY FORM	62
ANNEX C. CENSUS FORM.....	70
ANNEX D. INFORMATION BROCHURE.....	75
ANNEX E. LIST OF PARTICIPANTS OF PUBLIC CONSULTATIONS	84
ANNEX F. PHOTOGRAPHS MADE DURING PUBLIC CONSULTATIONS	100
ANNEX G. GRIEVANCE REGISTRATION FORM	104

CURRENCY EQUIVALENTS

(as of 27 July 2015)¹

Currency Unit	–	Kazakhstan Tenge (KZT)
		United States Dollar (USD, \$)
KZT 1.00	=	USD 0.005346
USD 1.00	=	KZT 187.05

ACCRONYMS AND ABBREVIATIONS

ADB	-	Asian Development Bank
CAREC	-	Central Asia Regional Economic Cooperation Program
CC	-	Construction Contractor
CoI	-	Corridor of Impact
CoR	-	Committee on Roads
CSC	-	Construction Supervision Consultants
DMS	-	Detailed Measurement Survey
DP	-	Displaced Person
EA	-	Executing Agency
GDP	-	Gross Domestic Product
GoK	-	Government of Kazakhstan
GRM	-	Grievance Redress Mechanism
GRM Guideline	-	Guideline on Grievance Redress Mechanism on Environment and Social Safeguards for Road Sector Projects
GRC	-	Grievance Redress Committee
Ha	-	hectare
IsDB	-	Islamic Development Bank
NPTsZem	-	Land State Scientific and Production Center for Land Management
LAR	-	Land Acquisition and Resettlement
LARP	-	Land Acquisition and Resettlement Plan
km	-	kilometer
MID	-	Ministry of Investments and Development
NGO	-	Non-government Organization
NTP	-	Notice-to-Proceed
PFR	-	Periodic Financing Request
PMC	-	Project Management Consultant
PPTA	-	Project Preparatory Technical Assistance
Project	-	CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project
RoK	-	Republic of Kazakhstan
SPS	-	Safeguard Policy Statement
sq. km	-	Square kilometer

¹ <http://www.nationalbank.kz/?furl=cursFull&switch=eng>

DEFINITION OF TERMS

Compensation –	refers to any payment in cash or in kind of the replacement cost of the acquired assets.
Corridor of Impact –	it is the area that is impacted by the road civil works or by the need to retain sites for use in road maintenance. In the context of involuntary land acquisition and resettlement, it is the area where the displaced persons will be identified who are eligible to receive compensation based on the cut-off date established under the project.
Cut-off-date –	means the date prior to which the occupation or use of the Project area makes residents/users of the Project area eligible to be categorized as Displaced Persons (DPs). The cut-off date for the Projects will be the date of issuance of decrees on land acquisition for state needs by Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast.
Displaced Persons –	are individuals, households, collective owners or other legal entities who are physically displaced (relocation, loss of residential land, 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 on access to legally designated parks and protected areas, regardless of their legal rights to the affected lands.
Entitlement –	is a range of measures comprising compensation in cash or in kind, income restoration, transfer assistance, income substitution, and relocation which are due to DPs, depending on the nature of their losses, to restore their economic and social base.
Grievance Procedures –	is the process established under law, local regulations, or administrative decisions to enable property owners and other DPs to redress issues related to acquisition, compensation, or other aspects of resettlement.
Household –	means all persons living together as a single social unit. They are identified in a census being an instrument of their recognition and legitimacy to receive compensation, rehabilitation and assistance under the Project.
Income Restoration –	is the reestablishment of income sources and livelihoods of DPs to their pre-project levels.
Indigenous Peoples –	a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the

	official language of Kazakhstan.
Land Acquisition and Resettlement Plan –	is the planning document that describes the activities to be done in addressing the direct social and economic impacts associated with involuntary taking of land.
Relocation –	is the physical shifting of DP from his/her pre-Project place of residence and/or business.
Replacement Cost –	the value determined to be fair compensation for land based on its productive potential, the replacement cost of houses and structures (current fair market price of building materials and labor without depreciation or deductions for salvaged building material), and the market value of residential land, crops, trees, and other commodities.
Resettlement –	all measures taken to mitigate any and all adverse impacts of the Project on DP’s property and/or livelihood, including compensation, relocation (where relevant), and rehabilitation.
Severely Affected Persons –	are persons who will: (i) lose 10% or more of their productive assets, such as agriculture/aquaculture landholding, and/or (ii) physically displaced from housing.
Vulnerable household –	a household, which might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement such as a household living below the poverty line; large household with 4 or more children below 18 years; household with disabled members; female headed household; or elderly with no family support.

EXECUTIVE SUMMARY

1. The Government of the Republic of Kazakhstan has approached the Asian Development Bank (ADB) for financing the reconstruction of the Aktobe – Makat road section of the Aktobe-Atyrau-border of the Russian Federation (to Astrakhan). The proposed CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project (the Project) will enhance regional cooperation and inclusive economic growth in Kazakhstan, particularly in the Atyrau and Aktobe provinces. The project will (i) reconstruct approximately 299 km of road section between Aktobe-Makat and upgrade to category standard, and (ii) improve road safety and maintenance.

2. The Aktobe Makat road is a two-lane republican road constructed in the 1970s -1980s. It has a length of 459 km, largely category III/IV roads, and passes main districts in the oil and mineral-rich provinces of Aktobe and Atyrau whose population totals about 1.7 million. Pavement is currently in poor condition (with potholes, cracks, rutting, etc.). In some areas pavement is almost non-existent. Complete reconstruction of the road pavement with strengthening of the entire pavement structure will reduce travel time of vehicles on the road, fuel consumption and vehicle operation costs; also it will contribute to increase in transport connection and economic development in the region. The road will be reconstructed to Category II road according to the national standard of the Republic of Kazakhstan (RoK).

3. The proposed Project is limited to the reconstruction of km 160 – km 468 and km 487 – km 504 of Aktobe-Makat road, including: (i) km 160 – km 330 in Aktobe Oblast; and (ii) km 330 – km 468 and km 487 – km 504 in Atyrau Oblast.

4. This draft Land Acquisition and Resettlement Plan (LARP) is prepared under the Project Preparatory Technical Assistance (PPTA) for CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project. The displaced persons (DPs) and affected assets were identified based on preliminary information made available by design consultants «Gazdorproject» LLP, «Kustanaidorproject» LLP and Industrial Company «Arnay» LLP. The final design is expected to be available in autumn of 2015 and the final impacts will be precisely defined based on that. Initial assessment was made by the PPTA resettlement / social development consultants in July – August 2015. Based on the final design and identified impacts, and Land Use Plan will be developed by the Land State Scientific and Production Center for Land Management (NPTsZem) for Aktobe and Atyrau oblasts in close collaboration with CoR, and the Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast will issue decrees on land acquisition for state needs.²

5. Based on available data, in July 2015, a work team comprising of representatives of the PPTA resettlement / social development consultants, CoR, Akimats, JSC «NC KazAutoZhol», design consultants carried out preliminary survey of the affected plots and consulted lessees of these plots to collect the data required for development of this draft LARP.

6. This Draft LARP includes: (i) preliminary information on number and valuation of affected assets (leased land plots and perennial plants) and affected legal entities; (ii) information on respective legal framework, compensation calculation principles; (iii) summary of consultations carried out; (iv) grievance redress mechanism, and (v) LARP implementation budget and tentative timeline.

7. Overall, the Project will affect 17 state owned land plots. Out of 17 plots 11 are leased by 11 legal entities, including 10 peasant farms and 1 limited liability company, while the remaining 6 plots are used by state organizations. For the census and survey purposes, efforts were made by

² The DP list used for this draft LARP is considered preliminary. Only after the issuance of a decrees on land acquisition for state needs by the respective Akimats and submission of formal notifications to the DPs, the DP list will be considered final. The final list of DPs referred to in the decrees will be used as basis for the preparation of a final LARP. The final LARP will be based on a formal socio-economic survey and census of DPs, official and detailed valuation of affected assets and businesses by licensed valuers and follow-up consultations with DPs.

PPTA resettlement / social development consultants jointly with Akimats to identify and contact the heads of the affected legal entities. In total, the ten heads of 10 peasant farms were contacted to collect information necessary for draft LARP and to provide information on ADB LAR approaches. In the meantime, despite all efforts applied by Akimat and PPTA resettlement / social development consultants, the head of the limited liability company leasing one of the land plots was not contacted. Draft LARP will be updated and finalized at the detailed design stage to reflect final design solutions. A final LARP will be prepared following the adoption by the decrees on land acquisition for state needs by Akimats of Aktobe and Atyrau, expected in September – November 2015.

8. Due to the linear design and limited number of agricultural plots, the impacts are not expected to be significant. All of the affected 17 land plots (557.09 ha) are owned by the State. Out of 17 land plots, 11 plots (152.04 ha) are leased by legal entities, including 13.80 ha provided for short-term lease (up to 5 years) and 138.24 ha provided for long-term lease (up to 49 years). Only leased plots are considered as impacted lands for this draft LARP. In addition there is agropyron perennial plant naturally growing on these leased land plots. All of the 11 leased plots will be partially affected and do not have structures on the part of the land to be taken for the project purposes (the area of the land to be taken varies from 0.04% to 1.65% of the overall area of the respective plot). No structures will be affected due to the Project. No businesses or employees will be affected by the Project. There are no informal dwellers observed. None of the households were identified in the socio-economic survey as vulnerable (households with income below subsistence minimum, households having a disabled member, households with four or more children below 18 years old, female headed households, or elderly with no family support). No DPs will be severely affected due to the project. The estimated number of DPs is 11. A summary of the LAR impacts is given in Table E-1 below.

Table E-1. Summary Land Acquisition and Resettlement Impacts

No.	Description	Number/Amount
1	Total number of land parcels to be acquired - privately owned lands - leased lands (from State)	- 11
2	Total area of permanently affected leased land (in ha) - short-term lease (from State) - long-term lease (from State)	152.04 13.80 138.24
3	Total number of affected legal entities	11
4	Total estimated number of DPs	11

9. For the draft LARP, a socio-economic survey covering 91% of the DPs was conducted to obtain social, demographic and economic information. Results from the survey show that half of the households (50 %) have 4-6 members. Households with less than 3 members constitute 30% of surveyed group, while households with 7-9 members comprise 20%. None of the households is headed by a woman. The average household size is 5.0 persons. In terms of ethnic composition, all of the affected households (100%) are Kazakhs.

10. Heads of the surveyed households have a mean age of 50.1. Most are between 30 – 49 years old (70%). However, some of the household heads (30%) are already 60 years old and above. In terms of marital status, 90% of heads of the household are married. However, there is 1 single head of the household. With respect to education level, half of the household heads (50%) have completed higher education. A considerable proportion (30%) was able to obtain secondary education. In the meantime, 20% of interviewed household heads have specialized secondary education.

11. All of the households covered by the socio-economic survey rely on salary and pensions as their primary income source, thus all of them depend on more than one source of income. None of the surveyed households was deriving its income from the affected leased land plots.

None on them relies on trading and service or social assistance. Most households (90%) have more than 1 income-earning member. Among the interviewed households, only one has one income-earning member (single head of the household). Average monthly income per household member is around KZT 29,400.00. Half of the households (50%) have houses made of saman (mixture of clay and hay). The rest have houses are made of limestone (30%), bricks (10%), and wood (10%). During information socio-economic survey and census no squatters / informal dwellers were found.

12. Public consultations regarding the proposed Project were carried out during preliminary design preparation in July 2015. Public consultations were conducted in Aktobe and Atyrau Oblasts to provide key information on proposed Project with a special focus on LAR impacts and issues. Three public consultations were carried out in July 2015, including consultation in Shubarkudyk and Karaulkeldy communities (Aktobe oblast) carried out on July 21, 2015 and consultation in Sagiz community (Atyrau oblast) that took place on July 22, 2015. Overall, more than 130 participants attended three public consultations, including representatives from state entities, owners of lands/property and businesses located nearby the project road, and civil society. The information brochure summarizing the LAR approaches was developed and distributed during the public consultations.

13. A grievance mechanism is available to allow DPs to appeal any disagreeable decision, practice or activity arising from land or other assets compensation. Efforts will be made to resolve/clarify issues at the level of the regional and central Grievance Redress Committees. If the case remains unsolved after being considered at above-mentioned levels, a complaint can be lodged to the court.

14. Compensation and entitlements for this Project aims to assure that the DPs maintain or improve their standard of living after the project. The table E-2 below provides a summary of the compensation entitlements for various categories of DPs and degrees of impacts related to the Project.

Table E-2. Entitlement and compensation matrix

Asset	Specifications	DPs	Compensation Entitlements
Permanent Loss			
Agricultural land	Cropped / cultivated land or pastureland	Owners	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with plots of equal value to the plots lost; or <input type="checkbox"/> Cash compensation for affected land plot at full replacement value without deduction for taxes, transaction, registration or transfer costs and other applicable payments.
		Renters long-term/ short term	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with plots of equal productivity to the plots lost. <input type="checkbox"/> If the land is not available, consider providing compensation reflecting terms of lease and impact;
		Squatters (if any)	<ul style="list-style-type: none"> <input type="checkbox"/> Leased plot on State land, with no charges for taxes, transaction, registration costs;
	Severe impact: 10% or more of their productive assets (income generating)	Owners, leaseholders of cropped/ cultivated land	<ul style="list-style-type: none"> <input type="checkbox"/> Additional cash compensation equivalent to one-year gross harvest. <input type="checkbox"/> Additional cash compensation to cover livelihood expended for one month due to relocation.

Asset	Specifications	DPs	Compensation Entitlements
Residential and commercial land		Owners	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with plots of equal value to the plots lost; or <input type="checkbox"/> Cash compensation for affected land plot at full replacement value without deduction for taxes, transaction, registration or transfer costs and other applicable payments.
		Renters long-term/ short term	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with a plot comparable in value to the lost plot. <input type="checkbox"/> If the land is not available, consider providing compensation at replacement cost reflecting terms of lease and impact;
		Squatters (if any)	<ul style="list-style-type: none"> <input type="checkbox"/> A land plot to be provided from the State Land Fund for lease (with no charge for taxes, transaction, registration and land legalization)
Structures	Residential houses and commercial buildings	Owners of permanent structures, including squatters	<ul style="list-style-type: none"> <input type="checkbox"/> House for house swap (at the owner option): if replacement is of lower value, cash compensation for the difference; or <input type="checkbox"/> Cash compensation at the current market value for affected structures and other real assets at existing prices at the moment of acquisition with no deduction for depreciation or transaction costs. Compensation will include the value of affected connections to water supply and other public utilities. <input type="checkbox"/> If immediate accommodation/storage is unavailable, housing/storage rental allowance covering rent for at least 1 month or more if rental requirement period is longer.
	Temporary structures (kiosks, stalls)	Owners of temporary/ movable structures	<ul style="list-style-type: none"> <input type="checkbox"/> Approved site to relocate structure with the relevant permissions and access to the road, if required.
	Rented structures	Renters with valid rental contract	<ul style="list-style-type: none"> <input type="checkbox"/> Rental allowance in accordance with the conditions of the rent agreement but not less than cost of rent for 3 months. Refund of the unused portion of the rent or lease fees paid in advance.
Crops	Crops affected	All DPs including squatters	<ul style="list-style-type: none"> <input type="checkbox"/> Crop compensation in cash at full market rate for 1 year gross harvest.
Trees	Trees affected	All DPs including squatters	<ul style="list-style-type: none"> <input type="checkbox"/> Cash compensation reflecting income replacement. Fruit trees value is based on age category and calculated as gross market value of one-year income times the number of years to grow a tree to similar productivity, plus purchase cost of seedlings and starting materials. For wood/timber trees, compensation will be based on the cost of dry wood volume.
Business and employment	Temporary or permanent business/	Business owners (including	<ul style="list-style-type: none"> <input type="checkbox"/> If permanent business loss, cash compensation equal to one year net income (lost profit).

Asset	Specifications	DPs	Compensation Entitlements
	employment loss	those with no formal rights on the land) and their affected workers	<ul style="list-style-type: none"> <input type="checkbox"/> If temporary business loss, cash compensation for the period of income loss. <input type="checkbox"/> If permanent employment loss, 3 months average registered wages (if not registered, based on the official minimum wage in RoK). <input type="checkbox"/> If temporary employment loss, average registered wage during disruption (if not registered, based on the official minimum wage in RoK). <p>Note: Affected workers will be paid through their employers as per the Labor Code)</p>
Relocation	Transport and transitional livelihood costs	All persons affected by relocation	<ul style="list-style-type: none"> <input type="checkbox"/> Transportation allowance sufficient to cover transport expenses; <input type="checkbox"/> Relocation allowance equivalent to monthly rental cost for similar land plots/structures multiplied by the number of months needed to rebuild and relocate to new site. <input type="checkbox"/> Transition allowance to cover their households needs during transition period.
Community assets			<ul style="list-style-type: none"> <input type="checkbox"/> Rehabilitation or replacement of affected structures to pre-project function.
Vulnerable population groups		HH below the poverty line; large families having 4 or more children below 18 years; HH with disabled members; female headed household; or elderly with no family support	<ul style="list-style-type: none"> <input type="checkbox"/> Assistance equivalent to minimum living wage for 3 months; <input type="checkbox"/> Enrolment in government social assistance program if not yet enrolled; <input type="checkbox"/> Priority in local employment for able members of vulnerable household.
Temporary Loss			
Land for construction sites, camps or temporary service roads, etc.	Negotiated between owner and contractor	Owners (private or public)	<ul style="list-style-type: none"> <input type="checkbox"/> Contractor pays cash compensation at existing local rental rates for duration of temporary use plus income/crop/structure loss due to temporary land use, if any as provided for in the entitlements for crops, business and structure losses. <input type="checkbox"/> Land restored to original status at the end of rental. <input type="checkbox"/> Contractor pays for making land management and legal documents.
		Renters long-term/ short term	<ul style="list-style-type: none"> <input type="checkbox"/> Contractor pays cash compensation at local state rental rates for duration of temporary use plus income/crop/structure loss due to temporary land use, if any as provided for in the entitlements for crops, business and structure losses. <input type="checkbox"/> Land restored to original status at the end of rental. <input type="checkbox"/> Contractor pays for making land management and legal documents.

Asset	Specifications	DPs	Compensation Entitlements
			<input type="checkbox"/> Environmental safeguard measures.

15. The CoR, Akimats of Temir and Baiganin rayons of Aktobe oblast and Akimats of Kzylkoga and Makat rayons of Atyrau oblast will support finalization of this draft LARP and after the approval/disclosure of the final LARP will fully implement it with support from Project Management Consultant.

16. According to the preliminary estimates, a budget of approximately KZT 2,016,798.03 (USD 10,782.13) will be required for LARP implementation activities. This includes the cost for compensation of losses, transaction costs such as re-registration of remaining portions of land plots, registration of new land plots, expenses required for notary services, bank account opening and closing fees, bank operational fees and charges, other administrative expenses.

17. Civil works for the Project will commence after the full implementation of the compensation program described in this LARP including full delivery of compensation to the DPs, and preparation of monitoring reports, and review by ADB. If construction is to be implemented section by section, based on the construction schedule, monitoring reports will be submitted to ADB confirming LARP implementation for the relevant section.

CHAPTER 1. INTRODUCTION

1.1 Project Overview

1. The Government of the Republic of Kazakhstan (GoK) has approached the Asian Development Bank (ADB) for financing the reconstruction of the Aktobe – Makat road section of the Aktobe-Atyrau-border of the Russian Federation (to Astrakhan). The proposed Central Asia Regional Economic Cooperation Program (CAREC) Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project (the Project) will reconstruct about 300 kilometer (km) of Aktobe Makat road section, a key part of the Western Kazakhstan Transport Corridor. This will enhance regional in particular western Kazakhstan road connectivity and mobility, improve quality and efficiency of road transport service, and promote inclusive economic growth in the western part of the country.

2. The Project fully complies with ADB's Strategy 2020³ and is consistent with the National Development Strategy "Kazakhstan 2030"⁴ that declares infrastructure and especially transport among the long-term priority goals and strategies, as well as with the Transport Strategy of the Republic of Kazakhstan⁵ (RoK) stipulating for progressive development of transport and communication sectors. In particular, sixth long-term priority "Infrastructure, particularly transport and communication" (in total there are seven long-term priorities) declares importance of development of roads to ensure international transit flow and creation of high-speed sections. The project also complies with the State Program for Development and Integration of Transport Infrastructure 2020⁶ that aims to form a modern transport system in Kazakhstan. The Project also directly responds to ADB's partnership priorities for Kazakhstan highlighting ADB focus on transport sector^{7,8}. The project is consistent with the ADB Country Partnership Strategy for Kazakhstan, 2012-2016 and fits with ADB's Midterm Review of Strategy 2020. It supports the CAREC Transport and Trade Facilitation Strategy 2020 and is included in the Country Operations Business Plan for Kazakhstan, 2015-2017.

