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**REPUBLIC OF KAZAKHSTAN
MINISTRY OF INVESTMENTS AND DEVELOPMENT
COMMITTEE FOR ROADS**



**KARAGANDA –BURYBAILTAL ROAD SECTION (KM 1620 – KM 1713)
OF THE CENTER SOUTH ROAD**

TEMPORARY LAND ACQUISITION PLAN

**FINANCED BY INTERNATIONAL BANK FOR RECONSTRUCTION AND
DEVELOPMENT AND REPUBLIC OF KAZAKHSTAN**

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ABBREVIATIONS

ADB	Asian Development Bank
AP	Affected People
CR	Committee for Roads
MoID	Ministry for Investment and Development
EBRD	European Bank for Reconstruction and Development
GRP	Gross Regional Product
IDB	Islamic Development Bank
IFI	International Financial Institutions
KZT	Kazakhstan Tenge
LARF	Land Acquisition and Resettlement Framework
LARS	Land Acquisition and Resettlement Survey
NGO	Non Governmental Organization
PAPS	Project Affected Persons
OP	Operational Procedure
PMC	Project Management Consultant
CSCs	Construction Supervision Consultants
CCs	Construction Contractors
PIB	Public Information Booklet
TLAP	Temporary Land Acquisition Plan
RAP	Resettlement Action Plan
GRM	Grievance Redress Mechanism
RK	Republic of Kazakhstan
ROW	Right of Way
SSICOL	State Scientific Industrial Center on Land
TOR	Terms of Reference
WB	World Bank
WE-WC	Western Europe - Western China
ORM	Operational Requirement Management
RPF	Resettlement Policy Framework

Glossary

Affected Persons	People, Households, or Legal Entities affected by project related changes in use of land, water, natural resources, or income losses.
Compensation	Payment in cash or kind to which the Affected People are entitled in order to replace land or other assets taken for project use.
Cut-off-date	Date after which people WILL NOT BE considered eligible for compensation, i.e., they are not included in the list of APs as defined by the census.
Encroachers	People who move into the project area, or who have trespassed into government land adjacent to their own, after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project. Persons informally using or occupying land prior to the cut-off date are eligible for compensation or alternative forms of assistance.
Entitlement	Entitlement means the range of measures comprising compensation in cash or kind, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and business restoration which are due to APs, depending on the type, degree and nature of their losses, to restore their social and economic base.
Household	Household means all persons living and eating together as a single-family unit and eating from the same kitchen whether or not related to each other. The census used this definition, and the data generated by the census forms the basis for identifying a household unit.
Income restoration	Income Restoration means re-establishing productivity and Livelihoods of APs.
Involuntary Resettlement	Any resettlement, which does not involve willingness of the persons being adversely affected, but are forced through an instrument of law.
Land acquisition	Land Acquisition means the process whereby a person is compelled by a public agency to alienate all or part of the land she/he owns or possesses, to the ownership and possession of that agency, for public purposes in return for fair compensation.
Rehabilitation	Assistance provided to affected persons to supplement their income losses in order to improve, or at least achieve full restoration of, their pre-project living standards and quality of life.
Socially vulnerable people	Population, who have income less than living wage. Operationally, this is defined as people eligible for Targeted Social Assistance, as per information from Statistic Department equals to 21 364.
Land Owner	Physical or legal entity, who uses land plot based on the right of private property, i.e. has purchased the right for property from the state.
Lease-Holders	A person or a legal entity who holds a right of leasing the land (long or short term) on a contractual bases. Typical long-term lease is 49 years.

1. INTRODUCTION

This TLAP of Karaganda – Burylbaital road section summarized temporary acquisition plan which includes specific details of the project, Laws and Frameworks regulating the matter, possible Temporary Land Acquisition and Resettlement in Karaganda – Burylbaital road section, and compensation aspects.

The Temporary Land Acquisition Plan (TLAP) for the Karaganda – Burylbaital Road Section of Shet District, Karaganda Oblast is designed to mitigate potentially adverse project impacts. According to the preliminary data of design institutions, no other lands except for lands of the Committee for Roads MoID RoK, are affected by permanent land acquisition at road section km 1620-1713, accordingly there will not be any permanent land acquisition. However, 8 land plots are affected by temporary land acquisition and in view of this the given TLAP have been prepared.

The land affected by the project, while having the "agriculture" classification is not suitable and is not used for the agricultural purposes and has an official sub-classification as "pasture land" - for cattle grazing. Pasture land prevail in this region, where land users and owners will be offered to exchange land or alternative options in the event that it will be preferred by project affected persons. Overall there are 8 affected land plots which are either under long-term rent, or state-owned. All affected lands are registered and have a land lease agreement. Illegal land encroachers have not been found during design. Six (6) out of the 8 affected land plots are owned by the farms, and the remaining 2 are state reserve lands (state property). Reserve lands are all lands that are not granted to the ownership or use and which are administered by the district executive body. In case of acquisition of reserve land, agricultural losses will be paid from the Republican budget to the district akimat.

Temporary land acquisition does not affect other commercial facilities. This TLAP outlines the remedial measures essential for mitigation of adverse impacts of the Karaganda – Burylbaital road section.

World Bank OP 4.12, Involuntary Resettlement, sets out planning requirements to be met when proposed projects would cause temporary land acquisition or associated impacts. The policy generally presumes that such a planning process can be initiated prior to land acquisition. Overall, the operational policy document based on that the planning process shall be started before the land acquisition. For the Karaganda – Burylbaital Road Section (km 1620 – 1713), part of the above road project, all land plots will be identified based on detailed design of the two subsection of this road segment (km 1620-1666 and km 1666-1713). The land has not been yet been acquired. The actual process of temporary land acquisition will start, following approval of the TLAP, RPF and formal project approval in Kazakhstan. The land acquisition will take place prior to the start of works and only after compensation is paid to the affected people.

As described in greater detail below, the TLAP presented the scope and scale of required temporary land acquisition, as well as the principles and procedures by which it will be undertaken. TLAP is prepared in accordance with main principles and procedures set out in LARF, approved by Bank and Committee for Roads in January 2016, in order to reveal gaps which could occur. TLAP identifies and establishes measures for revealing of all affected people who can require different forms of additional compensation or necessary assistance so that temporary land acquisition meets compliance with the approved standards.

This draft of temporary land acquisition plan after approval of WB prior to commencement of construction works will be endorsed by Akimat (local administration) of Karaganda region, because according to Art. 16-18, of the Land Code of the Republic of Kazakhstan and Art.61-69 of the Law "On State Property" dated March 1, 2011, the acquisition of land plots and immovable property under the construction of the road fall under competence of the local executive bodies - in particular the Shet district Akimat of Karaganda region.

In case of signing an appropriate finance agreement between the Republic of Kazakhstan and International Financial Institution (IFI), which is an integral part of the agreements, ratified by the Law of the Republic of Kazakhstan and, accordingly, Land Acquisition and Resettlement Program express the views of the Government of the Republic of Kazakhstan and have the status of the International agreement. According to article 4.3 of Constitution of RoK, "International agreements ratified by the Republic of Kazakhstan, have the priority before its laws". Loan agreement of mentioned project ratified by the RK directly apply to the Land Code of the RK, and World Bank OP 4.12 policy will prevail).

The objective of TLAP is to prevent and mitigate undue harm to people and their environment in project implementation process. Safeguard policies are the corner-stone of assistance provided to developing countries by their partners in development. The policies provide guidelines for donors and borrowers in the identification, preparation, and implementation of programs and projects.

According to the current legislation Akimat will issue the Decree, defining that the territory, which is affected by the route change, will be subject to consideration of permanent and temporary land acquisition for the construction period. The final design will be prepared in interactive manner, including the intensive field work and consultations with the representatives of local bodies, especially on the district level. The final design includes the detailed maps of separate impact owners, full cadastre data about the property and compensation evaluation for land acquisition and reimbursement of damages. The final design will be after signing of Loan Agreement between World Bank and Government of the RoK.

The design institutions received the maps on land cadastre and records on owners after the endorsement of the route plan with the local authorities and will request the district Akimats to get in touch with the affected people and discuss the procedure of temporary land acquisition. All the essential data will be given to the evaluators, who on the basis of that will define "the market cost" of the property, subjected for temporary acquisition, and the method of calculation of the compensation will be discussed with the owners of the property. Property cost evaluation is practiced in cities; rural property evaluation is carried out in some areas for the first time.

2. PROJECT DESCRIPTION

2.1 Project Background

Government of the Republic of Kazakhstan is now giving top most priority to the reconstruction of the transit route Centre South Corridor "Astana-Karaganda-Balkhash-Kapshagay-Almaty" under the South West Road Project, Karaganda – Burylbaital Road Section, km 1620 – 1713 is part of the above road. This is the country's principal link with the international transit corridor from China to Europe often characterized as the New Silk Road. The World Bank (WB), Asian

Development Bank (ADB), Islamic Development Bank (IsDB), European Bank for Reconstruction and Development (EBRD) and other international financial institutions (collectively referred to as IFIs) have been involved in this major task with the Committee for Roads, Ministry for Investments and Development (CoR, MoID) as the executing agency (EA) and the Akimat of Karaganda Oblast as the Implementing agency of the RAP.

In physical terms, the proposed reconstruction of the road will require upgrading of the existing two-lane highway within the current ROW, road expanding from two to four lanes road. Reconstruction of much of the corridor will be rather simple and straight forward, but some sections will require more complex inputs from soil testing and new surveying to preparing detailed designs and environmental assessments; determining needs for some land acquisition and resettlement, consulting local officials and stakeholders to gain support; and planning and managing the logistics of getting labor, machinery and materials to the remote locations.

The Government of Kazakhstan is seeking the World Bank financial support for a proposed “Karaganda – Burylbaital” Road Section under the Center South Roads Project, connecting between Almaty (the largest city and a major business center of the country) and Astana - capital of Kazakhstan. The project is part of the Government’s ongoing Western Europe-Western China highway development program, for which World Bank support is already provided under an existing South-West Highway Project.

