

# Social Due Diligence Report

---

Document Stage: Draft  
September 2016

## UZB: Kashkadarya Regional Road Project

## LIST OF ABBREVIATIONS

ADB	–	Asian Development Bank
AH	–	affected household
AP	–	affected person
CAREC	–	Central Asia Regional Economic Cooperation Corridor
EA	–	executing agency
GOU	–	Government of Uzbekistan
IR	–	involuntary resettlement
IFI	–	international financial institutions
Km	–	kilo meter
LA	–	land acquisition
LARP	–	land acquisition and resettlement plan
PPTA	–	project preparatory technical assistance
RRF	–	Republican Road Fund
SPS	–	Safeguard Policy Statement

## TABLE OF CONTENTS

I.	INTRODUCTION.....	1
A.	Project Background.....	1
B.	Scope of the Project.....	2
C.	Purpose of the Due Diligence Report (DDR).....	2
II.	SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS .....	3
III.	METHODOLOGY OF THE SOCIAL DUE DILIGENCE EXERCISE .....	3
IV.	FINDINGS OF THE SOCIAL DUE DILIGENCE EXERCISE .....	4
V.	GAPS AND COMPLIANCE ISSUE .....	13
VI.	RECOMMENDATIONS AND CORRECTIVE ACTIONS .....	13

### APPENDIXES

1.	List of affected persons and their asset details (tentative).....	15
2.	Kamashi residential and non-residential payment information .....	20
3.	Yakkabog information of APs for residential and non-residential .....	21
4.	Sharisabz residential and non-residential APs payment information .....	22
5.	Resolution Of The President Of The Republic of Uzbekistan on The Investment Program Of The Republic Of Uzbekistan For 2013 .....	23
6.	Sample payment instructions from RRF to Khokimyat for paying compensation.....	29
7.	A Brief on the Applicable National Laws and Provisions Regulating Land Acquisition and Compensation .....	30

## **ACKNOWLEDGEMENTS**

This due diligence report on the accomplished land acquisition by the government was prepared and finalized by the ADB project team, with initial input from Sheladia Associates, Inc, the PPTA consultants. A special mention is made of Ms. Feruza Insavaliyeva, project associate analyst and safeguards coordinator at the Uzbekistan Resident Mission of ADB, who provided insights and local knowledge on the practices, as well as interpreted the relevant laws, apart from her primary role of coordinating with the relevant government agencies and organizing and participating in the meetings and project site visit. The contribution of Mr. Alexander Sambrosky, ADB RETA 7433 (Mainstreaming Land Acquisition and Resettlement Safeguards in the Central and West Asia Region) consultant for Uzbekistan to this study is acknowledged.

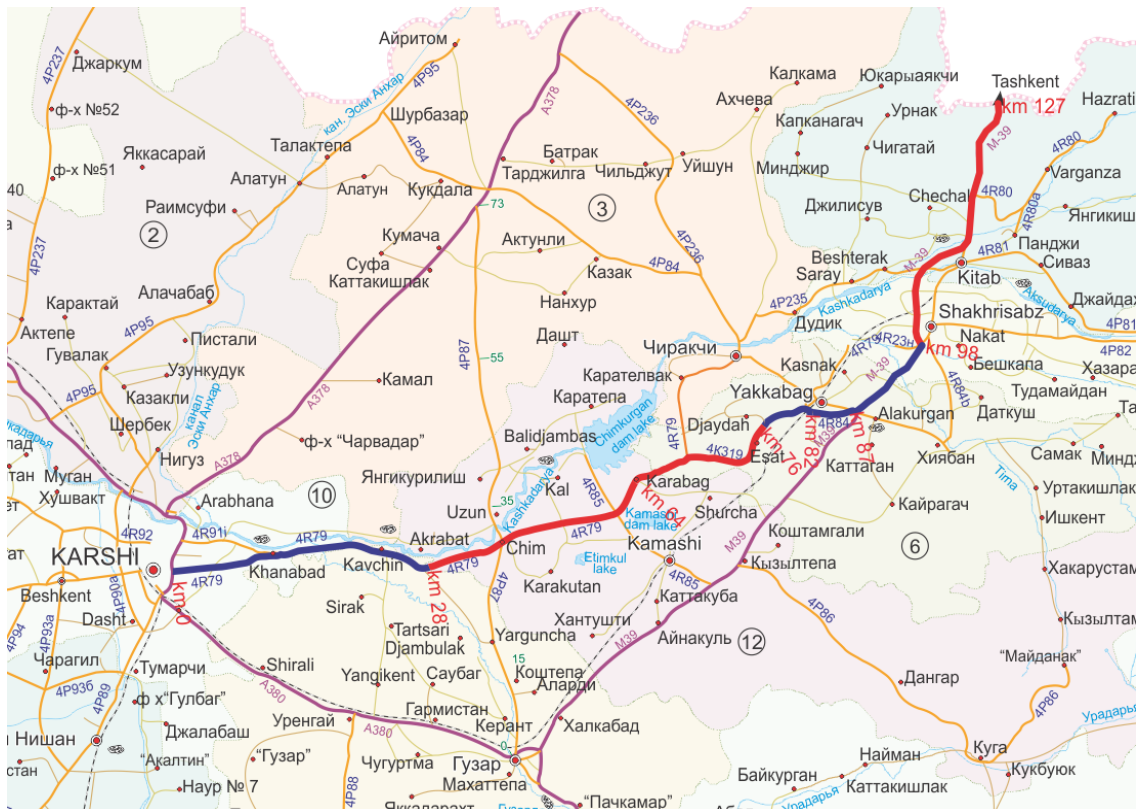
# I. INTRODUCTION

## A. Project Background

1. This is a stand-alone project in the Kashkadarya region, truncated from the proposed multi-tranche financing facility (MFF) for the Third Central Asia Regional Economic Cooperation Corridor (CAREC) 2 Road Investment Program that will rehabilitate 364 km of international corridor highways in the Republic of Karakalpakstan (an autonomous region of Uzbekistan), Khorezm and Kashkadarya regions of Uzbekistan. The new title for this project road is Karshi – Shahrhisabz – Kitab Regional Road Project (the Project).

2. The entire length of 127 km of road construction in Kashkadarya province was originally (2014) a government-funded road project. Sometime after mid-2015, the government requested ADB to support 77 km of this road in two sections of 48 km and 29 km. The project will entail upgradation/construction of a regional road section connecting Karshi and Kitab to 4 lanes with cement concrete pavement and improved road safety, providing a shorter high capacity link between these two centers on 4R79 and M39. Under the Government plans, the city of Karshi and the areas along the corridor will be opened up for processing raw cotton, agricultural products, production of building materials, engineering products, etc. **Figure 1** shows the map of the project road.

**Figure 1: Map of the Project Road**



## B. Scope of the Project

3. The project will entail reconstruction of the existing highway, which is a major two-lane highway with partly four-lane highway<sup>1</sup>. The project is located about 300 km south of Tashkent with flat/rolling terrain in most sections. The existing highway was built between 1970s–1980s<sup>2</sup> which now has a deteriorated pavement. The project will include widening the existing two-lane highway into four lanes and reconstructing the existing four-lane highway sections with new cement concrete pavement and base course, constructing drainage, widening and repairing of existing bridges, and installing proper road safety facilities. The project will follow the existing alignment in most sections with minimum realignment in a few sections to improve the geometric alignment.

4. It is noted that the ADB section of the road comprising a total length of 77 km is not a contiguous length 77 km. Instead, it comprises two road sections in four districts from the entire corridor of 127 km. Table 1 shows the ADB sections of the road comprising 77 km. Section 1 comprises (i) Road 4R79 “Karshi city–Khanabad village–Chirokchi–Shakhrisabz city”, km 28–km 64 (36 km), and (ii) Road K319 “Railway station Tanhoz–Yakkabog city–Esat village–Kazak village”, km 18–km 30 (12 km), total 48 km, and Section 2 comprises Road M39 “Almaty–Bishkek–Tashkent–Shakhrisabz–Termez” km 1144–km 1173, 29 km. There was no worthwhile explanation for these disjointed ADB sections, except that there are reportedly less land acquisition and resettlement cases in these sections.

**Table 1: Details of the Project road**

Name of the Road	Length	District covered	Road length covered (km)
Karshi – Kitab (ADB funded section)	77 km	Kamashi	21
		Yakkabog	18
		Shakhrisabz	9
		Yakkabog	29

5. The project will increase domestic and international trade along CAREC Corridors and contribute to economic growth along the project roads. The project will benefit local communities along the road through greater access to markets and social service facilities<sup>3</sup> and enhance their community networking, as well as the transport of goods across the region. The project is expected to initiate economic ripple effect, where local economy is developed through increased trade and employment generation.

## C. Purpose of the Due Diligence Report (DDR)

6. Apart from the project benefits, the project construction necessitated land acquisition, leading to impacts on the residential and commercial structures and the land underneath these structures in the habitations along the road. No agricultural land has been affected. During the PPTA inception mission in April 2016, the project executing agency (EA) – Republican Road Fund (RRF) informed the ADB team that land acquisition for the entire road length of 127 km was already accomplished before the government requested ADB for financial support of the 77 km road sections. Hence, ADB engaged the PPTA consultants to carry out a due diligence study instead of preparing a LARP for the 77 km ADB sections to determine (i) if land

<sup>1</sup> Existing four-lane sections were from km 0 to km 8 on 4 R79 and from km 1184 to km 1144 on M39.

<sup>2</sup> Exact dates are not available.

<sup>3</sup> Mainly to health care facilities located in province or district centers and to educational facilities such as universities, colleges and schools.

acquisition was initiated in anticipation of ADB support, and (ii) if due process was followed for land acquisition.

### **Objective and Scope of the DDR**

7. This due diligence report for land acquisition and resettlement relates to the sections connecting Karshi and Kitab (77 km) of the Kashkadarya Regional Road Project. The remaining 50 km road section, being financed by the government, constitutes an associated facility.<sup>4</sup>

8. The objectives of the due diligence exercise are to:

- (i) Determine if land acquisition was initiated in anticipation of ADB support for the project.
- (ii) Assess if due process had been adopted in land acquisition and resettlement process including consultation, information disclosure, compensation payment and grievance redress mechanism;

## **II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS**

9. Based on the detailed design for road widening, as of date, 12.53 ha of land have been acquired. According to information received from the RRF, the project will affect in various degrees a total number of 160 households, divided into 132 residential and 28 non-residential households. These numbers are still tentative in relation to Yakkabog district, as the authorities are working to separate the ADB sections from the government sections and determining/finalizing the correct numbers. Of the 160 affected households, 17 have been physically displaced and relocated while others are partially affected. **Appendix 1** contains a list and asset details of the affected persons. This is a tentative list and the affected area indicated is not always accurate. This list will be updated.