3. The Aktobe Makat road is a two-lane republican road constructed in the 1970s 1980s. It has a length of 459 km, largely category III/IV roads, and passes main districts in the oil and mineral-rich provinces of Aktobe and Atyrau whose population totals about 1.7 million (about 10% of RoK population). As a result of inadequate maintenance and lack of rehabilitation and/or reconstruction work over the years, road pavement lost its structure and bridges and culverts can barely withstand the fast rising traffic that serves the oil production and refinery factories in the region.

4. Pavement is currently in poor condition (with potholes, cracks, rutting, etc.). In some areas pavement is almost totally non-existent. The road has been operated for more than 30 years. This section was originally designed for axial loads up to 8 tons and in some places up to 6 tons; however, in fact vehicles moving on this road carry cargo capacity of 13 tons or more on a single axis.

5. Despite poor road condition, some sections are carrying daily traffic of up to 7,000 vehicles, which poses serious traffic safety concerns. As the main transport artery of the region

³ Strategy 2020, The Long-Term Strategic Framework of the Asian Development Bank 2008-2020, April 2008

⁴ National Development Strategy "Kazakhstan 2030", recent version highlighted by President of the Republic of Kazakhstan in his address to the Nation made on 21 December 2014.

⁵ Transport Strategy of the Republic of Kazakhstan 2020, approved by Government Decree dated 31 January 2005

⁶ State Program for Development and Integration of Transport Infrastructure to 2020, adopted by the Government on 13 January 2014

⁷ Annual Report 2014, Asian Development Bank, 2014, 52p.

⁸ ADB & Kazakhstan, Fact Sheet, Asian Development Bank, 2014, 4p.

and connecting to rest of the country, the poor road condition has likewise caused negative social effects as the rural population feel somewhat disconnected and abandoned by the cities and district centers. Road connectivity has become a key development issue particularly for the western part of the country. The reconstruction of Aktobe Makat road will be part of an overall network upgrade program that will also enhance existing links between Astana and the Caspian Sea port town of Aktau. Taking into account the standards and costs, the 459 km section will be mainly a two lane corridor (upgraded to category II), with consideration for expansion to 4 lanes (upgraded to category I) through some critical urban locations. Besides benefits accrued to regional trade and transit traffic, improvements to this road will also improve access to markets and social services for local communities and stimulate development of non-oil sector industries that in return create more job opportunities and improve the region's living standards. The road sector in Kazakhstan has made impressive strides in institutional and capacity development with assistance from development partners.

6. Complete reconstruction of the road pavement with strengthening the entire pavement structure will reduce travel time of vehicles on the road, fuel consumption and vehicle operation costs; also it will contribute to increase in transport connection and economic development in the region.

7. The overall project is a road rehabilitation project involving 457 km of national highway A-27 between Aktobe and Makat rehabilitated in six sub-sections, three of which will be funded by the ADB under this specific Project (about 299 km in total). The road section proposed to be reconstructed with ADB funding will be confined within the right-of-way with the exception of two proposed changes in alignment at Shubarkudyk and Karaulkeldy (totalling around 14km). The six sub-sections are funded by the ADB, the GoK and the Islamic Development Bank (IsDB) as follows:

- Sub-Section 1 (Aktobe oblast, km 11 – km 160) - funded by the IsDB;
- Sub-Section 2 (Aktobe oblast, km 160 – km 220) - funded by the ADB;
- Sub-Section 3 (Aktobe oblast, km 220 – km 236) - funded by the GoK;
- Sub-Section 4 (Aktobe oblast, km 236 – km 330) - funded by the ADB;
- Sub-Section 5 (Atyrau oblast, km 330 – km 458) - funded by the ADB;
- Sub-Section 6 (Atyrau oblast, km 458 – km 468) - funded by the GoK.

8. Further on, a new section km 487 – km 504 located in Atyrau oblast was added to the project and will be reconstructed with the funding provided by the ADB.

9. The proposed ADB project is limited to the reconstruction of km 160 – km 458 of Aktobe-Makat road, including:

- km 160 – km 330 in Aktobe Oblast;
- km 330 – km 458 in Atyrau Oblast;

as well as km 487 – km 504 section in Atyrau Oblast.

10. The draft LARP herewith focuses only on the sub-sections funded by the ADB.

11. The road will be reconstructed to Category II road according to the national standards of the Republic of Kazakhstan.

12. The location of the proposed project road section Aktobe - Makat is demonstrated on the Figure 1 below.

13. Two potential changes in the existing alignment have been proposed as part of the project design. The first relates to a bypass at km 172 – km 180 located north of the community of Shubarkudyk in Temir rayon of Aktobe oblast (see bypass 1 on Figure 2-1), the second to a bypass at km 236.5 – km 248 located close to the village of Karaulkeldy of Baiganin rayon of Aktobe oblast to accommodate an elevated crossing of the existing railway line (see bypass 2 on Figure 2-1). Location of the road section at km 487 – km 504 is presented in figure 2-3. While

deciding on bypass location the design consultant («Gazdorproject» LLP) positioned the road on state owned lands, as well as considered perspective development plans of the communities. It should be noted that rehabilitation of the existing pavement within the communities will also be undertaken, but this will involve only replacement of the asphalt surface.

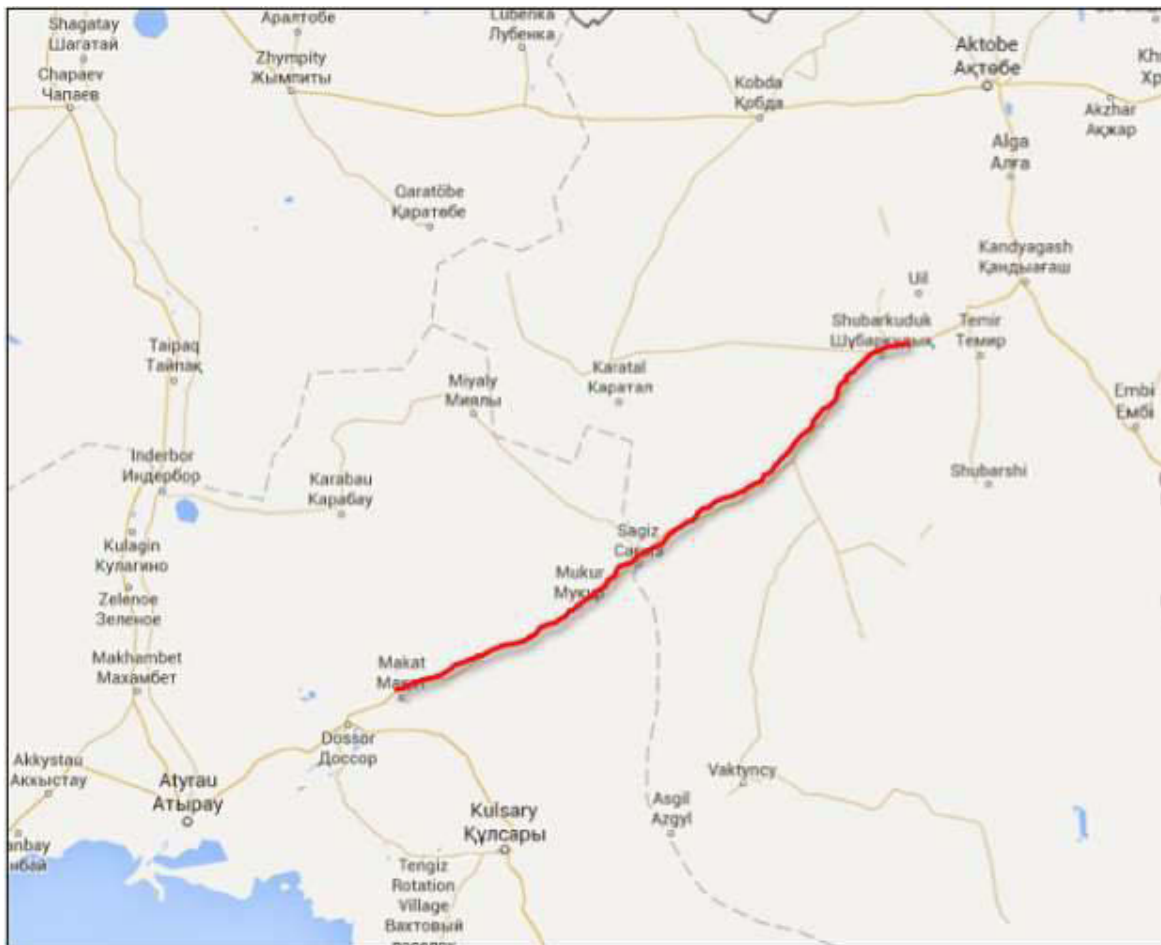


Figure 1: Location of project road section Aktobe – Makat

14. The proponent for this Project is the Republic of Kazakhstan (RoK) acting through Committee on Roads (CoR) of the Ministry of Investments and Development (MID). Specific information on road reconstruction works proposed under this Project will be defined based on the final design and will be subject to the decision of the CoR of the MID. The regional representative of the CoR will be responsible for day-to-day management of the Project, including supervision of the detailed design, coordination of implementation of civil works, etc.

15. The Project aims at providing an efficient and safe road transportation system for the movement of passengers, goods and services in an environmentally sustainable manner. Overall, the Project will improve transport infrastructure of the Aktobe and Atyrau oblasts, provide improved corridor for the national and international movement of passengers and freight. It will facilitate regional trade, support poverty reduction while accelerating growth and development in the country as a whole, establish fast transportation link, and accelerate social and economic development while raising the living standard of local inhabitants. The road reconstruction will promote traffic safety. It will also contribute to reduction of overall emissions by eliminating/reducing the deceleration-acceleration cycles due to smooth road surface. In addition, operation of improved section will contribute to reduction of commercial risks during goods delivery, decrease in transport costs and passengers travel time. It should be also noted, that the Project will create temporary employment opportunities during construction works.

Figure 2-1: Road section in Aktobe oblast (km 160 – km 330)



Figure 2-2: Road section in Atyrau oblast (km 330 – km 458)

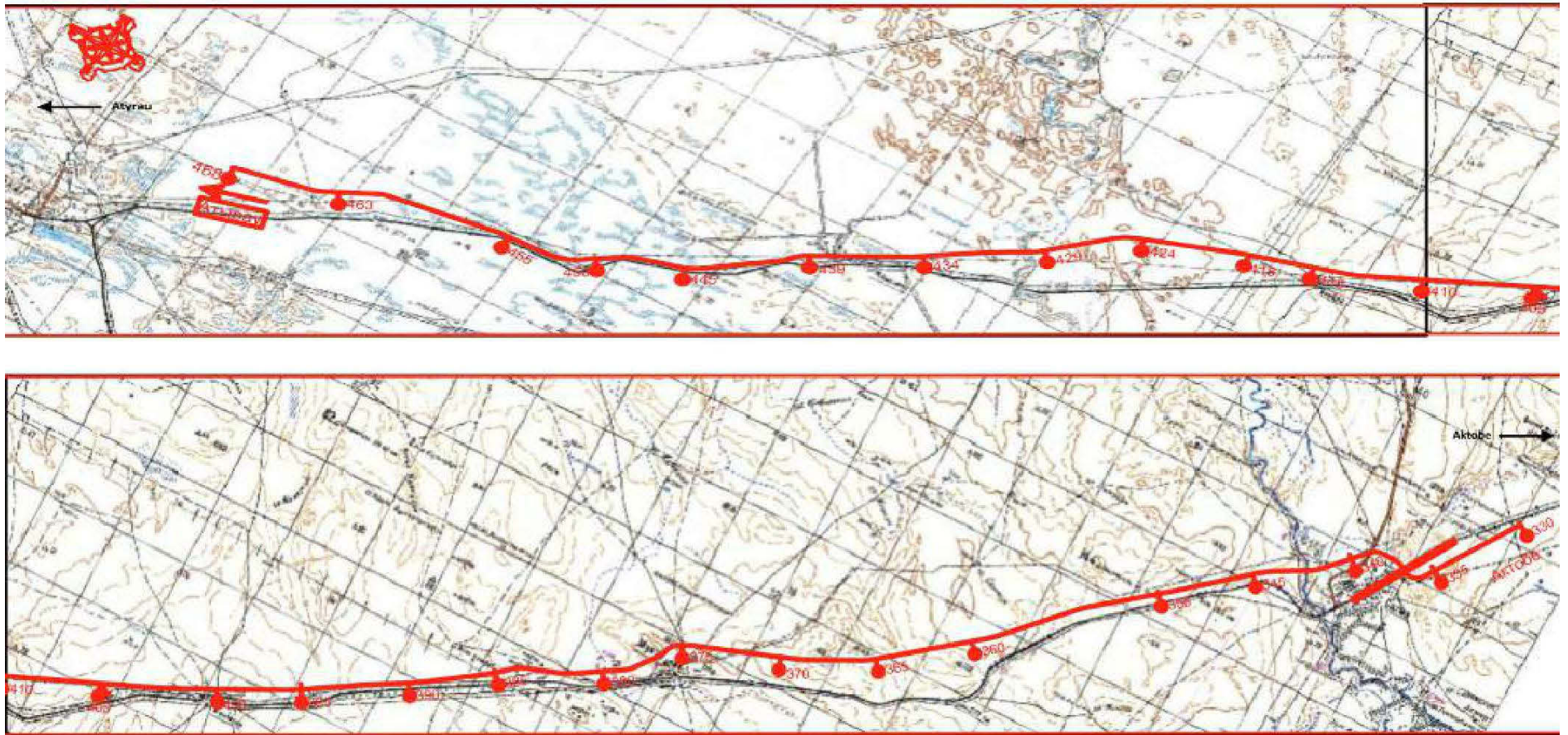
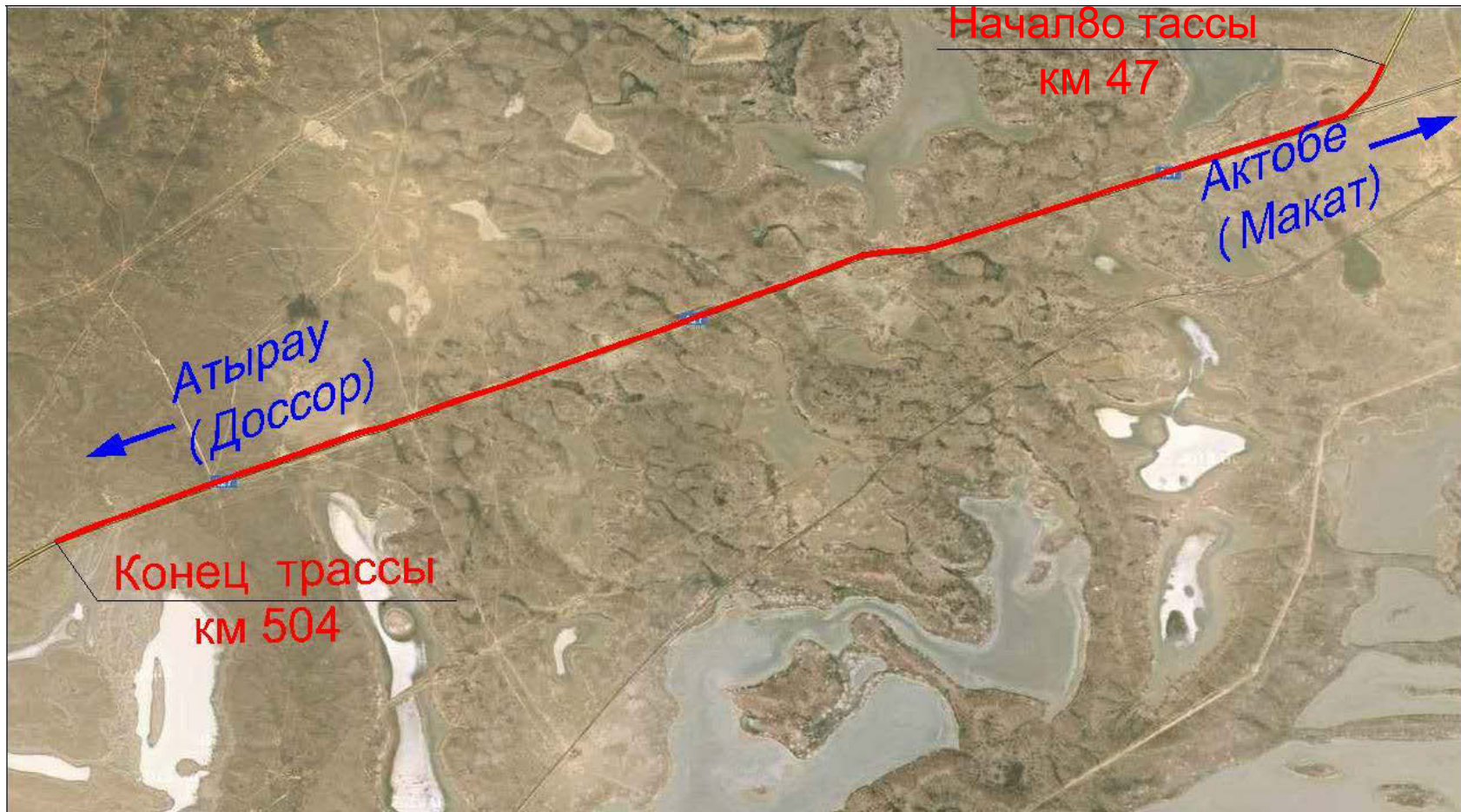


Figure 2-3: Road section in Atyrau oblast (km 487 – km 504)



16. This draft Land Acquisition and Resettlement Plan (LARP) has been developed in order to assess the land acquisition and resettlement (LAR) impacts associated to reconstruction of the section Aktobe – Makat included in the CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project, and was prepared for ADB. This draft LARP was prepared in July – September 2015 based on the relevant laws on LAR in the RoK and the provisions of the 2009 Safeguard Policy Statement (SPS) of ADB.

17. The displaced persons (DPs) for this Project were identified based on the initial preliminary design stage data provided by design consultants «Gazdorproject» LLP, «Kustanaidorproject» LLP and Industrial Company «Arnay» LLP in July – September 2015. Census and socio-economic survey covering 91% of DPs was carried out by the PPTA resettlement / social development consultant team, while preliminary valuation was implemented by a licensed valuation company supported by the CoR.

1.2 LAR-Related Conditionalities

18. Based on ADB policy and practice, the appraisal of the project and the LARP, signing of contract awards and civil works implementation are subject to the following conditions:

- **Contract awards signing and LARP implementation:** approval of the final/implementation-ready LARP by ADB and the Government;
- **Provision of no-objection to initiation of civil works:** (i) full implementation of the compensation program described in the LARP including the full delivery of compensation to the DPs, and (ii) satisfactory review by ADB and the Government of the LARP completion report.

CHAPTER 2. IMPACT ASSESSMENT

2.1 Data Collection Methodology

19. DPs and affected assets were identified based on preliminary information made available by design consultants «Gazdorproject» LLP and «Kustanaidorproject» LLP. The final design is expected to be available in autumn of 2015, and the final impacts will be precisely defined based on that. Initial assessment was made by the PPTA resettlement / social development consultants in July-August 2015. Based on the final design and identified impacts, and Land Use Plan will be developed by the Land State Scientific and Production Center for Land Management (NPTsZem) for Aktobe and Atyrau oblasts in close collaboration with CoR, and the Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast will issue decrees on land acquisition for state needs.⁹

20. In July 2015, a work team comprising of representatives of the PPTA resettlement / social development consultants, CoR, Akimats, JSC «NC KazAutoZhol», design consultants carried out preliminary survey of the affected plots and consulted lessees of these plots to collect the data required for development of this draft LARP.

21. The questionnaires for census and socio-economic survey developed by PPTA resettlement / social development was used (Annexes B and C). The PPTA resettlement / social development consultants completed the questionnaires and assessed completeness of the census and socio-economic forms and identified major impacts. A complete assessment of impact will be done through the official valuation of assets / detailed measurement survey and census following the issuance of the decrees on land acquisition for state needs by Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast, which will be reflected in the final LARP. For this project, the date of the decrees on land acquisition for state needs will be considered as the cut-off date for entitlements. After the cut-off date the persons who have neither formal legal rights nor recognized or recognizable claim to the affected land will no longer be eligible for resettlement assistance.

22. Overall, the Project will affect 17 state owned land plots. Out of 17 plots 11 are leased by 11 legal entities, including 10 peasant farms and 1 limited liability company. For the census and survey purposes, efforts were made by PPTA resettlement / social development consultants jointly with Akimats to identify and contact the heads of the affected legal entities. In total, the heads of 10 peasant farms were contacted to collect information necessary for draft LARP and to provide information on ADB LAR approaches. In the meantime, despite all efforts applied by Akimat and PPTA resettlement / social development consultants, the head of the limited liability company leasing one of the land plots was not contacted. That particular DP avoids any contact with local authorities or other entities, since the company he owns is currently in the process of being recognized as bankrupt¹⁰.

2.2 Land Losses

23. Impacts identified based on preliminary design stage revealed that there are no privately owned land plots to be impacted due to the Project and only State lands will be acquired for permanent use. In total, there are 17 land plots located in the corridor of impact (CoI) of the Project covering an estimated area of 152.04 ha. All the land plots are owned by State, out of which 11 land plots are leased by 11 legal entities. Only these 11 leased plots are considered as

⁹ The DP list used for this draft LARP is considered preliminary. Only after the issuance of a decrees on land acquisition for state needs by the respective Akimats and submission of formal notifications to the DPs, the DP list will be considered final. The final list of DPs referred to in the decree will be used as basis for the preparation of a final LARP. The final LARP will be based on a formal socio-economic survey and census of DPs, official and detailed valuation of affected assets and businesses by licensed valuers and follow-up consultations with DPs.

