

Social Safeguard Due Diligence Report

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Republic of Tajikistan: Water Resources Management in Pyanj
River Basin

Prepared by Agency on Land Reclamation and Irrigation for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 10 August 2016^{*})

Currency unit	-	Tajikistan Somoni (TJS)
TJS 1.00	=	\$ 0.1270
\$1.00	=	TJS7.8680

ABBREVIATIONS

ADB	-	Asian Development Bank
ALRI	-	Agency on Land Reclamation and Irrigation
AP	-	Affected Person
CIS	-	Chubek Irrigation System
EA	-	Executing Agency
GRC	-	Grievance Redress Committee
GRM	-	Grievance Redress Mechanism
Ha	-	Hectare
IR	-	Involuntary Resettlement
LA	-	Land Acquisition
LAR	-	Land Acquisition and Resettlement
MEWR	-	Ministry of Energy and Water Resources
NGO	-	Non-government Organization
PIO	-	Project Implementation Office
PMO	-	Project Management Office
PRB	-	Pyanj River Basin

NOTES

In this report, "\$" refers to US dollars

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^{*} <http://www.nbt.tj/tj/kurs/kurs.php>.

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I. INTRODUCTION

A. Background

1. The Government of Tajikistan has prioritized efforts to increase the effectiveness and efficiency of WRM and agriculture production. It has targeted improvement of irrigated agriculture covering 320,000 ha and the creation of 1,500 ha of irrigated land, with the objective of increasing the value of agricultural products to 7% by 2015 to meet national food demand. To achieve these targets, it has called for \$262 million to improve WRM and \$24 million for improved agriculture investment.

2. The proposed Water Resources Management in the Pyanj River Basin (PRB) Project will improve institutional and physical capacities of WRM system in PRB of southern Tajikistan, and it will; (i) establish a PRB organization council, and Joint PRB committee, and develop a PRB management plan; (ii) modernize and climate-proof the Chubek Irrigation System (CIS); and (iii) improve farm and water use management capacities.

3. The proposed project will be implemented over a period of five years. ALRI will be the executing agency (EA) for the project and implementing agency (IA) for outputs 2, 3, and 4 while MEWR will be the IA for output 1.

4. The proposed project will reflect the following lessons learnt from a previous ADB financed irrigation project: (i) focus should be on full rather than partial rehabilitation for effective system performance; (ii) projects dispersed over a broad geographic area are hard to implement and have high administrative burdens; (iii) improving on-farm agricultural productivity is important for project sustainability and an appropriate implementing partner should be chosen for the improvement; and (iv) sufficient funds should be raised through water use levies or government contributions to ensure the sustainability of WUAs and coverage of O&M costs.

B. Project Description

5. The CIS is located within Khatlon Viloyat in southwestern Tajikistan and provides irrigation to four districts: Farkhor, Vose, Hamadoni and Kulob. It draws water from the Pyanj River near the village of Chubek. Figure 2 shows some of the main features near the CIS intake.

6. Among irrigation systems covering about 120,000 ha in PRB, CIS is the largest system (about 50,000 ha) taking water from the Pyanj River. CIS's water supply capacity has declined to around 80 m³/s in 2013 compared to 150 m³/s in 1950 due to high sediment loads, siltation of the canals, deterioration of I&D infrastructure, and weak O&M capacity. While ADB financed \$3.7 million for partial rehabilitation, it is not enough for its full functioning.¹ Major crops are wheat, cotton, and vegetables, which account for 25%, 46%, and 12% of the cultivated area, respectively.² Crop yields are low (e.g., wheat yield of 2.96 t/ha is significantly lower than the one in Uzbekistan of 4.50 t/ha) and water productivity in CIS is also low (e.g. estimated productivity for wheat of 0.45 kg/m³ could be between 0.8-1.0 kg/m³ with appropriate irrigation and sufficient other inputs).³

¹ ADB 2004. *Report and Recommendation of the President to the Board of Directors on a Proposed Loan to Tajikistan for Irrigation Rehabilitation Project*. Manila.

