# Resettlement Planning Document

Document: Land Acquisition and Resettlement Plan

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# Republic of Uzbekistan: Samarkand Solar Power Project

Prepared by the Uzbekenergo for the Asian Development Bank.

The land acquisition and resettlement plan is document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

#### **ABBREVIATIONS**

ADB — Asian Development Bank
AH — Affected Household
AP — Affected Person

CC – Civil Code

DMS - Detailed Measurement Survey

EA - Executing Agency
GHG - Green House Gas
GFP - Grievance Focal Point
GOU - Government of Uzbekistan
GRM - Grievance Redress Mechanism

Ha – Hectare

IA – Implementing Agency IOL – Inventory of Loss

IR – Involuntary Resettlement

LARC – Land acquisition and resettlement commission

LARP – land acquisition and resettlement plan

LC – Land Code

LRCD - Land Resource and Cadastre Department

MOF – Ministry of Finance

O&M – Operation and Maintenance PMU – Project Management Unit

PPTA - Project Preparatory Technical Assistance

ROW - Right-of-way

#### **CURRENCY EQUIVALENTS**

(as of June, 2013) Currency Unit – sum (UZS) UZS 1.00 = \$0.00048 \$1.00 = UZS 2084.95

## **NOTE**

in this report,
i. "\$" refers to United State dollars (USD)
ii. UZS refers to Uzbekistan sum

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#### **GLOSSARY**

Affected Household

In the context of involuntary resettlement, Affected Households are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

Affected Person

 Refers any person as a family member in affected household or worker in affected business entity/firm, public or private institutions.

Cut-off Date

This refers to the date prior to which the occupation or use of the project area makes residents/users of the same eligible to be categorized as AH. In this Project, the cut-off date will coincide with the period of the census of affected persons and the inventory of losses (IOL) that will be conducted based on feasibility design documents. Persons not covered in the census are not eligible for compensation and other entitlements, unless they can show proof that (i) they have been inadvertently missed out during the census and the IOL; or (ii) they have lawfully acquired the affected assets following completion of the census and the IOL and prior to the conduct of the detailed measurement survey (DMS).

Detailed Measurement Survey

 With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of AHs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.

**Economic Displacement** 

 Loss of land, assets, access to assets, income sources, or means of livelihoods as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

Entitlement

- Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the AHs, depending on the type and severity of their losses, to restore their economic and social base.

Household

- Household means all persons living and eating together as a single social 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 the household unit.

Illegal

- HHs that are not registered their business, agriculture, residential and orchard and those who have no recognizable rights or claims to the land that they are occupying and includes people using private or state land without permission, permit or grant i.e. those people without legal lease to land and/or structures occupied or used by them. ADB's policy explicitly states that such people are entitled to compensation for their non-land assets.

Income Restoration

 This is the re-establishment of sources of income and livelihood of the affected households.

Meaningful Consultation

- A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues

Inventory of Losses

- Is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way (ROW) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets

and the severity of impact to the livelihood and productive capacity of AHs will be determined.

Khokimiyat

 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

 Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.

Leaseholder

- Legal entity (registered farm) running agricultural production with the use of land parcels granted to him on a long-term lease. Lease term is limited up to fifty years but not less than for ten years. Leaseholder cannot sell - buy, mortgage, sublease, present, exchange the land.

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.

Physical Displacement

 Relocation, loss of residential land, or loss of shelter as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.

Relocation

 This is the physical relocation of an AH from her/his pre-project place of residence and/or business.

Rehabilitation

 This refers to additional support provided to AHs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of pre-project living standards and quality of life.

Replacement Cost

- The term used to determine the value enough to replace affected assets and/or cover transaction costs necessary to replace the affected assets without depreciation for such assets as well as material advantage, taxes and/or travel expenses.

Resettlement

- Means all social and economic impacts that are permanent or temporary and are (i) caused by acquisition of land and other fixed assets, (ii) by change in the use of land, or (iii) restrictions imposed on land, as a result of a project.

Resettlement Plan

- This is a time-bound action plan with budget setting out compensation and resettlement, entitlement, actions, responsibilities, monitoring and evaluation.

Severely Affected Households

- This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.

Significant impact

- 200 people or more will experience major impacts, which are defined as; (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).

Vulnerable Group

- These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) female headed households without support, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who are landless and with no other means of support.

Minimum Wage Rate

The official minimum wage rate declared is UZS 79 590 per person a month (as of December 2012), will be used as base for providing assistance allowance for for affected persons belonging to the vulnerable group and those affected persons by the project by more 10% of their assets and properties. This rate is subject for revision in accordance with the official declaration of Government of Uzbekistan at the time of implementation of this LARP.

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#### **EXECUTIVE SUMMARY**

## 1.1. Project description

- 1. The aim of the proposed Samarkand Solar Power Project is to increase renewable energy generation and reduce greenhouse gas emissions (GHG) in Uzbekistan. The Project is focused in the construction of a large scale grid connected photovoltaic (PV) power plant in Samarkand region. According to evaluated data, there is a need to increase electricity generation in a 5% to meet region electricity demands. In addition, Samarkand region does not benefit from own regional generating units and needs to take power supply from the grid.
- 2. The Project is aligned with ADB's Strategy 2020 and with a key pillar of the Energy Policy 2009. The Project directly supports Uzbekistan clean energy and energy security targets as prioritized under the ADB Uzbekistan Country Partnership Strategy for 2012-2016 and is identified in the ADB's Uzbekistan Country Operations Business Plan 2012-2014. The proposed Project will be the first of its kind and scale in Central Asia and will bring Uzbekistan closer to its vision of becoming the region's solar technology and knowledge hub.
- 3. The estimated project total cost is \$310 million and the Government has requested ADB to finance the procurement and materials in the amount of \$110 million. The Uzbek Fund for Reconstruction and Development will contribute financing the project with \$130 million. Uzbekenergo will finance from its own funds \$26 million for the procurement of local materials, installation, erection, and other civil works. In addition, the Government will provide \$44 million equivalent for taxes and duties.
- 4. This Land Acquisition and Resettlement Plan (LARP) was prepared based on the **preliminary design** prepared by the TA Consultants: Nixus and STA in May and July 2013. This Project additionally, will require construction of access road and transmission line. Aim of this LARP is to provide preliminary assessment of the Project impacts and plan needed compensation/rehabilitation measures. This LARP needs to be updated after approval of detailed design for access road and transmission line (TL). The LARP update will require a field survey to confirm or identify additional AHs and APs, systematic consultation with AHs and APs; disseminate the entitlement matrix and grievance redress mechanisms.

## 1.2. Objective of the Land Acquisition and Resettlement Plan (LARP)

5. The objective of this LARP is to mitigate physical and economic involuntary displacement impacts caused by the project and provide adequate displacement and rehabilitation assistance to the affected households to restore or improve their pre-project standard of living.

## 1.3. Scope of land acquisition and resettlement

The total land to be required is 410.56 hectares (ha), of which total permanent land acquisition is 407.4 ha and temporary acquisition is 2.76 ha. The permanent acquisition will be used for the PV Power Plant (405 ha), for access road (1.96 ha), and transmission line (0.84 ha). All the temporary land acquisition (2.76 ha) will be required only during construction of transmission line. This land acquisition will be affecting 17 households (AHs) with total 109 people (APs). The land acquisition for PV Power Plant will affect 3 AHs, and all of them are farmers, and they will be impacted severely because they will loss between 29.1% to 41.5% of their productive land. The expansion of access road and transmission line would not cause any severely impact. All the 3 project facilities (PV Power Plant, access road, and transmission line) will not have any physical displacement of residential assets and cause unemployment on affected farms. However, there will be 675 sq. meter structures that used for keeping livestocks and hay needs to be demolished for the PV Power Plant. Two AHs out of 17 AHs expressed willingness to give up land to land compensations during the consultation with them. However they requested that the deduction should be reflected in their lease agreement that will be used as the basis for tax payment.

## 1.4. Socio-economic profile of the AHs

- 6. Socio-economic census has included 17 AHs with estimated population of 109 APs, with average membership of 7 persons per household. The average age of AHs heads is 46 years old. All household heads are married. Representative number of APs is aged between 16-25 years old 29% (17 males and 15 females APs). The least presented are senior APs aged 65 and above years 2% (1 male and 1 female APs).
- 7. About 43% of the APs have reached high school only, 49% males and 36% females. Other 30% with college degree, 20% males and 41% females. Only 27% are with higher education degrees, 31% males and 23% females.
- 8. Related agricultural activities are the main occupation of the 29% of the APs, 15 males and 8 females. About 20% are students (9 males and 7 females) at one of district colleges or Samarkand city universities. APs at governmental service are 16% (7% males and 6 females). Housewives who take care of growing/breeding domestic animals in their backyards are 14% and about 10% of APs are unemployed (7 males and 1 female). APs engaged in entrepreneurship are 4% (3 males and 1 female), and 3% are retired (1 male and 2 females). 1% handicraftsman, only one female.

#### 1.5. Public consultation, information dissemination and disclosure

- 9. Seven consultations were carried out with AHs during Project preparation, and it is recommended that other consultations need to be carried out after LARP updated and before starting payment of compensations. During the consultation it has also informed to AHs the cut-off date. Apart from the AHs, the participants in these public consultations included representatives of respective government organizations.. The main objective of these consultations was to disseminate information regarding the Project as well as to address the concerns raised by the affected community members. It was found that the persons were generally enthusiastic towards the proposed project. The main queries raised by the participants/communities during these consultations were regarding the commencement of project, awarding of compensation, valuation of assets, disposal and retrieving of assets such as structures, trees etc. All raised questions were answered by TA Resettlement Expert, in addition it was informed to AHs that a leaflet of the LARP will be distributed during LARP disclosure. Details of these meetings are presented in the main report part
- 10. Disclosure meeting describing the final LARP will be organized to all AHs and respective government organizations during LARP evaluation stage (tentative period: III quarter 2013). In addition a leaflet describing this LARP in local language (Uzbek and Russian) will be distributed by PMU to AHs, relevant agencies and organizations during the disclosure meeting. The leaflet describes the project and land requirement for the project, the entitlement matrix, as well as the grievance mechanism and LARP implementation schedule. Additionally, the translated LARP also will be presented to all relevant stakeholders. The draft and final LARP document will be disclosed on the websites of the Uzbekenergo and ADB upon approval by both ADB and the GOU.