¹⁰ Reference was provided by deputy Akim of Baiganin rayon of Aktobe oblast to the director of Aktobe regional branch of JSC «NC KazAutoZhol» (No 04-1824 dated 21 July 2015).

impacted lands for this draft LARP. All of leased land plots are used for agricultural purposes (natural pastures). None of land plots is used for residential or commercial purposes. None of land plots will be acquired fully, as they are only partially affected and none of them has structures on the part of plot affected by the Project. Most of the affected lands (10 plots) with total area of 138.24 ha or 90.9% are leased from the State on a long-term basis (5-49 years) and only one land plot with an area of 13.80 ha or 9.1% is leased from the State on a short-term basis (up to 5 years). See table 1.

Table 1. Number of plots and area of permanently affected leased agricultural lands by tenure status

Land Type	Number of plots by tenure status			Total number of plots	Area of land (in ha) by tenure status			Total area, in ha
	Privately owned	Short-term Lease	Long-term Lease		Privately owned	Short-term Lease	Long-term Lease	
Agricultural land	0	1	10	11	0	13.80	138.24	152.04
Total	0	1	10	11	0	13.80	138.24	152.04

2.3 Loss of Trees and Perennial Plants

24. Taking into account that the road is passing through semi-desert and steppe areas the vegetation is very scarce. It is estimated that 11 legal entities will lose wild agropyron (perennial plant) naturally growing on the pasturelands leased by them. The final estimate of loss of perennial plants will be determined during the official census, updating of inventory of losses and valuation, and will be reflected in the final LARP. See table 2.

Table 2. Trees and perennial plants grown on affected land plots leased by legal entities

Type of trees and perennial plants	Area (ha)	Number of affected LEs
Wild Agropyron	152.04	11 LE
Total	152.04	11 LE

2.4 Structure Losses

25. There are no structures located on the parts of the land plots to be taken for the project purposes. None of the 11 affected legal entities will permanently lose their structures and will be displaced.

2.5 Business Losses

26. None of the legal entities will be permanently or temporarily affected due to the Project activities. None of affected legal entities will lose income from business activities.

2.6 Employment Loss

27. No workers are employed specifically at affected part of the land plot, thus no person will consequently be affected by the acquisition of land used by the legal entities. As a result of the project implementation no one is losing jobs.

2.6 Relocation Impact

28. None of the affected legal entities will permanently lose their structures and will be displaced.

2.7 Number of Affected Persons

29. 11 displaced legal entities (10 peasant farms and 1 limited liability company) will likely experience various losses / impacts from the implementation of the Project. All of these legal entities will lose access to part of their leased agricultural lands used as the natural pastures. All the 11 leased plots will be partially affected and do not have structures on the part of the land to be taken for the project purposes (the area of the land to be taken varies from 0.04% to 1.65% of the overall area of each plot). No businesses will be permanently affected. There are no informal dwellers affected. The estimated number of DPs is 11. See table 3.

Table 3. Details of affected DPs by category

DP Category	Number of affected households / legal entities		Estimated number of DPs
	(impact type)	Absolute (without double counting)	
A. Land loss			
A1. Agricultural land (permanent loss)			
- owned/leased by households	-	-	-
- owned/leased by legal entities	11	11	11
A2. Residential land (permanent loss)	-	-	-
A3. Commercial land (permanent loss)	-	-	-
Sub-total (A)	11	11	11
B. Loss of perennial plants			
- owners/leaseholders (households)	-	-	-
- owners/leaseholders (legal entities)	11	-	-
Sub-total (B)	11	-	-
C. Business/Income Losses			
C1. Temporary business losses			
- owners (household)	-	-	-
- owner (legal entity)	-	-	-
C2. Wage workers/Employees from affected businesses	-	-	-
Sub-Total (C)	-	-	-
D. Permanent structure losses	-	-	-
Sub-total (D)	-	-	-
E. Total (A+B+C+D)		11	11

2.8 Vulnerable DPs

30. In Kazakhstan, the law on State Targeted Social Assistance (N246 II dated 17 July 2001, last amendment 19 May 2015) considers families with an average per capita income below the poverty line (defined as 40% of the subsistence minimum) are considered vulnerable and are

entitled to the targeted social assistance. As of July 2015, the official minimum salary in Kazakhstan is 21,364.00 KZT per capita¹¹. The poverty line therefore is 8,545.60 KZT per capita¹². In addition, large families with 4 or more children below 18 years old, and households with a disabled member are also considered vulnerable and are entitled to the allowance from state. Akimats is mandated to identify poor and vulnerable households in their territories.

31. Efforts were made during the socio-economic survey to identify poor and vulnerable households. None of the DPs was identified as vulnerable during the socio-economic survey. These include households with income below subsistence minimum, households having a disabled member, households with four or more children below 18 years old, female headed households, or elderly with no family support. An update of assessment of the vulnerability status of all displaced households will be made during the preparation of the final LARP.

2.9 Severely affected DPs

32. Based on data available at draft LARP stage, none of the DPs will lose their entire income generating asset. Size of the affected part of the land plots varies between 0.04 – 1.65% of the entire land plot area. Information on severely impacted DPs will be verified and updated during preparation of the final LARP.

2.10 Consultations, Perceived Impacts and Suggestions

33. During socio-economic survey and census activities, surveyed households were provided with information regarding proposed project, peculiarities of land acquisition and resettlement, as well as were handed with information brochure. There will be ongoing consultation during finalization of the LARP. All of the respondents (100%) were aware of the road section reconstruction project. All of the respondents (100%) emphasized that after the road reconstruction they will have reliable, safe and speedy road. The majority of respondents (60 %) thought that after the road reconstruction, they will have improved access to healthcare infrastructure as well as entertainment places. Some of the respondents believe that after the completion of the project they will have improved market and shops (40%). The vast majority of respondents (90%) mentioned that they do not move their cattle / animals across or along the project road. Even considering the fact that land plots rented by peasant farms will be taken for the road reconstruction all of the respondents (heads of affected peasant farms) reported that they think that the Project will have positive impact on their households and farms. When asked for suggestions, 7 respondents emphasized provision of more cattle crossings in final design, and another 3 respondents noted importance of increase of number of roadside businesses and better access to roadside services, including vehicle service stations.

2.11 Temporary impacts

34. No requirement for temporary land acquisition was identified during the preliminary design stage. In case land will be needed temporarily during construction, priority will be made in using State-owned lands. However, this will be known only during detailed design stage. In case privately-owned or leased land will be needed temporarily during construction by the contractors, the lease arrangements will be documented in the monthly progress reports and in the internal monitoring reports.

¹¹ According to Law “On Republican Budget for 2015-2017”, the monthly minimum salary for 2015 is 21,364.00 KZT.

¹² Poverty line is defined as a 40% of subsistence minimum, which for July 2015 was established at a level of 21,364.00 KZT.

2.12 Access issues to be considered during final design stage

35. There are no structures and businesses located in the Col of the Project. However, there are several structures and businesses located outside of the Col but are connected to the project road. Access to these structures / businesses should be ensured through integrating appropriate solutions into the final design, in order to provide and maintain access to them both during implementation of construction works and afterwards during operation of the road. List of these structures / businesses located along the existing road is provided below for both Aktobe and Atyrau oblasts:

- Aktobe oblast (design consultant «Gazdorproject» LLP):
 - km 240 – tea house «Bolashak», located right after the railway crossing in Karaulkeldy community on the left side of the road (direction to Atyrau);
 - km 244 – tea house «Akbot», located in Karaulkeldy community on the right side of the road (direction to Atyrau);
 - km 246 – hotel and cafe «Gibrat», located in Karaulkeldy community on the right side of the road (direction to Atyrau). After the road reconstruction, this business will be accessed through currently existing road, as in the section bypass will be arranged;
 - km 248 – hotel and cafe «Atyrau», located after the bypass section of Karaulkeldy community on the left side of the road (direction to Atyrau);
 - km 248 – hotel and cafe «Abylhair», located after the bypass section of Karaulkeldy community on the left side of the road (direction to Atyrau);
 - km 274 – tea house, two storey building located before approaching Zherly community, on the right side of the road (direction to Atyrau);
 - km 274 – tea house «Dam» (made of railway tank car, located nearby Zherly community on the left side of the road (direction to Atyrau).

- Atyrau oblast (design consultant «Kustanaidorproject» LLP)
 - km 337 – two-storey structure under construction, located on the left side of the road (direction to Atyrau);
 - km 337 – structure under construction with fence, located on the right side of the road (direction to Atyrau);
 - km 339 – petrol station «KazMunaiGaz», located on the right side of the road (direction to Atyrau);
 - km 341 – abandoned petrol station, located on the right side of the road (direction to Atyrau);
 - km 344 – cafe, located on the left side of the road (direction to Atyrau);
 - km 344 – cafe, located nearby existing rest area, located on the right side of the road (direction to Atyrau);
 - km 376 – cemetery of Mukur community, located on the left side of the road (direction to Atyrau);
 - km 377 – cafe, located on the left side of the road (direction to Atyrau);
 - km 400 – cafe, located on the right side of the road (direction to Atyrau);
 - km 401 – cemetery of Zhanterek community, located on the left side of the road (direction to Atyrau);
 - km 417 – cafe, located on the left side of the road (direction to Atyrau);
 - km 436 – cafe, located nearby the Zhamansor community, on the left side of the road (direction to Atyrau).

CHAPTER 3. SOCIO-ECONOMIC PROFILE

3.1 General Characteristics of Aktobe Oblast¹³

36. Aktobe oblast is located in the north-western part of the Republic of Kazakhstan and borders the Orenburg oblast of Russian Federation (to the north), Karakalpakstan autonomous region of Uzbekistan (to the south), as well as six other Kazakhstan oblasts: Western Kazakhstan, Atyrau and Mangystau oblasts (to the west), Kustanai, Karaganda and Kyzylorda oblasts (to the east). Aktobe - a major economic center in western Kazakhstan. In Aktobe region there are large exploited and unexploited oil and gas fields.

37. Total area of the oblast is 300.6 thousand sq. km. (as of January 1, 2014), which comprise 11% of Kazakhstan's territory. It is the second largest oblast of the country. Population of the oblast as of January 1, 2015 comprises 822.7 thousand people (urban population - 510.7 thousand and rural population 312.0 thousand) and population density per 1 sq. km. is 2.7. There are 12 rayons (Alga, Ayteke Bi, Bayganin, Kargaly, Kobda, Martuk, Mugazhar, Oiy, Shalkar, Chromtau, Temir and Yrgyz), 8 towns and 410 rural communities. The project road section passes through two rayons of Aktobe oblast – namely Temir and Bayganin.

38. Over the past 15 years Kazakhstan achieved remarkable economic growth, averaging 6.5% per annum and fuelled by the extractive industries, especially oil, gas and minerals. This strong growth has contributed to reducing the incidence and the depth of poverty by providing employment opportunities, cutting back under/unemployment, providing access to capital, social and economic infrastructure and services and increasing income per capita. This has resulted in remarkable improvements in living standards and households. From 2005 to 2013, the country's gross domestic product (GDP) grew in average by 2.5% annually¹⁴. Gross regional product in Aktobe oblast for January – September 2014 amounted to 1,255.5 billion KZT. In total, the economically active population of the Aktobe oblast in 2014 comprised 432.6 thousand people (52.6%), out of which 413.4 thousand people were employed, including 314.3 thousand hired workers and 99.1 thousand self-employed. Economically inactive population comprised 96.6 thousand people. Total number of unemployed comprised 21.2 thousand people. Number of registered unemployed comprised 1,207 people.

39. Kazakhstan has cut poverty by almost 90% in a decade. Since the implementation of the state poverty reduction programs since 2002, the share of people with income lower than subsistence level declined dramatically. Poverty was significantly cut from about 46.7% in 2001 to about 6.5% in 2010 and severity was reduced by more than 4.9 times between 2005 and 2010. The poverty rate for Kazakhstan comprised 6.5% in 2010 and the extreme poverty rate was registered at a level of 0.4%, while the same parameters for Aktobe oblast comprised 6.0% and 0.2% respectively.

40. The population is composed of more than 40 ethnic groups (nationalities). Kazakhs (70.7%) are the largest permanent population of Aktobe oblast followed by Russians (16.7%) and Ukrainians (6.9%). Tatars (1.7%), Germans (1.6%), Belorussians (0.4%) and Moldavians (0.3) represent smaller share of population. The share of all other nationalities in Aktobe oblast comprises 1.7% in total. All ethnic groups are fully integrated into Kazakh majority, having the same access to land and natural resources, health, education, livelihood systems, and social security status.

41. Average monthly salary in Aktobe oblast in 2014 comprised 135,787.0 KZT. The average monthly salary for Aktobe town is 140,249.0 KZT, for Temir rayon is 101,004.0 KZT and for Bayganin rayon is 101,408.0 KZT. The highest average monthly salary of employees in 2014 was registered in transport and warehousing, as well as professional, scientific and technical sectors (KZT 212,073.0 – 210,550.0), industry, construction, information and communication,

¹³ Data provided in this section is based on the information available from statistical information sources.

¹⁴ GDP data source: <http://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG>

finance and insurance, arts and recreation, state administration sectors (KZT 186,782.0 – 121,183.0). The lowest average monthly salaries of employees in 2014 were registered in the agricultural sector, fish-farming services, administrative support, education (KZT 57,300.0 – 78,505.0). Average nominal income per capita comprised 62,033.0 KZT, while average expenditures comprised 72,969.0 KZT.

3.2 General Characteristics of Atyrau Oblast¹⁵

42. Atyrau oblast is located in Pricaspian lowland, in the west of Kazakhstan at the shore of Caspian Sea. Atyrau oblast borders the Astrakhan oblast of Russian Federation (to the west), as well as three other Kazakhstan oblasts: Aktobe oblast (to the east), Mangystau oblast (to the south) and West Kazakhstan oblast (to the north-east). Overall, the oblast is one of the most oil-rich regions of Kazakhstan.

43. Total area of the oblast is 118.6 thousand sq. km. (as of January 1, 2014), which comprise 4.35% of Kazakhstan's territory. It is the third least populated oblast of the country. Population of the oblast as of January 1, 2015 comprises 581.4 thousand people (urban population - 274.6 thousand and rural population 306.7 thousand) and population density per 1 sq. km. is 4.9. There are 7 rayons (Zhylyoi, Makhambet, Isatai, Kzylykoga, Kunmangazi, Makat and Inder), 1 oblast-level town (Atyrau), 1 rayon-level town (Kulsary), and 165 rural communities. The project road passes through two rayons of Atyrau oblast – namely Kzylykoga and Makat.

44. Gross regional product in Atyrau oblast for 2013 comprised 3,590,140.7 million KZT, while GDP per capita amounted to 6,393.4 thousand KZT. Gross regional product in Atyrau oblast for January – September 2014 amounted to 2,895 billion KZT. In total, the economically active population of the Atyrau oblast in 2014 comprised 299.3 thousand people (51.5%), out of which 284.7 thousand people were employed, including 251.6 thousand hired workers and 33.1 thousand self-employed. Economically inactive population comprised 96.6 thousand people. Total number of unemployed comprised 14.6 thousand people. Number of registered unemployed comprised 4,173 people. The poverty rate for Atyrau oblast comprised 5.9% in 2010 and the extreme poverty rate was registered at a level of 0.8% respectively.

45. The population of Atyrau oblast is composed of more than 40 ethnic groups (nationalities). Kazakhs (89.0%) are the largest permanent population followed by Russians (8.6%). Tatars (0.6%), Koreans (0.6%) and Ukrainians (0.3%) represent smaller share of population. The share of all other nationalities in Atyrau oblast comprises 0.9% in total. All ethnic groups are fully integrated into Kazakh majority, having the same access to land and natural resources, health, education, livelihood systems, and social security status.

46. Average monthly salary in Atyrau oblast in 2014 comprised 271,922.0 KZT. The average monthly salary for Atyrau town is 287,184.0 KZT, for Makat rayon is 250,153.0 KZT, for Kzylykoga rayon is 185,278.0 KZT. The highest average monthly salary of employees in 2014 was registered in professional, scientific and technical sectors (KZT 606,282.0), industry, transport, construction, information and financial sectors (KZT 172,966.0 – 114,141.0). The lowest average monthly salaries of employees in 2014 were registered in the agricultural sector, fish-farming services, art and entertainment (KZT 25,906.0 – 42,334.0). Average nominal income per capita comprised 73,202.0 KZT, while average expenditures comprised 24,562.0 KZT.

3.3 Profile of the Displaced Population

47. To obtain information on the socio-economic profile and living conditions of the affected legal entities and further assess the impacts of land acquisition on the DPs, secondary data

¹⁵ Data provided in this section is based on the information available from statistical information sources.

obtained from state institutions and a survey of 91% of DPs was conducted. Formal and informal interviews were carried out in July 2015 using questionnaires translated to Russian. English versions of the questionnaires used for socio-economic survey, as well as census forms are presented in Appendix B and C. Socio-economic survey was carried out based on the preliminary list of affected assets and persons provided by design consultants.

48. For this draft LARP, an estimated 17 land plots owned by state are affected. Out of 17 plots 11 are leased by 11 legal entities, including 10 peasant farms and 1 limited liability company. In total, the heads of 10 peasant farms were contacted to collect information on socio-economic profile used for this draft LARP. In the meantime, it was impossible to establish a contact with one of the affected legal entities despite all the efforts applied by PPTA resettlement / social development consultants and respective Akimats.

49. A licensed independent valuation company carried out preliminary informal valuation of the assets based on review of available data. Several assumptions were made by valuation company to provide estimates.

3.3.1 Number and Size of Displaced Households

50. Half of the surveyed households (50%) have 4-6 members, while households including with less than 3 members comprise 30%, and those with 7-9 members constitute 20%. None of the surveyed DPs is headed by women. The average household size is 5.0. All of 10 interviewed parties agreed to provide information on their households, which was used for the analysis. See table 4.

Table 4. Size of the surveyed households

Household Size	Number	Percent
3 and below	3	30.0
4 – 6	5	50.0
7 and above	2	20.0
Total	10	100.0

3.3.2 Age, Marital Status and Education Level of Household Head

51. Heads of the surveyed households have a mean age of 50.1. Most are between 30 – 49 years old (70%). However, heads of a part of households (30%) are already 60 years old and above. In terms of marital status, vast majority of heads of the household (90%) are married. However, there is also 1 single head of the household. With respect to education level, half of the household heads (50%) have higher education. A considerable proportion (30%) was able to obtain secondary education. In the meantime, 20% of interviewed household heads have completed secondary specialized education. See tables 5 and 6.

Table 5. Age profile of the heads of the surveyed households

Age of Household Head	Men	Women	Total	
	Number	Number	Number	%
Below 30	0	0	0	0
30 – 39	3	0	3	30
40 – 49	4	0	4	40
50 – 59	0	0	0	0
60 – 69	1	0	1	10
70 and above	2	0	2	20
Total	10	0	10	100

Mean age = 50.1

Table 6. Education profile of the heads of surveyed households

Education	Men	Women	Total	
	Number	Number	Number	%
Higher	5	0	5	50
Specialized Secondary	2	0	2	20
Secondary	3	0	3	30
Total	10	0	10	100.0

3.3.3 Ethnic Composition

52. In terms of ethnic composition, all of the affected households (100%) are Kazakhs. The Kazakhs constitute the native local population. The other ethnic groups are migrants who settled in the area for many years. None of these ethnic groups maintain cultural and social identities separate from the mainstream Kazakhstan’s society fitting the ADB definition of Indigenous Peoples. They have full and equal access to institutions and economic opportunities as the rest of the population and live or own assets within the central city. Based on these data it is concluded that the ALRT Project will not trigger the ADB policy on Indigenous Peoples.

3.3.4 Household Income

53. Majority of the displaced households rely on salaries. All of the 10 interviewed households depend on wages and pension. None on them relies on trading and service or social assistance.

54. Most households (9) have more than 2 income-earning member. Among the interviewed households, only one has one income-earning member. In terms of reported income, only 20% of households earn KZT 100,000.0 or less per month. Majority of households (60%) earn KZT 101,000.0 – 200,000.0 per month. Another 20% surveyed households earn more than KZT 201,000.0 per month. Average monthly income per household member is around KZT 29,400.0. Average data for 10 interviewed DPs is provided in the table 7.

Table 7. Reported monthly household income of surveyed households (per household member)

Income Range (in KZT)	Number of HH	%
50,000.0 and below	1	10
51,000.0 – 100,000.0	1	10
101,000.0 – 150,000.0	4	40
151,000.0 – 200,000.0	2	20
201,000.0 and above	2	20
Total	10	100.0

3.3.5 Living Conditions

55. Households of heads of peasant farms leasing land plots partially affected by the Project, live in single-detached houses. Half of houses are made of saman – a mixture of clay and hay – (50%). The rest of houses are made of limestone (30%), bricks (10%), and wood (10%). Majority of houses (80%) were built after 2000, while 20% of houses were constructed during 1950-1999. An average house has 1 floor with 6 rooms, as well as is connected to the centralized water supply system and has power supply. 70% of the houses are connected to gas supply system and 80% of houses have telephone lines. None of the affected of houses are connected to centralized sewerage system and all are using outdoor pit latrine.