10. It is understood that no agricultural land is affected. Residents are generally allowed to use the unused land on the right of way for agricultural purposes as a local cultural norm, and there is a common understanding that when the government requires the right of way, (unauthorized) users give it up after harvesting their agricultural produce.

## **III. METHODOLOGY OF THE SOCIAL DUE DILIGENCE EXERCISE**

11. The methodology followed for the due diligence exercise included document review, social survey of the project affected households, and extensive consultations with the relevant district officials as well as focus group discussions with the affected persons.

12. **Document review.** Apart from the review of the relevant national and local laws, regulations, government resolutions and procedures pertaining to land acquisition and land transactions undertaken by the EA with regard to the affected households, the available data provided by the respective district khokimiyats related to payment of compensation to the affected households was reviewed to assess the adequacy of the compensation payment.

13. **Onsite survey of the affected households.** A survey of affected households from whom land and assets are being acquired was undertaken as part of the due diligence exercise. The survey intended to cover 100% of affected households in all 3 affected districts (total 4 project districts but, the last one, Kitob, has no impacts). However, when the survey was carried

---

<sup>4</sup> Associated facilities not funded by the project but whose existence and viability are entirely dependent on the project and whose services are essential to project operation.

out, not all affected households were available to participate in the survey. Out of the 160 affected households, 152 households (95%) were covered for the due diligence survey. During the survey, the households were interviewed to assess their knowledge and concerns regarding the land acquisition and resettlement process.

14. **Consultations.** Three focus group discussions (FGDs) were undertaken in the affected areas with the affected communities with the objective of understanding the land acquisition undertaken and compensation provided and overall adequacy of the resettlement measures as well as the nature of grievances of the affected households and communities, if any. Residential households and non-residential households constituted the ‘focus’ for the consultations. In addition, extensive meetings with other key stakeholders including community leaders and khokimiyat representatives at the district level were carried out.

#### IV. FINDINGS OF THE SOCIAL DUE DILIGENCE EXERCISE

15. The RRF as the EA has overall responsibility for land acquisition and compensation payment in coordination with the respective district khokimiyats in Kashkadarya province. Land acquisition carried out by the EA for the ADB project road sections was initiated according to the country land law, the Land Code. Land is a state property in Uzbekistan and owned by either the respective city or the district khokimiyat. As per the Land Code, the district khokimiyat grants the right to land to individual households. There is no cash compensation for land but land for land compensation is the practice. Cash compensation is provided for developments made on land, such as, building structures and crops, but the compensation for trees is included in the compensation assessment for house structures. Cash compensation is also provided for the development of the replacement land.

16. **Affected population census.** According to information received from the respective district khokimiyats, a total of 160 households have been affected by land acquisition. A census was carried out of 152 available households for the due diligence interviews. Based on this information, it is estimated that the average household size is 5.85 (average number of males 3.07 and the average number of females 2.78), and for the total number of 160 affected households, the total number of affected persons is deduced to be 936, comprising 491 males (52.5%) and 445 females (47.5%). All the affected households pursue agricultural livelihood. In addition, the 28 non-residential households run roadside shops.

17. As indicated above, of the four project districts, the last district (Kitob) is not affected by land acquisition. According to information available for land acquisition from the respective district khokimiyats, two types of land – residential and nonresidential (includes orchards) are affected. No temporary impacts on land were identified or reported during the due diligence. District-wise details of the types of affected assets are in Table 2.

**Table 2: District-wise Types of Affected Assets**

Districts	Types of Impact		Total No. of Affected Households	Percentage
	Residential	Non-Residential		
Kamasi	9	8	17	10.6%
Yakkabog	105	17	122	76.3%
Shahrisabz	18	3	21	13.1%
<b>Total:</b>	<b>132</b>	<b>28</b>	<b>160</b>	<b>100%</b>



18. **Land acquisition accomplishment.** As of date, the EA acquired 12.53 ha of land. The district-wise details are shown in Table 3. Approximately 18.62 ha of the right of way (9.02 ha in Yakkabog and 9.6 ha in Kamashi districts) have been cleared by allowing the informal users take their agricultural produce grown on the right of way.

**Table 3: Distribution of Permanent Impact on Land**

	Residential (ha)	Non-residential (ha)	Total (ha)
Shahrisabz	0.69	0.14	0.83
Yakkabog	9.07	0.71	9.78
Kamashi	1.73	0.19	1.92
<b>Total</b>	<b>11.49</b>	<b>1.04</b>	<b>12.53</b>

19. As a result of this acquisition, the 9 residential households in Kamashi district and 8 residential households in Yakkabog district have been fully and permanently displaced. They were given replacement land, paid full compensation for their housing, and relocated. Other households in all three districts are partially affected.

20. **Compensation payment.** Interviews with the identified project affected households and information made available by the respective district khokimiyats (**Appendixes 2-4**) show that, of the 160 affected households, only 17 residential households (10.6%) have been fully paid compensation for replacement housing and replacement land provided with and relocated, and the other residential households (T=115) and 3 non-residential households in Shahrisabz that are partially affected (73.8%), have been paid initial 50% payment for housing, provided with replacement land, and their assets taken for the project. The land acquisition process is in progress with survey, measurement, valuation exercises for the 8 non-residential households in Kamashi and 17 non-residential households in Yakkabog districts (15.6%). Table 4 shows the details.

**Table 4: Status of Payment of Compensation to Affected Households**

Road Section	Total No. of AH	Total No. of HH yet to receive compensation	Status of compensation payment to HHs				
			Residential			Non-Residential	
			No. of HH paid 100% compensation	No. of HH received 50% advance compensation	No. of AH yet to receive compensation	No. of HH received 50% advance compensation	No. of AH yet to receive compensation
Shahrisabz	21	-	-	18	-	3	-
Yakkabog*	122	17	8	97	-	-	17
Kamashi	17	8	9	-	-	-	8
<b>Total:</b>	<b>160</b>	<b>25</b>	<b>17</b>	<b>115</b>	<b>-</b>	<b>3</b>	<b>25</b>

\*The numbers for Yakkabog are tentative, to be finalized by the district khokimiyat.

21. The ADB team was given to understand that in many cases the process could not be completed because the affected households, although received replacement land, did not come forward with documentation for their housing assets. In some cases, the payment process has not been completed due to disputes regarding the compensation amounts offered for the structures.

22. **Land acquisition was not initiated with anticipation of ADB support.** Discussion with the EA and documentary evidence established that land acquisition for the project was initiated some time in 2014 by invoking the requirements of the country's Land Code and by using the instrument of Resolution #97. The government decree for the land acquisition was issued on **21 November 2012 [President's Decree #1855] (Appendix 5)**. This activity was linked with the renovation of Shahrissabz city. There was a special Resolution of the Cabinet of Ministers #31, dated 20 February 2014, "On the program of comprehensive measures on building and reconstruction of Shahrissabz city, Kashkdarya region". This resolution contains detailed program with activities for 5 years (2014-2018) and the development of "Karshi-Shahrissabz-Kitab" road was also included as part of this program. As such, land acquisition is being carried out in phases and is continuing. The EA initiated discussions with ADB for project support sometime after mid-2015.

23. Land acquisition for the project was already requisitioned per the government decree mentioned above and the process of assets acquisition is on (as mentioned, 12.53 ha of land has been acquired), to be completed as the disputes regarding compensation amounts are resolved. The compensation valuation of the affected house and other structures was done between May and October 2015 in Shahrissabz district, in November 2015 in Kamashi district, and between October 2015 and January 2016 in Yakkabog district. The EA confirmed that all civil works as well as resettlement were done section by section according to their work plan. So, the khokimiyats were not required to resettle all households at one go and make them homeless. It was also confirmed that the EA has sanctioned financial resources for compensation, so this was not the issue for delay with land acquisition and resettlement. *On the basis of the available documentary evidence, this due diligence exercise confirms that land acquisition initiated by the EA was not in anticipation of the ADB project.*

24. **Information disclosure and consultation.** The land acquisition process is initiated by a project executive agency (in this case, the RRF) by requesting the respective district khokimiyat, who forms a working commission for land acquisition comprising an architect, a cadastral official, and finance personnel and this commission is chaired by the deputy khokimiyat. The proposed affected persons are given 6 months advance notice that is personally delivered by a khokimiyat official, thus triggering information disclosure and consultation. In the case of this project, a special district commission was constituted for land and other assets acquisition with the following members:

- Deputy district khokim (chair);
- District architecture department;
- "Yermulkkadastr" DUK ("Land management and real property cadaster service" State Sanitary Enterprise);
- District finance department;
- District housing construction coordination department;
- Chair of makhalla;
- Affected property owner.

25. This Commission is responsible for the following:

- Facilitate documentation on LA, e.g. prepares decree of khokim, protocols, minutes;
- Consolidates compensation information;
- Confirms impact, listing of affected assets;

- Preparation stage, initial agreement on land acquisition / resettlement, compensation method, before it goes legal as decree of khokim

26. **Compensation payment process.** The EA has the responsibility to ensure that payment for compensation is forwarded to the district khokimiyats, which in turn disburse the same to affected households through bank transfer to their respective accounts.

27. The district khokimiyats provide the following documents to the EA for payment of compensation:

- Valuation appraisal report;
- Decree of district khokim;
- Decree of provincial khokim.

28. Based on the above, the EA transfers to 50% of the assessed compensation prior to demolition of the affected property (this is elaborated later). The remaining 50% of the compensation is transferred to the affected household head's account when the demolition of the structures is completed. It is understood that the practice of paying 50% advance payment in the roads projects has been around since 2010. This was initiated by the RRF in agreement with the provincial khokimiyat to ensure that the affected households actually remove themselves from the affected assets. This is a practice of convenience on the part of the EA and not a legal requirement of the country. A sample payment instruction from the RRF to Khokimiyat for paying compensation is appended as **Appendix 6**.

29. Compensation offered for land and other assets acquisition was in accordance with the Government of Uzbekistan's national laws and procedures. The compensation included:

- Compensation for the loss of residential and non-residential land (land for land);
- Compensation for the loss of affected houses, buildings and other structures

30. As indicated earlier, the affected households were compensated for trees located within their household land plots as a part of the housing structures, according to the law. The assessment details are found in the valuation reports. This means that compensation for trees is a part of the assessment for an affected house.