#### 1.6. Grievance redress mechanism

11. Complaints can be submitted to mahalla, village assembly of citizens, farmer councils or directly to EA and IA. Although usually, the district khokimiyat will be the entry point for receiving complaint or known as a Grievance Focal Point (GFP)<sup>1</sup>. Upon receipt of a complaint, the GFP will establish contact with IA and its PMU and mahalla and other relevant bodies. The Program Management Unit (PMU) will establish a complaint handling team headed by one of the IA management staff designated for handling grievances of the project. All complaints will be resolved in 15-20 days, and in case additional details are required, a maximum of 30 days will be used to resolve and close the complaint. The Project Grievance Redress Mechanism does not prevent any AH to approach the national/government legal system to resolve their complaints at any stage of the grievance redress process. The APs can address their complaints to the courts at any time and not only after using the GRM.

<sup>&</sup>lt;sup>1</sup> Under the Government Grievance mechanism, the District khokim is designated as the Grievance Focal Point.

### 1.7. Legal framework

- 12. The recent Government resolutions on land acquisition have been used for preparing this LARP. Policy differences between the GOU and ADB have been reconciled where necessary. Based on the survey and consultation, the most important safeguard policy in the context of this project are compensation payable for land acquired if the land-for-land option is unavailable, transparent formulas for the estimation of replacement cost for land and other physical assets, prompt payment of compensation for APs affected by loss of employment, and provision for payment of allowances to the small number of poor and vulnerable APs.
- 13. The LARP has been prepared in line with national laws/regulations and ADB Safeguard Policy Statement (SPS) 2009. In case of any gaps between the national law and ADB SPS 2009, for this project purpose the ADB SPS 2009 shall prevail.

## 1.8. Entitlement and compensation strategy

- 14. Compensation eligibility is limited by a **cut-off date** established based on the last day of the census of AHs and IOL. Therefore cut-off date for Pastdargom district is **May 06, 2013** and for Nurobod district **July 10, 2013**. Households who settle in the affected area and/or make any improvements on land parcel to be acquired for the project after the cut-off date will not be eligible for compensation. They will, however, be given sufficient advance notice requesting them to vacate land parcels and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and will not be subject to fine or compensation.
- 15. The Entitlements Matrix identifies the assets loss of residential land and housing, temporary loss of agricultural land, field crops, trees of productive value, business assets and incomes derived thereof, waged workers, vulnerable groups, people without formal title or rights to property, and severely AHs and what entitlements are able to be received using the legal framework and negotiations between the ADB and Uzbekenergo.
- 16. Special attention to be paid to AHs categorized as vulnerable and with disabled APs. The strategy also provides for unanticipated inputs. The LARP will be fully implemented prior to commencement of any civil works. Compensation and other assistances will be scheduled and paid to APs prior to their physical or economic displacement and commencement of civil work.

#### 1.9. Income restoration and rehabilitation

17. This Project will not have any physical displacement of residential assets and cause unemployment on affected farms. Construction of PV power plant will affectland acquisition of 304.2 ha from 3 AHs, by having impact from 29.2% to 41.5% from their total land. 2 AHs during the consultations expressed willingness to give up all required land without land to land compensation While 1 AH requested compensation for the structure only. However, they requested to deduct this to be acquired land area from taxable amount of land on their balance. Construction of access road and 220 kV transmission line will not have any severely impact.. All severely affected households will be entitled severely affected allowances in accordance with the entitlement matrix in this LARP.

## 1.10. Resettlement budget and financing

18. The tentative LARP budget, based on compensation calculations for losses to residential and business assets, agricultural land, trees, relocation and support allowances is estimated to be **US\$ 240,000.** The direct compensation cost will comprise 83%, indirect cost 2%, administrative cost 6% and contingency amount about 9% of the total compensation costs.

## 1.11. Institutional arrangements

19. Uzbekenergo will have overall responsibility to implement the LARP as the executing agency (EA). The PMU within Uzbekenergo will be responsible for the day-to-day management of

LARP implementation. The PMU team will consist of Resettlement Consultant responsible for planning, implementation and internal monitoring of LARP. The PMU will work closely with relevant government agencies and community based organizations.

## 1.12. Implementation schedule

20. As envisaged, the LARP shall start implemented 4 months prior to the award of civil works contract. Uzbekenergo, through its PMU will implement the updated LARP upon receipt of official approval from ADB. It will only award the civil works contract to the civil works contractor in compliance with the following conditions: (i) all the resettlement activities have been completed and no pending complaints and grievances are left unresolved, as validated by external monitoring and (ii) official receipt of Notice to proceed from ADB to proceed with civil work activities. The detailed activities and schedule in updating and implementing of LARP related to the award of civil works contract is illustrated in the main report.

## 1.13. Monitoring and reporting

21. Monitoring would include both internal and external monitoring. PMU Resettlement Consultant will carry out internal monitoring routinely in close coordination with local khokimiyat. In order to verify internal monitoring and ensure that AHs are compensated prior to commencement of civil work, an external monitoring will be undertaken based on which a Compliance Report will be submitted to ADB and EA. The Monitoring/Compliance report will be used by ADB and EA as a basis to issue notice to proceed with civil work activities to the contractor. The external monitoring report will be disclosed on the website of EA and ADB.

#### I. PROJECT DESCRIPTION

## 1.1. Background

- 1. The aim of the proposed Samarkand Solar Power Project is to increase renewable energy generation and reduce greenhouse gas emissions (GHG) in Uzbekistan. The Project is focused in the construction of a large scale grid connected photovoltaic (PV) power plant in Samarkand region. According to evaluated data, there is a need to increase electricity generation in a 5% to meet region electricity demands. In addition, Samarkand region does not benefit from own regional generating units and needs to take power supply from the grid.
- 2. The Project is aligned with ADB's Strategy 2020 and with a key pillar of the Energy Policy 2009. The Project directly supports Uzbekistan clean energy and energy security targets as prioritized under the ADB Uzbekistan Country Partnership Strategy for 2012-2016 and is identified in the ADB's Uzbekistan Country Operations Business Plan 2012-2014. The proposed Project will be the first of its kind and scale in Central Asia and will bring Uzbekistan closer to its vision of becoming the region's solar technology and knowledge hub.
- 3. The expected impact of the Project is the installation of the largest PV plant in Central Asia as a reference for future installations to come. The outcome of the project will be the increase of renewable energy production, increased PV installations know-how and improved energy security and production in Uzbekistan. The outputs of the project include:
  - (i) Construction of a PV Power Plant to be located in Samarkand province based on crystalline technology and fixed tilt structure. The expected annual output of the PV plant is higher than 150 GWh, being able to cover the 5% electricity generation requirements previously mentioned.
  - (ii) Capacity building implementation, increased know-how in PV power plants operation requirements and grid integration.
- 4. The estimated project total cost is \$310 million and the Government has requested ADB to finance the procurement and materials in the amount of \$110 million. The Uzbek Fund for Reconstruction and Development will contribute financing the project with \$130 million. Uzbekenergo will finance from its own funds \$26 million for the procurement of local materials, installation, erection, and other civil works. In addition, the Government will provide \$44 million equivalent for taxes and duties.

## 1.2. Current status of LARP

- 5. This Land Acquisition and Resettlement Plan (LARP) was prepared based on the preliminary design prepared by the TA consultants: Nixus and STA in April 2013. According to this design estimated amount of required land for PV power plant is 405 ha. Initial assessment was made by the TA Resettlement Expert in June and July 2013. This LARP aims to provide preliminary assessment of the Project impacts and plan needed compensation / rehabilitation measures.
- 6. Construction of PV power plant will also imply construction of access road and transmission line. Access road will be used for delivering construction materials, equipment and maintenance. Transmission line (TL) of 220 kV is planned to connect PV power plant to the nearest 220 kV transmission line in south from the plant. The length of right-of-way (ROW) of the TL is estimated about 8 km having of 12 meters of width. This LARP was prepared based on preliminary design provided by design institute. Considering above mentioned this LARP needs to be updated after approval of detailed designs for access road and TL. The LARP update will require a field survey to confirm or identify additional AHs and APs, meaningful consultation with AHs and APs; disseminate the entitlement matrix and grievance redress mechanisms.

## 1.3. Project location

7. The Project is located in Pastdorgom and Nurabad districts of the Samarkand province, and placed 5 km north from Sazagan. The PV Power Plant will use 405 ha of rainfed land to allow the installation of the solar field and auxiliary equipment required for correct project implementation.