The Road, Karaganda – Burylbaital Road section will be a heavily trafficked road segment that connects Almaty with Astana and Russia through Kazakhstan via WE-WC corridor, as well as providing transportation to the also westward links from China to Europe. The proposed project is scheduled to be complete by 2018 and would contribute to the Government’s target of upgrading the entire WE – WC road corridor.

The Project will cover a 93 km road in two lots in Shet district of Karaganda oblast between the Aksu-Ayuly and Akshatau villages passing through the rural areas by expanding of an existing two-lane road to four-lane highway status. The project alignment lies with Karaganda Oblast. The project consists of 2 design sections of 46 km and 47 km length respectively which are likely to translate into construction in 2 Contract lots during implementation. They are subsequently described, including features and information relevant for safeguards classification and the design of safeguards instruments:

There will be no significant conversion of untouched habitats under the project. However, Settlements close to the alignment, where noise protection may be an issue in the future.

The road passes through a predominantly rural area with low population densities. The total number of population of 2 villages in Shet districts through which this road section lies is the following:

Table 2.1 Populations of villages

Village	Population (2011)
Aksu-Ayuly	5 300
Akshatau	1 690

As, in the majority the route passes through the open district, level of population, living directly near the road, is very low. The proposed project entails land acquisition and associated impacts, as is to be expected minimum in a highway project with 93-km of road alignment. Only, 8 land plots maybe will be affected by the proposed rehabilitation and 4-laning (they are shown in Appendix 1). This temporary land acquisition plan applied principles and standards that have been incorporated and implemented in the Resettlement Action Plan of Western China- Western Europe International Transit Corridor, agreed by the CR and the Bank.

3. SOCIO-ECONOMIC BACKGROUND

The main sources of transportation, within the country - Astana, Kokshetau, Petropavlovsk, Kostanai, Karaganda, Almaty, Shymkent. The main sources of international transportation - Western Europe, Russia (Siberia), Uzbekistan and Kyrgyzstan. Percentage of transport which is operating in the international traffic is 30% of the total flow.

The proposed reconstruction of the Karaganda – Burylbaital road section from the existing 2 lanes road to 4 lanes road.

The whole Karaganda – Burylbaital Road sections has been divided into 2 sections: Section 1 - km 1620-1666 (46km), Designer LLP "Doris"; Section 2 - km 1666-1713 (47 km), Designer LLP "Engineering Center “Astana”. These sections are planned to be financed by IBRD.

Kazakhstan is one of the largest countries in the world, which has a huge road network with length about 88 thousand km, including about 23 thousand km of republican roads. About 93% of the roads have asphalt concrete pavement; however the condition of roads does not meet current standards and type of traffic.

Kazakhstan has huge reserves of fuel resources, rich deposits of other minerals, as well as a major producer of crops and livestock supplier. The industrial sector is based on the extraction and processing of natural resources in the engineering sector, specializing on construction equipment, tractors, agricultural machinery, as well as the production of military-defense purposes.

Over the past few years in the country has discovered new oil fields, and the mining and processing of other natural resources.

Transport corridor which connect Almaty, Karaganda, Borovoe, Kokshetau, Petropavlovsk, the length is about 1700 km, is considered to be one of the most important in the country, on which is carrying out the vital important transport communications between the Republic of Kazakhstan and such as states as the Republic of Uzbekistan, Tajikistan, China and the Russian Federation.

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Based on data obtained from operational services, as well as through direct observations which were carried out during the performance of survey works in 2014, was determined intensity of traffic and composition of cars' park, which are on the road project area. The planned road section refers to the Center-South corridor "Astana-Karaganda-Balkhash-Kapshagay-Altay", the Republican site roads "border of Russia Federation (Ekaterinburg) - Altay", km 1620 - 1713. According to the administrative division, the projected section passes through the territory of Shet district of Karaganda oblast.

3.1. SOCIO-ECONOMIC CHARACTERISTICS OF PROJECT SITES

Shet district is located in central part of Karaganda oblast, and it is stretched from North to South for 365 km and from West to East 200 km. In the North the district is bordering with Abai, in the East with Aktogai and in the West with Zhanarka districts. The terrain of the territory is represented by hills and plain. The district was formed in 1928. Aksu-Ayuly village is the district center. The distance to the regional center is 130 km. The district territory is 65694 sq. km. Total population number is 48500 people. There are 8 villages, 17 rural districts with 74 settlements in the Shet district. The leading branch of economy of the district is agriculture, mainly livestock. The industrial enterprises of the district are the joint venture LLP "Nova-Zinc", LLP "MetallterminalService", LLP "Alash", LLP "Nurdaulet". There are unique mineral deposits with vast deposit reserves at the territory of district. Geological reserves of tungsten-containing ores provide continuous processing of deposits within 20 years, with ore extraction and processing of 100 thousand tons per year, and there are deposits with large reserves of wolframite, tungsten-molybdenum and bismuth ores.

The citizens of Akshatau and Aksu-Ayuly villages also work in abovementioned enterprises (mechanics, security guards, drivers, electricians, secretaries, cleaning women and etc.).

In geomorphological respect, the design section is hilly steeply sloping plain with some hills and ridges folded indigenous rocks. The outlines of the hills are soft and smooth.

Throughout the area, the road crosses numerous dry lands in the springtime, which is temporary watercourses.

Aksu Ayuly is a village in Shet district of Karaganda region of Kazakhstan. It is the administrative center of Shet district and the center of Aksu-Ayulinsky rural district.

It is located in 150 kilometers south-east of the Karaganda city, at the confluence of the rivers Aksu and Sherubainura, at the eastern foot of Ayuly Mountain. The nearest railway station is Zharyk (90 km) at Karaganda - Shu railway. It was founded in 1931. Through Aksu-Ayuly passes Karaganda - Balkhash - Altay road.

Akchatau is a village in Shet district of Karaganda region of Kazakhstan. Located on 137 km to the south of the district center, the Aksu Ayuly village, and 110 km south-east from the Agadyr railway station (Karaganda - Mointy line). Through the village passes automobile route Karaganda – Balkhash. The settlement arose in connection with the development of tungsten and molybdenum deposits. Extraction of tungsten and molybdenum ore is being carried out by mining method. There is mining and concentrating plant, dairy plant, bakeries.

The project road section under consideration for WB financing, consist of two parts. The first part of the road section is from km 1620 – 1666 of length 46 km, designed by LLP “Doris”. The climate is acutely continental and arid, CZ (climate zone) - V; The hottest month-July; The average temperature is - + 25,4oC; The absolute maximum temperature: + 47 ° C; The coldest month - January; Average temperature - 25,7 ° C; The absolute minimum of air temperature - 46oC; The thickness of snow cover, with an estimated probability of exceeding is 5% -35 cm. In the geological structure participates Middle-Upper-Quaternary sediments.

The second part of the road section is from km 1666-km 1713 of length 47 km, designed by LLP "Engineering Center “Astana”. Existing road "Astana-Karaganda-Balkhash-Kapshagay-Almaty" passes within the existing 40m right of way.

In the villages, besides the main source of income, i.e. work in the abovementioned enterprises, the residents are engaged in the running of livestock, in particular the breeding of camels, cattle, horses, sheep and small cattle. Land is used for cattle grazing, and on the land plots with fertile soil melons and gourds are grown.

The construction of the road may affect livestock breeding, but the remaining part of land plots allows the free grazing, i.e. there are many state-owned lands used by residents in the region.

4. BRIEF DESCRIPTION OF THE LAND ACQUISITION

The Right of Way (Road Reserve) of the existing Karaganda – Buribaital Road section is 40 m. The land acquisition is required for road rehabilitation and reconstruction. As stated above land plots of Committee for Roads fall under permanent acquisition and thus there will not be permanent land acquisition, but there will be temporary acquisition of 6 land plots owned by heads of farms and 2 land plots of state reserve. Temporary land acquisition means withdrawal of part or all of the land plot for construction, i.e., for temporary bypass roads, for the establishment of construction camps, ACP installation and for other construction needs. At the same time during the temporary acquisition from the owner the contract between owners and contractors will be concluded and all conditions will be spelled out in the contract; and in case of state lands the loss of agricultural production will be paid to the regional tax department in accordance with the current legislative acts of the Republic of Kazakhstan.

In the presence of representatives of all stakeholders and affected land users, made a survey area of farms, in order to select land for reconstruction of the republican road, the first part of the road section start from Km 1620 – Km 1666 under category I-B. Act of land acquisition sites was made on 20 November 2014, signed by the commission. The project identified areas of land required to be identified in addition to the existing road reserve and the working area of permanent and temporary use, necessary to accommodate roads to quarries and construction sites as shown below:

Temporary land acquisition under road section km 1620-1666 is required – 43,495 hectares; under section km 1666-1713 – 384,163 hectares. Temporary acquisition is required for the period of construction and reconstruction of road, after completion of construction works the land will be returned to the owners.

Total necessary land area under temporary use in the border of km 1620-1713 of Shet district of Karaganda oblast is 427,658 hectares – pasture lands (primarily for the purposes of livestock grazing). On the basis of land plots selection act has received Decision of Zhambyl District Akim # 02/17 dated February 21, 2014 about permission of construction works on designed road section. The construction is expected to start only after the approval of this project by the Bank and following procedures of the Republic of Kazakhstan. The RAP provisions will be observed prior to any construction works. In the Right of Way there aren't any burials, animal burial sites and archeological sites.

At the same time, after the signing of the Loan Agreement between the Government of the Republic of Kazakhstan and the World Bank, the decision of akimat about land acquisition will be issued and final plan for temporary land acquisition will be performed and in case if other land except the Committee for roads will fall under permanent acquisition, then detailed plan for the permanent land acquisition will be prepared as well.

Annex 1: provides details about the temporary project affected people. Overall, the impacts are identified as generally non-substantial. There will be no physical resettlement of individuals. The land to be acquired is typically a small portion of the available agricultural land. No demolitions of commercial or residential structures are expected. At the current design, the main impacts are related to temporary land acquisition. The typical land affected by the project while having 'agriculture' classification is not suitable for typical agricultural purposes and has official sub-classification as pasture land for grazing. The pasture land is abundant in this region. The owners will be offered alternative land plots. There is a total of 8 affected land plots, which are either leased on the long term bases or owned by the Government. All affected land plots are register and have right of property or land lease contract. No encroaches were found in the area. Of the 8 affected land plots, there are six (6) which are owned by the farms, and the remaining 2 land plots are the state reserve lands (State property).

