

Resettlement Due Diligence Report

December 2016

UZB: Djizzak Sanitation System Development Project

Prepared by the Uzbekistan Communal Services Agency of the Republic of Uzbekistan for the Asian Development Bank (ADB).

ABBREVIATIONS

ADB	–	Asian Development Bank
AH	–	affected household
AP	–	affected person
EA	–	executing agency
FS	–	feasibility study
LARP	–	land acquisition and resettlement plan
PCU	–	project management office
PPTA	–	project preparatory technical assistance
SPS	–	Safeguard Policy Statement (ADB 2009)
UCSA	–	Uzbekistan Communal Services Agency
WWTP	–	wastewater treatment plant
WWPS	–	wastewater pumping station

CURRENCY EQUIVALENTS

(As of December 1, 2016)

Currency Unit	–	Sum (UZS)
UZS 1.00	=	\$0.000313486
\$1.00	=	UZS 3189.93

NOTE

In this report:

- i. "\$" refers to US Dollars
- ii. UZS refers to Uzbekistan Sum

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GLOSSARY

Compensation	Payment in cash or kind for an asset to be acquired or affected by a project at replacement cost.
Affected Persons	Affected persons (APs) are those who experience full or partial, permanent or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) resulting from (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. APs could be of three types: (i) persons with formal legal rights to land lost in its entirety or in part; (ii) persons who lost the land they occupy in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land.
Entitlement	The range of measures comprising cash or kind compensation, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and relocation which are due to /business restoration which are due to AH, depending on the type and degree nature of their losses, to restore their social and economic base. All entitlements will be given to all affected households as per the entitlement matrix.
Hokimiyat	Local government authority that interfaces between local communities and the government at the regional and national level. It has ultimate administrative and legal authority over local populations residing within its jurisdiction.
Land acquisition	The process whereby a person is compelled by a public agency to alienate all or part of the land s/he owns or possesses, to the ownership and possession of that agency, for public purposes, in return for fair compensation.
Mahalla	Is a local level community-based organization recognized official by the GoU that serves as the interface between state and community and is responsible for facilitating a range of social support facilities and ensuring the internal social and cultural cohesiveness of its members. Mahalla leaders are elected by their local communities.
Replacement cost	Replacement cost is the principle to be complied with in compensating for lost assets. Calculation of which should include: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments, if any. Where market conditions are absent or in a formative stage, APs and host populations will be consulted to obtain adequate information about recent land transactions, land value by types, land titles, land use, cropping patterns and crop production, availability of land in the project area and region, and other related information. Baseline data on housing, house types, and construction materials will also be collected. Qualified and experienced experts will undertake the valuation of acquired assets. In applying this method of valuation, depreciation of structures and assets should not be taken into account.

Brief Project Description

1. The proposed project includes construction and reconstruction of sewerage networks within Djizzak city, rehabilitation of existing pumping stations within Djizzak city and Uchtepa urban village as well as construction of a new waste water treatment plant (WWTP) in Djizzak district. The project will provide improved sewerage services to some 85,000 people in Djizzak City and in the nearby district center Uch-Tepa and benefit indirectly a larger number of inhabitants. The project will also create conditions for improved environment, health and enhance opportunities for socio-economic development in Djizzak City.

Purpose of the Due Diligence

2. In 2014, a Feasibility Study (FS) report for the project was prepared by UNICON International (UK) consulting company under ADB's project preparatory technical assistance (PPTA) program. The FS included a resettlement planning report which described the scope of resettlement impacts expected due to the project implementation. The land acquisition and resettlement plan (LARP) was based on preliminary information as of May 2014 and with a 40-meter wide impact zone. After government's review of the FS, some changes were made in the location of the new WWTP and sewerage pipe alignments. Detailed design was completed in 2016 based on such decision and included more effective technical solutions with no resettlement impact. As such, this due diligence report is prepared to demonstrate that there is no resettlement impact and to facilitate downgrading of the involuntary resettlement safeguard categorization of the project from B to C.

Scope of Impact

3. The draft LARP prepared during the PPTA in May, 2014 describes the following households as affected households (AH) with the following scope of impacts.

Table 1. Farm enterprises and scope of impact described in the LARP dated May, 2014

	Affected farm enterprise and name of AP	Total land of farm enterprise, ha	Temporary impact, ha	Number of trees under risk of impact	Permanent impact, ha
1	Jizzah Darvozasi (Mr.Rakhmonov Jalol)	129.5	366 m x 41 m = 1.5 ha		0,25
2	1. Agrofirma Palang "V" 2. Firdavsiy (Mr. Rustamov Abdugani)	293.9	2030 m x 41 m = 8.32 ha	2 000	0,4
		52	1038m x 41m = 4.26 ha		
3	Khasan Bobo (Mr.Egamberdiev Yokubjon)	52	1464 m x 41 m = 6 ha		
4	Ilyos Sardor (Mr.Samadov Tojimurod)	50	678 m x 41 m = 2.78 ha		
5	Toyloq Bobo (Mr.Toyloqov Murodbek)	80	311 m x 41 m = 1.28 ha		
6	Isoq Bobo (Mr.Soatov Hakim)	85.7	583 m x 41 m = 2.39 ha		
7	Oq Chashma Sahovati (Mr.Nurmatov Tura)	80	1434 m x 41 m = 5.88 ha		
8	Mukhamadi Bobo (Mr.Abdullaev Khayrulla)	51.6	253 m x 41 m = 1.04 ha		
9	Laziz Sadullaev Bogdorichilik (Mr.Khudoyorov Sadulla)	5	446 m x 41 m = 1.83 ha	3 340	
10	Otabek (Mr.Boyjanov Otabek)	25	603,8 m x 41m = 2.48 ha		