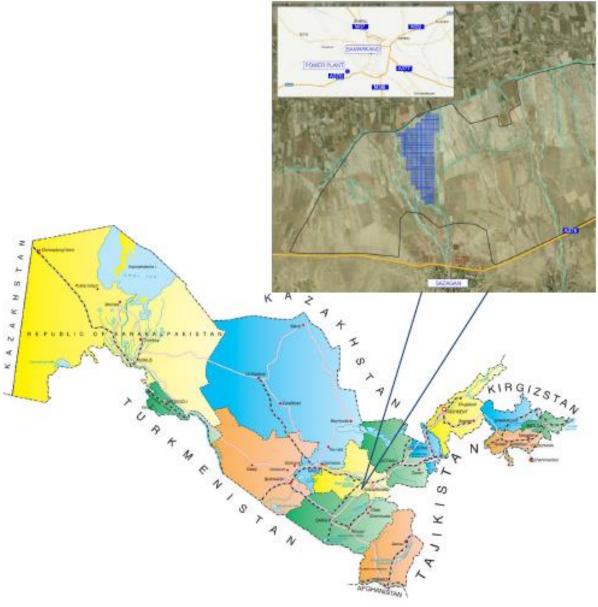


Fig 1.1: Location of PV power plant

#### 1.4. Project implementation conditions

- 8. This LARP fits relevant Uzbekistan legislation and the ADB's Safeguard Policy Statement of 2009 (SPS 2009). Based on the Cabinet of Ministers Resolutions № 97 (29.05.2006) and № 146 (25.05.2011) of GOU any land acquisition and demolition of the structures have to be carried out only after the value of compensation has agreed by the land leaseholder and owner of structures. The GOU law and regulation on land acquisition require also that civil works can be commenced only after compensation for land acquisition is fully paid.
- 9. The ADB safeguard policy also requires that project implementation will subject to the LARP related conditions. The most important conditions are: (i) land acquisition including demolishing of any structure and housing is allowed only after all compensations are fully paid, and (ii) commencement of Civil Works is conditional to the satisfactory implementation of the final LARP to be checked and verified by External Resettlement Consultant and reported in the LARP compliance report.

- 10. Since this LARP is prepared based on the initial design, therefore, the updated LARP will need to be prepared by Uzbekenergo after completing the final detailed design for PV power plant in Samarkand province. It is important that the detailed design will be done by selecting power plant area and transmission line (TL) route alignment that could minimize land acquisition of this Project. The implementation of this Project in relation with the LARP will require to follow these milestones:
  - (i) Uzbekenergo will update the LARP after completing the detailed design that will include principles to minimize land acquisition. The updated LARP will be prepared with meaningful consultations with affected households (AHs).
  - (ii) All the field works related with PV power plant construction and other support field works can only be commenced after the updated LARP is approved by ADB, and compensation based on the updated LARP is fully paid.
  - (iii) Uzbekenergo will submit to ADB a report on completing the implementation of LARP especially on payment of compensations to AHs.
  - (iv) A LARP Compliance Report needs to be issued by an External Resettlement Consultant to be agreed by the Uzbekenergo and ADB to confirm that compensation money and other allowances has been fully paid to AHs. This report will be used by ADB as one of the conditions in the disbursement of loan money.
- 11. The Project Management Unit (PMU) will monitor the implementation of LARP and record it in the report. The External Resettlement Consultant will check the implementation of LARP and produce LARP compliance report prior to commencement of civil works.
- 12. A leaflet in the Uzbek/Russian language containing a brief description, eligibility criteria, the entitlement matrix and implementation schedule will be distributed to AHs and any other affected parties by the representatives of Uzbekenergo branch office in Samarkand through mahalla and local authority including district land resources and cadastre department. The LARP and updated LARP will be available on websites of Uzbekenergo and ADB.

## 1.5. Approach and methodology

- 13. This LARP is based on a comprehensive study of the impacts of land acquisition. In order to accurately assess the impacts of land acquisition, the following activities have been undertaken:
  - Inventory of Losses / Detailed Measurement Survey is aimed to measure the size and type of land, as well as identify households and study of business and farming practice and assets that will be affected by the land acquisition;
  - ii. **AH/AP census** aimed to gather the socioeconomic conditions of affected households and affected people:
  - iii. **Consultations** with all project stakeholders, including AHs, governmental agencies and other affected parties;
  - iv. **Preliminary estimation** of compensation rates aimed to provide an initial cost estimate for the LARP based on entitlement matrix.
- 14. The DMS was undertaken by TA Resettlement Expert with professionally qualified surveyors who measured the affected area of land acquisition in the form of land parcels. The DMS considered all existing assets without differentiate the legal status of ownership. Base data of identified land parcels was acquired from AHs, Samarkand land resources and cadastre department.
- 15. After identifying assets affected by land acquisition, the census on socioeconomic of the land users were undertaken to cover both legal and illegal ownership of the asset. Aside from interviews, the questionnaire (Annex 2) was designed by taking into account a culturally sensitive to record accurate response, was used as a census tool. The questionnaire covers the following aspects: (i) household composition and socio-economic characteristics (age, ethnicity, education, gender, etc.); (ii) occupation and break-down of household expenditures; (iii) land owned/occupied and agricultural activities; (iv) debts and assets; and (v) preferences for compensation and livelihood restoration assistance.

16. The compensation for permanent land acquisition is based on land for land compensation and other compensations were estimated based on replacement costs for the physical structures and crops to be acquired derived from reconciling the compensation policies of the GOU with those of the ADB and preparation of an entitlement matrix that clearly identifies all affected assets, identification of affected persons, and their actual entitlements. For land, crops, relocation assistance and allowances for severe impact compensation estimates were based on formulae of the GOU in its law and regulations consistent with ADB policy.

## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

17. This chapter discusses the project impacts, the scope of land acquisition and summarizes the key effects in terms of assets acquired and affected households and people.

### 2.1. Approaches to Identification of Project Impacts

## 2.1.1. Census and inventory of losses

18. The approach applied in determining the potential impacts of the Project was the conduct of the Inventory of Losses (IOL) where all immovable properties inside the expansion area and ROW corridors were determined, counted, measured, tagged, owners identified and their places of residence were verified with commune authorities. The immovable assets consist of lands, houses, businesses, other structures and essential utilities, fruit trees and timber trees. In assessing the potential losses of these properties, the severity of impacts to AHs were determined, from their sources of livelihoods to their productive capacity. The assessments were based from the information disclosed by APs that cover sources of livelihood, income level, and ownership of productive assets.

## 2.2. Summary of impacts

19. The project will have three impacts from project related activities such as (i) construction of PV power plant, (ii) widening of access road to PV power plant and (iii) construction of 220 kV transmission line from PV power plant to existing 220 kV TL. Summary of all types of impacts are described in Table 2.1.

Indicators	PV power plant	Access road	Transmission Line (220 kV)	Total
Permanent land acquisition, ha	405	1.96	0.84	407.8
Including				
from AHs, ha	304.2	1.31	0.59	306.1
from state enterprises	100.8	0.65	0.25	101.7
Temporary land acquisition, ha	-	-	2.76	2.76
Total length, m	-	4,000	8,005	12,005
Affected structure, m2	675	-	-	675
Affected trees, units	-	765	-	765
No. of AHs	3	8	6	17
No. of APs	13	56	40	109
Impact by Districts	Pastdorgom, Nurabad	Pastdorgom	Pastdorgom, Nurabad	

Table 2.1: Summary of the impacts

#### 2.3. PV Power Plant construction

## 2.3.1. Impact on land

20. The construction of PV power plant according to preliminary design will require permanent land area comprising in aggregate 405 ha of land that is located in Pastdargom and Nurabad districts. The impact for Pastargom district will include 255 ha of agricultural land whereas Nurabad district will have an impact of 150 ha of agricultural land. Main portion of 304.2 ha land is operated by 3 leasehold farmers and 100.8 ha belong to Uzbekenergo branch office (20.8 ha) and Nurabad district machine tractor park-MTP (80 ha). On the affected territory a structure (livestock shed) is located that belong to the AH-1 which has to be relocated. The structure was built for temporary period to keep livestock.

Table 2.2: Category and ownership of affected land

Land use	Land category	Land rights	Deed or document provided <sup>2</sup>	Affected land (ha)	No. of AHs
Cropping farms	Agricultural land	Lease <sup>3</sup>	Contract	304.2	3
Land of State enterprises	Agricultural land	Permanent or temporary use	State Act granting the right for permanent possession	100.8	-
			TOTAL	405	3

- 21. In Uzbekistan, land is under state ownership and owned/managed by local government (khokimiyat). In case of cropping farmland, depending on the availability of land in the area, the land is leased to individual households by the District khokimiyat. The main purpose of these farmlands is for grazing and production of hay for their livestock. No crops are grown on these farms. The land category is considered as land with low precipitation.
- 22. **Severity of impact on cropping farmland:** Affected households incurring impact on their farmland will experience significant impact, due to land acquisition of more than 10% of their productive assets.

Table 2.3: AHs losing farmland

ID	Total landholding, ha	Affected land, ha	Impact in %
AH-1	480	199.2	41.5
AH-2	120	35	29.2
AH-3	218.4	70	32.1
Total		304.2	

## 2.3.2. Impact on structures

23. The total size of affected structure is 675 sq.m located within the farmland of AH-1. To be demolished structure has 7 sub structures which are being used for keeping livestock and as warehouse for hays. Structure has no legal document and was built for temporary use. This structure is not used for living purposes since the farmer and his family lives at different area.

#### 2.4. Access to the site

#### 2.4.1. Impact on land

24. The construction of PV power plant will require improvement of existing access road. By widening and asphalting of existing field road the Project will have impact on cropping farms, orchards and on irrigation channels. Total length of access road is about 4 km and influencing on 8 AHs. The existing road has 6 meter of width that will not be sufficient to provide suitable access to the PV power plant construction site. During the construction period it has been planned to use heavy trucks for construction and for transportation of necessary equipments from main railroad station till the project area. Therefore in accordance with the preliminary design access road having at least 12 meters of width (category 5) is needed. Therefore during the census the ROW for access road has been taken as 12 meters and all impacts has been calculated by taking consideration of 6 meter expansion from existing road. During the calculation of impact it has been accepted that 3 meters from each side of road will be widened. After approval of detailed design it is recommended to update IOL.

<sup>3</sup> Lease right in Uzbekistan is normally 30 – 50 years.

<sup>&</sup>lt;sup>2</sup> Some documents are issued by the Cabinet of Ministers. Others are issued by the district or regional khokim.

25. A total of 1.96 ha of permanent land acquisition will be required for road widening. From 1.96 ha, 1.31 ha from cropping farm land, 0.25 ha from orchard land and the remaining 0.4 ha will be taken from State reserve land (bare land).