Table 4.2: Comparison between Kazakhstan and World Bank Temporary Land Acquisition Policy/Practices and Resettlement Policy.

Standard Practice of Land Acquisition in Kazakhstan	WB Policy on Involuntary Resettlement
<p>Compensation of private land plot for agricultural/livestock grazing purposes , purchased from the State by the land owner and it acquisition for public use must be determined as an equal sum on market price of land plot. Payments for transaction fees are not explicitly covered. Certain sub-categories of land ownership can be appraised at the cadastre purchase value, however legislative clarifications are currently under review by the state to ensure fair rates for compensation.</p>	<p>WB policy requires explicit full replacement cost coverage (market rate plus associated fees)</p>

Harvest/livestock grazing, trees and structures are compensated only for registered (with legal titles) AP's -	However, AP without legal rights and requirements have the right for compensation for lost of harvest, trees and structures (non-land assets).
The Kazakh legislation does not explicitly require restoration of livelihood and standards of living	The main purpose is considering the recovery of livelihood and living standards of relocated people, regardless of property right or legal status.
Additional assistance for vulnerable group, costs on relocation and on period of relocation are not provided. However, some additional assistance for those under the poverty line is envisioned in the law.	Displaced persons would be given assistance to improve their livelihoods and standards of living or at least to restore them,
Kazakh legislation suggests that the negotiated settlement (finalized by a commission consisting of local authorities) is a primary approach to acquire land without direct requirement for third party validation. If agreement cannot be reached, local authorities may initiate expropriation through judiciary means.	Whereas OP/NP 4.12 does not explicitly require third party valuation, it encourages affordable and accessible procedures for third-party settlement of disputes.

5. POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

i. In Kazakhstan, although most land is owned by the State, it can be privately owned, transferred, sold or rented to individuals. Once land is in private hands, the State can reclaim it only for specific uses, including road construction and only after compensation to the owner for real estate and other losses.

ii. Kazakhstan's laws and regulations regarding land and land ownership derive from the Constitution, which states that land (surface and underground) is in principle owned by the State, but can also be privately owned (Article 6.3). Article 26.3 also states that *No one may be deprived of property unless stipulated by a court decision. Forcible alienation of property for public use in extraordinary cases stipulated by law may be exercised on condition of its equivalent compensation;*

iii. The Land Code of the Republic of Kazakhstan (CODE No. 442 of 20 June 2003) covers the *reservation* of land for State Needs, stating that *A land plot may be reserved for state needs by way of purchase or by granting an equivalent land plot with the consent of the owner or land user* (Article 84.1). Road construction is one of several grounds for purchasing private land or terminating long-term leases (Article 84.2.4). In the case of land under lease, the land user is compensated for the full amount of losses and may be granted an alternative plot (Article 84.4). However, the availability of suitable land to swap varies from one location to another.

Involuntary acquisition of land or any property for public use is an exceptional case of alienation of property. These are in the property of individuals and non-governmental entities, and can be

done only if it is not possible to use all other possible cases of alienation of the property provided by the Civil Code of the Republic of Kazakhstan and the Laws of the Republic of Kazakhstan.

It is not allowed forced alienation of land or other immovable property in connection with the land acquisition for public use in the presence of other (alternative) way to meet public needs.

Alienation of property for public use, other any alienation of property, which is represent profit purposes of non-governmental legal entities or satisfying of non – government interests other alienation of property which is not arising from the implementation of public functions and do not pursue public interest objectives cannot be recognized. In these cases, the alienation of property is permitted by agreement between the property owner and the person pursuing commercial purposes, on the basis of the contract of sale of the property between them.

Forced alienation of land or other immovable property in connection with the land acquisition for public use is allowed only in that volume in which it is necessary to meet the public needs.

About the beginning of the forced alienation of land or other immovable property in connection with the land acquisition for public use in extraordinary cases stipulated by Article 84 of the Land Code of the Republic of Kazakhstan, Resolution of the Government of the Republic of Kazakhstan or local executive body (Akimat) in accordance with the competence provided by the Land Code of the Republic of Kazakhstan is adopted.

In the decree on the beginning of forced alienation of land or other immovable property in connection with the land acquisition for public use are indicated:

- 1) the purpose and the basis of forced alienation for public use;
- 2) location, area, cadastral number of the land;
- 3) the owner of the property or non-state land user;
- 4) the date of forced alienation, but not earlier than three months from the date of the official publication of the given decree;
- 5) places where have to appeal to the owner or non-state land users for procedure of reconciliation.

In case if any changes are made in the specified decree regarding to subparagraphs 2) and 4) of this given paragraph, then the procedure of forced alienation for public use is carried out again from the date of publication of the decree on amendments and additions to this given decree.

These decrees shall be published respectively in the national or local media within three working days from the date of their adoption.

In the case, if the right of private ownership of the land in accordance with the legislation of the Republic of Kazakhstan, is not registered, the owner after the decree, can make the necessary arrangements to confirm the right of private ownership of the land in respect of which the decree has made.

At the same time the period of forced alienation for public use, which accepted by the decree, is extended for not more than six months.

Executive authority or on behalf of the superior body, subordinating executive body shall not later than three calendar days after publication of the decree, should send to owner or non-state land owner a written notice of forced alienation of land or other immovable property in connection with the land acquisition for public use with the attachment of draft contract on land acquisition or other immovable property in connection with the land acquisition for public use by the post mail with mandatory receipt of the notification of the receipt of posting. In the absence of notification of the receipt of posting the documents specified in given paragraph shall be sent again.

Notification of forced alienation of land or other immovable property in connection with the land acquisition for public use as a legal claim is subject to state registration in accordance with the Law of the Republic of Kazakhstan "On state registration of rights to immovable property."

The basis forced alienation of land or other immovable property in connection with the land acquisition for public use is a contract of land acquisition or other immovable property in connection with the land acquisition for public use or court decision.

Local executive body (Akimat) submits to the relevant local representative body (Maslikhat) of draft agreement on land acquisition or other immovable in connection with the land acquisition for public use within two months from receipt by owner or non-state user of notification of alienation of land or other immovable property in connection with the land acquisition for public use or rights for it.

Draft agreement on land purchasing or other immovable property in connection with land acquisition for public use is considered by the Standing commission of the local representative body not later than two weeks from the date of its submission with the obligatory invitation of the owner and the persons whose rights in relation to the alienated property will be terminated or limited.

Upon reaching an agreement with the owner or non-state land user of alienated for public use property and other persons whose rights in relation to the alienated property will be terminated or limited at forced alienation, agreement on land acquisition or other immovable property in connection with the land acquisition for public use is approved by the executive authority by the agreement with the local representative body and signed by the owner or land user.

In the agreement on land purchasing or other immovable property in connection with the land acquisition for public use shall include:

- 1) the price for the land which has to be acquired, determining in accordance with the procedure established by Article 87 of the Land Code of the Republic of Kazakhstan and Article 67 of the Law "On State Property" and identifying characteristics of the property or the land plot, provided to the owner or land user instead of acquired land;
- 2) the difference in cost in case if the price of the acquired land plots would be higher than the price (value) of land provided instead;

- 3) the amount to be reimbursed losses, including the value of immovable property which is acquired in connection with the land acquisition for public use, if incurred in connection with the forced alienation;
- 4) the period of payment of the price (value) for the acquired land or other immovable property in connection with the land acquisition for public use or transfer of land plot (other immovable property) provided to the owner instead of acquired for public use;
- 5) property assets to be acquired for public use;
- 6) a list of persons whose rights in relation to the alienated property will be terminated or limited;
- 7) the financing expense procedure of the government on the acquisition of property for public use.

In case of disagreement of the owner of acquired property for public use or non-state land user with the decree referred to paragraph 2 of Article 63 of the Law of the RK "On State Property" and (or) the failure to reach an agreement with him about the value of acquired property for public use and the amount of damages which are have to be reimbursed at the end of three months from the date of receipt of the notification by the owner or non-state land user, but no later than (date) the implementation of forced alienation which is determined in the decree referred to paragraph 2 of Article 63 of the Law "On State Property", the local executive body have the right to go to court with a claim of forced alienation of land or immovable property in connection with the land of acquisition for public use.

Civil cases upon claims of forced land alienation or other immovable property in connection with the land acquisition for public needs are considered and resolved within one month.

8) In the case of claim rejection on forced alienation of land or immovable property in connection with the land acquisition for public use damages inflicted to the owner or non-state land user, in the result of filing of a claim and submission of decree referred in paragraph 2 of Article 63 of the Law "On state property "shall be compensated from the budget.

9) The actual transfer of acquired land for public use or other immovable property in connection with the land acquisition for public use may be implemented only after the receipt by the owner or non-state land user whose rights in respect of acquired property is terminated or limited during the forced alienation, fair reimbursement, produced in the manner of determined by the Law of the RK "On State Property".

State registration of the termination of the rights of the owner or non-state land user and the emergence of the state to the property is implementing by the submission to the body, which is providing the state registration of rights on immovable property, a document confirming the payment of reimbursement.

The owner or non-state land user from the time of receipt of the notification on procedure initiation of forced land alienation or other immovable property in connection with the land acquisition for public needs before the reach an agreement on the value of acquired property for public use and the amount of damages to be reimbursed, or a court decision on forced land

alienation or other immovable property in connection with the land acquisition for public use may implement its rights to land and other property and make the necessary expenses to ensure the use of the property in accordance with its intended purpose. In this case, the owner or non-state land user bears the risk of attributing to it the damages and losses associated with new construction, expansion or reconstruction of buildings (structures) and other immovable property in a given period.

If the owner or non-state land user after the part of land acquisition for public use cannot use the past intended purpose of the rest part of land, then whole land plot is alienated.

1) during the transfer of property within the time specified in paragraph 1 of this article to another person by means of alienation or for other reasons, as well as by changing the right of owner by virtue of universal succession. Procedure of forced land alienation or other immovable property in connection with land acquisition for public use is applied (continued) in relation to the new right holder.