	Affected farm enterprise and name of AP	Total land of farm enterprise, ha	Temporary impact, ha	Number of trees under risk of impact	Permanent impact, ha
11	Norqozoq Ota (Mr.Kodirov Siroj)	20	124,2m x 41 m = 0.51 ha		
12	Bek (Mr.Karshibaev Urazali)	72	891,2mx41m= 3.65 ha		
13	Adashlar Qurgoni (Mr. Abdusamatov Tulkin)	24	405 m x 41 m = 1.66 ha		
	Total		43.58	5,340	0.65

4. Based on the table, 13 persons were expected to be under impact as: (i) temporary impact – 43.58 ha, (ii) permanent impact – 0.65 ha and (iii) loss of trees – 5,340. Originally they were expected to be paid compensation of \$38,531 for these losses. According to the draft LARP, the calculations for temporary impact were made based on the national construction standard KMK 2.10.03-97 which allows a right of way up to 41 meters if two 600 mm pipes are laid in one trench.

5. All of these affected persons (AP) are located outside of Djizzak city, in nearby Djizzak district. Due to change of location of new WWTP, cancellation of construction of one new sewerage pump station and change of sewerage pipes alignments during detailed design stage in 2016 all of these APs are now not under impact any more. As they are not under impact any more, these APs will not be compensated. All of the APs were informed by Djizzak “Suvokova” in October 2016 about the changes of the project and non-payment of the compensation. The APs were informed through individual meetings during implementation of detailed design works on the field.

6. Also, it was planned to pay \$332,191 to local government for reclamation and development of new land for permanently acquiring 30.35 hectares of agricultural land (for construction of WWTP, access road to WWTP, and one new sewerage pumping station). As the site of WWTP had been changed to new location where land is not agricultural and low quality and due to the cancellation of the construction of one pumping station, this amount also will not be paid to local government. The local government was also informed about these changes and non-payment of compensation.

The Due Diligence

7. As a result of the changes made in the detailed design to avoid resettlement impacts, the project now has no resettlement impact, either temporary or permanent. The overall resettlement impacts foreseen during preparation of the FS under the PPTA exercise were avoided during detailed design stage through development of alternative options of sewerage pipe alignments and changing the location of the new WWTP. The land (25 hectares) for the new WWTP had been selected that belongs to state reserve. This land is neither irrigated nor cultivated by any private person. No trees will be affected by the project. Community utility facilities such as roads, streets, and pavements will be impacted due to the project implementation and the project will restore them all as of original or better condition.

8. The resettlement screening was carried out in November to December 2016 by the consultant for the following project work sites where sewerage pipes, WWPS rehabilitation/construction and WWTP construction works will be implemented. These works will be grouped in four construction packages – Lot 1 (rehabilitation/construction of 28.86 sewerage pipes and rehabilitation of existing 2 sewerage pump stations) and Lot 2 (rehabilitation/construction of 14.21 km of sewerage pipes) in Djizzak city and Lot 3 (rehabilitation/construction of 18.1 km sewerage pipes and rehabilitation of 1 existing sewerage pump station) and Lot 4 (construction of new WWTP) out of Djizzak city in nearby

Djizzak district. The consultant's screening of the project area was based on the detailed design drawings/data carried out by design company "Royal Desing Loyiha" - the design consultant of UCSA PCU.

1. Collector-jumper from temporary WWPS Halkobod to Mustakillik street
2. Sewerage network from Rabochaya street to Tashkentskaya street
3. Sewerage network on Ravot street until Mustakillik street
4. Sewerage network on Ravot-1 street until Mustakillik street
5. Sewerage network for two-floor cottages
6. Sewerage network on S.Rakhimova street
7. Sewerage network on O.Obidov street
8. Sewerage network on B.Alamov street
9. Sewerage network on Navruz street
10. Sewerage network on Zarafshan street
11. Sewerage network from Traumatology hospital till Halkobod street
12. Sewerage network from Traumatology hospital till Halkobod street-1
13. Sewerage network on the avenue Khalklar Dustligi from Turakulova street till Khamza street (collecting pipeline)
14. Sewerage network from Tuberculosis Hospital till new WWPS H.Nosirov
15. Pressure collector from WWPS Zilol
16. Pressure collector from WWPS H.Nosirov
17. Sewerage network Sayiljoyi street till U.Turakulov street
18. Sewerage network from hospital Sogdiana till Khalklar Dustligi avenue
19. Sewerage network on the Street-1
20. Sewerage network on the Street-2
21. Sewerage network from Islomjon street till Khalklar Dustligi avenue
22. Sewerage network from Bulvarnaya street till Khalklar Dustligi avenue
23. Sewerage network from Bulvarnaya street till Meliyeva street
24. Sewerage network on Shifokor street
25. Sewerage network on Shifokor-1 street
26. Sewerage network on Kulmatova street
27. Sewerage network on Navoi street, School No.6
28. Sewerage network. Connection to houses on Sh.Rashidov street
29. Sewerage network. Connection to house-1 on Sh.Rashidov street
30. Sewerage network on Firdavs Treatment Center
31. Collector on the territory of the Free Industrial Zone
32. Sewerage collector on the street Kushakova
33. Sewerage network from street Tashkentskaya to the Politechnical Institute
34. Sewerage network from Tashkentskaya street to the Politechnical Institute-1
35. The collector of the mahalla Dustlik to former Bus Fleet
36. The collector in the Mikrorayon III
37. Sewerage collector on Tashkentskaya street
38. Sewerage network from 4 ATS to existing WWPS mahalla Ittifok
39. Sewerage network on Halklar Dustligi avenue to Kaliya street
40. Sewerage network from Avtoshkola to Tukimachilar street
41. Sewer collector from Navoi street to Tukimachilik street
42. Sewerage network on Loyiha-1 street
43. Pipework from construction industrial base to the NUR complex
44. Sewerage network on Loyiha-2 street
45. Sewerage network on Sayiljoyi street
46. Sewerage network on the street – 5
47. Sewerage network on the street – 6
48. Sewerage network on the street – 7
49. Pressure collector from the Sewerage Pump Station "Uchtepa" to the village "Kushbarmok"

- 50. Gravity collector from makhalla “Zilol” to the village “Kushbarmok”
- 51. Sewerage collector from the Free Industrial Zone to the village “Kushbarmok”

9. The screening of sewerage pipes construction sites showed that there will be no resettlement impact, neither temporary nor permanent, during implementation of the project works related to sewerage pipes rehabilitation/construction in Djizzak city. All project works related to pipeline rehabilitation/construction will be implemented on municipality lands along main roads or sidewalks which will be recovered by the project to original condition after completion of works. No works will be carried out on territories of households or businesses. The works on rehabilitation/construction of pipelines in Djizzak city will be grouped in to construction package as Lot 1 and 2

10. Pipe works out of Djizzak city (in nearby Djizzak district) will be carried out along village roads and roads between farmlands not entering the farmlands. The site where new WWTP will be constructed is not irrigated and not cultivated low quality land which belongs to state land reserve fund. It is covered with wild bushes in some areas. The works on construction of pipelines and the waste water treatment plant in Djizzak district will be grouped in to construction package as Lot 3 and 4. All municipality infrastructure impacted during project implementation will be recovered to original condition after completion of works.

11. The below pictures give some idea about project sites where pipeline rehabilitation/construction and WWTP works will be carried out under the project.



Pic.1 Street No.1. Pipe laying works will be implemented in the middle of the mahalla road.



Pic. 2. Pipes will be laid in the middle of the sidewalk. Tashkentskaya street



Pic. 3. Khalkobod street where sewerage pipes will be laid in the middle of the mahalla street.



Pic.4. Near the Hospital-1. Sewerage pipes will be laid under this road.



Pic. 5. Tukimachilik street where sewerage pipe will be laid in the middle of the street.



Pic. 6. Bulvarnaya street where sewerage pipe will be laid in the middle of the alley.



Pic. 7. Street-7 where sewerage pipes will be laid in the middle of the street.



Pic.8. Near Firdavs hospital where sewerage pipes will be rehabilitated along the street



Pic.9. Sewerage gravity collector pipe will be laid on these unpaved roads near industrial zone, Djizzak district



Pic.10. Road between farmlands, Djizzak district



Pic.11. Road in Kushbarmok village in Djizzak district where sewerage pipe will be laid



Pic.12. The area where new waste water treatment plant will be located



Pic.13. The area where new waste water treatment plant will be located

12. **Conclusion.** The project, indeed, has no resettlement impact due to the design criteria adopted. However, the resettlement issues will be monitored continuously during the whole project implementation period. If any unanticipated impacts are identified during the project implementation they will be compensated in full at replacement cost. ADB will be informed immediately and a LARP which includes all requirements of ADB SPS 2009 will be prepared and implemented. As such, a LARP shall include the following sections which will provide detailed information on the situation: (i) introduction and project background; (ii) scope of land acquisition and resettlement; (iii) socio-economic information and profile; (iv) information disclosure, consultation and participation; (v) grievance redress mechanism; (vi) policy and legal framework; (vii) eligibility and entitlement; (viii) relocation and income restoration; (ix) resettlement budget and financing plan; (x) institutional arrangements; (xi) implementation schedule; and (xii) monitoring and reporting.