31. The existing practice of payment procedures is based on the "Regulations on procedures for compensation citizens and legal persons for losses in connection with withdrawal of land plots for the state and public needs" approved by the governmental resolution #97 dated 29 May, 2006. Para. 12 of the Regulations says: "All materials appeared in the result of dismantling of demolished residential houses (apartments), other buildings and structures (except for unauthorized construction), located at the land plot to be acquired, shall be retained at the disposal of property developer or land owner (land user, leaseholder) who shall make full compensation to the owner. In specific cases, at will of the owner of demolished residential house (apartment), buildings, structures and plantings, materials appeared in the result of dismantling, based on the decision of khokims of relevant districts (towns), may be handed over to the owner. In this case the commission shall determine the cost of materials to be handed over to the owner at the market prices actual at the time of demolition taking into account amortization".

32. According to para 13 of the Regulations, the compensation should be paid before demolition of buildings and structures. Also para 18 of the Regulations says: Demolition of

residential house (apartment) can be executed only by consent of the parties after allocation of residential dwellings to the owner in return of demolished residential house (apartment).

33. However, the existing practice of compensation payments procedure practically divides the payment in two stages:

- i) advance payment – 50%
- ii) final payment – other 50 % after demolition of building and structures.

34. As practice shows there are two reasons to divide compensation payment:

- There are often cases when the affected people do not want to leave their houses after receiving full compensation. In order to avoid such situations local governments divide payments in two parts.
- Many households, especially in rural areas, want to take salvage materials left after house demolition. As indicated above, people wanting to take the salvage materials have pay for them by law. But people's psychology is such that after receiving the full compensation, they ordinarily do not want to pay for the salvage materials. In order to avoid such stalemate situations payment procedure is follow:
  - i) Advanced payment – 50 %
  - ii) Final payment – other 50% minus cost of salvage materials (but not higher than 20% of total compensation) after demolition of the buildings and structures.

35. In these cases, the affected people ordinarily take part in the demolition process as supervisors to ensure that salvage materials will be left in good conditions that can be used for further construction of new houses.

36. **Review of compensation and replacement cost.** Valuation of the project affected assets in Uzbekistan is done by professional, licensed valuers. The valuation method followed by the professional valuers is somewhat in accordance with the 'International Valuation Standards' published by the International Valuation Standards Committee (IVSC), subject to variation to meet local established law, custom, practice and market conditions. Market value is defined by IVSC and adopted by Royal Institution of Chartered Surveyors (RICS) as "The estimated amount for which a property should exchange on the date of valuation between a willing buyer and a willing seller in an arm's-length transaction after popular marketing wherein the parties had each acted knowledgeably, prudently and without compulsion."

37. Since 1996, legislation in Uzbekistan has been actively developed in the field of valuation. The modern definition of market value for the first time appeared in the legislation in 1996 in the following form: "Market value of the property, including the value of the shares or other securities, is the price at which a seller having full information on the cost of property and not obliged to sell it, was willing to sell it and the buyer having full information about the value of the property and not obliged to purchase, would agree to buy". Later on in the Law "On Valuation Activity"<sup>5</sup> a market value was defined as: "Under the market value of the assessment is meant the most probable price at which the property assessment can be disposed of in the open market in a competitive environment where the parties of the transaction are in their own interests reasonably and without coercion, all the necessary information, and the magnitude of the transaction price does not reflect any or extraordinary circumstances, including the obligation for a party to enter into this transaction".

<sup>5</sup> Law "On Valuation Activity", Article 7, Clause 1, dated 19 August 1999, last amended 14 May 2014

38. Sequencing of legal acts and their contents characterize the state and public understanding of the theory and practice of market valuation. This is confirmed by a number of definitions and norms declared in the Law “On valuation activity”. For example:

- a) “Valuation activities are the activities of appraisal organization, aimed at determining the value of the assessment”<sup>6</sup>
- b) "Appraisal organization - a legal entity licensed to carry out valuation activities. Appraisal organization in its activity is independent. No interference consumer services (hereinafter - Customer), or other interested parties in the evaluation activities of the organization. Creation of the appraisal organization and realization of valuation activities by public authorities and administrations are prohibited, unless otherwise provided by law”<sup>7</sup>.

39. **Evaluation of assets and disputes about evaluation reports.** During site visit to Shakhrisabz district, the ADB team was informed of 7 cases of disputes about property evaluation. An independent evaluation company carried out the evaluation of properties and submitted the evaluation reports to the affected persons for agreement. The 7 from 21 APs were unsatisfied with the results of evaluation because, the evaluation company allegedly did not take into account some light constructions, pools, etc. located on their land plots. Because of this, the affected persons requested the local administration and the evaluation company for reconsidering the evaluation reports. The evaluation company had to repeat its evaluation process by re-surveying. As result of this, the total cost of properties for compensation was increased by 8 million Uzbek Sums (approximately 2,600 USD).

40. **Evaluation of salvage material.** An analysis of the cost of salvage materials shows that it is not so expensive and 4-5 times less than the market price of new ones. Moreover, the physical conditions of the salvage materials (especially doors, windows, ceilings, bricks, concrete constructions, roofing materials etc.) are still good, but their cost is much lower in comparison to the new ones. The ADB team’s analysis revealed that the affected persons obtained some financial benefit in this case. According to para 12 of the Regulations mentioned earlier, the cost of the salvage materials is determined by a special Evaluation Commission that consists of the representatives of local administration and involved organizations. For example, in Yakkabog district, these include:

- 1st Deputy Khokim of the district (ordinary responsible for developing and construction)
- Chief Architect of the district
- Chief of the State Enterprise of land surveying and real property cadastre
- Senior or leading specialist of the local administration (khokimiyat) responsible for construction issues
- Chief of Financial Department of the local administration (khokimiyat)
- Chief of Department of communal services of the local administration (khokimiyat)
- Chairman of Makhallya Committee (self-governance body)
- Representative of the Republican Road Fund (in case of road construction) or other governmental authority responsible for the project implementation.

---

<sup>6</sup> Law “On Valuation Activity”, Article 3, Clause 1, dated 19 August 1999, last amended 14 May 2014

<sup>7</sup> Law “On Valuation Activity”, Article 4-1, Clause 1,2,5, dated 19 August 1999, last amended 14 May 2014

41. The Evaluation Commission creates a special Evaluation Act with description of situation around this real property demolition including the list of salvage materials with their types, quantity and cost of each type, and total cost of salvage materials which will be deducted ordinarily from the second tranche of 50% compensation payment after a building's demolition. This Evaluation Act is signed by all members of the Evaluation Commission and by the owner of the affected asset and approved by Khokim of the district.

42. **Land Acquisition for Public Purposes.** The establishment of a project (like road construction<sup>8</sup> etc.) as a Public Purpose activity endowed with juridical personality and triggering the right of Eminent Domain is contingent on the promulgation of a Project Decree to be signed by the President in case of loan agreement with ADB or other international or foreign financial organization. Such a resolution clearly establishes that the Project fits the public interest characters defined by the Law, identifies project location and governmental bodies and local governments involved, and provides a preliminary assessment of the properties to be acquired under the right of eminent domain based on cadastral data and estimate relative costs based on market values. Technically, surveyors and valuers tasked with the detailed field measurement of project-affected assets and their valuation at market rate can enter the affected properties only after the Resolution is emanated.

43. **Expropriation issues.** The Land Code describes general land acquisition principles for public purpose projects indicating that: i) land is to be acquired through replacement of an equivalent land<sup>9</sup> and ii) preferentially through consensual agreement between State bodies land owners/users<sup>10</sup>. Compensation proceedings should cover all investments made on the land including cost of buildings and structures as well as full reimbursement for all other damages (including lost profits)<sup>11</sup>. In case of disagreement the land user or tenant of the land with a decision of district (city, region) khokim, or the decision of the Cabinet of Ministers to withdraw the land, this decision may be appealed in court<sup>12</sup>. The Land Code provisions are generic and are supported by a set of by-laws and regulations that fully clarifies the conditions for public purpose land acquisition and proper valuation mechanisms. A brief on the applicable national laws and provisions regulating land acquisition and compensation is included in **Appendix 7**.

44. **Initial 50% compensation payment.** As discussed before, while the country's land law requires full compensation payment before causing displacement, in the past few years, it is reported that for the road projects (irrespective of being financed by the government or by the IFIs), due to bad experience of affected house owners collecting compensation and not vacating their houses for the project construction, in agreement with the respective district khokimiyats, the RRF initiated a practice of initially paying 50% of the professionally appraised compensation to the affected persons for demolishing their structures and starting their new residence construction (salvage material taking allowed). Thus, while their assets are taken for the project construction, they are paid rentals for accommodation for a period of two years following a government Decree (No. 97) and the remaining 50% is paid right after the demolition is completed. This practice is, apparently, not in line with ADB's IR safeguard requirements that require full compensation payment before taking possession of the affected assets.

45. However, it is noted that as indicated above, the country's regulation (government decree) provides for two years of rental while the construction for the new accommodation is in progress. This is not a rental assistance as commonly understood in the resettlement parlance,

<sup>8</sup> Resolution of the President of the Republic of Uzbekistan #PP-1981 dated 7 June,2013

<sup>9</sup> Land Code, Article 41, Clause 4, dated 20 April 1998, last amended on 4 September 2014

<sup>10</sup> Land Code, Article 37, Clause 1, dated 20 April 1998, last amended on 4 September 2014

<sup>11</sup> Land Code, Article 41, Clause 4, dated 20 April 1998, last amended on 4 September 2014

<sup>12</sup> Land Code, Article 37, Clause 2, dated 20 April 1998, last amended on 4 September 2014

which is generally induced by an IFI assisted project. Instead, this is a legal provision of the country to ensure that the project affected households losing their homes do not become homeless while their assets are taken. This is not an ideal situation but possibly the best solution, as the compensated house owners often fail to vacate their premises. They are paid the remaining 50% compensation payment upon demolition of the structures. It is noted that the government, too, is under pressure to make the payment, as they get funds for compensation budgeted for a given year that needs to be spent. This mechanism effectively supports the SPS requirements for safeguarding the interest of the affected persons and it is a win-win situation for both the government and the affected persons.

46. **Associated facility.** The due diligence exercise also reviewed the land acquisition practice in the 50 km section of the road funded by the government, which constitute an associated facility. In this section, 246 households were affected by the project (201 residential, 20 non-residential, and 25 agricultural). As indicated earlier, the government actually started implementing the 127 km road as one project some time in 2014. The due diligence exercise confirms that the same land acquisition process was followed in the government-funded section, as in the ADB-funded section.

47. **Resettlement assistance.** There is no resettlement assistance requirement for physically and economically displaced persons according to the country's expropriation law. Therefore, no assistance is provided for livelihood rehabilitation/income restoration or other resettlement assistance than shifting assistance and rental assistance.