The value of land alienated for state needs (excluding losses), acquired by the owner from the state, is determined by the amount which is paid to the state, except cases provided in paragraph 2 of this Article.

At incomplete payment of value for the land (excluding losses), sold by the state by installments, and its acquisition at forced alienation for public use, price of alienated land is defined in the value amount paid to the State.

2) The value of the land alienated for state needs provided for individual housing construction, for private farming (except field plots), which has an individual house, in the amount is determined by the value of the land and located on it real estate, in the amount which is not exceeding their market value.

The cost of land alienated for state needs which is passed to the owner under the civil law agreement or by court decision, is determined by the value specified in the civil contract or in the court decision, but not exceeding the market value. If in the civil contract price for the land is not specified, the cost of land is determined by its cadastral (appraised) value.

3) The cost of real estate located on the land is determined in an amount which is not exceeding the market value.

The market value of the land or other immovable property alienated in connection with the land acquisition for public use is determined by an independent appraiser in accordance with Article 208 of this Act at the time of the receipt the notification by the owner or the non-state land user about coming forced land alienation for public use.

4) The amount of reimbursement is determined in accordance with paragraphs 4 and 5 of Article 9 of the Civil Code of the Republic of Kazakhstan on the basis of the value of the property and incurred losses caused by the owner or non-state land user as a result forced land alienation for public use and (or) caused by the early termination of obligations by the owner or non-land user to third parties.

The amount of reimbursement to other persons whose rights in relation to forced land alienation for state needs will be terminated or limited, is determined on the basis of the losses that arise from this forced alienation.

5) Reimbursement is determined in KZT.

6) Under the agreement with the owner of the land or non-state land user, he may be granted instead of acquired land during expropriation for public use, other land taking into account the value of provided land or the rights to it in the value of the alienated land or the rights to it for cadastral (appraised) value.

Reimbursement of the cost of land or other immovable property in connection with the land acquisition for public use and losses, which are to be recovered, is made in full before the date of transition to the Republic of Kazakhstan or administrative-territorial unit of ownership on specified property.

Reimbursement is made from the budget.

Reimbursement by, other than money, property is permitted by agreement between the Republic of Kazakhstan represented by the Government of the Republic of Kazakhstan or political subdivision in the face of the local executive body and the owner of the property. This agreement shall be in writing on the contract of purchase of land or other immovable property in connection with the land acquisition for public use.

Reimbursement is paid at the same time not later than one month from the date of signing of the purchase contract of land or other immovable property in connection with the land acquisition for public use or from the date of entry into legal validity of the court decision

It is not allowed to carry out forced land alienation or other immovable property in connection with land acquisition for public use, providing installment payment of reimbursement.

The owner of the acquired property or non-state land user from the time of the receipt of written notification of expropriation of land or other immovable property in connection with the land acquisition for public use within one month may initiate conciliation by filing appeal to the local executive body. The above appellation is recorded on the day of submission.

Local executive body during one month is required to consider the proposals of the owner or non-state land user to the draft agreement on the purchase of land or other immovable property in connection with the land acquisition for public use according the composition of acquired property to persons whose rights in respect of acquired property will be terminated or limited, and the amount of damages to be recovered. From the time of receipt of proposals local executive authority must arrange for an independent assessment of the value of acquired property for public use and to determine the regulations of financing losses of the government on acquisition of property and to carry out other activities associated with the transfer of ownership of the property.

Upon reaching an agreement between the local executive body and the owner or non-state land user of acquired property for public use, as well as other persons whose rights in respect of acquired property will be terminated or limited under expropriation, the draft agreement on

purchase of the land or other immovable property in connection with the land acquisition for public use has to be sent to the local representative body for approval.

If there is no agreement on the transfer of property from any of the interested persons, referred in paragraph 3 of this Article, the forced land alienation or other immovable property in connection with land acquisition for public use is carried out in the courts.

Requirements for reimbursement before the transfer of ownership of the property to the Republic of Kazakhstan or to the administrative unit and other terms of reimbursement which are set out in Articles 67 and 68 of the Law of the RK "On State Property" cannot be canceled by mutual agreement.

If in case of signing an appropriate finance agreement between the Republic of Kazakhstan and International Financial Institution, which is an integral part of the agreements, ratified by the Law of the Republic of Kazakhstan and, accordingly, Land Acquisition and Resettlement Program express the views of the Government of the Republic of Kazakhstan and have the status of the International agreement. Along with it, the **International agreements** ratified by the Republic of Kazakhstan, identify provisions, which are different from mentioned in the Land Code of the RK, then the provisions of the above agreements will apply. International agreements ratified by the RK directly apply to the land relations. (Land Code of the RK, article 7)

6. LAND ACQUISITION PROCESS

The feasibility study for an investment includes a proposed alignment and estimates of the amount of land to be acquired temporarily; the amount of land needed temporarily for staging, construction sites and borrow pits; and estimated cost of acquisition, rental and restoration of affected lands. The document is sent to the oblast and rayon levels for review and comments. It is then sent to Astana. Meanwhile, the Shet rayon akimat issues a decree identifying the area affected by changes in the alignment and designating the land as subject to reservation (expropriation). At this point, CoR requests the local executive bodies to freeze land transactions in the area identified for temporary land acquisition for bypasses

- i. The final design is prepared in an interactive manner, involving intensive field work and ongoing consultations with local officials, particularly on the rayon level. The design process generally starts with a meeting of all relevant officials in the oblast—agriculture, land resources, registration, utilities, public works, and others—to inform them of the tentative alignment and requesting information that should be taken into account in the final design. The final design includes more detailed maps of individual landholdings to be affected, complete ownership data from the cadastre, and estimated compensation for acquisition and losses.
 - ii. Once the alignment is agreed with local bodies, the design team obtains maps of cadastral lands (lay out) on owners and Committee for Roads will ask the Akimat of the rayon to call affected owners together to discuss the land acquisition process. The data are then given to the licensed assessors who are responsible for determining the “market value” of the property to be acquired and negotiating compensation with owners. Although there is established precedent for assessing rayon (urban) property values, rural property assessment is rather new, and transactions are not common in many areas. To determine rural property values, the assessor takes into consideration soil quality, productivity, trees, and other

production characteristics, in addition to recent land transactions, if there are examples available. The assessors are expected to negotiate with owners and sign agreements, if possible, which are used for purposes of estimating project costs, but are not binding. Once the Akimat approve the final alignment, the CR can proceed with acquisition or expropriation. If the owners and akimat cannot agree terms, the Akimat can initiate a rayon (city) court after half year notification period ends. If Akimat or owner appeals to the court, the court renders a decision that includes the amount of compensation to be given to the owner. Judgments are said to be impartial, favoring either the government or the owner, depending on the case. Land cannot be accessed until compensation is completed and the title is transferred.

iii. The previous practice was for the Rayon Akimat to establish a valuation commission that included officials and landowners, without specialized inputs. The use of licensed assessors was expected to reduce claims and result in a smoother acquisition process, but the final results will be seen once the acquisition process begins.

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

6.1 Involuntary Land Acquisition/Resettlement Principles

The Government has agreed to apply the following principles in the acquisition of private land and resettlement of households for investments in the given Corridor, which reflect the principles incorporated into the LARF, consistent with resettlement policies of the World Bank. The principles apply in case of temporary or permanent impacts on households resulting from loss of land, structures or other fixed assets; changes in land use or business; restrictions on the use of land, housing or businesses. The principles apply to *all* “affected persons”, *including those without formal licenses or titles*, who experience impacts as the result of land acquisition or resettlement for State Needs.

- Avoid or minimize land acquisition and resettlement;
- Affected persons are entitled to be compensated at full replacement cost for their lost assets, incomes and businesses, including temporary losses or impacts, without adjustments for depreciation or deductions for any other purpose;
- Compensation (and other forms of assistance, as warranted) should enable affected persons to improve, or at least restore, their pre-project incomes and standard of living;

- Affected persons must be consulted in resettlement planning;
- Affected persons must be fully informed of their compensation options;
- Land-for-land swap is the preferred compensation for lost agricultural land if it is available, unless an affected person chooses cash compensation;
- Costs of transfer of property—purchase or swap—are waived or borne by the investor, including taxes, fees, documentation and court appeals;
- Compensation will be made giving equal consideration to women and men;
- Lack of formal title or use agreement does not bar affected persons from entitlements or assistance required to achieve the objectives of the policy;
- Relocated affected persons receive assistance for relocation;
- Special attention should be given to households headed by women and other vulnerable persons and appropriate assistance provided to assure that their living standards are maintained or improved;
- Land acquisition and resettlement are executed as part of the Project and fully funded
- Compensation will be fully provided before land can be entered for civil works or demolition.

6.2 Principles of Resettlement Planning and Implementation

The majority of permanent Project impacts will cluster for dueling and at intersections, where most land acquisition will occur. Demolition of structures is not expected. Once final designs are completed and accepted by the rayon and oblast, they are passed to CR for final review and approval.

This TLAP has been subsequently prepared, based on the following steps:

- An inventory of land use and users and their properties such as owned or leased land, enterprises, structures, or agricultural activities
- Local consultations to engage affected persons in the design of the Plan
- Publication of the plan for comment
- Submission of the final plan and cost estimates to the World Bank for concurrence before funding is authorized.

These steps also provide the basis for future tracking impact on affected persons as well as the effectiveness of TLAP implementation and determine whether additional mitigation measures should be developed. A socioeconomic assessment to supplement current information will be executed early in project implementation to establish a baseline for monitoring and evaluation.

6.3 Additional Measures

Land and Housing Codes in Kazakhstan regarding the acquisition of land and assets for State needs are mostly concordant with the World Bank's OP 4.12 in most topics. In the absence of standard regulations and procedures, implementation may vary in practice, however. The

steps described below ensure more consistent implementation and compliance with Bank policies and international good practice during implementation. Under terms of the RAP Entitlements Matrix, all entities required to relocate by the project will receive a transitional allowance sufficient to cover transport expenses.