CHAPTER 4. OBJECTIVES, POLICY FRAMEWORK AND ENTITLEMENTS

56. This draft LARP defines the eligibility for compensation and rehabilitation assistance, and details the entitlements for each impact type, as well as procedures for valuation, compensation, complaints consideration, consultations and disclosure and monitoring / evaluation. It combines existing legal framework and procedures for land acquisition in RoK and involuntary resettlement safeguards requirements as stipulated in ADB SPS 2009.

4.1 Kazakhstan Legal Framework and Practices

57. In RoK, land is owned by the State but can be transferred, sold or leased to individuals or legal entities. Most leases are on a long-term basis (generally for 49 years). However, a few others prefer to lease only for the short-term (between 1 to 5 years). The State can reclaim private lands only for specific uses, including road construction, and only after compensating the owner for the asset and other losses.

4.1.1 Hierarchy of Legal Acts in Kazakhstan

58. Hierarchy of legal acts in the Republic of Kazakhstan corresponds to the following levels:

- The Constitution of the Republic of Kazakhstan;
- International treaties ratified by the parliament;
- Constitutional laws of the Republic of Kazakhstan and decrees of the President of the Republic of Kazakhstan that have the force of the constitutional law;
- Codes and ordinary laws; and
- Other regulations, normative decrees, and so forth.

4.1.2 Kazakhstan Constitution

59. Kazakhstan laws and regulations regarding land and land ownership are derived from the Constitution, which states that land (surface and underground) is owned by the State, but can also be privately-owned (Article 6.3). Article 26.3 also states that no one may be deprived of property unless stipulated by a court decision. Forcible alienation of property for state needs stipulated by law may be exercised on condition of its equivalent compensation.

4.1.3 The Land Code

60. The Land Code of the Republic of Kazakhstan (RK Code No. 464-IV adopted on 20 June 2003, last amendment dated 15 June 2015) establishes the foundations, conditions and limits for modifying or terminating ownership of land and land-use rights, describes the rights and responsibilities of landowners and land users, and regulates land relations. It also establishes conditions for granting to citizens and legal entities temporary or permanent use rights to State-owned land (Article 35).

61. The Code does not permit alienation of land ownership and land use rights without the consent of the owner/land-user, except for alienation for state needs (Article 81.2.2). A land plot can be alienated for state needs by way of purchase or by granting an equivalent plot with the consent of the owner or land user, or by decision of the court (Article 84.1). Construction of the road and railroad transport infrastructure is one of several grounds for compulsory acquisition of a land plot for state needs (Article 84.2.4). Leaseholders of State-owned lands are compensated in full for the losses and, at their request, may be granted an alternative plot subject to availability of suitable land (Article 84.3).

62. The owner of the land or land user must be notified in writing by the body that made the decision to purchase date for starting LAR shall be indicated in the LAR Decree but not earlier than 3 months from the date of official publication of the Decree. unless the owner or land user agrees to release the land before which is regulated by the Law “On State Property” (Article 63). If the remaining portion of the land can no longer be used for the intended purpose, then the entire plot must be purchased (Article 86.1).

63. If the owner or land user disagrees with the decision to purchase his land for state needs, or disagrees on the price of the acquired land or other terms of acquisition, the local executive authority which decided on acquisition may file expropriation case (Article 88.1) after three months from the date of receipt of notification by the owner or the land user, but not later than the deadline stated in the decision on acquisition of the land plot for state needs (Article 88.2, as well as Article 65.7 of RoK law on state property). Civil cases for claims on acquisition of land for state needs shall be considered and resolved within one month from the date of finalization of the case preparation for trial (Article 88.3).

64. Upon termination of land ownership or land use right the cost of land or land-use right is defined by the amount paid to the state (Article 96). Upon termination of land ownership or land use right the value of the land granted for individual housing construction, for individual part-time farm (except field plots) on which an individual house is located, is defined by the cost of the land, not exceeding market cost (Article 96 as well as Article 67.2 of the RoK law on state property). Upon termination of land ownership right the cost of the land, passed to the owner or user by a contract or court decision is defined by the value specified in a contract or a court decision, but not exceeding the market cost. In case the land cost is not specified in the contract or the court decision, the value of the land is assessed by its cadastre (estimated) cost (Article 96).

65. The Land Code provides for base rates of payment for the land plots and the cadastral value of land in order to determine the cost of the land. Basic rates of payment for the land plots when they are transferred to private property in the capital are established by joint decisions of the representative and executive bodies of the capital, depending on local conditions and peculiarities. The rates of payment for land use shall not be established at a level below the land tax rates. Payment for selling the right to lease is differentiated from the cadastral (estimated) cost of a particular plot of land. Base rate of payment for land plots is calculated in accordance with the Decree of the Government of the Republic of Kazakhstan from September 2, 2003 № 890 "On establishment of base rates for the land plots". However, according to the latest amendments of the abovementioned decree (The Decree of the Government of the Republic of Kazakhstan from October 10, 2011 № 1154¹⁶), local government bodies of the capital, depending on local conditions and peculiarities must develop and approve the base rates for the land plots, except for lands used for agricultural purposes.

66. Cadastral (estimated) cost of a land plot is determined by specialized state-owned enterprises responsible for operation of the state land cadastre, in accordance with the base rates of payment for land plots transferred to private property, with application of corrective (increasing or decreasing) coefficients to account for inflation, land conditions and location.

67. In determining the amount of compensation, following shall be included: (a) the cost of land or land-use rights; (b) the market cost of the assets located on the plot, including fruit trees and perennial plantings; (c) cost of the expenditures associated with development of the land, its operation, implementation of protective measures, improvement of soil fertility taking into

¹⁶ Press-release from December 3, 2011 to the Decree of the Government of the Republic of Kazakhstan from October 10, 2011 № 1154 On introduction of changes and additions to the Decree of the Government of the Republic of Kazakhstan from September 2, 2003 № 890 "On establishment of base rates for the land plots, when they are transferred to private property, leased by the state or state land-user, as well as payment for selling the right to lease the land plots"; <http://www.auzr.kz/en/news-list/784--03-2011>

consideration their inflation; (d) all losses inflicted on the owner or land user as a result of land acquisition at the time of termination of ownership or land-use right, including losses they incur due to early termination of their obligations to third parties; and (e) loss of revenue (Article 166.2).

68. The amount of compensation is established based on the agreement among the parties (Article 166.3). In case of disagreement, the land cannot be taken until the court adjudicates a settlement (Article 166.7).

69. The Land Code does not entitle encroachers to compensation for the right to use the lands they use informally (squatters) or those who have not registered their claims to lands.

4.1.4 Law on State Property

70. Law on State Property (№ 413-IV LRK adopted on 1 March 2011, last amendment dated 22 April 2014; Article 63.1) states that in case of compulsory acquisition of land or other real property for state needs, the government agency or local executive body should issue a decree that indicates:

- purpose and grounds for compulsory acquisition for state needs;
- location, size, cadastre number of land plot;
- property owner or private land user;
- date of compulsory acquisition, but not earlier than three months from the date of official publication of the decree;
- place of application for land owner or land user for conciliation procedures (Article 63.2).

71. The Decree shall be published in national or local mass media, within three working days from the date of adoption (Article 63.5).

72. In case the right of private ownership of land plot is not registered in accordance with the legislation of the Republic of Kazakhstan, the owner, after the adoption of the decree, may make the necessary arrangements to register his/her right on the affected land plot. The period of compulsory acquisition for state needs set by the decree cannot be extended by more than six months (Article 63.7).

73. The acquiring authority is required to send to the owner or land user a written notification on the compulsory acquisition for state needs not later than 3 calendar days after the publication of the decree. The notification shall also include the draft purchase agreement for the land plot or other real property in connection with the seizure of land plot for the state needs. The notification shall be sent by mail with the mandatory notice of receipt (Article 64.1).

74. The compulsory acquisition of the land plot or other real property in connection with the seizure of land plot for state needs is carried out after the expiry of the deadline set in the Decree, either with the consent of the land owner or land user, or by court decision (Article 65.1). Termination of the rights to private property and land use rights, as well as the State's right to land and other real property is subject to state registration by the authority responsible for state registration of rights to real property, the purchase agreement for land plot or other real property, or a court decision and the statement of the authority that adopted the Decree (Article 65.4).

75. A local executive authority shall submit to the relevant local representative authority the draft purchase agreement for the land or other real property within two months after receipt of notification by the landowner or land user about the acquisition of the land plot or other real property. The draft agreement is considered by the standing commission of the local representative authority not later than two weeks from the date of its submission to the

mandatory invitation of the owner and people whose rights in respect of alienated property will be terminated or limited. Upon reaching an agreement with the owner or land user of acquired property and other people whose rights in respect to the acquired property will be terminated or limited, the purchase agreement for the land or other real property is approved by the executive authority in accordance with the local representative authority and is signed by the owner or land user (Article 65.5).

76. The agreement for purchase of land plot or other real property in connection with the seizure of land plot for state needs shall include:

- price for the alienated land plot and characteristics of the real property or land given to the owner or land user as a replacement for the alienated one;
- difference in cost, if the price of the alienated land plot is higher than the price (value) of the land provided as a replacement for the alienated one;
- amount of damages to be reimbursed, including the value of real property taken in connection with the alienation of land plot for state needs, in case when such damages are caused as a result of compulsory acquisition;
- term of payment of the cost for the alienated land plot or other real property in connection with the alienation of land plot for state needs or transfer of land plot (or other real property) given to the owner as a replacement for the one alienated for state needs;
- composition of the property alienated for state needs;
- list of people whose rights in respect to the alienated property will be terminated or limited;
- procedure for financing the government expenditures for the acquisition of property for state needs (Article 65.6).

77. The actual transfer of land or other real property alienated for state needs can only take place after the land owner or land user gets fair compensation. State registration of the termination of the rights of the owner or user and the beginning of the rights of the state on the property is subject to submission to the body conducting the state registration of rights to immovable property, of a document confirming the payment of compensation (Article 65.9).

78. The value of land plot alienated for state needs, granted for individual housing construction or for individual part-time farm (except field plots), on which an individual house is located, is defined by the cost of the land, not exceeding its market cost (Article 67.2 and Article 96 of the Land Code of the RoK)¹⁷. The cost of the real property located in the land plot, is determined in an amount not exceeding its market cost. The market cost of the land plot or other real property is determined by an independent valuator at the time when the land owner or land user gets a notification on the upcoming compulsory acquisition of land plot for state needs (Article 67.3). In agreement with the land owner or land user, as a replacement for the land plot alienated for state needs, another land plot can be granted, by offsetting the costs of provided land plot or rights to it in the cost of the alienated land or rights to it on the cadastral (estimated) cost (Article 67.6). Reimbursement of the cost for land plot or other real property in connection with the alienation of land plot for state needs and losses is subject to compensation in full, before the transition to the Republic of Kazakhstan or the administrative unit of the right of ownership to such property is carried out (Article 68.1). Reimbursement is made from the budget (Article 68.2). Non-cash compensation is allowed by agreement between the RoK represented by GoK or the administrative unit represented by the local executive authority and owner of the property. The mentioned agreement shall be made in writing in the form of the purchase agreement for the land plot or other real property alienated for state needs (Article 68.3). Reimbursement is made at a time no later than one month after the date of signing the purchase agreement for land plot or other real property in connection with the alienation of land plot for state needs or from the date of entering into force of the decision of the court (Article 68.4).

¹⁷ This gap with the ADB policy regarding compensation at replacement rate is addressed in the Kazakhstan constitutional provision regarding international treaties.

4.1.5 Law on Housing Relations

79. The Law on Housing Relations (№ 94-I, adopted on 16 April 1997, last amendment dated 15 June 2015) regulates the issues on provision of housing to the property during the demolition of a residential building as a result of involuntary acquisition of land plots for state needs. During the demolition of a residential building as a result of the involuntary acquisition of land plots for state needs, the owner before the demolition of the house, in accordance with his/her preference, is offered a well-maintained place of residence as a property or compensation in an amount of the market cost of the house taken. If the cost of the offered house is higher than the cost of the one to be demolished, the difference in cost is not charged from the owner. If the cost of the house to be demolished is higher than the cost of a place of residence offered as a replacement, then the owner is reimbursed in the amount of the cost difference (Article 15).

4.1.6 Labor Code

80. According to the Labor Code (№ 251-III, adopted on 15 May 2007, last amendment dated 15 June 2015), registered employees of enterprises / institutions who are losing their jobs as a result of termination of employment agreement by the employer in the event of termination of the employer's activities are entitled to compensation in the amount of average salary for one month (Article 157).

4.1.7 Standard Land Acquisition Practices and Process

81. Land acquisition for public needs in Kazakhstan is generally implemented in accordance with the following procedures:

- Proposed alignment and estimates of the amount of land to be acquired permanently or temporarily; as well as estimated cost of acquisition, rental and restoration of affected lands are included in the feasibility study/design;
- The feasibility study/design is sent to the oblast and rayon government levels for review and comments. In the case of republican roads, the feasibility study/design is sent to the Committee of Roads in Astana for review;
- Based on the tentative alignment, registered owners/leaseholders are notified initially that their land will be acquired;
- The detailed design is prepared which firms up the alignment and assessment of land acquisition requirements, including detailed maps and individual landholdings to be affected, ownership data from the cadastre and estimated compensation for acquisition and losses;
- Once the final alignment is agreed with local officials, the agency that requires the land requests the appropriate Akimat(s) to issue a resolution on the land acquisition;
- The Akimat(s) issue(s) a resolution on the land acquisition and register(s) the resolution with the oblast Department of Justice. Owners are officially notified of the extent of land acquisition of their properties;
- The Akimat(s) establish(es) an evaluation commission that includes officials and land owners. Inputs are sought from licensed assessors in establishing official compensation amounts;
- Once the official compensation amounts have been established, negotiation between government and DPs starts. Signed agreements are again registered with the oblast Department of Justice. Based on the agreements, compensation amounts are processed and delivered to the displaced persons;

- If agreement cannot be reached, the government agency requiring the land has right to initiate a court appeal for expropriation after three months from the date of receipt of the notification by the owner;
- Once the court renders a decision, the compensation amount will be transferred to the account of the displaced land user. Land cannot be accessed until compensation is completed and the title is transferred;
- Financing for compensation costs is made available, and payments should be conducted within one month after the court decision or the signing the land acquisition agreement.

82. The final design will identify possible locations for work camps, storage and staging facilities, borrow pits and other sites for temporary use during construction. Contractors can use the information to estimate costs and logistics, but are not required to use the recommended sites. Civil works contracts will require the contractors to be responsible for the temporary acquisition and reinstatement of all land required outside of the right of way for construction camps, offices, borrow pits, materials storage sites, materials processing sites and haul roads. The contracts will select the land parcels they require and they will be responsible for negotiating agreements with land owners to use the land and extract materials. If a contractor fails to obtain an agreement with a landowner, the contractor must select an alternative site and negotiate a new agreement. No land can be occupied involuntarily for temporary construction purposes. Construction Contractors (CC) are assumed to prefer to rent State land, rather than private property, but the choice is theirs. In either case, the arrangements must be subject to a written agreement between the CCs and the owner and lands are required to be returned to their original state after work is concluded.

4.2 ADB's Provisions on Involuntary Resettlement under the SPS (2009)¹⁸

- 83.** The ADB Policy on Involuntary Resettlement is based on the following principles:
- I. Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
 - II. Carry out meaningful consultations with DPs, host communities, and concerned nongovernment organizations. Inform all DPs of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of DPs and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
 - III. Improve, or at least restore, the livelihoods of all DPs through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
 - IV. Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and

¹⁸ ADB. Safeguard Policy Statement, 2009, Manila

- production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- V. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
 - VI. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
 - VII. Ensure that DPs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
 - VIII. Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
 - IX. Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to DPs and other stakeholders.
 - X. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - XI. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
 - XII. Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

4.3 Comparison of ADB Involuntary Resettlement Safeguards and Kazakhstan's Legislation and Actions to Address the Difference

84. There are a number of differences between the requirements of Kazakhstan legislation and the ADB resettlement policy. In particular, ADB's Resettlement Policy does not consider the absence of land rights of DPs as a bar to receive compensation for non-land assets, and entitles vulnerable groups to additional support. While ADB Policy specifically focuses improve the livelihood of vulnerable DPs, such objective is not sought under national legislation. A major difference relates to the compensation of privately-owned land. Under the local legislation, compensation is based on the amount paid by the private owner to the state (cadastre price) that shall not exceed market value. On the other hand, ADB policy requires compensation at full replacement costs.

85. Key differences between ADB Resettlement Policy and RoK legislation are outlined in Table 8 below.

Table 8. Comparison of RoK Land Acquisition / Resettlement Practice / Policy and ADB SPS

Kazakhstan's Land Acquisition Practice	ADB Safeguard Policy Statement
Compensation of privately-owned land is based on the amount paid to the state with adjustments made based on inflation and could not be more than the market cost.	Compensation of privately-owned land is based on full replacement cost ¹⁹ .
Compensation for land and non-land assets is only explicitly provided for titled landowners or leaseholders, who purchased the right to land and leasing from the State. Unregistered land user may have six additional months for land registration.	DPs without formal legal rights and claims are entitled to compensation for non-land assets (e.g. crop, tree and structure losses).
Objective does not explicitly include restoration of livelihood and standards of living. In addition to compensation for lost assets, physically displaced persons losing land are provided with land rental allowance for 6 months. No requirement for provision of relocation assistance and for exploring opportunities for the DPs to benefit from the project.	Objective focuses on restoring livelihood and standards of living for DPs, regardless of tenure or legal status. Physically displaced persons (regardless of their legal status on the land) are provided with: <ul style="list-style-type: none"> i. relocation assistance, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, and civic infrastructure and community services as required; ii. transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and iii. opportunities to derive appropriate development benefits from the project.
No provision required for assisting economically displaced persons other than compensation for affected assets and lost income from affected business (including future losses)	Economically displaced persons are provided with: <ul style="list-style-type: none"> i. assistance (i.e. credit facilities, training, and employment opportunities). ii. opportunities to derive appropriate development benefits from the project. iii. compensation for (i) the costs of reestablishing commercial activities elsewhere; (ii) the net income lost during the transition period; and (iii) the costs of transferring and reinstalling plant, machinery, or other equipment.
No requirement for conducting a census and socio-economic survey	Socio-economic survey(s) and a census, with appropriate socio-economic baseline data is required to identify all DPs and to assess the project's socio- economic impacts on them.
No specific requirements to identify and assist vulnerable groups	Requires the identification of vulnerable groups and development of targeted measures so that adverse impacts do not fall disproportionately on them and they are not disadvantaged in sharing the benefits and opportunities resulting from development.
No requirement for LARP preparation and approval. No requirement for DP consultation.	Requires the preparation, approval, disclosure and monitoring of LARP based on DP consultation and social impact assessment.
Uses negotiated settlement as an initial approach to acquiring land without the requirement for third party validation. If agreement cannot be reached,	Encourages acquisition through a negotiated settlement subject to third party validation to ensure compensation at replacement costs and

¹⁹ Replacement cost is calculated 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. (ADB SPS 2009, Appendix 2, paragraph 10, page 45)

Kazakhstan's Land Acquisition Practice	ADB Safeguard Policy Statement
initiates expropriation procedures	conduct of meaningful consultations with DPs.

86. ADB can only finance projects that comply with its Safeguard Policy Statement (2009). If gaps exist between ADB's safeguards requirements and countries' laws, specific gap-filling measures need to be made to ensure that policy and safeguards requirements are achieved.

4.4 Actions to Address the Gaps²⁰

87. To bridge the gaps between national legislation and practice and ADB resettlement safeguards, the following actions should be implemented for the Aktobe-Makat section of road connecting CAREC Corridors 1 and 6:

- Land acquisition and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative project designs;
- DPs will be assisted in improving or at least restoring their pre-project standards of living;
- Compensation at replacement cost for houses and structures will be provided to DPs;
- Land will be compensated either by provision of replacement plot or in cash at full replacement value;
- DPs without legal rights to land will be compensated for non-land assets;
- DPs will be assisted to restore their livelihood;
- DPs who will need to relocate will be provided with transportation allowance, relocation allowance, as well as transition allowance;
- Vulnerable DPs will be provided special allowance;
- Appropriate redress mechanisms to resolve DPs grievances will be established;
- Census and socio-economic surveys and consultation with DPs will be conducted;
- A LARP based on the census and socio-economic surveys, valuation, and DP consultation will be prepared and submitted to ADB as a condition for loan appraisal. The LARP will be disclosed to DPs in a language and form that is understandable to them and posted on the web for general public disclosure;
- Compensation payments will be initiated only after ADB has approved the LARP;
- Civil works in project road section will only commence after the LARP implementation has been completed, and verified by monitoring.