Table 2.4: AH losing farmland

ID	Type of AH	Affected land, Ha	Type of affected crop
AH-4	Farmer	0.01	wheat
AH-6	Farmer	0.64	wheat
AH-7	Farmer	0.07	cotton
AH-8	Farmer	0.39	wheat
AH-10	Tenant	0.20	corn
TOTAL		1.31	

- 26. Among of the 5 affected households 4 cropping farms will lose wheat and cotton crops. One tenant (AH-10) will be affected and will lose corn crop. This tenant has formal agreement with cropping farm (AH-1). Compensation will be based on tenant agreement where it shows the distribution of net profit from the corn crop for 1 year. The compensation will be distributed to farmer and tenant in accordance with the shares described in tenant agreement. The cropping farm that leased the land will also be exempted from affected land from total land holdings.
- 27. **Severity of impact on cropping farmland:** Affected household incurring impact on his cropping farmland will not experience significant impact (adverse impact on more than 10% of their productive assets) since the maximum impact in terms of percentage consists of 3.1% whereas minimum is 0.1%.

Table 2.5: Severity of impact on cropping farmland

ID	Type of AHs	Total land, ha	Affected land, ha	Impact, %
AH-4	Farmer	13.6	0.01	0.1
AH-6	Farmer	40	0.64	1.6
AH-7	Farmer	63	0.07	0.1
AH-8	Farmer	72.1	0.39	0.5
AH-10	Tenant	6.48	0.20	3.1
TOTAL			1.31	

## 2.4.2. Impact on orchards

28. Of the total affected land, 0.25 ha land is under orchards comprising of 3 AHs. The 2 AHs are running the orchard activity based on the farming activity (leaseholder from Government). The 1 AH tenant (AH-9) leases orchard land from farmer (AH-8).

Table 2.6: Land wise detail of affected orchards

АН	Туре	Total land, ha	Affected land, ha	Impact, %
AH-5	Farmer	2.0	0.12	6
AH-11	Farmer	4.0	0.13	3.2
Total			0.25	

29. **Severity of impact:** Of the 3 households incurring impact on trees none of them will experience significant impact on their income (i.e. not lose more than 10% of their productive asset). The AH-9 will have no land impact since he subleased land from AH-8 and this impact has been included in land impact of farming crops section.

#### 2.4.3. Impact on trees

30. Total of 765 trees will be felled along the proposed ROW belonging to 3 AHs. These 765 trees comprising of 2 varieties of timber trees will be affected in these farming lands. In order to create condition for civil works all trees will be cut on 12 meters of ROW. A total of 215 mulberry trees and 500 poplar trees need to be felled.

ID	Туре	Type of tree	Total trees	Affected tree	Impact, %
AH-5	Farmer	Mulberry	2,500	215	8.6
AH-9	Tenant	Poplar	550	50	9.1
AH-11	Farmer	Poplar	5,500	500	9.1
		TOTAL	8,550	765	8.9

Table 2.7: Tree wise detail of affected orchards

31. **Severity of impact on affected trees:** None of the 3 AHs will experience severe impacts on their trees. The maximum percentage of impact is 9.1% whereas minimum is 8.6%.

#### 2.5. Transmission line 220 kV

- 32. Under this Project the transmission line with the power of 220 kV will be constructed to connect PV power plant to the existing 220 kV TL located in Sazagan settlement (Nurabad district) having two separate lines (out and in). "OUT" line comprises of 2,830 meter length while "IN" line having 5,175 meter length. Both transmission lines will be connected to existing 220 kV TL located in Sazagan settlement of Nurabad district. The construction of TL will impact reserve land of Pastdorgom district and farmers as well as residential lands of Nurabad district.
- 33. The Government KMK 2.10.08-97 provides standard and guidance for design, construction, and operation of transmission line particularly with its requirement for land acquisition. For transmission line for power lines having a voltage of 220 kV, the requirement is as follow:
  - (i) The TL requires a temporary alignment corridor of 12 meters in width for stringing the conductor cables.
  - (ii) For construction of suspension towers 600 square meters is required whereas 1,500 square meters for tension towers for temporary period
  - (iii) Post-construction the TL require 115 square meters for each suspension tower and 225 square meters for each tension tower for permanent land acquisition.
  - (iv) Additionally to the ROW, 30 meters of safety zone will be set from each edge of TL by restricting construction of residential structures. However there will be still possible to carry out any type of agricultural activity within this safety zone area.
  - (v) According to the preliminary design in total 8 tension towers and 26<sup>4</sup> suspension towers are required for the construction of 220 kV TL on affected lands.

#### 2.5.1. Impact on land

- 34. The land area under ROW will not be compensated since there are no seasonal or annual crops on affected land and land under ROW will be fully available to farmers after completion of construction works. However the agricultural lands taken for erection of towers on temporary and permanent period will be subject for compensation. Also the residential land within the ROW will be subject for compensation since there is a restriction for residential land and structures.
- 35. In accordance with the technical requirements provided by design institute the approximate number of towers is calculated as 34 units. Of this, 26 units of suspension towers and 8 units of tension towers. The suspension towers will be erected within the distance of 250 meters while tension towers will be erected on each angles of TL where required. Table 2.8 describes the location of towers within project area.

<sup>&</sup>lt;sup>4</sup> The 4 suspension towers is not included in this LARP due to the land already is in the 405 ha of power plant area

Table 2.8: Location of towers by types

ID	Suspension towers	Tension towers	Total towers
Reserve land (Pastdorgom)	4	-	4
AH-12	2	-	2
AH-13	5	1	6
AH-14	5	3	8
Reserve land (Nurabad)	9	4	13
Residential area	1	-	1
Total	26	8	34

36. One suspension tower will be erected on residential land area. In addition to ROW with 12 meter of width, 30 meters of safety zone will be set on each side of the cables of 220 kV TL by restricting construction of any types of residential structures. Figure 2.1

LAYOUT OF 220 kV TL Pastargom distrct HOLISHON MARVARID EX RESERVE LAND Nurobod distrct Legend 220 kV TL new Existing 220 kV TL RESIDENTIAL AREA Sazogon POWER PLANT AREA HOLISHON MARVARID fix 1:10 000 JURAQULOV ASQAR RESERVE LAND RESIDENTIAL AREA SANAT SHARQ SUNMAS CHIROGI

Figure 2.1. Layout of proposed 220 kV TL

37. The ROW of TL having 12 meters of width will have an area of 10.92 ha that is necessary for Uzbeknergo for construction, stringing, operation and maintenance of TL. For erection of TL towers temporarily 2.76 ha and permanently 0.84 of land will be required.

Table 2.9: Impact by 220 kV transmission line

No.	ID	Type		uired for of towers	ROW, (temporary use for
		1,750	Permanent	Temporary	stringing of cables), ha
1	AH-3	Farmer	-	-	0.30
2	AH-12	Farmer	0.023	0.12	0.54
3	AH-13	Farmer	0.080	0.45	1.67
4	AH-14	Farmer	0.125	0.75	2.23
5	5 Residential land		0.360	-	1.83
6	6 Reserve land		0.251	1.44	4.35
	•	Total	0.84	2.76	10.92

38. In line with the above, a total of 1.32 ha of cropping farmland will be affected as a result of construction of TL. There are no crops on affected lands. The land is purposed for grazing of livestock and pasture only.

Table 2.10: AH having impact on their farmland

No.	ID	Туре	Total land, ha	Affected land, ha	Impact, %
1	AH-12	Cropping farm	100	0.12	0.12
2	AH-13	Cropping farm	267	0.45	0.16
3	AH-14	Cropping farm	100	0.75	0.75
	Total		367	1.32	0.35

39. **Severity of impact on cropping farmland**: Affected households incurring impact on their cropping farmlands will not experience significant impact since the impact in terms of percentage consists of maximum 0.75% whereas minimum is 0.12%.

## 2.5.2. Impact on residential land and structures

40. During the census survey and DMS it has been identified that residential lands will have an impact along the proposed ROW of new transmission line. No structures will be affected since these lands are undeveloped yet. None of the affected residential households have official document or deed to their land that enables them to be entitled for compensation.

#### 2.5.3. Impact on Crops

41. During the census survey no crops has been identified on agricultural cropping farm lands along the proposed ROW of new transmission line. However in case of there will be identified crops after the detailed design completion, then compensation is considered for crops in accordance with the entitlement described in this LARP.

## 2.5.4. Impact on Community Utilized Facilities

- 42. On the section of access road Community Utilized Facilities (CUFs) such as water canals will be affected by widening of the existing road. Such facilities will be restored by the EA's own sources as of pre project condition thus enabling the flow of water to affected cropping farms.
- 43. No CUFs will be affected on the section of PV power plant area with the total area of 405 ha. No CUFs will be affected within the proposed ROW of 220 kV transmission line.
- 44. In case CUFs will be affected in accordance with final detailed design then those facilities will be restored as of pre project or better condition. CUF includes asphalt roads, water pipelines, streets and etc.

## 2.6. Vulnerability status of the AHs

- 45. According to census survey no vulnerable households were identified. This Project will not physically displace residential houses or significantly impact on livelihood of any AH.
- 46. However, the entitlement matrix provides measures for mitigating the impact on the vulnerable AHs. The vulnerable AHs will be entitled to special assistance over and above the compensation for affected assets in order to ensure that they are able to restore or improve their pre-project standard of living.

## III. SOCIOECONOMIC INFORMATION AND PROFILE

47. This chapter presents the findings of the socio-economic census activities undertaken in the affected area with the objective of understanding the existing socio-economic condition and vulnerability of 109 APs in 17 AHs within the survey areas.

## 3.1. Demography and socioeconomic characteristics

48. **Age and civil status.** The average age of AHs heads is 46 years old. All household heads are married. Representative number of APs as presented in Table 3.1 is aged between 16-25 years old – 29% (17 males and 15 females APs). The least presented are senior APs aged 65 and above years – 2% (1 male and 1 female APs).