6.4 Encroachment and Informal Land Use

In accordance with long term and historic accepted local practice, local farmers generally have open access to use of state owned land for the grazing of livestock (normally sheep, goats and cattle). Some of this state land will be lost to the road construction. There will be no change to this local practice, and the District Akimats will ensure that farmers will continue to enjoy open access to use of state owned land for the grazing of their livestock. Given minor impacts and abundant presence of land in the area, this is not expected to have any significant negative impacts. It will be important that crossing routes (normally tunnels under the road) are constructed at regular intervals to allow the farmers with cattle to cross the road. Representatives of CoR of MID RK has agreed that additional crossing points can be provided if the community shows that a route is necessary for the farmers or other land users in the area, and that it has no engineering issues. Preferably decisions on the location of any additional crossing points should be made prior to construction start.

6.5 Land Swaps vs. Cash Compensation:

The Land Code offers owners the option to swap land or buildings in lieu of compensation. In some areas of the country the alternative lands may not be readily available. Nonetheless, all affected persons will be informed of the option and all local Akimats have been requested to assess the availability and location of substitute lands. Given that the land is available for swap, officials involved in the land acquisition process are instructed to offer affected persons the option to swap land and buildings for compensation instead of cash, if they choose.

6.6 Socio-economic baseline for Identification of PAPS

The approach for the identification of affected structures and land parcels relies on three approaches:

- Identification of formal land users: two instruments were used for identification (1) existing cadastre and land use data maintained by the Land Resource Agency and (2) the construction survey conducted by designers for each individual section at a scale of 1:2,000, in which all structures within a ribbon of ca. 120 m width following the project alignment are detected and geo-referenced. This includes all structures within the existing ROW where works will take place.
- Identification of informal use: Roadside surveys along the entire alignment were conducted by the designers to identify and describe any form of informal use of the ROW or areas affected by bypass construction or other land take, which would not result in visible structures and thus go undetected by above described methods for identification of formal use. This type of use would, for example, involve informal agriculture (gardens, small fields, seasonal stand) encroaching on the ROW or animal or poultry husbandry.

Information on any registered plot and its location with topographical coordinates are kept in the Centers of Registration under the Ministry of Justice. This information is also being collected by the “State Scientific Production Centre on Land” (GosNPTsZem) under the Land Resource Agency. Designers contracted by CR received information on potentially affected landowners from the oblast level departments of the GosNPTsZem in the form of a 1:25,000 scale map indicating the projected road and land plots intersecting with or touching the alignment. The designers combined these maps with information they themselves generated by topographic alignment surveys carried out as a standard measure upstream in their work.

For the identification of informal land users designers compared the official land use data received from GosNPTsZem with their own to-date construction survey. Thus each designer could identify structures which were built (commonly within the ROW) illegally and without formal title. However, such were not revealed in impact area.

In order to assess costs of land to be acquired temporarily, Akimat of Karaganda region (Akimat of Shet district of Karaganda region) uses the calculations of Design institutions, which calculate compensation under temporary losses according to Regulatory Legal Act of RoK “Regulations of compensation of loses are approved by Decree of the Government of RoK No. 1037 dated 08.10.2003” (with changes and amendments dated 07.04.2011).

At evaluation of agricultural land plots value is used method based on assessment of agricultural losses, in case of land acquisition from turnover. The used methods were based on the national Kazakh laws, procedures and regulations. The compensation amounts calculated by the appraisals were negotiated between most of the owners and representatives of Shet district Akimat of Karaganda region.

The process of identification of affected people and assets has began in October 2014 and completed in August 2015. Following documents will be reviewed during the valuation:

1. Owners/Users Identity Card
2. State Land Act referred to measurements of the land
3. Building Plan with details

Lists of identified, affected persons by the project, will be approved by the decisions of Akimats of the appropriate districts. On the basis of the evaluation report, relevant Akimats will sign an agreement on expropriation. Commission appointed by the relevant Akimats for impact assessment were consisted from unspecified number of members, consisting from the staff of regional departments of land recourses management, architectural, town - planning and other related services. The appraisal will be done in the presence of the affected people.

7. PROPERTY VALUATION AND COMPENSATION PROCESS

7.1 Valuation process

The final list of Affected People along with their affected properties will be provided to the Akimat of Karaganda Oblast after project approval. This will be followed by issuing of Akimat's Decision on land plots acquisition for final assessment of the affected properties and AP's compensation purposes.

The first assessment of the valuation of the affected properties were undertaken by the designers on the basis of Regulatory legal act of the Republic of Kazakhstan - Regulations of compensation of loses are approved by Decree of the Government of RoK No. 1037 dated 08.10.2003 (with changes and amendments dated 07.04.2011). On the basis of this regulatory legal act, the amounts of compensation of 6 owners and landowners were calculated for the period of temporary use of their land plots, i.e. the period of construction and reconstruction of the road.

Following documents have been checked and examined during evaluation:

- **Identity Card**
- **State Act on Land referred to measurements of the land**
- **Technical Passport with details**

Three types of evaluation methods which are common in Kazakhstan have been applied. These are

(a) **Cost Method – Rate of Return method**

Cost approach represents the expenditures of owner. It' based on the fact that the cost for this land plot and its improvement will not increase the market price for already improved land plot with the equal on purpose and quality land improvements. For instance, in case of using this method, the manufacturing material: the quality and cost of property material, year of construction, state of the object and etc. should be considered. Mainly this method is used for habitable premises.

(b) **Comparable Method**

Comparative approach represents the comparison of similar property objects and land plots, which are on the same territory. Valuator should take local newspaper or TV sale advertisement of the similar property and land plot on this territory that is for defining of cost of evaluating object by comparison of recent sales of similar objects on the effective function independent market, where independent customers and independent sellers sale and buy comparative property, taking independent decisions. The approach is based on the principle of substitution: wise buyer doesn't pay larger amount for evaluated object, then that amount that is available on the market for similar of quality and utility objects. This principle is working mainly for residential premises.

© **Income Method – Discounted cash flow method**

Profit approach is applied only for objects for commercial and agriculture purposes (filling stations, cafes, shops, points of sale, empty commercial lands, farming lands and others) for identifying of cost of evaluating object that is capable to bring income in future during definite period of its use. The cost represents the amount of future income by the moment and profit due

to resale of evaluating object. The approach is based on the principle of waiting, that is wise buyer (investor) acquires land plot expecting the future income or profit. The application of this approach requires thorough analysis of economics conditions and tendencies, that impact on the level of property profitability in the area of evaluation object location, and using of such procedures as discounting and capitalization. Evaluator on the basis of documents (tax return, income statement and etc.) defines the evaluating cost.

In Republic of Kazakhstan as per the clause 4, article 6 of RK Law “About evaluation activity” the obligatory evaluation should be performed in accordance with legislative acts of RK for redemption and acquisition of property from owner for the Government needs.

7.2 Affected Population

There are no socially vulnerable people in this section of Karaganda – Burylbaital Section km 1620 – km 1713 and no households and affected population.

Socially vulnerable people are people, who have income less than living wage. Operationally, this is defined as people eligible for Targeted Social Assistance, as per information from Statistic Department the living wage equals to 21 364. However, the list of recipients of targeted social assistance is defined and approved by akimats, local executive bodies. In case if socially vulnerable people is revealed during implementation, akimats will pay appropriate compensation.

7.3 Land Acquisition and Resettlement Impacts for Karaganda – Burylbaital Road Section

The leased lands that are required to be acquired temporarily include livestock grazing lands. The details regarding lands to be acquired for the Project’s both the parts of the road section, Km 1620 – Km 1713 are given in the following Tables:

Table 7.1: Land to be acquired for Project purpose Km 1620- Km 1713

Resettlement Impact on	Land to be acquired temporarily hectare	People affected by land acquisition, person number
Residential land	-	-
Pasture	128,76	6
Commercial land	-	
Total	128,76	6

Table 7.2: Estimated value on Land Acquisition км 1620- 1666

Item№	Type of land	No. of people affected	Total Compensation in KZT based on present market price
Land compensation	Pasture	6	11 588 400
Total	Land compensation	6	11 588 400

Table 7.3: land to be acquired for project purpose from Km 1666- Km1713

Resettlement impact on type of land	Land to be acquired (purchase) in hectares
Residential land	-
Pasture	298,898
Private for commercial purposes	
Total	298,898

_Costs: 26 900 820 KZ tenge

The above tables, clearly indicates that most part of these lands, which will be acquired for this project, is agricultural. Agricultural land plots used for pasture only with no cultivation for crops at all.

All the people insignificantly affected by livestock grazing acquisition will be compensated and if necessary will be given additional support by Akimat, as per agreed RAP Entitlement Matrix, which is specified below in the table 7.4.

Table 7.4 : Entitlement and Compensation Matrix

Property	Description	Affected People	Entitlement for compensation
Temporary Loss			
Land used for construction activities	Subject to negotiation between owner and contractor	Owner (private or public)	<ul style="list-style-type: none"> • Contractor pays cash compensation at local commercial rental rates for duration of use • Land restored to original status at end of rental
Land for borrow pits	Subject to negotiation between owner and contractor	Owner (private or public)	<ul style="list-style-type: none"> • Contractor pays cash compensation for rental and materials at market rates • Land restored to original status at end of rental
Unforeseen the adverse impacts	<ul style="list-style-type: none"> • Rayon Akimat and RSE "Committee for Roads of the Ministry for Investment and Development of the Republic of Kazakhstan" will deal with any unforeseen impacts of the project during and after the period of implementation of the project in terms of implementation of the principles of social protection of affected. 		

Persons losing more than 10% of their grassing productive lands will receive assistance in the form of two times the annual crop value of the land area lost. This is in addition to land compensation arrangements specified for all people losing more than 10% lands. At the road section, no land user is losing more than 10% of lands.

7.4 Project Impacts on Structures

The Project will not affect any structures (business) in Karaganda - Burylbaital Section, and no household relocation will be required.

In Republic of Kazakhstan as per the clause 4, article 6 of RK Law “About valuation activity” the obligatory valuation should be performed in accordance with legislative acts of RK for redemption

and acquisition of property from owner for the Government needs. Moreover, there are acting the Evaluation standards, approved by the Government of the RK "On some issues of evaluation activity» № 124 from 12.02.2013.