48. **Consultation and Disclosure.** Consultations with the project affected persons are not a requirement under the expropriation law of the country. Nevertheless, as mentioned earlier in paragraph 24, during the PPTA inception mission site visit, the ADB team was informed by the RRF that the respective district khokimyats had notified and consulted with the proposed affected households about the project and about their land to be taken for the project. Indeed, when the ADB team asked some of the assembled persons about any consultations, the people agreed and, some of them mentioned that they were allowed to use some plots of land for cultivation that were not yet required for the construction activities.

49. As indicated in the methodology section, the PPTA consultants carried out three focus group discussions (FGDs). A total of 67 affected persons (26 females and 41 males) representing 67 households participated in the discussions. The subject matter of the consultations was the status of resettlement measures taken by the EA. The overall approach used during the FGDs was to focus on ensuring the participation of the affected households, especially women, in the affected communities and understand the nature of impact and issues faced by them. The findings of the consultations showed that the affected households generally had some reservation about land acquisition. Table 6 below provides the details of the FGDs carried out.

**Table 6: Details of the FGDs Organized in the Project Area**

Date	Location	No. & Type of Participants	Main topics discussed
June 03, 2016	Qozoq qishlogi	Total 17 Affected Persons (11 Males and 6 Females)	AHs requested to reconsider the design and avoid impacts on their houses. During the discussion the AHs understood that the RRF is the EA and decided to collectively address their request letter to the RRF.
June 03, 2016	Bolgali qishlogi	Total 22 Affected Persons	Asked if impact can be avoided. If impact is not avoidable, then can

Date	Location	No. & Type of Participants	Main topics discussed
		(14 Males and 8 Females)	AHs continue to stay in the remaining part of their land? They were informed that the reconstruction of their houses will be according to architectural planning requirements.
June 03, 2016	Esat qishlogi	Total 28 Affected Persons (16 Males and 12 Females)	AHs requested to know more on compensation entitlements, specifically on assessment rules if property will be partly impacted and the remaining part will be unviable to use. The AHs felt that their properties were underestimated and requested to consider valuation reports from firms contracted by them.

50. **Non-title holder affected households.** An important finding of the interview with the affected households is that in Kamashi district, there are several non-title holder project affected households while only one was available for the interview. They are non-titleholders in the sense that they illegally built houses on land meant for agricultural purpose. After receiving a decree from the khokimiyat it was possible to confirm that these affected households are without formal permission to build houses. To be eligible for compensation from the RRF, the affected persons are required to have formal land rights. In these specific cases, the ineligible affected households with residential impact received replacement land plots as well as monetary compensation for the demolished houses, in addition to keeping the salvaged materials. The best part of it is that the replacement land given to them is legalized for house construction and this is a lease in perpetuity. It is a good practice adopted by the EA that they provided replacement land to the illegal users of land, which is not required by the country's law and also legalized it for housing.

51. **Grievance Redress Mechanism.** The existing grievance redress mechanism (GRM) in Uzbekistan does not reflect a policy gap. The country has an established GRM based on law. ADB encourages co-opting the existing or local GRM, which is more efficient and useful as the people are aware of the national GRM's existence. According to the Resolution 97 (29 May 2006) the Khokimiyats of the respective rayons (cities) are obliged to notify owners of residential, production and other buildings, constructions and plantings on the made decision in writing for signature not later than six months prior to demolition, attaching to the notice copies of the relevant decisions of the khokims of rayons (cities) and regions on the basis of the decision of the Cabinet of Ministers of the Republic of Uzbekistan on any land acquisition, demolition of residential, production and other buildings, constructions and plantings located in the land.

52. Also, according to the Law on the Appeals of Individuals and Legal Entities (#378, 03 December 2014), the application or complaint shall be considered within fifteen days from the date of receipt in the state authority, which is obliged to resolve the issue on the merits, as well as require additional study and (or) check, a request for additional documents - up to one month.

53. **Other good practices.** In the land acquisition exercise for the project, Shahrisabz district performed the best. Acquisition of the land parcels for state and public needs was carried out with the consent of the land owners following the decision of the khokimiyat. Replacement land was provided to all the affected households in return for the acquired land plots as "land for



land” compensation. Moreover, in order to ensure more comfortable living conditions, extra land plots were allocated based on family needs. In rural areas many members of an extended family live in one household consisting of several generations. Therefore, whenever there was a preference, a family received additional land plot for housing (500 m<sup>2</sup> per family). Thus, involuntary resettlement created opportunities for a younger generation for independent life. Adequate connectivity to the public services and infrastructures is provided to such newly constructed houses. These new communities are constructed as neighboring communities to the affected or host communities. The khokimyat makes sure that public utilities (gas, power, water, roads) as well as infrastructure and social services (school, kindergarten, medical points) are made available to all the resettled households. Thus, the living conditions of the resettled households are better than they had before. However, as per the Land Code, in cases of disagreement of the land owner with the decisions of the khokimyat for the land acquisition, these decisions can be appealed against in a court of law.

## **V. GAPS AND COMPLIANCE ISSUE**

54. The land acquisition process followed the country’s legal requirements that specify land for land compensation and cash compensation for land development, current market value for housing structure replacement as well trees, and has provisions for grievance redress mechanism. As such, there are no gaps but, there is a compliance issue vis-a-vis ADB’s Safeguard Policy Statement (2009) as well as the country’s land law that require that full compensation payment be paid before taking possession of assets of the project affected persons and commencing constructions.

## **VI. RECOMMENDATIONS AND CORRECTIVE ACTION**

55. It is recommended that any unforeseen impact during the construction shall be mitigated. The EA shall work in coordination with the construction contractors to ensure that there is no temporary loss of livelihood. The EA shall comply with the health and safety requirements as mentioned in the IEE and EMP and will follow the core labour standard.

56. With reference to the identified gap related to non-compliance, if there is any, it is agreed with the EA that construction works shall not commence until full compensation payment has been completed for all remaining 143 households. Alternatively, compensation payment may be completed by sectional approach, land secured without an encumbrance and handed over to the contractor for construction works. This is one of the loan covenants.

57. As part of the corrective action, the ADB project team will monitor the progress of the full compensation payment and periodically update this due diligence report as a compliance monitoring report and ensure that full compensation is paid and other assistances delivered according to the law of the country. The due diligence report will be disclosed on the ADB website without the names of the project affected persons.

58. Any unanticipated impact during the project construction due to possible design change or any other contingency that results in land acquisition will require the EA to prepare a corrective action plan or a resettlement plan and compensation paid according to the entitlement matrix in the resettlement framework endorsed by the EA for the purpose, which is formulated in accordance with the country’s relevant laws and ADB’s Safeguard Policy Statement. As stated in the resettlement framework, the EA will make adequate budget provision for implementing the corrective action plan or a resettlement plan and will transfer funds to the respective district khokimiyats and the latter will make the compensation payment, as is the practice in the country. The corrective action plan or a resettlement plan will be posted

on the ADB website and relevant information from it will be disclosed in the Uzbek language to the project affected persons.



	District	Village / Mahalla	Name	Year	Road section	Decree of khokim	Total land area, sq.m.	Total construction area, sq.m.	Affected land area, sq.m.	Affected structure area, sq.m.	Extent of affected land, %	Extent of affected structure area, %	Real estimated value of affected structure, UZS
35	Yakkabog	Esatkishlok	Yangiboeva Ra"no	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02							73,519,766
36	Yakkabog	Esatkishlok	Eshmuminova Ozoda	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02							67,510,079
37	Yakkabog	Esatkishlok	Tursunov Oltiboy	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,000.00	366.23	1,000.00	366.23	100%	100%	53,970,519
38	Yakkabog	Esatkishlok	Saodatov Mirfozil	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,200.00	372.29	1,200.00	372.29	100%	100%	95,445,931
39	Yakkabog	Esatkishlok	Dusmurodova Zhamila	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,200.00	433.23	1,200.00	433.23	100%	100%	140,883,904
40	Yakkabog	Esatkishlok	Zhuraev Kurbon	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,200.00	236.66	1,200.00	236.66	100%	100%	34,282,394
41	Yakkabog	Esatkishlok	Tursunova Shodigul	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02							71,519,677
42	Yakkabog	Esatkishlok	Ruzikulov Zhalil	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,200.00	356.95	1,200.00	356.95	100%	100%	85,888,764
43	Yakkabog	Esatkishlok	Turaboeva Makhbuba	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,200.00	352.77	1,200.00	352.77	100%	100%	143,876,911
44	Yakkabog	Esatkishlok	Allaeva Malika	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,200.00	332.21	1,200.00	332.21	100%	100%	151,277,457
45	Yakkabog	Esatkishlok	Meyliev Alizhon	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	600.00	187.56	600.00	187.56	100%	100%	130,700,256
46	Yakkabog	Esatkishlok	Rustamov Farmon	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02		360.76		247.96		69%	107,947,193
47	Yakkabog	Esatkishlok	Kodirova Muktaram	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02		245.82		192.22		78%	70,249,814
48	Yakkabog	Esatkishlok	Abdirakhimov Usmon	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,378.00	415.88		358.96		86%	110,006,063
49	Yakkabog	Esatkishlok	Kudratov Kurbon	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02		349.33		245.97		70%	70,129,179
50	Yakkabog	Esatkishlok	Mikhliev Ulugbek	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,200.00	310.62	1,200.00	310.62	100%	100%	35,038,586
51	Yakkabog	Esatkishlok	Beknazarov Mukhiddin	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,200.00	339.46		258.11		76%	95,211,793
52	Yakkabog	Esatkishlok	Abdullaev Ikhtier	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,700.00	247.06		143.56		58%	66,716,268
				2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02		156.00			0%	60,466,201	
53	Yakkabog	Esatkishlok	Abdullaev Bakhtier	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02		269.11		159.61		59%	68,953,021
54	Yakkabog	Esatkishlok	Khuzhaerov Alisher	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,579.20	304.16		227.36		75%	54,575,026
55	Yakkabog	Yangiobod	Khushvaktov Zayniddin	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,400.00	144.30		144.30		100%	37,951,567
56	Yakkabog	Yangiobod	Shukurov Khusan	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,411.32	174.00		72.00		41%	48,284,838
57	Yakkabog	Yangiobod	Kodirov Ilkhom	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,084.86	269.94		147.75		55%	47,442,125
58	Yakkabog	Yangiobod	Murodov Pulat	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,268.96	164.41		164.41		100%	49,457,390
59	Yakkabog	Yangiobod	Dusanov Eshquvvat	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,741.27	233.62		194.20		83%	44,632,348
60	Yakkabog	Yangiobod	Shukurov Nazar	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,588.85	235.70		128.50		55%	53,502,320
61	Yakkabog	Yangiobod	Boymurodova Norbibi	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	2,946.87	189.50		85.50		45%	43,775,691
62	Yakkabog	Yangiobod	Eshqobilov Makhmatqobil	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,301.38	261.22		261.22		100%	52,535,653
63	Yakkabog	Yangiobod	Zhabborov Murod	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,589.94	302.69		184.25		61%	53,426,149
64	Yakkabog	Yangiobod	Moyliev Sherqul	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	2,507.12	362.24		249.14		69%	49,505,104
65	Yakkabog	Yangiobod	Eshqobilov Togaymurod	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	2,390.00	260.84		260.84		100%	80,772,820
66	Yakkabog	Yangiobod	Nortoshova Dilbar	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,850.00	196.33		196.33		100%	58,627,986
67	Yakkabog	Yangiobod	Mustarov Bakhodir	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,200.00	175.00		175.00		100%	56,407,886
68	Yakkabog	Yangiobod	Eshmuminov Abdikamol	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	5,297.39	448.26		254.18		57%	66,187,575
69	Yakkabog	Yangiobod	Kattaev Abdirashid	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	759.00	52.84		52.84		100%	17,058,800
70	Yakkabog	Yangiobod	Kattaev Ilyes	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02		160.28		160.28		100%	23,677,018
71	Yakkabog	Qoramurcha	Khuzhanov Suyun	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,251.50	172.24		153.76		89%	61,012,274
72	Yakkabog	Qoramurcha	Ravshanov Ural	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	600.00	152.70		128.94		84%	55,512,542