Λαο	Male APs		Female APs		Total APs	
Age	No.	Percent	No.	Percent	No.	Percent
1-6	11	19%	11	21%	22	20%
7-15	4	7%	4	8%	8	7%
16-25	17	30%	15	29%	32	29%
26-40	12	21%	9	17%	21	19%
41-65	12	21%	12	23%	24	22%
65-above	1	2%	1	2%	2	2%
Total	57	52%	52	48%	109	100%

Table 3.1: Composition of APs by age

49. **Household population and labor force.** The AHs in 4 communities have estimated population of 109 APs, mostly it is 40 APs in S.Tursunov and Sazagon, and least it is 14 APs in Chandirobod. The average membership of each AH is 7 persons per household. Traditions and customs of people in this region usually are to have big families consisting of few generations.

Community	AHs	APs	No. of APs		
Community	АПЗ		Minimum	Average	Maximum
Chandirobod	2	14	6	7	8
Dustlik	3	15	5	5	5
S. Tursunov	5	40	6	8	12
Sazagon	7	40	4	6	9
Total	17	109	4	7	12

Table 3.2: APs per household

50. **Education.** About 43% of the APs have reached high school only, 49% males and 36% females. Other 30% with college degree, 20% males and 41% females. Only 27% are with higher education degrees, 31% males and 23% females.

Table 3.3: APs by attended education

Education	Male APs		Female APs		Total APs	
Education	No.	Percent	No.	Percent	No.	Percent
High school	22	49%	14	36%	36	43%
Lyceum / college	9	20%	16	41%	25	30%
University	14	31%	9	23%	23	27%
Total	45		39		84	

51. **Livelihood occupations.** Related agricultural activities are the main occupation of the 29% of the APs, 15 males and 8 females. About 20% are students (9 males and 7 females) at one of district colleges or Samarkand city universities. APs at governmental service are 16% (7% males

and 6 females). Housewives who take care of growing/breeding domestic animals in their backyards are 14% and about 10% of APs are unemployed (7 males and 1 female). APs engaged in entrepreneurship are 4% (3 males and 1 female), and 3% are retired (1 male and 2 females). 1% handicraftsman, only one female.

Table 3.4: Livelihood occupations

Occupation / Activity	Male		Female		Total	
Occupation / Activity	APs	%	APs	%	APs	%
Agriculture	15	36%	8	22%	23	29%
Student	9	21%	7	19%	16	20%
Governmental	7	17%	6	16%	13	16%
Housekeeper	0	0%	11	30%	11	14%
Unemployed	7	17%	1	3%	8	10%
Entrepreneurship	3	7%	1	3%	4	5%
Retired	1	2%	2	5%	3	4%
Handicraftsman	0	0%	1	3%	1	1%
Total	42		37		79	

## 52. Household expenditure and low-income AHs.

- 53. The existing methodology<sup>5</sup> in Uzbekistan identifies a low-income family as one in which the monthly income is lower than 1.5 fold of minimal wage per capita. Since December 2012 the minimal wage was set at 79,590 UZS per month, thus the poverty line has been set at 119,385 UZS (58 USD) per month per person. Based on this methodology the official poverty line (as nominal indicator) is about 2 USD<sup>6</sup> per day per capita, which is close to the WB and UN indicator of poverty. In addition in rural areas households are practicing household farming where produced most of food products for home consumption and excess are sold on local markets. According to GOU regulation this practice is considered in determining livelihood level of households and estimated by adopted formula.
- 54. APs were reluctant or unable to disclose their monthly incomes either individually or on a household basis hence it was decided the best approach would be to ask APs to estimate their average monthly expenditures. According to the SES no AHs are found low income families. The average monthly cash expenditure of APs is 136,557 UZS. Two largest cash expenditures are goes on food 55.5% and clothing 16.2%. However, in this estimate were not included food products from own private and/or household farming. Third ranked are expenditures on education which comprise 7.7%. Almost on same level expenditures on social activities (6.2%) and on utilities (6.1%). Interesting to note that communication (mobile) expenditures is identified as significant for APs, whereas health care and recreation expenditures comprise 3.1%.

Table 3.4: Reported cash expenditures of AHs (Excluding income from household farming)

Nº	Expenditures	Average yearly expenditures of AHs by categories (%)	Average monthly expenditures per AP (UZS)
1	Food	55.5%	75,765
2	Clothing	16.2%	22,171
3	Education	7.7%	10,474
4	Social	6.2%	8,524
5	Utilities (electricity, gas etc.)	6.1%	8,307
6	Communication (mobile)	4.7%	6,422
7	Health care and recreation	3.1%	4,281

<sup>&</sup>lt;sup>5</sup> Resolution of Cabinet of Ministers № 44 issued on 15.02.2013

<sup>6</sup> Depending on USD / UZS exchange rate fluctuations

8	Household farming	0.5%	612
	Total / Average	100%	136,557

#### 3.2. Household utilities

- 55. **Water.** All AHs are using the borehole water for drinking and other purposes.
- 56. **Electricity.** All AHs have access to electricity. This electricity is mainly used for lighting, refrigeration, cooling, and watching television.
- 57. **Natural gas.** All AHs have no access to natural gas instead of gas they are using wood and other types of fuels for cooking.

#### 3.3. Access to social services

- 58. **Education.** All 6 Higher Education institutions are located in Samarkand city and cover more than 23,000 students.
- 59. The educational system of Pastdargom district is represented (as of Jan 1, 2013) by 123 general schools with some 47,421 enrolled pupils, 57 kindergartens with 4,787 children, 14 professional colleges with more than 14,855 students enrolled in secondary special education.
- 60. The educational system of Nurobod district is represented (as of Jan 1, 2013) by 76 general schools with some 21,980 enrolled pupils, 5 kindergartens with 460 children. In Nurabod district 2-7 years aged children are 12,710, therefore coverage with kindergartens is 3.6%.
- 61. **Health services.** With the total population of 341,211 people Pastdargom district's system of healthcare institutions consists of: four in-patient hospital with 646 beds, which includes section of inflectional diseases, children's department and maternity hospital. There are two out-patient polyclinics with maternity consulting center, clinic for elderly and children, stomatology, blood transfusion and etc. The total number of doctors working in healthcare institutions is 360 and nursing staff represented by 1,650 professionals. The coverage of the population by doctors per 10,000 population is 11.3, by nursing staff is 53 (in 2012).
- 62. With the total population of 129,631 people Nurabad district's system of healthcare institutions consists of: 1 central and 7 branches of out-patient polyclinics, 17 village health care stations and 1 in-patient isolation hospital. There are also 3 sanatoria and health resorts specialized in treatment by mineral water. The total number of workers is 1,126 persons, including 114 doctors, 551 nursing staff, 312 junior health care staff and 149 technical personal.

## 3.4. Vulnerable people

63. According to the census and SES no affected there were not identified vulnerable groups such as those below the poverty line, the landless, the elderly, women headed family and Indigenous Peoples. In this project involuntary resettlement does not consider to physically displace the affected households.

#### 3.5. Ethnic minorities and indigenous people

64. In terms of ethnic composition according to census data all 17 households are Uzbeks. There was not identified any ethnic groups maintaining cultural and social identities separate from the mainstream Uzbekistan's society fitting the ADB definition of Indigenous Peoples. Therefore, the ADB's policy, as described in ADB's SPS, 2009 in the Indigenous Peoples is not triggered. No special action is required for this LARP.

## 3.6. Gender impacts

65. The required land acquisition does not have gender impact. The results of census and SES indicate that there is no women-headed AHs, involve or influence women activities. Therefore, this LARP does not include measures addressed for gender support or protection.

## IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

#### 4.1. Consultations

- 66. Seven consultations were carried out with AHs during Project preparation, and it is recommended that other consultations need to be carried out after LARP updated and before starting payment of compensations. Apart from the AHs, the participants in these public consultations included representatives of respective government organizations.
- 67. The key objectives of the consultations were to: (a) identify and help address AH's concerns related to the preparation and implementation of the LARP; (b) get inputs on AHs preferences for the type and delivery of compensation; (c) minimize AHs apprehensions and ensure transparency in LARP activities; (d) inform affected households about resettlement impacts and cut off dates.
- 68. Five consultations were held during the census and LARP preparation. The venue, number, dates of the consultations and participants are summarized in Table 4.1.

Date	Locations	District	Number of meetings	Participants
1 May 2013	Chandirobod	Pastdorgom	1	15
2 May 2013	S.Tursunov	Pastdorgom	1	10
3 May 2013	Dustlik	Pastdorgom	1	12
4 May 2013	Pulatchi mahallasi	Pastdorgom	1	6
5 May 2013	Turayev	Pastdorgom	1	13
28 May 2013	Sazagan	Nurabad	1	5
7-10 July 2013	Sazagan	Nurabad	3	15

Table 4.1: Summary of Consultation Meetings

69. During the consultation meetings, AHs raised important questions. These questions were addressed to local khokimiyat and land resources and cadastre office. The questions/queries were related to land acquisition and resettlement as well as compensations. Table 4.2 below presents the main queries raised and the responses to the same.