4.5 Policy Framework and Entitlements

88. The following groups of DPs are eligible for entitlements under this draft LARP:

- individuals, households and collective owners of land or facilities who lose their assets for state needs;
- private individuals, households or enterprises whose livelihood comes from rented/leased land acquired for state needs or whose livelihood is primarily dependent on road users;
- private and collective owners who cede the use of their assets temporarily during construction, or allow material to be removed from their land for construction, but whose livelihood sources are not sacrificed;
- persons who neither own nor rent affected land, but who are using it for economic purposes and would suffer some economic impacts if they are prevented from doing so in the future; and
- workers who stand to lose their jobs/income temporarily or permanently as a result of the disruption of businesses or operations of affected farms or establishments

²⁰ The ratification of the Loan Agreement will provide the legal basis for undertaking measures to address the gaps in compensation payments and rehabilitation assistance provided in this LARP.

89. Compensation eligibility will be limited by a cut-off date (date of issuance of decrees on land acquisition for state needs by Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast). DPs who settle in the affected areas after the cut-off date are not eligible for compensation. If such situations occur, such DPs will be given reasonable advance notice, requested to vacate premises and dismantle affected structures prior to Project implementation. Their dismantled structures materials will not be confiscated and they will not pay any fine or suffer any sanction.

90. Table 9 below provides the entitlements for various categories of DPs and degrees of impacts related to the Project.

Table 9. Entitlement and Compensation Matrix

Asset	Specifications	DPs	Compensation Entitlements
Permanent Loss			
Agricultural land	Cropped / cultivated land or pastureland	Owners	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with plots of equal value to the plots lost; or <input type="checkbox"/> Cash compensation for affected land plot at full replacement value without deduction for taxes, transaction, registration or transfer costs and other applicable payments.
		Renters long-term/ short term	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with plots of equal productivity to the plots lost. <input type="checkbox"/> If the land is not available, consider providing compensation reflecting terms of lease and impact;
		Squatters (if any)	<ul style="list-style-type: none"> <input type="checkbox"/> Leased plot on State land, with no charges for taxes, transaction, registration costs;
	Severe impact: 10% or more of their productive assets (income generating)	Owners, leaseholders of cropped/ cultivated land	<ul style="list-style-type: none"> <input type="checkbox"/> Additional cash compensation equivalent to one-year gross harvest. <input type="checkbox"/> Additional cash compensation to cover livelihood expended for one month due to relocation.
Residential and commercial land		Owners	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with plots of equal value to the plots lost; or <input type="checkbox"/> Cash compensation for affected land plot at full replacement value without deduction for taxes, transaction, registration or transfer costs and other applicable payments.
		Renters long-term/ short term	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with a plot comparable in value to the lost plot. <input type="checkbox"/> If the land is not available, consider providing compensation at replacement cost reflecting terms of lease and impact;
		Squatters (if any)	<ul style="list-style-type: none"> <input type="checkbox"/> A land plot to be provided from the State Land Fund for lease (with no charge for taxes, transaction, registration and land legalization)

Asset	Specifications	DPs	Compensation Entitlements
Structures	Residential houses and commercial buildings	Owners of permanent structures, including squatters	<ul style="list-style-type: none"> <input type="checkbox"/> House for house swap (at the owner option): if replacement is of lower value, cash compensation for the difference; or <input type="checkbox"/> Cash compensation at the current market value for affected structures and other real assets at existing prices at the moment of acquisition with no deduction for depreciation or transaction costs. Compensation will include the value of affected connections to water supply and other public utilities. <input type="checkbox"/> If immediate accommodation/storage is unavailable, housing/storage rental allowance covering rent for at least 1 month or more if rental requirement period is longer.
	Temporary structures (kiosks, stalls)	Owners of temporary/ movable structures	<ul style="list-style-type: none"> <input type="checkbox"/> Approved site to relocate structure with the relevant permissions and access to the road, if required.
	Rented structures	Renters with valid rental contract	<ul style="list-style-type: none"> <input type="checkbox"/> Rental allowance in accordance with the conditions of the rent agreement but not less than cost of rent for 3 months. Refund of the unused portion of the rent or lease fees paid in advance.
Crops	Crops affected	All DPs including squatters	<ul style="list-style-type: none"> <input type="checkbox"/> Crop compensation in cash at full market rate for 1 year gross harvest.
Trees	Trees affected	All DPs including squatters	<ul style="list-style-type: none"> <input type="checkbox"/> Cash compensation reflecting income replacement. Fruit trees value is based on age category and calculated as gross market value of one-year income times the number of years to grow a tree to similar productivity, plus purchase cost of seedlings and starting materials. For wood/timber trees, compensation will be based on the cost of dry wood volume.
Business and employment	Temporary or permanent business/ employment loss	Business owners (including those with no formal rights on the land) and their affected workers	<ul style="list-style-type: none"> <input type="checkbox"/> If permanent business loss, cash compensation equal to one year net income (lost profit). <input type="checkbox"/> If temporary business loss, cash compensation for the period of income loss. <input type="checkbox"/> If permanent employment loss, 3 months average registered wages (if not registered, based on the official minimum wage in RoK). <input type="checkbox"/> If temporary employment loss, average registered wage during disruption (if not registered, based on the official minimum wage in RoK). <p>Note: Affected workers will be paid through their employers as per the Labor Code)</p>
Relocation	Transport and transitional livelihood costs	All persons affected by relocation	<ul style="list-style-type: none"> <input type="checkbox"/> Transportation allowance sufficient to cover transport expenses; <input type="checkbox"/> Relocation allowance equivalent to monthly rental cost for similar land plots/structures

Asset	Specifications	DPs	Compensation Entitlements
			<ul style="list-style-type: none"> multiplied by the number of months needed to rebuild and relocate to new site. <input type="checkbox"/> Transition allowance to cover their households needs during transition period.
Community assets			<ul style="list-style-type: none"> <input type="checkbox"/> Rehabilitation or replacement of affected structures to pre-project function.
Vulnerable population groups		HH below the poverty line; large families having 4 or more children below 18 years; HH with disabled members; female headed household; or elderly with no family support	<ul style="list-style-type: none"> <input type="checkbox"/> Assistance equivalent to minimum living wage for 3 months; <input type="checkbox"/> Enrolment in government social assistance program if not yet enrolled; <input type="checkbox"/> Priority in local employment for able members of vulnerable household.
Temporary Loss			
Land for construction sites, camps or temporary service roads, etc.	Negotiated between owner and contractor	Owners (private or public)	<ul style="list-style-type: none"> <input type="checkbox"/> Contractor pays cash compensation at existing local rental rates for duration of temporary use plus income/crop/structure loss due to temporary land use, if any as provided for in the entitlements for crops, business and structure losses. <input type="checkbox"/> Land restored to original status at the end of rental. <input type="checkbox"/> Contractor pays for making land management and legal documents.
		Renters long-term/ short term	<ul style="list-style-type: none"> <input type="checkbox"/> Contractor pays cash compensation at local state rental rates for duration of temporary use plus income/crop/structure loss due to temporary land use, if any as provided for in the entitlements for crops, business and structure losses. <input type="checkbox"/> Land restored to original status at the end of rental. <input type="checkbox"/> <i>Contractor pays for making land management and legal documents.</i> <input type="checkbox"/> Environmental safeguard measures.

91. The entitlements provided in the matrix are further elaborated below:

a. Agricultural land impacts. The household with legal title to agricultural lands will be compensated at full replacement value either through (i) cash compensation at current market rates of the land (inclusive of fair market value, transaction costs, interest accrued, transitional and restoration costs and other applicable payments), or (ii) granting of replacement land equal in value/productivity to the plot lost as preferred by the owner. Actual transaction taxes/fees will be paid by the GoK or waived by the concerned agency. Compensation will also include costs incurred by the owner related to land plot development, maintenance, protective measures and soil fertility improvement, taking into account the inflation, as well as losses that the owner incurred related to early termination of obligations to third parties.

Almost all of the agricultural lands in both oblast are used as natural pastureland by households and peasant farms that lease these lands from the State. Leaseholders (whether long-term or short-term) will be provided with an alternative pastureland as they may require for maintaining their livestock. If the land is not available, a compensation reflecting terms of lease and impact will be provided.

- b. **Residual agricultural land impacts.** Residual portions of the acquired lands which are rendered unusable will be included in the affected land and compensated as indicated above subject to the preference of the DP.

The main criterion to determine whether the residual part (plough land or pasture) is or is not suitable for its earlier purpose is its economic impracticability based on the following: a) small area of the remaining (cut) part; b) difficult access to it (driving of agricultural machinery or cattle/animals via highway); c) high cost for plot development and insignificant profits that can be obtained from its further use. This will be determined by the independent valuator in consultation with the owner or long-term leaseholder.

Alternatively, the DP has the option of seeking an alternative plot or of changing the intended use of the remaining plot i.e. from agricultural to commercial. Moreover, DPs may explore the reorganization and swapping of plots with adjacent owners to improve the economic viability of the remaining agricultural lands. EA (CoR) / responsible regional level representative of the EA will coordinate with the Aktobe and Atyrau oblasts NPTsZem in assisting DPs who opt to change the use of portions of their remaining plot or in swapping with adjacent plot owners/leaseholders.

- c. **Severe impact losses.** When 10% or more of a DP's productive assets (income generating) is affected, DP (owners, leaseholders, sharecroppers, and squatters) will get an additional allowance for severe impacts equal to the market value of the yield for 1 crop year from the acquired land. The amount of the crop is determined based on the average yield in the past three years. This amount is on top of the compensation the DP will receive for crop losses described in item (f) below.
- d. **Residential/commercial land.** Households and legal entities which own commercial lands that will be affected by the Project will be compensated at full replacement rate either: (i) in form of land for land with equal characteristics and agreed with the owner; or (ii) cash at current market rates free of transaction costs and depreciation (inclusive of fair market value, transaction costs, interest accrued, transitional and restoration costs and other applicable payments).
- e. **Buildings, and structures** will be compensated in cash at replacement cost free of deductions for depreciation, salvaged materials, and transaction costs irrespective of the registration status of the affected item. The cost of lost connections to water supply and other public utilities will be included in the compensation.

Partial or complete damage to irrigation, drainage and erosion-preventive structures (systems) will be determined based on the cost of constructing new facilities or rehabilitating existing structures (systems), including the cost of design and survey works.

- f. **Crops.** Standing crops on the acquired lands will be compensated at market rates for their gross value of 1 year's harvest losses. Crop compensation will be paid both to landowners and tenants based on their agreed sharing scheme.
- g. **Trees.** Trees and/or perennial plants planted by private land users will be paid cash compensation reflecting replacement of income derived from the trees and/or perennial plants. The economic value of fruit trees and/or productive perennial plants will be based on the age category and valued equivalent to one year income times

the number of years to grow a tree and/or a perennial plant to similar productivity. The cash compensation will also include the price of seedlings and starting materials. For wood/timber trees, cash compensation will be based on the price of dry wood volume.

- h. Businesses.** If business is lost permanently, it will be compensated in amount equal to 1-year net income (loss of profit). If disruption is temporary, the DP will be paid cash compensation for the period of business interruption period based on tax declaration or, if unavailable, official monthly minimum salary, taking into account compensation for employed workers based on the Labor Code and the specific labor agreement/contract between the employer and employee. Losses that the owner incurred related to early termination of obligations to third parties, and expenses related to business development will also be considered.
- i. Employees.** Workers whose employment will be disrupted, will be provided with indemnity for lost wages for the period of business interruption up to a maximum of 3 months, based on their registered monthly wages/salaries, or, if unavailable, official monthly minimum salary.
- j. Relocation assistance and transitional allowance.** DP households/owners of structures who need to relocate will be provided with (i) transportation allowance or transport to help them transport their structures, goods and personal items to a new site; (ii) relocation allowance equivalent to monthly rental cost for similar land plots/structure multiplied by the number of months needed to rebuild and relocate to a new site; (iii) transition allowance to cover their household expenses during the transition period. The transition allowance will be computed based on the official minimum wage multiplied by the number of months needed for them to rebuild and relocate to a new site.
- k. Community structures and public utilities** will be fully replaced or rehabilitated to maintain their pre-project functions.
- l. Vulnerable people.** Displaced households below the poverty line, large families having 4 or more children below 18 years, households with disabled members, female headed households, or elderly with no family support will be provided cash assistance equivalent to 3 months minimum wage, and will be enlisted in existing special programs and other initiatives for socially vulnerable people (i.e. Targeted Social Assistance and State social benefits) if not yet enrolled. Able-bodied (and qualified, after training if necessary) members of vulnerable households will be given priority in project-related jobs.
- m. Temporary impacts.** In case of temporary land acquisition, compensation will be based at local commercial rental rates for the duration of use, plus income/crop/structure loss due to temporary land use, if any as provided for in the entitlements for crops, business and structure losses. The Project will ensure that the land is restored to its original status at the end of the rental period.

92. For unexpected adverse effects during the project implementation, CoR and respective Akimats will undertake measures in accordance with the objectives of the LARP to restore the socio- economic and living conditions of DPs. Expenses related to re-registration of land plots or registration of right of use with respect to new land plots and documentation requirements shall be covered by CoR and respective rayon akimats.

CHAPTER 5. CONSULTATIONS AND DISCLOSURE

5.1 Consultations

93. Public consultations regarding the proposed Project were carried out preliminary during design preparation in July 2015. Public consultations were conducted in Aktobe and Atyrau oblasts to provide key information on proposed Project with a special focus on LAR impacts and issues. Three public consultations were carried out in July 2015, including consultation in Shubarkudyk and Karaulkeldy communities (Aktobe oblast) carried out on July 21, 2015 and consultation in Sagiz community (Atyrau oblast) that took place on July 22, 2015. Overall, more than 130 participants attended three public consultations, including representatives from state entities, owners/users of lands/property and businesses located nearby the project road, and civil society (scans of registration lists are provided in the Annex E and photographs are available in the Annex F). The information brochure summarizing the LAR approaches was developed and distributed during the public consultations. The CoR, JSC «NC KazAutoZhol», Akimat representatives and PPTA resettlement / social development consultants also took part in consultations.

94. The representatives of regional branches of JSC «NC KazAutoZhol» delivered a presentation on engineering and technical details of the proposed road reconstruction and provided information on preliminary design solutions related to road section located in respective oblast. Further on the presentation on presentation on land acquisition and resettlement approaches has been provided, including information of on relevant legislation and approaches, details of entitlements and compensation, grievance redress mechanism, roles and responsibilities of entities involved in LAR activities, as well as ongoing LAR activities and next steps.

95. Attendees actively participated in the discussion. Questions and comments revolved around details of the project activities, including schedule of construction activities, opportunities for jobs, information on the process of land acquisition, etc. Representatives of regional branches of JSC «NC KazAutoZhol» and PPTA resettlement / social development consultants responded to the questions and provided clarifications.

96. In addition to public consultations, separate meetings were carried out by PPTA resettlement / social development consultants with representatives of relevant Akimats and other state entities, as well as discussions were held with heads of peasant farms and representative of roadside business.

Table 10. Summary Consultation Matrix

Date	Location	Participants	Key Issues Discussed
21 July 2015	Shubarkudyk community, Temir rayon of Aktobe oblast	Representatives of the JSC «NC KazAutoZhol», Akimat of Temir rayon, PPTA resettlement / social development consultants, public	Presentation of preliminary design information on the road section. Presentation and discussion of land acquisition and resettlement approaches and issues, ADB resettlement requirements, entitlements for compensation, grievance procedures, data collection and other LAR processes, monitoring activities.
21 July 2015	Karaulkeldy community, Baiganin rayon of Aktobe oblast	Representatives of the JSC «NC KazAutoZhol», Akimat of Baiganin rayon, PPTA resettlement / social development consultants, public	Presentation of preliminary design information on the road section. Presentation and discussion of land acquisition and resettlement approaches and issues, ADB resettlement requirements, entitlements for compensation, grievance procedures,

Date	Location	Participants	Key Issues Discussed
			data collection and other LAR processes, monitoring activities.
22 July 2015	Sagiz community, Kzylkoga rayon of Atyrau oblast	Representatives of the JSC «NC KazAutoZhol», Akimat of Kzylkoga rayon, Akimat of Sagiz community, PPTA resettlement / social development consultants, public	Presentation of preliminary design information on the road section. Presentation and discussion of land acquisition and resettlement approaches and issues, ADB resettlement requirements, entitlements for compensation, grievance procedures, data collection and other LAR processes, monitoring activities.

5.2 Disclosure of information

97. Public information brochure that summarized LAR approaches was prepared in English, Russian and Kazakh languages and distributed during consultations and discussions (brochure is presented in Annex D).

98. The LARP document will be translated into the Russian and Kazakh languages and presented to DPs as well as disclosed on the website of the Committee of Roads. Copies of the LARP will be distributed to the JSC “NC KazAutoZhol”, Akimats of Aktobe and Atyrau Oblasts, Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast, Akimats of Shubarkudyk, Karaulkeldy, Sagiz, Mukur communities, etc. The DPs can approach any of the above akimats and obtain copies of LARP. In addition public consultations will be arranged and carried out in every affected community to inform the population on project details, as well as explain details on entitlements and compensation, grievance redress, LAR related processes to DPs. The LARP in English will likewise be submitted for uploading to the ADB website.

CHAPTER 6. GRIEVANCE REDRESS MECHANISM

99. Complaints consideration procedures aim to provide an effective and systematic mechanism for the Project in responding to queries, feedbacks and complaints from affected persons, other key stakeholders and the general public.

6.1 Levels and Procedure for Grievance Redress

100. The Grievance Redress Mechanism (GRM) is available to people living or working in the areas impacted by the project activities. Any person impacted by or concerned about the project activities has the right to participate in the GRM, should have the easy access to it, and be encouraged to use it. The proposed GRM does not replace the public mechanisms of complaint and conflict resolution envisaged by the legal system of the RoK, but attempts to minimize use of it to the extent possible.

101. Overall responsibility for timely implementation of GRM lies with the CoR and JSC «NC KazAutoZhol» supported by teams of consultants, such as Project Management Consultant (PMC), Construction Supervision Consultants (CSC) involved in managing and supervising the civil works and other activities under the investment program, while Construction Contractors (CC) undertake the actual civil works. Relevant oblast, rayon and community Akimats, who are mandated by law to perform grievance redress related tasks, and mediators / non-governmental organizations (NGO), who are involved in facilitating amicable resolution of grievances are also included in GRM.

102. This GRM envisages two levels of grievance resolution for the road sector projects implemented under the supervision of the CoR: Grievance Redress Committees (GRC) at regional (oblast) and central (Astana) levels in accordance with the Guideline on Grievance Redress Mechanism on Environment and Social Safeguards for Road Sector Projects approved by the CoR in August 2014 (GRM Guideline). GRCs are usually composed of members nominated from CoR, Akimats, JSC «NC KazAutoZhol», PMCs, CSCs, CCs. GRCs at regional and central levels are chaired by the Heads responsible for the overall operation of GRM and its efficient and timely implementation, while the Coordinators are responsible for involving the relevant parties and coordinating the works of GRCs at regional/central levels.

6.1.1 GRM: Regional (Oblast) Level

103. At the first stage, the resolution of grievance will be attempted through GRC at regional level through the following steps.

104. *Grievance registration:* complainants or concerned individuals can visit, call or send a letter or e-mail or fax to community Akimat, grievance focal point at CCs and PMC, GRC Coordinator at JSC «NC KazAutoZhol» regional branch. Receipt of grievances lodged in person, via phone, through a letter or e-mail or fax will be acknowledged. GRC at the regional level also considers the anonymous complaints, in case the complainant refuses to provide contact details or no contact information is available in the grievance received by e-mail / mail / fax. Grievances will be recorded in a standard format, provided in the Annex G.

105. *Grievance processing:* Queries and complaints that are clarified and resolved at the intake point are closed immediately. Cases requiring further assessment and action are considered by the GRC at regional level. The GRC at regional level: (i) holds meetings on bi-monthly basis, however special ad hoc meetings can be arranged, as needed; and (ii) discusses the grievance case within ten working days and recommend its settlement to parties. GRC Coordinator at regional level circulates relevant information among the members of GRC,

prepares Minutes of GRC meeting and progress reports, and ensures that actions and decisions are properly documented.

106. *Feedback provision:* Receipt of grievances lodged in person or via phone will be acknowledged immediately. Receipt of grievances received through a letter or e-mail or acknowledged through a letter / e-mail / fax within 3 working days upon receipt by GRC coordinator at regional level. In case the grievance is not related to project activities or impacts generated due to the project implementation and cannot be considered under this GRM Guideline, the feedback will be provided to the complaining party specifying to which entity (community / rayon / oblast level Akimat, as relevant) it has been forwarded.

107. If grievance was resolved at regional level, the complaining party will be informed of the outcome. If grievance was not resolved at the regional level and was passed to the GRC at the central level for consideration and resolution, appropriate information will be provided to the complaining party, including the date when the case was passed to GRC at the central level and the date by which the outcome at the central level is expected.

108. In case of anonymous complaints, the printed response will be posted at the information board of the JSC «NC KazAutoZhol»'s respective regional branch, as well as at the information board of the relevant Akimat, so as the complaining party can approach and review the feedback.