	District	Village / Mahalla	Name	Year	Road section	Decree of khokim	Total land area, sq.m.	Total construction area, sq.m.	Affected land area, sq.m.	Affected structure area, sq.m.	Extent of affected land, %	Extent of affected structure area, %	Real estimated value of affected structure, UZS
112	Yakkabog	Khonimqurgon	Ergashova Sayyera	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,400.00	353.55		145.20		41%	33,314,829
113	Yakkabog	Khonimqurgon	Ergashov Eshmurod	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	2,800.00	364.28		254.40		70%	69,999,189
114	Yakkabog	Khonimqurgon	Nurmatov Fakhriddin	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	600.00	67.29		67.29		100%	33,040,151
115	Yakkabog	Khonimqurgon	Ishdavlatov qurbonazar	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	1,202.00	179.34	1,202.00	179.34	100%	100%	45,053,089
116	Yakkabog	Khonimqurgon	Toshturdiyev Tura	2016	4K-319 a/й 12-30 km	17.02.2016 №x-192/02	3,254.00	250.95		71.90		29%	13,465,871
117	Yakkabog	Yangiobod	Abdurakhimov Ikhtiyer	2015	4K-319 a/й 12-30 km	13.12.2014 №x-1484/12					100%	100%	17,119,142
118	Yakkabog	Yangiobod	Normurodov Parmon	2015	4K-319 a/й 12-30 km	13.12.2014 №x-1484/12							26,832,564
119	Yakkabog	Yangiobod	Nortoshov Quchqor	2015	4K-319 a/й 12-30 km	13.12.2014 №x-1484/12							69,425,613
120	Yakkabog	Yangiobod	Rakhmonov Quldosh	2015	4K-319 a/й 12-30 km	13.12.2014 №x-1484/12							59,578,375
121	Yakkabog	Yangiobod	Abdullaev Qayum	2015	4K-319 a/й 12-30 km	13.12.2014 №x-1484/12					100%	100%	46,764,217
122	Yakkabog	Yangiobod	Abdullaeva Inoyat	2015	4K-319 a/й 12-30 km	13.12.2014 №x-1484/12					100%	100%	46,670,157
123	Yakkabog	Yangiobod	Mikhliyev Ulugbek	2015	4K-319 a/й 12-30 km	13.12.2014 №x-1484/12					100%	100%	40,397,916
124	Kamashi		Pardaeva Roziya	2015	4P79 a/й 35-42 km	18.08.2015 №x-484/8	1,300.00	284.70		284.70		100%	23,613,800
125	Kamashi		Bozorov Abdirakhmon	2015	4P79 a/й 35-42 km	18.08.2015 №x-484/8	1,830.20	405.90		405.90		100%	30,035,000
126	Kamashi	Sarbazor	Tursunov Musurmon	2015	4P79 a/й 35-42 km	18.08.2015 №x-484/8	2,224.40	179.20		179.20		100%	8,783,200
127	Kamashi	Sarbazor	Eshnazarov qaxqor	2015	4P79 a/й 35-42 km	18.08.2015 №x-484/8	2,898.90	389.60		389.60		100%	18,282,000
128	Kamashi	Sarbazor	qodirov Bakhtiyer	2015	4P79 a/й 35-42 km	18.08.2015 №x-484/8	2,150.30	335.00		335.00		100%	45,093,000
129	Kamashi	Sarbazor	Normurodov Rakhim	2015	4P79 a/й 35-42 km	18.08.2015 №x-484/8	3,008.30	204.80		204.80		100%	30,230,800
130	Kamashi		Shukurov Ramazon	2015	4P79 a/й 35-42 km	18.08.2015 №x-484/8	641.80	236.40	641.80	103.60	100%	44%	14,588,000
131	Kamashi		Bobozhonov Baxodir	2015	4P79 a/й 35-42 km	18.08.2015 №x-484/8	2,040.50	228.90		204.90		90%	14,304,000
132	Kamashi	Kushkapa	Zhovliyev Khasan	2015	4P79 a/й 35-42 km	18.08.2015 №x-484/8	1,178.80	124.70		124.70		100%	55,837,000



## Kamashi residential and non-residential payment information

ADB

1. Оснй тэргэжээг банкн засбидан мөлжөөнтэригэлэгтэн Карши-Чинэ-Шахрэсбэ йуулини автомобил йуулини реконструкция килишени минтагасидан Камашин тумани худудидан бузилнига тунган турар ва нотурар жой эгалери руйхати ва егизилган зарар учун белгилэган компенсацня түүлшин түүлснэ мэдүүлмэт (Азхонлиши түүлснэри, турар жой ва нотурар жой эгалери кеснимдэ)

№	Уй, нотурар жой мангил ва ном, эгалери немн ва фамилени, фермер хужалектар номн	Келтерилган зарарга белгилэган компенсацня түүлснэ, сум	Бузилнигадан чикаан материаллар нархи хэсбидан уушуб коллиган маблаг, сум	Материаллар нархи чегарилган хилда түүлснэдан маблаг, сум	Утгазуб барилган түүлснэ, суммалси, сум	Түүлснэни лозим бунган маблаг, суммалси, сум
<b>1.1. Турар жойлар ("Карши-Чинэ-Шахрэсбэ" автомобил йуулини 4 P79 км кесимни реконструкция килиш минтагасидан)</b>						
1	Бозоров Абдирахмон	30035000	1019500	13998000	13998000	0
2	Жовлиев Хасан	55837000	1400500	27918500	27918500	0
3	Пардиева Розия	134045000	1868500	65154000	65154000	0
4	Шужуров Рамзон	14588000	633500	6660500	6660500	0
5	Бобожаков Баходир	14304000	550500	6601500	6601500	0
6	Нормуратов Рахим	30230800	1008500	14106900	14106900	0
7	Турсунов Муслимон	4391850	201000	4190850	4190850	0
8	Эшнатаров Кадхор	18282000	753500	8387500	8387500	0
9	Кодиров Бахтиер	22546500	1198500	21348000	21348000	0
	<b>Жамн турар жойлар</b>	<b>324 260 150</b>	<b>8 634 000</b>	<b>168 365 750</b>	<b>168 365 750</b>	<b>0</b>
<b>1.2. Нотурар жой, бинэ-инишотлар "Карши-Чинэ-Шахрэсбэ" автомобил йуулини 4 P79 км кесимни реконструкция килиш минтагасидан)</b>						
1	Тилоев Абганзфур Холмедовичга тегншли булган Камай ҚФЙ Учтут кншлогида жойлагган "Камай" чойхона биноси	143586396,4	5 518 000	138068396,4	0	138068396,4
2	Султанов Алишер Ахмедовичга тегншли булган Камай ҚФЙ Учтут кншлогида жойлагган "Қовун бозори" биноси	26225773,35	3 544 000	22681773,35	0	22681773,35
3	"Сандултонаматулла" фермер хужалектига тегншли булган Камай ҚФЙ Учтут кншлогида жойлагган Автомобилларга Бэкиги Куйни Шахобчис биноси	55716200	2 324 000	54392200	0	54392200
4	Султанов Алишер Ахмедовичга тегншли булган Фишли МФЙ худудида жойлагган "Қурлиши тугаланимаган" бинэ	48476202,57	2 070 000	46406202,57	0	46406202,57
5	Усмонов Сардор Шукратович хуеуеи корхонага тегншли булган Баландчайла МФЙ худудида жойлагган "Ахонига маншии хизмэт хуеуеи шахобчис ва савдо дукони" биноси	44081547	4 891 000	39 190 547	0	39 190 547
6	Рахманов Батирга тегншли булган Корабог ҚФЙ Чинкурган Чоррасида жойлагган "Савдо дукон" биноси	72609963	11 552 000	61057963	0	61057963
7	Юсупов Абдурашид Файзиевичга тегншли булган Корабог ҚФЙ Чинкурган Чоррасида жойлагган "Ошхона" биноси	66504381	8108000	58 396 381	0	58 396 381
8	"Қиличбек кун тармокли"га тегншли булган Баландчайла МФЙ Чинкурган Чоррасида жойлагган "Ошхона" биноси	53641068	5 052 000	48 589 068	0	48 589 068
	<b>ЖАМН</b>	<b>510841531,3</b>	<b>8108000</b>	<b>322606535,3</b>	<b>0</b>	<b>322606535,3</b>
	<b>Хаммаси ОТБ + Йул фонди</b>	<b>835 101 681</b>	<b>16 742 000</b>	<b>490 972 285</b>	<b>0</b>	<b>490 972 285</b>

Камаша туман хокимлиги хууридаги  
Бузилнига тунган уй-жойларни аниклани түүлснэ мислери ва компенсацня турани белгилани  
туман махусе ишчи комиссияси равис -  
туман хокимлигинг биринчи урнбосари:

Ф.Шогурахов

Ишчи комиссияси котиб:

С.Бекпаиров



## Yakkabog information of APs for residential and non-residential

Мевазор МФЙ ҳудудидан “Қарши-Шаҳрисабз” автомобиль йўлининг М-39 (1173-1184)км ларида бузилишига тушган бино иншоотлар