Table 4.2: Main Issues	Addressed	during the	Consultations
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Queries	Responses
When land acquisition process is going to be started?	Land acquisition will be updated after completion of final design
What kind of compensation will be provided for farmers?	Compensation will be paid as of entitlement described in this LARP: land to land, loss of crops by multiplying average net profit from crops to four years.
Can farmers take compensation as cash?	No, Compensation will be paid directly to the account number of farmers?
When we have to give up affected land?	After you receive whole compensation and allowances (in case of eligible) and signing the agreement letter.
What kind of compensation will be provided for leaseholders of farmers?	The annual net profit from crop.
In case the road rehabilitation affect to the orchards will it be also subject for compensation?	Yes, any type of affected households including illegal households will be subject for compensation
Is it already defined that PV power	Yes, already district and regional Hokims issued

Queries	Responses
plant will be built in this area?	Decrees.
Is it already defined that 220 kV TL will be constructed along the road and affecting to farmers?	It depends on the final design developed by design institute of Uzbekenergo
What if I will build new temporary structure for my own purpose within next month?	It won't be possible then to compensate. Because any types of changes in terms of structure building, tree planting will not be considered as affected by this project after cut off date.
In case of changing the design of 220 kV TL will we be informed?	Yes, local hokimiats, mahallas will be informed about final detail design results and subsequently you may receive information from them.
What if we refuse to take land to land compensation?	In such case you should provide PMU letter of confirmation about refusal land to land compensation. This letter should be signed by affected household only.
Will we still pay the taxes for our affected land	No, the affected part of the land will be taken away from your land balance and you will not pay tax for affected portion of land
When the construction starts?	According to the schedule it should be started in September, 2013. Already contractor for Civil works has been appointed.
Can we benefit from employment within the new PV power plant?	Yes, the LARP will include to give priority to AHs in the period of construction of plant.
What kind of adverse impacts will be from new PV plant?	This plant is considered as green energy and will not have adverse impact to the population living nearby
When PV power plant starts to operate?	It is proposed in 2015 year
Can we use electricity derived from this plant to our own purposes by paying all the fees	The distributed power will be high voltage TL with the capacity of 220 kV that cannot be directly connected to low voltage lines.
Will we still be entitled for compensation in case of absence of official cadastre document to our land?	Yes, but in order to be eligible for compensation AHs should legalize their rights to the land. All fees concerning with registration will be borne by EA. However, in case there will be any additional taxes, then AHs shall pay those expenses on their own sources
Now our residential structures are not being affected, what if sooner it affects?	In case of detail design changes and residential structures will be affected than in accordance with the entitlements set in this LARP AHs will be entitled for compensation.
Can we require land to land compensation for replacement of affected residential land?	Yes, the land to land compensation will be provided by in nearby location.

#### 4.2. Information Disclosure

70. Disclosure meeting describing the current LARP will be organized to AHs (including all households, agricultural farms and private firms) and respective government organizations during LARP evaluation stage (tentative period: III quarter 2013). The organized meeting will gather all stakeholders in order to explain and answer in detail to all raised, unsolved or appeared questions. A leaflet in local language (Uzbek and Russian) will be distributed by PMU to AHs, relevant agencies and organizations during the disclosure meeting. The leaflet will describe the project and land requirement for the project, the entitlement matrix, as well as the grievance mechanism and LARP implementation schedule. The draft and final LARP document will be disclosed on the websites of the Uzbekenergo and ADB upon approval by both ADB and the GOU.

## V. GRIEVANCE REDRESS MECHANISM

- 71. The APs will have the right to file complaints and queries on any aspect of land acquisition compensation, and resettlement. The EA will ensure that grievances and complaints on any aspect of the land acquisition, compensation, and resettlement are addressed in a timely and satisfactory manner. All possible avenues are made available to the AHs to resolve their grievances at the project level. However, AHs are free to address their complaints to the courts at any time and not only after using the GRM. Under the proposed project level grievance mechanism, AHs may appeal any decision, practice or activity connected with the assessment or valuation of land or other assets, acquisition and compensation. All AHs will be made aware of the procedures they can follow to seek redress, including, if necessary resort to the courts through the Government's grievance mechanism. The Project Grievance Mechanism will be disseminated via the LARP leaflet that will be distributed to AHs through local khokimiyat, the mahalla or village assembly of citizens or farmers councils during the disclosure process.
- 72. The PMU of the EA will establish a simple and accessible Grievance Redress Mechanism. Figure 5.1 gives the details of the grievance redress mechanism. The GRM provides a number of avenues and levels for grievance resolution and appeals process.
- 73. The main objective behind project specific grievance mechanism is to ensure timely and user-friendly solution to the complaints received from the AHs. However, the Project Grievance Redress Mechanism does not prevent any AH to approach the governmental legal system to resolve their complaints at any stage of the grievance redress process. The AHs can address their complaints to the courts at any time and not only after using the GRM.
- 74. <u>Level 1 (Mahalla / Village Assembly)</u>. Under this project grievance redress mechanism, complaints can be submitted to Mahalla, Village Assembly of Citizens, Farmer Councils or directly to EA. The mahalla/village assembly will try to resolve or clarify the issue within 1 week. Unresolved issues will be referred to the district khokimiyat GFP.
- 75. <u>Level 2 (District Hokimiyat)</u>. Usually, the District khokimiyat will be the entry point for receiving complaint or known as a Grievance Focal Point (GFP<sup>7</sup>). In case, complaint is submitted to the GFP, the GFP will establish a contact with the EA and its PMU, mahalla and other bodies such as village assembly of citizens, farmers councils of which AH are members and will try to resolve the issue within 1 to 2 weeks.
- 76. <u>Level 3 (Project Management Unit)</u>. The EA through its PMU on a regular basis (weekly) and as per immediate request will check with the GFP whether any complaint is received by GFP. The PMU, on receipt of a complaint from GFP or any other local bodies, will immediately take the following actions:
  - (i) Will inform the complainant within 2 days;
  - (ii) Inform ADB office both resident mission and HQ;
  - (iii) Establish complaint handling team with members Head of PMU, representatives from the EA, District Khokimiyat, Land Resources and Cadastral Department, and Mahalla or Village Assembly of Citizens or/and Farmer's Councils, or/and Women Association.
- 77. The team will be headed by one of the EA management staff designated for handling grievances of the project.
  - (i) The team will consult the complainant and gather complainant's concerns;
  - (ii) The team will also take advise from independent valuator (in case of grievances related to valuation);
  - (iii) All complaints will be resolved in 15-20 days, and in case additional details are required, a maximum of 30 days will be used to resolve and close the complaint:
  - (iv) If complaint is not resolved by Project Grievance Mechanism Team, the PMU will inform ADB office and District khokimiyat regarding the same.

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<sup>&</sup>lt;sup>7</sup> Under the Government Grievance mechanism, the local khokimiyat is designated as the Grievance Focal Point.

- 78. <u>Level 4 (Provincial Hokimiyat).</u> If a grievance is not resolved within 30 days, the complainants or her/his representative can submit its complaint to the provincial khokimiyat. The Provincial hokimiyat will also have 15 calendar days to resolve the complaint.
- 79. <u>Level 5 (Court)</u>. If the complaint is still unresolved, the complainant can submit his/her complaint to the appropriate court of law.
- 80. The PMU will be responsible for recording the complaint, the step taken to address grievance, minute of the meetings, and preparation of a report for each complaint. The complaint handling process will be reported to ADB through the quarterly project implementation report.

AFFECTED HOUSEHOLD

District Complaint Handling System (GFP)

Farmer Councils, Mahalla, Village Assembly of Citizens

PMU Resettlement Consultant

Project Grievance Mechanism Team (15-20 days to resolve the compliant)

Figure 5.1: Grievance Mechanism

#### VI. LEGAL FRAMEWORK

81. This chapter describes the Uzbek laws and regulations on land acquisition and resettlement, and ADB's policy on Involuntary Resettlement, and their particularly underlying principles.

## 6.1. Provisions regulating land acquisition and compensation in Uzbekistan

#### **6.1.1. Land code**

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

#### 6.1.2. Civil code

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

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

- 84. This resolution regulates compensation for losses to individuals and legal entities due to seizure of land plots for state and public needs. This regulation is mainly dealing with land plots, houses, building and structures of individuals and legal entities.
- 85. The resolution determines the procedure for seizure of land or part thereof, as well as the procedure for calculating the amount of compensation to individuals and legal entities for the demolished residential, industrial and other buildings, structures and plantings in due to seizure of land for state and public needs. The Resolution contains:
  - procedure for calculating the amount of compensation to individuals and legal entities for the demolishing houses (apartments, buildings, structures and plantings) due to seizure of land plots for state and public needs;
  - procedure and conditions for providing residential premises for owners of demolishing houses;
  - procedure and conditions for providing land plots to individuals for individual housing construction instead of the demolishing residential house (apartment);
  - procedure of losses compensation to legal entities due to seizure of land plots for state and public needs;
  - procedure and calculation terms for transfer and reinstatement at the new place of dwelling houses, buildings and structures to be demolished;
  - Procedure and calculation terms of in case of construction in a new place of dwelling houses, buildings for individuals and legal entities, houses (apartments) of which are to be demolished.
- 86. Khokimiyats of respective districts (cities) are required to notify in writing the owners of residential, industrial and other buildings, structures and trees about the decision, not later than six months before the demolition, with the annex to the notice copies of the relevant decisions of the Council of Ministers of the Republic of Karakalpakstan, khokims of provinces and Tashkent city on seizure of land, demolition of residential, industrial and other buildings, structures and trees located on the land plot.

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

- 87. Resolution is aimed to improve the procedure of granting land plots, to protect the rights of legal entities and individuals on land, improving the architecture of settlements and the efficient use of their land for construction in accordance with the Land Code and the Town Planning Code.
- 88. This resolution approved two Regulations: (i) Regulation on the procedure for granting land for urban development and other non-agricultural purposes, (ii) Regulation on the procedure of compensation for land possessors, users, tenants and owners, as well as losses of agriculture and forestry.
- 89. The regulation on the procedure for granting land for urban development and other non-agricultural purposes contains:
  - the order of land plot location, preparation and approval of site selection and land allocation documents without approved planning documentation;
  - the order of placement, selection and land allocation with approved planning documentation.
  - the order for rejection in the selection and land allocation for construction;
  - the provision (sale) of land plots for individual housing construction;
  - The stake out land boundaries, the elements of urban planning documents and development regulation lines.
- 90. The regulation on the procedure of compensation for possessors, users, tenants and land owners, as well as losses of agriculture and forestry contains:
  - compensation for losses of owners, users, tenants and land owners;
  - compensation for losses of agriculture and forestry;
  - cost of irrigation and developing equal new land plot in return for seized irrigated agricultural land;
  - cost of fundamental improvement of grassland and pasture;
  - scheme for determination of losses of land possessors, users, tenants and owners, as well
    as losses of agriculture and forestry;
  - Coefficients on location of seized land plots.
- 91. The Losses of land possessors, users, tenants and owners, as well as losses of agriculture and forestry should be compensated before granting of documents certifying rights on land plot.
- 92. The regulation also orders that demolishment of house, or building shall be done only after agreeing on compensation, and providing replacement premises. The regulation orders that compensation has to be paid before starting any construction work.
- 93. The land possessors, users, tenants and owners of which land plots are seized and of which land plots are granted in case of disagreement with defined amount of losses can appeal to court.
- 94. In case of acquisition and temporary occupation of land plot or part thereof, subject for compensation:
  - Cost of land plot, owned by individuals and legal entities;
  - Cost of residential houses, constructions and installations, including incomplete constructions, and also located outside of allocated plot, if its further utilization is impossible due to seize of land plot;
  - Cost of fruits and berries, protection and other perennial plants;
  - Cost of incomplete agricultural production;
  - Lost profit.
- 95. Above described Laws and regulations define that non-title and square uatter land and building/structures are ineligible for compensation.