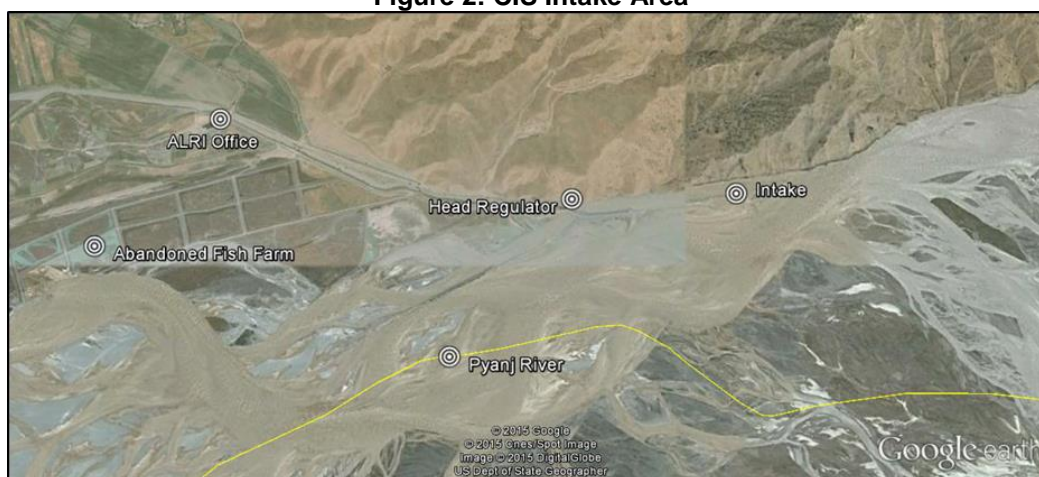
² TA Team estimates.

³ TA Team estimates and IWMI. 2007. *A Comprehensive Assessment of Water Management in Agriculture, Chapter 7*. London.

Figure 1: Overview Map Showing the CIS Irrigation Area



Figure 2: CIS Intake Area



7. Pyanj River Basin's improved water resources management will positively affect economy and food security in PRB as it includes the majority of Khatlon province which has the largest population (2.7 million) and agriculture production (e.g., 774,000 tons cereal production) in the country, and is the country's poorest river basin (55% in poor population).⁴ For better PRB's WRM, the following in particular need to be addressed: (i) PRB's water demand is 12% higher than diversion; and (ii) PRB is vulnerable to the climate change, and the following impacts to WRM are predicted, (a) gradual shift in the river flow seasonal distribution, and (b) increase of water deliveries requirements in irrigation systems.⁵

⁴ World Bank 2013. *Tajikistan-Reinvigorating Growth in the Khatlon Oblast*. Washington, DC.

⁵ ADB 2011. *Capacity Development Technical Assistance to the Republic of Tajikistan for Climate Resiliency for Natural Resources Investments (Consultant Final Report)*. Manila (TA 7599-TAJ).

8. The project includes three components as detailed below.
9. **Component I.** Institutional Strengthening and River Basin Management will establish a Pyanj River Basin Organization (PRBO), Pyanj River Basin Council, and Joint Tajikistan/Afghanistan PRB commission, and develop a PRB management plan and joint Tajikistan/Afghanistan PRB monitoring program.
10. **Component II.** Irrigation System Modernization and Climate Proofing will modernize and climate-proof the CIS, including sediment extraction from canals and drainage collectors; design and installation of a sediment excluding basin; design and rehabilitation of existing canal gates, weirs and water meters and design and rehabilitation of existing pump stations including installation of new pumps, electric motors, electrical control boards and flow meters. It is divided into five subcomponents.
11. **Component III.** Improvement of Farm Level Agricultural Water Productivity in the CIS will increase farm management and water use capacities, and will be implemented by a partner non-governmental organization (NGO). The target groups will be CIS farmers, FAs, and WUAs, and government institutions involved in the management of crop production and control of irrigation.