6.1.2 GRM: Central Level

109. Following unsuccessful consideration of grievance by GRC at the regional level, complaint resolution will be attempted at a central level through following steps.

110. *Grievance processing:* If grievance cannot be resolved by the GRC at the regional level, it will be forwarded for consideration by the GRC at the central level, including all relevant documents. The GRC at central level: (i) holds meetings on monthly basis, however special ad hoc meetings can be arranged, as needed; and (ii) discusses the grievance case within twenty working days and recommend its settlement to parties. GRC Coordinator at central level circulates relevant information among the members of GRC, prepares Minutes of GRC meeting and progress reports, and ensures that actions and decisions are properly documented.

111. *Feedback provision:* If the grievance was resolved, the complaining party will be informed on the outcome of grievance resolution. If grievance was not resolved by the GRC at central level, appropriate information will be provided to the complaining party, including details why the case was not resolved, as well as recommendation to seek for resolution through the RoK legal system.

112. For anonymous grievances or in cases when the complainant refused to provide contact details, the information on status of grievance redress and outcomes of resolution process will be posted on the information boards of relevant regional branch of JSC «NC KazAutoZhol» and relevant community / rayon / oblast Akimats.

6.1.3 GRM: Legal System

113. If after the intervention and assistance from the GRCs at both regional and central levels, no solution has been reached, and if the grievance redress system fails to satisfy the complaining parties, the case will be referred to the court for resolution in accordance with the RoK legislation.

114. In the meantime, it should also be emphasized that the GRM Guideline does not limit the right of the complaining party to submit the case to the court of law in the first stage of grievance process.

6.2 Grievance Focal Points

115. DPs or other concerned individuals may visit, call or send a letter or fax to GRC at the regional level for Aktobe and Atyrau Oblasts.

GRC Contact Details in Aktobe Oblast (Regional Level):

Aktobe regional branch of JSC «NC KazAutoZhol»
Address: 89 Maresyev str., Aktobe
Phone: 8 (7132) 55-50-15, 54-76-29, 54-98-838
Fax: 8 (7132) 54-65-71
E-mail: a.muhanbetkaliev@kazautozhol.kz

Akimat of Aktobe Oblast
Address: 40 Abylkhayir khan ave., Aktobe
Phone: 8 (7132) 56-77-82
E-mail: info@akto.kz

Akimat of Bayganin Rayon
Address: 36 Konaev str., Karaulkeldy community, Bayganin Rayon
Phone: (8-71345) 2-28-74
E-mail: baiganin@akto.kz

Akimat of Temir Rayon
Address: Zheltoksan str., Shubarkudyk community, Temir Rayon
Phone: (8-71346) 2-24-95
E-mail: temir@akto.kz

GRC Contact Details in Atyrau Oblast (Regional Level):

Atyrau regional branch of JSC «NC KazAutoZhol»
Address: 5 Isatay str., Atyrau
Phone: 8 (7122) 29-06-77, 29-06-75
Fax: 8 (7122) 29-01-49
E-mail: a.dyusenov_atrfil@mail.ru

Akimat of Atyrau Oblast
Address: 77 Ayteke Bi str., Atyrau
Phone: 8 (7122) 354-092
E-mail: atyrau_akimat@global.kz

Akimat of Kzylkoga Rayon
Address: 4 Abay str., Miyaly community, Kzylkoga Rayon
Phone: (8-71238) 2-13-37
E-mail: kizilkoga_akimat@mail.ru

Akimat of Makat Rayon
Address: 1 Tsentralnaya square, Makat community, Makat Rayon
Phone: (8-71239) 3-03-99
E-mail: makatorg@mail.ru

116. At the Central GRC the key persons are:

- Head of GRC: Kalymov E. - Head of Department of Investment Projects Implementation;
- Coordinator of GRC: Akhmetov B. - Leading Specialist of Department of Investment Projects Implementation;
- Coordinator of GRC: Ibrayeva D. - Leading Specialist of Department of Projects Preparation.

GRC Contact Details (Central Level):

Address: 32/1 Kabanbay Batyr ave., Astana, 010000,
Kazakhstan Committee of Roads,
Ministry of Investments and Development of the Republic of
Kazakhstan Tel: +8 (7172) 75-46-41
E-mail: a.karymbaeva@mid.gov.kz

6.3 Disclosure of the Grievance Process

117. The complaints resolution process for this LARP was and will continue to be disseminated through information brochures and posted to the community / rayon / oblast Akimats and the EA (or regional level representative of the EA). Grievance redress mechanism will also be presented during the public consultations and informal meetings at Project area during preparation of final LARP, during its implementation and later during civil works. The information of grievance resolution will be summarized in EA/CoR progress reports to be submitted to ADB.

CHAPTER 7. COMPENSATION, RELOCATION, AND INCOME RESTORATION

7.1 Compensation for Leased Lands

118. The proposed project affects lands leased on both short-term and long-term agreements. Both short-term and long-term leased lands are used for agricultural purposes. According to the Entitlement and Compensation Matrix, preference should be given for land-for-land compensation with plots of equal productivity to the plots lost. In the meantime if the land is not available the provision of compensation reflecting terms of lease and impacts shall be made. According to the discussions with respective Akimats there are land plots of equal productivity available to be provided to the DPs. In the meantime, to facilitate LARP finalization, further negotiations and LARP implementation, the assessment of compensation for affected parts of the leased land plots was made by the independent licensed valuator involved by the CoR. Table 11 below provides the summary information on leased land plots and estimated compensation.

Table 11. Preliminary valuation of affected leased lands

Purpose of leased land plot use	Unit cost per ha, KZT	Area acquired, in ha	Calculated compensation, in KZT
Short-term lease			
Agricultural	25	13.80	345.00
Long-term lease			
Agricultural	25	138.24	3456.00
Total		152.04	3,801.00

7.2 Compensation for trees and plants

119. Compensation to users of affected agricultural lands also includes compensation for perennial plants. Based on the assumptions made by valuers while assessing impact of the proposed project the estimated amount of agropyron perennial plants was defined. It was assumed that all the leased land plots affected by the Project have wild agropyron plant naturally growing on them. Table 12 below shows the computation of compensation for agropyron plants growing on 11 land plots leased by 11 legal entities.

Table 12. Estimated valuation of affected perennial plants

Perennial plant	Unit cost per ha, KZT	Area acquired, in ha	Calculated compensation, in KZT
Wild Agropyron	1,300.00	152.04	197,652.00
Total	1,300.00	152.04	197,652.00

CHAPTER 8. INSTITUTIONAL FRAMEWORK

120. The preparation, implementation, monitoring and evaluation of LARP require adequate organizational and institutional support. This section describes the tasks of various units in LAR-related activities.

8.1 Committee of Roads

121. EA/CoR through the respective Akimats supported by JSC «NC KazAutoZhol» has the overall responsibility for LARP preparation, implementation, financing, reporting and evaluation. The CoR will: (a) appraise and approve the LARP prior to submitting to ADB; (b) make decisions related to the land acquisition and compensation of affected people; (c) steer government units and Akimats involved in land acquisition, plot allocation and complaint handling/grievance resolution; (d) ensure that sufficient budget is provided for compensation, support and resettlement activities; (e) ensure compliance of land acquisition and resettlement activities with the approved LARP; and (f) engage consultant(s) to conduct of LARP monitoring/evaluation activities.

122. The CoR is also responsible for ensuring cross-agency coordination and liaison with relevant state agencies involved in implementation of all LAR tasks, making high-level decisions, including resolving DP grievances and facilitating court processes. With regard to grievance redress, the CoR will be responsible for establishing and ensuring the operation of the Grievance Redress Committee(s). The CoR is responsible for safeguards implementation and compliance with the loan agreement and all relevant safeguard documents. The safeguard specialist of the CoR will be responsible for supervision and monitoring of land acquisition and resettlement related issues, including LARP preparation and implementation.

8.2 JSC «NC KazAutoZhol»

123. Day-to-day coordination of implementation of LAR activities will be the responsibility of the JSC «NC KazAutoZhol». A focal point on LAR issues within the JSC «NC KazAutoZhol» will be responsible to provide support and coordinate the preparation and implementation of the final LARP for the Project. This focal point shall report to the Director of the JSC «NC KazAutoZhol» and his/her duties will include but not limited with the following:

- Provide support during census, socio-economic survey of the DPs and valuation of the land / property to be taken;
- Coordinate with the appropriate state agencies to provide all needed documentation and data required for LARP preparation and finalization;
- Follow up and provide support to respective Akimats during drafting and adoption of the decree on land/property acquisition for project purposes;
- Follow up and provide support to respective Akimats during notification of DPs on upcoming land/property acquisition, further negotiation and signing of agreements;
- Coordinate activities of the Grievance Redress Committees established at regional level, ensure their proper function and reporting;
- Follow up with receiving, recording, resolving and reporting of grievances related to land acquisition process and other aspects of the Project;
- Provide support during monitoring activities.

124. JSC «NC KazAutoZhol» will also be supported by PMC and CSC, which will have the necessary specialists to handle LAR and environmental issues related to the project.

8.3 Akimats

125. Although CoR / JSC «NC KazAutoZhol» will take the role in coordinating implementation of the LARP, the Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast play central roles in DPs consultation, issuance of decrees, grievance resolution and in the provision of alternative land leases for long-term leaseholders, allocation of LAR budgets and paying the compensation. Akimats issue the decrees on land acquisition for state needs as well as are in charge of initiation of the LAR process and informing of the DPs. Akimat also coordinate the works on valuation in case of assets and/or business loss. Akimats will also cover expenses related to re-registration of land plots from local/rayon budgets, as well as associated administrative and bank operation related costs. In particular the functions of Akimats with respect to LAR activities will be coordinated by the focal point on LAR issues and will include but not limited with the following:

- Maintain regular coordination and communication with relevant state agencies at the Aktobe and Atyrau oblasts (e.g. NPTsZem, Justice Department), and respective Akimats;
- Follow up with drafting and adoption of the decree on land/property acquisition for project purposes;
- Follow up with notification of DPs on upcoming land/property acquisition;
- Provide support during census, socio-economic survey of the DPs and valuation of the land / property to be taken;
- Prepare documents for negotiation of compensation with the DPs;
- Prepare documents for formalizing agreements with DPs and processing of compensation payments;
- Disclose the LARP and the information brochures;
- Plan and manage LARP implementation and the distribution of compensation;
- Facilitate the work of project consultants;
- Follow up with expropriation cases;
- Facilitate conduct of field surveys, and re-registration of the remaining portions of the DPs land plots;
- Coordinate with the appropriate state agencies to provide all needed documentation and ensure prompt allocation of LAR budgets to the DPs;
- Assist in receiving, recording, resolving and reporting of grievances related to land acquisition process and other aspects of the Project;
- Assist in facilitating discussions and agreements among DPs and other adjacent land users for land swapping and land reconsolidation;
- Assist DPs who may wish to reclassify the remaining portions of their plots that are no longer viable for continued agricultural activities;
- Facilitate the conduct of field surveys, and re-registration of the remaining portions of the DPs lands;
- Monitor/supervise the temporary land acquisitions done by contractors engaged for the Project;
- Provide support during monitoring activities.

8.4 Project Management Consultant

126. The PMC will assist the JSC «NC KazAutoZhol» in carrying out the duties related to finalization, implementation, supervision, monitoring and evaluation of LAR activities. PMC staff will include a full time national specialist to be responsible for LAR tasks and monitoring activities. In addition, a person responsible for community liaison and a grievance redress can be involved by PMC, if needed, to ensure communication with DPs and stakeholders, as well as grievance resolution. In particular, the PMC's assistance to CoR will include but not limited with the following:

- Ensure that Akimats have properly implemented the LARP before construction starts, ensure that CCs take full responsibility for implementing the LAR activities related with temporary impacts during the civil works;
- Implement immediate remediation for any non-compliance with the LARP;
- Provide support during monitoring activities;
- Provide advice to JSC «NC KazAutoZhol», regional level representative of the EA/CoR and CoR on LAR issues and grievance redress;
- Provide appropriate reporting on LAR.

8.5 Construction Supervision Consultant

127. The CSC will support EA/CoR, JSC «NC KazAutoZhol», regional level representative of the EA/CoR and will coordinate with the PMC to ensure that all the LAR activities and fully completed prior to the commencement of civil works. The CSC will also ensure that CCs properly undertook all necessary measures in case of any temporary land acquisition and provide details in the monthly progress reports. The CSC will be responsible for implementation of LAR internal monitoring and preparation of internal monitoring reports. The CSC will participate in grievance redress during project implementation. One of the main responsibilities of the CSC will include provision of guidance and monitoring of Contractors' compliance with stipulated measures to mitigate, enhance for social and environmental impacts related to implementation of the Project. CSC staff will include a full time national specialist to be responsible for LAR tasks and monitoring activities.

8.6 Other Agencies and Institutions

128. Several other institutions will take part in the preparation and implementation of LAR activities. These are:

- GoK will participate in financing the compensation for land / property acquisition and resettlement. On behalf of the GoK the Ministry of Finance will also sign the loan agreement with ADB for this project;
- Local Courts. The court system will be involved in LAR process in case the agreement is not reached between GRC and the owner/user of the affected land plot / property. The RoK court system has a pyramidal hierarchy and includes (i) district (rayon) courts; (ii) regional courts; and (iii) Supreme court of the RoK. Meantime the trial process has the following steps: (i) Court of First Instance; (ii) Appeal Court; (iii) Cassation Court; and (iv) Supreme Court. In case of expropriation issues Akimats shall rely on the court system, which based on due legal process will review the expropriation cases, carry out a hearing and decide whether the land / property can be expropriated and at what price;
- Independent Valuers. These will be accredited / licensed private firms hired by Akimats / design consultants / CoR / JSC «NC KazAutoZhol» to evaluate the affected assets subject to acquisition / expropriation.

8.7 ADB

129. Besides carrying out the periodic supervision of the Project, ADB will review LARP and clear contract awards signing and initiation of civil works, and reviews LAR monitoring progress and results.

130. During inception activities ADB will arrange a capacity building activities, such as provision of intensive training and orientation on safeguards, including LAR related topics with participation of EA/CoR, JSC «NC KazAutoZhol», relevant Akimats, design consultants, CSC and CC to ensure awareness and proper understanding of ADB requirements and further implementation of project LAR activities in compliance with LARP provisions and ADB SPS

requirements. These trainings shall take place before finalization of the detailed design to ensure that all the relevant LARP related issues are taken into consideration during finalization of detailed design, as well as later before implementation of the final LARP to ensure tht all relevant parties involved in LARP implementation clearly understand steps of implementation process and respective responsibilities.

131. Figure 3 below, shows the LAR implementation arrangements and relations among various stakeholder agencies involved in the LAR activities for the Project.

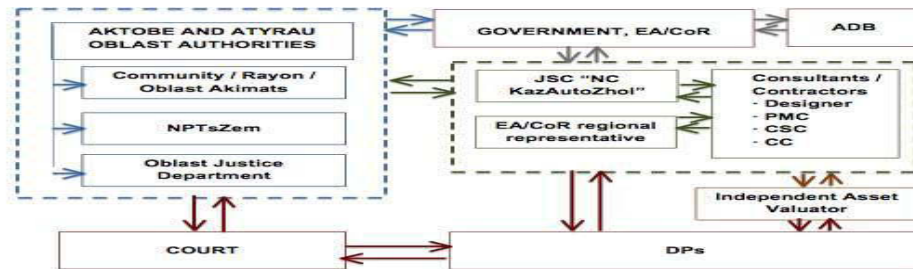


Figure 3. LARP Implementation Arrangements

CHAPTER 9. RESETTLEMENT BUDGET AND FINANCING

132. The GoK / Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast are responsible for all land acquisition costs associated with the implementation of the LARP. A budget of approximately KZT 2,016,798.03 (USD 10,782.13) will be allocated for all LARP implementation activities for the Project²¹. This includes the cost for compensation of losses, re-registration of remaining land plots, registration on new land plots, as well as all associated administrative and bank operation related costs. The budget breakdown is shown in Table 13.

Table 13. Land acquisition and resettlement budget

	Particulars/Items	Number of DPs	Quantity	Estimated Budget (KZT)	Estimated Budget (USD)
1	Compensation for leased lands	11 LE	152.04 ha	3,801.00	20.32
2	Compensation for perennial plants (152.04 ha on 11 plots)	11 LE	152.04 ha (covered by wild agropyron plant)	197,652.00	1,056.68
3	Registration of DPs new land plots or re-registration of existing land plots, notary verification and registration of new/revised lease agreements, bank account opening and bank related charges	11 LE	51 units (assuming some of the land plots might be split in parts, as well as re-registration of state owned plots)	1,632,000.00	8,724.94
Total				1,833,453.00	9,801.94
Contingencies (10%)				183,345.30	980.19
Total + Contingencies				2,016,798.03	10,782.13

²¹ It shall be noted that the budget provided in the draft LARP is tentative and will be precisely defined during the preparation of the final LARP.

CHAPTER 10. IMPLEMENTATION SCHEDULE

10.1 General

133. The time for implementation of resettlement plan is scheduled as per the overall Project preparation and implementation. The tentative schedule for LARP finalization and implementation provided below is subject to modification depending on the progress of the Project activities, including preparation of final design. CoR and respective Akimats will ensure proper implementation of LAR activities.

134. Final design for the project road is expected to be available by end of September 2015, while CC for the civil works is expected to mobilize in March-April 2016. The LARP needs to be fully implemented and evaluated by the end of 2015. In best case scenario implementation is expected to take about 2 months from the after issuance of the decrees on land acquisition for state needs, including finalization of LARP, its approval, negotiation, compensation payments, re-registration / registration of plots and monitoring. However if there are court processes, implementation of LARP for such DPs may take up to one year.

10.2 LARP Preparation Phase

135. This draft LARP is prepared under the PPTA for CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project. DPs and affected assets were identified based on preliminary information made available by design consultants «Gazdorproject» LLP and «Kustanaidorproject» LLP. The final design is expected to be available in autumn of 2015 and the final impacts will be precisely defined based on that. Based on the final design and identified impacts, and Land Use Plan will be developed by the NPTsZem for Aktobe and Atyrau oblasts in close collaboration with CoR, and the Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast will issue decrees on land acquisition for state needs, and final LARP will be developed. Upon the approval, the final LARP should be disclosed.

10.3 LARP Implementation Phase

136. Upon the approval of the final LARP, all the arrangements for fixing the compensation and the disbursement have to be done. Akimats will be responsible for LARP implementation with support from CoR and JSC «NC KazAutoZhol». Internal monitoring will be the responsibility of CSC (or if not engaged yet, the PMC or JSC «NC KazAutoZhol») and will start early during the Project when implementation of final LARP starts and will continue till the completion of the Project.

137. Table 14 shows the activities involved in the LARP preparation, finalization and implementation and the agencies/units involved.

Table 14. LARP preparation, finalization and implementation process

No.	Work Description	Responsible Agency
A. LARP Preparation		
A1	Akimats' decrees and notification of DPs	Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast
A2	Detailed surveys (census, socio-economic survey and	PPTA resettlement / social

No.	Work Description	Responsible Agency
	valuation, as needed)	development consultants, design consultants, CoR, Akimats, independent licensed valuers
A3	Public consultations	CoR, Akimats, JSC “NC KazAutoZhol”, PPTA resettlement / social development consultants
A4	Final LARP drafting	PPTA resettlement / social development consultants (with support of design consultants, CoR, Akimats, JSC “NC KazAutoZhol”)
A5	Final LARP review / approval / disclosure	CoR / ADB
A6	No objection to signing of civil works contract	ADB
B. LARP Implementation		
B1	Signing of agreements	Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast / CoR
B2	Registration of new plots / re-registration of plots	Akimats of Temir and Baiganin rayons of Aktobe oblast, and Akimats of Kzylkoga and Makat rayons of Atyrau oblast
B3	Monitoring	SCS / PMC / CoR
B4	Issuance of Notice to Proceed for civil works is issued	ADB

Table 15. Schedule for LARP Implementation

Milestones/Activities	2015					2016						
	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	K
A. Final LARP Preparation, Approval and Disclosure												
A1. Final LARP drafting		■	■									
A2. Detailed surveys (census, socio-economic survey, valuation)		■										
A3. Final LARP review / approval / disclosure			■	■								
A4. Signing of civil works contract								■				
B. Final LARP implementation												
B1. Signing of agreements					■	■						
B2. Registration of new plots / re-registration of plots					■	■						
B3. Monitoring					■	■						
B4. Issuance of Notice to Proceed for civil works							■					
Start of civil works								■				
Compensation of temporary impacts during civil works									■	■	■	■

CHAPTER 11. MONITORING AND EVALUATION

138. The LARP implementation will be subject to monitoring. Results of the monitoring will be used as basis for issuance of Notice-To-Proceed (NTP) to the CC(s) in project road sections with LAR impacts.