№	Бузилишига тушган бино-иншоотлар	Турар жой	Компенсация пули олганлар 100 %	Компенсация пули олганлар 50 %	Компенсация пули олмаганлар	Ер-участка олганлар	Потурар жой	Компенсация пули олганлар 100 %	Компенсация пули олганлар 50 %	Компенсация пули олмаганлар	Ер-участка олганлар
1	120 та	115	48	63	4	115 та	5	0	0	5	5

Тўқбой, Қозок, Янгиобод, Эсат МФЙ ҳудудларидан ўтган “Қарши-Шаҳрисабз” автомобиль йўлининг 4Р-79 (60-64)км 4К-319 (12-30) км, 4Р-84(13-18) км ларида бузилишига тушган бино иншоотлар

№	Бузилишига тушган бино-иншоотлар	Турар жой	Компенсация пули олганлар 100 %	Компенсация пули олганлар 50 %	Компенсация пули олмаганлар	Ер-участка олганлар	Потурар жой	Компенсация пули олганлар 100 %	Компенсация пули олганлар 50 %	Компенсация пули олмаганлар	Ер-участка олганлар
1	169 та	141	8	101	32	141	28	0	0	28	28

Туман ҳокимининг биринчи ўринбосари

Туман Архитектура қурилиш бошқарма бошлиғи

Туман Яқса тартибда уй-жойларни мувофиқлаштириш бўлими бошлиғи

Туман Ер тузиш ва қўмақ мулк кадастри ДК бош муҳандиси

Туман Ер тузиш ва қўмақ мулк кадастри ДК мутахассиси

Туман “Олимпиа баҳолаш экспертиза маркази” МЧЖ ходими

Туман ҳокимлиги бош ҳисобчиси

Ў. Абдурахимов

Н. Жуманов

Д. Рўзиев

С. Одилов

Б. Чоршанбиев

А. Ўринов

С. Раҳмонов

## Sharisabz residential and non-residential APs payment information

1. **Оснэ таракнёт банкн** хисобидан молиялаштирилаётган Қарши-Шахрисабз-Китоб йўналиши автомобиль йўлини реконструкция қилиниши минтақасидан Шахрисабз тумани худудидан бузилишга тушган турар ва нотурар жой эгалари руйхати ва етказилган зарар учун белгиланган компенсация тўланиши тўғрисида маълумот (Аҳоли яшаш пунктлари, турар жой ва нотурар жой эгалари кесимида)

№	Уй, нотурар жой манзили ва номи, эгалари исми ва фамилияси, фермер хужалиқлар номи	Келтирилган зарарга белгиланган компенсация тўлови, сум	Бузилишдан чикқан материаллар нархи ҳисобида ушлаб қолинган маблағ, сум	Материаллар нархи чегирилган ҳолда тўланадиган маблағ, сум	Ўтказиб берилган тўлов, суммаси, сум	Тўланиши лозим бўлган маблағ, суммаси, сум
<b>1.1. Турар жойлар ("Қарши-Шахрисабз-Китоб" автомобил йулини 1173-1164 км қисмини реконструкция қилиш минтақасидан)</b>						
1	Жамолов Асадулло (Оммоғон МФЙ)	18 608 516	867 000	17 741 516	7 059 917	10 681 599
2	Жамолов Аюбхон Мажитович (Оммоғон МФЙ)	23 142 124	1 320 000	21 822 124	11 571 062	10 251 062
3	Назирова Ровшан (Оммоғон МФЙ)	51 130 408	2 740 000	48 390 408	23 679 748	24 710 660
4	Уринов Шавкат Рустамович (Оммоғон МФЙ)	40 795 769	2 040 000	38 755 769	-	38 755 769
5	Рахимов Толиб Бобоқулович (Оммоғон МФЙ)	50 213 741	2 555 000	47 658 741	23 215 009	24 443 732
6	Эшматов Аслиддин Раҳмонович (Хужахуросон МФЙ)	40 795 769	1 727 500	39 068 269	20 382 885	18 685 384
7	Эшматов Фазлиддин Раҳмонович (Хужахуросон МФЙ)	67 732 746	2 401 500	65 331 246	33 866 373	31 464 873
8	Бердиев Усман (Хужахуросон МФЙ)	115 010 317	5 276 000	109 734 317	57 505 158	52 229 159
9	Эшназаров Муроджон Теляевич (Хужахуросон МФЙ)	139 986 364	7 290 000	132 696 364	58 220 905	74 475 459
10	Темиров Толиб Худойқулович (Хужахуросон МФЙ)	118 727 544	4 971 000	113 756 544	55 417 544	58 339 000
11	Иргашев Алишер (Хужахуросон МФЙ)	180 652 259	6 430 000	174 222 259	62 154 694	112 067 565
12	Халиков Зиядулла (Хужахуросон МФЙ)	70 245 420	3 846 000	66 399 420	32 876 897	33 522 523
13	Артиков Нафас (Хужахуросон МФЙ)	70 908 797	3 561 000	67 347 797	33 314 029	34 033 768
14	Рузиева Михриннисо (Хужахуросон МФЙ)	78 837 697	3 977 000	74 860 697	39 233 247	35 627 450
15	Саггарова Шоира (Хужахуросон МФЙ)	65 363 780	3 368 000	61 995 780	32 681 890	29 313 890
16	Комилова Дилобар Саидовна (Хужахуросон МФЙ)	26 562 758	1 790 000	24 772 758	13 281 379	11 491 379
17	Гофуров Шухрат Абдувасиевич (Хужахуросон МФЙ)	50 365 274	2 528 000	47 837 274	25 086 611	22 750 663
18	Сафаров Ўқтам Аширович (Хужахуросон МФЙ)	38 820 647	1 617 000	37 203 647	0	37 203 647
	Жами турар жойлар	1 247 899 930	58 305 000	1 189 594 930	529 547 348	660 047 582
<b>1.2. Нотурар жой, бино-иншоотлар ("Қарши-Шахрисабз-Китоб" автомобил йулини 1173-1164 км қисмини реконструкция қилиш минтақасидан)</b>						
1	Назарова Латопа тегишли Ишлаб чиқариш биноси, Ўзбекистон ҚФЙ, Хужахуросон кишлоғи	273 670 848	13 683 542	259 987 306	136 835 424	123 151 882

## RESOLUTION OF THE PRESIDENT OF THE REPUBLIC OF UZBEKISTAN

### ON THE INVESTMENT PROGRAM OF THE REPUBLIC OF UZBEKISTAN FOR 2013

*(The journal of the Oliy Majlis (Supreme Council) of the Republic of Uzbekistan, 2012, № 11, article 326; Collection of laws of the Republic of Uzbekistan, 2013., № 23, article 300)*

In view of implementing policy-wise important investment projects focused on setting up of modern industries, modernization, technical and technological renewal of industries, advance development of the transport, engineering and communication as well as social infrastructure, creation of job places and achieving sustainable and dynamic development of the country:

1. Approve of the main parameters of capital investments under the Investment Program of the Republic of Uzbekistan for 2013, prepared by the Ministry of Economy jointly with the Ministry of Foreign Economic Relations, Investments and Trade, Ministry of Finance of the Republic of Uzbekistan and other concerned ministries and agencies and business entities; with the forecast and related program for commissioning of the social and industrial sites (for 2013), in accordance with annexes №№ 1—3\*.

\*annexes №№ 1—3 are not provided.

Personal responsibility shall be laid on heads of ministries, agencies and business corporations, Council of Ministers of the Republic of Karakalpakstan, regional administrations and the administration of Tashkent city involved in implementation of the Investment Program, for quality, full and timely fulfillment of the main parameters set for commissioning of social and industrial sites in 2013.

2. Ministry of Economy jointly with the Ministry of Finance and the State Committee for Architecture and Construction of the Republic of Uzbekistan, within the period before January 10, 2013, shall critically review reasons of the failure of implementing commissioning of the sites expected to be commissioned in 2012 and propose to the Cabinet of Ministers specific measures for commissioning of mentioned sites in 2013 with account of realistic scopes of implemented works, agreed offers on resources and sources of funding and amended network schedules for commissioning of sites, from Contractors and Contracting organizations.

The Cabinet of Ministers of the Republic of Uzbekistan shall take measures of responsibility in accordance with the legislation, in respect of officials including executives of Clients' and Contractors' organizations involved in investment projects failed to ensure timely disbursement of capital investments and to fulfil contract commitments on commissioning of sites in 2012, as well as shall set stringent control on commissioning of the sites in 2013.

#### 3. VALIDATE:

Limits of centralized capital investments set for 2013 from the National Budget of the Republic of Uzbekistan, in accordance with Annex Nr 4\*;

\*annex № 4 is not provided.

Limits of centralized capital investments set for 2013 from the Irrigable lands' Reclamation Improvement Fund at the Ministry of Finance of Uzbekistan, in accordance with Annex Nr 5\*;

\*Annex 5 is not provided.

Limits of centralized capital investments set for 2013 from Extrabudgetary Funds of the Republican Road Fund at the Ministry of Finance of Uzbekistan, in accordance with Annex Nr 6\*;

\*Annex Nr 6 is not provided.

Address program for construction, reconstruction, overhauls and furnishing of higher educational institutions with facilities required for 2013 from the Extrabudgetary Fund set for the

development of the logistical base of higher educational institutions at the Ministry of Finance of Uzbekistan, in accordance with Annex Nr 7\*;

\*annex № 7 is not provided.

Address program for construction, reconstruction, major overhauls and furnishing of educational and healthcare sites with facilities required for 2013 from the Extrabudgetary Fund for reconstruction, overhauls and furnishing of education and healthcare institutions at the Ministry of Finance of Uzbekistan, in accordance with Annex № 8\*;

\*annex № 8 is not provided.

Address program of investment projects for 2013, implemented at an involvement of foreign loans provided under the guarantees of the Government of the Republic of Uzbekistan, according to Annex number 9 \*;

\*Annex № 9 is not provided.

Address program for investments projects implemented at an involvement Reconstruction and Development Fund of the Republic of Uzbekistan in 2013, in accordance with annex № 10\*.

\*Annex № 10 is not provided.

#### 4. APPROVE:

The address program of investment projects for 2013 implemented through direct foreign investments and loans, in accordance with annex № 11\*;

\*Annex № 11 is not provided .

Address program of major investment projects for 2013 implemented at an expense of companies' own resources, in accordance with annex № 12\*:

\*annex № 12 is not provided .

Summary address program of major investment projects for setting up of new and modernization and reconstruction of existing industries, to be implemented in 2013, in accordance with annex № 13\*.

\*annex № 13 is not provided .