C. Outputs

12. Description of project outputs are as follows:
1. **Output 1: Water Resources Capacity Improved in Pyanj River Basin.**
13. This output has two components: (i) establishment of Joint Afghan/Tajik Commission, and (ii) improving WRM in Tajikistan portion of the PRB.
2. **Output 2: WRM Infrastructure in PRB Modernized and Climate-Proofed**
14. Output 2 has three components (i) modernization of irrigation and drainage infrastructure and its climate proofing, (ii) construction of sediment excluding basin, and (iii) modernization of pumping units.
15. The sediment excluding basin has been designed components of the sediment excluding basin are:
- (i) 100 m long feeder channel from existing Chubek Main Canal to the sediment excluding basin;
 - (ii) Intake of sediment excluding basin with gates;
 - (iii) Sediment excluding basin (500 m x100 m) in two compartments which can be operated independently;
 - (iv) Gated flushing sluice with 160 m long channel leading to Pyanj River;
 - (v) 650 m channel from sediment excluding basin to the existing main canal;
 - (vi) Fall structure at the junction of channel from the sediment excluding basin and the main canal; and
 - (vii) Strengthening of the flood embankment between the sediment excluding basin and Pyanj River.

16. It has been designed to remove 85% of the sediments entering the canal about 70% by hydraulic flushing and 15% by physical removal using the equipment.

3. Output 3: Farm Management and Water Use Capacities Increased

17. The objective of this output is to improve the farm management techniques and water use efficiency in the command area of the project in order to enhance agricultural productivity and farm income and thereby reduce poverty. There are four activities proposed under this output.

- (i) Through demonstration plots, the project will introduce and propagate a wide range of agronomic practices, agricultural technologies, and farm water management methods to promote efficient water use and higher water productivity;
- (ii) Introduction and multiplication at local farms of high-quality seeds of improves varieties of wheat, cotton, vegetables, and other important crops;
- (iii) Institutional capacity development of District Agriculture Extension and District ALRI staff to enable them transfer and continue advising agriculture technologies to the farmers and perform irrigation supply and O&M duties in an effective manner; and
- (iv) Facilitate reorganization/establishment of the Water Users' Associations (WUAs) on hydrological boundaries and development of capacity of WUAs and beneficiaries in water management and running their official business; improving skills of the beneficiaries, and promotion of value chain and value addition.

II. PROPOSED PROJECT IMPLEMENTATION ARRANGEMENTS

18. MEWR and ALRI are the two executing agencies (EAs) for the project. The MEWR is responsible for managing output 1 and ALRI is responsible for managing outputs 2 and 3. They will assign two project officials (one for managing output 1 and another for managing outputs 2 and 3). The official assigned by the ALRI will supervise ALRI's project management office (PMO) activities, and the official assigned by the MEWR will supervise MEWR's Project Implementation Group (PIG) activities, and they will provide policy and management guidance. They are responsible for timely provision of agreed counterpart funds for project activities and PMO and project implementation office (PIO) operations in consultation with the Ministry of Finance, and are responsible for compliance with loan and grant covenants. The existing PMO under the ALRI of Grant 0352-TAJ serves as the PMO to implement outputs 2 and 3 for the project with enhancement in certain functions.⁶ The current project director will continue to serve as PMO director. The PMO and PIG will facilitate project steering group meetings by inviting representatives from the two EAs to report implementation status and seek policy and management guidance for the project. Additional ALRI PMO staff and key staff in each PIO will be appointed and/or employed.

19. Three project implementation offices (PIOs) will be established at the field level under the PMO of ALRI. The PIO at Hamadoni will take care of the head regulator, main canal, sediment excluding structure, and the I&D network in Hamadoni District. The PIO at Farkhor will be responsible for modernization of pumping systems and I&D network in Farkhor District while

⁶ ADB. 2013. *Grant to the Republic of Tajikistan for Building Climate Resilience in the Pyanj River Basin Project*. Manila.

the PIO at Vose will be responsible for modernization of pumping systems and I&D systems in Vose and Kulob districts.

III. PHYSICAL WORKS

20. Physical works are envisaged under components 2 and 3 and will comprise: (i) building of a sediment excluding basin near the head regulator; (ii) repairs/renovation of some existing installations on the irrigation canals; and (iii) renovation of the existing pumping stations comprising some building repairs and replacement of outdated pumps, motors and electrical equipment.