139. The primary objective of monitoring is to identify as early as possible progress on LARP implementation achieved and the cause(s) of constraints so that arrangements in LARP implementation can be adjusted. Monitoring is important because LARP implementation is often the critical path for any project where civil works are involved, due to issues on land acquisition, compensation and resettlement that may cause delay in civil works. The early identification of the causes of delay will enable the CoR (with support from individual consultants), JSC «NC KazAutoZhol», Akimats, PMC and CSC to prepare the mitigating measures during LARP implementation. For the project the mechanisms of internal monitoring by CSC in collaboration with PMC and CoR will be used.

140. All activities in LAR are time bounded. CC and CSC will routinely perform internal monitoring of LAR activities with results to be reported to CoR and ADB every six months, but may be requested quarterly depending on scale and significance of impacts. Related information will be collected from the field to assess the monthly progress and results of implementation, and to adjust the work program, when necessary. Indicators subject for integrated internal monitoring will be those related to process and immediate outputs and results, such as the following: (i) disclosure, information campaign and consultations with DPs and stakeholders; (ii) payments of compensation on lands and affected assets; (iii) provision of alternative land leases; (iv) re-registration / registration of plots; and (v) restoration of living standards.

141. The preceding indicators will be monitored monthly by applying the following approaches: (a) review of DMS for all DPs; (b) consultations and informal interviews with DPs; (c) in-depth case studies; (d) sample survey of DPs; (e) key informant interviews; and (f) public meetings with people in the villages traversed by the Project road.

142. In case of significant resettlement impacts or any unanticipated impacts, the corrective action plan should be prepared approved and disclosed before the EA/CoR can proceed with implementation of the specific project components for which LAR impacts were identified.

143. Monitoring will be carried out during LARP implementation and will be concluded after the LARP is fully implemented, which will be the basis for MID's request to ADB for its "no-objection" for the award of civil works contract.

ANNEXES

ANNEX A. LIST OF DISPLACED PERSONS AND AFFECTED LAND PLOTS / PROPERTY

No DP	Displaced Person	Location of leased land plot	Purpose of land use	Land use right	Total area of the land plot (ha)	Area of the affected part of the land plot (ha)	Market cost of the affected land plot, KZT	Compensation for agropyron, KZT
1	Zhuldyz peasant farm	Temir rayon	Agricultural, pasture	Lease for 49 years	1820.00	0.80	20.00	1,040
2	Kukzhan M. peasant farm	Baiganin rayon	Agricultural, pasture	Lease for 49 years	1000.00	6.37	159.35	8,284
3	Edilbay-Baiganin LLP	Baiganin rayon	Agricultural, pasture	Lease for 49 years	3000.00	26.37	659.35	34,286
4	Sayak peasant farm	Baiganin rayon	Agricultural, pasture	Lease for 49 years	560.00	6.82	170.50	8,866
5	Kosbol peasant farm	Baiganin rayon	Agricultural, pasture	Lease for 49 years	1300.00	14.07	351.70	18,288
6	Akanseri peasant farm	Baiganin rayon	Agricultural, pasture	Lease for 49 years	1000.00	16.46	411.50	21,398
7	Nurlybek peasant farm	Baiganin rayon	Agricultural, pasture	Lease for 5 years	1000.00	13.80	345.00	17,940
8	Tilektes peasant farm	Baiganin rayon	Agricultural, pasture	Lease for 49 years	1000.00	8.32	207.95	10,813
9	Zheksebay S. peasant farm	Baiganin rayon	Agricultural, pasture	Lease for 49 years	1520.00	9.70	242.60	12,615
10	Bobek peasant farm	Baiganin rayon	Agricultural, pasture	Lease for 49 years	3400.00	19.38	484.50	25,194
11	Kosay-ATA peasant farm	Baiganin rayon	Agricultural, pasture	Lease for 49 years	2000.00	29.94	748.50	38,922

[CAREC Corridors 1 and 6 Connector Road \(Aktobe–Makat\) Improvement Project \(RRP KAZ 48424\)](#)

TOTAL:	17600.00	152.04	3,800.95	197,646.80
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ANNEX B. SOCIO-ECONOMIC SURVEY FORM

**CAREC CORRIDORS 1 AND 6 CONNECTOR ROAD
(AKTOBE-MAKAT) IMPROVEMENT PROJECT**

SOCIO-ECONOMIC SURVEY QUESTIONNAIRE

Questionnaire ID: |__|__|__|

Hello! My name is _____. The Government of Kazakhstan applied for the support from the Asian Development Bank to develop a project on improvement of the road section Aktobe – Makat. Within the framework of the project, it is planned to rehabilitate approximately 300 km long section of the road We're carrying out survey amongst the people affected by the road improvement project. The main goal of our interviews is to study the situation on roads and transport along the proposed route, as well as the perception of population about the proposed project. Your answers and comments will be used to for social assessment. Any information you will provide to us will be used to make general conclusions only.

A. QUESTIONNAIRE PASSPORT

- A1. Place of the survey:** _____
A2. Date of the survey: ____ July 2015
A3. Name of the interviewer: _____

B. INFORMATION ABOUT RESPONDENT AND HIS/HER HOUSEHOLD

- B1. Full name of household head:** _____
B2. Sex: Male ____ Female ____
B3. District: _____
B4. Address, phone: _____

B5. Information on household members:

Before we start our this section, I would like to explain the exact meaning of the word "household", which we are going to use often during our conversation. I mean that household is made of people who live permanently in your house and share your household expenditures, at least those related to nutrition. Let us talk about your household. Please start from yourself (household head should be the first in the table) and name all members of your household, including small children, and also those who live in your house and share his or her income and expenditures with your household.

INTERVIEWER: FILL THE TABLE **STARTING FROM THE RESPONDENT**

Order No	Name	Gender: 1 – male 2 – female	Age at last birthday	YE L D 0 AR L 0	EDUCATION	Basic occupation 1 – preschool child 2 – school student 3 – child under 16 years old, who neither attend educational establishments, nor have employment 4 – student of lyceum, college 5 – student of higher education or postgraduate student (full time students) Permanent employment (including those who are on childcare leave): 6 – in budget-funded organization or institution (healthcare, education, administration, enforcement institutions, etc.) 7 – in the private or state-owned enterprises (transport, construction, industry, telecommunications, etc.) Owning private business: 8 – Patented entrepreneurship 9 – Registered as legal entity 10 – Unregistered business Self-employed 11 – Self employed in trade and commerce 12 – Self employed in agriculture Unemployed 13 – Officially registered as an unemployed person 14 – Unregistered unemployed, seeking employment and ready to accept employment immediately Other categories 15 – Unemployed and do not seek employment for any reason 16 – Retired 17 – Disabled registered with social security authorities - only 18 years old and above 18 – disabled children between 16 and 18 years old	Additional job/employment 1 – have 2 – do not have
					Adults 1 – did not complete school (have no school certificate) 2 – secondary education 3 – completed specialized secondary, vocational education (vocational technical school, specialized vocational technical school, technical college, lyceum, college) 4 – completed higher education, postgraduate education, etc.		
					Children, schoolchildren and students 5 – preschool child 6 – child under 16 years old, who neither attend educational establishments, nor have employment 7 – school student 8 – student of lyceum, college 9 – student of higher educational establishment (full time course student)		
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

B6. Land and asset ownership

Land	
Total area of land plot, sq.m	
Area of cultivated land, sq.m	
Area of uncultivated land, sq.m	
Crops being cultivated (mention)	
Yield, kg	
Building/structure	
Total area of building, sq.m.	
Residential area of building, sq.m	
Non-residential area of building, sq.m	

B7. Land type

Type of the land	
Residential land	
Commercial land	
Agricultural	
Other	

B8. Information on the structures that belong to the household head

Type of structure	Materials (concrete, bricks, clay, etc.)	Number of stores	Number of rooms	Has water supply/ wastewater?	Has gas supply?	Has electricity?	Has phone line?	Year built

B9. Other assets owned by your family

Asset	Quantity
Real property	
Car	
Trading and Business	
Construction equipment	
Agricultural equipment	
Livestock / animals by type	
Other (please specify)	

B10. Family members who generate income (specify all of them including pensioners)

Member's name (father, mother, son, daughter etc.)	Income source (salary -1, pension-2, other income (mention))	Monthly income, in KZT

B11. Information on family expenditure (for month of June 2015)

Item of Expenditure	Amount in KZT
Food	
Clothing	
Gas	
Electricity	
Water	
Dwelling house and other accommodation	
Gasoline, fuel	
Medical/health	
Education	
Household appliances/utensils	
Telephone	
Transport expenses	
Payment of loan/credit	
Maintenance cost of household structures and equipment	
Smoking	
Alcohol	
Entertainment	
Other (if any)	
TOTAL	

B12. Information on family income (for month of June 2015)

Source of Income	Amount in KZT
Salary	
Trade/Business	
Allowance	
Pension	
Renting light vehicles (car, van)	
Renting heavy vehicles (bus, minibus, lorry, tractor)	
Interest (bank deposit, money lending)	
Rent of land or real assets	
Household products	

B19. Do you consider yourself as disadvantaged because of ethnicity?

(in case the answer to B18 is different from «Kazakh») Yes [] / No []

B20. Do you consider yourself as disadvantaged because of low income?

Yes [] / No []

B21. Do you/your household get social assistance/allowance?

Yes [] / No []

C. TRANSPORT

C1. Please provide us with the following information about the transport use.

Purpose of travel	C 1.1 Type of transportation: A – public transport B – private car C – bicycle D – motorcycle E – none (walking)	C1.2 Distance (one way – in km)	C1.3 How often: A – Everyday B – 2 or times a week C – Every week D – 2 or more times a month E – Every month F – less than every months	C 1.4 How much you spend for one way trip (KZT)	C 1.5 How much time you spend for one way trip in minutes (excluding time spent for waiting)
School or kindergarten					
College/ University					
Polyclinic					
Hospital					
Work					
Market or trade agricultural product					
Other (specify):					

C2. Is there seasonal fluctuation in transportation use?

	Summer	Winter	Doesn't change
C2_1 Increase in Frequency	1	1	1
C2_2 Increase Time	2	2	2
C2_3 Increase costs	3	3	3

C3. What are the main problems associated with your travel? Please select top three answers:

Numbers [], [] and []

Lack of public transport (unavailability of routes / lack of the transport means)	1
Buses/minibuses are overcrowded	2
Long waiting time between two buses/minibuses	3
Traffic jams/ slow traffic in peak hours	4
Safety of transportation means	5
Quality of the road (technical condition of the road)	6
Lack of lightening along the road	7
High cost of transportation tariffs	8
High cost of benzine and gas	9
Others (Specify):	10

**C4. Who has to drive/use public transport more often than others?
ONLY 1 OPTION OF ANSWER IS ALLOWED**

Number []

1	Everyone have to go nearly equally	1
2	Men have to go more often	2
3	Women have to go more often	3
4	Children have to go more often	4
5	Women and children have to go more often	5

6	Men and children	6
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C5. Have your household members got serious diseases and attended to the hospital and/or polyclinic within last 12 months? Yes [] / No []

If “Yes” continue with the next question.

If “No” proceed to D1.

C6. How did you go to hospital / polyclinic?

Household member	Type of health care institution	How did he/she go to there?			How many times within last 12 months		
		By bus	By car	By walking	By bus	By car	By walking
Men	Hospital	1	2	3			
	Policlinic	1	2	3			
Women	Hospital	1	2	3			
	Policlinic	1	2	3			
Children	Hospital	1	2	3			
	Policlinic	1	2	3			

C7. How much did your household spend for treatment of these diseases within the last 12 months? _____ KZT

D PROJECT IMPACT

D1. The Government of Kazakhstan together with the Asian Development Bank is planning to improve the road section Aktobe – Makat. Have you heard about the proposed project?

Yes1
No.....2

D2. Do you think if your household will get better access to the infrastructure and services when the works are completed?

Yes1
No.....2
Do not know3

D3. Does access to the improved transportation services increase the value of land / housing?

Yes 1
No 2
Do not know 3

D4. Do you think that after completion of the works you will have (Please select top three answers)? Numbers [], [] and []

	Name	Yes	No	Do not know
1	Reliable, safe and speed road	1	2	0
2	Better access to education	1	2	0
3	Better access to work	1	2	0
4	Better access to markets/ shops	1	2	0
5	Better access to healthcare infrastructure	1	2	0
6	Better access to entertainment places	1	2	0
7	Better access to airport/railway	1	2	0

D5. In order of priority how you believe the transportation sector should invest in improvements (Please select top three answers)? Numbers [], [] and []

Ways of investments	#
Rehabilitation of existing roads	1
Construction of new roads	2
Improvement of facilities of transport stations and bus stops for passengers	3
Increased frequency of public transport means	4
Improvement of public transport coverage/better routes	5
Improvement of road maintenance services	6
Improvement of road safety and security measures	7
Reduced Carbon emission	8
Other	9

If Other, please provide details:

D6. Do you currently cross the project road with animals or move the animals along that?

Yes 1

No.....2

If Yes, please provide details: _____

D7. In order of priority what are the most important issues to be resolved by design? (Please select top three answers)? Numbers [], [] and []

Issues	#
Arrange for adequate road crossings for people	1
Arrange for adequate road crossings / passes for livestock / animal	2
Arrange for adequate access to communities and roadside facilities	3
Ensure access to land located on both sides of the road	4
Ensure access to irrigation and other infrastructure	5
Other	6

If Other, please provide details:

E QUESTIONS TO WOMEN

(Question for women–heads of households or family members of the person filling the Questionnaire)

E1. Do you think that women in your area have sufficient opportunities to participate in decision-making in:

	Yes	No	Limite
Landuse	1	2	3
Bankcredits	1	2	3
Household development	1	2	3
Land selling or renting	1	2	3
Temporary workers hiring	1	2	3
Household income distribution	1	2	3
Purchasing equipment, appliances	1	2	3
Other (specify)	1	2	3

E2. (For respondents who think that there are limited opportunities for women) What do you think are the possible reasons why there are limited opportunities for women to participate in decision-making in their family and society?

E3. What can be done to improve women’s life in your region?

E4. Do you consider yourself as disadvantaged because of gender?

Yes [] / No []

E5. Should the women receive any supplemental assistance related to land acquisition for improvement of the road section?

- Yes1
- No2
- Do not know3

If Yes, please explain why do you think so:

Thank you very much for your participation in the survey!

ANNEX C. CENSUS FORM

**CAREC CORRIDORS 1 AND 6 CONNECTOR ROAD
(AKTOBE-MAKAT) IMPROVEMENT PROJECT**

CENSUS OF AFFECTED PERSONS

1. **Full name:** _____
2. **Sex:** Male _____ Female* _____
 * If female:
 Are there other breadwinners in the household? 1. Yes 2. No If Yes, how many? ____
3. **Address, phone:** _____
4. **Year of birth:** _____
5. **Nationality:** _____
6. **Members of the household:**

#	Full name	Relation to household head (husband, wife, son, daughter etc.)	Age	Sex	Marital status	Education	Occupation	Any disabilities Yes/No
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								

7. **What are potential impacts on your household due to the road improvement project? (mark with x)**

#	Description of Impact	Temporary	Permanent
1	Loss of some portion of lands (residential, commercial, agricultural)		
2	Loss of structure (house, shop-house, secondary structures etc.)		
3	Loss of business, livelihood or income		
4	Loss of crops or trees		

8. **What are your rights to the land plot/property?**

- a) Private ownership
- b) Long-term lease for 49 years: Paid Unpaid
- c) Short-term lease for ___years: Paid Unpaid
- d) Permanent lease: Paid Unpaid
- e) State ownership:
- f) Other (please specify): _____

9. **Land plot /property ownership/use registration documents:**

- a) Type of land/property ownership/use registration document: _____
- b) Date of issue of the land/property ownership/use document: _____
- c) Entity that issued the land ownership/use registration document: _____
- d) For how long the land/property is provided for use? _____
- e) What is the fee for land/property use and how often is it charged? _____

10. **Are there any limitations or restriction to land plot /property ownership/use (e.g. servitudes, etc.)?**

Yes No

If Yes, please specify: _____

11. Number of years you use this land plot/property: _____

12. If you lease the land plot/property from a private person, provide the following information on the owner of the land?

Owner's full name: _____

Address: _____ Phone number: _____

13. (a) Did you have any expenditure for land improvement during the last 3 years?

#	Type of improvement	Yes	No
1	Bank loan/credit		
2	Trees and crops		
3	Watering system		
4	Establishment of access roads		
5	Parking lot / garage		
6	Other (specify)		

(b) Did you have any expenditure for structure/building improvement during the last 3 years?

#	Type of improvement	Yes	No
1	Extension / reconstruction		
2	Renovation/repair		
3	Infrastructure improvement		
4	Bank loan / credit		
5	Other (specify)		

14. Do you think that after acquisition of a portion of your land plot /property you will be able to continue with your former activities or you have to relocate, in particular (tick appropriate box):

Agriculture	1. Yes	2. No, but has alternative land plot / property to reside	3. No, and has no alternative land plot / property, thus have to relocate
Residential life	1. Yes	2. No, but has alternative land plot / property to reside	3. No, and has no alternative land plot / property, thus have to relocate
Trading, Business	1. Yes	2. No, but has alternative land plot / property to continue trading or business activity	3. No, and has no alternative land plot / property, thus have to relocate

15. If you have alternative land plot /property to reside or to continue with agricultural activities / trading / business, where is it situated? _____

16. If the remaining land plot / property is not sufficient to reside or to continue with agricultural activities / trading / business, would you like to obtain alternative land plot / property instead of cash compensation? (Tick appropriate box)

1. Yes 2. No

17. Only for business owners:

Type of business	Is it basic or secondary activity?	Monthly income from this activity, in KZT	Amount of lost income, in KZT

18. Only for persons engaged in trading, commerce or service:

When did you start the mentioned (year)	Do you have a license to carry out this activity? (tick appropriate box)	State authority that issued a trading license
	Yes No	

19. Do you employ workers for your activities on the land plot to be affected due to road improvement? (tick appropriate box)

1. Yes (permanent workers) 2. Yes (temporary workers) 3. No

20. If you have permanent hired workers, please fill in the table below for each of them:

#	Work being done by hired worker	Age	Sex	Education	Worker's monthly income, in KZT
1					
2					
3					
4					
5					

21. Main trees and crops growing on the land plot to be affected due to road improvement:

Type of tree/crop	Total area of land plot (sq.m.)	Area to be acquired (sq.m.)	Year of sowing	Amount of trees / crops	Total cost of the profit lost, in KZT

22. Structures on the land plot to be affected due to road improvement:

Type of building/structure	Area (sq. m)	Cost, in KZT

23. Information on basic premises (house, shop, building) on the land plot to be affected due to road improvement:

Building	Materials	Number of stores	Number of rooms	Has electricity?	Has phone line?	Has gas supply?	Has water / wastewater infrastructure?	Year built

24. For persons whose structures will be affected due to road improvement:

- a) Did you obtain any credit to build this/these structure/structures? (tick appropriate box)

1. Yes 2. No

b) If yes, please specify your source(s) of credit for building the structure? (tick appropriate box)

1. Bank 3. Individual
2. Credit organization 4. Other (specify)

25. Information on renters of structures located on the land plot to be affected due to road improvement:

- a) Monthly rent _____ KZT
b) Number of years you have been renting the affected structure _____ years
c) Until when do you intend to rent the structure (tick appropriate box):
1. Less than 6 months 3. More than 1 year
2. 6 to 12 months 4. Indefinitely
d) Do you know another (new) place to rent? (tick appropriate box)
1. Yes 2. No
e) If no, will you need assistance in finding another place to rent? (tick appropriate box) 1. Yes 2. No

26. In case you need to relocate your business as a result of road improvement, what would you prefer? (tick appropriate box)

1. Self relocate to another site
2. Relocate in a site to be identified and provided by local authority (Akimat)
3. Do not know

27. What opportunities and livelihood assistance do you expect from the road improvement project to help restore your livelihood?

1. Employment from road construction
2. Skill training (specify kind of training) _____
3. Provision of micro-credit/soft loan (specify type of business) _____
4. Others (specify) _____
5. Don't expect anything

28. Are you a member of any local civil organization? (tick appropriate box)

1. Yes 2. No

If Yes, please indicate the name of organization: _____

29. What portion of your income (in KZT) you will lose due to land acquisition for road improvement? _____

30. What impact will the road improvement have on your household? (tick appropriate box)

1. Positive
2. Negative
3. Neither positive, nor negative
4. Do not know

31. What do you think are the advantages that you and your family would get due to road improvement?

32. What are your suggestions to minimize the losses or adverse impacts due to road improvement?

Thank you very much for your participation in the survey!