5. Ministries and agencies, Council of Ministers of the Republic of Karakalpakstan, administrations of regions and of the city of Tashkent— Clients, shall:

Within one month period, submit to the Ministries of Economy and Finance of the Republic of Uzbekistan, reference (address) lists of construction sites for 2013 and transitory sites covered by the Investment program 2013, specifying sources and amounts of funding in conjunction with calendar schedules for implementing construction and mounting works prepared jointly with Contractor organizations and Suppliers of the process equipment;

In two weeks period, submit to the Ministries of Economy and Foreign Economic Relations, Investments and Trade of the Republic of Uzbekistan – approved in accordance with established procedure, network schedules for implementation of projects incorporated in the Investment program of the Republic of Uzbekistan for 2013;

In one month period, together with the State Committee for Architecture and Construction of the Republic of Uzbekistan - hold competitive bids for new construction projects (to be implemented in 2013), to be financed from centralized sources, sign Contractor agreements with bid winners, approve the title lists of construction projects to be submitted to authorized bodies for funding in accordance with maintained procedure;

In a ten-day period, upon completion of bids submit to the Ministry of Finance of Uzbekistan finalized address lists of construction projects for 2013.

6. The Council of Ministers of the Republic of Karakalpakstan, administration of regions and of the city of Tashkent, in one month period, in coordination with Ministries of Economy, Finance, Foreign Economic Relations, Investment and Trade of the Republic of Uzbekistan, shall develop and get approved regional investment programs incorporating projects not included in the Investment Program of the Republic of Uzbekistan for 2013.

7. Ministry of Economy jointly with the Ministry of Foreign Economic Relations, Investments and Trade, Ministry of Finance, State Committee for Architecture and Construction of the Republic of Uzbekistan shall:

Set stringent control on projects implemented under the Investment program of the Republic of Uzbekistan for 2013, timely commissioning of sites and industrial capacities, Clients and Contractors' performance in terms of contract implementation at strict observance to quality of implemented works and, as required, amend address lists of construction projects with account of realistic disbursements of funds within the limits set for capital investments in accordance with this resolution;

At the end of each month, report to the Cabinet of Ministers of the Republic of Uzbekistan on the progress of the Investment Program for 2013, putting related issues to discussions at regular meetings of the Presidium of the Cabinet of Ministers of the Republic of Uzbekistan.

8. Responsibility for control on implementation of the resolution shall be laid on the first deputy Prime minister of the Republic of Uzbekistan, R. Azimov and the deputy Prime minister of the Republic of Uzbekistan B. Zakirov.

**President of the Republic of Uzbekistan  
I. Karimov**

Tashkent,  
November 21, 2012,  
№ PP-1855

ПОСТАНОВЛЕНИЕ  
ПРЕЗИДЕНТА РЕСПУБЛИКИ УЗБЕКИСТАН

**ОБ ИНВЕСТИЦИОННОЙ ПРОГРАММЕ РЕСПУБЛИКИ УЗБЕКИСТАН НА 2013 ГОД**

*(Ведомости палат Олий Мажлиса Республики Узбекистан, 2012 г., № 11, ст. 326;  
Собрание законодательства Республики Узбекистан, 2013 г., № 23, ст. 300)*

В целях обеспечения реализации стратегически значимых инвестиционных проектов, направленных на строительство новых современных производств, модернизацию, техническое и технологическое обновление предприятий, опережающее развитие транспортной, инженерно-коммуникационной и социальной инфраструктуры, создания на этой основе новых рабочих мест и достижения устойчивого и динамичного развития экономики страны:

1. Одобрить разработанные Министерством экономики совместно с Министерством внешних экономических связей, инвестиций и торговли, Министерством финансов Республики Узбекистан, другими заинтересованными министерствами, ведомствами и хозяйствующими субъектами основные параметры капитальных вложений Инвестиционной программы Республики Узбекистан на 2013 год, а также прогноз ввода объектов социальной сферы и программу ввода объектов и производственных мощностей на 2013 год, согласно приложениям №№ 1—3\*.

\*Приложения №№ 1—3 не приводятся.

Возложить персональную ответственность на руководителей министерств, ведомств, хозяйственных объединений, Совета Министров Республики Каракалпакстан, хокимиятов областей и г. Ташкента, участвующих в реализации Инвестиционной программы, за качественное исполнение в полном объеме и в установленные сроки основных параметров ввода объектов и производственных мощностей в 2013 году.

2. Министерству экономики совместно с Министерством финансов, Госархитектстроеном Республики Узбекистан в срок до 10 января 2013 года критически изучить причины срыва установленных заданий по вводу объектов в 2012 году и внести в Кабинет Министров конкретные мероприятия по обеспечению ввода указанных объектов в 2013 году с учетом реальных объемов фактически выполненных работ и согласованных предложений заказчиков и подрядных организаций по объемам и источникам финансирования, скорректированным сетевым графикам ввода объектов.

Кабинету Министров Республики Узбекистан принять в соответствии с законодательством меры ответственности к виновным должностным лицам, в том числе к руководителям заказчиков инвестиционных проектов и подрядных организаций, не обеспечившим своевременное освоение объемов капитальных вложений и не выполнившим договорные обязательства по вводу объектов 2012 года, а также установить жесткий контроль за обеспечением ввода указанных объектов в 2013 году.

3. Утвердить:

лимиты централизованных капитальных вложений на 2013 год за счет средств Государственного бюджета Республики Узбекистан согласно приложению № 4\*;

\*Приложение № 4 не приводится.

лимиты централизованных капитальных вложений на 2013 год за счет средств Фонда мелиоративного улучшения орошаемых земель при Министерстве финансов Республики Узбекистан, согласно приложению № 5\*;

\*Приложение № 5 не приводится.

лимиты централизованных капитальных вложений на 2013 год за счет средств внебюджетного Республиканского дорожного фонда при Министерстве финансов Республики Узбекистан, согласно приложению № 6\*;

\*Приложение № 6 не приводится.

адресную программу строительства, реконструкции, капитального ремонта и оснащения высших образовательных учреждений на 2013 год за счет средств внебюджетного Фонда развития материально-технической базы высших образовательных учреждений при Министерстве финансов Республики Узбекистан, согласно приложению № 7\*;

\*Приложение № 7 не приводится.

адресную программу строительства, реконструкции, капитального ремонта и оснащения объектов образования и здравоохранения на 2013 год за счет средств внебюджетного Фонда реконструкции, капитального ремонта и оснащения образовательных и медицинских учреждений при Министерстве финансов Республики Узбекистан, согласно приложению № 8\*;

\*Приложение № 8 не приводится.

адресную программу инвестиционных проектов на 2013 год, реализуемых с привлечением иностранных кредитов под гарантию Правительства Республики Узбекистан, согласно приложению № 9\*;

\*Приложение № 9 не приводится.

адресную программу инвестиционных проектов, реализуемых с привлечением средств Фонда реконструкции и развития Республики Узбекистан в 2013 году, согласно приложению № 10\*.

\*Приложение № 10 не приводится.

#### 4. Одобрить:

адресную программу инвестиционных проектов на 2013 год, реализуемых с привлечением прямых иностранных инвестиций и кредитов, согласно приложению № 11\*;

\*Приложение № 11 не приводится.

адресную программу крупных инвестиционных проектов на 2013 год, реализуемых за счет собственных средств организаций, согласно приложению № 12\*;

\*Приложение № 12 не приводится.

сводную адресную программу крупных инвестиционных проектов по созданию новых, модернизации и реконструкции действующих производств, реализуемых в 2013 году, согласно приложению № 13\*.

\*Приложение № 13 не приводится.

5. Министерством и ведомствам, Совету Министров Республики Каракалпакстан, хокимиятам областей и г. Ташкента — заказчикам:

в месячный срок представить в Министерство экономики и Министерство финансов Республики Узбекистан адресные списки строек на 2013 год по переходящим объектам, включенным в Инвестиционную программу на 2013 год, с уточнением источников и объемов финансирования во взаимоувязке с календарными графиками осуществления строительно-монтажных работ, разработанными совместно с подрядными организациями и поставщиками технологического оборудования;

в двухнедельный срок представить в Министерство экономики и Министерство внешних экономических связей, инвестиций и торговли Республики Узбекистан утвержденные в установленном порядке сетевые графики реализации проектов, включенных в Инвестиционную программу Республики Узбекистан на 2013 год;

в месячный срок совместно с Госархитектстроём Республики Узбекистан обеспечить проведение конкурсных торгов по вновь начинаемым в 2013 году объектам, финансируемым за счет централизованных источников, заключение договоров подряда по вновь начинаемым объектам с победителями конкурсных торгов, утверждение титульных списков строек с представлением в установленном порядке в уполномоченные органы для открытия финансирования;

в десятидневный срок после завершения конкурсных торгов представить на согласование в Министерство экономики и Министерство финансов Республики Узбекистан окончательные адресные списки строек на 2013 год.

6. Совету Министров Республики Каракалпакстан, хокимиятам областей и г. Ташкента в месячный срок по согласованию с Министерством экономики, Министерством финансов, Министерством внешних экономических связей, инвестиций и торговли Республики Узбекистан разработать и утвердить региональные инвестиционные программы, включающие в себя проекты, не вошедшие в Инвестиционную программу Республики Узбекистан на 2013 год.

7. Министерству экономики совместно с Министерством внешних экономических связей, инвестиций и торговли, Министерством финансов, Госархитектстроём Республики Узбекистан:

установить жесткий контроль за реализацией проектов, включенных в Инвестиционную программу Республики Узбекистан на 2013 год, своевременным вводом объектов и производственных мощностей, исполнением заказчиками и подрядными организациями условий заключенных договоров при строгом соблюдении требований к качеству выполняемых работ и, при необходимости, вносить коррективы в адресные списки строек с учетом фактического освоения средств, в пределах лимитов капитальных вложений, установленных настоящим постановлением;

по итогам каждого месяца представлять в Кабинет Министров Республики Узбекистан информацию о ходе выполнения Инвестиционной программы на 2013 год с рассмотрением ее на заседаниях Президиума Кабинета Министров Республики Узбекистан.


8. Контроль за исполнением настоящего постановления возложить на первого заместителя Премьер-министра Республики Узбекистан Азимова Р.С. и заместителя Премьер-министра Республики Узбекистан Закирова Б.И..


**Президент Республики Узбекистан И. КАРИМОВ**

г. Ташкент,  
21 ноября 2012 г.,  
№ ПП-1855



## Sample payment instructions from RRF to Khokimyat for paying compensation

	<b>Платежное поручение</b> № <b>2516910908</b>	Приложение 2. 0505411002
Дата <b>30.07.2016</b>	Плательщик <b>Казначейство Министерство Финансов РУз</b>	ИНН <b>201122919</b>
<b>ДЕБЕТ</b>	Р/с плательщика <b>23402000300100001010</b>	Код банка плательщика <b>00014</b>
Банк плательщика <b>РКЦ ГУ ЦБ г. Ташкента</b>	Сумма <b>8 504 525,00</b>	ИНН <b>200673123</b>
Получатель <b>Шахрисабз туман ОАТ Ипотека банк</b>	<b>КРЕДИТ</b>	Код банка получателя <b>00165</b>
Р/с получателя <b>23120000300000165299</b>	Банк получателя <b>Шахрисабз т.,Ипотека-Банк АТИБ Шахрисабз ф.</b>	
Сумма прописью <b>Восемь миллионов пятьсот четыре тысячи пятьсот двадцать пять сум 00 тийин</b>		
401422860102457950100018001-201602447-Шахрисабз туман Хокимияти-Шахрисабз туман Янгикишлок к-к яшович фукаро Элбоев Имомназарни компе-ят/и у/и; Ст. 48.21.500		
Детали платежа	Начальник отдела _____	
М.П.	Ответствен.исполнитель _____	

	<b>Платежное поручение</b> № <b>2516901817</b>	Приложение 2. 0505411002
Дата <b>09.09.2015</b>	Плательщик <b>Казначейство Министерство Финансов РУз</b>	ИНН <b>201122919</b>
<b>ДЕБЕТ</b>	Р/с плательщика <b>23402000300100001010</b>	Код банка плательщика <b>00014</b>
Банк плательщика <b>РКЦ ГУ ЦБ г. Ташкента</b>	Сумма <b>33 866 373,00</b>	ИНН <b>200673123</b>
Получатель <b>Шахрисабз туман ОАТ Ипотека банк</b>	<b>КРЕДИТ</b>	Код банка получателя <b>00165</b>
Р/с получателя <b>23120000300000165299</b>	Банк получателя <b>Шахрисабз т.,Ипотека-Банк АТИБ Шахрисабз ф.</b>	
Сумма прописью <b>Тридцать три миллиона восемьсот шестьдесят шесть тысяч триста семьдесят три сум 00 тийин</b>		
401422860102457950100018001-201602447-Шахрисабз туман Хокимияти-Шахрисабз туман Хужахурсон к-к яшович фукаро Ф.Эшматовни компе-ят/и у/и; Ст. 48.21.500		
Детали платежа	Начальник отдела _____	
М.П.	Ответствен.исполнитель _____	

## **A Brief on the Applicable National Laws and Provisions Regulating Land Acquisition and Compensation**

1. The relevant laws and provisions followed by the government to acquire land and to guide payment of compensation on the ADB and government funded sections are summarized below.

### **Land code**

2. The Land Code is the main regulatory framework for land related matters in Uzbekistan. The land code regulates allocation, transfer and sale of land plots, defines ownership and rights on land. It describes the responsibilities of different state authorities (Cabinet of Ministers, province, district, city khokimiyat) in land management; rights and obligations of land possessor, user, tenant and owner; land category types, land acquisition and compensation, resolution of land disputes and land protection. The land code defines terms of rights termination on land plot, seizure and land acquisition of land plot for state and public needs, and terms of seizure of land plot in violation of land legislation. The specific articles dealing with land acquisition and land rights are as follows:

- Article 37. Land acquisition for state and public needs
- Article 41. Land rights guarantees
- Article 86. Compensation for losses to land possessors, land users, tenants and landowners.

### **Civil code**

3. The civil code defines the legal status of participants of civil relations, the grounds and procedure of implementation of property rights and other proprietary rights, rights on intellectual property, regulates the contractual and other obligations, as well as other property and related personal non-property relations. The civil code defines general rules of property seizure, determination of property cost and rights for compensation, terms of rights termination.

### **Housing Code**

4. The Housing Code (HC) is a regulatory framework for housing related matters of individuals and legal entities. This law regulates seizure, compulsory purchase and compensation on housing matters. Housing Code defines ownership types of housing, rights and obligations of owners, terms of use, and maintenance of housing. The HC provides legal and regulatory framework in case of seizure and compulsory purchase of housing from individuals and legal entities.

### **Resolution of Cabinet of Ministers № 97 (29 May 2006)**

5. The resolution adopts Regulation on compensation for losses to individuals and legal entities due to land acquisition of land plots for state and public needs. This regulation is mainly dealing with land plots, houses, building and structures of individuals and legal entities.

6. The resolution determines the procedure for land acquisition or part thereof, as well as the procedure for calculating the amount of compensation to individuals and legal entities for the demolished residential, industrial and other buildings, structures and plantings in due to land acquisition for state and public needs.

### **Resolution of Cabinet of Ministers № 146 (25 May 2011)**

7. The resolution is aimed to improve the procedure of granting land plots, to protect the rights of legal entities and individuals on land, improving the architecture of the settlements and the efficient use of their land for construction in accordance with the Land Code and the Town Planning Code. This resolution adopts Regulation on the procedure of compensation for land possessors, users, tenants and owners, as well as losses of agriculture and forestry.

8. The Regulation on the procedure for granting land for urban development and other non-agricultural purposes contains the following provisions:

- Order of land plot location, preparation and approval of site selection and land allocation documents without approved planning documentation;
- Order of placement, selection and land allocation with approved planning documentation,
- Order for rejection in the selection and land allocation for construction;
- Provision (sale) of land plots for individual housing construction;
- Elements of urban planning documents and development regulation lines.

9. The Regulation on the procedure of compensation for possessors, users, tenants and landowners, as well as losses of agriculture and forestry includes the following:

- Compensation for losses of owners, users, tenants and land owners;
- Compensation for losses of agriculture and forestry;
- Cost of irrigation and developing equal new land plot in return for seized irrigated agricultural land;
- Cost of fundamental improvement of grassland and pasture;
- Scheme for determination of losses of land possessors, users, tenants and owners, as well as losses of agriculture and forestry;
- Coefficients on location of seized land plots.

10. In case of acquisition and temporary occupation of land plot or part thereof, the following would be subject to compensation:

- Cost of land plot, owned by individuals and legal entities;
- Cost of residential houses, constructions and installations, including incomplete constructions, and also located outside of allocated plot, if its further utilization is impossible due to seize of land plot.
- Cost of fruits and berries, protection and other perennial plants;
- Cost of incomplete agricultural production;
- Lost profit.

11. Above described Laws and Regulations mention that non-titled and squatters on land and building/structures are ineligible for any compensation.

12. Collectively, these regulations provided a basis for acquiring land for public purposes and for compensating land users according to the registered use of the land in Uzbekistan on the two road sections.

**Evaluation of assets:**

13. The evaluation of the assets, including real estate property, business is carried out according to the Law of the Republic of Uzbekistan N 811-I "On evaluation activity" as for 19.08.1999 and the National standards of property evaluation of the Republic of Uzbekistan NSOI No. 1-11 approved by the Resolution of the State Property Committee as for 14.06.2006 developed on the basis of this Law.

14. The national standard provides the general definitions and methods of evaluation. The evaluator applies one or number of evaluation approaches to determine the cost of any type of object of evaluation, both market value, and non-market types of costs. Approach to evaluation is understood as the standard analytical methodology. The key principle of evaluation is the principle of replacement based on of the relevant market data.

**Labor code:**

15. According to the Labor Code of the Republic of Uzbekistan there are measures which provide safety net programs.

16. Article 59. State assistance to employment: Assistance to employment of the population is maintained by the appropriate authorities of the system of the Ministry of Labor and Social Protection of the Population of the Republic of Uzbekistan. For financing of actions on realization of employment policy and effective activity of labor authorities the State fund for assistance of employment in the order established by the Government of the Republic of Uzbekistan is created.

17. Article 60. Recognition of the unemployed: The unemployed – the able-bodied persons of the age from sixteen years to their entitlement for pensions who do not have paid work or income-generated occupation, seeking for a job and ready to start it as soon as it is offered to them or who should attend vocational training, retraining or professional development (except for the attendees of educational institutions). The persons specified in the part one of the present article, addressed to the local labor authorities for receiving assistance in employment and registered by them as seeking for job, are recognized unemployed.

18. Article 68. Additional guarantees of employment to separate categories of the population The Government provides additional guarantees to:

- the persons requiring social protection, experiencing difficulties in seeking for a job and not capable to equally compete in labor market, including to the lonely and parents having many children at the age till fourteen years old and disabled children;
- the youth graduated from secondary special vocational educational institutions, and also to the graduates of higher educational institutions studied under the state grants;
- the disabled and persons of pre-retirement age.

19. Additional guarantees are provided by creation of additional workplaces, the specialized enterprises, including the enterprises for work of disabled people, organization of special programs of training, establishment in the enterprises of the minimum quantity of workplaces for employment of the categories of citizens specified in the part one of the present article, as well as other measures provided by the legislation. The employer is obliged to employ the persons specified in the part one of the present article, assigned by local labor authorities and other bodies in the order established by the legislation for employment to the workplaces against the established minimum quantity of workplaces. The employer and the persons authorized by him who unreasonably refused employment of these persons bear responsibility in accordance with the established procedure. In cases of impossibility of provision guarantees to the employees

the local labor authority provides for employment, and if necessary - their free vocational education.

20. Article 282. Cover of all employees by the state social insurance: All employees are subject to the state social insurance.

#### **Law on the appeals of individuals and legal entities (#378, 03 December 2014)**

21. The government of Uzbekistan has its own requirements to address appeals from individuals and legal entities. These requirements are detailed in following the law #378, 03.12.2014) on the appeals of individuals and legal entities. In this law grievance is recognized as one of three forms of appeals, the other two are: request and proposal. The law guarantees right to appeal by individuals and legal entities. This law also regulates the procedure to, address and review appeals, the period of review, eligibility of appeals.

#### **Law on the principles and guarantees of freedom of information (#439, 12 December 2002)**

22. The government of Uzbekistan protects the right of individuals for searching, accessing, investigating, disseminating, using and storing information. Organizations and officials are required to provide for everyone possibility to acquire information affecting their rights, freedom and legitimate interest. For this purpose, it is required to create accessible information resources, implement disclosure by providing information on rights, freedom and responsibilities of citizen, their security and other issues of public interest.

#### **Livelihood Restoration**

23. There are no special laws or regulations for livelihood restoration due to land acquisition and involuntary resettlement impact. However, there are a number of legislative documents related to social support and livelihood improvement measures considered by the government of Uzbekistan. Therefore, livelihood restoration measures in the resettlement planning instruments of APs are mainly based on the following legislation: To consider social allowances and needy families through these two Cabinet of Ministers resolutions: (Resolution on measures to improve the procedure for appointment and payment of social allowances #350, 12 December 2012 and (ii)Resolution adopting Procedure for appointment and payments of social benefits and financial support to needy families #44, 15 December 2013. To consider disabled people through the Law on social protection of disabled people #422-XII, 18 November 1991.