In case of signing an appropriate finance agreement between the Republic of Kazakhstan and International Financial Institution (IFI), which is an integral part of the agreements, ratified by the Law of the Republic of Kazakhstan and, accordingly, Land Acquisition and Resettlement Program express the views of the Government of the Republic of Kazakhstan and have the status of the International agreement. According to article 4.3 of Constitution of RoK, "International agreements ratified by the Republic of Kazakhstan, have the priority before its laws". In view of this loan agreement of mentioned project ratified by the RK directly apply to all other regulatory legal acts of the RK, and World Bank OP 4.12 policy will prevail.

8. PUBLIC CONSULTATION AND DISCLOSURE

At project design stage, Committee for Road MoID RK and Akimat of Karaganda region and the Designers in Akshatau village of Shet district consulted with all owners when the alignment was being agreed in October 2014.

During the consultations all technical parameters of the road, drawing of the proposed works, the expected benefits, expected impacts, including the expected mitigation measures, the number of underpasses, design solutions for abutment design of bypasses, junctions and underpasses for the needs of owners of land and farms, the definition of placement of production base and a testing ground for debris removal, consideration of the possibility of the use of water for technological needs of the nearest water bodies, information on land set aside for farms within the area of construction of the road have been submitted.

The TLAP will be translated into Russian and Kazakh languages and disclosed on the project website, the website of the Committee for Roads, and the Shet rayon Akimat. The TLAP in English will be disclosed on the WB website.

8.1 Institutional Arrangements and Grievance Redress Mechanism

Special seminar can be organized if necessary in Karaganda Oblast with participation of non-governmental institutions and ecological movement.

The Project Management Consultant (PMC) will play a key role in the organizational setup for Resettlement and Lands Acquisition Management during Project implementation. According to the PMC's Terms of Reference (TOR) there will be two social safeguards specialists (One International and one National) working in the PMC for the duration of the Project. Part of their duties and responsibilities will be the management of implementation of this TLAP.

The PMC will carry out an independent assessment of the land acquisition process to inform the Committee for Roads and World Bank and prepare one final report on external monitoring and evaluation of resettlement and submit to the World Bank.

9. GRIEVANCE REDRESS MECHANISMS INCLUDING GRIEVANCE DURING CONSTRUCTION

Guideline on Grievance Redress Mechanism (GRM Guideline) is designed and approved in 2014 by Committee for Roads MID RK for all road sector projects. GRM Guideline is intended to be used as a guidance document for stakeholders involved in design, preparation and implementation of road projects, and complements grievance redress requirements incorporated in the loan agreements, as well as environmental and social safeguard documents (in case of projects funded by IFIs).

The overall objective of the GRM Guideline is to establish an effective communication channel among the stakeholders for providing a timely and efficient two-way feedback mechanism to address any complaints made about the project, including those from members of the communities, local businesses and other stakeholders, as well as raising public awareness on the projects and on the availability of a GRM mechanism. The Grievance redress procedure suggests resolution of grievances in the spirit of mediation between the parties, and should comply with the spirit of IFI standards and practices.

Specific objectives of GRM Guideline include:

- Facilitation of an effective dialogue and open communication between the project stakeholders;
- Development of an accessible, transparent and efficient complaint procedure for people involved in and/or impacted by road sector projects;
- Clear definition of roles and responsibilities of the various parties involved in consideration and resolution of grievances;
- Establishment of procedures and standards for recording, sorting, investigating, handling of grievances, and providing feedback;
- Establishment of a mechanism for responding to complaints in an understanding, transparent and culturally appropriate way;
- Increase of awareness on project activities and available mechanism for amicable resolution of grievances,
- Minimization of grievances regarding the project activities and impacts, better management of expectations;
- Improvement of the projects performance (including environmental and social performance) through ensuring monitoring of grievance redress process and periodic progress reporting.

The GRM will be available for those living or working in the areas impacted by the project activities. Any person impacted by or concerned about the project activities will have the right to participate in the GRM, will have easy access to it, and will be encouraged to use it. The proposed GRM does not replace the public mechanisms of complaint and conflict resolution envisaged by the legal system of the RoK, but attempts to minimize use of it to the extent possible.

9.1 Grievance Registration

Complainants or concerned individuals may visit, call or send a letter or e-mail or fax to community Akimat, grievance focal point at CCs and CSCs, GRC Coordinator at CoR MID RK in Almaty regional branch to register their grievances related to road sector projects. Receipt of grievances received through a letter or e-mail or fax shall also be acknowledged through a letter / e-mail / fax within 3 working days upon receipt by GRC coordinator at regional level. Receipt of grievances lodged in person or via phone will be acknowledged immediately.

Each project level party participating in the GRC at regional level shall maintain a record-book to register the complaints, and regularly share the grievance details with GRC coordinator at regional level, in order to keep the track of grievances and the status of their resolution. The GRC coordinator at the regional level shall coordinate with each member of the GRC on a weekly basis, collect relevant documents, maintain a consolidated registry of complaints received, follow-up on the status of resolution of each complaint received, maintain an up-to-date grievance database and provide relevant reporting.

Whichever channel is used for receiving the grievance (e.g. e-mail, mail, fax, call, etc.), its registration will be made by the GRC coordinator at the regional level, who will acknowledge receipt and follow up with the grievance investigation and consideration by the GRC at regional level. All the grievances will be recorded in a standard format, which will include but not limited to the following details:

- Contact information of the affected party;
- Date, time, and place where the complaint was received;
- Name of the person who received the grievance;
- Details of the grievance.

The project will pursue a participatory approach in all stages of planning and implementation. This is expected to ensure that the affected people have nothing or little to complain about. However, some people may still remain dissatisfied for some reason or the other. Many grievances arise due to inadequate understanding project policies and procedures, and can be promptly resolved by properly explaining the situation to the complainant.

In case the complainant refuses to provide contact details or no contact information is available in the grievance received by e-mail / mail / fax, the GRC at the regional level will consider the anonymous complaint. In such cases, the printed response will be posted at the information board of the KazAutoZhol's respective regional branch, as well as at the information board of the relevant Akimat, so as the complaining party can approach and get familiarized with the feedback. The GRC coordinator at regional level will collect the data on grievances and centralize the grievance registry to assure that every affected person, group or community has an individual registry number and that follow-up and corrective actions are implemented as per resolution provided, or if the issue was not resolved at regional level, it is passed for consideration at the central level. The grievance database will be maintained and updated on a bi-monthly basis by the GRC coordinator at regional level for each project. The database will be designed to make it simple and easy to input data, provide information on grievance and status of its resolution,

timeline for resolution and level at which the issue was considered and resolved, track individual grievances, etc. The grievance database will specify details of grievance resolution and include information on satisfaction of complaining party by the resolution provided (excluding the cases of grievance lodged anonymously). Where it will not be possible to resolve grievances to the satisfaction of both parties, appropriate information will be reflected in the database. The GRC coordinator at regional level for each project will share the grievance database with the safeguard specialist of KazAutoZhol central office / GRC coordinator at central level, who will maintain and update the centralized grievance database for all road sector projects.

Grievance Processing

Depending on the nature of grievance, this step may include verification, investigation, negotiation, mediation or arbitration, coordination with appropriate agencies and decision-making. Verification includes gathering of documents, proofs and facts, as well as clarifying background information in order to have a clear picture of the circumstances surrounding the grievance case. Verification will be undertaken by members of the GRC at the regional level, and overall coordination of activities will be ensured by the GRC coordinator. Results of verification or fact-finding activities will be presented at the meeting of the GRC at regional level, where the issue will be considered and resolution will be sought.

The GRC at regional level will discuss the grievance case within ten working days and recommend its settlement to parties. Meetings of the GRC at the regional level will be held on a bi-monthly basis; however, special ad hoc meetings can be arranged in between of regular meetings as needed. The GRC coordinator at regional level will ensure that actions and decisions are properly documented in order to demonstrate that the GRC at regional level is providing an appropriate attention to the grievance and is actively seeking ways to obtain resolution that could satisfy the parties.

If grievance cannot be resolved by the GRC at the regional level and is passed for consideration by the GRC at the central level, appropriate documents collected during investigation and fact-finding shall be shared with the GRC coordinator at the central level. The GRC coordinator at the central level will circulate such documents among the members of GRC at central level, to ensure that they are aware of all relevant details prior to GRC meeting.

Consideration of grievance case by GRC at central level, may require further verification of the issue, including gathering of additional documents, obtaining input from various state stakeholders and project parties in order to have a clear picture of the circumstances surrounding the grievance case. Additional verification will be undertaken by members of GRC at the central level (as needed), and overall coordination of activities will be ensured by the GRC coordinator at central level. Results of verification will be presented at the meeting of GRC at the central level, where the issue will be considered and resolution will be sought.

The GRC at the central level will discuss the grievance case within twenty working days and recommend its settlement to parties. Regular meetings of GRC at central level will be held on a monthly basis; however, special ad hoc meetings can be arranged in between of regular meetings as needed.

If following its consideration by the GRC at central level, the grievance cannot be resolved to the satisfaction of the parties, the recommendation will be made to seek resolution through the courts.

Irrespective of the outcome of grievance consideration, documentation regarding the case by the GRCs at regional and central levels will be collected and maintained by GRC coordinator at central level (with input from GRC coordinator at regional level). The GRC coordinator at the central level will keep a separate track of cases, which were not resolved through GRM and were referred to the RoK legal system.

Feedback Provision

At the regional level, for grievances lodged in the office or via phone to the GRC coordinator at regional level the acknowledgement of grievance receipt will be confirmed immediately. For mailed, e-mailed or faxed grievances acknowledgement of receipt will be provided by GRC coordinator at regional level not later than 3 working days. In case the grievance is not related to project activities or impacts generated due to the project implementation and cannot be considered under this GRM Guideline feedback will be provided to the complaining party to which entity (community/rayon/oblast level Akimat, as relevant) it has been forwarded.

Acknowledgement of the grievance receipt, as well as response/recommendation will be provided to complaining party through preferred mode of communication mentioned in grievance registration form.

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

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

If the grievance was anonymous or the complainant refused to provide contact details, the information on status of grievance redress and outcomes resolution process, will be posted on the information boards of relevant regional branch of CoR MID RoK and relevant community / rayon / oblast Akimats. Outcomes of the grievance resolution process will also be documented in the grievance database and reflected in the project periodic progress reports.