## 6.1.5. Labor code and employment law

96. These two documents are main legislations regulating labor relations of individuals employed with labor contract by enterprises, institutions, organizations of all type ownership forms, including contracted by individuals. These legislations are considering interests of employees and employers provide efficient function of labor market, just and secure labor conditions, protection of labor rights and employees health, promote to growth of labor productivity, increase of work quality, raising on this matter welfare and social livelihood level of the population.

## 6.2. ADB involuntary resettlement safeguards

97. The ADB SPS, 2009 includes requirements for Involuntary Resettlement (IR). The IR underlying principles aim to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring Project and design alternatives; to enhance, or at least restore, the livelihoods of all affected persons in real terms relative to pre-Project levels; and to improve the standards of living of the affected poor and other vulnerable groups. ADB Policy has the following requirements:

## 6.2.1. Compensation, assistance and benefits for affected persons (APs)

- Compensate/assist those with formal legal rights to the land lost and those who have claims to lands that are recognized or recognizable under national laws. APs that have neither formal legal rights nor recognized or recognizable claims to such land are entitled only to compensation for non-land assets.
- Compensate for affected lands, structures and other assets and put in place a comprehensive income and livelihood rehabilitation program **prior to Displacement**.
- Give preference to land-based resettlement strategies for affected persons whose livelihoods are land-based. Provide physically affected persons with relocation assistance, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, and civic infrastructure and community services.
- Promptly compensate economically Affected persons for the loss of income or livelihood sources at full replacement cost, and provided other assistance (i.e. access to credit, training, and employment opportunities) to help them improve, or at least restore, their income-earning capacity, production levels, and standards of living to pre-displacement levels.
- Provide affected persons with opportunities to share Project benefits in addition to compensation and resettlement assistance.

## 6.2.2. Social impact assessment

- Conduct socioeconomic survey(s) and a census, with appropriate socioeconomic baseline
  data to identify all persons who will be affected by the Project and to assess the Project's
  socioeconomic impacts on them.
- As part of the social impact assessment, identify individuals and groups who may be differentially or disproportionately affected by the Project because of their disadvantaged or vulnerable status.

## 6.2.3. Resettlement planning

- A resettlement plan should be based on the social impact assessment and through meaningful consultation with the affected persons if the proposed Project will have involuntary resettlement impacts.
- Ensure that the affected persons are (i) informed about their options and entitlements pertaining to compensation, relocation, and rehabilitation; (ii) consulted on resettlement options and choices; and (iii) provided with resettlement alternatives.
- Pay adequate attention to gender concerns to ensure that both men and women receive
  adequate and appropriate compensation for their lost property and resettlement
  assistance, if required, as well as assistance to restore and improve their incomes and
  living standards.
- Analyze and summarize national laws and regulations pertaining to land acquisition, compensation payment, and relocation of affected persons in the resettlement plan; and

compare such laws and regulations with ADB's involuntary resettlement policy principles and requirements. If a gap between the two exists, propose a suitable gap-filling strategy in the resettlement plan in consultation with ADB.

- Consider all costs of compensation, relocation, and livelihood rehabilitation as Project costs.
- Include detailed measures for income restoration and livelihood improvement of affected persons in the resettlement plan. For vulnerable persons and households, include measures to provide extra assistance so that they can improve their incomes in comparison with pre-Project levels.
- Before the completion of engineering design, prepare a final LARP I that (i) adequately
  addresses all involuntary resettlement issues pertaining to the Project, (ii) describes
  specific mitigation measures that will be taken to address the issues, and (iii) ensures the
  availability of sufficient resources to address the issues satisfactorily.
- Consult with Affected persons identified after the formulation of the final resettlement plan
  phase I and inform them of their entitlements and relocation options. Supplementary
  resettlement plan or a revised resettlement plan should be submitted to ADB for review
  before any contracts are awarded.
- Use qualified and experienced experts to prepare the social impact assessment and the resettlement plan.

## 6.2.4. Information disclosure

- Submit the following documents to ADB for disclosure on ADB's website: (i) a draft resettlement plan and/or resettlement framework endorsed by the borrower/client before Project appraisal; (ii) the final resettlement plan endorsed by the borrower/client; (iii) a new resettlement plan or an updated resettlement plan, and a corrective action plan prepared during Project implementation, if any; and (iv) the resettlement monitoring reports.
- Provide relevant resettlement information in a timely manner, in an accessible place and in a form and language(s) understandable to affected persons and other stakeholders. For illiterate people, use other suitable communication methods.

## 6.2.5. Consultation and participation

- Conduct meaningful consultation with APs, their host communities, and civil society
- Pay particular attention to the need of disadvantaged or vulnerable groups, especially those below the poverty line, the landless, the elderly, female-headed households, women and children, Indigenous Peoples, and those without legal rights to land.

#### 6.2.6. Grievance redress mechanism

• Establish a responsive, readily accessible and culturally appropriate mechanism to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other Project impacts, paying particular attention to the impacts on vulnerable groups.

## 6.2.7. Monitoring and reporting

 Monitor and measure the progress of implementation of the resettlement plan. For Projects/sub-Projects with significant LAR impacts, qualified and experienced external experts are retained to verify internal resettlement monitoring information. If any significant involuntary resettlement issues are identified, prepare a corrective action plan to address such issues. Do not proceed with implementing the Project until such planning documents are formulated, disclosed and approved.

## 6.2.8. Unanticipated impacts

 If unanticipated involuntary resettlement impacts are found during Project implementation, conduct a social impact assessment, update the resettlement plan or formulate a new resettlement plan

## 6.2.9. Special considerations for indigenous peoples

 Avoid physical relocation of Indigenous Peoples that will result in adverse impacts on their identity, culture, and customary livelihoods. If adverse impacts cannot be avoided, formulate a combined Indigenous Peoples plan and resettlement to meet all relevant requirements specified under ADB Safeguard Requirements 3: Indigenous People.

## 6.2.10. Negotiated settlement

- Acquisition of land and other assets through a negotiated settlement whenever possible is encouraged.
- Negotiated settlements that would result in expropriation are subject to third-party validation to ensure that the compensation is based on fair price (replacement cost of land and/or other assets, and is based on meaningful consultation with APs).

## 6.3. Policy differences and reconciliation

98. A summary comparison between the Uzbekistan law and regulation and ADB policies, and reconciliation provisions to fill the gaps is presented in Table 6.1 below:

Table 6.1: Comparison of ADB resettlement safeguards with Uzbekistan law and regulation for land acquisition and resettlement

ADB Safeguards requirements	UZBEKISTAN law and regulation for land acquisition and resettlement	Reconciliation
AHs are to be informed/ consulted on resettlement/ compensation options.	The Law and regulation do not provide for consultation.	In this Project, AHs were consulted through group meetings and individual meetings. The LARP summarized in to leaflet in local language and distributed through Land Resources and Cadastre Department or Farmers Council.
AHs to be compensated and assisted, so that their economic/social future would be generally as favorable as it would have been in the absence of the Project.	The Law and regulation provide for compensating for loss on land right, buildings, crops, trees and other assets. However, it is not clear on how income losses of workers, severely and vulnerable AHs are to be compensated.	This Project will provide compensation for loss of land lease, structures and crop losses. In addition, allowance will be also provided for severe impact and vulnerable AHs (see entitlements section for details).
Compensation is to be provided in full at replacement rates	The mandates compensation at replacement rates through provision for land for land. However, replaced land location is not always taken into consideration.	Under this LARP land for land compensation will take into account location of replaced land parcel. Allocated land parcel should be in same farming, living and / or working community and distance agreeable by AH.
Lack of formal legal title by some affected groups should not be a bar to compensation or rehabilitation.	Compensation is provided only to title /registered holders.	The issue is not relevant for agricultural land for this LARP, because, all farmers affected by the land acquisition are title holders. In case of untitled / unregistered land use / houses, IA will ensure its legalization to make eligible for compensation.
ADB safeguards provide for rehabilitation allowances for, severe impacts, vulnerable APs.	The UZB law and regulation does not provide for the ADB required allowances.	In this project, allowances for severe impact and vulnerable AHs will be provided (see entitlements section for details).

## VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

99. This chapter details the eligibility and entitlements for compensation for assets affected by the project.

## 7.1. Eligibility and cut-off date

100. Compensation eligibility will be limited by a **cut-off date** established based on the last day of the census of AHs and IOL. Therefore cut-off date for Pastdargom district is **May 06, 2013** and for Nurobod district **July 10, 2013**. Households who settle in the affected area and/or make any improvements on land parcel to be acquired for the project after the cut-off date will not be eligible for compensation. They will, however, be given sufficient advance notice requesting them to vacate land parcels and dismantle affected structures prior to project implementation. Their dismantled structures will not be confiscated and will not be subject to fine or compensation.

## 7.2. Legalization and registration of land lease / possession

101. To enable the Project to compensate unregistered land users under Uzbekistan laws, representatives from the Land Resources and Cadastre Office will advise affected land users to register or update the registration of their lands. Under the LARP those who have unregistered land will be legalized and registered prior to compensation. The EA will facilitate the legalization and registration process and refund paid registration fees if such a case.