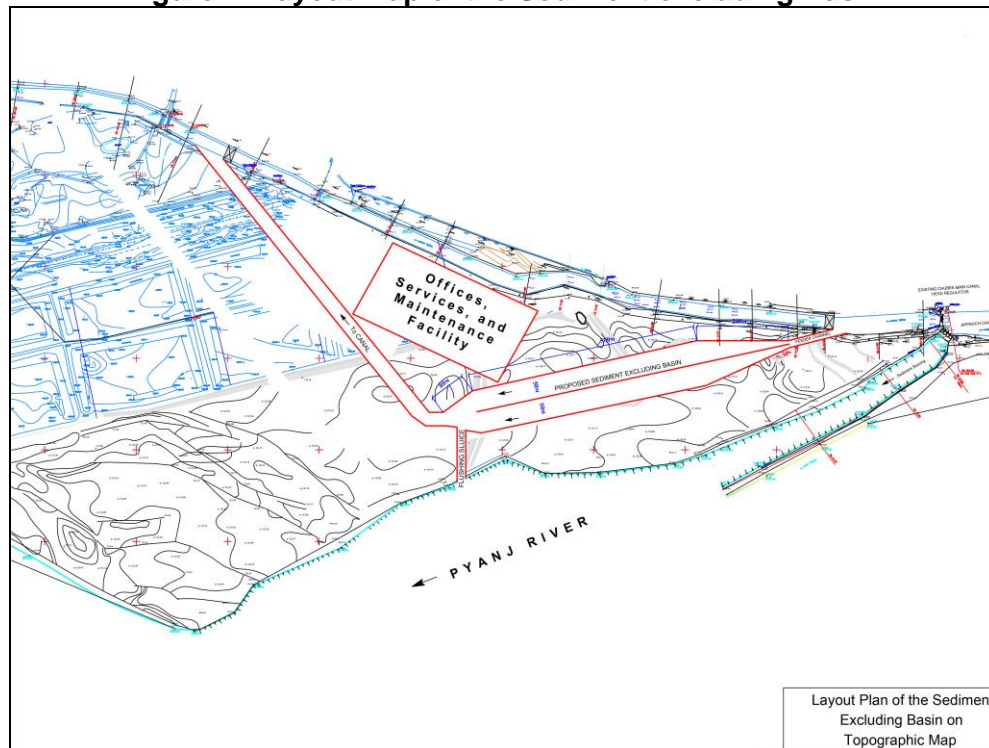
21. It is also proposed to construct an office, services, and maintenance facilities on a 150 m by 300 m plot near the SUE "Chubek Canal" office for the proposed sediment excluding basin. The facility will house field offices, bachelor accommodation for the maintenance staff, and hangar for parking and maintenance of the earth moving equipment, which will be used to remove sediments from the basin.

22. The proposed sediment excluding basin (main structure) will be located approximately 250 m downstream of the head regulator. The basin will be in two compartments each 50 m wide and 500 m long, and will be concrete-lined. Figure 3 provides an overview of the sediment excluding basin and maintenance facility location. Figure 4 shows a layout map of the sediment excluding basin on topographic map

Figure 3: Overview of the Sediment Excluding Basin Location



Figure 4: Layout Map of the Sediment excluding Basin



Source: ALRI.

IV. DUE DILIGENCE ON LAND ACQUISITION AND RESETTLEMENT

23. The project proposes construction of the sediment excluding basin, which initially required acquisition of agricultural land plots falling the route of the connector canal heading from the settling pond to the main canal was revised and re-designed to avoid LAR impact and save cost.

24. The main structure of the sediment excluding basin will be located with the border area, strictly controlled by the Border Troops of the State Committee of National Security of the Republic of Tajikistan with fenced and guarded perimeter/area.

25. The feeder channel, connecting the basin with the main Chubek channel goes beyond the border area. The State Unitary Enterprise (SUE) “Chubek Canal” has Land Use Right Certificate over 5 hectare land plot, where its office is located. It is envisaged that the feeder channel/drop structure will be located on this land plot close to the Chubek Canal office. Hence, the preliminary design of the sediment excluding basin suggests that no land acquisition and resettlement impact will be incurred. Land Use Certificate for the cited land plot issued to SUE “Chubek Canal” is attached to the report.