ANNEX D. INFORMATION BROCHURE

Committee of Automobile Roads, MID, RoK

Republic of Kazakhstan
CAREC Corridors 1 and 6 Connector Road
(Aktobe-Makat) Improvement Project

INFORMATION BROCHURE

On entitlements and compensation of
displaced persons and entities, grievance
redress mechanism and resettlement
implementation steps with respect to land
acquisition for state needs

July 2015

The Proposed Project

The Republic of Kazakhstan (RK) through the Ministry of Investments and Development (MID) is planning to renovate Aktobe – Makat road section with funds provided by international financial institutions, including Asian Development Bank (ADB). The existing Aktobe–Makat road is a two-lane, category III/IV republican road constructed about 30 years ago. It has a length of 460 km and connects the oil and mineral-rich provinces of Aktobe and Atyrau, where approximately 1.7 million people live. It is part of the Trans-Caspian Sea Transit Corridor Baku

– Astrakhan – Atyrau – Aktobe – Aktau – Turkmen border which connects Kazakhstan with Azerbaijan and Europe in the West, with Russia in the North, and with Turkmenistan in the South. It also connects the Central Asia Regional Economic Cooperation (CAREC) Corridors 1b and 6b at Aktobe and Makat respectively, providing further access to PRC and South East Asia. As a result of neglected and improper maintenance, the deteriorated road pavement as well as bridges and culverts are barely able to cope with the rapidly rising and heavy traffic loads generated by the oil wells and refineries in the region. Road safety hazards are a direct result of these conditions. Accordingly, the project road of 299 km starting from Makat is proposed to be reconstructed and upgraded from categories III/IV to two-lane category II road. The current project is limited to the reconstruction of km 160 – km 468 of Aktobe-Makat road, including:

- section km 160 – km 330 in Aktobe Oblast;
- section km 330 – km 468 in Atyrau Oblast;
- as well as km 487 – km 504 section in Atyrau Oblast.

Design for the project is developed by the «Gazdorproject» LLP (section km 160 – km 330), «Kustanaidorproject» LLP (section (km 330 – km 468) and Industrial Company «Arnay» LLP (km 487 – km 504). At present, the preparatory works are undertaken for the submission of appropriate documentation to ADB.

The location of the proposed project road section Aktobe - Makat is demonstrated on the Figure below.



Property acquisition principles adopted for the project

Civil works in the Aktobe – Makat road section will require acquisition of land and property.

Efforts were made at the feasibility study and currently at the design stage to minimize possible adverse impacts on land plots and existing structures. For unavoidable impacts, measures will be taken to ensure that wellbeing of displaced persons (DPs) will not worsen and will be improved to the extent possible. To achieve these, legislative norms of the Republic of Kazakhstan will be applied, along with the requirements set forth in the ADB's Safeguard Policy Statement of 2009 (SPS 2009).

As part of the review of the Project by ADB, a draft Land Acquisition and Resettlement Plan (LARP) for Aktobe – Makat road section will be prepared based on the preliminary list of affected assets (to be provided by CoR and respective akimats). This draft LARP will be finalized once the design is finalized and the akimats have issued the Decrees on land acquisition for state needs and subsequent notification of DPs. Moreover, adjustments, if needed, will be made on the LARP based on detailed design solutions.

The following core principles will be followed for the Project:

- Land acquisition, and other involuntary resettlement impacts will be avoided or minimized exploring all viable alternative project designs;
- Where unavoidable, DPs will be assisted in improving or at least regaining their standard of living before displacement;
- Compensation at replacement cost for all items will be provided to DPs;
- Valuation of land and assets will be based on ADB SPS requirements;
- DPs without legal rights to land will be compensated for non-land assets;
- DPs will be assisted to restore their livelihood;
- Persons who will need to relocate will be provided with relocation assistance, transitional support and development assistance, such as provision of alternative land, credit

- facilities, training, or employment opportunities as required;
- Vulnerable DPs will be provided special allowances;
- Appropriate redress mechanisms to solve DPs grievances will be established;
- Census and socioeconomic surveys and consultation with DPs, will be conducted;
- A LARP based on the census and socioeconomic surveys, valuation and DP consultation will be prepared. The LARP will be disclosed to DPs in local language and posted on the web for general public disclosure;
- Compensation payments will be initiated only after ADB has approved the LARP. Moreover, LARP implementation will be monitored by an independent monitor to be agreed with ADB; and,
- Civil works in Project road sections with land acquisition and resettlement will only commence after the LARP implementation has been completed, and verified by an independent monitor.

Census, socioeconomic survey and cut-off date

The final census to prepare asset inventory of DPs and socio-economic survey of affected households will be concluded after the issuance of the Decrees on land acquisition for state needs and subsequent notification of DPs. The date of the adoption of the Decrees will serve as cut-off date for entitlement.

Persons will NOT be indemnified for the expenditures and losses incurred related to improvement of land plot, new construction, extension or improvement of buildings (facilities, structures) on the land plot to be taken AFTER the cut-off date.

Eligibility for compensation

The following groups of DPs will be included in the LARP for the project:

- All DPs losing land either with legal title, lease holding land rights or without legal status;
- Owners of buildings, crops, trees, or other objects attached to the land; and
- DPs losing business, income, and salaries temporarily or permanently.

Compensation and rehabilitation assistance to be provided to DPs will be provided according to the entitlement and compensation matrix presented in the Table below.

Asset	Specifications	DPs	Compensation Entitlements
Permanent Loss			
Agricultural land	Cropped / cultivated land or pastureland	Owners	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with plots of equal value to the plots lost; or <input type="checkbox"/> Cash compensation for affected land plot at full replacement value without deduction for taxes, transaction, registration or transfer costs and other applicable payments.
		Renters long-term/ short term	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with plots of equal productivity to the plots lost. <input type="checkbox"/> If the land is not available, consider providing compensation reflecting terms of lease and impact;
		Squatters (if any)	<ul style="list-style-type: none"> <input type="checkbox"/> Leased plot on State land, with no charges for taxes, transaction, registration costs;

Asset	Specifications	DPs	Compensation Entitlements
	Severe impact: 10% or more of their productive assets (income generating)	Owners, leaseholders of cropped/ cultivated land	<ul style="list-style-type: none"> <input type="checkbox"/> Additional cash compensation equivalent to one-year gross harvest. <input type="checkbox"/> Additional cash compensation to cover livelihood expended for one month due to relocation.
Residential and commercial land		Owners	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with plots of equal value to the plots lost; or <input type="checkbox"/> Cash compensation for affected land plot at full replacement value without deduction for taxes, transaction, registration or transfer costs and other applicable payments.
		Renters long-term/ short term	<ul style="list-style-type: none"> <input type="checkbox"/> Land for land compensation with a plot comparable in value to the lost plot. <input type="checkbox"/> If the land is not available, consider providing compensation at replacement cost reflecting terms of lease and impact;
		Squatters (if any)	<ul style="list-style-type: none"> <input type="checkbox"/> A land plot to be provided from the State Land Fund for lease (with no charge for taxes, transaction, registration and land legalization)
Structures	Residential houses and commercial buildings	Owners of permanent structures, including squatters	<ul style="list-style-type: none"> <input type="checkbox"/> House for house swap (at the owner option): if replacement is of lower value, cash compensation for the difference; or <input type="checkbox"/> Cash compensation at the current market value for affected structures and other real assets at existing prices at the moment of acquisition with no deduction for depreciation or transaction costs. Compensation will include the value of affected connections to water supply and other public utilities. <input type="checkbox"/> If immediate accommodation/storage is unavailable, housing/storage rental allowance covering rent for at least 1 month or more if rental requirement period is longer.
	Temporary structures (kiosks, stalls)	Owners of temporary/ movable structures	<ul style="list-style-type: none"> <input type="checkbox"/> Approved site to relocate structure with the relevant permissions and access to the road, if required.
	Rented structures	Renters with valid rental contract	<ul style="list-style-type: none"> <input type="checkbox"/> Rental allowance in accordance with the conditions of the rent agreement but not less than cost of rent for 3 months. Refund of the unused portion of the rent or lease fees paid in advance.
Crops	Crops affected	All DPs including squatters	<ul style="list-style-type: none"> <input type="checkbox"/> Crop compensation in cash at full market rate for 1 year gross harvest.
Trees	Trees affected	All DPs including squatters	<ul style="list-style-type: none"> <input type="checkbox"/> Cash compensation reflecting income replacement. Fruit trees value is based on age category and calculated as gross market value of one-year income times the number of years to grow a tree to similar productivity, plus purchase cost of seedlings and starting materials. For wood/timber

Asset	Specifications	DPs	Compensation Entitlements
			trees, compensation will be based on the cost of dry wood volume.
Business and employment	Temporary or permanent business/ employment loss	Business owners (including those with no formal rights on the land) and their affected workers	<ul style="list-style-type: none"> <input type="checkbox"/> If permanent business loss, cash compensation equal to one year net income (lost profit). <input type="checkbox"/> If temporary business loss, cash compensation for the period of income loss. <input type="checkbox"/> If permanent employment loss, 3 months average registered wages (if not registered, based on the official minimum wage in RoK). <input type="checkbox"/> If temporary employment loss, average registered wage during disruption (if not registered, based on the official minimum wage in RoK). <p>Note: Affected workers will be paid through their employers as per the Labor Code)</p>
Relocation	Transport and transitional livelihood costs	All persons affected by relocation	<ul style="list-style-type: none"> <input type="checkbox"/> Transportation allowance sufficient to cover transport expenses; <input type="checkbox"/> Relocation allowance equivalent to monthly rental cost for similar land plots/structures multiplied by the number of months needed to rebuild and relocate to new site. <input type="checkbox"/> Transition allowance to cover their households needs during transition period.
Community assets			<ul style="list-style-type: none"> <input type="checkbox"/> Rehabilitation or replacement of affected structures to pre-project function.
Vulnerable population groups		HH below the poverty line; large families having 4 or more children below 18 years; HH with disabled members; female headed household; or elderly with no family support	<ul style="list-style-type: none"> <input type="checkbox"/> Assistance equivalent to minimum living wage for 3 months; <input type="checkbox"/> Enrolment in government social assistance program if not yet enrolled; <input type="checkbox"/> Priority in local employment for able members of vulnerable household.
Temporary Loss			
Land for construction sites, camps or temporary service roads, etc.	Negotiated between owner and contractor	Owners (private or public)	<ul style="list-style-type: none"> <input type="checkbox"/> Contractor pays cash compensation at existing local rental rates for duration of temporary use plus income/crop/structure loss due to temporary land use, if any as provided for in the entitlements for crops, business and structure losses. <input type="checkbox"/> Land restored to original status at the end of rental. <input type="checkbox"/> Contractor pays for making land management and legal documents.
		Renters long-term/ short term	<ul style="list-style-type: none"> <input type="checkbox"/> Contractor pays cash compensation at local state rental rates for duration of temporary use plus income/crop/structure loss due to

Asset	Specifications	DPs	Compensation Entitlements
			temporary land use, if any as provided for in the entitlements for crops, business and structure losses. <ul style="list-style-type: none"> <li data-bbox="889 275 1435 331">□ Land restored to original status at the end of rental. <li data-bbox="889 338 1435 394">□ <i>Contractor pays for making land management and legal documents.</i> <li data-bbox="889 401 1435 430">□ Environmental safeguard measures.

Dispute settlement and grievance redress procedure

Persons or entities displaced by the project have the right to file complaints and/or queries on any aspect of land acquisition compensation, and resettlement. In order to ensure that grievances and complaints are addressed in a timely and satisfactory manner and that all possible avenues are available to DPs to air their grievances, the mechanism for grievance redress will be included in the LARP.

At this stage the grievances can be lodged to the representatives of the Akimats in Aktobe and Atyrau oblasts. DPs or other concerned individuals may visit, call or send a letter or fax to any of the below Grievance Focal Points to register their comments or complaints related to land acquisition or other aspects of the project.

Aktobe Oblast

Akimat of Aktobe Oblast
Address: 40 Abylkhayir khan ave., Aktobe
Phone: 8 (7132) 56-77-82
E-mail: info@akto.kz

Akimat of Bayganin Rayon
Address: 36 Konaev str., Karaulkeldy comminuty, Bayganin Rayon
Phone: (8-71345) 2-28-74
E-mail: baiganin@akto.kz

Akimat of Temir Rayon
Address: Zheltoksan str., Shubarkudyk comminuty, Temir Rayon
Phone: (8-71346) 2-24-95
E-mail: temir@akto.kz

Atyrau Oblast

Akimat of Atyrau Oblast
Address: 77 Ayteke Bi str., Atyrau
Phone: 8 (7122) 354-092
E-mail: atyrau_akimat@global.kz

Akimat of Kzylkoga Rayon
Address: 4 Abay str., Miyaly community, Kzylkoga Rayon
Phone: (8-71238) 2-13-37
E-mail: kizilkoga_akimat@mail.ru

Akimat of Makat Rayon
Address: 1 Tsentralnaya square, Makat community, Makat Rayon
Phone: (8-71239) 3-03-99
E-mail: makatorg@mail.ru

ANNEX E. LIST OF PARTICIPANTS OF PUBLIC CONSULTATIONS

Consultation in Shubarkudyk community of Temir rayon of Aktobe oblast, July 21, 2015

List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Макат)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жаңарту жобасы (Ақтобе – Мақат)
жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Shirbatkydyk, July 21, 2015

Шырбатықыдык, 21 июля 2015 года,

Шырбатықыдык, 21 шілде 2015 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. пошта-жайы)	Signature Подпись Қолы
1	Бурибаева А.А.	ТУРБ	8-7025761256	
2	Файрхан Д.В.	ТУРБ	8-702 3755127	
3	Әбдішевбаева А.Н.	ТУРБ	87028956139	
4	Нурмухамедов Ғ.А.	ТУРБ	8475 1183328	
5	Срмалаибеетова С.Ғ	ТУРБ	2004	
6	Мамитов мұхтар	ТУРБ	8756765314	
7	Ораганова Б.К.	ТУРБ	8-702-322-0893	
8	Қушисбаева Б.К.	ТУРБ	8-705-835-83-02	
9	Еснаева Н.Б.	ТУРБ	8-775-425-75-56	
10	Сериков А.С	ТУРБ	8702-623-4094	

List of Participants of the Public Consultation for
 CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
 улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Мака́т)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жаңарту жобасы (Актобе – Мака́т)
 жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Шубаркүрек, July 21, 2015

Шубаркүрек, 21 июля 2015 года,

Шубаркүрек, 21 шілде 2015 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail) Контактные данные (тел. эл. адрес) Байланыс апараты (тел. эл. мекен-жайы)	Signature Подпись Қолы
11	Мухомбетжанов Т. Т.	аудандық ішкі істер бөлімі	871346 12-22-49 / Lemin_kultura@mail.ru	[Signature]
12	Молдагулова Т. Т.	мектеп	871346 149-027	[Signature]
13	Карабатыра С. М.	райондық әкімдік	871346 12-21-89	[Signature]
14	Аманжол Т. К.	аудандық әкімдік	871346 22127	[Signature]
15	Самбаев Н. О.	аудандық қарса бауы	871346 22691	[Signature]
16	Саматова А. К.	көпшілік кеңесі	871346 78456	[Signature]
17	Тоқашев Т.	көпшілік кеңесі	78456	[Signature]
18	Жамалова А.	көпшілік кеңесі	78456	[Signature]
19	Бекжанов Р.	№6 Қалғи мектеп	871346-231-64	[Signature]
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List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Мака́т)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жаңарту жобасы (Актобе – Мака́т)
жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Шубаркүдык, July 21, 2015

Шубаркүдык, 21 июля 2015 года,

Шубаркүдык, 21 шілде 2015 ж.

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List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Мака́т)
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жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Шубаркудық, July 21, 2015

Шубаркудық, 21 июля 2015 года,

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37.	Курманов Д. Ч	Курманов Д. Ч	2-32-49	
38.	Бисмил Д. Т.	Курманов бөлімі	2-27-58	
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List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Мака́т)

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жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Шыбаркүзге, July 21, 2015

Шыбаркүзге, 21 июля 2015 года,

Шыбаркүзге, 21 шілде 2015 ж.

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List of Participants of the Public Consultation for
 CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
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Шубаркүсік, July 21, 2015

Шубаркүсік, 21 июля 2015 года,

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Consultation in Karaulkeldy community of Baiganin rayon of Aktobe oblast, July 21, 2015

List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Макат)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жаңарту жобасы (Актобе – Макат)
жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Karakeldy, July 21, 2015

Карауылкелди, 21 июля 2015 года,

Карауылкелди, 21 шілде 2015 ж.

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List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Макат)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жаңарту жобасы (Ақтобе – Мақат)
жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Karakeludy, July 21, 2015

Карауылкелуді, 21 июля 2015 года,

Карауылкелуді, 21 шілде 2015 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
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Consultation in Sagiz community of Kzykoga rayon of Atyrau oblast, July 22, 2015

List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Мака́т)

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жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Sagit, July 22, 2015

Sagit, 22 июля 2015 года,

Sagit, 22 шілде 2015 ж.

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List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Мака́т)

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**List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project**

Список участников общественных слушаний по проекту
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Мака́т)

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List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
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Сағыз, 22 шілде 2015 ж.

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42	Сымаев Ержан	Ауыл тұрғыны	Сағ ермеш	<i>[Signature]</i>
43	Кекашова Макарғұл	оператор	87025088075	<i>[Signature]</i>
44	Ахметқиезова Сакия	бае маман	87011513630	<i>[Signature]</i>

List of Participants of the Public Consultation for
CAREC Corridors 1 and 6 Connector Road (Aktobe-Makat) Improvement Project

Список участников общественных слушаний по проекту
улучшения автомобильной дороги соединяющей коридоры 1 и 6 ЦАРЭС (Актобе-Мака́т)

ОААЭЫ 1 және 6 дәліздерін байланыстыратын автомобиль жолдарын жаңарту жобасы (Ақтөбе – Мака́т)
жоспары бойынша қоғамдық тыңдаудың қатысушылардың тізімі

Sagiz, July 22, 2015

Саяз, 22 июля 2015 года,

Саяз, 22 шілде 2015 ж.

№	Name, Surname Ф. И.О. А.Т.Ж.	Occupation Место работы Жұмыс орны	Contact details (phone, e-mail) Контактные данные (тел. эл. адрес) Байланыс ақпарат (тел., эл. мекен-жайы)	Signature Подпись Қолы
45	Қалимбаев Жаңат	сүргізуші	71-6-54	
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47	Мерзімова Сәлемжан	Тіпіндастырушы	71-5-54	
48	Шамшуратова Сәтжан	Әрмені	Саяз селосы	
49	Жамірханов Әдітжанар	Қорғалдык жетекшісі	Саяз селосы	
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51	Коттимуров Талғат	начальник поворота	71-248	
52	Қулиева Жанбану	начальник ПОМ	71-101	
53	Досанов А.	з.м. директор АО «Қаратопан»	8701342 94-58	
54	Мұқанов Б.	ш. оператор АО «Қаратопан»	8701 769 - 4058	
55	Сүрәлиев Кемел	инженер-проектант РБП	87057228074	
56	Simonyan Armine	consultant, АӨБ	armine@simonyans.com	

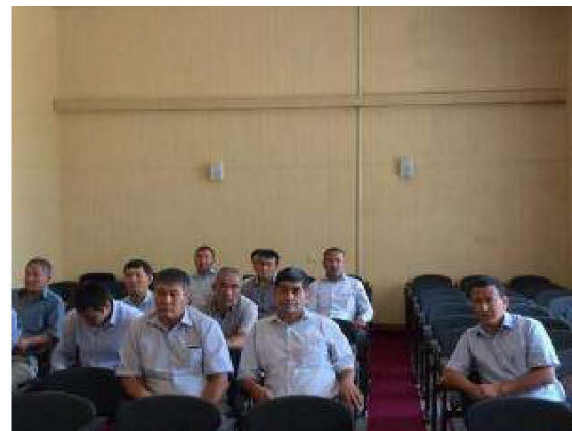
ANNEX F. PHOTOGRAPHS MADE DURING PUBLIC CONSULTATIONS

Consultation in Shubarkudyk community of Temir rayon of Aktobe oblast, July 21, 2015





Consultation in Karaulkeldy community of Baiganin rayon of Aktobe oblast, July 21, 2015





Consultation in Sagiz community of Kzylkoga rayon of Atyrau oblast, July 22, 2015





ANNEX G. GRIEVANCE REGISTRATION FORM

GRIEVANCE REGISTRATION FORM	
CONTACT INFORMATION	
Name:	Gender: <input type="checkbox"/> Male / <input type="checkbox"/> Female
Address:	
Community:	Telephone:
Rayon and Oblast:	E-mail:
Anonymous grievance: <input type="checkbox"/> Yes / <input type="checkbox"/> No	Preferred mode of communication for feedback: <input type="checkbox"/> Mail / <input type="checkbox"/> Phone / <input type="checkbox"/> E-mail
DESCRIPTION OF GRIEVANCE / SUGGESTION / QUESTION	
Please provide details (who, what, where, when) of your grievance below:	
In case any other actions were undertaken by the complainant with respect to the grievance case, please provide details on past actions (if any):	
Please provide details on your suggested resolution for grievance:	
GRIEVANCE REGISTRATION DETAILS	
Name of registrant:	
Organization:	Position:
How the grievance was lodged: <input type="checkbox"/> in person / <input type="checkbox"/> mail / <input type="checkbox"/> e-mail / <input type="checkbox"/> phone / <input type="checkbox"/> fax / <input type="checkbox"/> _____	Type of grievance: <input type="checkbox"/> type A / <input type="checkbox"/> type B / <input type="checkbox"/> type C
Documents attached:	Grievance is relevant to project: <input type="checkbox"/> Yes / <input type="checkbox"/> No if "No" it was forwarded to: _____
Remarks:	
Signature of registrant:	Date of grievance: