

# **Draft Land Acquisition and Resettlement Plan (LARP)**

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**Project Number: 49042-004  
August 2016**

## **TAJ: CAREC Corridors 2, 5 and 6 (Dushanbe-Kurgonteppa) Road Project**

Prepared by the Ministry of Transport.

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# REPUBLIC OF TAJIKISTAN



## MINISTRY OF TRANSPORT



### LAND ACQUISITION AND RESETTLEMENT PLAN DUSHANBE-KURGONTEPPE ROAD Dushanbe August 2016

Date	Reviewed	Created by	Checked by	Approved by	Document code
23/07/2016	07/08/2016 and 18/08/2016	PIURR MoT Kocks D. Veselinovic			

#### Funding Agency



Asian Development Bank

Implementing Agency  
Project Implementation Unit for Road  
Rehabilitation  
Ministry of Transport

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## ABBREVIATIONS AND ACRONYMS

AH	Affected household
ADB	Asian Development Bank
ALMGC	Agency for Land Management, Geodesy and Cartography
CAREC	Central Asia Regional Economic Cooperation
CC	Civil Code of the Republic of Tajikistan
DF	Dekhan farm
DMS	Detailed measurement survey
EA	Executing agency
EMC	External Monitoring Consultant
FGD	Focus group discussions
GRC	Grievance redress committee
GRM	Grievance redress mechanism
Ha	Hectare
HH	Household
IR	Involuntary resettlement

Kg	Kilogram
LAR	Land acquisition and resettlement
LARP	Land Acquisition and Resettlement Plan
LC	Land Code of the Republic of Tajikistan
LURC	Land Use Rights Certificate
M&E	Monitoring and evaluation
MOT	Ministry of Transport
NGO	Non-government organization
NoL	No objection letter
PIURR	Project Implementation Unit for Road Rehabilitation
PMC	Project Management Consultant
PPTA	Project preparatory technical assistance
PSA	Poverty and social assessment
RoW	Right of way
RT	Republic of Tajikistan
SPS	Safeguard Policy Statement
SPISPM	State Committee on Investment and State Property Management
TJS	Tajikistani Somoni (currency)
ToR	Terms of Reference

## GLOSSARY

<b>Displaced Persons (DP)</b>	'In the context of involuntary resettlement, displaced persons are those 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 livelihoods) 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.' (ADB SPS 2009)
<b>Detailed Measurement Survey (DMS)</b>	With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of DPs. The final cost of resettlement can be determined following completion of the DMS.
<b>Compensation</b>	Payment in cash or in kind to replace losses of lands, housing, income and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is a method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
<b>Cut-off Date</b>	The date after which people will not be considered eligible for compensation.
<b>Dekhan Farm</b>	Midsized land, which is legally and physically distinct from household plots, for which full land use rights, but not ownership, is allocated to either individuals or groups. Regulations concerning Dekhan farms in Tajikistan are laid out in Law No. 48 on Dekhan Farms, from 2002.
<b>Encroachers</b>	People who move into the Project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the Project.
<b>Entitlements</b>	The range of measures comprising cash or in-kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution/business restoration, which are due to DPs, depending on the type, extent and nature of their losses, and which suffice to restore their social and economic base.
<b>Eligibility</b>	Any person who resided in the Project area before the cut-off date that suffers from (i) loss of house, (ii) loss of assets or ability to access such assets, permanently or temporarily, or (iii) loss of income sources or livelihood, will be entitled to compensation and/or assistance.
<b>Hukumat</b>	District administration in Tajikistan
<b>Income restoration</b>	This is the re-establishment of sources of income and livelihood of the affected households.
<b>Income Restoration Program</b>	A program designed with various activities that aim to support displaced persons to recover their income / livelihood to the pre-Project levels. The program is designed to address the specific needs of the affected persons based on the Socioeconomic (SES) survey and consultations.
<b>Inventory of Losses (IOL)</b>	This is a process in which all fixed assets (i.e. lands used for residence, commerce, agriculture; houses; kiosks, stalls and shops; ancillary structures, such as fences, gates, paved areas and wells, affected trees and crops etc.) with commercial value and sources of income and livelihood inside the Project right-of-way (Project area) are identified, measured, their owners identified, their exact location determined, and their replacement

	costs calculated.
<b>Jamoat</b>	A sub-district level administration
<b>Land Acquisition</b>	Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land/assets for public purposes in return for in-kind replacement or compensation at replacement costs.
<b>Land Acquisition and Resettlement Plan (LARP)</b>	A time-bound action plan with budget setting out compensation for affected land/assets and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation.
<b>Non-titled</b>	Means those who have no recognizable rights or claims to the land that they are occupying.
<b>Poor</b>	Means households whose combined monthly income falls below TJS 1020/- <sup>1</sup> . WB poverty line (standard) is used by different government and non -government institutions. On regular bases, WB conducts monitoring (assessment) through interviewing HHs. The data is reflected in WB reports, which is represented to relevant government institutions. Also this data is used to identify % of poverty for the given period.
<b>Presidential Land</b>	Means land for which use rights have been allocated by a Presidential Decree but ownership remains with the state.
<b>Rehabilitation</b>	This refers to additional support provided to DPs losing productive assets, income, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
<b>Replacement cost</b>	The calculation of full replacement cost will be based on the following elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any.
<b>Reserve Fund Land</b>	Means land owned by the state and controlled by the district administration that may be rented, mainly for agricultural use.
<b>Resettlement</b>	This includes all measures taken to mitigate all adverse impacts of the Project on DP's property and/or livelihood. It includes compensation, relocation (where relevant), and rehabilitation as needed.
<b>Severely Affected</b>	This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.
<b>Sharecropper</b>	A person who cultivates land s/he does not own for an agreed proportion of the crop or harvest.
<b>Significant impact</b>	Means 200 or more people will experience major impacts, which are defined as; (i) being physically relocated from a house, or (ii) losing 10% or more of their income generating assets.
<b>Vulnerable</b>	Anyone who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement and includes; (i) female-headed households with dependents; (ii) disabled heads of household; (iii) poor households; (iv) landless; (v) elderly households with no means of support; (vi) households without security of tenure; (vii) ethnic minorities; and (viii) small farmers (with landholdings of two hectares or less).

<sup>1</sup>A poverty line of TJS 181 per month is used. This is derived from the poverty line of US\$41 / month provided by the World Bank Country Brief for Tajikistan 2009 and an exchange rate of 4.41 TJS/US\$.



## EXECUTIVE SUMMARY

### I. Project Background

1. Dushanbe is the capital and largest city of Tajikistan, and is home to 775,000 people. Kurgonteppa is the capital of the Khatlon region and the third largest city in Tajikistan, with a population of about 100,000. Kurgonteppa is home to a number of industrial enterprises, universities, colleges, and hospitals. The project road passes through terrain that varies from flat to mountainous, and connects Dushanbe to Afghanistan. Except for a 3.4 km section immediately south of Dushanbe, the road is two-lane with little in-built safety features. It could be a powerful engine for regional integration and inclusive economic growth, but this potential is limited by three factors: (i) road capacity, (ii) road condition, and (iii) road safety.

2. Traffic volumes on the road have grown steadily, averaging around 13% per annum over the period 2000-2014. Present traffic ranges from approximately 7,000-10,000 vehicles per day in the center section of the road to around 16,000 vehicles per day in the peri-urban sections on the outskirts of Dushanbe and Kurgonteppa. The road is projected to reach its capacity by 2020 for most of its length. Although its surface is on average in reasonable condition, with an average international roughness index (IRI) of around 6, this figure masks several significant sections where the pavement is deteriorating rapidly. Overall, the road pavement requires improvement either immediately or in the near to medium term. This is due to the emergence of cracking and potholes and damage to structures and drainage systems. The road also has a poor safety record, with a high concentration of accidents in the more heavily trafficked sections adjacent to Dushanbe and Kurgonteppa in particular.

3. The project will support the government's program to progressively improve the road by (i) expanding its width from two to four lanes, to address the impending capacity constraints; (ii) improving its surface condition by structural overlays of the existing pavement and construction of new pavements, to address the condition constraints; and (iii) providing well-designed safety facilities to address the existing road safety deficiencies. The project will also serve to take stock, draw lessons and analyze the institutional gaps on road safety and road asset management with the view to incrementally strengthening MOT's capacities on these aspects. This approach will support a policy dialogue that will run parallel with the progressive improvement of the road and will be closely coordinated with other development partners active in the transport sector.

4. The 33 km Phase 1 road section covered by this LARP stretches from Dushanbe to Chashmasoron (Fahroabod jamoat).

### II. Scope of Land Acquisition and Resettlement and Impact Summary

5. The main objective of this LARP is to identify persons affected by the Project and to assist them to restore their livelihoods. The LARP complies with Republic of Tajikistan legislations and the requirements of ADB's Safeguard Policy Statement (SPS 2009).

6. The scope of the LARP includes: (i) description of the Project, (ii) profile of the DPs and affected communities, (iii) impact, (iv) information disclosure and public consultations with DPs, (v) grievance redress mechanism, (vi) legal framework, (vii) entitlements, assistance and benefits, (viii) resettlement budget and financing plan, (ix) institutional arrangements (x) LARP implementation schedule, and (xi) monitoring of LARP implementation.

7. The affected households (AHs)/Displaced Persons (DPs) Census Survey and DMS of all affected assets was carried out from 30 June to 16 July 2016.

8. The Census identified 74 Project-affected households, Dhekan farms, including owners and users of land/buildings, business owners, renters and employees with a total of 609 household members. The design for the junction at Pk 95+00 – 102+00, was not completed at the time of the DMS. The impact on junction agricultural land, mostly being used for the cultivation of maize, was assessed as 10,500 m<sup>2</sup> of agricultural land (40mx700m minus current road area). The impact will be updated when the design for the junction is completed. Detailed information on different categories of affected households (AHs) and displaced persons (DPs) by impact type, is provided in the impacts section (Chapter 2 of this LARP).

9. In total, 74 households (609 DPs) will be affected as follows:

- 8 residential land plots (partially affected)
- 20 commercial land plots (partially affected)
- 25 agricultural land plots (mostly narrow strips of land)
- 1,975 fruit trees, 622 fruit saplings, 115 wood trees and 4,650 decorative trees
- 1 residential home and 4 ancillary residential structures
- 6 main non-residential buildings and 7 ancillary structures
- 50 gates, fences and land improvements
- 4 businesses
- 3 employments (subject to supply of the documents)

In addition, two police posts and an army compound fence will be affected by the Project. The details are presented in the following paragraphs.

10. The LARP identified 53 affected land plots. All land plots are partially affected. Only six land plots will lose more than 10% of their area.

11. One residential home (154 m<sup>2</sup>) and four (228.2 m<sup>2</sup>) ancillary buildings will be demolished. Out of 13 non-residential buildings and structures, six (342.33 m<sup>2</sup>) are main business buildings and seven (50.99 m<sup>2</sup>) are supporting business structures such as water reservoirs, tandoor ovens, storages etc. A total of 13 non-residential buildings and structures and two police posts will be demolished. There are 2 gates, 25 fences and 24 improvements (such as paved patios, fountains, decorative curbs, etc.) on land affected by the Project.

12. Under this Project, 39 AHs (without double counting) will lose 1,975 fruit bearing trees and 622 fruit tree saplings. In total, 49,950 kg of fruit will be lost. The owners will receive full compensation for the loss of fruit and saplings. In addition, 21 AHs and two Dekhan farms will lose 4,650 decorative trees.

13. Due to the Project's impact, four businesses will be affected. Out of these, three are legal businesses and one is illegal. The illegal business will not experience hardship due to the Project as the makeshift business premises can be moved back onto land owned by the business owner's relative at any time. The impact on businesses will result in the loss of employment for three registered workers. All business losses and employment losses will be compensated as per the Project-specific entitlements.

14. There is one AH with nine household members who will experience severe impact on their livelihood. However, they will rebuild their home on the remainder of their land plot. No other household will need to relocate due to the Project.

15. The census found one AH with members belonging to vulnerable groups. This AH will receive a vulnerability allowance equal to three national average monthly salaries. Compensation eligibility is limited by the 25 April 2016 (PIURR letter No 414) cut-off date established for this Project, which is the same for all DPs, regardless of their legal status.

### **III Socioeconomic Information and Profile of the Affected Population**

16. The Socioeconomic Survey (SES) and census survey in the Project area were conducted between 30 June and 16 July 2016. In total, 70 AHs (655 persons), and people from the broader Project population who will not be economically or physically displaced were surveyed. The SES included owners, renters and users of affected lands and buildings, owners and renters of permanently and temporarily affected businesses, DPs who will permanently lose employment as well as persons who will not be displaced. The SES included 24 AHs from Chorgulteppa, 8 AHs from Lohur, 10 AHs from Chimteppa, 16 AHs from Galoobod and 12 AHs from Fahrobod Jamoat.

17. The surveyed population lives in villages located along the Project road. Each village has basic facilities and utilities such as electricity, mostly combined primary and secondary schools, basic healthcare (hospitals are located in larger district centers) and religious facilities. Piped water is available in some villages, mostly those closer to Dushanbe and Obikiik, while other villages rely on wells, collection of rainwater in basins and cisterns, and purchasing water for daily usage.

18. Generally, the Project population is well educated with a negligible percentage of illiterate people. The main (self-reported) sources of income are employment, small businesses and labor wages, including agricultural labor. Surveyed households that engage in animal husbandry did not consider the periodic sale of animals as a source of income, as they only sell animals when they need a larger sum of cash for events such as weddings, other social obligations and major family purchases. Most of the households' income is concentrated in the two lowest categories: 200-1,000 TJS and 1,100-2,000 TJS per month.

19. When decision making processes are considered, the SES study showed that women are consulted and take part in the decision making processes in all major family activities. The highest participation is noted when it comes to caring for family members, children's education, social functions and obligations and daily family activities. Other reported women's activities are gardening, tending to livestock, sale of homemade products, running small businesses, and agricultural labor at large Dekhan farms.

20. The survey and consultations with communities revealed that there are two categories of female heads of households: single women with dependent children, and married women who have a house, land use rights and/or other assets registered in their name. The distinction between these two groups will be considered while determining the vulnerability status of a female-headed household.

21. The surveyed people stated that they believe the main Project benefits are: improved access to places and services, reduction in vehicle operation costs and accidents, improved access to markets, faster business and regional development and the appearance of the road and surrounding areas.

22. The main concerns stated were relocation, potentially inadequate compensation for the replacement of lost assets and loss of a large number of trees.

### **IV Information Disclosure, Consultations and Participation**

23. The PTTA Consultant (Project Preparatory Technical Assistance) and the Project Implementation Unit for Road Rehabilitation (PIURR) conducted five consultations with the DPs and wider Project communities, seven consultations with stakeholders in rayons and jamoats located along the Project road, NGOs active in the Project area, MOT representatives and ADB TJRM representative. In total, 171 persons (128 males and 43 females) from the wider community and 73 persons from local authorities and other key stakeholders, participated in the consultations. Participants received information about the Project, LAR processes, bidding process and expected time for the beginning of the works, as well as the

Project Information Brochure detailing the Project-specific entitlements, government decree on the cut-off date, MoT letter on the establishment of the GRM and details on the GRM procedure. Participants were supportive of the project and shared their concerns and suggestions on issues such as road safety, the need for animal underpasses and adequate compensation, among other issues.

24. After the Republic of Tajikistan Government and ADB approvals, the implementation-ready LARP will be uploaded on the ADB and MoT websites.

## **V Grievance Redress Mechanism**

25. The scope of the GRM addresses issues related to involuntary resettlement, social and environmental performance, and information disclosure. The DPs will have the right to file complaints and/or queries on any aspect of the Project, including land acquisition and resettlement, and appeal any decision, practice or activity related to the Project. The PIURR will ensure that grievances and complaints on any aspect of the project are addressed in a timely and effective manner.

26. The Grievance Redress Committees were established at the jamoat (sub-district) of each project district, by requirement of MoT letter No. 516, issued on 20 May 2016, and will function for the duration of the project's implementation. There were five GRCs formed. A Focal Person (FP) was appointed at each jamoat and at the MoT PIURR. The PIURR FPs participated in all consultations with communities and shared their contact details with participants for questions related to the Project and in the event of grievances for the entire duration of the Project, including the preparation and implementation of the LARP. All efforts will be made to settle issues at the Project level.

## **VI Legal Framework of the Republic of Tajikistan**

27. The Constitution, Land Code and Civil Code of the Republic of Tajikistan are the fundamental laws on which the legislation is based. The framework for the Project is based on the ADB SPS 2009 requirements and applicable laws, regulations and policies. The three important elements of ADB's involuntary resettlement policy are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. Where differences exist between local law and ADB policies and practices, the resettlement for this Project will be resolved in favor of the later.

28. The following core involuntary resettlement principles were adopted for this Project:

- Land acquisition, and other involuntary resettlement impacts will be avoided or minimized by exploring all viable alternatives in the Project design;
- Consultations with DPs on compensation, disclosure of resettlement information to DPs, and participation of DPs in the planning and implementation of rehabilitation measures will be ensured;
- Vulnerable groups will be provided with special assistance;
- Payment of compensation to affected persons including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets (except for illegally used land) at replacement rates;
- Payment of compensation and resettlement assistance prior to the contractor taking physical possession of the land and prior to the commencement of any construction activities;

- Provision of income restoration and rehabilitation; and
- Establishment of appropriate grievance redress mechanisms.

## VII Entitlements, Assistance and Benefits

29. All DPs in the Project are entitled to compensation and resettlement assistance, irrespective of their land ownership status, to help the restoration of their livelihoods to pre-Project levels. The combination of compensation measures and resettlement assistance offered to them depends on the nature of the lost assets and the magnitude of the Project's impact as well as the social and economic vulnerability of the displaced persons. The compensation packages must reflect replacement costs for all losses (such as land, crops, trees, structures, businesses, incomes, etc.).

30. According to the adopted Project Specific Entitlement Matrix, which is based on the Republic of Tajikistan's Laws and the requirements of ADB's SPS (2009), DPs eligible for compensation and/or at least rehabilitation are: (i) all DPs losing land covered by legal title; (ii) owners of buildings, crops, plants, or other structures attached to the land, regardless of their legal title, and (iii) DPs losing their businesses, income, and salaries, regardless of their legal status. The Project-specific Entitlement Matrix, relevant to the Project impacts is provided in Table E-1 below.

**Table E-1: Project-Specific Entitlement Matrix**

No	Asset	Displaced Person	Compensation Entitlements
Permanent Loss			
1	Agricultural land (all losses irrespective of severity)	Individual land-use rights holders	Cash allowance for loss of land use rights equal to net income in the last 5 years generated from the affected land area, at market rate, at the time of taking; or Provision of alternative land plot of equal value/productivity to the lost plot. If the remaining portion of the plot to be taken is too small to use, the whole plot is compensated or exchanged.
		Collective land-use rights holders	Cash allowance for loss of land use rights equal to net income for the last 5 years generated from the affected land area at market rate at time of revocation; or Provision of alternative land plot of equal value/productivity to the lost plot. If the remaining part of the plot to be taken is too small to use, the whole plot is compensated or exchanged. Agriculture leaseholders will be compensated for 1 year of lost crops from the affected area.
		Renters and leaseholders	Rental allowance in accordance with the conditions of the rent agreement, but not less than the cost of rent for 3 months; or Continuation of rental agreement on alternative land plot or cash allowance for the lost income equivalent to 1 year of average crop productivity.

No	Asset	Displaced Person	Compensation Entitlements
		Informal (if any) <sup>2</sup>	Provision of opportunity to lease a plot on state land. Relocation allowances.
2	Residential and commercial land	Owners	Cash allowance for loss of land use rights in cash equal to current annual land lease rates at the time of acquisition multiplied by 25; or Provision of alternative land plot of equal value/productivity (similar conditions and facilities) to plot lost. If the residual portion of the plot to be taken is too small to use, the whole plot is compensated or exchanged.
		Renters	Rental allowance in accordance with the conditions of the rental agreement, but no less than the cost of rent for 3 months, or Continuation of the rental agreement on an alternative land plot.
		Informal (if any)	Provision of opportunity to lease a plot on state land. Relocation allowance if applicable.
3	Buildings and structures	Owners of structures including <b>“informal” and encroaching</b>	Cash compensation at replacement rate for affected structure/other fixed assets (without deduction of depreciation, taxes, costs for salvageable materials and other transaction costs). All buildings and structures will be compensated in their entirety; or According to the owner’s choice, if feasible, a building for building/structure for structure exchange.
		Renters	Rental allowance in accordance with the conditions of the rental agreement, but not less than cost of rent for 3 months; or Continuation of the rental agreement for an alternative building/structure.
4	Crops	All DPs, including “informal” and encroaching	Cash compensation equal to gross income generated on the affected land area for 1 year at market rate at time of revocation. No compensation for land will be paid.
5	Trees	All DPs, including “informal” and encroaching	Compensation reflecting income replacement. Cash compensation for productive trees based on the net market value of 1 year of income multiplied by the number of years needed to grow a tree to a similar level of productivity, plus purchase of saplings and starting materials.
6.	Business and employment (temporary and permanent)	All DPs (including workers of affected businesses	Owners of shops / commercial establishments: In case of permanent loss, compensation equal to 1 year’s net income (lost profits) plus cost of lost certificates/licenses/ patents. The income is based on the official tax declaration, or (if tax declaration is unavailable) it is accepted as the official monthly average wage <sup>3</sup> multiplied by 12. In case of the temporary loss of a business, compensation equal to the net income for the period of disruption (<1 year).

<sup>2</sup> Landless DPs without rights to use land, living on income from the illegally used land plot. DPs owning land adjacent to the illegally used parcel will be compensated for losses from the illegally used part as per the entitlement matrix.

<sup>3</sup> Official average monthly wage for April 2016 is **933.90** TJS/month and reported within macroeconomic indicators by the Agency on Statistics under President of the Republic of Tajikistan. Available via: <http://stat.tj/en/macroeconomic-indicators/> and <http://www.tradingeconomics.com/tajikistan/wages>

No	Asset	Displaced Person	Compensation Entitlements
			<p>The income is based on the tax declaration, or it is calculated based on the monthly average wage multiplied by the number of months since the operation was disrupted (less than 12 months).</p> <p>Workers indemnity for lost wages equal to 3 months' income. For temporary loss of employment, indemnity for lost wages for the duration of impact if less than 3 months.</p>
7.	Relocation	Physically displaced households regardless of type of impact	<p>Transportation allowance (cost of labor and vehicle rent to transport materials of the house/business structures to a new location.</p> <p>Communal and site preparation cost for the alternative land plot (including connection to power grid, water supply system, installation of latrine etc.).</p> <p>Severity/livelihood rehabilitation allowance in the form of cash compensation equal to the official monthly average wage for 3 months.</p>
8.	Public / common assets		<p>Rehabilitation/substitution in kind or in cash at replacement cost of affected items and rehabilitation of their functions.</p> <p>Alternative service supplied, if cut off temporarily.</p>
9.	Vulnerable households	DPs receiving government assistance for poor, single women-headed HH below poverty line, elderly households, households with no means of living, households headed by disabled person or other HH members.	<p>Allowance equivalent to official monthly average wage for 3months;</p> <p>Enrolment in Government social assistance, if not yet enrolled;</p> <p>Priority in project-related employment for members of vulnerable households (if at legal working age).</p>
<b>Temporary Loss</b>			
10.	Temporary impacts	All relevant DPs	<p>For unforeseen and temporary impacts other than stated above, ADB SPS (2009) general principles and objectives will be used as the minimum benchmarks, and appropriate impact mitigation measures will be sought to meet them.</p> <p>The payment for rented land during the construction, will be based on the market price under negotiated agreement. After discontinuation of land use, the land must be restored to the original status, or as per the agreement with the land rights holder<sup>4</sup>.</p>
<b>Unanticipated impacts</b>			
11.	Other unanticipated	All DPs residing in the project corridor	Compensated as per the Project-specific Entitlement Matrix.

<sup>4</sup> In the case that the Contractor and Land-use rights holder both agree in writing to leave the land area in a state precisely described in the agreement.

No	Asset	Displaced Person	Compensation Entitlements
	assets loss or impact on livelihood	before the cut-off date.	

### **XIII Institutional Arrangements**

31. The core agencies and organizations involved in the LAR process are: ADB, Ministry of Transport, Project Implementation Unit for Road Rehabilitation (PIURR), Ministry of Finance, Ministry of Agriculture, State Committee for Land management and Geodesy (SCLMG), State Unitary Enterprise for Valuation (SUE) 'Narkhguzori', District Authorities, Local Executive Government Districts (hukumats), jamoats, City and Town Local State Executive Authorities, LAR Committee, and other state agencies. The institutional arrangement for the implementation of the LARP is presented in Chapter 8, figure 8-1 in this document.

### **IX Resettlement Budget**

32. The total implementation cost of the LARP, including compensation, rehabilitation allowances as well as administrative costs for LARP implementation and contingency, amounts to **6,287,690.39 TJS**, which is equivalent to \$ **799,126.91** (as per the exchange rate on 21 July 2016, National Bank of the Republic of Tajikistan).

### **X Land Acquisition and Resettlement Plan Implementation Process**

33. The Implementing Agency (IA) will begin the implementation of the LARP immediately after its approval by ADB and the Government of the Republic of Tajikistan. The official cut-off date was established as 25 April 2016 (Annex 4-2). LARP preparatory activities included:

- (i) extensive consultations with key stakeholders and DPs;
- (ii) setting entitlements and compensation amount based on the agreed entitlement provisions;
- (iii) identification of impacts and number of DPs, conducting the detailed measurement survey;
- (iv) valuation of affected assets and determination of compensation amount and the LAR budget;
- (v) preparation of the LARP document;
- (vi) submission of the LARP to the PIURR and ADB for comments and approval.

34. As soon as the LARP is approved by ADB and the Government of Tajikistan, the IA, with assistance of the local authorities, will distribute draft contracts to DPs. PIURR will sign contracts with



DPs for disbursement of compensation for affected properties as per the provisions set for the project. The compensation amount will be disbursed within 15 days of the contract signing. IA will give advance notice to the DPs and pay their due compensation based on the eligibility criteria defined in this LARP and prior to the start of construction work. Grievances or objections (if any) will be redressed as per the grievance redress procedure presented in this LARP. All activities related to LAR (including ADB's notice of 'no objection' to the LARP implementation) will be completed prior to the commencement of civil works.

35. The timeline presented in the following table shows the distinct stages of LARP preparation, finalization and implementation.

**Table E-2: LARP Preparation and Implementation Schedule**

Establishment and announcement of the Cut-off Date	PIURR	25/04/2016	
Consultations, presenting project, GRM and basis of valuation approach	PIURR/ IR Consultant	26/05/2016	03/06/2016
Finalization of road alignment/design	Design Consultant		13/07/2016
DMS, census and valuation based on the final design	IR Consultant/ Valuers	30/06/2016	16/07/2016
LARP preparation and documentation	IR Consultant	16/07/2016	22/07/2016
PIURR review of LARP	PIURR	22/07/2016	25/07/2016
Submission of LARP to ADB for comments	PIURR	25/07/2016	
ADB review and comments	ADB	25/07/2016	31/07/2016
Finalizing LARP according to ADB comments	PIURR/ IR Consultant	01/08/2016	05/08/2016
Submission of finalized LARP to ADB for approval	PIURR	05/08/2016	
ADB approves LARP	ADB	05/08/2016	31/08/2016
Community consultations on summary of impact, LARP implementations schedule	PIURR/IR Consultant	01/09/2016	15/09/2016
LARP approval/no objection by the government	Government of the Republic of Tajikistan	15/09/2016	30/09/2016
Government approves LAR Budget	Government of the Republic of Tajikistan	30/09/2016	30/09/2016
Posting approved LARP on ADB and MoT websites	ADB and MoT	30/09/2016	30/09/2016
<b>LARP IMPLEMENTATION</b>		<b>30/09/2016</b>	<b>31/12/2016</b>
Draft contracts sent to DPs	PIURR	01/10/2016	15/10/2016
Signing contracts	PIURR/DPs	15/10/2016	31/10/2016
Disbursement of compensation	PIURR/DPs	01/11/2016	31/12/2016
Preparation of LARP Monitoring Report	EM	02/01/2017	01/02/2017
ADB reviews the LARP Compliance Report	ADB	01/02/2017	15/02/2017
ADB approves the LARP Compliance Report	ADB	15/02/2017	15/02/2017

Handing over of the site to the Contractor	PIURR	15/02/2017	
Commencement of civil works	Contractor	15/02/2017	
<b>CONTINUOUS TASKS</b>			
Monitoring: Quarterly monitoring reports	IM/ADB		
Grievances redress	PIURR/Jamoats		

DSC – Design Supervision Consultant  
EM – External monitor  
IM – Internal monitor  
IR Specialist – Involuntary Resettlement Specialist

## **X Monitoring and Reporting**

36. The implementation of this LARP will be subjected to internal monitoring as the Project will not trigger a significant amount of involuntary resettlement. The ADB SPS 2009 considers involuntary resettlement impacts significant if 200 or more persons will be physically displaced from their home or lose 10% or more of their productive or income-generating assets. Internal monitoring will be conducted by the PIURR, assisted by the resettlement specialist of the Construction Supervision Consultant.

37. The PIURR will monitor performance (physical progress of the LARP implementation against milestones set in the LARP), impact (whether the objectives to restore the living standards of the affected population have been properly considered and executed) and LARP compliance indicating whether the compensation program has been carried out in accordance with the provisions of Tajikistan's laws and ADB policies, and to the satisfaction of the DPs. The Construction Supervision Consultant shall have a resettlement specialist on board who will assist the PIURR in the internal monitoring of the LARP implementation processes.

38. Specific performance monitoring indicators will be:

- meaningful public consultations held
- SES/census surveys and assets inventories studies completed
- compensation payments disbursed
- replacement lots allocated (if applicable)
- housing and infrastructure construction completed
- relocation of people completed
- income restoration and development activities initiated
- monitoring and evaluation reports submitted.

39. Impact monitoring will encompass verification of the following indicators:

- Whether all physical inputs committed in the LARP have been delivered and all services provided;
- Whether the mitigation actions prescribed in the LARP have provided the desired effects;
- The socioeconomic status of the affected population and host population measured against the baseline conditions before the displacement.

# 1 PROJECT DESCRIPTION

## 1.1 Description and Location of the Project

40. The province of Khatlon, which borders Afghanistan in the southern section of the country, has a high poverty incidence of about 50% which has become a major concern in the country. In order to avoid destabilization in the neighboring areas due to the current conditions in Afghanistan and achieve both economic and social stability in the province of Khatlon, the improvement of the road network connection from the province to the capital city of Dushanbe has become a priority for the government. In particular, the Dushanbe-Nihzny Pyanj road section is one of the most important international road corridors in Tajikistan.

41. Dushanbe is the capital and largest city of Tajikistan, and is home to 775,000 people. Kurgonteppa is the capital of the Khatlon region and the third largest city in Tajikistan, with a population of about 100,000. Kurgonteppa is home to a number of industrial enterprises, universities, colleges, and hospitals. The project road passes through terrain that varies from flat to mountainous, and connects Dushanbe to Afghanistan. Except for a 3.4 km section immediately south of Dushanbe, the road is two-lane with little in-built safety features. It could be a powerful engine for regional integration and inclusive economic growth, but this potential is limited by three factors: (i) road capacity, (ii) road condition, and (iii) road safety.

42. Traffic volumes on the road have grown steadily, averaging around 13% per annum over the period 2000-2014. Present traffic ranges from approximately 7,000-10,000 vehicles per day in the center section of the road to around 16,000 vehicles per day in the peri-urban sections on the outskirts of Dushanbe and Kurgonteppa. The road is projected to reach its capacity by 2020 for most of its length. Although its surface is on average in reasonable condition, with an average international roughness index (IRI) of around 6, this figure masks several significant sections where the pavement is deteriorating rapidly. Overall, the road pavement requires improvement either immediately or in the near to medium term. This is due to the emergence of cracking and potholes and damage to structures and drainage systems. The road also has a poor safety record, with a high concentration of accidents in the more heavily trafficked sections adjacent to Dushanbe and Kurgonteppa in particular.

43. The project will support the government's program to progressively improve the road by (i) expanding its width from two to four lanes, to address the impending capacity constraints; (ii) improving its surface condition by structural overlays of the existing pavement and construction of new pavements, to address the condition constraints; and (iii) providing well-designed safety facilities to address the existing road safety deficiencies. The project will also serve to take stock, draw lessons and analyze the institutional gaps on road safety and road asset management with the view to incrementally strengthening MOT's capacities on these aspects. This approach will support a policy dialogue that will run parallel with the progressive improvement of the road and will be closely coordinated with other development partners active in the transport sector.

44. The 33 km Phase 1 road section covered by this LARP stretches from Dushanbe to Chashmasoron (Fahroabod jamoat).

45. The current road passes through the suburbs of Dushanbe to the "Dushanbe Gate" as a dual two lane highway. Initially, this section passes through a built-up retail/industrial area where vehicles park on both sides of the road most of the day. At Dushanbe Gate, the road narrows to a single two-lane road that runs through the villages of Obi Shifo, Tubek and Obikiik area.

46. Figures 1 and 2 show the Project villages located along the Project corridor, Project location and the beginning and the end of the first phase of the Project, under which 33 km of road will be rehabilitated:

**Figure 1: Project Location Map**

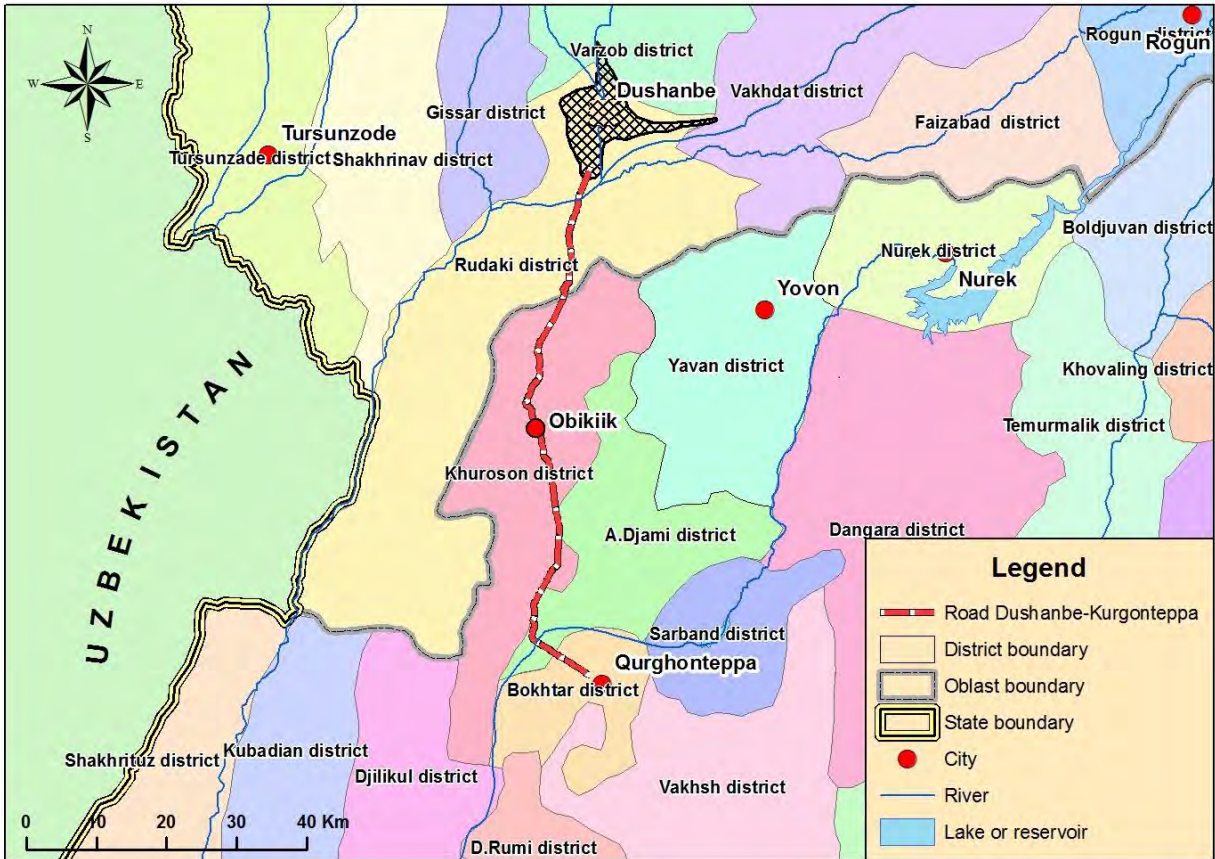
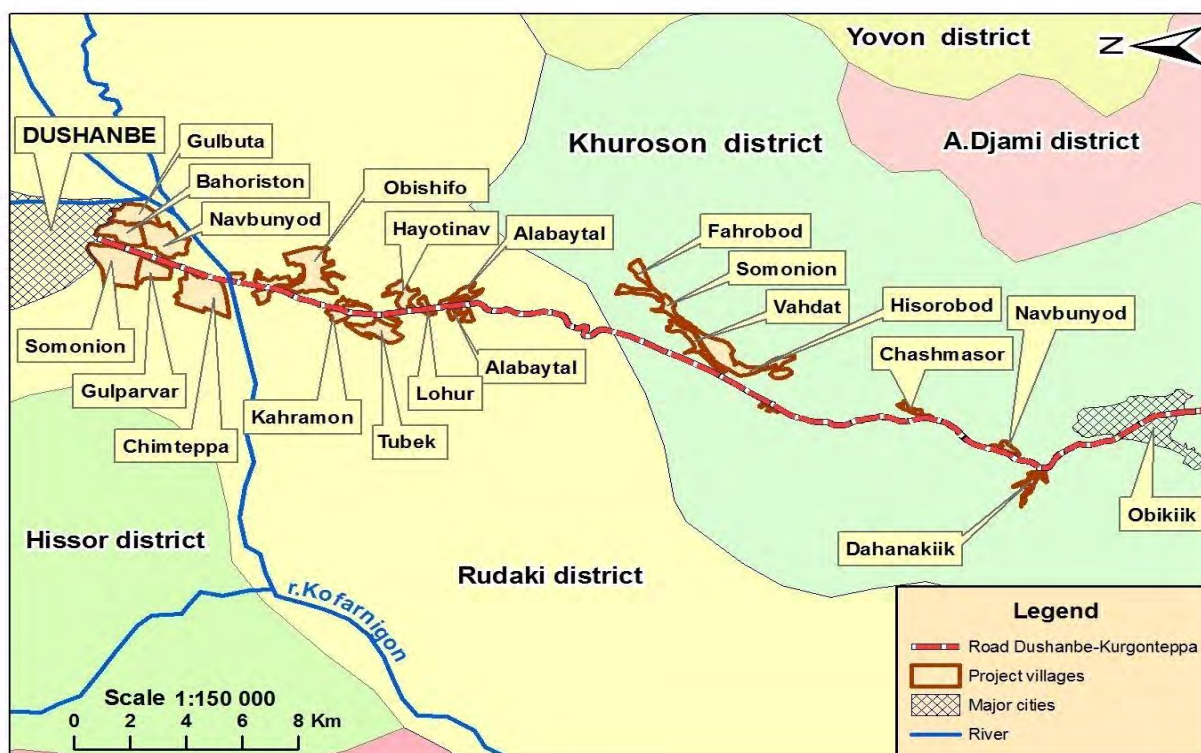


Figure 2: Affected Project Villages



## 1.2 Objective and Scope of the Land Acquisition and Resettlement Plan

47. The main objective of the LARP is to identify persons economically and/or physically displaced (DPs) due to the Project and to assist them to restore their livelihoods. The LARP complies with the relevant laws of the Republic of Tajikistan and the requirements of ADB's Safeguard Policy Statement (SPS) 2009. The LARP has been prepared to: (i) address and mitigate impacts caused by the project; (ii) ensure compliance with ADB's SPS (2009) requirements and (c) determine compensation, resettlement and rehabilitation assistance for the affected households.

48. The scope of the LARP includes: (i) a profile of the affected communities and DPs; (ii) impact determined by the Detailed Measurement Survey (DMS) of all affected assets; (iii) information disclosure and public consultations with DPs; (iv) the policy and framework for compensation payments and rehabilitation; (v) complaints and grievance redress mechanism; (vi) resettlement budget; (vii) institutional framework; (viii) LARP implementation schedule, and (ix) monitoring of LARP implementation.

49. The LARP is based on the preliminary Project design and therefore, considered as the Draft LARP. The corridor of the Project is fixed, so any changes of the design will be made within the corridor. The following steps were taken for the completion of this LARP:

- (i) disclosure of Project information and consultations with DPs;
- (ii) completion of the socioeconomic survey (SES) and census of DPs;
- (iii) inventory of losses for all AHs;

- (iv) completion of detailed measurement surveys (DMS), description and valuation of the affected land, buildings, structures and other assets;
- (v) preparation of the compensation budget for identified losses.

## 2 SCOPE OF LAND ACQUISITION AND RESETTLEMENT

### 2.1 Survey Methodology

50. One of the key principles adopted for the preparation of this LARP is that all compensation payments and livelihood restoration assistance must be based on a detailed understanding of the Project impacts on displaced people. For this LARP, data was collected in April and May 2016. In order to accurately assess the extent of the Project's LAR impacts, the following surveys and valuations were undertaken:

- (i) **Detailed Measurement Survey (DMS)** - to measure the affected area of the lands, buildings, and the number and types of affected assets.
- (ii) **Valuation of Replacement Cost of the Affected Assets** - to identify the cost of compensation of lost assets, income and other livelihood sources and allowances for development of the LARP budget.
- (iii) **Census Survey** - to identify the number of AHs and number of DPs.
- (iv) **Socioeconomic Survey (SES)**: to identify the current socioeconomic condition of affected individuals, families and business owners as well as perceptions of Project impact on their livelihood.

51. The Detailed Measurement Survey (DMS) of affected assets was conducted by the rais mahele (chief of the affected villages), jamoats representatives, land committee representative, road maintenance department, PIURR resettlement engineer, and international and national resettlement specialists, with the participation of the DPs. The design engineering consultant engaged a licensed valuation company, as a subcontractor, to independently evaluate affected buildings, constructions, and other immovable assets except agricultural land and trees. The DMS was conducted between 30 June and 16 July 2016. The design for the junction at Pk 95+00 – 102+00, was not completed at the time of the DMS. The impact on junction agricultural land, mostly used for maize cultivation, was assessed as 28,000 m<sup>2</sup> of agricultural land (40m x 700m). The impact will be updated when the design for the junction is completed. In accordance with the ADB's SPS 2009 requirements, the current ground situation measured is based on the actual size of the assets used by the AHs at the time of the measurement.

52. The scope of the DMS and assets inventory included the identification, classification, measurement and valuation of the following losses:

- (i) affected land;
- (ii) trees and other vegetation affected;
- (iii) buildings/structures (business, residential, ancillary structures)
- (iv) number and type of affected trees;
- (v) affected businesses;
- (vi) loss of employment;
- (vii) number, type and area of affected community/ public assets.

### 2.2 Summary of Impact

53. In total, there are 74 affected households and 609 displaced persons. The land, be it agricultural, residential or commercial, is mostly affected in narrow strips along the road. (Table 2-1)

54. In total, 74 households will be affected as follows:

- 8 residential land plots (partially affected)
- 20 commercial land plots (partially affected)
- 25 agricultural land plots (mostly narrow strips of land)
- 1,975 fruit trees, 622 fruit saplings, 115 wood trees and 4,650 decorative trees
- 1 residential home and 9 ancillary residential structures
- 6 main non-residential buildings and 68 ancillary structures
- 50 gates, fences and land improvements
- 4 businesses
- 3 employments (subject to supply of the document)

In addition, two police posts will be demolished, one army unit compound fence will be affected and a second army compound will lose some trees.

### Impact on land

55. In this LARP, based on the type of land use, the affected land plots are grouped into the following categories:

- residential
- non-residential
- public/government land

56. Affected land plots are grouped by legal status as follows:

- **Land with right to use certificate** – privately owned land with all legal documents necessary to prove the right to use the land
- **Illegally used land** – Local authorities' land used illegally by the DPs
- **Leased land** – Land plots with a legal lease from the local authorities
- **Local authorities' land** – Land belonging to the local authorities and other government departments

57. The Project will affect 74 households with 609 DPs. Out of these, 53 AHs with 440 DPs will have their land affected. Agricultural land loss amounts to 14.96 ha out of the 1,828.67 ha of total agricultural land holdings. All affected agricultural land is arable and irrigated. The most affected agricultural land is land under orchards with 11.07 ha, followed by fallow and fodder land. Other crops cultivated on the affected agricultural land plots are wheat maze, potato and chamomile. Loss of commercial and residential land affects 28 households with 230 DPs. The affected commercial and residential area amounts to 1.88 ha out of the 12.9 ha of total commercial and residential land holdings. There are 9 ha of affected Road Authority land and 12.40 ha of affected jamoat land. (The land impact data are summarized in Table 2-1)



**Table 2-1: Impact on Land by Category and Ownership/ Occupation Status**

Land category/cultivation	Land use right			
	Total area (ha)	Affected area (ha)	No of AHs	No of DPs
<b>A. Residential and commercial land</b>				
Residential land	1.2	0.18	8	72
Commercial land	11.9	1.7	20	158
<b>Subtotal A</b>	<b>12.9</b>	<b>1.88</b>	<b>28</b>	<b>230</b>
<b>B. Agricultural land</b>				
Wheat	2.54 <sup>5</sup>	1.13	4	28
Maze	20.13	0.39	10	91
Potatoes	2	0.05	1	11
Chamomile	0.37	0.12	1	18
Orchard and vineyard	1,562.30	11.07	5	54
Fallow and fodder	96.13	1.15	3	8
Private agriculture land - wheat (Junction assessment-engineering design not completed as yet)		1.05	1	
<b>Subtotal B</b>	<b>1,828.67</b>	<b>14.96</b>	<b>25</b>	<b>210</b>
<b>C. Other land</b>				
Road authority land		9		
Jamoat land		12.4		
<b>Subtotal C</b>		<b>21.4</b>		
<b>Grand Total (A+B+C)</b>	<b>1,841.57</b>	<b>38.24</b>	<b>53</b>	<b>440</b>

### Impact on Fruit Trees

58. Under this Project, 39 AHs (323DPs) (without double counting) will lose 1,975 mature fruit bearing trees and 622 saplings. (Table 2-2 and 2-3) In total, 49,950 kg of fruit will be lost. Grapes are the most affected (1,975 kg). The owners will receive full compensation for the loss of fruits and for the saplings. Calculation of compensation was based on the market value for saplings and the market value of the lost produce multiplied by the number of years needed to reach the same level of fruit production.

**Table 2-2: Affected Fruit Trees on AH's plots**

No	Type of fruit	No of AHs	No. of fruit trees	Annual yield (kg/Tree)	Total fruit loss (kg/year)
1	Peach	5	26	20	520
2	Quince	3	13	50	650

<sup>5</sup> The total land holdings of AHs at the junction is not yet known and therefore not included in this figure.

3	Grape	2	1,040	32	33,280
4	Sour cherry	21	721	15	10,815
5	Sour cherry (курсултон)	1	10	15	150
6	Pomegranate	4	79	22	1,738
7	Pear	3	9	23	207
8	Wild olive	2	4		
9	Almond	2	6		
10	Walnut	2	2	75	150
11	Apricot	5	18	60	1,080
12	Plum	2	3	60	180
13	Mulberry	9	30	35	1,050
14	Pistachio	1	8		
15	Persimmon	1	1		
16	Cherry	2	4	20	80
17	Apple	1	1	50	50
<b>Total</b>			<b>1,975</b>		<b>49,950</b>

**Table 2-3: Affected Fruit Saplings on AH's plots**

No	Type of fruit saplings	No of AHs	No. of fruit trees
1	Apricot	5	20
2	Quince	2	8
3	Grape	1	4
4	Sour cherry	16	431
5	Pomegranate	1	4
6	Pear	1	2
7	Fig	1	1
8	Wild olive	1	1
9	Almond	1	23
10	Walnut	3	53
11	Apricot	4	17
12	Plum	3	13
13	Mulberry	5	11
14	Pistachio	1	6
15	Persimmon	1	2
16	Cherry	4	13
17	Apple	2	8
<b>Total</b>			<b>622</b>

59. There will be 4,650 affected decorative pine trees. These trees belong mostly to two Dekhan farms. There will be 516 affected pine trees on 21 individual households' plots. (Table 2-3). All affected pine trees will be relocated during the construction. The cost of the relocation/replanting will be included in the BOQ. The owners of the affected wood trees will not be compensated, but will keep affected trees.

**Table 2-4: Impact on Decorative Trees**

No	No of AHs	No of affected pine trees
1	21	516
2	Dekhan farm	4,065
3	Dekhan farm	69
<b>Total</b>		<b>4,650</b>

**Impact on Residential Buildings and Structures**

60. The Project will affect one residential building and four of its ancillary structures. The area of the AH's residential buildings and structures amounts to 228.2 m<sup>2</sup>. The affected house is made of dry bricks while the ancillary buildings are made of clay (Table 2-5). Another 50 households will lose some ancillary residential and non-residential structures.

**Table 2-5: Impact on Residential Buildings**

Structure type	No	Affected unit (m <sup>2</sup> )	No of AHs	No of DPs
<b>A. Residential main buildings</b>				
Residential house	1	154	1	9
<b>B. Ancillary residential buildings</b>				
Barn, storages	4	74.2	Included in A	
<b>Total</b>	<b>5</b>	<b>228.2</b>	<b>1</b>	<b>9</b>

**Impact on Non-residential Buildings and Structures**

61. In total, six AHs will lose 13 non-residential buildings and structures with an area/volume of 392.32 m<sup>2</sup>/ m<sup>3</sup>. All of these affected buildings and structures belong to businesses. Out of these, six are main business structures such as petrol stations, restaurants and kiosks and seven are ancillary structures such as sheds, water reservoirs, outdoor dining places etc;

**Table 2-6: Impact on Non-residential Buildings and Structures**

Type of structure	No of structures	No of AHs	No of DPs	Total (m <sup>2</sup> /m <sup>3</sup> )	Remarks
<b>A. Main Non-residential Buildings and Structures</b>					
Petrol station	1	1	6	30	
Restaurant	2	2	16	270	
Shop/kiosk	1	1	8	13.69	
Non-operating samosa tandoor	1	1	4	15.62	

Unfinished business building (illegal)	1	1	4	13.02	
<b>Subtotal (A)</b>	<b>6</b>	<b>6</b>	<b>38</b>	<b>342.33</b>	
<b>B. Ancillary Non-residential Buildings and Structures</b>					
Water reservoir	1			8.52	No of AHs and DPs Included under restaurants
Outdoor restaurant sittings	3			18.75	
Tandoor	2			4.55	
Storage	1			19.17	Included under petrol station
<b>Subtotal (B)</b>	<b>7</b>			<b>50.99</b>	
<b>Total (A+B)</b>	<b>13</b>	<b>6</b>	<b>38</b>	<b>393.32</b>	

62. The Project affects two police stations with an area of 229.3 m<sup>2</sup> and 232 m of army unit fences. The affected government assets will be reinstated by the government. No monetary compensation will be paid for the loss of these assets.

**Table 2-7: Impact on Government Buildings and Structures**

Structure type	No	Affected unit (m <sup>2</sup> /m)
Police station	2	229.3
Army fence	1	232

#### Impact on Fences and Improvements

63. A total of 50 AH will lose 2 gates, 3 sheds, 25 fences and 25 m<sup>2</sup> of decorative curbs. There is 61,182 m of wire fencing along the Asadullo Dekhan farm land. Other types of metal fencing amounts to 2,654.53 m<sup>2</sup>. The volume of the affected wall-fencing amounts to 110.80 m<sup>3</sup>. The Concrete and asphalt area (in front of the petrol stations) amounts to 1,095 m<sup>2</sup> and is made from 260.56 m<sup>3</sup> of thickly laid concrete areas, which are usually calculated in m<sup>3</sup>. Other supporting structures are gates, a fountain in front of an affected restaurant and partially affected stairs leading to grocery stores and petrol stations. The AHs will be compensated for losses. (Table 2-8)

**Table 2-8: Impact on Gates, Fences and Improvements on Land**

Type	AHs	DPs	m	m <sup>2</sup>	m <sup>3</sup>
Metal fence/wire	19	145	61,182	2,654.53	
Wall fencing	6	36			110.80
Concrete poles	4	18			95.60
Bordure/decorative curbs	7	50			24.96
Concrete/asphalt area	5	30		1,095	260.56
Fountain	1	8			3.00
Stairs	3	18		36.99	7.70
Shed	3	31		191.3	
Gates	2	17		21.52	
<b>Total</b>	<b>50</b>	<b>353</b>	<b>61,182</b>	<b>3,999.34</b>	<b>503</b>

## Impact on Businesses and Income

64. The Project will permanently affect four businesses. All businesses are family-run businesses. These are one travelers' rest/eatery place, one restaurant, one water and soft drinks kiosk and one (illegal) makeshift shed selling water and soft drinks. Three legal businesses are permanently (up to 12 months) affected due to demolition of the main building where the business operates. In addition, there is a meet shop with affected samosa tandoor and one restaurant with affected outdoor samosa tandoor and a summer shed. Their main business operations will not be affected as the main business building is not affected. The illegally operating business may restore the business in a couple of hours on the remaining family owned land. (Table 2-9). All affected business will be compensated as per the agreed Project Entitlement Matrix.

**Table 2-9: Impact on Businesses**

Rayon	Affected Businesses							
	Business owners	Renters	No of DPs	Business owners	Renters	No of DPs	Total AHs	Total DPs
	Legal			Illegal			No	No
Rudaki		2	16	1		2	3	18
Khurason		1	5				1	6
<b>Total</b>		<b>3</b>	<b>21</b>	<b>1</b>		<b>2</b>	<b>4</b>	<b>24</b>

65. Due to closure/relocation of businesses resulting from demolition or relocation of the main business buildings, three employees will permanently lose their employment. All are registered legal workers. All affected workers will be compensated in accordance with their legal status and permanent Project effect on their employment.

## Severely Affected Households

66. There are 14 AHs with 134 DPs that will have a severe impact on their means of income and/or need to relocate. Only one household (9 DPs) is losing a residential building. The single-store building (154 m2) is made of dry bricks and concrete. The AHs wants to re-build the house on the remaining land. The AHs members stated that the construction of a new house will take 2 months. However, the AHs will be paid for three months of rent while the house being constructed.

67. Four business buildings owners (30 DPs) are losing their main business buildings. All of them will receive a compensation based on the replacement cost and severe impact allowances. There are operating businesses in three of these buildings – one travelers' rest/eatery place, one restaurant and kiosk selling water. The forth business building to be demolished is a non-operating petrol pump.

68. Three business renters with 18 DPs are moving from affected business structures. All three renters are close relatives of the building owners. Two affected business owners will reconstruct buildings and restore business at the same location. The traveler's rest/eatery business will not have enough space at the remaining land plot for the reconstruction of the building.

69. There are six AHs with 77 DPs losing more than 10% of their agricultural land. The land is arable, irrigated land. The DPs who will be relocated from their residential buildings, face business relocation, or lose more than 10% of their agricultural land, are considered severely affected, and therefore entitled to receive a livelihood rehabilitation allowance for severely affected DPs in the form of cash compensation equal to the official national average monthly wage for 3 months.

**Table 2-10: Severity of Impact**

Degree of Impact	Loss of residential		Business building owners		Business renters		Loss of 10% or more of agriculture land		Total No of AHs	Total No of DPs
	No of AHs	No of DPs	No of AHs	No of DPs	No of AHs	No of DPs	No of AHs	No of DPs		
Demolition of the main building/ Loss of 10% or more of agriculture land	1	9	4	30	3	18	6	77	14	134

### Impact on Poor and Vulnerable Households

70. There is only one AHs considered as vulnerable. The household of 9 DPs will lose a residential home and 4 supporting buildings. Only one person from the household works as a teacher and supports the family. The family will rebuild their home on the remainder of the land plot. There are no other vulnerable people among DPs. All own land, have at least one employed person in their family, or own livestock and businesses. Information was also requested from each project village chief. They confirmed that among AHs, there are no poor and no single-woman headed households. The identified vulnerable household will receive an allowance for poor and vulnerable groups amounting to three national average monthly salaries. (TJS 2801.7)<sup>6</sup>

<sup>6</sup> There is no explicit reference in Tajikistan laws and regulations on vulnerable groups. Different studies use different indicators to define poverty and vulnerability in Tajikistan. For this LARP, the study conducted by ADB is taken as one of the sources for determining poor and vulnerable for this Project. By this study, 'A household is classified as poor if its per capita expenditure is less than the per capita household poverty line; the per capita poverty line is set at TJS 138.8 per month, which was determined by the World Bank (2008). There are three major social pension programs in Tajikistan: old-age pension, disability pension, and survivor's pension due to the loss of breadwinner. The three pension programs are public transfers addressed to vulnerable groups, such as the elderly and disabled'. (Evaluating Social Protection Program in Tajikistan – ADB Economics Working Paper Series No 274)

### 3 SOCIOECONOMIC PROFILE OF THE AFFECTED POPULATION

#### 3.1 Background

71. This Chapter presents the findings on the major socio-economic characteristics of the affected Project communities. The chapter is based on information from the jamoats' Key-Informants, country statistical data and data collected through the socio-economic surveys and census undertaken in the Project area. The main objectives of the SES and census surveys are to understand the existing socio-economic environment and vulnerability of affected people in the Project area, to use the data for preparation of the LARP budget and to identify groups and persons who may need additional support due to the Project's impact.

#### 3.2 Profile of the Project Area

72. Tajikistan is a Central Asian country bordering Afghanistan, China, Kyrgyzstan and Uzbekistan. According to the 2008 census, the country's population was 7,373,800. However, the population in 2015 is estimated to be 8,610,000 people. Tajikistan is divided into four regions: Sughd, Khatlon, Gorno-Badakhshan and Region of Republican Subordination, while the capital Dushanbe is administratively separate. Each region is divided into several districts (rayons) which are subdivided into village level self-governing administrative units – jamoats. There are 58 rayons and 368 jamoats in Tajikistan.

73. Section 1, which is 33 km long, will be rehabilitated in the first phase. It traverses the Rudaki and Khurason rayons and affects five jamoats. Rudaki rayon has a population of 462,000 people living in 190 villages and 69,800 households. Khurason rayon has 106,216 inhabitants living in 85 villages and 8,242 households. Out of the 275 villages in the two rayons traversed by the Project road, 19 villages are located in the Project corridor. The following tables present the demographic and economic profile of the Project rayons and villages located in the Project corridor.

**Table 3-1: Population in Project Rayons**

Rayon	Population	Male	Female	No of households	No of villages	No of affected villages
Rudaki	462,000	233,800	228,200	69,800	190	10
Khurason	106,216	53,263	52,853	8,242	85	9
<b>Total</b>	<b>568,216</b>	<b>287,063</b>	<b>281,053</b>	<b>78,042</b>	<b>275</b>	<b>19</b>

74. The major economic activities in the Project rayons are agriculture and animal husbandry. Wheat is the major cash crop in the area and is cultivated on 20,397 hectares. Pastures and fallow land account for 23,600 hectares. Fruit production is prevalent in the area with almost 5,000 hectares used to cultivate grapes, apples, cherries, apricots and other fruit. (Table 3-2).

75. Animal husbandry is widespread in the Project area. Almost every household that has some land, also has livestock. Animals raised in the area include cattle, sheep, goats and horses. The rayons' statistics indicate that there are 169,053 sheep and goats, 99,281 cattle and 5,393 horses in these two rayons.

**Table 3-2: Economic Profile of Project Rayons**

Rayon	Wheat (ha)	Grape (ha)	Cotton (ha)	Orchards (ha)	Other (pasture etc. (ha)	Horses (No)	Sheep/goats (No)	Cows (No)
Rudaki	15,493	723	496	1,745	9,716	1,859	98,208	66,379
Khurason	4,904	895	0	1,390	13,884	5,393	70,845	32,902
<b>Total</b>	<b>20,397</b>	<b>1,618</b>	<b>496</b>	<b>3,135</b>	<b>23,600</b>	<b>7,252</b>	<b>169,053</b>	<b>99,281</b>

Source: Rayons' and jamoats' statistics

76. There are 53,483 people living in 19 villages located in the Project corridor. In total, there are 28,050 males and 25,433 females living in 8,959 households. The affected villages' populations ranges from 380 people in Chashmasor to 8,405 people in Gulbuta. The four largest villages - Gulbuta, Somonien, Chimtepa and Gulparvar belong to Rudaky rayon, and are close to Dushanbe. (Table 3-4)

77. There are 3,516 poor households in the two Project rayons. Out of these, around 10% live in 19 Project villages. A total of 10 affected villages in Rudaki rayon have 123 poor households, while nine villages in Khurason rayon have 230 poor households. Data on poor households headed by a woman was not available for most of the Project villages. Analysis of available data for six Rudaki rayon villages shows that 51.5% of poor households are headed by a woman.

**Table 3-3: Poverty in Project Rayons**

Gender	No of poor HH in Rayons	No of poor HH in Project villages
Rudaki	2,891	123
Khurason	625	230
<b>Total</b>	<b>3,516</b>	<b>353</b>

**Table 3-4: Population of the Project Villages**

Rayon	Jamoat	Villages along the project road	Population	Male	Female	No of households
Rudaki	Chugultepa	Obishifo	3,406	1,732	1,674	480
		Navbunyod	2,751	1,511	1,240	502
	Lohur	Tubek	3,212	1,625	1,587	402
		Hayoti nav	1,642	830	812	243
		Alabaytal	862	436	426	140
	Chimtepa	Gulparvar	6,866	4,054	2,812	1,429
		Kahramon	2,152	1,151	1,001	398
		Chimtepa	6,912	3,539	3,373	808
		Gulbuta	8,405	4,286	4,119	1,564
			Somonien	7,772	3,979	3,793



<b>Khuroson</b>	Fahroobod	Fahroobod	1,874	960	914	242
		Vahdat	2,757	1,423	1,334	386
		Hisorobod	1,143	607	536	150
		Somoniyon	835	420	415	119
		Bohoriston	681	373	308	90
		Chashmasor	380	193	187	52
	Galoobod	Daganakiik	1,279	670	609	175
		Chasmasor	417	203	214	69
		Navbunyod	137	58	79	23
<b>Total</b>	<b>5</b>	<b>19</b>	<b>53,483</b>	<b>28,050</b>	<b>25,433</b>	<b>8,959</b>

78. The economic data on Project villages reflect data at the rayon level. The major economic activities in all Project villages are agriculture, fruit production and animal husbandry. The 19 villages have 2,378 hectares of wheat crops and 5 hectares of cotton. The villages have 6,812 hectares of land mostly used as pastures. Fruit trees such as apple, cherry, sour cherry, apricot and peach trees are mostly found in the Project villages. There are 2,364 hectares of fruit trees in the Project villages and 454 hectares of grapes. (Table 3-5)

79. Animal husbandry is prevalent in the village households. There are 12,312 sheep and goats and 10,797 cattle. Some households have a few horses, although they are not commonly kept in the area. In total, there are 337 horses in 19 Project villages.

**Table 3-5: Economic Profile of the Project Villages**

Project villages	Wheat (ha)	Cotton (ha)	Grape (ha)	Fruit trees (ha)	Other land (pasture etc.)	Horses (No)	Sheep/goats (No)	Cows (No)
Obishifo	720	0	3	350	600	12	1,907	2,516
Navbunyon (Rudaki)	300	0	4	450	800	5	1,403	315
Tubek	35	4	0	5	51	1	368	392
Hayotinav	154	1	0	4	53	1	515	377
Alabaytal	11	0	0	3	21	9	2051	2432
Gulparvar	7	0	4	9	140	12	75	571
Kahramon	12	0	2	21	103	14	20	113
Chimteppa	23	0	3	17	189	8	42	230
Gulbuta	33	0	4	12	160	0	82	445
Somonien (Rudaki)	3	0	4	12	90	10	89	481
Fahrooabod	180	0	5	635	1025	25	800	250
Vahdat	200	0	3	250	620	28	1300	400
Hisorobod	180	0	4	285	495	10	750	680
Somonien (Kurason)	200	0	4	120	690	5	700	200
Bohoristan	80	0	100	40	745	160	400	200
Chashma	50	0	8	45	300	5	200	110
Daganakiik	63	0	3	20	245	25	600	480
Chasmasor	58	0	300	78	300	3	520	300
Navbunyon (Kurason)	78	0	3	8	185	4	490	305
<b>Total</b>	<b>2,387</b>	<b>5</b>	<b>454</b>	<b>2,364</b>	<b>6,812</b>	<b>337</b>	<b>12,312</b>	<b>10,797</b>

### 3.3 Socioeconomic Survey Methodology

80. The socioeconomic surveys (SES) in the Project area were conducted in May and June 2016. The SES interviews were conducted after each consultation with the communities where DPs and broader community members were invited. Two experienced interviewers conducted the study. The number of interviews in each jamoat was based on the number of potentially displaced households (as indicated by the local authorities). These are households which have assets within 50m of both sides of the road centerline. In total, there are 175 households with assets along the road which may be affected. Out of these, 70 (40%) households were covered by the SES. The SES aimed to sample 20-25% of the potentially displaced households. During the SES, the number of people that wanted to participate in the survey, surpassed the sample size needed for the analysis and the surveyed team interviewed all who wanted to participate. The SES included owners, renters and users of affected lands and buildings, owners of affected business and other community members. (Table 3-6)

**Table 3-6: SES Sample**

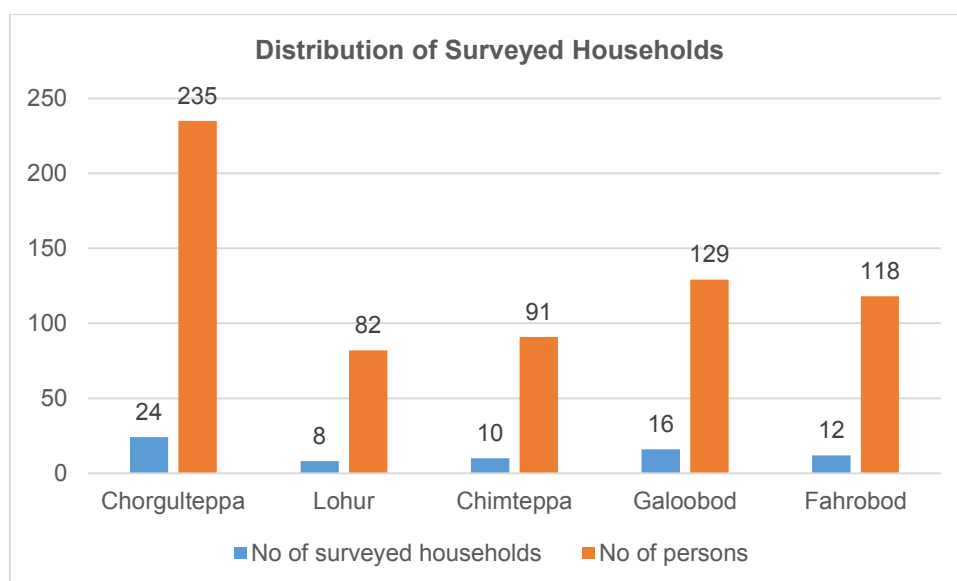
Rayon	Jamoat	No of potentially DHs	No of surveyed households	%
Rudaki	Chorgulteppa	51	24	47.06
	Lohur	22	8	36.36
	Chimteppa	51	10	19.61
Khuroson	Galoobod	21	16	76.19
	Fahrobod	30	12	40.00
<b>Total</b>		<b>175</b>	<b>70</b>	<b>40.00</b>

81. The SES Questionnaire includes questions aiming to measure the main characteristics of affected households such as type of right-to-use land, land holdings, buildings, businesses, family type and size, main demographic data of the household members, self-reported monthly income and expenditure, sources of income, house facilities, religion, ethnicity, vulnerability, women's status, opinion about the Project, etc. Each questionnaire took around 40 minutes to complete. The collected data was processed using Microsoft Excel. (Annex 3-1: SES questionnaire)

### 3.4 Socioeconomic Profile of Surveyed Households

82. In total, 70 households with 655 persons were covered by the SES study. On average, there were 9.36 persons per surveyed household. The distribution of surveyed households by Jamoats was as follows:

**Chart 3-1: Surveyed Households by Jamoats**



### Key Facilities in the Surveyed Households

83. Each Project jamoat (local authority) has a mostly combined primary and secondary school, a mosque, health clinic, shops and small businesses along the central village road. Some villages are distant from the road but their lands are located along the Project road. Other services such as hospitals, larger markets and administrative services are based in jamoat and rayon centers. All these services are available to the Project population. Quality of available services was not assessed as it was out of the scope of this LARP. The population covered by the SES stated that the Project will improve accessibility to social services and amenities such as larger hospitals, universities and other services in the regional centers.

84. Electricity is available in all project villages. However, during the dry season, when the production of electricity is lower, the villages get electricity supply for a couple of hours a day.

85. Piped water is available in some villages, mostly those closer to Dushanbe, while other villages rely on wells, collection of rainwater in basins and cisterns and purchasing water for daily usage. Consequently, only six households have a hot water system in their house, as piped water is not available everywhere. Only one surveyed household has an in-house flush toilet while all others have a latrine.

86. Every surveyed household has a TV set and 48 households own a satellite dish. Computers and The Internet are not widely used in the villages, but mobile phones are used in around 96% of surveyed households. Only 14 households have a computer and three have an Internet connection. A total of 72.86% of households have amenities such as refrigerators and 71.43% of surveyed households have electric stoves. Considering that piped water is not widely available, washing machines are found in 40% of the households. Air conditioning units are found in 18.57% of the households and almost half of the surveyed households (48.57%) have a car. Other assets listed are agricultural machinery, a couple of minivans and motorbikes. (Table 3-7)

**Table 3-7: Households Assets and Amenities**

Items	No of households	%
Latrine	69	98.57
Piped water in house	6	8.57
Hot water system	6	8.57
TV	70	100.00
Satellite dish	48	68.57
Computer	14	20.00
Internet	3	4.29
Mobile phone	67	95.71
Refrigerator	51	72.86
Washing machine	28	40.00
Electric stove	50	71.43
Air conditioner	13	18.57
Motorbike	4	5.71
Car	34	48.57
Mini van	2	2.86
Agricultural machinery	6	8.57

87. Out of 70 surveyed households, 63 households own 63.5 hectares of land. On average, households hold around 1ha of land. Around two thirds of the land is dry land and one third is irrigated land. The crops cultivated most are wheat, corn, various vegetables, grapes and apples. There are 14 hectares of pasture land. A total of 43 households have animals. People mostly have cows, sheep, goats and chickens. (Table 3-8 and Table 3-9)

**Table 3-8: Landholdings**

No of households	Land (ha)	Dry land (ha)	Irrigated land (ha)	Cultivated (ha)	Pasture (ha)
63	63.5	42.5 (66.93%)	21 (33.07%)	49.5 (77.95%)	14 (22.05%)

**Table 3-9: Livestock**

No of households	No of cattle	No of sheep/ goats	No of horse/ donkey	No of chickens
43	168	141	11	125

### Gender, Ethnicity and Religion

88. There are 329 (50.23%) females and 326 (49.77%) males in the surveyed sample. The portion of male-headed households is 82.86%, while 17.14% of surveyed households are headed by a woman.

89. Out of the total number of surveyed households, Tajiks are the largest ethnic group with 57 households (81.43%), followed by 8 (11.43%) Uzbek' households and 5 (7.14%) others. All households are Muslim. There are no indigenous people in the Project area.

**Table 3-10: Gender**

Gender	Head of the household		All household members	
	Number of households	Percentage (%)	No	% of the total
Male	58	82.86	326	49.77
Female	12	17.14	329	50.23
<b>Total</b>	<b>70</b>	<b>100</b>	<b>655</b>	<b>100</b>

### Age and Marital Status

90. The age distribution of the surveyed population for this LARP, shows that the 18-35 age group was the most represented (36.41%). (Table 3-10). The profile of the youth community is even more pronounced if the 0-7, 8-17 and 18-35 age groups are combined. Such a comparison shows that 75.04% of the surveyed population is younger than 35. The 36-45 age group accounts for 9.74% and the 46-55 age group accounts for 8.21%. The 56-65 and 66 and above age groups account for 4.96% and 2.05%, respectively. The heads of households are mostly represented in the 46-55 and 56-65 age groups (32.86% and 25.71%), while other age groups do not differ significantly. (Table 3-11)

**Table 3-11: Age**

Age	AH head		Other AH members	
	Number	%	Number	%
0 - 7			127	21.71
8-17			99	16.92
18 - 35	7	10.00	213	36.41
36 - 45	14	20.00	57	9.74
46 - 55	23	32.86	48	8.21
56 - 65	18	25.71	29	4.96
66 or more	8	11.43	12	2.05
<b>Total</b>	<b>70</b>	<b>100.00</b>	<b>585</b>	<b>100.00</b>

91. Almost 63% of the surveyed people live in extended families. Nuclear families comprise 37.14%. The size of households ranges from 2 - 22 persons in a household. Nine of the surveyed households have up to five persons living in the household, while 42 (60%) have 6-10 persons and 19 (27%) households have 11-22 persons living in one household. Married heads of households are represented with 82.26%, 15.72% are widowed and the percentage of divorced heads of household is marginal (1.43%). Other family members have a similar marital status distribution – almost half are married and only 0.51% are divorced. The average family size is 9.36 persons per family. (Tables 3-12 and 3-13).

**Table 3-12 Marital Status**

Marital status	AH head		AH members	
	Number	%	Number	%
Married	58	82.86	290	49.57
Unmarried	0	0.00	74	12.65
Widowed	11	15.71	23	3.93
Divorced	1	1.43	3	0.51
Minor	0	0.00	195	33.33
<b>Total</b>	<b>70</b>	<b>100.00</b>	<b>585</b>	<b>100.00</b>

**Table 3-13: Type of Families**

Family Type	Number of AHs	Percentage (%)
Nuclear	26	37.14
Extended	44	62.86
<b>Total</b>	<b>70</b>	<b>100.00</b>

## Education

92. The following table shows a high level of literacy of heads of household with 54.29% having secondary education. A further 18.57% and 20%, respectively, obtained a college or university degree. Only 4.29% of the heads of households and 0.51% of other family members are illiterate. Generally, the educational profile of other family members is somewhat lower in the college and university education categories, except in illiteracy incidence, which is higher among the heads of households (4.29%) than other family members (0.51%). (Table 3-14)

**Table 3-14: Education of Surveyed Population**

Education Status	Head of the household		Other household members	
	Number	%	Number	%
Illiterate	3	4.29	3	0.51
Primary school	2	2.86	31	5.30
Secondary education	38	54.29	317	54.19
Technical/other college	13	18.57	27	4.62
University degree	14	20.00	64	10.94
Other	0	0.00	16	2.74
Pre-school children	0	0.00	127	21.71
<b>Total</b>	<b>70</b>	<b>100.00</b>	<b>585</b>	<b>100.00</b>

## Employment, Income Sources and Expenses

93. Employment and income data was collected from 70 households and information is self-reported. A total of 17.14% of the heads of households and 4.10% of other family members are pensioners. Civil servants are the largest type of profession among the heads of households (24.29%) and the other family members (11.79%). Business owners are represented by 17.14% in the heads of households group and only 4.96% among other family members. Out of 12 female heads of household, nine are housewives, while among the other family members, the percentage of housewives is 22.56%. The unemployment rate is similar in both groups (11.43% for the heads of households and 12.14% for other family members).

**Table 3-15 Type of Employment**

Type of employment	Head of the household		Other members	
	Number	%	Number	%
Pensioner	12	17.14	24	4.10
Civil servant	17	24.29	69	11.79
Private sector employee	4	5.71	19	3.25
Business owner	12	17.14	29	4.96
Agriculture labor	4	5.71	11	1.88
Large land owner	2	2.86	2	0.34
Other labor	1	1.43	11	1.88
Housewife	9	12.86	132	22.56
Pupil/Student	0	0.00	90	15.38
Unemployed	8	11.43	71	12.14
Other	1	1.43	127	21.71
<b>Total</b>	<b>70</b>	<b>100.00</b>	<b>585</b>	<b>100.00</b>

94. The data on income and expenses is self-reported. Although the purpose of collection of income data was explained to each of the SES participants, around one quarter stated that they would not be able to provide data on income as their income varies greatly from season to season. The data on average monthly income varies greatly from 200 TJS to over 10,000 TJS. Most of the households' income is concentrated in the two lowest categories: 200-1,000 TJS and 1,100-2,000 TJS per month. (Table 3-16). The total reported income for 70 households, amounts to 135,012 TJS, which gives an average of 1,929 TJS per surveyed household.

**Table 3-16: Self-reported Monthly Income**

Monthly income (TJS)	Number of households	Percentage
200-1,000	18	25.71
1,100-2,000	18	25.71
2,100-3,000	4	5.71
3,100-4,000	4	5.71
4,100-5,000	1	1.43

5,000-10,000	6	8.57
Over 10,100	1	1.43
No data	18	25.71
<b>Total</b>	<b>70</b>	<b>100.00</b>

95. The average monthly expenditure for households is around 2,614 TJS, with the largest portion (39.51%) spent on food. The next major expenses are clothing with 22.87%, and agricultural expenses such as seeds, fertilizers, hiring machinery etc, accounting for 10.27% of all expenses. Other household expenses range from 1.39% for social obligations to 6.44% for health. (Table 3-17)

96. Reported average monthly expenses exceed the average monthly income by 687 TJS. The gap between income and expenses was discussed with the respondents during the interviews. The respondents explained that for any major expense such as clothing for the whole family, serious illness, social obligations such as weddings and funerals etc, they sell a sheep, goat, cow, or any other animal they have and cover the expenses they would not have been able to cover from their regular monthly income. Some households make ends meet by receiving remittances from family members working in other rayons or in Russia. The average monthly expenditure data is summarized in the following table:

**Table 3-17: Households' Average Monthly Expenses**

Self-reported monthly expenses	Total income (TJS)	Average income (TJS)	Total expenses (TJS)	Average expenses (TJS)	Percentage of the total (%)
Food expenses			72,075	1,030	39.51
Clothing			41,712	596	22.87
Health			11,745	168	6.44
Education			8,660	124	4.75
Communication			2,963	50	1.62
Social functions/obligations			2,530	36	1.39
Agriculture expenses			18,740	268	10.27
Water			5,295	76	2.90
Utilities (electricity etc)			4,270	61	2.34
Land tax			10,245	146	5.62
Credit repayment			4,189	60	2.30
<b>Total</b>	<b>135,012</b>	<b>1,929</b>	<b>182,424</b>	<b>2,614</b>	<b>100.00</b>

### Women in Project Villages

97. The Constitution of the Republic of Tajikistan recognizes international law as a component part of the national legal system, and Tajikistan is a State Party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and to other fundamental human rights treaties. In 2014, the parliament ratified the Optional Protocol to CEDAW, which allows individual women in Tajikistan to submit complaints to the CEDAW Committee and gives them an additional remedy for violations of the convention. Important steps have also been taken to implement UN Security Council resolutions on women, peace, and security (1325 and 2122) with the drafting of a national action plan. (Tajikistan, Country Gender Assessment, ADB 2016).



98. The Constitution guarantees equal rights on the basis of sex (Article 17), and principles of nondiscrimination are enshrined in basic legislation, for example, the Family Code, the Labor Code, the Land Code, the Criminal Code, the Law on Education, and the Law on Public Health. While there are no laws that directly restrict women’s rights, additional guarantees that aim to “protect” women, such as the Labor Code’s night work prohibition, have nonetheless kept women from being employed in male-dominated industries. (ADB 2016).

99. According to the Country Gender Assessment, a large number of the population works in informal employment, and the majority of such workers are men. Still, many women work informally doing hard physical agricultural labor for long hours, in poor working conditions, and with a lack of such social protections as maternity leave and pension payments.

100. In all surveyed households, women do housework and care for family members. Other activities performed by women are gardening (31.43%), minding livestock (24.29%), making homemade products (12.86%), sale of homemade products (22.86%) and agricultural labor (15.71%). The questions on the decision making processes in the surveyed households showed that women are consulted and take part in the decision making process in all major family activities. The highest participation is in healthcare for children (100%), children’s education, social functions and obligations and daily family activities. Somewhat lower levels of inclusion in decision making processes are reported in household financial matters and the purchasing or selling of household assets. (Table 3-19)

101. Most of women working on the road bazaars stated that they are the primary cash earners in their households. They work every day for a couple of hours on the bazaar and on average, they earn 30-50 TJS per day. In addition, most of them, after a few hours on the bazaar, go home to finish other household’ chores.

102. The survey and consultations with communities revealed that there are two categories of the women-heads of households: single women with dependent children and married women who have a house, land use right and/or other assets registered in their name. The distinction between these two groups will be considered while determining the vulnerability status of woman-headed households.

**Table 3-18: Women’s Activities**

Type of activities	No of HH	Percentage of HH
Gardening	22	31.43
Agriculture labor	11	15.71
Other labor	6	8.57
Minding livestock	17	24.29
Handmade products	9	12.86
Sale of homemade products	16	22.86
Trade and business	14	20.00
House work, family care	70	100.00
Other work	3	4.29

**Table 3-19: Women in Decision Making Activities**

Decision making	No of HH	Percentage of HH
Financial matters	44	62.86
Education of children	66	94.29
Children’s healthcare	70	100.00
Purchase/sale of assets	50	71.43
Daily family’ activities	67	95.71

Social functions and obligations	63	90.00
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### 3.5 Impacts of the Project as Perceived by Surveyed Households

103. There were 113 answers on the perceived benefits of the Project. A total of 27.14% think that they will have a good road which will add to the appearance of the villages along the road, 28.57% expect a reduction in vehicle operating costs and accidents, 21.43% expect a reduction in travel time and cost of travel, 31.43% expect better access to other rayons and regions and in general, faster local businesses and regional development.

**Table 3-20: Perceived Project Benefits**

Benefits of the Project	Number	Percentage
The road will be good	19	27.14
Villages will look better with a good road	19	27.14
Reduction in travel time and cost	15	21.43
Reduction of vehicle operating costs and accidents	20	28.57
Faster business and regional development	18	25.71
Better access to other places	22	31.43
<b>Total</b>	<b>113</b>	

104. There were only 11 responses on perceptions of the Project's disadvantages. The most frequently expressed concerns are potentially inadequate compensation which would not enable satisfactory restoration of lost assets. Two respondents stated that the biggest adverse effects of the road will be relocation, loss of land and loss of numerous trees.

105. Suggestions and requirements recorded during the SES, were:

- safe pedestrian crossings in the villages
- mandatory speed-breakers in villages
- pedestrian underpasses
- passages for livestock
- bus stops in villages
- culverts for excessive silt during the rainy season

## **4 INFORMATION DISCLOSURE, CONSULTATIONS AND PARTICIPATION**

### **4.1 Background**

106. According to ADB SPS (2009), the DPs must be meaningfully consulted and provided with opportunities to participate in the planning and implementation of LAR. Under the same principles, the DPs have to be informed in an appropriate and timely manner of the planning process outcomes, as well as the schedules and procedures for the preparation and implementation of the LARP, including entitlements, payment procedure and relocation.

107. The laws and policies of Tajikistan which apply to resettlement related to ADB financed projects in Tajikistan are:

- Constitution of Tajikistan
- Civil Code
- Land Code

108. Apart from the formal notification requirements set in the Land Code, there is no requirement for the government to discuss project designs or possible LAR options with the DPs. Nevertheless, the local government authorities (hukumats and jamoats) disseminate to the local population all information issued in the form of a decree and other decisions related to the project. In addition, the PIURR takes the lead in the coordination of information disclosure at the local levels and conducts consultations with the local population as per the ADB SPS 2009 requirements.

### **4.2 Consultations with Stakeholders and Project Communities**

109. During the preparation of this LARP, the PTTA consultant and the PIURR conducted 12 wide consultations with stakeholders and local communities. In total, 244 persons (171 project communities' residents and 73 stakeholders) participated at consultations.

110. There were seven consultations with stakeholders in rayons and jamoats located along the Project road and in the MOT in Dushanbe. These include the heads of rayon administrations, the rayon's deputy director and secretaries, chief of economics and trades, the rayon's chief engineers, road maintenance chief engineers, rayon valuator, land management representatives, statistical department representatives, Dekhan farm representatives, NGOs active in the Project area, MoT's representatives and ADB TJRM (Tajik Resident Mission).

111. The main goals of consultations with local authorities were to share information about the Project, ensure local authorities' cooperation during the LARP preparation and implementation, preparation of the ground for the establishment of the Grievance Redress Groups and the establishment of the Land Acquisition and Resettlement Committees. In total, 73 persons from the local authorities and key-stakeholders participated in seven consultations.

112. A summary of the consultations with rayon stakeholders conducted in the Project area is presented in Table 4-1 below:

**Table 4-1: Consultations with Rayons' Key Stakeholders**

No	Date	Rayon/ Jamoat	No of particip ants	Key stakeholders
1	06.04.2016	Khurason	14	Heads of rayon's administrations, rayon's deputy director and secretary, chief of economics and trades, rayon's chief engineer, jamoat representatives, Dekhan farm representative.
2	07.04.2016	Rudaki	10	Heads of rayon's administrations, rayon's deputy director, secretary, chief of economics and trades, rayon's chief engineer, road maintenance chief engineers, jamoat representatives, rayon's valuator.
3	17.05.2016	Khuroson/ Obikiik, Fahrobod, Galoabod	11	Jamoats' heads and deputies, architect, secretary, rayon head's deputy
4	23.05.2016	Rudaki/ Chorgultepp a, Lohur, Chimteppa	18	Jamoats' heads, deputies, secretaries, women's representatives, land management representatives and statistical department representatives.
5	26.05.2016	President of Khuroson Rayon	4	Rayon's president, PIURR Project coordinator and social safeguard specialist, other rayon officials
6	15-30.05.2016	PIURR	4	PIURR director deputy, social safeguard specialist, sociologist
6	12.07.2016	Dushanbe (MOT)	12	NGOs, MoT, Hukumats' and Jamoats representatives, ADB social safeguards specialist
<b>Total</b>			<b>73</b>	

113. The PIURR with assistance of the PPTA consultant, conducted wide community consultations in five jamoats representing 19 affected villages. In total, 171 persons (128 males and 43 females) participated at consultations. The participants received the Project Information Brochure with the Project-specific entitlements, government decree on the cut-off-date, MoT letter on the establishment of the GRM and details on the GRM procedure. Other information shared with the participants were ADB SPS 2009, compensation principles and additional allowances and the GRM procedure. The participants shared their opinions about the Project, concerns and suggestions related to safety and road crossings for animals. (Tables 4-1, 4-2 and 4-3) The records from consultations, translated decrees on the cut-off date, the establishment of the GRM, and scanned participant signatures are presented in Annexes 4-1, 4-2 and 4-3.

114. The summary of the consultations with communities conducted in the Project area is presented in Table 4-2 below:

**Table 4-2: Consultations with Communities**

No	Date	Location (Jamoat/Rayon)	No of participants		
			Males	Females	Total
1	26.05.2016	Daganakiik (Khurason Rayon)	26	28	54
2	27.05.2016	Chorgulteppa (Rudaki Rayon)	47	6	53
3	31.05.2016	Lohur (Rudaki Rayon)	19	1	20
4	01.06.2016	Fahroobod (Khurason Rayon)	18	0	18
5	03.06.2016	Chimteppa (Rudaki Rayon)	18	8	26
<b>Total</b>			<b>128</b>	<b>43</b>	<b>171</b>

### 4.3 Summary of the Consultations

115. During the consultations, participants were supportive of the Project. The Project benefits, as perceived by the participants, are summarized as follows:

- good road, better traffic flow and comfortable travel;
- improved access to schools, colleges and markets;
- development of trade, businesses and income generating activities;
- opportunity to sell dairy products and other perishables faster;
- more employment for local population;

116. The participants also expressed their opinions about the adverse effects of the proposed project. The main concerns were related to road safety through the villages, underpasses for livestock, land for land compensation and timely and adequate monetary compensation for losses. The main concerns of the communities are summarized as follows:

- displacement;
- compensation which enables re-establishment of the affected assets;
- unavailability of residential and non-residential land nearby for home reconstruction or business re-establishment after the displacement;
- more accidents resulting from the widening of the road due to higher driving speeds;
- number of safe pedestrian crossings;
- proper accesses to all homes and businesses during the construction of the road;
- proper underpasses or other safe passages for the livestock;
- access roads to villages
- loss of bazaars for the sale of dairy products.

117. The questions and suggestions given by the participants during the consultations focused mostly on compensation, preferences of land for land compensation, lack of land for relocation near the current location, income loss and safety for people and livestock. The following paragraphs summarize people's questions, concerns and suggestions.

118. The participants at the consultations gave a range of suggestions which they would like to see integrated into the project planning and road design. The suggestions are as follows:

- provisions for safe road crossings for people, ground level pedestrian bridges or underpasses;
- provision of underpasses or other safe crossings for livestock;
- restoration and improvement of small bazaars along the road;
- rehabilitation of 25-50m of access from the main road to the entrance to villages;
- land for land compensation with same land quality or, if not feasible, adequate monetary compensation;
- adequate compensation for all assets lost;
- employment opportunities for affected persons during the road construction;

**Table 4-5: Questions and Answers at Consultations with Communities**

<b>Community Consultations in May-June, 2016</b>	
<b>Questions</b>	<b>Answers</b>
Could you plan ground-level crossings so children and older people can cross the road?	We will pass your suggestions to the design engineers and see what they will plan.
(Obi Shifo village) Our children cross the road as they are pleased. When new road is constructed, it will be very dangerous to cross the road. How will you ensure safety of our children? Will you install the lights? Or underground crossings?	The pedestrian crossings in villages will be clearly marked. The speed limits signs will be installed. Before the crossings, speed barriers will be installed, so the drivers will not be able to drive at a great speed through villages. Children and other villagers should cross the road on the pedestrian crossings only.
We have land along the road and we would like to build some buildings. Can you tell us with certainty that our land is or is not going to be acquired?	In about one month, the project corridor will be defined and we will be able to answer your question.
During the construction, a lot of land will be affected, including about 400-500 trees. How will you compensate for it?	When the project corridor is defined, we will be able to tell you how much land will be acquired. We will do the DMS and you, a representative of the jamoat and land committee, will be present when your affected assets are listed and measured. The valuation will be done by an independent valuator.
(Dekhan farm 'Asadullo) I do not need your compensation. Each tree is like my child. It was very difficult to grow them and now, you will take them down. I spend so much time and energy to make trees grow and to make this beautiful scenery.	I am sorry we cannot make it differently. The trees are planted in the RoW and if the road will be constructed, the trees will be affected. Your land is located at the both sides of the road and there is no way to avoid the impact. The Project will consider re-location of trees in December – February when trees have the best chance to survive.
If the road will have safety barriers on both sides in the residential area and cars will be going at 120km/hour, will the hukumats allow us to have businesses along the road?	The opening of businesses along the road is an issue for hukumats to address.
Our rayons live on animal husbandry. Please plan crossings for animals as we have grazing areas on the other side of the road. Cows, sheep and goats need to cross the road daily.	We will pass on the community's requirements to the design engineers.
We live from our animals. How will we cross to the other side of the road if you make barriers? Our grazing area is on the other side of the road.	Your Jamoat and raisi mahale will give us the current locations where animals cross the road. The information will be given to the engineering team and they will design the passages.
How can animals cross the road when speed will increase? Even now, with such a terrible road, our animals get killed. What would happen when people drive at 200 km speed?	Your village and jamoat representatives will give us information on locations where animals from your village cross the road. The engineering team will look at all technical possibilities and design underpasses for animals wherever is practicable.

<p>How can we cross the road with tractors and other agriculture machines?</p>	<p>The access to your fields will be ensured. We will get information on the locations where you cross the road now, and if safe, the engineers will plan crossing at the same locations. Please give your requests to the raisi mahale and they will give us exact location you access the agriculture fields.</p>
<p>In big cities, when a road is constructed, underground passages, pedestrian bridges, bicycle tracks, footpaths and underpasses for animals are usually planned. Will you construct some of these facilities along this road as the road will be a category 1 road?</p>	<p>There are certain standards for each road category, so, for this one, we will envisage all that is required by the applicable standards.</p>
<p>According to the general architectural plan, there will be a residential area on the right side of the road. Will you plan underground or ground-level crossings for the residents?</p>	<p>We will pass the requirements to the engineers and they will see what is safe and feasible for the area.</p>
<p>I have a petrol station. How will you compensate it?</p>	<p>If your petrol station is acquired, you will be compensated for land, replacement cost for buildings and loss of business. An independent valuator will assess the replacement cost for assets acquired.</p>
<p>We, women, sell milk and dairy products at small bazaars along the road. We would like if possible, to have nice stalls and paved road access, so we can have decent working conditions.</p>	<p>We will record your requests and pass them on to engineers and the ADB and we will try to include facilities such as those on the Ayni Pandzekent road.</p>
<p>Chimteppa women – under other projects, such as Dushanbe - Tursonzada road, women are given some opportunities and microcredits to start small businesses. Will ADB have the same programs under this Project? Can you ask them to help us?</p>	<p>Currently, there are no such provisions under this Project. If the women from your Jamoat prepare some proposal for the wanted micro-projects and submit to ADB, they may look into this. Unfortunately, we cannot give a certain answer to your question.</p>
<p>Will you construct bus stops close to /in the villages?</p>	<p>Yes, we will have bus stops.</p>
<p>During the rainy season, water and silt flow down the hills and carries off everything in its way. Will you make culverts that remove silt?</p>	<p>Yes, we will construct culverts where necessary.</p>
<p>We have buildings and structures but we do not have a technical passport. Will we be compensated?</p>	<p>Yes. Regardless of the legal status of buildings and structures, you will receive funds equal to the replacement cost for the acquired buildings. Please see the entitlement matrix we gave you and you will see that all buildings and structures will be compensated regardless of the legal status.</p>
<p>How will you compensate land and harvest?</p>	<p>Land will be compensated on the land for land principle if feasible. Monetary compensation for loss of the right to use land will be given for small strips of land which cannot be effectively replaced. Harvests and fruit trees will be compensated as per the entitlement matrix you received in this project brochure.</p>

My fence will be affected and I am an old man and cannot replace it by myself. Will you replace it?	You'll get the replacement cost and you will be able to pay workers to construct it again.
Will you reconstruct bridges?	Yes, we will.
Will you rehabilitate access roads to villages as we have agricultural land on the other side and tractors have to cross the road with soil on wheels?	It will be done in accordance with related norms and standards.
When will the construction start? We cannot construct, repair anything.	The bid was announced on 15 December 2015. As soon as the bidding procedure finishes and the resettlement plan is implemented, construction will start.
Is there compensation for those whose business will be interrupted/stopped?	<p>You will not be affected. During the construction period, access to businesses will remain.</p> <p>It is possible that during the construction, half of the road will be closed for a month or 20 days, but not fully; access will be unimpeded. Contractors shall ensure passage.</p> <p>After the bidding process, a Contractor shall show us the work plan, and we would like to tell you that starting from that date, we will work on the site and we will inform people. This will be during the construction phase.</p>
I have a shop which may be partially affected. How would you compensate for it?	Affected buildings will be compensated in full.
I have a restaurant which may be acquired. If acquired, I want land for land along the road where I can reinstall my business.	If there is free land along the road, the hukumat will replace your land.
In Fahroabod, we have silt ways instead of culverts, you can make a wider passage for animals and people at GUSAD No 16.	Engineers will see if this is feasible.
We need bus stops in our villages. Please include it in the design.	We will keep it in mind when preparing the design. Bus stops will be included in the design.
Please rehabilitate accesses to villages and access to the cemetery in Farhoabod.	We will discuss it with engineers.
We heard that each main village access will be paved 50-100m. Can you pave some other accesses to villages? During the rainy season, it is impossible to access villages due to deep mud and the new road will be muddy if we do not have paved access. Can you ensure this for us?	Main access to villages will be paved, but other accesses are not planned as the finances may not be enough to pave all accesses that villagers request.
I was building my home for 6 years. I put every penny into this house. Now, if it is going to be acquired, I want monetary compensation for everything I invested.	You will be given funds equal to the replacement cost for all acquired assets.
Obishifo women need a small bazaar as we put	We will see if it is possible to make the same kinds of



our products on the ground and sell them. Please make us a small bazaar with stalls and access for cars, so we can continue to sell products and support our families.	bazaars as we did at Ayni Pendzakent road.
Can you ask ADB to help us to improve this small bazaar so we have a bit better working condition? We need some water facilities here and some concreted holes in the ground to keep our produce fresh.	We cannot promise that it will be done but we will incorporate your requests into our LARP, which will be sent to ADB, and we will see what would be possible to do under this project.
Obishifo children have to cross the road to go to school. Please make safe pedestrian crossings for our people.	Pedestrian crossings will be made in each village. Speed breakers will be also installed, so cars will not be driving at high speeds through the villages.
Chashmasor village women - please make us small bazaar stalls so we can sell our produce. It is on the LHS next to the overpass for the old railway. We would like to have a pedestrian crossing on the old railway overpass.  We need a culvert large enough to take silt during the rain and for the people and animals to cross safely. It is at km 44. Also, please consider asphaltting access roads (25-50m) to villages.	We will discuss the people's suggestions with engineers and accountants to assess if your suggestions are feasible.
Daganakaiik village needs a small bazaar to sell produce. We keep our products on the ground. At this place, we need a safe pedestrian crossing for people. There are two bridges in our village. One is currently used as an underpass for animals. We prefer if it stays like that. Please plan a proper bus stop in our village.	We will discuss the people's suggestions with engineers and accountants to assess if your suggestions are feasible.

#### 4.4 Information Disclosure

119. During the SES and consultations with communities, in addition to the information about the Project, LAR processes, bidding process and expected time for the beginning of the works, the participants received the Project Brochure, Project-specific entitlements, the Government Decree on the GRM and information about the cut-off date. The PIURR, with assistance of the Consultants' Resettlement Specialist, will update the Project Brochure during the preparation of the implementation-ready-LARP. The Brochure will be delivered to all DPs. If the finalization of the junction design affects any new person, the PIURR, with the assistance of the Design Consultant, will conduct consultations, inform the DPs about the Project, entitlements, GRM and give other relevant information. The minutes from the consultations will be forwarded to ADB.

120. The cut-off date was set as April 25, 2016. The MoT, through the PIURR, prepared and published the letter No 414 on 25/04/2016, informing residents of Rudaki District, Jamoats of Jimteppa, Lohur, Chorgulteppa, Khuroson District, Jamoats of Obikiik town, Fahrobod, Ghalaobod villages, farming Asadullo, military unit "06-870-b" of Fahrobod, farming Safor Shernazarov, Bokhtar District, Jamoats of Bokhtariyon, Oriyon villages, Kurgan-tube town, Dusti, Hayoti Nav Districts, that the rehabilitation and reconstruction of Dushanbe-Kurgan-tube road commenced with ADB financing. The letter informed residents that the Project road will be widened from a Category 3 to a Category 1

road, and will be 25-30 m wide after rehabilitation. Residents were informed that the construction of all structures and rehabilitation/acquisition of land on both sides of the road is prohibited. The information was published in the local newspaper, aired on the main TV program and forwarded to each rayon and jamoat authority. (Annexes 4-1 and 4-2). During the SES and DMS, all DPs confirmed that they were informed about the cut-off-date.

121. During the LARP implementation, the following information disclosures are planned:

- uploading of the draft LARP in English on the ADB website
- distribution of copies of the LARP in the Russian language in the local authorities' offices
- posting of the approved draft LARP in the Russian language on the PIURR website
- in case of changes in project design, which may result in changes of resettlement impacts, measurement of additional impact, valuation and updating of the LARP will be undertaken. Consultations with DPs and information disclosure will be ensured as per the established LAR consultations procedure. The updated LARP will be disclosed to the displaced persons, and submitted to the PIURR and ADB for approval prior to the commencement of construction in the section(s) where the design has been changed. The updated and approved LARP will be uploaded on the ADB and MOT website.
- corrective action plans will also apply to design variations effected or any omission detected once the construction has commenced.

## 5 GRIEVANCE REDRESS MECHANISM

### 5.1 Objectives

122. The LARP includes in its scope the establishment of a responsive, readily accessible and culturally appropriate grievance redress mechanism (GRM) capable of receiving and facilitating the resolution of affected persons' concerns and grievances related to the project. The GRM is a formalized way for the PIURR to identify and resolve concerns and DPs' grievances. It offers the DPs a forum to voice their concerns, seek clarifications to their queries, or register complaints related to the Project's performance. The scope of the GRM addresses issues related to involuntary resettlement, social and environmental performance, and information disclosure.

123. The DPs will have the right to file complaints and/or queries on any aspect of the Project, including land acquisition and resettlement. Under the adopted grievance mechanism, the DPs may appeal any decision, practice or activity related to the Project. All possible avenues will be made available to the DPs to voice their grievances. The PIURR will ensure that grievances and complaints on any aspect of the project are addressed in a timely and effective manner.

124. The fundamental objectives of the Grievance Redress Mechanism are:

- to reach mutually agreed solutions satisfactory to both, the Project and the DPs, and to resolve any grievances locally, in consultation with the aggrieved party;
- to facilitate the smooth implementation of the LARP, particularly to cut down on lengthy litigation processes and prevent delays in Project implementation;
- to facilitate the development process at the local level, while maintaining transparency as well as to establish accountability to the affected people.

125. The MoT issued letter No 516 on 20 May, 2016, requiring the establishment and development of the GRM at the jamoat (sub-district) level (Annex 5-1). The GRCs are established at the jamoats at each Project district. The PIURR representatives participate at each grievance redress meeting at the jamoat level. The Grievance Redress Committees include the following experts and institutions and their representatives:

- Rayon jamoat's chairman or person authorized by jamoat (raisi mahala);
- Land planning engineer
- Jamoat chairman (focal point to accept and register grievances);
- Rayon's State Committee on Land Use and Geodesy;
- Rayon's architecture department;
- State executive authority/ deputy head of district.

126. All grievances related to the Project will be addressed with the participation of the PIURR, Construction Supervision Consultant and Contractor's representatives. In more complex cases, representatives of other authorized institutions will be invited. The GRM covers issues related to social, environmental and other safeguard issues under the ADB SPS 2009 and applicable laws of Tajikistan.

127. The PIURR members of the GRCs include:

- Chief Engineer
- Social safeguard specialist

- Environmental safeguard specialist
- MOT lawyer
- Other specialists as necessary

128. There are five Grievance Redress Committees at the jamoat level - one in each Project jamoat. A Focal Person (FP) is appointed at each Project jamoat and at the PIURR. The PIURR FPs participated in all consultations with communities and shared their contact details with participants for questions related to the Project and in the event of grievances for the entire duration of the Project, including the preparation and implementation of the LARP.

129. The GRCs will function for the duration of the project implementation. The PIURR and the PPTA Consultant conducted training for members of five GRC at the jamoat level. (Annex 5-2)

## **5.2 Grievance Resolution Process**

130. Grievances can be lodged with the Focal Person at the jamoat's GRC. The jamoat's FP, in consultations with the PIURR safeguard specialist, will screen the grievance for eligibility. If eligible, the jamoat's FP will organize a meeting of the Grievance Redress Committee (GRC). The PIURR representatives will be informed and invited to the meeting

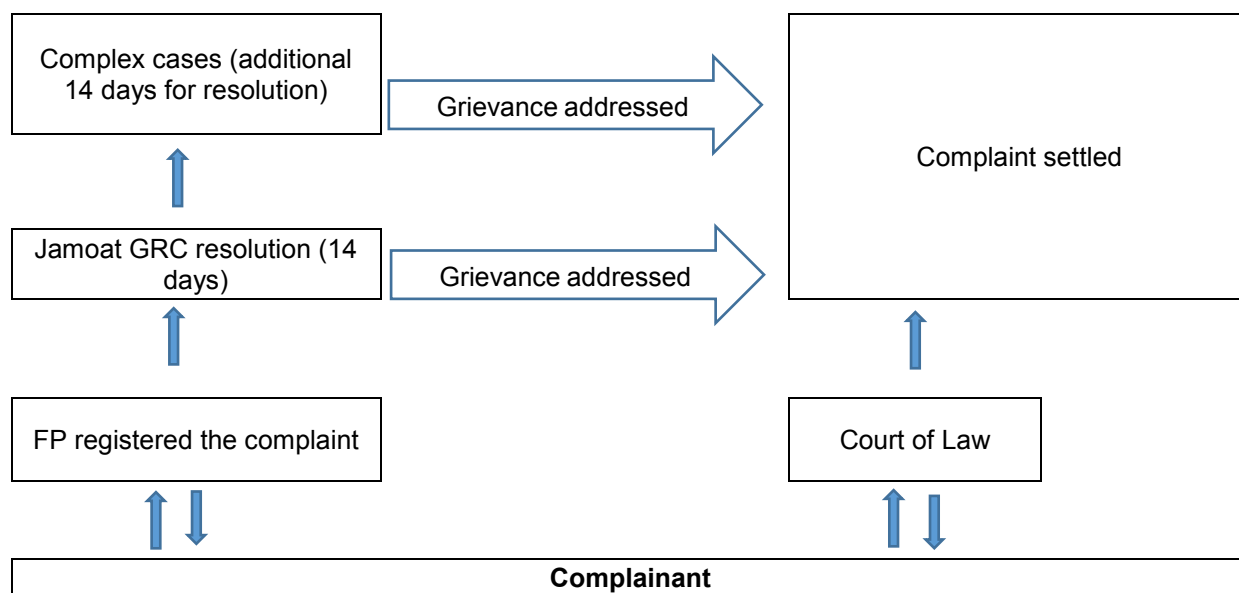
131. The complaint registered with the GRM should be reviewed, addressed and a decision made on its relevancy to the Project within 14 calendar days of lodgment. If the case is complex or requires more detailed investigation (e.g. inspection by technical experts or legal opinion from the state or certified private entities) the complaint review period may be extended to 30 calendar days or more, if necessary. In such cases, written notification should be sent to the complainant explaining the reasons for extension, describing the process and indicating the expected dates for the delivery of the results of the revision.

132. All supporting documents such as, photographs, related certificates and legal and technical expert opinions, if required, should be prepared, reviewed and assessed. Once the complaint is resolved, the GRC will organize a complaint closure meeting, where the complainant confirms the closure of the complaint. The PIURR representative will oversee the resolution of the complaint.

133. All efforts will be made to settle issues at the Project level. All complaints and resolutions will be properly documented by the PIURR and made available for review, monitoring and evaluation purposes. A PIU safeguard specialist keeps in regular contact with the FP of the GRCs and will have a database for the whole Project's grievances cases, including the status of grievances. This report will be regularly included in monthly project progress reports.

134. The grievance redress process is shown in Figure 5-1 below.

**Figure 5-1: Grievance Redress Process**



135. GRM proceedings may need one or more meetings for each complaint and may require field investigations by specific technical or valuation experts. Grievance cases shared by more than one complainant may be held together as a single case.

136. For appeals lodged directly to the MoT, the FP at PIURR will review the case together with the respective GRC at the jamoat level and attempt to find a resolution together with the aggrieved person.

137. At each level of appeal, the GRC will be assisted, as required, by the professional capacity needed to solve specific cases. This may include among others:

- Jamoat and/or hukumat representatives
- Rayon land committee
- Representatives of the State Agency for Architecture
- The State Committee for Land Management and Geodesy (SCLMG)
- State Agency for Environment and Forestry
- State Unitary Enterprise for Housing and Communal Services
- Technical expertise from professional engineers
- Other specialized organizations as necessary

138. The following persons at the Jamoat level are responsible for the Project-related inquiries and grievances:

<b>District Level Grievance Redress Committee Members</b>		
<b>Rudaki District</b>		
Position	Name	Telephone number
Deputy Chairman of the district	Ashurov Rajabali	931400002
The Chairman of Chimteppa Jamoat	Khalilov Sayfullo	909705373
The Chairman of Lohur Jamoat	Qaroev Ali	884888956
The Chairman of Chorgulteppa Jamoat	Sanginmurodov Yusuf	907742193
Resettlement Specialist of PIURR	Mahmadaliev Sherali	907828485
Safety Specialist of PIU RR	Yormatov Safarmad	902203209

Representative of Consultant/ Contractor	By designation	
<b>Khuroson district</b>		
Deputy Chairman of the district	Qurbonov Rahmatbek	919899685
The Chairman of Gallaobod Jamoat	Yorov Barotali	904580451
The Chairman of Fakhrobod Jamoat	Mavlonov Sirojiddin	933554476
Resettlement specialist of PIURR	Mahmadaliev Sherali	907828485
Safety Specialist of PIU RR	Yormatov Safarmad	902 203209
Representative of Consultant/ Contractor	By designation	

### 5.3 Duties of GRC Members

#### Focal Point (FP)

139. Once the FP receives a written notification of a complaint s/he will:

- based on the simple screening procedure, assess the grievance and determine if the grievance is eligible for the GRM; if eligible, register the grievance in the complaints logbook;
- write a grievance summary to be signed by the complainant and the FP indicating name of the complainant, date and place of presentation of complaint, description of complaint and supporting documents, if any;
- send the complaint summary to all members of the local level GRC;
- convey requests and enquiries of the complainants to PIURR/MoT and to the other members of the GRC at the local level;
- organize a grievance redress meeting;
- maintain records of each meeting and each communication between the FP/GRC and the complainants;
- participate at appeal cases at all levels;
- ensure administrative and organizational support for GRC members.

#### Supervision Consultant Resettlement Specialist

140. Once notified of a complaint and the FP has been invited to a grievance meeting the Consultant will:

- participate to all grievance meetings, provide opinions and analysis;
- accompany eventual assessment/valuation specialists in the field,
- provide other GRC members as relevant with opinion and suggestions for resolution to be reflected in the final meeting report.

#### GRC Chairperson / Head/Deputy of PIURR of MoT

141. Once notified that a complainant has lodged an appeal case at the central level, the GRC chairperson will:

- review the local level GRC decision;
- invite the GRC members to the meeting;
- chair the GRC meetings and ensure that the minutes of the meeting are taken and shared with all relevant parties;
- inform the aggrieved person of the GRC's decision;

- ensure administrative and organizational support for GRC members to work;
- support the decision made by the GRC and follow up to ensure action is taken.

### PIURR Project Coordinator

142. Once notified that a complainant has lodged an appeal case at the central level, the Project coordinator will:

- participate in all grievance redress meetings at jamoat and central level, provide opinions and analysis;
- ensure that records at the jamoat GRC are maintained;
- request additional assessment/valuation specialists' opinions and accompany them in the field if needed;
- request that the chairperson organizes meetings, as necessary;
- ensure a proper PIURR Complaint Register is maintained.

### Representatives of the PIURR Safeguards Unit

143. Once notified that a complainant has lodged at the central level, the representatives of the PIURR safeguard and technical unit will:

- participate in GRC meetings at local and central level;
- prepare the chronology of events to understand the sequence of developments prompting the complaint;
- provide opinion on resettlement impacts claimed by the claimant;
- request that the chairperson organizes meetings, as necessary;
- maintain communication between the GRC and the complainants.

144. The following persons at the Projects Implementation Unit for Roads Rehabilitation can be contacted for inquiries and grievances:

<p><b>Saidov Kholboy Hamidovich</b> Deputy Executive Director, Project Implementation Unit for Roads Rehabilitation 14 Ayni Street, 4<sup>th</sup> Floor, Dushanbe. Tajikistan Tel: +992 222 20 273 +992 93 583 43 83 Email: <a href="mailto:pirrr@tojikiston.com">pirrr@tojikiston.com</a></p>	<p><b>Mahmadaliev Sherali</b> Safeguard specialist, Project Implementation Unit for Roads Rehabilitation 14 Ayni Street, 4<sup>th</sup> Floor, Dushanbe. Tajikistan Tel: +992 907 82 84 85 Email: <a href="mailto:pirrr@tojikiston.com">pirrr@tojikiston.com</a></p>	<p><b>National Social and Environmental Safeguards Focal Points</b> Resident Mission of Asian Development Bank in Republic of Tajikistan 45 Sovetskaya Street, Dushanbe. Tajikistan Tel: 992 372 210558</p>
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### Technical Experts

145. When requested by the PIURR to provide technical expertise for the assessment of an impact claimed by the complainant, the relevant expert will:

- examine the case, perform relevant tests or an investigation;
- prepare a short report based on the results of the examination completed;
- recommend if further or additional legal opinion or expertise is needed to make a judgment on the substance of the case.

## 5.4 GRC Complaint Register, Records and Documentation

146. The PIURR of the MoT will maintain the complaint register. This will include a record of all complaints for regular monitoring of grievances and results of services performed by the GRCs for periodic review by the ADB. The GRC Grievance Registration Form can be found in Annex 5-2.



## 6 LEGAL AND POLICY FRAMEWORK

147. The policy framework for the Project is based on the Law of the Republic of Tajikistan and the ADB Safeguards Policy Statement of 2009. In the legislation of Tajikistan, there is no special law or policy, which regulates the issues of resettlement and/or land acquisition or expropriation of rights to land and immovable property for state or public needs. Moreover, there is no separate law that completely provides norms and mechanisms for the determination of the full and fair, market value of land. The key legislative acts regulating land management relations and the ownership rights to immovable properties in the Republic of Tajikistan are the following:

- Constitution of the Republic of Tajikistan (1994, as amended in 2003)<sup>7</sup>
- Land Code (amended in 2012)<sup>8</sup>
- Land Code (amended in 2008)<sup>9</sup>
- Civil Code (amended in 2007)<sup>10</sup>
- Regulation “about compensation of losses to the land users and losses of agricultural products” (approved by the Decree of Government of Republic of Tajikistan, 2000. № 515)<sup>11</sup>

148. The Constitution of the Republic of Tajikistan, Land Code and the Civil Code of the Republic of Tajikistan are the fundamental laws on which the legislation is based. The framework for the Project is based on the ADB SPS 2009 requirements and applicable laws, regulations and policies. Where differences exist between local law and ADB policies and practices, the resettlement for this Project will be resolved in favor of the later.

### Types of land ownership and land use rights allocation

149. All land is owned by the Republic of Tajikistan, which is responsible for its effective use. Several tenure options for agricultural land are defined by the Land Code. There are primary use rights and secondary use rights. Primary use rights include the following:

- Perpetual use which has no fixed term. It is granted to legal entities such as state and cooperative agricultural enterprises, public and religious organizations and charities, industrial and transportation needs, public enterprises, defense and joint ventures that include foreign entities.
- Limited or fixed-term use may be granted to legal or physical persons for either a short-term (up to 3 years) or long-term (3 to 20 years).
- Life-long inheritable tenure which may be assigned to physical persons or collectives. Physical persons must re-register the right in the case of inheritance. This right applies to land-shares used to organize a Dekhan farm, as well as household (garden) plots.

150. The only secondary use-right recognized under the Land Code is the right to lease. According to the Code, primary rights holders may lease out their plots for a term not exceeding 20 years. The land is used in accordance with the state-established land-use standards. The right to use land may be terminated for various reasons such as termination of activities by the land user, non-use for two years and use of the land differing from the use established in the use-rights document. (Land Code Article 37)

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<sup>7</sup> Constitution, November 6, 1994, as amended on 22 June 2003.

<sup>8</sup> Land Code of the Republic of Tajikistan as amended on 01 August 2012

<sup>9</sup> Land Code, as amended by N 498 from December 12, 1997., N 746 from May 14\_ 1999, N 15 from May 12 2001, N 23 from February 28 , 2004. From 28.07.2006 №199, from 5.01.2008 №357, from 18.06.2008 №405.

<sup>10</sup> Civil Code, as amended by August 6, 2001, N 41: May 3 2002 №5, March 1 2005, N 85; April 29, 2006 №180, May 12, 2007.№247).

<sup>11</sup> Approved by the Decree of Government of Republic of Tajikistan, December 30, 2000.№515.

151. Dekhan land is the result of the splitting up of large state owned farm enterprises, known as kolkhoz and Sovkhoz farms, which were established throughout much of the former Soviet Union. Sovkhoz farms were run by the state, while kolkhoz farms were a form of co-operative farm, run by a committee of members approved by the state. The Agrarian Reform Program in Tajikistan was adopted for the period of 2012-2020. Creation of Dehkan farms is one of the priority areas of land reform. The basis for creating Dehkan farm in the Republic of Tajikistan is defined by the Law "On Dehkan farms"<sup>12</sup>, №48 of 10 May 2002. It resulted in the creation of 31 Dehkan farms in 1992 with 300 hectares of land. In 2003, there were 16,433 registered Dehkan's farms with 240,100 hectares<sup>13</sup>.

152. In Dekhan farms, the land remains state property (which cannot be bought or sold), but farmers are granted inheritable land use rights which give complete legal freedom to landholders to manage the land as they desire. The state collects taxes and can repossess the land if it believes the land is not being managed properly. There are three types of Dekhan land: individual (the land use certificate is held by an individual), family (the certificate is jointly held) and collective (the certificate details common property shareholders).

153. A collective dehkan consists of two or more unrelated families, producing and marketing jointly. Dekhan farm —associations, or —associative dehkan farms, operate in a similar manner to collective dekhans, although the families involved technically have their own dekhans and work together cooperatively. Both family and collective dekhans operate by appointing a head who officially holds the farm's land registration certificate and legally represents the interests of the farm (Duncan 2000; GOT 2008; ARD 2003; Robinson et al. 2009; GOT 2009a).

154. Presidential land is similar to Dekhan land. It was allocated in small plots to private households in the late 1990s by Presidential Decree. The essential difference between Dekhan and Presidential land is that no land-use rights certificate is required for the latter land plots (they are registered at the jamoat level per household).

155. Reserve Fund land usually consists of unused land. It also includes land plots for which land use rights have been abandoned. State reserve land is at the disposal of the district administrations and is rented out or distributed for individual agricultural cultivation purposes. Article 100 of the Land Code states that State land stock is reserved for the agricultural, industrial, transport and other needs of the national economy.

156. Supported Farms land includes land provided to different government institutions as assistance to their members and employees. The land is given to employees who did not get any land under other government schemes.

## **6.1 Tajikistan Constitution, Law/regulation on Land Acquisition, Resettlement and Compensation**

157. The Constitution of the Republic of Tajikistan is the main legal document which guarantees citizen's rights. Article 13 states that land, bowels of the earth, [i.e. mineral resources], water, airspace, animal and vegetable kingdoms, [i.e. flora and fauna], and other natural resources are owned by the state, and the state guarantees their effective use in the interests of the people. Furthermore, Article 12 states that the economy of Tajikistan is based on various forms of ownership and the state will guarantee freedom of economic activity, entrepreneurship, equality of rights, and the protection of all forms of ownership, including private ownership.

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

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<sup>12</sup> Law of the RT "On Dehkan farms".2002. [www.mmk.tj](http://www.mmk.tj)

<sup>13</sup> Source: Statistical Yearbook of the Republic of Tajikistan. 2001. Statistical Agency. Dushanbe, 2001, c.175. Statistical Yearbook of the Republic of Tajikistan. 2004. Statistical Agency. Dushanbe, 2004, c.173.

### 6.1.1 Provisions regulated by the Land Code

159. In August 2012 amendments to the Land Code that enable legal sales and lease transactions for land use rights were approved.<sup>14</sup> The Land Code also includes changes to the provisions related to land acquisition.<sup>15</sup>

160. The revocation/allotment of lands and resettlement envisages compensation for losses incurred by land users or those with other registered rights to the land when the land plot is revoked for state and public needs.

161. The state may revoke land plots for state and public needs from land users after:

- allocating a land plot of equal value;
- constructing housing and other buildings with the same purpose and value, in a new location for the natural persons and legal entities to whom the land plot had been allocated, in accordance with established procedures
- fully compensating for all other losses, including lost profits, in accordance with the legislation of the Republic of Tajikistan.

162. Upon the revocation of land plots for state and public needs, all losses shall be calculated according to the market price, which shall be defined by taking into consideration the location of the land plot, and compensation shall be paid to the persons/legal entity whose land has been taken away. Termination of the right to use a land plot, for state and public needs, can be carried out after allocation of an equal land plot and compensation of other expenses is provided by part one of the present article. (L.C. Article 41; In the Republic of Tajikistan Law edition dated 1 August 2012, No. 891).

163. The procedure for the compensation of losses to land users and losses arising from the removal of land from circulation is regulated by Article 43 of the Land Code edition dated 1 August 2012, No. 891:

- In the event of revocation of a land plot for state and public needs, compensation for losses to land users and others with registered rights to the land, and losses connected to the removal of land from circulation, shall be made by the natural/legal persons whose activity led to the revocation.
- In the event of withdrawal of a land plot for state and public needs, the procedure for compensation of losses to land users and others with registered rights to the land, and losses connected to the removal of land from circulation, shall be defined by the Government of the Republic of Tajikistan (In RT Law edition dated 5 January 2008, No. 357).
- Upon termination of the rights to a property, the property will be assessed based on its market value (Article 265 Civil Code).
- Land users should be notified in writing about land revocation by the local executive government body no later than one year before the pending withdrawal of the land (Article 40. Land Code of the Republic of Tajikistan Law edition dated 1 August 2012 no. 891).
- In the event that international agreements recognized by the Republic of Tajikistan establish other rules than those contained in the Land Code of the Republic of Tajikistan, the rules of the international agreement shall be applied (Article 105, LC of the RT edition dated 28 February 2004 No. 23).

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

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<sup>14</sup> Law 891, dated August 2012, article 19.

<sup>15</sup> Articles 37-45

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

166. In accordance to Article 19 of the Land Code, the land right users may:

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

167. Compensation for land which belongs to the State but is allocated and essentially leased to users by each hukumat, is divided between the hukumat and the user according to the following proportion:

- 40 % to the hukumat, which will no longer derive income from taxes and leases for the portion of the land being acquired
- 60% to the land user, who suffers a reduction in his/her income-generating asset.

168. The compensation received by the hukumat is used for the management, construction, and maintenance of local infrastructure. The land user also receives compensation for lost crops based on the provisions outlined in the Entitlement Matrix.

## **6.2 ADB SPS 2009 Involuntary Resettlement Safeguards**

169. The three important elements of ADB’s involuntary resettlement policy are (i) compensation to replace lost assets, livelihood, and income; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. For any ADB operation requiring involuntary resettlement, planning is an integral part of project design, to be dealt with from the earliest stages of the project cycle, taking into account the following 12 key policy principles for involuntary resettlement. These can be summarized as follows:

- Screen the project early on to determine 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, related to resettlement impacts and risks.
- Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, 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, Indigenous Peoples, and those without legal titles to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and resolve the affected persons’ concerns. Support the social and cultural institutions of displaced persons 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.

- Improve, or at least restore, the livelihoods of all displaced persons 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.
- 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 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.
- 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 the relevant income sources and legal and affordable access to adequate housing.
- Establish 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.
- Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- 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.
- Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of the 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.
- Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout the project implementation.
- 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.

170. ADB SPS 2009 distinguishes three categories of displaced persons, with variable compensation needs:

- **Legal DPs:** DPs with formal legal rights to land lost in its entirety or in part;

- **Legalizable DPs:** DPs without formal legal rights to land lost in its entirety or part but who have claims to such lands that are recognized or are recognizable under national law and;
- **Non-legal DPs:** DPs who have neither formal legal rights nor recognized/recognizable claims to land lost in its entirety or in part.

171. For categories (i) and (ii) above, borrowers are expected to provide compensation at full replacement cost for lost land, structures, land improvements and relocation assistance. For DPs in category (iii) (informal settlers), the borrower/client is expected to compensate all assets other than land (i.e. buildings, trees, cops, businesses) at full replacement cost. The risk of opportunistic encroachment on land designated for acquisition by the project is managed through the declared 25 April 2016 cut-off date.

172. Compensation for lost land may be in the form of replacement land (preferred option if feasible) or in cash. When “land for land” compensation is not feasible cash compensation can be valued based on market rates or, in the absence of land markets, through other methods (i.e. land productivity or reproduction costs)<sup>16</sup>. Compensation is to be provided at “full replacement cost”. This includes: (i) transaction costs; (ii) interest accrued; (iii) transitional and restoration costs; and (iv) other applicable payments, if any. Compensation for all other assets is to be provided in cash at replacement cost without deductions for amortization, salvaged materials and transaction costs.

173. The following core involuntary resettlement principles were adopted for this Project:

- land acquisition, and other involuntary resettlement impacts will be avoided or minimized by exploring all viable alternatives in the Project design;
- consultations with DPs on compensation, disclosure of resettlement information to DPs, and participation of DPs in the planning and implementation of rehabilitation measures will be ensured;
- vulnerable groups will be provided with a special assistance;
- payment of compensation to affected persons including non-titled persons (e.g., informal dwellers/squatters, and encroachers) for acquired assets (except for illegally used land) at replacement rates;
- payment of compensation and resettlement assistance prior to the contractor taking physical possession of the land and prior to the commencement of any construction activities;
- provision of income restoration and rehabilitation; and
- establishment of appropriate grievance redress mechanism.

### 6.3 Comparison of the Provisions under ADB SPS 2009 and National Legislation

Items	ADB SPS (2009) and ADB practice for application	Tajikistan	Reconciliation
1. Eligibility	DPs with legal rights receive compensation for land and non-land assets	DPs with legal/registered land use rights are eligible for compensation \ rehabilitation.	Same in principle and application.
	DPs with legalizable rights are entitled to compensation for land and non-land assets.	DPs with legalizable rights receive compensation for the land and non-land assets.	Same in principle and application

<sup>16</sup> Based on the SPS (Appendix 2, para. 10) in absence of well-established land markets land compensation will be provided based on a thorough study of the land transaction, use, cultivation and productivity patterns in project areas. One method accepted by ADB in such a situations would be to provide land compensation based on land productivity or land reproduction costs.”

Items	ADB SPS (2009) and ADB practice for application	Tajikistan	Reconciliation
	DPs with no legal rights receive compensation for the assets/improvements	Informal land users (without right to use land) are not entitled to any compensation (for land or non-land assets)	Different in principle but same in application for non-land assets.
<b>2. Livelihood rehabilitation standards</b>	ADB Policy requires improvement in the standards for AP livelihood	No such a provision exists in the national law	Different in policy but Government accepts ADB SPS 2009 requirements and endorses them in the entitlement matrix on a project by project basis.
<b>3. Compensation</b>	<b>A. Loss of land.</b> Replacement land as the preferred option of the compensation. If land is not available, cash compensation at full market cost.	<b>A. Permanent loss of land.</b> Replacement land but also cash compensation.	<b>A.</b> Same in principle. Application mechanisms temporarily reconciled for ADB projects.
	<b>B. Loss of structures.</b> Cash compensation for lost structures at full replacement cost irrespective of the legal status of land and free of depreciation, transaction costs and other deductions.	<b>B. Loss of structures.</b> Cash compensation for lost structures at market cost with depreciation or value of salvaged materials sometimes included in the calculation.	<b>B.</b> Same in principle and not in application. Application is reconciled in previous projects but not yet mainstreamed by a Decree for ADB projects.
	<b>C. Loss of the business.</b> Actual losses reimbursement plus business restart costs. Application based on tax declaration/similar documents for business stoppage period. Without tax declaration /similar documents, based on maximum non-taxable salary.	<b>C. Business Losses.</b> Compensation in cash at market value for legal businesses but the methodology is not specified. Non-registered businesses are not entitled to compensation.	<b>C.</b> Different in principle (non-legal businesses and in application (all businesses). Already reconciled for previous projects but mainstreamed reconciliation not formalized through a Decree for ADB projects.
	<b>D. Loss of trees.</b> Irrespective of legal land occupancy status compensation at market cost based for application on tree type/ wood volume for wood trees and based on income lost (x tree type x market value of 1 year income x years to grow the tree to a full production).	<b>D. Loss of trees.</b> In general private trees are not compensated although the wood cut is left to the DPs.	<b>D.</b> Different in principle and in application. Already reconciled in previous projects for the fruit-bearing trees only.

Items	ADB SPS (2009) and ADB practice for application	Tajikistan	Reconciliation
	<b>E. Loss of crops.</b> Cash compensation at market price for the gross crop value of an expected harvest.	<b>E. Loss of crops.</b> Cash compensation at market price for all incurred land preparation activities and expected gross crop value.	<b>E.</b> Same in principles and application.
	<b>F. Loss of jobs.</b> Indemnity of lost income so as to ensure DP rehabilitation. Specific arrangements to be agreed with borrowers for permanent impacts.	<b>F. Loss of jobs.</b> Severance pay provided by employer.	<b>F.</b> Different in principle and application already adjusted for previous ADB projects.
<b>4. Procedural mechanisms</b>	<b>A. Prior notification.</b> Timely notice on land acquisition needed.	<b>A. Prior notification.</b> Written notification prior to withdrawal (acquisition) of land.	<b>A.</b> Same.
	<b>B. Information disclosure.</b> LAR documents should be disclosed in a timely manner and in a language accessible to local population.	<b>B. Information disclosure</b> LAR decisions to be published in national media in Russian and Tajik within 5 days from approval.	<b>B.</b> Same in principle, different in application to ensure full LARP disclosure. Already reconciled for ADB projects.
	<b>C. Public consultation.</b> Meaningful public consultations are to be held with the DPs. DPs should be informed about their entitlements and options, as well as resettlement alternatives.	<b>C. Public consultation.</b> There are no requirements to inform directly the DPs about their entitlements and resettlement options as such.	<b>C.</b> Different in principle and application. Already reconciled for ADB projects.
	<b>D. GRM</b> should be established for each project s, and information on GRM should be communicated to DPs.	<b>D. GRM.</b> No project specific GRMs exists. Disagreements are resolved by through Hukumats' grievance mechanism or appeal to court.	<b>D.</b> Different in principle and application. Reconciled for ADB projects.
<b>5. Prior acquisition</b>	<b>A. Property</b> can be acquired only after full compensation is paid to the DPs	<b>A. Property</b> can be acquired only after full compensation is paid to the DPs	<b>A.</b> Same in principle and application.
<b>6. Resettlement planning, assessment and valuation of project impacts</b>	<b>A. LARP Preparation:</b> includes compensation entitlements, income/livelihood restoration strategy, monitoring plan, budget and implementation schedule, based on sound impact/valuation surveys as detailed below.  i. Detailed measurement survey (DMS). Measures	<b>A. LARP Preparation:</b> No requirements to prepare LARP or pursue measures to restore the livelihoods of DPs to the pre-project level. A series of activities similar to those mandated by the SPS are however required as follows:  DMS. Measures all impacts in	<b>A.</b> Different in principle and application. Already reconciled for ADB projects through technical instructions.  i. Same in principle and application. Valuation mechanisms need to be



Items	ADB SPS (2009) and ADB practice for application	Tajikistan	Reconciliation
	<p>quantitatively impacts for each affected property.</p> <p>ii. DP Census (including review of legal status). Identifies all DPs and establishes a list of legitimate beneficiaries.</p> <p>iii. Socio-economic survey. Includes information on DP's disaggregated by age, sex, family size, education, occupation, income source.</p> <p>iv. Valuation survey</p> <p>a) Land: If land market exist based on a survey of recent land transactions. In absence of land market info, based on land productivity and income.</p> <p>b) Buildings replacement cost of materials, labor and transport and special features of the building/structure without discounting for depreciation, salvaged materials and transaction costs.</p> <p>c) Trees/crops. Based on the set methodology.</p> <p>v. M&amp;E: M&amp;E depends on the project category, external for Category A and internal for Category B projects.</p>	<p>quantitative terms.</p> <p>ii. DP Census: DP Identification. Identifies all DPs by residence or locality and establishes a list of legitimate beneficiaries based on land title and house ownership status.</p> <p>iii. Socio-economic survey. No comparable requirements exist</p> <p>iv. Valuation survey.</p> <p>a) Land: Mechanisms for land valuation to be defined.</p> <p>b) Buildings/structures: Market value of materials, labor and transport and special building features but discounted for depreciation, salvage materials, and transaction costs.</p> <p>c) Trees/crops. Based on the set methodology.</p> <p>v. M&amp;E: No M&amp;E requirements in national legislation</p>	<p>updated.</p> <p>ii. Same in principle and application</p> <p>iii. Different in principle and application but already reconciled for ADB projects.</p> <p>iv. Different</p> <p>a) Application and valuation method to be developed and mainstreamed.</p> <p>b) Different in application. Application already reconciled for previous ADB projects.</p> <p>c) Same in principle, but different in application. Already reconciled for previous ADB projects.</p> <p>v. M&amp;E: Different in policy but reconciled once LARP is endorsed for ADB projects.</p>
<p><b>7. Special assistance to vulnerable severely affected and relocating DPs</b></p>	<p><b>A. Vulnerable DPs</b> should be identified and special assistance should be provided to them so as to help their restoration or improvement of pre-project level of livelihoods</p> <p><b>B. Resettlement assistance.</b></p>	<p><b>A. Vulnerable DPs:</b> No special consideration is required for vulnerable DPs; no distinction is made between DPs when deciding on the compensation or rehabilitation package</p> <p><b>B.</b></p>	<p><b>A.</b> Different in principle and application. For ADB projects reconciled by endorsing the entitlement matrix and the LARP.</p> <p><b>B.</b> Different in principle and</p>

Items	ADB SPS (2009) and ADB practice for application	Tajikistan	Reconciliation
	DPs to be resettled receive relocation assistance covering transport and transitional period livelihood costs.	<b>Resettlement assistance</b> No special consideration is required for resettled DPs. However the package depends on Government's decision regarding transitional period allowance.	application. For ADB projects reconciled by endorsing the entitlement matrix and the LARP.

#### 6.4 Project-Specific Entitlements

174. All DPs in the Project are entitled to compensation and resettlement assistance to help the restoration of their livelihoods to pre-Project levels. The combination of compensation measures and resettlement assistance offered to them depends on the nature of the lost assets and the magnitude of the Project's impact as well as the social and economic vulnerability of the affected persons. All APs are eligible for compensation and rehabilitation assistance, irrespective of their land ownership status. The compensation packages must reflect replacement costs for all losses (such as land, crops, trees, structures, businesses, incomes, etc.).

##### Land

175. The following types of land impacts are recognized under the Republic of Tajikistan's laws;

- **Agricultural land:** Households with agricultural land use right will be rehabilitated through the provision of compensation and equal to following:
  - a) **Permanent land holders (individual and cooperative):** Cash allowance for loss of land use rights equal to the average net income from crops in the past 5 years for the project district, obtained from the Statistical Department, or provision of an alternative land plot of equal value / productivity to the revoked plot. If the residual portion of the affected plot is too small to use, the whole plot is compensated or exchanged;
  - b) **Leaseholders:** Cash allowance for the lost income equivalent to 1 year of average crop productivity. The owner of the land use right will be compensated for the loss of the right and the loss of income equivalent to the loss of the lease amount for the remaining lease period.
  - c) **Agricultural tenants:** These tenants will receive their share of harvest at market rates (if the impact is temporary) plus 1-year additional average crop productivity compensation (if the land is lost permanently).
- **Residential / Commercial Land:** Households with affected residential / commercial land use rights, will be rehabilitated through the provision of the following compensations:
  - a) **Permanent land holders:** Cash allowance for the loss of land use rights equal to the current land lease rate/land tax at the time of expropriation, multiplied by 25, the provision of an alternative land plot of equal value/productivity (similar conditions and facilities) to the affected plot. If the residual portion of the plot to be revoked is too small to use, the whole plot is compensated for or exchanged;
  - b) **Leaseholders:** Cash payment for loss of income for a minimum of three months and up to 12 months, or continuation of rental agreement on an alternative land plot. The owner of the land use right will be compensated for loss of income equivalent to the loss of the lease amount for the remaining lease period.

## Buildings and Structures

176. All APs, whether titled owners or illegal-non-titled owners of buildings and structures, will be compensated in cash at replacement cost (including the cost of materials, labor and transport of materials) free of deductions for depreciation, salvageable materials and transaction costs, irrespective of the registration status of the affected assets. The cost of lost water, wastewater, electricity and gas utilities will be included in the compensation. In addition, the compensation will include the cost of registration/legalization of the new building/structure. Renters of buildings/structures will receive an allowance for the loss of income (based on a tax declaration) caused by the loss of the rented building/structure for no less than 3 months, or continuation of their rental agreement at an alternative building/structure. If the tax declaration is not available, the compensation will be calculated as per the sum stated in the valid rental agreement.

## Crops and Trees

- **Crops:** Compensation to all APs irrespective of their legal status in cash equal to 1 year of average crop production in the project district. This shall apply whether the land is fallow, or cropped
- **Fruit-bearing trees:** Compensation based on an age category and the market value of 1 year of income times the number of years needed to grow a tree of similar productivity, plus purchase price of seedlings and starting materials.
- Wood and decorative trees are not compensated for. The DP will keep wood from the cut tree. The decorative trees will re-planted during the project implementation.

## Businesses

- **Permanently lost business:** Compensation equal to 1-year's net income (lost profit) plus the cost of lost certificates / licenses / patents. The income calculation shall be based on the official tax declaration, or (if a tax declaration is unavailable) it is accepted as the official monthly minimum wage multiplied by 12.
- **Temporary disruption:** Compensation equal to the net income for the period of business interruption (less than one year) based on a tax declaration or, if tax declaration is unavailable, it is calculated by multiplying the official monthly minimum wage by the number of months since the operation was disrupted (less than 12).
- **Business workers and employees:** Compensation for lost job (termination of employment agreement) due to permanent or temporary termination of business activities amounting to three-months of their official wage, or, if unavailable, the official monthly minimum wage multiplies by three.

## Relocation, Transition and Severity/Livelihood Rehabilitation Allowances

- **Transportation allowance** for the cost of labor and vehicle rent to transport the materials of the houses/and business structures to a new location;
- **Communal and site preparation cost** for the alternative land plot (including connection to power grid, water supply system, installation of a latrine);
- DPs who lose more than 10% of their income or DPs who are to be relocated, will receive either payment equal to 1 year's average crop production in the project district, in addition to standard crop compensation, or cash allowance equal to three months of the official monthly minimum wage, whichever is higher.

177. There is no monetary compensation for loss of common, public or any government department assets. Affected common and public assets will be fully replaced or rehabilitated to

maintain their pre-project functions.

## Vulnerable Groups

178. Tajikistan’s legislation does not make a distinction between vulnerable and other categories of DPs when deciding on compensation for affected assets. Also, there is no special consideration given under Tajikistan’s laws and regulations to vulnerable DPs (the poor, women-headed households or families with many children) during the LAR process. There are no national standards to assess poverty. The Law “On minimal consumption basket”, which would allow for food-based poverty assessment is still pending endorsement. During the socioeconomic study in the Project area, the local authorities reported that the Government provision to the poor amounts to 33 TJS per quarter given to households living below the poverty line<sup>17</sup>; single women headed households with dependent children; single women-headed households with dependent children, large households with five or more children below 18 years, and households with a disabled member. The vulnerable households affected by the Project, will be provided with assistance equivalent to the official monthly average wage multiplied by three. In addition, they will be enrolled in a government social assistance program (if still not enrolled by the time of the surveys). Able-bodied members of vulnerable households will be given priority in project-related jobs.

## Temporary Impacts

179. In case of temporary land acquisition, compensation shall be based on local commercial rental rates for the duration of use. The land shall be restored by the construction contractor(s) to its original status at the end of the rental period.

180. Any unanticipated impact that occurred during the construction of the road (such as additional land and other assets acquisition, unavoidable stoppage of business during the construction) will be compensated as per the entitlement matrix. Assets affected due to the road works will be compensated by the contractor as per the Contractor’s third party insurance provisions. (Annex 6-1)

181. The following Project-specific Entitlement Matrix details the entitlements agreed for this Project:

**Table 6-1: Project-specific Entitlement Matrix**

No	Asset	Displaced Person	Compensation Entitlements
<b>Permanent Loss</b>			
1	Agricultural land (all losses irrespective of severity)	Individual land-use rights holders	Cash allowance for loss of land use rights equal to net income in the last 5 years generated from the affected land area at market rate at the time of taking; or Provision of alternative land plot of equal value / productivity to plot lost. If the remaining portion of the plot to be taken is too small to use, the whole plot is compensated or exchanged.
		Collective land-use rights holders	Cash allowance for loss of land use rights equal to net income for the last 5-years generated from the affected land area at market rate at a time of revocation; or

<sup>17</sup> The poverty line is taken as TJS 448 per month, based on the poverty line published by World Bank for Tajikistan in October 2015 of \$ 57 per month, and an exchange rate of TJS 7,8696 per USD.

No	Asset	Displaced Person	Compensation Entitlements
			Provision of alternative land plot of equal value / productivity to plot lost. If the remaining part of the plot to be taken is too small to use, the whole plot is compensated or exchanged.
		Renters and leaseholders	Rental allowance in accordance with the conditions of the rent agreement, but not less than the cost of rent for 3 months; or Continuation of rental agreement on alternative land plot or cash allowance for the lost income equivalent to 1 year of average crop productivity.
		Informal (if any) <sup>18</sup>	Provision of opportunity to lease a plot on state land. Relocation allowances.
2	Residential and commercial land	Owners	Cash allowance for loss of land use rights in cash equal to current annual land lease rates at the time of acquisition multiplied by 25; or Provision of alternative land plot of equal value / productivity (similar conditions and facilities) to plot lost. If the residual portion of the plot to be taken is too small to use, the whole plot is compensated or exchanged.
		Renters	Rental allowance in accordance with the conditions of the rent agreement, but no less than the cost of rent for 3 months, or Continuation of the rental agreement an alternative land plot.
		Informal (if any)	Provision of opportunity to lease a plot on state land. Relocation allowance if applicable.
3	Buildings and structures	Owners of structures including <b>“informal” and encroaching</b>	Cash compensation at replacement rate for affected structure / other fixed assets (without deduction of depreciation, taxes, costs for salvageable materials and other transaction costs). All buildings and structures will be compensated in their entirety; or According to the owner’s choice, if feasible, a building for building / structure for structure exchange.
		Renters	Rental allowance in accordance with the conditions of the rent agreement, but not less than cost of rent for 3 months; or Continuation of the rental agreement for an alternative building/structure.
4	Crops	All DPs, including “informal” and encroaching	Cash compensation equal to gross income generated on the affected land area for 1 year at market rate at time of revocation. No compensation for land will be paid.
5	Trees	All DPs, including “informal” and encroaching	Compensation reflecting income replacement. Cash compensation for productive trees based on the net market value of 1 year of income multiplied by the number of years to grow a tree to a similar level of productivity, plus purchase of saplings and starting materials.
6.	Business and employment (temporary and permanent)	All DPs (including workers of affected businesses	Owners of shops / commercial establishments: In case of permanent loss, compensation equal to 1 year net income (lost profits) plus cost of lost certificates / licenses / patents. The income is based on the official tax declaration, or (if tax declaration is unavailable) it is accepted as the official monthly average wage <sup>19</sup> multiplied by 12. In case of the temporary loss of a business, compensation equal to the net income for the period of disruption (<1 year). The income is based on the tax declaration, (or it is calculated based on the monthly average wage multiplied by the number of months since the operation was disrupted (less than 12 months).

<sup>18</sup> Landless DPs without any rights-to-use land living on income from the illegally used land plot. The DPs owning land adjacent to the illegally used parcel will be compensated for losses from the illegally used part as per the entitlement matrix.

<sup>19</sup> Official average monthly wage for April 2016 is **931.90** TJS/month and reported within macroeconomic indicators by the Agency on Statistics under President of the Republic of Tajikistan. Available via: <http://stat.tj/en/macro-economic-indicators/> and <http://www.tradingeconomics.com/tajikistan/wages>

No	Asset	Displaced Person	Compensation Entitlements
			Workers indemnity for lost wages equal to 3 months' income. For temporary loss of employment, indemnity for lost wages for the duration of impact if less than 3 months.
7.	Relocation	Physically displaced households regardless of type of impact	Transportation allowance (cost of labor and vehicle rent to transport materials of the house/business structures to a new location). Communal and site preparation cost for the alternative land plot (including connection to power grid, water supply system, installation of latrine etc). Severity /livelihood rehabilitation allowance in the form of cash compensation equal to the official monthly average wage for 3 months.
8.	Public / common assets		Rehabilitation / substitution in kind or in cash at replacement cost of affected items and rehabilitation of their functions. Alternative service supplied, if cut off temporarily.
9.	Vulnerable households	DPs receiving government assistance for poor, single women-headed HH below poverty line, elderly households with no means for living, households with disabled head or other HH members.	Allowance equivalent to official monthly average wage for 3-months; Enrolment in Government social assistance, if not yet enrolled; Priority in project-related employment for members of vulnerable households (if at legal working age).
<b>Temporary Loss</b>			
10.	Temporary impacts	All relevant DPs	For other unforeseen and temporary impacts other than stated above, ADB SPS (2009) general principles and objectives will be used as the minimum benchmarks and appropriate impact mitigation measures will be sought to meet them. The payment for rented land during the construction, will be based on the market price under negotiated agreement. After discontinuation of land use, the land must be restored to the original status, or as per the agreement with the land rights holder <sup>20</sup> .
<b>Unanticipated impacts</b>			
11.	Other unanticipated assets loss or impact on livelihood	All DPs residing in the project corridor before the cut-off-date.	Compensated as per the Project specific entitlement matrix.

## 6.5 Income Restoration and Relocation Strategy

### Income Restoration and Relocation Strategy

182. A total of one residential home, one travelers' dormitory/restaurant, one restaurant, one rented small kiosk and one non-operating petrol station will be demolished. The DPs from the affected residential home will rebuild their property on the remainder of their land plot. The DPs stated that they will need 2-3 months to build a new home. They will need to rent a home in the village for the duration of this period. During the DMS and census, the villagers stated that there are homes available for rent at a cost of \$100 per month. As the affected household has nine family members, they will need to rent a larger house for 3 months. The AHs will receive monetary compensation for the loss of their land use right, house and supporting buildings and structures, calculated at

<sup>20</sup> In the case that the Contractor and Land-use rights holder both agree in writing to leave the land area in a state precisely described in the agreement.

replacement cost, inclusive of all administrative costs such as the cost of a technical passport for buildings, land use right certificate for the remaining area and any other related costs. In addition, the displaced household will receive a severity/livelihood rehabilitation allowance equal to the official national monthly average wage for 3 months.

183. To restore their livelihood, the owner of the dormitory/restaurant to be demolished, and his relative who runs the business, will receive compensation for loss of land use right and loss of buildings and structures at replacement cost as per the entitlements matrix, and a severity/livelihood rehabilitation allowance equal to the official national monthly average wage for 3 months. The DP losing the dormitory/restaurant business (he does not pay rent to his relative) will receive cash compensation equal to 1 year of net income (lost profits) plus the cost of lost certificates / licenses / patents. The income will be determined according to their official tax declaration, or (if tax declaration is unavailable) it will be taken as the official national monthly average wage<sup>21</sup> multiplied by 12.

184. The owner of the restaurant to be demolished will receive compensation for loss of land use right and loss of buildings and structures at replacement cost as per the entitlements matrix, and a severity/livelihood rehabilitation allowance equal to the official national monthly average wage for 3 months. The owner was satisfied that the restaurant is going to be demolished as, in his words, he will make a new one. A small strip of land is affected, so the remaining plot is sufficient for the re-building of a new restaurant. There are 3 registered workers in the restaurant. They are entitled to compensation for the loss of employment equal to their officially declared salaries or if data is not available, compensation equal to three national average salaries.

185. The renter of a small kiosk selling water/juice cancelled her patent a month ago due to the Project. Regardless of the patent, she will receive compensation equal to the official national monthly average wage, multiplied by three. She will be able to resume her business activities somewhere else in a very short time. The owner of the kiosk (a relative who does not take rent for the kiosk) will receive compensation for loss of land use right and loss of kiosk at replacement cost as per the entitlements matrix and a severity/livelihood rehabilitation allowance equal to the official national monthly average wage for three months.

186. The petrol station to be demolished was not operating at the time of the DMS. Nevertheless, the income tax department shows information on taxes regularly paid for the business operation. Consequently, the compensation for business losses are calculated. The owner of the petrol station will receive compensation equal to the replacement cost for buildings and structures, compensation for loss of land use right and a severity/livelihood rehabilitation allowance equal to the official national monthly average wage for 3 months. The owner will keep the remaining land plot and develop other businesses.

187. The DPs with affected agricultural land, owners and renters, will receive cash compensation as per the agreed entitlements for this Project. The Project will only affect narrow strips of land, so their livelihoods and income will not be severely affected. Only one DP requested compensation on a land-for-land basis. The DP owns a petrol station, a shop selling agricultural machinery and a light construction samosa tandoor. A strip of land and the fence of the shop next to the petrol station will be affected. The DP will request that the Hukumat considers the possibility of replacing the land, if feasible.

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<sup>21</sup> The official national average monthly wage for April 2016 is 931.90 TJS and is reported within macroeconomic indicators by the Agency on Statistics under the President of the Republic of Tajikistan. Available via: <http://stat.tj/en/macroeconomic-indicators/> and <http://www.tradingeconomics.com/tajikistan/wages>

## **7 INSTITUTIONAL ARRANGEMENTS**

### **7.1 General**

188. The planning, preparation and implementation of the LARP involves distinct processes and different parties. This chapter details the core agencies and organizations involved, as well as their roles and responsibilities during the land acquisition and resettlement activities.

189. Various State Agencies and Institutions are responsible for different functions in the LAR processing and implementation. The Land Code stipulates that the decision for LAR for state and public needs is made by the local state authority (district authority) or, for major infrastructure projects, the decision on LAR may be approved by the Government. More specifically, the Prime Minister Office, which is inter alia in charge of construction/infrastructure projects, endorses LAR related decisions, including compensation packages.

### **7.2 Core Agencies and Organizations**

#### **Asian Development Bank**

190. The Asian Development Bank (ADB) will be the funding agency of the Project. In addition to funding, ADB will periodically review the Project and LARP implementation as well as provide clearance for contract awards and the signing/initiation of civil works on the Project. The main responsibilities of ADB are: guidance for LARP preparation, approval and disclosure of the LARP and issuance of a no objection letter for the beginning of the construction works.

#### **The Ministry of Transport /PIURR**

191. The Ministry of Transport (MoT) is the Executing Agency. The MoT has the overall responsibility for the Project in areas such as preparation, implementation and financing of all LAR tasks, cross-agency coordination, management, monitoring and evaluation of all project implementation aspects, including procurement of goods, services, and works on the projects. In particular, the MoT will:

- appraise and approve the LARP after upon ADB's approval;
- make decisions related to the land acquisition and compensation of affected people;
- steer government units as well as local authorities involved in land acquisition, plot allocation and complaint handling / grievance resolution;
- ensure availability of sufficient budget for compensation, support and resettlement activities;
- ensure compliance of land acquisition and resettlement activities with the approved LARP;
- ensure engagement of experts / consultants to assist in verification / finalization of LARP as well as implementation of LARP monitoring/evaluation activities;
- ensure cross agency coordination and liaison with relevant state agencies involved in implementation of all LAR tasks;
- make high level decisions, including resolving DPs' grievances and facilitating court processes.
- responsible for establishing the grievance redress committee.



### **The Project Implementation Unit for Road Rehabilitation (PIURR)**

192. The MoT has the Project Implementation Unit for Road Rehabilitation (PIURR) which is the Implementing Agency. The PIURR will, during the duration of the Project, ensure the operation of the project implementation unit and adequate resources and skilled personnel. The PIURR employs staff with extensive experience in managing ADB Projects including a full time designated safeguards specialist who, with assistance from other designated officials as necessary, will be managing the implementation of the LARP, including co-ordination of the work of all involved agencies. The PIURR Social Safeguard Specialist is responsible directly to the PIURR Director. The PIURR Social Safeguards Specialist is responsible for:

- cross-agency coordination and cooperation
- liaison between the resettlement specialists of the Supervision Consultant, other relevant organizations, agencies and government authorities and ADB with respect to LAR tasks
- verification of the list of DPs based on the final design;
- updating a database of DPs and impacts based on the verification results;
- maintaining regular coordination and communication with relevant state agencies;
- following up and providing support during notification of DPs on upcoming land/property acquisition;
- providing support during verification of the DP census and socioeconomic survey data, and valuation of the land and other assets to be acquired;
- preparing documents for negotiation of compensation with the DPs;
- preparing documents for formalizing agreements with DPs, processing of compensation payments, following up with registration of land / property titles;
- conducting regular consultations and exchange of information with DPs on the implementation of the LARP;
- disclosing the LARP and the information brochures;
- reviewing and issuing the LARP to ADB for review;
- planning and managing LARP implementation and the distribution of compensation;
- following up with expropriation cases;
- assisting in receiving, recording, resolving and reporting of grievances related to land / property acquisition process and other issues related to the Project and coordinate with the local authorities;
- ensuring proper internal monitoring;
- monitoring/supervising the temporary land acquisition carried out by contractor(s) engaged for the project;
- preparing regular reports on the progress of LARP related activities.

### **The Ministry of Finance**

193. The Ministry of Finance (MoF) has the overall financial responsibility for the Project. The LARP budget and compensation payments will be endorsed by the Ministry of Finance. The MoF is responsible for allocating the compensation budget for government projects. It basically performs well when and if the compensation budget is considered and included during the annual budgeting process. The Ministry of Finance acts based on requests coming from an EA and transfers funds to the EA for compensation based on the supporting documents, i.e. endorsed LAR related documents. However, EAs/projects usually face problems getting funds allocated for LAR mid-year because the budget does not have any assigned funding for LAR even if the project is included in strategic documents.

### **Ministry of Agriculture**

194. The Ministry of Agriculture has the responsibility, together with the local authorities, to provide the data on cropping patterns in the Project area, productivity of lands and other data relevant for calculation of compensation for loss of right to use land, fruit trees yield and other affected crops.

### **State Committee for Land management and Geodesy (SCLMG):**

195. During the impact assessment, when land user data is concerned, land specialists from SCLMG subdivisions at district and jamoat levels provide information on ownership/use rights and propose the replacement land plot for DPs. The central office of the CLMG, through its subdivisions like “*Markaz Zamin*” or “*Fazo*”, deals with the transfer of land use rights from land users to the EAs. Based on the National Law on State Registration of Immovable Property and Rights to it a Unified Registration System (URS) was created under SCLMG, which combines functions of several institutions such as Mezhraion (Inter-district) Bureau of Technical Inventory (MBTI), the Ministry for Justice and some of the functions of local government offices into a more efficient and streamlined registration authority. There are 34 URS offices operating at district and city level in the country. During the LARP preparation and implementation phases, the agency will provide the following services:

- together with the DMS and valuation teams visit each affected property, provide information on the right to use land and verify the documents on ownership use rights;
- participate in the technical inventory of the immovable property and assist in preparation of the ownership certificates for the remaining immovable assets;
- enable objective valuation of affected immovable assets by providing information necessary for the valuation.

### **State Unitary Enterprise for Valuation (SUE) ‘Narkhguzori’.**

196. All agencies involved in the appraisal process should be licensed to perform such services. Of all the pricing and valuation entities functioning in the country, both independent and state-owned, the State Unitary Enterprise (SUE) “*Narkhguzori*” (pricing) under the State Committee on Investment and State Property Management is the only licensed institution performing valuation services for huge infrastructure development projects. During the LARP preparation, the valuers of the SUE ‘Narkhguzori’ will:

- Valuate all state owned assets, valuate project affected residential, commercial or industrial buildings (and the functional land plot associated with the structures).

### **District Authorities**

197. District level authorities are responsible for general LAR cases. The district authorities base their review and decisions for LAR on planning documents and other designs, as well as approved feasibility studies. District authorities should work closely with the client’s valuation/assessment teams who prepare the documents necessary for LAR. These documents include the impact details for APs, the unit cost per type of impact and a list of APs for compensation. The district office representative of the Ministry of Agriculture values the loss of crops and fruit trees, the district office representative of the Committee on Environment Protection values wood trees, the district office representatives of the Ministry of Labor and Social Protection and Tax Committee value the loss of income/business/job. Valuation of structures/buildings and other tangible assets require a special valuation license; therefore, this task is contracted out to SUE “*Narkhguzori*”. The impact assessment should be verified/signed and stamped by relevant district level agencies (chief architect, head of agriculture department, head of land management committee, MBTI etc.) Based on the list of APs the district level authorities prepare a request letter for compensation payment and send it to the EA for further action.

### **The Local Executive Government Districts (Hukumats)**

198. The District (Hukumat) is the local administrative body, established in all cities and rayons. It is under the rayon level and above the jamoat level. The hukumat is led by a chairperson who has a wide range of responsibilities and authorities including land management, housing and infrastructure, social security, law and order, healthcare and production. The planning and implementation of any LAR activities related to land and assets is done through districts’ authorities (Hukumats). This is the

local administration that has a direct link with the people through sub-districts '*Jamoats*' and heads of communities. In relation to land and immovable property administration, the Hukumat assists the concerned departments in resolving issues such as allocation of land use rights, and decisions on acquisition of land use rights and allocation of alternate sites for resettlement.

## **Jamoat**

199. The jamoat is the sub-district level local authority and is instrumental during impact assessment by identifying/verifying land users and their type and ownership/use status. The jamoat also re-confirms the names of DPs, etc. While district level authorities officially endorse the list of DPs, the jamoat level authorities are the front-line force working with the surveyors to identify the impact. The Land Code of the Republic of Tajikistan (Article 8) defines the land-related role of jamoats as follows:

- assignment and confiscation of land;
- establishment and approval of the size of privately tilled household plots within the norms specified in Article 71 of the Code;
- registration of titles to land use and land-lease agreements;
- keeping of household registers;
- control over land use and land protection.

## **City and Town Local State Executive Authorities**

200. These are the bodies of local government in the cities and towns. Their functions in relation to LAR are basically the same as those of district authorities and depending on the scope of the project entailing LAR, the relevant critical decisions may be taken either at the city/town level or by the national Government.

## **LAR Committee and Other State Agencies**

201. The main role of the LAR Committee is identification of impact and valuation of lost assets. The LAR Committee is comprised of representatives from the PIURR, District Commission for Land Acquisition, State Architecture, State Committee on Investment and State Property Management, State Unitary Enterprise for Housing and Communal Services, relevant local governments such as jamoats and hukumats, representatives of Dekhan farms, environmental department, PPTA safeguards team and others. The LAR Committee seeks to ensure due diligence in the implementation of the detailed measurement survey (DMS), census of the displaced persons and valuation of acquired assets. The LAR Group ensures that the DMS and valuation results are technically comprehensive and comply with ADB social safeguard requirements as well as the relevant norms of the Republic of Tajikistan.

202. The main responsibilities of the LAR Committee are to:

- prepare the preliminary list of displaced persons and affected assets;
- conduct a DMS for each asset affected;
- prepare an inventory of losses;
- identify non-formal assets, businesses and illegally used land;
- check necessary documents to establish the legal status of affected assets;
- value affected assets in accordance with the laws and legislations of the Republic of Tajikistan and ADB SPS (2009) requirements;

- assist in the resolution of grievances by visiting the location, of the grievance, assist the GRC by suggesting solutions to the grievance and participating in the GRC meetings when required.

203. The State Committee for Land Management and Geodesy (SCLMG) is the central government body with executive power for land management. It was approved by Order No. 225 of the Government of the Republic of Tajikistan on 3 May 2010 and it determines the general and special properties of authenticity of the documents provided for completion of the state registration of real estate and the rights to it. This Committee, together with the state enterprises under its control, is responsible for:

- managing survey work including land cadasters, geodesy, aerial imagery and topographic mapping
- controlling the use and protection of land, geodesy, and further development of the level of government geodetic control, aerial imagery and mapping activities
- undertaking government activities on land management, land cadaster, geodesy, aerial imagery, mapping
- undertaking surveying and land plot formation activities
- registering land use rights and implementation of land reform
- preparing and issuing of Land Use Right Certificates<sup>22</sup>
- acquiring land as requiring by the state, registering changes of land users and allocating new land plots
- surveying the land plots, that are the subject to land use rights
- developing projects for allocation of land use rights for non-agricultural needs
- implementing land assessment work, soil assessment and economic valuations of land.<sup>23</sup>
- providing a technical inventory of residential houses, buildings, apartments and state companies
- providing technical inventory and valuation of affected structures, and
- providing registration of ownership and preparation of an Ownership Certificate for immovable assets.

### **Construction Supervision Consultants**

204. The Construction Supervision Consultants (CDS) will assist PIURR to:

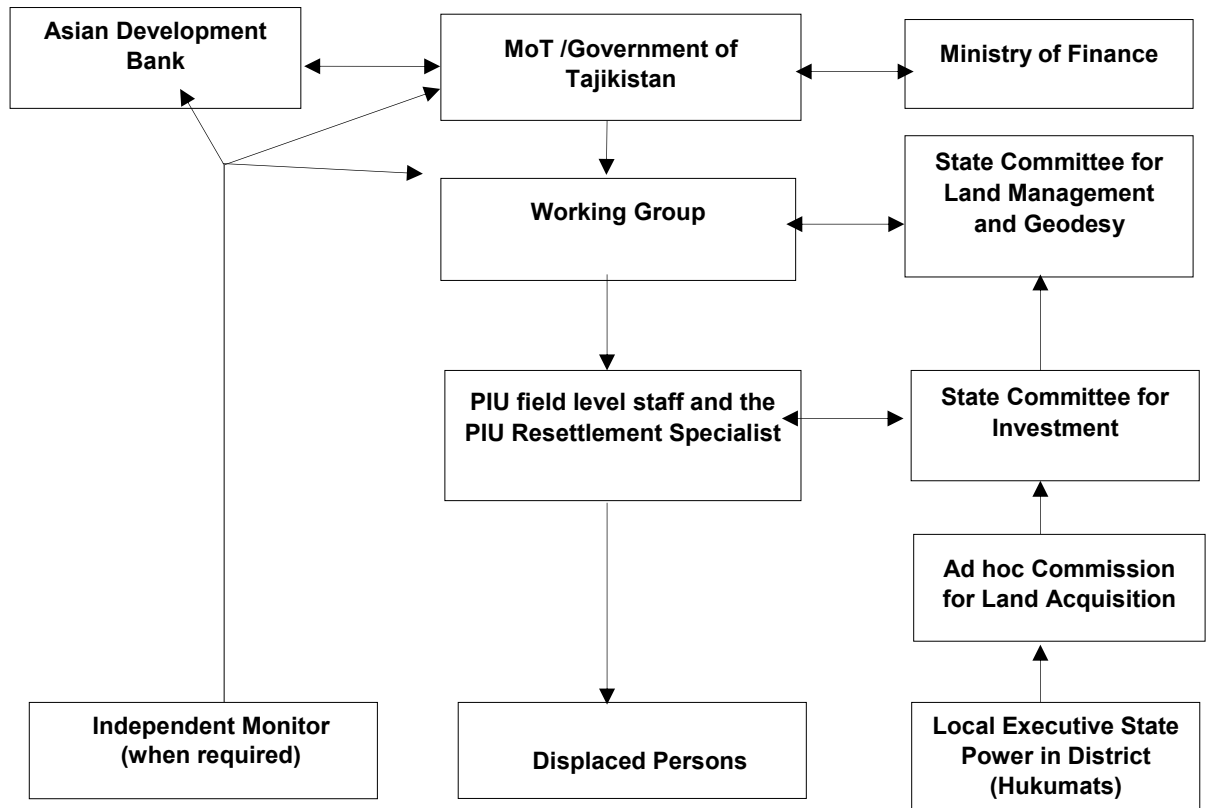
- Prepare and supervise the consultations, disclosure of information and documents, detailed measurement survey, census and socioeconomic survey related to the finalization of the LARP;
- Coordinate with the licensed valuator in the conduct of official valuation of affected assets to ensure that these are conducted following the replacement cost principles of the ADB SPS (2009);
- Ensure complete relocation or reconstruction of affected structures / businesses before civil works commencement and payment of appropriate compensation before displacing the DPs;
- Monitor RP implementation process, provide data and support to PIURR during preparation of quarterly monitoring reports on RP implementation and monitoring activities;
- Inform the PIURR on the issues and bottlenecks that arise during LARP implementation and monitoring, and provide recommendations and suggestions on solution of such issues;
- Control the activities of Contractor(s) and Subcontractor(s), including implementation of mitigation measures, temporary land acquisition, etc.;
- Provide advice to PIURR on LAR issues and grievance redress;
- Study, communicate to PIURR and implement immediate remediation in case of any non-compliance with the RP.

<sup>22</sup>This is a legal document that verifies the title holding of any parcel of land.

<sup>23</sup> Government Decree No.590, dated 28 December 2006 provides the details of the roles and responsibilities, organizational structure and its associated enterprises.

205. The institutional arrangement for the implementation of the LARP is presented in the following figure.

**Figure 7-1: Institutional Arrangements**



## 8 RESETTLEMENT PLAN BUDGET

### 8.1 Background

206. This chapter describes the methodology adopted for the determination of unit rates, cost of LAR and compensation that will be paid to DPs for resettlement impacts caused by the Project. The compensation entitlements of different categories of DPs presented in this chapter have been defined according to the ADB SPS 2009 requirements and the applicable laws of the Republic of Tajikistan. The compensation rates for buildings, structures and fruit trees, were determined by a certified independent valuator. All land in Tajikistan belongs to the government and therefore, there is no official land market, nor established value of land. As accepted for all ADB Projects, compensation is paid for the loss of land use right. Compensation for loss of land use right is based on the Hukumats' data on the yearly yield of different crops grown in the area. The value of lost businesses' profit is based on data received from the Taxation Committee of the Republic of Tajikistan issued in Khuroson Hukumat.

207. The Detailed Measurement Survey (DMS) of affected assets was based on the preliminary design. The DMS was conducted between June 30 and July 16, 2016, by the raisi mahele (chief of the affected villages), jamoats representatives, land committee representative, road maintenance department, PIURR resettlement engineer, and international and national resettlement specialists, with the participation of the DPs.

208. The design for the junction at Pk 95+00 – 102+00, was not completed at the time of the DMS. The impact on junction's agricultural land, mostly used for maize cultivation, was assessed as 28,000 m<sup>2</sup> of agricultural land (40m x 700m). The impact will be updated when the design for the junction is completed. In accordance with the ADB's SPS 2009 requirements, the current ground situation measured is based on the actual size of the assets used by the AHs at the time of the measurement. The design engineering consultant engaged a licensed valuation company to independently evaluate affected buildings, constructions, and other immovable assets except land. The following paragraphs outline valuation methodology and compensation for each type of affected assets.

### 8.2 Compensation for Land and Trees

#### Land valuation

209. Privately owned lands will be compensated in cash based on the current market value of crops grown on the affected land, multiplied by 5 years. In order to avoid large differences in price for loss of land use right caused by the market value of different types of crops planted in the period of the DMS, the value of all crops affected in the Project area was aggregated, and one average 'land price' was established. In this way, for example, two neighbors with the same quality of land will receive the same amount per m<sup>2</sup>, regardless of the standing crop. In addition to compensation for loss of land, the DPs will receive a compensation for loss of crops. The loss of 1 year's yield will be compensated as per actual crop grown during the DMS. In this way, the compensation will not be dependent on individual 'luck' arising from the choice of a more expensive crop to grow in the period of the DMS.

210. The price for 1 m<sup>2</sup> of agricultural land for this Project was set at TJS 9.294 (USD 1.18). The following calculation was used to determine the price of agricultural land:

### 8-1: Calculation of the Land Use Right Price for Agricultural Land

Crops in the Project area	Average yearly yield (kg/ha)	Average yearly yield (kg/m <sup>2</sup> )	Total yield for 5 years (kg/m <sup>2</sup> )	Average price per TJS/kg	Price per kg/m <sup>2</sup> for 5 years (TJS)
Wheat	4,320	0.432	2.16	2	4.32
Maze	5,540	0.554	2.77	2	5.54
Potatoes	24,030	2.403	12.015	1.5	18.02
<b>Total</b>	<b>33,890</b>	<b>3.389</b>	<b>16.945</b>	<b>5.5</b>	<b>27.88</b>
<b>Price per m<sup>2</sup> =TJS 9.294</b>	TJS 9.294 =USD 1.181232 on 21.07.2016, The National Bank of Tajikistan				

211. The calculation of the price for fallow land and land used to cultivate fodder is based on the price of fodder multiplied by 5 years. The calculation is as follows:

### 8-2: Calculation of the Land Use Right Price for Fodder and Fallow Land

Crops in the Project area	Average yearly yield (Kg/ha)	Average yearly yield (Kg/m <sup>2</sup> )	Total yield for 5 years (kg/m <sup>2</sup> )	Average price per TJS/Kg	Price per kg/m <sup>2</sup> for 5 years (TJS)
Fodder and fallow land	16,000	1.6	8	0.8	<b>6.40</b>
Price per m <sup>2</sup>	<b>TJS 6.4</b> =USD 0.8134 on 21.07.2016 The National Bank of Tajikistan				

212. The valuation of commercial and residential land is based on the taxes paid for the land multiplied by 25 years. The price used for previous ADB projects was set as \$2.5/m<sup>2</sup>. This price is used for valuation of the loss of land use rights for residential and commercial land.

### Valuation of Trees

213. The calculation of losses for fruit trees and saplings was carried out using the following approaches:

- The cost of saplings of fruit trees is based on the price of saplings in the nurseries;
- The cost of fruit-bearing trees is based on the net annual harvest from the tree(s) for the number of years needed for replacement tree(s) to reach comparable production.
- Wood trees are not commonly compensated in Tajikistan but DPs keep cut trees.
- Decorative trees will be replanted as part of the Project during the construction phase. As such, no compensation cost was calculated for these types of trees.

### Compensation for Loss of Land Use Rights

214. The total compensation to be paid to agricultural land users amounts to 127,876.25 TJS, residential land users will receive 35,631.02 TJS, and commercial land users will receive 333,894.32 TJS. Acquired fallow land and land used to cultivate fodder amounts to 120,960 TJS. Table 8-3

details compensation for loss of land use right. No compensation for loss of illegally used land is calculated and local government/ state land.

**Table 8-3: Compensation for Titled Land**

Type of land	No of plots	Affected area (m <sup>2</sup> )	Cost per m <sup>2</sup>	Total Cost (TJS)	Total Cost USD
Agricultural	22	117,376.25	9.29	1,090,894.87	138,646.05
Agricultural estimate for junction		10,500.00	9.29	97,587.00	12,402.71
Residential	8	1,811.44	19.67	35,631.02	4,528.48
Commercial	20	16,974.80	19.67	333,894.32	42,435.92
Fallow and fodder	3	11,523.00	6.40	73,747.20	9,372.82
<b>Total</b>	<b>53</b>	<b>158,185.49</b>		<b>1,631,754.41</b>	<b>207,385.99</b>

#### Compensation for Loss of Produce

215. The total compensation to be paid to DPs losing standing crops amounts to 18,710.40 TJS (USD 2,377.98). Table 8-4 details compensation for loss of crops from the affected parts of land.

**Table 8-4: Compensation for Loss of Crops**

Affected land under crops (m <sup>2</sup> )	Type of crop	Average crop productivity kg/m <sup>2</sup>	Market price TJS/kg	Total cost for lost crops TJS	Total cost for lost crops USD
209	Wheat	0.432	2	180.58	22.95
176	Wheat	0.432	2	152.06	19.33
120.75	Wheat	0.432	2	104.33	13.26
252	Maize	0.554	2	279.22	35.49
1159	Chamomile	1.6	0.8	1,483.52	188.55
1072	Maize	0.554	2	1,187.78	150.96
462	Potatoes	2.403	1.5	1,665.28	211.65
280	Maize	0.554	2	310.24	39.43
40	Fodder	1.6	0.8	51.20	6.51
425	Maize	0.554	2	470.90	59.85
1550	Maize	0.554	2	1,717.40	218.27
34	Maize	0.554	2	37.67	4.79
154.5	Maize	0.554	2	171.19	21.76
186	Maize	0.554	2	206.09	26.19
30	Maize	0.554	2	33.24	4.22
210	Maize	0.554	2	232.68	29.57
827	Fodder	1.6	0.8	1,058.56	134.54



	10,500 <sup>24</sup>	Wheat	0.432	2	9,072	
	343	Wheat	0.432	2	296.35	37.66
<b>Total</b>	<b>8,357.25</b>				<b>18,710.40</b>	<b>2,377.98</b>

### Compensation for Fruit Trees

The compensation to be paid for fruit-bearing trees affected by the Project amounts to 892,587 TJS. All affected trees and saplings, whether grown on legally or illegally used land, will be compensated. (Table 8-5)

**Table 8-5: Compensation for Fruit Trees**

No of AHs	No of affected trees and saplings	Compensation (TJS)	Compensation (USD)
39	1,975	892,587	113,442.34
	622		
Total	2,572		

### 8.3 Compensation for Buildings, Structures and Improvements

#### Valuation Approach

216. The compensation for alienated buildings and structures was calculated for both, the owners of legal structures and the users of illegal ones. The replacement costs for buildings and structures was determined by calculating the construction cost of a similar new building/structure, for the same use and materials, based on market prices. All necessary taxes, fees and costs for obtaining the documents for registration of land, design of a new building, cost of technical passports and other related documents to establish the ownership, are included in the replacement cost price.

#### Residential Buildings and Structures

217. In total, 343,412 TJS (\$43,645.56 ) will be paid to the owner of one affected residential building, his four supporting structures, and affected fences, walls and a paved area, which will be lost as a result of land acquisition. Table 8-6 details compensation for the affected residential buildings and structures.

<sup>24</sup> Estimated crop losses from the land taking for the not yet designed junction

**Table 8-6: Compensation for Residential Buildings**

Structure type	No	Affected unit (m <sup>2</sup> )	Cost (TJS)	Cost (USD)
<b>A. Residential main buildings</b>				
Residential house	1	154	267,652	34,016.93
<b>B. Auxiliary residential buildings</b>				
Barn, storages, fence, gates, improvements and other structures	4	74.2	75,760	9,628.63
<b>Total</b>	<b>5</b>	<b>228.2</b>	<b>343,412</b>	<b>43,645.56</b>

#### Compensation for Non-Residential Buildings and Structures

218. In total, the DPs will be paid 2,147,272 TJS for six affected main buildings and 50 supporting business buildings, fences, sheds and other land improvements. The compensation is calculated for both, legal and informal owners of affected buildings and structures.

**Table 8-7: Non-residential Buildings and Structures**

Type of structure	No of structures	No of AHs	Cost (TJS)	Cost (USD)
<b>A. Main Non-residential Buildings and Structures</b>				
Petrol station	1	1	401,842	51,071.66
Restaurant	2	2	639,112	81,227.22
Shop/kiosk	1	1	27,178	3,454.16
Non-operating samosa tandoor	1	1	2,989	379.88
Unfinished business building	1	1	60400	7,676.47
All ancillary structures, fences, paved areas and improvements	50		1,015,752	129,095.85
<b>Total</b>	<b>56</b>		<b>2,147,272</b>	<b>272,905.11</b>

#### 8.4 Asset Registration Costs

219. Under the LARP, there will be no deductions from the compensation paid to DPs. During the signing of acquisition contracts and the re-registration of properties, certain mandatory fees and taxes are payable according to the laws of Tajikistan. Such fees are related to re-registration of the remaining parts of land, registration of a new land plot, registration of buildings and structures (residential, or non-residential), and registration of businesses at new locations. The DPs will be paid 169,500 TJS for registration of assets and obtaining new documents.

**Table 8-8: Assets Registration Costs**

Type of expenses	Documents	Cost (TJS)	Cost (USD)
Residential building	Certificate	1,000	127.09
	Design	5,500	699.02
	Technical passport	1,500	190.64
	Land certificate	1,500	190.64
Petrol station	Certificate	3,000	381.28
	Design	8,000	1,016.75
	Technical passport	5,000	635.47
	Land certificate	1,500	190.64
Restaurants (two)	Certificate	15,000	1,906.41
	Design	12,000	1,525.13
	Technical passport	6,000	762.56
	Land certificate	1,500	190.64
Shop	Certificate	1,000	127.09
	Design	7,500	953.20
	Technical passport	2,000	254.19
	Land certificate	1,500	190.64
Land only	Land certificate (64)	79,500	10,103.96
<b>Total</b>		<b>153,000</b>	<b>19,445.36</b>
1USD=	7.8682		

## 8.5 Compensation for Business and Income Losses

### Valuation Approach

220. All affected businesses, regardless of legal status, are to be compensated for their losses. Compensation for legal entity (registered businesses) is calculated as per the tax declared income. There are three tax-declared affected businesses (two restaurants and a petrol station) and one patent-based business (water and soft drinks selling shop) which will be affected due to demolishing of the main business building. In addition, two more businesses will be temporarily affected due to loss of a samosa tandoor oven. There is one informal business affected (makeshift water and soft drinks selling shop) which will restore the business operation in a couple of hours. The patent holders commonly do not have demonstrable accounting records. In the absence of recorded income, compensation is based on the average national monthly income.

### Business Losses

221. The total amount of compensation for loss of income from affected businesses amounts to 97,219 TJS (USD 12,355.94). Table 8-9 details compensation for affected business.

**Table 8-9: Compensation for Businesses**

No of AHs	No of DPs	Type of Business	Period of impact (months)	Average yearly profit (TJS)	Average yearly profit (USD)
1	8	Restaurant	12	8,160	1,037.09
1	8	Restaurant	12	28,056	3,565.75

1	6	Petrol station	12	53,628	6,815.79
1	8	Water and juice selling shop	3	4,500	571.92
1	6	Tandoor	0.5	1,125	142.98
1	15	Tandoor	0.5	1,750	222.41
<b>6</b>	<b>51</b>		<b>40</b>	<b>97,219</b>	<b>12,355.94</b>

## Income Losses

222. There are three (according to the owner's statement) registered affected workers. The workers are still to hand in their patents and other related documents to support their claims, as the Government of Tajikistan does not approve compensation for non-registered workers. All legal workers losing employment, whether permanently due to the demolishing of the main business building, or temporarily due to the relocation of the business container/kiosk, will be compensated for losses. (For entitlements, please refer to the entitlement matrix). In total, affected workers will be paid 8,405.10 TJS.

## 8.6 Allowances

### Severe Impact Allowances

223. Under this LARP, 14 AHs (134 DPs) will lose either a residential building, business buildings or more than 10% of their agricultural land. All AHs will receive an allowance for severely affected households which is calculated as three national minimum monthly salaries. The total compensation for all severely impacted AHs amounts to 39,224 TJS. The details are presented in table 8-10.

**Table 8-10: Allowances for Severely Affected Households**

Degree of Impact	Residential building	Business building owners	Business renters	Loss of 10% or more of agricultural land	Total No of AHs	Total allowances (TJS) 933.90x3 months (2,801.7 TJS)	Total allowances (USD)
	No of AHs	No of AHs	No of AHs	No of AHs			
Demolition of the main building/ Loss of 10% or more of agriculture land	1	4	3	6	14	39,224	4,985.10

### Allowances to Vulnerable Groups

224. Persons with disabilities and other health conditions are entitled to monthly social welfare benefits regardless of their gross per capita family income. There is one such a household which has nine family members, and they will lose their residential home. The family will receive an allowance amounting to three national average monthly salaries. The total amount to be paid in allowances for vulnerable groups is 2,801.7 TJS.

## Transportation Allowances

225. The calculation of the transportation allowances was based on the transportation price within the Project Rayons. Six households (owner of the residential building, two restaurants owners and two renters and petrol station owner) will receive 1,000 TJS each. The renter of the water selling kiosk has a smaller stock to relocate and will receive 500 TJS as a relocation allowance. The kiosk owner will not need to relocate the kiosk as it is located in his front yard. The owner of a non-working tandoor kiosk may need to relocate some salvageable material and will receive 500 TJS as a relocation allowance. The owners of affected buildings and structures where the building/structure needs to be demolished or dismantled, will be paid for the transport of their movable assets. There are three such businesses and one residential household. The allowance is calculated for all AHs that need to relocate their assets. In total, 6,000 TJS will be paid for the relocation of movable assets of AHs. (Table 8-11).

**Table 8-11: Transportation Costs for Movable Assets**

Type of allowance	Cost (TJS)
Transport cost for business and residential assets (8 AHs)	500-1,000
<b>Total</b>	<b>7,000</b>

## 8.7 Budget Summary

226. The total LARP implementation cost for the Project amounts to 6,287,690.39 TJS which is equivalent to \$ 799,126.91 as shown in the following table. Displaced persons will be paid 4,990,230.47TJS (\$634,227.71) which includes compensation for losses and applicable allowances. Table 8-9 shows a breakdown of compensation for owned and informal affected assets. The MoT will ensure that the compensation funds for land acquisition and resettlement are allocated in time for implementation of this LARP.

227. The LARP budget also includes miscellaneous expenses for administrative costs that will be incurred during the implementation of the LARP. This expense has been estimated and included in the budget as a single lump sum.

**Table 8-12: Budget Summary**

<b>Item</b>	<b>Total Cost (TJS)</b>	<b>Total Cost (USD)</b>
<b>I. Compensation Budget, Including Allowances</b>		
Compensation for land	1,631,754.41	207,385.99
Compensation for loss of crops	18,710.40	2,377.98
Compensation for buildings and structures	2,147,272.00	272,905.11
Compensation for trees	892,587.00	113,442.34
Compensation for business losses	97,219.00	12,355.94
Compensation for employment losses (subject to presentation of documents)	8,405.10	1,068.24
Allowances to severely AHs	33,620.40	4,272.95
Allowances to vulnerable groups	2,801.70	356.08
Home rental allowance for 3 months	2,360.46	300.00
Transport and loaders	2,500.00	317.73
Asset registration costs	153,000.00	19,445.36
<b>Sub-Total</b>	<b>4,990,230.47</b>	<b>634,227.71</b>
<b>II. Administrative Costs</b>		
Direct admin costs (5% of Sub-Total)	249,511.52	31,711.39
<b>Total</b>	<b>5,239,741.99</b>	<b>665,939.10</b>
Contingency 20%	1,047,948.40	133,187.82
<b>Total LARP Budget (TJS) and USD</b>	<b>6,287,690.39</b>	<b>799,126.91</b>
Exchange rate at 1 USD=7.8682 TJS The National Bank of Tajikistan on 21 July, 2016		

## 9 LAND ACQUISITION AND RESETTLEMENT PLAN SCHEDULE

228. This Chapter describes the steps taken to prepare the LARP and the activities required to ensure its successful implementation. For the timeline and implementation schedule please refer to Table 9-1.

229. The Implementing Agency (IA) will begin the implementation of the LARP immediately after its approval by ADB and the Government of the Republic of Tajikistan. The following are the particulars of the main LARP preparatory tasks:

- (vii) establishment of the official cut-off date as of 25 April 2016 (Annex 4-2)
- (viii) extensive consultations with key stakeholders and DPs;
- (ix) set entitlements and compensation amount based on the agreed entitlement provisions;
- (x) identification of impacts and number of DPs, conducting the detailed measurement survey;
- (xi) valuation of affected assets and determination of compensation amount and the LAR budget;
- (xii) preparation of the LARP document;
- (xiii) submission of the LARP to the PIURR and ADB for comments and approval.

230. As soon as the LARP is approved by ADB and the Government of Tajikistan, the IA, with the assistance of local authorities, will distribute draft contracts to DPs. PIURR will sign contracts with DPs for disbursement of compensation for affected properties as per the provisions set for the project. The compensation amount will be disbursed within 15 days of the contract signing. IA will give advance notice to the DPs and pay their due compensation based on the eligibility criteria defined in this LARP, and prior to the start of construction work. Grievances or objections (if any) will be redressed as per the grievance redress procedure presented in this LARP. All activities related to LAR (including ADB's notice of 'no objection' to the LARP implementation) will be completed prior to the commencement of civil works.

231. A timeline for LARP preparation, implementation and post implementation is summarized in Table 9-1 below. The timeline presented in the following table shows the distinct stages of LARP preparation, finalization and implementation as well as the major milestones in the LAR processes.

**Table 9-1: LARP Preparation and Implementation Schedule**

Establishment and announcement of the Cut-off Date	PIURR	25/04/2016	
Consultations, presenting project, GRM and basis of valuation approach	PIURR/ IR Consultant	26/05/2016	03/06/2016
Finalization of road alignment/design	Design Consultant		13/07/2016
DMS, census and valuation based on the final design	IR Consultant/ Valuators	30/06/2016	16/07/2016
LARP preparation and documentation	IR Consultant	16/07/2016	22/07/2016
PIURR review of LARP	PIURR	22/07/2016	25/07/2016
Submission of LARP to ADB for comments	PIURR	25/07/2016	
ADB review and comments	ADB	25/07/2016	31/07/2016
Finalizing LARP according to ADB comments	PIURR/ IR Consultant	01/08/2016	05/08/2016
Submission of finalized LARP to ADB for approval	PIURR	05/08/2016	
ADB approves LARP	ADB	05/08/2016	31/08/2016
Community consultations on summary of impact, LARP implementations schedule	PIURR/IR Consultant	01/09/2016	15/09/2016
LARP approval/no objection by the government	Government of the Republic of Tajikistan	15/09/2016	30/09/2016
Government approves LAR Budget	Government of the Republic of Tajikistan	30/09/2016	30/09/2016
Posting approved LARP on ADB and MoT websites	ADB and MoT	30/09/2016	30/09/2016
<b>LARP IMPLEMENTATION</b>		<b>30/09/2016</b>	<b>31/12/2016</b>
Draft contracts sent to DPs	PIURR	01/10/2016	15/10/2016
Signing contracts	PIURR/DPs	15/10/2016	31/10/2016
Disbursement of compensation	PIURR/DPs	01/11/2016	31/12/2016
Preparation of LARP Monitoring Report	EM	02/01/2017	01/02/2017
ADB reviews the LARP Compliance Report	ADB	01/02/2017	15/02/2017
ADB approves the LARP Compliance Report	ADB	15/02/2017	15/02/2017
Handing over of the site to the Contractor	PIURR	15/02/2017	
Commencement of civil works	Contractor	15/02/2017	
<b>CONTINUOUS TASKS</b>			
Monitoring: Quarterly monitoring reports	IM/ADB		
Grievances redress	PIURR/Jamoats		

DSC- Design Supervision Consultant; EM – External monitor; IM-Internal monitor; IR Specialist –Involuntary Resettlement Specialist



Table 9-2: LARP PREPARATION AND IMPLEMENTATION SCHEDULE

TASK	START	FINISH	2016										2017		
	26/04/2016	15/02/2017	April	May	June	July	August	Sept	Oct	Nov	Dec	Jan	Feb	March	
The Cut-off Date	26/04/2016		▲												
Consultations, presenting project, GRM and basis of valuation approach	26/05/2016	03/06/2016		▬											
Finalization of road alignment/design		13/07/2016			▲										
DMS, census and valuation based on the final design	30/06/2016	16/07/2016				▬									
LARP preparation and documentation	16/07/2016	22/07/2016				▬									
PIURR review of LARP	22/07/2016	25/07/2016					▬								
Submission of LARP to ADB for comments	25/07/2016						▬								
ADB review and comments	25/07/2016	31/07/2016					▬								
Finalizing LARP according to ADB comments	01/08/2016	05/08/2016					▲								
Submission of finalized LARP to ADB for approval	05/08/2016						▲								
ADB approves LARP	05/08/2016	31/08/2016					▬								
Community consultations on summary of impact, LARP implementations schedule	01/09/2016	15/09/2016						▬							
LARP approval/no objection by the government	15/09/2016	30/09/2016						▬							
Government approves LAR Budget	30/09/2016	30/09/2016							▲						
Posting approved LARP on ADB and MoT websites	30/09/2016	30/09/2016							▲						
<b>LARP IMPLEMENTATION</b>	<b>30/09/2016</b>	<b>31/12/2016</b>							▬	▬	▬				
Preparation of LARP Monitoring Report	02/01/2017	01/02/2017										▬			
ADB reviews the LARP Compliance Report	01/02/2017	15/02/2017											▬		
ADB approves the LARP Compliance Report	15/02/2017													▲	
Commencement of civil works	15/02/2017													▲	
Monitoring; Semiannual monitoring reports														▬	
Grievances redress														▬	
Activity	▬														
Major milestone	▲														
Continuous activities	▬														

## 10 MONITORING AND REPORTING

### 10.1 Monitoring and Reporting Requirements

232. While effective institutional arrangements can facilitate implementation, effective monitoring ensures that the course and pace of implementation continues as originally planned. The implementation of this LARP will be subjected to internal monitoring as the Project will not trigger a significant amount of involuntary resettlement. The ADB SPS 2009 considers involuntary resettlement impacts significant if 200 or more persons will be physically displaced from their home or lose 10% or more of their productive or income-generating assets. Internal monitoring will be conducted by the PIURR, assisted by the resettlement specialist of the Construction Supervision Consultant. Monitoring is vital for ensuring that the LARP is effectively implemented, unforeseen impacts related to land acquisition and resettlement activities are identified and appropriate measures to address the same can be taken in a timely manner.

233. ADB SPS 2009 requires monitoring and measuring the progress of implementation of the land acquisition and resettlement plan. It also requires the preparation of a semiannual monitoring report that describes the progress of the implementation of resettlement activities and any compliance issues and corrective actions. In accordance with ADB SPS 2009, both the borrower/client and ADB have their own monitoring responsibilities. Borrowers/clients are required to implement safeguard measures and relevant safeguard plans, as provided in the legal agreements, and to submit periodic monitoring reports on their implementation performance. ADB requires borrowers/clients to:

- establish and maintain procedures to monitor the progress of implementation of safeguard plans,
- verify the compliance with safeguard measures and their progress toward intended outcomes,
- document and disclose monitoring results and identify necessary corrective and preventive actions in the periodic monitoring reports,
- follow up on these actions to ensure progress toward the desired outcomes,
- retain qualified and experienced external experts or qualified NGOs to verify monitoring information for projects with significant impacts and risks,
- use independent advisory panels to monitor project implementation for highly complex and sensitive projects, and
- submit periodic monitoring reports on safeguard measures as agreed with ADB.

234. The extent of ADB's monitoring and supervision activities will correspond to the project's risks and impacts. Monitoring and supervising of social and environmental safeguards is integrated into the project performance management system. ADB will monitor the project on an ongoing basis until a project completion report is issued. ADB will carry out the following monitoring actions to supervise project implementation:

- periodic site visits for projects with adverse environmental or social impacts;
- supervision missions with detailed review by ADB's safeguard specialists/officers or consultants for projects with significant adverse social or environmental impacts;
- review the periodic monitoring reports submitted by borrowers/clients to ensure that adverse impacts and risks are mitigated as planned and as agreed with ADB;

- work with borrowers/clients to rectify, to the extent possible, any failures to comply with their safeguard commitments, as covenanted in the legal agreements, and exercise remedies to reestablish compliance as appropriate; and
- prepare a project completion report that assesses whether the objective and desired outcomes of the safeguard plans have been achieved, taking into account the baseline conditions and the results of monitoring.

235. In accordance with the requirements under the Safeguard Policy Statement, ADB shall post on its website the draft, final and updated LARP and the resettlement monitoring reports, upon receipt by ADB.

## 10.2 Internal Monitoring

236. The key objective of the internal monitoring is to monitor the process of LARP implementation such as the compensation process, grievance mechanism and effectiveness of LARP implementation procedure. Internal monitoring will be performed routinely by the PIURR. The results will be communicated to ADB through the quarterly Project implementation reports. Indicators for the internal monitoring will be those related to the LARP implementation processes, and immediate outputs and results which allow for the assessment of the progress and results of LARP implementation and the adjustment of the work program, if necessary.

237. The PIURR will monitor performance (physical progress of the LARP implementation against milestones set in the LARP), impact (whether the objectives to restore the living standards of the affected population have been properly considered and executed), and LARP compliance, indicating whether the compensation program has been carried out in accordance with the provisions of Tajikistan's laws and ADB policies, and to the satisfaction of the DPs.

238. The Construction Supervision Consultant shall have a resettlement specialist on board who will assist the PIURR in the internal monitoring of the LARP implementation processes. The CSC resettlement specialist will:

- supervise the community consultations and disclosure of project information;
- ensure the replacement cost principles of the ADB SPS (2009) are employed in the valuation of affected assets and compensation is disbursed in accordance with the endorsed LARP;
- ensure relocation/reconstruction of affected structures/businesses are completed and set compensation paid before civil works commencement;
- monitor the LARP implementation process and provide data and support to PIURR during preparation of quarterly monitoring reports on LARP implementation and monitoring activities;
- inform the PIURR on issues and challenges during the LARP implementation and monitoring; and provide recommendations and suggestions for a solution;
- supervise the implementation of the mitigation measures and temporary land acquisition, advise PIURR on LAR issues and grievance redress, inform PIURR on any non-compliance cases, and suggest appropriate remedies.

239. Specific performance monitoring indicators will be:

- meaningful public consultations held
- SES/census surveys and assets inventories studies completed
- compensation payments disbursed
- replacement lots allocated (if applicable)
- housing and infrastructure construction completed

- relocation of people completed
- income restoration and development activities initiated
- monitoring and evaluation reports submitted.

240. Impact monitoring will encompass verification of the following indicators:

- whether all physical inputs committed in the LARP have been delivered and all services provided;
- whether the mitigation actions prescribed in the LARP have provided the desired effects;
- the socioeconomic status of the affected population and host population measured against the baseline conditions before the displacement.

241. Impact monitoring will be supplemented by the assessment of the DPs satisfaction with the resettlement initiatives and the adequacy of measures applied for restoration of DPs' livelihoods. This will be done through direct consultations with the affected population and face-to-face meetings with the DPs.

242. The completion of the LARP implementation will result in the preparation of a Compliance Report which will indicate whether the compensation program has been carried out in accordance with the provisions of Tajikistan's laws and ADB policies, and to the satisfaction of the DPs. The Compliance Report will be submitted to EA and ADB. Approval of the Compliance Report by ADB is a condition for the commencement of the civil works. The Compliance Report will be based on the following monitoring indicators:

- the number of AHs with legal ownership;
- the number of AHs without legal status;
- ratio of the affected/remaining part of the land;
- affected buildings, structures, businesses;
- loss of income and employment;
- allowances for severity and vulnerability;
- full compensation paid on time;
- relocation of movable assets;
- the GRC Logbook entries;
- number, nature and substance of complains;
- number of grievances resolved at the Project level;
- number of grievances forwarded/resolved at other grievance resolution levels;
- number, type of consultations with DPs/host communities and other relevant stakeholders held;
- public consultations activities documented and included in draft LARP;
- selection and distribution of replacement land areas;
- preparation of resettlement sites, including civic amenities, infrastructures
- income restoration activities.

243. The above information will be collected by the PIURR which is responsible for monitoring the day-to-day resettlement activities of the Project through one or more of the following instruments:

- review of census information for all AHs;
- consultations and informal interviews with DPs;
- sample survey of AHs;
- face-to-face discussion with DPs;
- community consultation meetings.

244. The following table outlines possible monitoring indicators which the PIURR may use during the LARP implementation monitoring. Templates for other monitoring tools are given in Annex 10-1.

**Table 10-1: LARP Implementation Monitoring Indicators**

<b>Monitoring Aspects</b>	<b>Potential Indicators</b>
<b>Delivery of Entitlements</b>	<ul style="list-style-type: none"> <li>- Entitlements disbursed, compared with number and category of losses set out in the entitlement matrix.</li> <li>- Disbursements against timelines.</li> <li>- Identification of the displaced persons losing land temporarily, e.g. through soil disposal, borrow pits, contractors' camps</li> <li>- Timely disbursements of the agreed transport and relocation costs, income substitution support and any other resettlement allowances according to the schedule.</li> <li>- Provision of replacement land plots.</li> <li>- Quality of new plots and issuance of land titles.</li> <li>- Restoration of social infrastructure and services.</li> <li>- Progress on income and livelihood restoration activities being implemented as set out in the income restoration plan, such as commencement of production, number of displaced persons trained in employment with jobs, microcredit disbursed, number of income generating activities assisted, etc.</li> <li>- Affected businesses receiving entitlements, including transfer and payments for net losses resulting from loss of a business.</li> </ul>
<b>Consultation and Participation</b>	<ul style="list-style-type: none"> <li>- Consultations organized as scheduled including meetings, groups and community activities.</li> <li>- Knowledge of entitlements by the displaced persons.</li> <li>- Number of general meetings (for both men and women).</li> <li>- Percentage of women participated at consultations.</li> <li>- Number of meetings held exclusively with vulnerable groups.</li> <li>- Level of participation in meetings (of women, men and vulnerable groups).</li> <li>- Level of information communicated – adequate or inadequate.</li> <li>- Information accessibility and disclosure (translation of information in the local languages).</li> <li>- Implementation of special measures for Indigenous Peoples.</li> </ul>
<b>Effectiveness of the GRM</b>	<ul style="list-style-type: none"> <li>- Uses of the grievance redress mechanism by the displaced persons.</li> <li>- Information on the resolution of the grievances.</li> <li>- Number of APs used the GRM.</li> <li>- Number of cases resolved at project level.</li> <li>- Number of cases transferred to other GRC levels.</li> <li>- Number of APs' requests rejected.</li> </ul>
<b>Budget and Time Frame</b>	<ul style="list-style-type: none"> <li>- Land acquisition and resettlement staff appointed and mobilized on schedule for the field and office work.</li> <li>- Capacity building and training activities completed on schedule.</li> <li>- Achieving resettlement implementation activities against the agreed implementation plan.</li> <li>- Timely allocation of funds to resettlement implementation agencies.</li> <li>- Funds disbursement according to the resettlement plan.</li> <li>- Land acquisition and clearance in time for implementation.</li> </ul>
<b>Livelihood and Income Restoration</b>	<ul style="list-style-type: none"> <li>- Gender and vulnerability segregated data on displaced persons under the rehabilitation programs.</li> <li>- Types of vocational trainings and number of participants (women and men).</li> </ul>

<b>Monitoring Aspects</b>	<b>Potential Indicators</b>
	<ul style="list-style-type: none"> <li>- Number of displaced persons who have restored their income and livelihood patterns (women, men and vulnerable groups).</li> <li>- Number of new employment activities.</li> <li>- Degree of satisfaction with support received for livelihood programs.</li> <li>- Percentage of displaced persons who improved their income and standard of living (women, men and vulnerable groups).</li> </ul>

## Annex 1

The DPs List						
№	Name of the Head of AHs Name/ ФИО главы хоз-во	ID	Phone/ ТЕЛ	District/ Район	Jamoat/ Джамоат	Remarks
1	АЗС "ФАРОЗ"			Rudaki	Chimteppa	
2	Салимов Нурило	A3479404	917-40-21-70	Rudaki	Chimteppa	
3	Гуломов Асадулло	A1799943	917-11-28-61	Rudaki	Chimteppa	
4	Мирзоев Махмадрачаб	A3379684	918-36-20-03	Rudaki	Chimteppa	
5	Давлатова Зарнигор	A7692364	907-55-50-05	Rudaki	Chimteppa	
6	Одинаев Хайбулло	A4472827	919-16-53-42	Rudaki	Chimteppa	
7	Машрабов Нуриддин	A7433108	907-21-58-78	Rudaki	Chimteppa	
8	Боев Махмадюнус	ИНН 125065113	889-90-22-77	Rudaki	Chimteppa	
9	Самиев Фарух	A7467360	98-595-95-95	Rudaki	Chimteppa	
10	Саидов Абдуҷаббор	A0974177	918-16-31-60	Rudaki	Chimteppa	
11	Садиков Шерали	A0446740	907-83-21-33	Rudaki	Chimteppa	
12	Султонов Ахлидин	A2575437	906-11-55-41	Rudaki	Chimteppa	
13	Дех. Хоз. «Асадулло» НАСОС	ИНН 310006512	(Mechanic) 901-11-19-55	Rudaki	Chimteppa	
14	Хасанов Шодмон	A8227641	987-13-13-17	Rudaki	Chorgulteppa	
15	Фирма «Евар» (скотобойная)			Rudaki	Chorgulteppa	
16	Бокиев Шерали	A2462954	901-2086-87	Rudaki	Chorgulteppa	
17	Исоев Музафар	A3548527	93-601-19-50	Rudaki	Chorgulteppa	
18	Бобоева Робия	A4318694	907-14-79-20	Rudaki	Chorgulteppa	
19	Султонов Нурали	A3327622	93-977-65-18	Rudaki	Chorgulteppa	
20	Азизов Курбон	A1963656	919-17-82-01	Rudaki	Chorgulteppa	
21	Пирхонов Эмомназар	A8043575		Rudaki	Chorgulteppa	
22	Хидиров Рачабали	A3260226	900-90-33-90	Rudaki	Chorgulteppa	
23	Хидиров Саид	A4941529		Rudaki	Chorgulteppa	
24	Рачабв Хайдар	A6147279		Rudaki	Chorgulteppa	
25	Гайратов Имат	A0648398	904-18-49-99	Rudaki	Chorgulteppa	
26	Аминова Насиба	A7445919	907-60-21-60	Rudaki	Chorgulteppa	
27	Музаффарова Мавлуда	A7280414	900-27-40-46	Rudaki	Chorgulteppa	
28	Машрабов Хуршед		917-87-77-77	Rudaki	Chorgulteppa	Losing pine trees along the road (no monetary compensation)
29	Хасанов Оятулло	A7046250		Rudaki	Chorgulteppa	
30	Бустанов Абдулаҳад	A6449610	908-77-87-47	Rudaki	Lohur	
31	Мирахмадов Бурихон	A4896669	985-58-97-24	Rudaki	Lohur	
32	Шамсидинов Худойназар	A6991700	93-923-54-54	Rudaki	Lohur	
33	Тоҷиков Фармонкул	A6860743	93-522-86-10	Rudaki	Lohur	
34	Бердимуродов Нусратулло	A7475939	917-60-37-47	Rudaki	Lohur	
35	Бердимуродов Раҳматулло	A4814572	907-93-94-48	Rudaki	Lohur	
36	Ятимов Мирзоали	A6295541	907-46-34-32	Rudaki	Lohur	
37	дех. Хоз "Фирдавси" Латыпов Додарбег	A0539971	93-513-84-46	Rudaki	Lohur	
38	Хафизов Абдуназар	A00080386	907-82-91-96	Rudaki	Lohur	91
39	Алтабаева Марьям	A6324891	93-543-35-40	Rudaki	Lohur	

40	Файзалиев Мирзо	A0040564	985-19-66-29	Rudaki	Lohur	
41	Исматзода Азизулло	A00481554	93-747-11-11	Rudaki	Lohur	
42	Азизов Нурулло	A7869239	900-00-01-00	Rudaki	Lohur	
43	Исоев Махмад	A6175395	909-29-91-46	Rudaki	Lohur	
44	Рахимов Сабзаали	400251558	918-77-77-48	Rudaki	Lohur	
45	Давлатов Саъди	A00168245	988-00-88-88	Rudaki	Lohur	
46	Акрамов Сафармурод	A5568626	907-23-90-02	Khuroson	Fahrobod	
47	Зикирлоев Хайрулло	A1556825	907-99-79-60	Khuroson	Fahrobod	
48	Фаттоев Абдучабар	A4849799	918-71-24-88	Rudaki	Chorgulteppa	
49	Юсупова Гулрухсор	A7436231	907-22-04-40	Rudaki	Chorgulteppa	
50	Юсупов Сангали	A2611175	903-03-51-80	Rudaki	Chorgulteppa	
51	Хочаев Тоир	A2612586	900-52-65-52	Rudaki	Chorgulteppa	
52	Рахимов Махмарачаб	A3396276	907-34-01-01	Rudaki	Chorgulteppa	
53	Гурезов Сирочиддин	A8027520	904-02-02-40	Rudaki	Chorgulteppa	
54	Усмонов Мухиддин	M477777	988-40-14-15	Rudaki	Chorgulteppa	
55	Зикиров Хисайн	A0692286	988-40-14-15	Rudaki	Chorgulteppa	
56	Хабибулоева Бибихол	A00279466	501-24-44-08	Rudaki	Chorgulteppa	
57	Розиков Файзали	A6425100	907-61-67-67	Rudaki	Chorgulteppa	
58	Файзуллоева Точинисо	A5157950	909-00-85-11	Rudaki	Chorgulteppa	
59	Гайратов Кубодулло	A6670057	918-12-53-53	Rudaki	Chorgulteppa	
60	Хабибулоев Аловидин	A3628088	904-25-23-79	Rudaki	Chorgulteppa	
61	Амирбеков Миргул	A3549175	n/a	Rudaki	Chorgulteppa	Losing pine trees along the road (no monetary compensation)
62	Ашуров Сайфулло	A6853009	904-45-90-01	Rudaki	Chorgulteppa	Losing pine trees along the road (no monetary compensation)
63	Мирзорачабов Икромидин	A2005257	n/a	Rudaki	Chorgulteppa	Losing unfinished illegally constructed building (compensation envisaged as per the SPS 2009)
64	Махмудов Сафар	A5288827	900-30-40-50	Rudaki	Lohur	
65	Шоев Музафар		988-34-44-48	Khuroson	Fahrobod	
66	Давлатов Нурзод	A3483423	901-00-00-00	Rudaki	Chimteppa	
67	Бекмуродов Мухмадориф	A0783988	931-98-81-98	Khuroson	Galaobod	
68	Бекмуродов Мухмадюсуф	A6798331	902-62-15-13	Khuroson	Galaobod	
69	Назаров Гулмахмад	A6239416	931-15-88-32	Khuroson	Galaobod	
70	Назаров Чамшед	A6145497	903-50-71-00	Rudaki	Lohur	
71	Исматов Акмалчон	A5190083	933-28-26-26	Khuroson	Fahrobod	
72	Дех. Хоз. «Асадулло»	ИНН 310006512	(Mechanic) 901-11-19-55	Khuroson	Fahrobod	
73	Давлатов Баходур	A8017536	918-61-97-23	Rudaki	Chorgulteppa	
74	Алимов Кувандик	A0644095	900-40-51-85	Rudaki	Lohur	
75	Ҷамоат Lohur (Джамоат Лохур)			Rudaki	Lohur	No monetary compensation
76	Арму unit (Военный част )			Khuroson	Fahrobod	No monetary compensation
77	(Police post) ПОС ГАИ			Rudaki	Chimteppa	No monetary compensation
78	(Police post) ПОС ГАИ			Khuroson	Fahrobod	No monetary compensation
79	(Арму unit) Военный част			Rudaki	Chorgulteppa	No monetary compensation



**Annex 2**

**SOCIOECONOMIC SURVEY OF THE AFFECTED HOUSEHOLDS**

Questionnaire No..... Date: .....  
 Name of the Road: Dushanbe – Kurgonteppa  
 Name of Interviewer:.....

**1. GENERAL IDENTIFICATION**

- |     |  |                          |
|-----|--|--------------------------|
|     |  | <b>Code</b>              |
| 1.1 | Road side: 1. Left 2. Right                  | <input type="checkbox"/> |
| 1.2 | Chainage km: .....                           | <input type="checkbox"/> |
| 1.3 | Rayon: ..... Jamoat: ..... Village .....     |                          |
| 1.4 | Location: 1. Rural; 2. Semi-Urban; 3. Urban; | <input type="checkbox"/> |

**2. HOUSEHOLD IDENTIFICATION**

- |     |  |                          |
|-----|--|--------------------------|
| 2.1 | Name of the Head of Household:.....                        |                          |
| 2.2 | Address and telephone number: .....                        | <input type="checkbox"/> |
| 2.3 | Family type: 1. Nuclear 2. Extended                        |                          |
| 2.4 | Religion: 1. Islam 2. Christianity 3. Other (specify)      | <input type="checkbox"/> |
| 2.5 | Ethnicity: 1. Tajik 2. Russian 3. Uzbek 4. Other (specify) | <input type="checkbox"/> |
| 2.6 | Number of family members: Total..... Men:.....Women:.....  |                          |

**Details of family members (enter the code)**

No	Family members	Sex	Age (years)	Marital status	Education	Occupation
		1.Male 2.Female	Enter the whole number	1. Married 2. Unmarried 3. Widow 4. Widower 5. Divorced 5. Minor	1. Illiterate 2. Primary 3. Secondary 4. College 5. University 6. Other (specify)	1.Pensioner 2.Civil servant 3.Private sector employee 4.Business owner 5.Work in agriculture 6.Land owner 7.Other labor 8.Housewife 9.School/ Study 10.Unemployed
1.	Head of HH					
2.	Spouse					
3.						
4.						
5.						
6.						

7.						
8.						
9.						
10.						
11.						
12.						
Number of disabled family members, if any. ....						
Number of members receiving help under the government scheme:.....						

Note: Insert additional column if family members exceed more than 10

### 3. HOUSEHOLD ASSETS

3.1 Please list houses and structures in your household;

No	Type of building/ structures

3.2 Landownership & uses (All lands situated anywhere and under the land-use ownership of the household). **Please write the corresponding code.**

Land type	Total area (ha)	1=Irrigated 2=Dry land	Presently used by the owner (Yes=1 No=2)	Type of land-use ownership (see the codes)
Residential				
Agricultural				
Grazing				
Commercial				
Dekhan farm				
Others(specify)				

**Code:**

1= Life-long inheritable use: This right is assigned to physical persons or collectives and applies to land-shares used to organize Dekhan farms as well as for household plots.

2= Continuous use: This right has no fixed term. It is granted to legal entities such as state and cooperative agricultural enterprises, public and religious organizations and charities, industrial and transportation needs, public enterprises, defense, and joint ventures that include foreign entities.

.3= Limited or fixed-term use: This right may be granted to legal or physical persons for either a short-term (up to 3 years) or long-term (3–20 years).

3.3 Land use

Cultivated (ha)/	Pasture (ha)	Uncultivated (ha)	Total land area (ha)

3.4 Cropping Pattern

No	Type of crops	Total cultivated land (ha)	Total yield (tone/year)
<b>Total</b>			

### 3.5 Livestock

Cattle	Number	Poultry	Number
Bull		Chicken	
Cow			
Calf			
Sheep			
Goat			
Horse			
Donkey			
Others (specify)		Others (specify)	

### 3.6 Household's Assets & Amenities

Items	Yes=1 No=2
In-house flush toilet	
Latrine	
Hot water system	
Television set	
Satellite dish	
Computer	
Internet	
Mobile phone	
Refrigerator	
Washing machine	
Air conditioner	
Electric stove	
Motorbike	
Car	
Mini bus	
Agriculture machinery (specify)	
Other (specify)	

## 4. HOUSEHOLD's MONTHLY INCOME

4.1 Please include the income of all household's members;

No	Source	Self-reported income (TJS)
1.	Agriculture	
2.	Employment	
3.	Business	
4.	Labor	
5.	Remittances	
6.	Other (specify)	
<b>Grand total</b>		

4.2 Please assess monthly expenditure on different items:

No	Items	Self-reported monthly expenses (TJS)
A	Food	
B	1. Clothing	
	2. Health	
	3. Education	
	4. Communication	
	5. Social functions/obligations	
	6. Agriculture (such as seeds, hiring of farm implements, fodder etc.)	
	7. Water	
	8. Electricity bills	
	9. Land tax	
	10. Credit repayment	
	11. Others (specify)	
<b>Grand total (A+B)</b>		

## 5. INDEBTEDNESS

5.1 Do you have any debts? Yes =1 No =2   
(If yes, please indicate, your borrowings during last year)

No	Source	Amount taken (TJS)	Amount returned (TJS)	Balance
1.	Bank			
2.	Private money lender			
3.	Relatives			
4.	Others (specify)			
<b>Total</b>				

## 6. HEALTH STATUS

6.1 Was any member of your family affected by any illness during the last one year?

1. Yes 2. No

6.2 If "Yes", please indicate the details.

No. of cases	Type of diseases/illness	Treatment taken
		1. Conventional medicine
		2. Traditional local medicine
		3. No treatment


**7. MIGRATION/COMMUTING**

- 7.1 Does anyone from your family work outside the Rayon/Country? 1. Yes 2. No
- 7.2 What kind of job do they have?   
 1. Agricultural labor; 2. Non-agricultural labor; 3. Trade & business;  
 4. Others (specify).....
- 7.3 How much do they earn per month? TJS.....
- 7.4 How often do you and your family members travel out from the village/city?   
 1. Daily; 2. Two-three times/week; 3. Less than three times a week 4. Other (specify)
- 7.5 Where do you/they travel?   
 1. Work 2. Health facilities; 3. Social network; 4. School/university; 5. All
- 7.6 Which mode of travel do you/they use? 1. Private car; 2. Taxi; 3. Mini bus;   
 4. Other (specify)
- 7.7 How much do you usually pay per trip?.....

**8 WOMEN STATUS**

8.1 Please give us information on activities the household women are engaged in:

No	Economic / Non-economic activities	Engagement in activities 1 = Yes 2 = No
1.	Cultivation	
2.	Livestock	
3.	Sale of household's products	
4.	Trade & business	
5.	Agricultural labor	
6.	Non-agricultural labor	
7.	Handmade products	
8.	Household work	
9.	Other (specify).....	

If engaged in economic activities, total income of the year: TJS.....

8.2 In which of the following household's matters women are asked for their opinions?

No	Issues	1 = Yes	2 = No
1.	Financial matters		
2.	Education of children		
3.	Health care of children		
4.	Purchase/sale of assets		
5.	Day to day family activities		
6.	Social functions and marriages		
7.	Other (specify)		

**9 Opinion about the Project**

9.1 What in your opinion will be the benefits of the Project?

9.2 What in your opinion will be disadvantages of the Project?

**10 Any other opinion, suggestion, question?**

**Interviewer's observation notes:**

Please write any observation you have.

## Annex 3-1

### Consultations with Community

#### Khorason Rayon, Galoobad Jamoat, Dananakiik village

**Date:** 26.05.2016  
**Time:** 9:00 - 12:00  
**Participants:** 54 (26 males and 28 females) of Daganakiik, Chasmasor and Station Dagana villages  
**Handouts:** Project brochure, GRM information, Entitlement matrix, Government decree on Cut-off-Date

#### Consultations conducted by:

Eraj Mirzoev—Chief Engineer, Project Implementation Unit for Roads Rehabilitation, PIURR, MOT  
Mahmadaliev Sherali, Safeguard Specialist, PIURR MOT  
Dragica Veselinovic, International resettlement specialist  
Abdulloeva M, National Consultant, Institute of State Unitary Enterprise "NIIP"  
Alla Kuvatova, National Gender and Poverty Specialist  
Bakhtiyor Begmuradov, National Environmental Specialist

Consultations were conducted at two small bazaars located along the Project road in this Jamoat. The main reason for conducting consultations at the bazaars was the fact that the village women mostly work at the bazaars during the day, selling produce and home-made goods and their participation would not be ensured if the consultations were conducted at any other village location. The local authorities invited village men and other village women to gather at the bazaar.

#### The main information shared with the participants:

- Information about the Project and related activities
- Information on the Cut-off-Date
- Process of preparation and implementation of the Land Acquisition and Resettlement Plan
- ADB SPS 2009 and Tajik law compensation requirements
- Entitlements for land, buildings and structures, businesses, owners, renters and workers
- Allowances for severely affected and vulnerable
- GRM mechanism

In general, the local population is very supportive of the Project and hope that the quality of the road will be good, and the road long-lasting. The main questions, suggestions and observations which emerged at these consultations were:

- There are three small bazaars on the road in this Jamoat's territory. These bazaars are vital income sources for village households. Many men are unemployed and the families are supported by women's earnings. Also, among these women, there are a number of single women whose income from selling products at the bazar is the only source of income for their family
- Women would like bazaars and access to the bazaars paved, so they can have decent working conditions during the rainy season. Also, they require a toilet, a water cistern, small holes in the ground to keep produce fresh, and small shelters where they can store the produce, rest for a while and breast-feed their babies when needed.

- The area in front of the bazaar needs to be paved, so people stopping their cars to purchase the produce do not raise dust, which affects women's health and the safety of produce.
- Livestock are the backbone of the communities living along the Project road. Daily and seasonal migration of livestock is a vital part of communities' way of life and one of the main sources of income and support for their families. The new road will be a Category 1 road and the livestock will not be allowed to move along the road as is the current practice. The communities need a clear strategy and an alternative for livestock movement along the road and across the road.
- The community thinks that it would be best if an abandoned rail overpass is rehabilitated and used for daily migration of livestock from one side of the road to the other, for children to safely cross the road on their way to school and for citizens crossing the road numerous time a day.
- The local men want employment during the road construction.
- The bazaar activities will be slowed down or even closed during the road construction. The people depending on the bazaar should be compensated for loss of income during the road construction through the villages or the access to the bazaar should be ensured.







## **Consultations with Communities**

### **Rudaki Rayon, Chimteppa Jamoat, Gulparvar, Kahramon, Chimteppa, Gulbuta and Somonion villages**

**Date:** 03.06.2016

**Time:** 9:00 - 12:00

**Participants:** 26 (18 Males and 8 Females), Gulparvar, Kahramon, Chimteppa, Gulbuta and Somonion villages, local authorities

**Handouts:** Project brochure with the GRM information, Decree on establishment of the GRG in Jamoats, Entitlement matrix, Government decree on Cut-off-Date

#### **Consultations conducted by:**

Eraj Mirzoev– Chief Engineer, Project Implementation Unit for Roads Rehabilitation (PIURR) MOT  
Mahmadaliev Sherali, Safeguard specialist, PIURR MOT

Dragica Veselinovic, International resettlement specialist, Kocks Consult GmbH

Abduloeva M, national consultant, Institute of State Unitary Enterprise "NIIP"

Jürgen Meyer, Environmental and Spatial Planning Department, Kocks Consult GmbH

Bakhtiyor Begmuradov, National Environmental Specialist

Consultations were conducted in Chimteppa Jamoat.