26. Construction works associated with repairs/renovation of some existing installations on the irrigation canals and with renovation of the existing pumping stations comprising some building repairs and replacement of outdated pumps, motors and electrical equipment are not significant and will be limited within the existing area of the structures and installations, therefore do not require acquisition of additional land.

Table 1: Scope of Projected Major Physical Works per Package

Package Number	General Description	Estimated Value (\$ million)	Procurement Method	Review [Prior / Post/Post (Sample)]	Advertisement Date (quarter/year)	IR Impact
Pack - 1	Sediment Excluding Basin and Modernization and Rehabilitation of Pump Units	13.6	ICB	Prior	Q3 2016	Not expected
Pack – (2-4)	Modernization and Rehabilitation of Irrigation and Drainage Infrastructure	6.6 (total)	ICB	Prior	Q3 2016	Not expected

Source: ALRI. These costs do not include taxes and duties.

V. TEMPORARY DISTURBANCE

27. Although the project does not need acquiring land from private land users (owners of the land use rights) and/or households, there might be some temporary disturbance caused by the civil works.

28. Such a disturbance would possibly be incurred by excavation works on the sediment excluding basin, mobilizing heavy machinery and equipment to the construction site, limited access to the agricultural land plots in the neighbourhood of the construction site etc.

29. The area is not a densely populated area, with only 1 extended household living in some 1km distance from the construction site. No water supply system, either drinking or irrigation passes in the area of sediment excluding basin. The construction works will not affect electricity lines/grids or any other utilities.

30. Construction works on modernization of irrigation and drainage infrastructure and selected pump stations will also be confined to the existing earmarked areas and result in no or minimum disturbance. However, to mitigate even the minimum potential disturbances, the following measures are foreseen to reduce the impacts:

- (i) Informing all residents, local households and traders about the nature and duration of work through jamoats and mahalla heads;
- (ii) Providing wooden walkways/planks across trenches for pedestrians and metal sheets where vehicle access is required;
- (iii) Increasing the workforce and using appropriate equipment to complete the work in a minimum timeframe on these stretches; and
- (iv) If and when the water (both drinking and irrigation) supply will be disrupted, informal people well in advance through jamoats and mahalla heads, and provide alternative source for the duration of disruption.

31. In case contractor would need land on a temporary basis, rent shall be agreed between the contractor based on mutually agreed terms and conditions and the land owner (owner of

land use rights) based on the loss of revenue by the land owner/ secondary land user/tenant during the period of its use by the contractor. Affected land and/or attachments on the land will be restored to its pre-project condition.

VI. GRIEVANCE REDRESS MECHANISM

32. Regardless of whether there is land acquisition and resettlement or not, local communities living in the area where civil works will be conducted, may experience some adverse impact during the construction period such as damages or losses to property, caused by direct physical impact of the contractor's equipment, vibration, contractor's or employer's design, or by other activities related to the construction. They may lodge complaints and grievances through the Grievance Redress Mechanism (GRM) established for the project throughout its duration and applied to address both environmental and resettlement issues.

33. Complaints and grievances received will be addressed through the following steps and actions:

- (i) **Step 1:** Complaints will be lodged at the jamoat level, where all the relevant representatives (land and environmental specialists, deputy jamoat chairperson, responsible for gender policy, Jamoat Resource Center representatives), representatives of the affected households and EA/PIO, Chubek Canal office representative, will attempt to resolve the issue. Each complaint will be registered, signed by the affected person and a representative of the Grievance Redress Committee (GRC), and the receipt of the complaint given to the affected person. The period for resolution of complaints is 14 calendar days at the latest.
- (ii) **Step 2:** If the complaint cannot be addressed at jamoat level, affected person can apply to the district level Grievance Redress Committee for a solution, with assistance from GRC as needed. The district level committee should invite ALRI/PMO/PIO representative once they registered the complaint. Similar to jamoat level, district level committee will register and file all the complaints from the complainants. The period for resolution of a complaint is 16 calendar days; and
- (iii) **Step 3:** If no solution is reached within 16 days, the affected person can submit her/his case to the appropriate court of law, with all costs paid for by the project.

34. In the event when the established GRM is not in a position to resolve the issue, affected person also can directly contact the ADB Tajikistan Resident Mission (TJRM). Contacts of local ADB TJRM persons-in-charge will be circulated among the local communities during the consultation meetings at the detailed design stage.

35. Grievance Redress Committee (GRC) will be established at the relevant jamoat level in each relevant district to resolve complaints and grievances informally through community participation. The jamoat GRC will consist of representatives of the ALRI/PIO, the SUE "Chubek Canal", local hukumat, local WUA members, women WUA members, and appropriate local NGOs to allow voices of the affected communities to be heard and to ensure a participatory decision-making process. The majority of members will make the GRC decisions. To increase the transparency of grievance and redressed process, any complaint received by the GRC will be publicly notified in the jamoat information board for its status and solutions. If the complainants are not satisfied with the GRC decisions, they appeal their cases to the next level of the GRM system at the District level and to court.

36. Jamoat and District level GRC will be established by an office order of ALRI and the decree of the district/Hukumat Chairperson.

37. Table 2 outlines the summary of the grievance resolution process.

Table 2: Summary of Grievance Procedure

Stages in Response Handling	Required Activities
Jamoat Head or Hukumat representative and ALRI representative	Jamoat GRC responds to questions and/or complaints. If no response within 14 days, or response is unsatisfactory, AP prepares a grievance in writing (utilize standard forms where possible).
(Jamoat GRC) District GRC committee	Registers the written complaint and attempts to solve it. If complaint is not resolved in 16 days (or 30 days since the complaint logged in the Jamoat GRC) or unsatisfactory, the affected people can go to court for resolution.
District Court of Law	The District court hears the case and makes a final decision, which is binding on all parties.

Source: ALRI.

38. The complaint logbook will be maintained at jamoat and district level to adequately track and follow-up on received and solved complaints as well as to ensure transparency and accountability towards the affected people. The tear-off Grievance Form will be made available to the affected persons to register the complaint and handing a copy of a registered complaint to the then until its full resolution.

39. The process of grievance resolution is defined as follows:

- (i) Grievances will be first lodged at jamoat level through GRC, where the representative of the local governance and district authorities, contractor, EA and the complainant will seek the soonest and effective resolution of the complaint. If the complaint is not resolved within 14 days from the date of submission, Complainant will lodge the complaint with the district level GRM/LAR Commission;
- (ii) At the district level ALRI together with the representative of local authorities, contractor and other relevant stakeholders will seek appropriate solution to the raised complaint. The elected representatives of the affected party will have the opportunity to mediate if DP decides so. If no solution is reached within 16 days, the affected parties can further submit their case to the appropriate court of law; and
- (iii) If/when the complaint is solved, the case is closed and the complaint log book will reflect it accordingly. If no solution is found at the level of the district, the DP files the case in the court of law. The GRM, however, does not limit the rights of affected persons to file the case directly in the court of law from the very first step and skip GR mechanism.

40. The GRM will be elaborated at the detailed design stage and the information about the GRM will be widely circulated among local communities.

VII. FINDINGS

41. The project site has been visited together with the project team, Chubek Canal office engineer and Director, who are based on the site. The project requirement and proposed interventions are discussed on site to access negative social impacts if any in terms of land acquisition requirement, resettlement impacts (temporary or permanent) impacts on livelihood, crops and trees etc.

42. Construction of the sediment excluding basin will not entail land acquisition and resettlement, because the main structure of the basin will be located within the border area strictly protected by the Border Troops of the State Committee on National Security of the Republic of Tajikistan. No private land users are observed and allowed to conduct any economic activity in this area.

43. The feeder channel will run through the land legally allocated to State Unitary Enterprise "Chubek Canal". Land Use Certificate for 5 ha land plot issued by the Government in 2010 is attached to the report.

44. Construction works associated with repairs/renovation of some existing installations on the irrigation canals and with renovation of the existing pumping stations comprising some building repairs and replacement of outdated pumps, motors and electrical equipment are not significant and will be limited within the existing area of the structures and installations, therefore do not require acquisition of additional land.

VIII. CONCLUSION AND RECOMMENDATIONS

45. Based on the above-cited and the findings of due diligence study involving analysis of project intervention and the site visit, none of the components of the project will trigger involuntary resettlement.

46. During construction, there may be some temporary disturbance caused by project contractors. Such a disturbance would possibly be incurred by excavation works on the sediment excluding basin, mobilizing heavy machinery and equipment to the construction site, limited access to the agricultural land plots in the neighbourhood of the construction site etc.

47. The area is not a densely populated, with only one extended household living in some 1 km distance from the construction site. No water supply system, either drinking or irrigation passes in the area of sediment excluding basin. The construction works will not affect electricity lines/grids or any other utilities.

48. ALRI/PMO will address such issues through appropriate conditions in the civil works contract. The civil works contracts will require contractors to negotiate and reach mutual agreement with the owners/users of any land before it is used temporarily for the installation/rehabilitation activities. Proofs of such agreements will also be submitted to ALRI/PMO/PIO for review to ensure that the ADB Safeguard Policy Statement (2009) is complied with. Such agreements will be based on the following principles:

- (i) Rent shall be agreed between contractor and the land owner based on the loss of revenue by the land owner/land user during the period of its use by the contractor; and

- (ii) Affected land and/or attachments on the land will be restored to its pre-subproject condition.
49. Other temporary disturbances will be mitigated/reduced/eliminated by:
- (i) Informing all residents, local households and traders about the nature and duration of work through jamoats and mahalla heads;
 - (ii) Providing wooden walkways/planks across trenches for pedestrians and metal sheets where vehicle access is required;
 - (iii) Increasing the workforce and using appropriate equipment to complete the work in a minimum timeframe on these stretches; and
 - (iv) If and when the water (both drinking and irrigation) supply will be disrupted, inform people well in advance through jamoats and mahalla heads, and provide alternative source for the duration of disruption.
50. One of the conditions for release of final payment to the civil works contractors is the submission of proof that all temporarily used lands have been fully restored to their pre-project conditions and that there are no pending compensation issues related to the temporary use of land.
51. All necessary steps should be taken during construction to avoid temporary impacts like loss of access leading to impact on livelihoods or any other kinds of restrictions.
52. Any grievances by local people will be addressed through the grievance redress mechanism established under the project.
53. Based on the detailed design due diligence should be carried out to further assess and verify impacts. If during the detailed design or implementation any unanticipated impacts or additional impacts are identified then the EA (ALRI, MEWR) will prepare LARP in accordance with the ADB's Safeguard Policy Statement 2009. Until such planning documents are formulated, approved (by ADB) and disclosed ALRI, MEWR will not proceed with further implementation of the project component.

Certificate Of Land Use Rights Of Sue "Chubek Canal"

Замин дар Ҷумҳурии Тоҷикистон моликияти истисноӣ давлат буда, давлат истифодаи самараноки онро ба манфиати халқ кафолат медеҳад.

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Заминистифодабарандагон уҳдадоранд:
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 замини дошадаро самараноки истифода баранд ва аз технологияи барои ҳафиз табиат пешбинӣшуда истифода намунад, ба бадшудани вазъи экологӣ маҳдудар нагирани фарёлияти ҳоҷатҳои роҳнадиҳанд;
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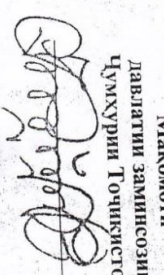
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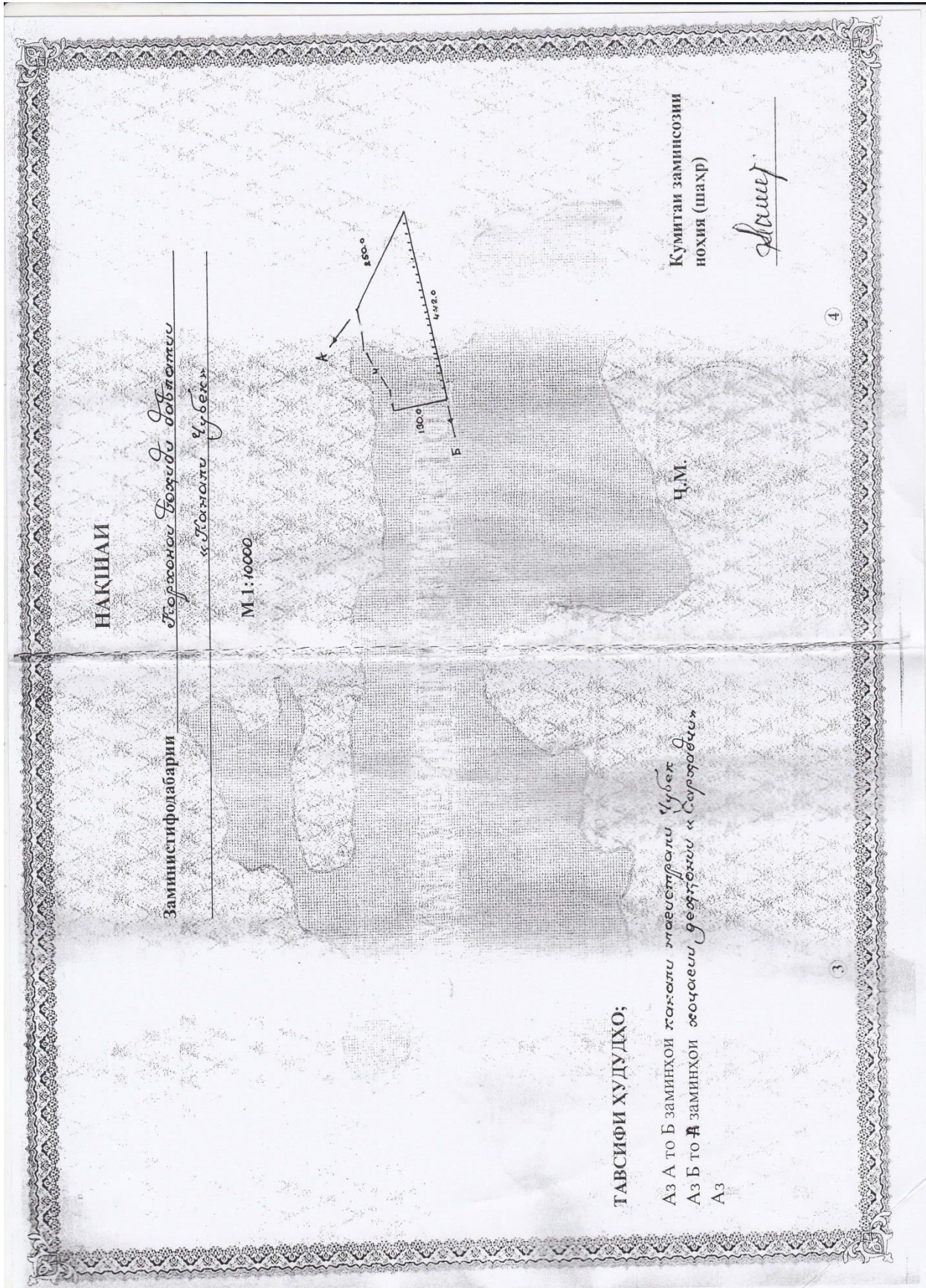
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2



НАҚШАИ

Торғонои Тоғуди довлоти
«Камали Чубек»

М 1:10000

Заминистиқодабарии

ТАВСИФИ ХУДУДХО;

Аз А то Б заминҳои ҳақати маъмурали Чубек
Аз Б то А заминҳои ҷоқасии деҳқони «Сарқадди»
Аз

Қумитаи заминсозии
ноҳия (шаҳр)

Signature

4

3

Consultations with SUE Chubek Canal and local farmers



Proposed sediment excluding basin area



Inspection of the proposed sediment excluding site