The GRC coordinator at the regional level will coordinate GRM activities with members of GRC at regional level on a weekly basis to update GRC's consolidated database of complaints for each project. Each member of the GRC at the regional level will have access to the grievance database and will be provided with an electronic copy of the grievance database file in MS Excel format.

The GRC coordinator at regional level will monitor the grievance resolution process and prepare a summary report on GRM, which will be included in its quarterly progress report. The GRC coordinator at the regional level will submit the grievance monitoring forms (relevant parts completed), as well as grievance database for each project to the GRC coordinator at central level on a monthly basis.

The GRC coordinator at central level will collect data from the GRC coordinators at regional level,

undertake monitoring of the overall GRM process, track timelines of grievance resolution, recommend corrective actions to GRC coordinators at regional level (as needed), and prepare a summary report on GRM, which will be shared with CoR (and IFIs, as needed) on quarterly basis. In addition, the GRC coordinator at central level will maintain a centralized grievance database for all road sector projects funded by IFIs and will update that on monthly basis. The copies of the grievance database should be shared with CoR (and IFIs, as needed) on a monthly basis. In addition, the GRC coordinator at central level will prepare summary reports on a semi-annual and annual basis (as needed) and submit them to the CoR (and respective IFI, as needed).

To ensure timely and effective resolution of grievances, it is recommended to establish a tracking system and define key performance indicators. This approach will enable the assessment of the overall effectiveness of the GRM and allow for corrective actions as needed. The following key performance indicators are recommended for assessing efficiency of GRM:

Disclosure of Grievance Redress procedure

The grievance redress procedure for the project will be disseminated through information leaflets and brochures, and presented during the project related meetings and public consultations. During these gatherings, it should be emphasized that the informal GRM is aimed at quick and amicable resolution of complaints and does not substitute the legal process established under national legislation.

At the beginning of each project (commencement of construction at each section of the road) community consultation shall be carried out by CCs and CSCs under the coordination and supervision of the GRC coordinator at regional level to ensure people's awareness of the availability of the GRM, steps of grievance resolution as well as contacts and locations of focal points to be approached in case of grievance.

CCs, CSC, PMCs, KazAutoZhol regional branches and Akimats, as well as NGOs and professional mediators are considered as the key actors of the GRM and play a crucial role in disseminating the information on GRM and facilitating quick and amicable resolution of complaints. The GRC coordinator at the regional level shall coordinate information dissemination activities on GRM, and ensure that the posters providing details on GRM and contacts of grievance focal points at CCs and CSCs, GRC coordinator at regional level are posted in publicly accessible and visible places at every construction site and in every affected community. In addition, the information on GRM (leaflets, brochures), including contact details grievance focal points at CCs and CSCs, GRC coordinator at regional level, should be available at the offices of CCS, CSCs, PMCs, Akimats, KazAutoZhol regional branches.

In the areas populated by minority groups meetings shall be held and information leaflets shall be provided in the linguistically appropriate manner, if the language used by the minority group is different from official language of RoK.

Individuals or groups of people with grievances on design can contact the Shet district Akimat of Karaganda region and the Committee for Roads of the Ministry of Investment and Development of the Republic of Kazakhstan, in particular the Deputy Akim of Shet district who is in charge of housing and utilities, and roads and representative of CoR MID RoK in the Karaganda region.

E-mail: akimshet@mail.ru. Legal address: Aksu-Ayuly village, Shortanbay Zhyrau Street 24.

The management of the abovementioned government agencies or their representatives are obliged to respond to inquiries and to deal with grievances of affected persons within one month. The reception shall be carried out at the place of work within defined days and hours brought to the attention of population in accordance with the schedule approved by the first head of the relevant government authority.

If the grievances are not resolved at the level of village, district the grievance will be transferred to the level of the CoR MID RoK.

Person in charge is Mrs. Assel Karymbayeva - 8-7172-754641, email: a.karymbaeva@mid.gov.kz.

10. MONITORING AND EVALUATION

PMC will assign for internal monitoring of resettlement, who will work closely with the PMC safeguards specialists and develop a detailed plans and indicators for monitoring for subsequent phases of this RAP. The monitoring specialists will submit semi-annually information about the progress of resettlement to be incorporated into Project reports. Expenditures for this internal monitoring have been incorporated into the project budget. A general system of monitoring indicators is explained in Almaty Oblast Resettlement Action Plan.

If necessary, the PMC will hire specialist for conducting an independent evaluation of the process and results of the resettlement, which will then be discussed with the Management of the Project. This specialist is responsible for monitoring will decide whether the conditions of the resettlement plan during its implementation have been observed, whether the sources of income of the individuals, whose interests have been affected, has been restored, and whether any unplanned or unexpected consequences of the resettlement occurred there.

Following table gives detailed scope of work of Internal Monitoring and External Monitoring

Scope of work of ‘Internal Monitoring’	Scope of work of ‘External Monitoring’
Land Acquisition	Review of pre project baseline data on APs
Payment of compensation	Identification and selection of an appropriate set of indicators for gathering and analyzing information on resettlement impact.
Dissemination of information	Use of various formal and informal surveys for impact analysis.
Consultation with APs and other stakeholders	Assessment of resettlement efficiency, effectiveness, impact and sustainability.
Grievance Redress Mechanism	Assessment of APs satisfaction on the valuation of assets and entitlements, timing of payments, funds availability and disbursement.
Restoration of livelihood and income	

Ability of vulnerable APs, including women APs, to improve their livelihood	
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The indicators established to ensure attainment of the RAP objectives, as given in the Resettlement Framework, will be followed during internal monitoring.

The monitoring at the field level will be done by Social Safeguard Specialist of PMC in coordination with respective CoR and Akimat. The monitoring will rely mainly on the following information gathering methods: a) review of files b) informal sample survey of APs c) key informant interview d) in-depth case studies and e) community public meetings.

The PMC will send monthly progress reports to the Committee for Roads.

External monitoring will be conducted one time after the completion of entire process of land acquisition. Finally there will also be one post – resettlement evaluation. External monitoring reports will be submitted simultaneously to the CR and the World Bank.

The budget for the external monitoring shall be included in Almaty Oblast RAP budget.

11. IDENTIFICATION OF ADDITIONAL COMPENSATION REQUIRED BY THE WORLD BANK OP 4.12

In accordance with World Bank OP 4.12 and the agreed Land Acquisition and Resettlement Framework dated May 2008 and updated February 2009, additional compensation or assistance shall be considered for 1) for vulnerable people who may have difficulty adapting to project-related changes, 2) for those required to relocate (in this case, commercial enterprises) who will have transitional expenses associated with moving, and 3) for those who will lose a significant part of their productive land (more than 10% and above). These modes of assistance are normally supplemental to standard Government compensation. It was also explained that in case of signing the loan agreement between the Republic of Kazakhstan and World Bank these requirements were to apply. The following section defines the requirements and present status. Initially the section “Almaty-Astana” was planned to be implemented by republican budget financing. However, because of the impossibility of financing it had to involve other sources. In this case, Akimats of relevant regions of Almaty region is ready to pay all the additional types of assistance to persons who qualify, and to pay compensation and other assistance as per requirements of World Bank in case additional affected owners or land users are identified during project implementation.

12. MONITORING AND EVALUATION

Since land acquisition and resettlement work has not yet started, their monitoring will be conducted. Monitoring indicators are presented in the following table.

Table 12.1 Monitoring Indicators

Purpose	Activities	Monitoring indicators
Determination of compensation recipients	Checking of list of compensation recipients eligible for compensation	Number of people on the list of compensation recipients who are not eligible for compensation (inclusion by mistake)
	Identifying of persons who may claim to edibility compensation, but are not included in the list of compensation recipients. For each type of compensation should be carried out separate inspection.	The number of people who meet the criteria but are not included in the list of recipients of compensation (exclusion by mistake)
Controlling types of Compensation	Confirmation of the territories which are affected temporarily or permanently under the final RAP	The land for temporary acquisition, for which compensation will be paid
		The land subject to permanent acquisition for which compensation will be paid
Compensation control	Examination of financial documents	Number of people who receive compensation promptly and in full with the breakdown under type of compensation
	Identifying and analysis of the reasons for which compensation has not been paid in full and on time	Number of people who receive compensation in a timely manner with the breakdown under type of compensation
		The amount of funds allocated for compensation
Impact on households (income restoration)	Follow up socio-economic survey of affected households (year 3)	Changes in income / livelihood of households, comparison of the results of socio-economic census to follow up survey
Consultation and participation	Determining the level of involvement and identification of reasons for inadequate participation	Number of compensation recipients who participated in the consultation and coordination meetings at each stage of land acquisition
	The analysis of disputes and complaints content. Conflict resolution	Number of complaints
		Number of complaints granted.

13. IMPLEMENTATION OF THE COMPENSATION SCHEME

The CoR, Akimat of Karaganda Oblast recommend that this report be accepted by all parties as the agreed approach for all remaining land acquisition and resettlement in connection with the construction of Almaty-Astana section. Akimat of Karaganda oblast will ensure that all APs will be paid compensation defined above. It is obvious that in the event of disagreement about whether payment was made in accordance with the legislation of Kazakhstan or resettlement policy of the World Bank, APs shall receive the compensation, which is higher. In particular, Akimat commits to the following:

- a) Informal Users: all informal users (specifically livestock grazers) will continue to be allowed to use remaining adjacent State Land for grazing of livestock if such found
- b) Support to indirectly affected persons by the project: Akimat of Karaganda oblast and CoR will give due consideration to measures intended to support existing communities along the original Almaty-Astana road, in order to enable them to benefit from the construction of a new road.
- c) Grievance Redress and TOR: The grievance mechanism outlined in this document is used as a means insuring the communities concerns and complaints are fairly dealt with from now and during construction stage. For the purposes to support the mechanism a separate specialist is included in the terms of reference of consultants for supervision.
- d) Monitoring and evaluation: to be carried out.

The funds will be allocated from the republican budget to the Akimat of Karaganda region on the basis of compensation calculations. Further, the Akimat will pay relevant compensation to the owners and landowners. At the same time, at the period of compensation payment, it is possible that re-computatuion will be made to the owners, as the value of the monthly calculation index is being changed. The preliminary calculation of compensation is shown in this plan as of year of 2015.

Land plots temporary affected by project and preliminary calculation of compensation to owners

No.	Name of Land user	Area subject to acquisition, ha	Type of ownership	Rate per 1 ha, KZT	Total cost, KZT
Km 1620-1666					
1	Reserve lands	43,495	State property	90 000	3 914 550
Km 1666-1713					
2	“Bakbergenov E.” farm	20,57	Rental for 49 years	90 000	1 851 300
3	“Biri batyr” farm	57,523	Rental for 49 years	90 000	5 177 070
4	“Ana” farm	2,74	Rental for 49 years	90 000	246 600
5	“Baikaska” farm	2,332	Rental for 49 years	90 000	209 880
6	“Unique” farm	20,58	Rental for 49 years	90 000	1 852 200
7	“Kulager” farm	25,015	Rental for 49 years	90 000	2 251 350
8	Reserve lands	255,403	State property	90 000	22 986 270
	Total	427,658			38 489 220

Regulations for compensation of loss are approved by the Decree of the Government of RoK No. 1037 dated 08.10.2003 (with changes and amendments dated 07.04.2011).

Note: The calculations were made on the basis of the monthly calculation index in the Republic of Kazakhstan. In 2016 one monthly calculation index is equal to 2121 KZT. Every year the Government of the Republic of Kazakhstan increases the value of MCI. Consequently, when paying the compensation to the owners, the amount of compensation will be recalculated and therefore the amount of compensation will increase.

**Minutes of
Public hearings under Center-South corridor reconstruction
“Astana – Karaganda – Balkhash – Almaty” section of
“Border of RF (to Ekaterinburg) – Almaty” road km 1666-1713**

Date: **31 October 2014**

Venue: **Club building in Akshatau village**

Public hearings were organized by: **Akimat of Akshatau village**

Information about holding of public hearings was brought to community attention via publication of advertisement in “Shet shugylasy” newspaper at state and Russian languages dated from 09 October 2014.

Participants:

1. N. Batalov, Akim of Akshatau village
2. R. Bektimirov, Senior specialist of Quality control and work acceptance department of Karaganda regional branch of JSC “NC “KazAutoZhol”
3. L. Lapshuk, Senior Engineer of designer LLP “Engineering Center “Astana”
4. Kassym Essenbai, SE “Department of housing and public utilities of passenger transport and highways of Shet district”
5. Murat Iliyassov, SE “Land department of Shet district”
6. Serik Mussagulov, SE “Department of construction of Shet district”

Chairman of meeting: Mr. N.M.Batalov, Akim of Akshatau village

Secretary of meeting: A. Karimova, Senior specialist

Agenda of public hearings:

1. Discussion of design solutions under working project “Center-South corridor reconstruction “Astana-Karaganda-Balkhash-Almaty” section of “Border of RF (to Ekaterinburg) – Almaty” road km 1666-1713;
2. Construction of Road exploitation point (REP) in Akshatau village;
3. Design development of prospecting and evaluation works for borrows

Speakers:

1. L. Lapshuk, Senior Engineer of designer LLP “Engineering Center ‘Astana”, presented information on main features of feasibility study of project road section, about construction term, location of passages for agricultural machinery, ramps, borrow pits, scheme of passage location area of roadside service facilities (area of Akshatau village), location of REP in Akshatau village and about Environmental safety activities.

The design plans of alignment sections were presented for consideration:

- Near km 1667/828 – location of access roads to “Tologai” café, rest areas and passage for agricultural machinery;
- Near km 1675/820 – alignment of section and location of borrow pits;
- Near km 1685/810 – location of rest area and borrow pit;
- Near km 1691/804 – alignment of section and location of bridge across Bidayik river;
- Near km 1697/798 – alignment of section, location of passage for agricultural machinery, access roads, borrow pits;

- Near location of roadside service facilities (near Akshatau village) location of Y-junctions and conflux of road section, alignment of section, U-turn sections, rest areas, bus stops, access roads, passage for agricultural machinery, cattle passes, pedestrian underpass, borrow pit;
- Near km 1710/785 – location of access roads to Emergency department and “Ernur” café, borrow pit and end of section.

The following were presented for consideration: general view of passage for agricultural machinery from metal ridge construction, cattle pass, bus shelters, toilet, road pavement design, types of cross sections.

Moreover, layout scheme and scheme of general plan of REP in Akshatau village (on the corner of intersection of Shkolnaya and Torgovaya streets) were presented with explanation of buildings and structures of REP and number of working staff.

He also informed about held Environmental impact assessment (EIA) to working project “Center-South corridor reconstruction “Astana-Karaganda-Balkhash-Almaty” section of “Border of RF (to Ekaterinburg) – Almaty” road km 166-1713”.

Questions from community representatives:

1. When is it planned to start reconstruction? Senior specialist of Karaganda regional branch of JSC “NC “KazAutoZhol” Mr. Bektimirov replied that three works will start from the second half of 2015.

Remarks and proposals from public representatives under working project:

1. To stipulate additional passage for agricultural machinery and access roads near km 1675/820;
2. To stipulate additional access roads near km 1691/804;
3. To stipulate additional cattle pass between access road to Akshatau village and access road to Emergency department (Abishev A.);
4. To stipulate separate access road to “Bek” café (Eginbayev A.);
5. Move access and exit to “Batyrlan” café in the direction of Karaganda city (Toyimbekov K.);
6. To enter ring road of intersection in Akshatau village into the list of priority, and first of all to launch it in case of the beginning of the road section construction. Because this causes the stop of roadside business, due to that 60 people will become unemployed. (Battalov N.);
7. The location of REP in Akshatau village not only enhance the social position of residents of village, but due to its convenient location it will allow to save money for laying and connection of communication lines, and it is convenient for working staff too. (Arinov T.).

Main conclusions of public hearings:

To approve presented during public hearings design solutions under working project “Center-South corridor reconstruction “Astana-Karaganda-Balkhash-Almaty” section of “Border of RF (to Ekaterinburg) – Almaty” road km 1666-1713 with materials of “Environmental impact assessment (EIA)” taking into account elimination of remarks and proposals.

Chairman of Public hearings:

Akim of Akshatau village

N. Battalov _____

Senior Engineer of designer LLP “Engineering Center “Astana”

L. Lapshuk _____

Secretary of public hearings:

A. Karimova _____

Representatives of public hearings according to the attached list

Entrepreneurs

No.	Name	Name of object providing service	Signature
1	Abishev A.A.	“Saryarka” café, service station	
2	Arinova R.M.	“Dostar” cafe	
3	Zhumanbayeva M.	“Domashnyaya kuhnya” cafe	
4	Eginbayeva A.	“Bek” cafe	
5	Zhakupova L.K.	“Shaikhana”	
6	Kapsalamov K.K.	“Akzhol” café, “Akzhol” petrol station	
7	Maibassov S.A.	“Askhana”	
8	Pakrudinov R.I.	“Yassy” autocamping	
9	Iskakova S.M.	“Pelmennaya”	
10	Turusbekova A.T.	“Batyrlan” autocamping	
11	Toiyimbekov K.A.	“Batyrlan” filling station	

Residents of Akshatau village working in the above-mentioned facilities

No.	Name	Signature	No.	Name	Signature
1	Abidin A.		44	Zheksenbina O.K.	
2	Abishev D. Kh.		45	Ashatayeva P.S.	
3	Abisheva N.A.		46	Mursalbekova N.	
4	Abisheva A.A.		47	Korshunov V.	
5	Abaturova E.		48	Nygyzbayev S.R.	
6	Abeuzhanova E.B.		49	Nyganbekova T.	
7	Abeuzhanova A.B.		50	Nurpeissova M.A.	
8	Adambayev K.		51	Nurpeissova S.K.	
9	Adambayeva K.		52	Nurpeissov K.N.	
10	Adambayev E.K.		53	Medeubayeva M.D.	
11	Amanzholova N.		54	Meleubayeva R.T.	
12	Adygul M.K.		55	Pakhrudinov Zh.K.	
13	Ainakulova N.S.		56	Pelmskaya E.	
14	Ainakulov R.S.		57	Orazbekov T.	
15	Aimanbetov R.K.		58	Ospanov A.B.	
16	Aranov T.N.		59	Sagimbekov M. Sh.	
17	Basrbekov E.		60	Sagyndykova R.	
18	Basrbekov N.E.		61	Sadykova A.S.	
19	Bolbekova L.		62	Sadykova Aizhan	
20	Boyandinova D.		63	Sembayev A.K.	
21	Gorbunov V.I.		64	Sembayeva K.	
22	Bekishev O.A.		65	Sarsenbayeva S.	
23	Zhampeissova Z.K.		66	Suleimenov A.A.	
24	Zhumadilov R.Zh.		67	Tanibergenova S.D.	
25	Zhumadilova G.R.		68	Rakhimbekov S.U.	
26	Zhumadilova Zh. R.		69	Toiyimbekov D.K.	
27	Zhalkeeva A.		70	Shleger M.I.	
28	Zhalkeeva A.		71	Khassenova U.	
29	Zharmaganbetov B.Zh.		72	Medeubayeva A.M.	

30	Iskakov M.T.		73	Zhukenov Kh. A.	
31	Iskakov E.N.		74	Zhukenov M. Kh.	
32	Imanov A.N.		75	Zhukenov B. Kh.	
33	Imanova Zh.		76	Zhukenova L. Zh.	
34	Imanov D.A.		77	Makhmetov T	
35	Zhunossov E.M.		78	Makhmetova Sh.S.	
36	Kapsalamov K.K.		79	Shakirov U.Kh.	
37	Karibayev T.K.		80	Shakirova D.M.	
38	Karibayeva B.T.		81	Orazalin B.	
39	Kussainov M.		82	Orazalin E.	
40	Kaissarov D.K.		83	Orazalina A.	
41	Kappasova D.R.				
42	Kachkovskiy V.				
43	Kachkovskaya A.				

Overall 83 (eighty three) people signed here.