#### **The main information shared with the participants:**

- Information about the Project and related activities
- Information on the cut-off-day
- Process of preparation and implementation of the land acquisition and resettlement plan
- ADB SPS 2009 and Tajik law compensation requirements
- Entitlements for land, buildings and structures, businesses, owners, renters and workers
- Allowances for severely affected and vulnerable
- GRM mechanism

The main questions and suggestions were:

- Where is the beginning of the road?
- Will you construct the tunnel in Fahroabod?
- When will the construction start and when you will finish?
- How would you compensated for Dekhan farms?
- Will local people be employed at the construction?
- How will you compensated for trees?
- Will the road be toll paying?



## Consultations with Communities

### Khurason Rayon, Lohur Jamoat, Tubek, Hayoti nav and Alabaytal villages

**Date:** 31.05.2016  
**Time:** 8:00 - 10:00  
**Participants:** 20 (19 males and one female), residents of Tubek, Hayoti nav and Alabaytal villages, local authority representative  
**Handouts:** Project brochure with the GRM information, Entitlement matrix, Government decree on Cut-off Date, Order for the GRG establishments in Jamoats

#### Consultations conducted by:

Dragica Veselinovic, International Resettlement Specialist,  
Abdulloeva M, National Consultant, Institute of State Unitary Enterprise "NIIP"  
Alla Kuvatova, National Gender and Poverty Specialist  
Bakhtiyor Begmuradov, National Environmental Specialist

Consultations were conducted in the Lohur Jamoat (local authority).

#### The main information shared with the participants:

- Information about the Project and related activities
- Information on the Cut-off Date
- Process of preparation and implementation of the Land Acquisition and Resettlement Plan
- ADB SPS 2009 and Tajik law compensation requirements
- Entitlements for land, buildings and structures, businesses, owners, renters and workers
- Allowances for severely affected and vulnerable
- GRM mechanism and order to establish the GRG at Jamoat's level

The main questions, suggestions and comments at these consultations were:

- When will the road rehabilitation begin?
- Will you rehabilitate some of the village access roads?
- Will all properties and structures in the 50m corridor be affected?
- Will you ensure that businesses and homes have access to the main road and other services and facilities as you are saying that barriers will be constructed along the road?
- If our land is taken and we receive a substitute plot somewhere far or not of similar quality, we will not be happy.
- How will our local livestock cross the road?
- We would like pedestrian bridges to be constructed. This way, people's safety will be ensured. Please pass on our preferences to the ADB.
- Can you construct underpasses for people and livestock? This would be the best solution. We need our livestock to cross the road.
- How will you ensure that drivers do not drive at a high speed through villages? We saw in some other countries speed breakers that force drivers to slow down. They should be installed throughout the villages, not just at the beginning.

The local population is supportive of the Project. Those who live outside of the 50m corridor were asking consultants if there was anything that they could do to help to facilitate the LAR processes.





## Consultations with Communities

### Rudaki Rayon, Churgulteppa Jamoat, Obishifo and Novbunyod villages

**Date:** 27.05.2016  
**Time:** 9:00 - 12:00  
**Participants:** 53 (47 males and 6 females), residents of Obishifo and Novbunyod villages, local authorities  
**Handouts:** Project brochure with the GRM information, Entitlement matrix, Government decree on Cut-off-Date

#### Consultations conducted by:

Eraj Mirzoev– Chief Engineer, Project Implementation Unit for Roads Rehabilitation (PIURR) MOT  
Mahmadaliev Sherali, Social Safeguard Specialist, PIURR MOT  
Dragica Veselinovic, International resettlement specialist,  
Abdulloeva M, National Consultant, Institute of State Unitary Enterprise "NIIP"  
Alla Kuvatova, National Gender and Poverty Specialist  
Bakhtiyor Begmuradov, National Environmental Specialist

Consultations were conducted outside the local chaihona (restaurant).

#### The main information shared with the participants:

- Information about the Project and related activities
- Information on the Cut-off-Date
- Process of preparation and implementation of the land acquisition and resettlement plan
- ADB SPS 2009 and Tajik law compensation requirements
- Entitlements for land, buildings and structures, businesses, owners, renters and workers
- Allowances for severely affected and vulnerable groups
- GRM mechanism

The local population is very supportive of the Project. The main questions and suggestions at these consultations were:

- Will compensation be paid for buildings and structures without a technical passport (illegal or not fully legalized)?
- We planted many trees along the road. How will you compensate for the trees?
- How will local livestock be able to cross the road?
- The residents are very happy to receive a new road, but would prefer if their homes are not destroyed and if they could remain at the same location. If they lose their homes, will the compensation be enough to make a new home?
- How would a single woman losing her home be able to make a new home without additional assistance?
- Can you ensure that local men get employment during the road construction?
- Can you design the road so the homes are spared?



- Can you construct underpasses for people and livestock?

Apart from questions related to the whole community, after the consultations, the APs were asking questions related to their own assets such as: if their property is acquired, should they renovate their home, business as planned; may they get the land for land but adjusted to their affected land plot etc.



## **Communities Requests**

### **Passages for animals at the following locations:**

#### **Rudaki Rayon:**

Km 18+500

Km 31+200

Km 34+00

#### **Footbridges at:**

Km 24+500

Km 17+700

Km 13+500

Km 15+00

#### **Khurason Rayon**

### **Passages for animals at the following locations:**

Km 43+600 Chasmasor village

Km 48+400 Daganakaiik village

Km 54+800 Sharah Obikiik



## Consultations with Key Stakeholders

### Dushanbe

**Date:** 12.07.2016  
**Time:** 14:30 - 16:30  
**Participants:** 12 (9 Males and 3 Females), MOT, NGOs, Hukumats and Jamoats officials, ADB Social Safeguard Specialist  
**Handouts:** Environmental finding summary, Involuntary Resettlement presentation

#### Consultations conducted by:

Jürgen Meyer, Environmental and Spatial Planning Department, Kocks Consult GmbH  
Bakhtiyor Begmuradov, National Environmental Specialist  
Dragica Veselinovic, International resettlement specialist, Kocks Consult GmbH

#### The main information shared with the participants:

- Importance of active involvement and the vital role of the local authorities (Hukumats and Jamoats)
- Information about the Project
- Information about required and completed Project related activities
- Information on the cut-off-day
- Process of preparation and implementation of the land acquisition and resettlement plan
- ADB SPS 2009 and Tajik law compensation requirements
- Entitlements for land, buildings and structures, businesses, owners, renters and workers
- Allowances for severely affected and vulnerable
- GRM mechanism
- Environmental issues related to the Project

The main questions related to the environmental issues along the whole Project road were handled by the environmental specialists. The details will be reported in the environmental reports. The questions related to the physical works and involuntary resettlement were as follows:

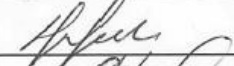



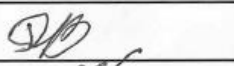
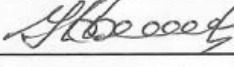
- When will the second phase of the Project start?
- When will the construction start?
- How long it will take to finish the whole road?
- Will local people be employed at the construction?
- Did you consider the animal passes as we told you during the consultations in Jamoats?



Мулоқотхо бо намояндагони ҷамоати Лоҳур ноҳияи Рудаки 31 майи соли 2016

№	Name Ному Насаб	Position Вазифа	Phone number Рақами Мобили	Signature Соядаст / имзо
1	Шураев И	саҳибкор	907 960550	Шураев
2	Мадаков М	райиси маҳалла Нурбайт	908 876818	Мадаков
3	Нусурмонов Ш.	комисси раёсони Лоҳур	935191157	Нусурмонов
4	Айсов Ш.	роиси маҳалла Хаймаков	901109634	Айсов
5	Талпоров Н	Муваккал - Бекор	918-73-13-10	Талпоров
6	Маджидов Ф	роҳатбардор	935-22-86-10	Маджидов
7	Ғафурова	Соли Қорғалар		Ғафурова
8	Зарифов А. Ҷ.	муов. раиси ҶОММ. Боҳур. а.к.	907-65-00-01	Зарифов
9	Ҷаев И А	р. Маҳаллаи Хасити Ҷаев	907 834060	Ҷаев
10	Юлдашев Ш	х/деҳқонон. Сорбон	908888534	Юлдашев
11	Бобобенов С. Ҷ	Менеджер. ҶОД. Лоҳур	907 22 77 22	Бобобенов
12	Мамадаликов Х Б	Раиси ҳамоғи Шулмои.	939 23 54 54.	Мамадаликов
13	Назаров Ҷ Х	саҳибкор	903-50-71-00	Назаров
14	Бусатонов. Незияб	раиси ҳамоғи/Ф. Баракоб	93.501.40.80.	Бусатонов
15				

Мулоқотхо бо намояндагони ҷамоати Лоҳур ноҳияи Рудаки 31 майи соли 2016

№	Name Ному Насаб	Position Вазифа	Phone number Раками Мобили	Signature Соядаст / имзо
1	Бердимуродов Насрот	Тракторист Ҳаҷоми Ғарробо	938025619	
2	Аминов Мирзо	Бекор Ҷаҳади Х.Нав	907463432	
3	Мамитов Абдуғабз	Тракторист Ҳаҷоми Ғарробо	919028663	
4	Бердимуродов Ҷаҳади	Тракторист Ҳаҷоми Ғарробо	919860511	
5	Рахимов Музафар	Ҷаҳон Ҳаҷоми Амирон	938847277	
6	Лабсанов Додарбол	Директор Ҷ.С.А. Ғарробо	935138446	
7				
8				
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11				
12				
13				
14				
15				

**Annex 3-2**

ЧУМХУРИИ ТОЧИКИСТОН  
МАРКАЗИ ТАТБИҚИ ЛОИХАХОИ  
ТАЧДИДИ РОХХО



РЕСПУБЛИКА ТАДЖИКИСТАН  
ЦЕНТР РЕАЛИЗАЦИИ ПРОЕКТОВ  
РЕАБИЛИТАЦИИ ДОРОГ

REPUBLIC OF TAJIKISTAN  
PROJECTS IMPLEMENTATION UNIT FOR ROADS RENABILITATION

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25/04/2016 No414

To Jumhuriyat Newspaper

Project Implementation Unit for Road Rehabilitation would kindly request you to publish in next number of Jumhuriyat Newspaper the following advertisement.

Project Implementation Unit for Road Rehabilitation informs the residents of Rudaki District, Jamoats of Jimteppa, Lohur, Chorgulteppa, Khuroson District, Jamoats of Obikiik town, Fahrobod, Ghalaobod Villages, farming Asadullo, military unit "06-870-b" of Fahrobod, farming Safor Shernazarov, Bokhtar District, Jamoats of Bokhtariyon, Oriyon villages, Kurgan-tube town, Dusti, Hayoti Nav Districts, that the rehabilitation and reconstruction of Dushanbe-Kurgan-tube road is commenced by ADB financing. In the area of this project road width from Category 3 moves to Category 1, after rehabilitation is will be 25-30m.

Therefore, we kindly would like to request you that in both sides of road all structures construction and rehabilitation and land acquisition is forbidden.

Regards,

Executive Director

N.S. Arabzoda



**РАЎЙПУРСҲИ – ИФОДАИ  
ОЛИИ ҲОКИМИЯТИ ХАЛҚ**

Моҳияти раўйпурсӣ бори дигар мавриди шарҳу тафсир қарор гирифта, тартиби иштирок дар раўйпурсӣ, риояи меъёрҳои қонуниву ахлоқӣ, ҳисоби бюллетенҳо, баррасии мурочиатҳои шаҳрвандон матраҳ шуданд.



**МОҲИИ БАДАХШОН**

дар кӯлҳо зиёду дар бозор кам, чаро?

Дар вилоят ҳоло 14 хоҷагии моҳипарварӣ фаъолият дошта, тибқи иттилои масъулини раёсати кишоварзӣ, хоҷагии моҳипарварии Булункӯл соли гузашта 22 тонна моҳӣ сайд намудааст.

*Ҳуз комуси миллат дар рафи хастии мо.*

*Парчами номус бошад дар кафи хастии мо.*

# ҶУМҲУРИЯТ

[www.jumhuriyat.tj](http://www.jumhuriyat.tj) / e-mail: [jumhuriyat@bk.ru](mailto:jumhuriyat@bk.ru)

Расмии Ҷумҳурии Тоҷикистон

Панҷшанбе, 28 апрели соли 2016. № 82 (22 904)

Соли 92-юми нашр

Имрӯз  
ҳамкори  
ди мар  
ҷавонон  
таъмин  
бунёдки  
зиёд э  
ба пешт



## ТОҶИКИСТОН мизбони Форуми Созмони ҳамкориҳои Шанхай



Имрӯз дар шаҳри Натанамон – шаҳри

Ҳифоҷати оқилонаи обу энергетика дар минтақаи

# БОНК

## Н

«Бонк» расонда  
и бонк маҷлиси  
«Ориёнбонк»  
ри маҷлисигоҳи  
иҳаи рӯзнама  
зидаанд:

атиҷаҳои  
ли 2015.

«Бонк».

ни ҶСК «Ориён»

з рӯи натиҷаҳои

иқтисодии ҶСК

«Бонк».

«Бонк» ҶСК

«Бонк».

# ЭЪЛОН



Маркази татбиқи лоиҳаҳои таҷдиди роҳҳо ба диққати истиқоматкунадагонии ноҳияи Рудақӣ, ҷамоатҳои деҳоти Чимтеппа, Лоҳур, Чоргултеппа, ноҳияи Хӯросон, ҷамоатҳои шаҳраки Обиқинк, деҳоти Фаҳробод, Ғалабод, хочаги деҳқонии «Асадулло», Қисми низомии «06-870-б» Фаҳробод, хочаги деҳқонии «Сафор Шерназаров», ноҳияи Бохтар, ҷамоатҳои деҳоти Бохтариён, Ориён, шаҳри Қургонтеппа, маҳалаҳои Дустӣ, Ҳаёти Нав мерасонад, ки бо маблағгузории Бонки осебии рушд таҷдиду азнавсозии роҳи Душанбе - Қургонтеппа оғоз мегардад. Дар доираи лоиҳаи мазкур паҳноии роҳ аз дараҷаи 3 ба дараҷаи 1 расонда шуда, баъди азнавсозии 25 - 30 метрро таъкил медиҳад. Аз ин лиҳоз аз шумо эҳтиромона хоҳиш менамоем, ки дар ду шафати роҳ тамоми сохтмонҳои азнавсозии иншоот ва ҷудо намудани замин манъ карда шавад.

## АГЕНТИИ ОМОРИ НАЗДИ ПРЕЗИДЕНТИ ҶУМҲУРИИ ТОҶИКИСТОН барои ишғол намудани мансабҳои ҳолии маъмурии хизмати давлатии зерин ОЗМУН эълон менамояд:

Шӯъбаи методологияи оморӣ ва таснифот:  
сармутахассис – 1 ҷой, маоши мансабӣ – 900 сомонӣ.  
Райсати оморӣ санаот ва инвеститсияҳо дар сох-  
тмон:  
мутахассис – 1 ҷой, маоши мансабӣ - 603 сомонӣ.  
Райсати оморӣ демография, шугли аҳоли ва иҷтимоӣ:  
мутахассис – 1 ҷой, маоши мансабӣ – 603 сомонӣ.

## Даъват ба озмун

Воҳиди хариди мақомоти иҷроияи маҳаллии ҳокимияти давлатӣ дар шаҳри Душанбе тибқи Қарори раиси шаҳри Душанбе, № 122 - 1 аз 07.04.2016 «Дар бораи баргузори тендер» оид ба интихоби молрасони зарфи ниғодории сузишворӣ барои эҳтиёҷоти Муассисаи давлатии «Равсати обёрӣ» - и мақомоти иҷроияи маҳаллии ҳокимияти давлатӣ дар шаҳри Душанбе ҷиҳати иштирок дар озмун довтолабонро даъват менамояд.

### ДОВТАЛАБОН БОЯД ҲУҶҶАТҲОИ ЗЕРИНО ПЕШНИҲОД НАМОЯНД:

1. Нусхаи ҳуҷҷатҳои таъсиси корхона;
2. Пешниҳоди тендерӣ ва муҳлати иҷрои кор;
3. Кафолати бонкӣ барои иҷрои шартҳои дархости тендерӣ дар ҳаҷми 1 фоиз маблағи пешниҳоди тендерӣ;
4. Маълумотнома оид ба нозироти андозии макони қайди иштирокчиҳои тендер, набудани қарзҳои батаъжирмондари оид ба пардохтҳо ба буҷетҳои ҳамаи сатҳ ва фондҳои гайрибуҷетӣ тасдиқ мекунад, на дертар аз 30 рӯз то баохиррасии муҳлати додани дархост барои иштирок дар тендери мазкур дода шудааст;
5. Маълумотнома оид ба иҷрои қорҳои иҷронамуда дар 2 соли охири;
6. Маълумотнома оид ба мавҷудияти захираҳои моддӣ - техникӣ;
7. Маълумотнома оид ба таҳассуси кормандон;
8. Пардохти ҳаққи иштирок дар тендер.

Довталабон метавонанд маълумоти иловагиро тавассути Муассисаи давлатии «Равсати обёрӣ» - и мақомоти иҷроияи маҳаллии ҳокимияти давлатӣ дар шаҳри Душанбе, гузароҳи 1, кӯчаи Ломоносов 31 ё ба телефони рақ. 240.12.92 алоқаи намоянд аз 8:00 ба 20:00.

Иҷроияи суди ноҳияи Си-  
нои шаҳри Душанбе мазилги  
истиқоматиро, ки дар нишони  
шаҳри Душанбе, кӯчаи Федина (А.  
Ғулмонов), бинои 11/3, ҳуҷраи 76  
воқеъ аст, ба музоҳда мегаранд.  
Музоҳда 31 майи соли 2016, соати  
10<sup>00</sup> дар нишони шаҳри Душанбе,  
кӯчаи Федина (А. Ғулмонов), бинои  
11/3, ҳуҷраи 76 баргузор мегардад.  
Ҳоҳишмандон метавонанд то рӯзи  
баргузори музоҳда ва 6 гирифтани  
маълумоти иловагӣ ба иҷроияи  
суди ноҳияи Синои шаҳри Душанбе,  
кӯчаи Малковский, бинои 32 «А»,  
утоқи 36 муроҷиат намоянд.  
Телефон: 235-21-69.

Иҷроияи суди ноҳияи Си-  
нои шаҳри Душанбе – мазилги  
истиқоматиро, ки дар нишони  
шаҳри Душанбе, кӯчаи Шараф,  
хонаи 238 воқеъ аст, ба музоҳда  
мебароранд. Музоҳда 31 майи соли  
2016, соати 10<sup>00</sup> дар нишони шаҳри  
Душанбе, кӯчаи Шараф, хонаи 238  
баргузор мегардад.  
Ҳоҳишмандон метавонанд то рӯзи  
баргузори музоҳда ва 6 гирифтани  
маълумоти иловагӣ ба иҷроияи  
суди ноҳияи Синои шаҳри Душанбе,  
кӯчаи Малковский, бинои 32 «А»,  
утоқи 36 муроҷиат намоянд.  
Телефон: 235-21-69.

**Annex 4-1**

ЧУМХУРИИ ТОЧИКИСТОН  
МАРКАЗИ ТАТБИҚИ ЛОИХАҲОИ  
ТАҶДИДИ РОҲХО



РЕСПУБЛИКА ТАДЖИКИСТАН  
ЦЕНТР РЕАЛИЗАЦИИ ПРОЕКТОВ  
РЕАБИЛИТАЦИИ ДОРОГ

REPUBLIC OF TAJIKISTAN  
PROJECTS IMPLEMENTATION UNIT FOR ROADS REHABILITATION

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ш. Душанбе, кўчаи Айни 14  
Тел/Факс: (992 37) 222 20 73  
E-mail: [piurr@tojikiston.com](mailto:piurr@tojikiston.com)  
20/05/2016 No516

14 Ayni str., Dushanbe  
Tel/Fax: (992 37) 222 20 73  
E-mail: [piurr@tojikiston.com](mailto:piurr@tojikiston.com)

г. Душанбе, улица Айни 14  
Тел/Факс: (992 37) 222 20 73  
E-mail: [piurr@tojikiston.com](mailto:piurr@tojikiston.com)

To Executive Organs of State Authority  
of Khuroson District of Khatlon Region

Project Implementation Unit for Road Rehabilitation informs you that with ADB Funds, rehabilitation of Dushanbe-Kurgan-tube Road will start.

In the given project area a number of buildings and structures close to the road will be affected. Also, there will be impact on agricultural and farming lands.

Therefore, with the aim of timely resolution of citizens' grievances and to overcome obstacles on project realization, we kindly would request you to establish the Grievance Redress Committee in the District and to inform PIURR about the outcomes.

At the same time, we note that for the road project Dushanbe-Tursunzade-Uzbekistan border was established the same committees and the outcomes were satisfactorily assessed by ADB. In experience of other projects, the Grievance Redress Committees should include the following institutions representatives:

- Rayon Jamoat: chairman/a person authorized by Jamoat, Engineer on land planning and the chairman of Jamoat;
- State Committee on land use and geodesy in Rayon;
- Architecture Department and Urban Development in the Rayon;
- State Executive Authority; Regional Deputy.

It is necessary to note that all citizens' grievances related to the project will be dealt with the participation of PIURR, Consultant and Contractor's representatives. In more complex cases, representatives of other authorized institutions will be invited.

Regards,

Executive Director

N. Arabzoda



**Annex 4-2**

**GRIEVANCE REGISTRATION FORM**

**1. Geographical location where the grievance was reported**

Rayon: ..... Jamoat: .....

Village: .....

**2. Project name**

.....

**3. Background information on the aggrieved person(s)**

Number of aggrieved persons: .....; if there is more than one aggrieved person, please use a separate sheet of paper to register their personal information (name, primary occupation, tel. no., and signature)

i) Full name: .....

ii) Residential address: .....

iii) Primary occupation: ..... Tel.: .....

**4. The cause and particulars of the grievance (detailed description of the issue/ problem and or suggestion)**

.....  
.....  
.....  
.....  
.....

**5. Redress sought by the affected person**

.....  
.....  
.....  
.....

**6. List of submissions in support of the grievance (if any)**

1) .....

2) .....

3) .....

.....

**Note:** I hereby confirm that the information provided above is truthful and complete, to the best of my knowledge. I realize that the any miss-represented, intentionally omitted, or twisted facts provided in this form may impede the impartial processing and lead to the delay in resolving the grievance.

Name of the aggrieved person:

.....

Signature: .....

Date: .....

---

**For official use only:**

1. Name and position of the staff: .....  
(GRC member) who registered the Grievance Form in the Complaints Log of the project:

2. Type of Application / Grievance:      Type A (....);    Type B (....);    Type C (....);  
(Please tick the required type based on the content of the application)

3. Grievance number (.....);                      Issue: Involuntary Resettlement (...);    Environment (...);  
(Please tick the required type based on the content of the application)

4. Remarks:

Received date: .....

Signature: .....

---

(Certification of acceptance should be handed over to the aggrieved person) (*Cutting line*)

**Certification of acceptance of the grievance**

This is to acknowledge that the grievance No. (.....), dated: ..... submitted by  
..... was registered  
with the Jamoat: .....Rayon: .....  
by (name and position of the staff) ..... a responsible GRC member

.....  
(Signature)

.....  
(Date)

The alleged grievance will be given due consideration and processed within 15 working days starting from the date when the complaint form was registered. The weekends and public holidays are not counted towards 15 days allowed to process the complaint. The response will be directed to the aggrieved person who has submitted the complaint using the contact address provided in the Grievance Form.

**Updated information on the status of the grievance application No.: (      )**

**Outcomes of the GRC meetings on resolution of the grievance (remarks / date):**

.....  
.....  
.....

.....  
.....  
**List of other documents, protocols in support of the decision/resolution of GRC.**

- 1) .....
- 2) .....
- 3) .....
- 4) .....

The aggrieved person has received a copy of the resolution of GRC on his/her grievance case and has been ..... (satisfied / not satisfied) with the decision of GRC.

GRC Chairperson: ....., position: .....

.....  
(Signature) ..... (Date)

---

**Certification of DPs satisfaction**

This is to acknowledge that the grievance No. (.....), dated: ..... submitted by

the aggrieved person .....  
has been given due consideration and resolved to the benefit of the affected person(s) the resident of  
Jamoat: .....Rayon: ..... DP is satisfied with the decision  
of the GRC of the project and has no further issues or comments regarding this concrete grievance case.

.....  
(Signature of the DP) ..... (Date)

In case of disagreement with the GRC resolution or a failure of the project specific GRM to address the grievance, the aggrieved person may lodge his/her complaint to ADB Resident Mission in Tajikistan, or to the local court, in person or through a nominated representative. The response will be directed to the person who has submitted the complaint using the contact address provided in the Grievance Form.

Annex 4-3

PROJECT GRIEVANCES SUMMARY (TEMPLATE)													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
<b>CAREC Corridor 2,5 and 6 - Road Dushanbe – Kurgonteppa</b>													
Number of new complaints registered for reporting month													
Number of complaints resolved locally by GRC/PIU/Consultant /local government/etc.													
Number of complaints submitted to court/ADB AM/, by-passing project level GRM													
Total number of complaints registered in all Grievance Logs:													
<b>TOTAL</b>													

Annex 5-1

INTERNAL MONITORING TEMPLATES

Data Collection Format for Internal Monitoring (Template)

DPs/Impact Compensation Payment Status Form														
No.	No of AHS	Compensation to be paid (based on impact type) in TJS						Total compensation to be paid TJS	Amount Received by DP TJS	Compensation payment status				Remarks
		Loss of land use rights	Loss of structures	Loss of trees	Loss of crops	Loss of business / employment	Allowances (transition period, vulnerability, impact severity, transportation)			Paid on date	Cheque voucher No.	Amount paid TJS	Remaining amount (if any) TJS	Explain reasons for non-payment
1														
2														
3														
4														
5														
...														
Total														

Compensation Payments for the Reporting Period

#	Reporting period	Compensation paid			Remaining APs & balance compensation		Remarks/Comments
		No. of DPs paid	Amount paid (TJS)	Date	Remaining DPs	Balance Amount (TJS)	
1							
2							
3							
4							
<b>Payment Progress till (date)</b>							
<b>% Paid Progress</b>							

### Replacement Land Plots

Category of land	No. of DPs lost land	No. of plots affected	Area of affected land plot (m2)	No of DPs provided with replacement land plots	No. of plots provided to the DPs	Area of the replacement plots (m2)	Remarks/ Comments
Agriculture							
Orchards							
Residential							
Commercial							
Other (specify)							
<b>Total</b>							

### Tracking Temporary Losses / Impacts

#	Type of temporary losses	Total No. of DPs	Total paid DPs	Paid DPs during reporting period	Not paid till reporting date	% paid	% not paid	Remarks/ Comments
1	Soil disposal							
2	Borrow pits							
3	Contractors' camps							
4	Diversion roads							
5	Loss of access							
<b>G. Total</b>								

### Community Consultations

Type of consultation	No. of consultations	No. of DPs consulted	No. of DPs informed	No. of DPs now aware	%
Meetings					
Focus Group Discussions					
Individual Interviews					
Other (specify)					
<b>Type of disseminated information</b>					
Information on Entitlements					
Use of GRM					
<b>Total</b>					

**Key issues:** eligibility and entitlements, cash compensation or replacement land, choice of housing sites, income replacement options, grievance redress, transition options and provisions, disbursement, etc.

### Grievance Redress Mechanism

GRM cases	Number	%	Remarks
Complaints registered for the reporting period			
Complaints resolved at the project level			
Complaints submitted to a court			
Complaints resolved by a court			
Issues resolved before it became a grievance			
DPs satisfied with the GRM procedure			
<b>Total complaints resolved</b>			
Issues/complains registered			
Issues/complains resolved			
<b>Total</b>			

**LARP information disclosure**

<b>Resettlement Information Booklet</b>	
To APs	
Date:	
No. of APs:	
<b>Resettlement Plan</b>	
To Government institutions	
Date:	
No.:	
<b>Disclosed on ADB website</b>	
Date:	
Disclosed on EA website	
Date:	
Other types of disclosure (specify)	
Date:	

**DPs Relocation Form (Sample)**

Relocation sites	Total No. DPs to be relocated	No. of DPs relocated	No. of DPs not relocated	Relocation allowances provided	Infrastructure development			Comments
					Roads	Water	Electricity	
<b>Total:</b>								



### LAR Activities Progress Monitoring Checklist (Template)

<b>Date:</b>	<b>Project:</b>				
<b>Project site:</b>	<b>Total no. of DPs:</b>				
LAR Activity	Task (v) Completed	No of DPs			Comments
		Total	Completed to date	%	
<b>Disclosing endorsed Final Implementation-ready LARP to DPs and publishing it on ADB website</b>					
<b>LAR Implementation processes</b>					
Reached agreements with DPs on their entitlements and compensations					
Transferring LARP funds to the LARP implementation agency		N/A			
DPs notified on disbursement and LARP implementation schedule					
Cash compensation payments disbursed					
Relocation strategy implemented					
Income restoration strategy in place					
Land and structures acquired					
<b>Commencement of civil works after implementation of the LARP provisions</b>					

**Compliance Monitoring From on the Provision of Entitlements (Template)**

<b>Date:</b>		<b>Project name:</b>								<b>Project site:</b>						<b>Total No. of DPs:</b>		<b>Comments</b>
<b>Asset Type</b>	<b>LAR Activity</b>	<b>Done</b>	<b>Total DPs (No.)</b>				<b>Unit Rate (TJS)</b>			<b>Total Units (No)</b>				<b>Total Costs (TJS)</b>				
		(v)	LARP	Actual	Completed to date	% completed	Unit type	LARP	Actual	LARP	Actual	Completed to date	% completed	LARP	Actual	Completed to date	% completed	
Irrigated agricultural land	Cash																	
	Lease reimbursed																	
	Temporary impact																	
	Land replacement																	
Rain-fed agricultural land	Cash																	
	Lease reimbursed																	
	Temporary impact																	
	Land replacement																	
Pasture land	Cash																	
	Lease reimbursed																	
	Temporary impact																	

	Land replacement																	
Residential/ Commercial land	Cash																	
	Lease reimbursed																	
	Temporary impact																	
	Land replacement																	
Public land	Cash																	
	Lease reimbursed																	
	Temporary impact																	
	Land replacement																	
Crops	Annual																	
	Perennial																	
Trees	Fruit trees																	
	Wood trees																	
	Other (saplings, decorative, bushes)																	
Business loss																		

	Employment loss																		
	Temporary affected																		
Structures / Buildings	1 floor buildings																		
	2 floor buildings																		
	Outbuildings																		
	Sheds																		
	Walls																		
	Fences																		
	Tanks/Pools																		
	Latrine																		
	Storage																		
	Paved surface																		
	Decorative structures																		
	Other																		
Transaction costs	Notarization																		
	Cadastral map survey																		
	Property rights																		

	registration																	
	Services fees																	
Allowances	Moving expenses																	
	Transition / Rental																	
	Vulnerability																	
	Severity																	
	New plot improvement																	
	Training programs																	
	Micro-credit facility																	
	Project employment																	