## 7.3. Compensation and valuation of assets

102. This section details the entitlements for compensation for assets affected by the project.

#### 7.3.1. Land

103. Compensation for permanent land acquisition of agricultural land will be on a "land for land" basis, with land being provided to owners by the local khokimiyat following assessment by the LARC8. Such land will be of equal value/productivity in a nearby location and with comparable associated services/facilities, or compensation to provide such services. Transaction costs, registration fees, if any, will be borne by Uzbekenergo.

104. The "land to land" compensation strategy shall not create secondary Land acquisition and resettlement (LAR) impact. The land cannot be granted to AHs by terminating the lease of other households for the purpose of compensating within this Project thus creating secondary LAR impact.

105. Alternatively, monetary compensation for agricultural land at replacement cost will be provided. The compensation for the permanent loss of land use rights over the affected agricultural land will be compensated equivalent to 4 years net average income of the past 3 years (of the affected annual crop)<sup>9</sup>.

106. In cases where in all or parts of the lease holding become unviable, unaffected portions of a plot will also be compensated.

107. Severe loss of agricultural land. In the case of severe impact, where more than 10% of a productive asset (leased and unleased land) is to be acquired, a severe impact allowance will be paid. This will be equal to the net income from an annual crop production on the affected land area (inclusive of winter and summer crop in addition to standing crop compensation). This is in addition

<sup>&</sup>lt;sup>8</sup> Agricultural land is mainly assessed by one of governmental organizations, such as Land resources and cadastre department (LRCD) or State Scientific Land Design Institute (SSLDI). In this project agricultural land will be assessed by LARC.

<sup>&</sup>lt;sup>9</sup> The payment of compensation will be defined by conclusion of LRCD or SSLDI in terms of annual crop existence.

to the compensation for land loss. In case there will be no crops on agricultural land then one-time additional allowance equivalent to 3-month minimum wage income will be paid for AHs.

- 108. Alternatively, monetary compensation for residential, commercial and agricultural land at replacement cost will also be provided to those AHs losing a small proportion of land holding and not wanting replacement land in lieu for the same.
- 109. In case where AHs such as cropping farms, orchard owners intend to voluntary give up affected land and reject the land to land compensation by their own will then letter of refusal shall be provided in hand written and signed form. PMU will collect these letters to proof during the independent monitoring visits.

#### 7.3.2. Structures

110. Buildings (registered or not) will be compensated at full replacement cost without application of depreciation. For partial impacts (structure wall, fences etc), monetary compensation at replacement rates will be paid to restore the remaining structure to its original state. Unaffected portions of a structure will also be compensated if they become unlivable after impact occurs.

# 7.3.3. Crops and Trees

111. Loss income from crops planted on the affected land will be compensated in monetary value at replacement cost based on 1 year of production cost (inputs) plus an allowance equivalent to 1 year average net income computed based on the average income over the past 3 years. Loss income from fruits trees will be compensated in monetary value based on the average annual income for the past 3 years multiplied by the remaining productive life of the fruit bearing trees. In the case of loss of timber trees, compensation will be based on the market value of their dry wood volume. The compensation for trees will be free of deduction for the value of the wood left to the AH. District LARC will be acting as competent government authority for monitoring of all valuation process of crops and trees.

### 7.3.4. Vulnerable Households

112. Vulnerable households will be provided with a one-time additional allowance equivalent to their 3 month average household income. In addition, members of vulnerable households will also be prioritized in project related employment. The Mahallas and district governments have a record of all households in the communities and will be tapped in identifying and certifying vulnerable households.

## 7.4. Compensation estimation process

- 113. All compensation estimates of the property and assets will be at the replacement value. The LARP sets eligibility and entitlement provisions establishing compensation rates in accordance with guidelines from the GOU and ADB SPS 2009.
- 114. Structures and buildings will be valued through calculating the replacement cost based on cost of materials, type of construction, labor, transport and other construction costs as on date. No deductions will be applied for depreciation or transaction costs. The cost of reconnection of lost water, electricity, gas and telephone connections will be included in the compensation (the new land sites are assumed to have similar services available). Salvaged materials will be allowed to be taken away by the AHs prior to demolition at no charge.
- 115. Assessment of the affected structures will be done by a certified valuation expert requested either by the AHs or Uzbekenergo. If AHs paid fees for valuation service then Uzbekenergo will reimburse to AHs.
- 116. To determine replacement costs for affected assets, where it is possible to undertake replacement cost surveys, which in Uzbekistan is restricted to houses, other physical structures

and land not classified as agricultural land, the Project will base it estimates on current cost estimates of construction markets in Samarkand region. The Department of the Land Resources and Cadastral Department may be consulted for undertaking survey.

117. All compensation and assistance to be provided for this project is summarized in the entitlement matrix below (See Table 7.1).

Table 7.1: Entitlements Matrix

Туре	Specifications	Affected HHs	Entitlement
A. Impact on	-		
A.1. Agriculture land	All land losses independent of impact severity.	Leaseholders	<ol> <li>Land for land compensation with plots of equal value/productivity class, comparable location, and agricultural support services (or compensation to provide such services); OR         Monetary Compensation at replacement cost by providing compensation for loss of land use rights equivalent to 4 years of the net average income of the past 3 years (of the affected annual crops.)</li> <li>Unaffected portions of an affected arable plot will also be compensated, if the same becomes unviable after impact.</li> <li>Transaction cost, registration fee, related to new plot allotted, to be will be</li> </ol>
Land for reclamation of new land	Cropland, orchard, state reserve land, pasture and other classified as agricultural land	Special account of Provincial Department for Land Use and State Cadastre of the Samarkand province.	borne by Uzbekenergo.  1. Compensation is to be paid to develop new lands or through irrigation and agro-irrigation activities to raise the productivity of existing lands in accordance with the unit rate set by Cabinet of Minister Resolution # 146 and in case of absence such value category of agricultural land such as pasture, reserve land and others will be calculated by application of special unit rate set by this Resolution. The period for rehabilitation of under-received products shall be considered as being equal to four years, during which the land plot shall be selected for development of new lands or for irrigation improvement of existing irrigated lands.
A.2. Residential / Business /Orchard land	Land Loss	Lifelong inheritable possession/ permanent possession	<ol> <li>Land for land compensation through provision of a land plot comparable in value/location to the plot lost including services (or compensation to provide such services) to plots lost with registration and transfer charges if any to be borne by the project; OR Monetary Compensation at replacement cost to be determined by the Independent Valuer.</li> <li>Unaffected portions of a plot will also be compensated if they become unviable after impact occurs.</li> <li>All mandatory fees for registering the land, completion of required house design, surveys, acquiring permission for construction under the AHs name and any other related costs will be paid</li> </ol>

Туре	Specifications	Affected HHs		Entitlement
				by Uzbekenergo.
	Additional provision in case of severe impacts (more than 10% loss of productive assets)	Leaseholders Lifelong inheritable possession/ permanent possession	1.	One time additional allowance equal to the net income from an annual crop production on the affected land area (inclusive of winter and summer crop in addition to standing crop compensation).  In case there is no crops on agricultural
				land and on in case of residential land then,
			2.	One-time additional allowance equivalent to 3-month minimum wage income.
B. Impact on				
Residential / Business and any other structures	Full or partial loss of structures	Ownership		Monetary compensation at full replacement rate for affected structure/fixed assets free of salvageable materials, depreciation and transaction costs. OR Construct a house/building with granting full ownership to AH. Salvageable material will be allowed to be taken away by owner at no extra cost. Cost of replacing existing water, electricity, gas and phone connections will be included in the compensation. In case of partial impacts on structures (structure wall, fences etc), monetary compensation at replacement rates to restore the remaining structure. Unaffected portions of the structure will also be compensated at replacement value if they become unviable after impact.
	Crops and Trees		1	
Agriculture land, orchard, within residential complex	Loss of crops  Loss of fruit trees	All AHs  All AHs (including	1.	Monetary compensation at replacement cost for primary (and secondary crops if any) on affected land based on 1 year of production costs (inputs) plus an allowance equivalent to 1 year average net income based on the average income over the past 3 years.  Monetary compensation for fruit trees
	Loss of fruit frees	non leased land owner)	2.	will be based on the average annual income for past 3 years multiplied by the 4 years. Felled trees will be kept by the AHs.
	Loss of timber trees	All AHs	1.	Monetary compensation for timber trees will be compensated based on market value of dry wood volume. OR Production costs (inputs) of trees till to cut date. Felled trees will be kept by the AHs.
D. Impact on	lncome and Livelih	ood	۷.	i ched trees will be kept by the Airis.
Employment from affected agricultural land	Loss of employment from affected agricultural land	Agricultural workers losing their contract	1.	Monetary indemnity corresponding to their salary (in monetary value and in kind) for the remaining part of the agricultural year/or contractual period whichever is higher in monetary value.
E. Vulnerable	Households		I .	

Affected Households with fewer than 2 adult income-earners, the elderly headed HHs with unemployed family members and disabled)  F. Impact on Community Structures and Assets  Community Structures  Community Structures  Community Structures  Assets  Households, female-headed household income  4. Priority for employment in project-related jobs, training opportunities, self-employment and wage employment assistance.  1. Rehabilitation/replacement of affected structures/utilities (i.e. footbridges,	Туре	Specifications	Affected HHs		Entitlement
Community Loss or damage Community owned 1. Rehabilitation/replacement of affected structures to public Assets structures/utilities (i.e. footbridges,	Affected		households, female-headed households with fewer than 2 adult income-earners, the elderly headed HHs with unemployed family members <sup>10</sup> and		equivalent to their 3 month average household income Priority for employment in project-related jobs, training opportunities, self-employment and wage employment
Structures to public Assets structures/utilities (i.e. footbridges,	F. Impact on C	Community Structur	es and Assets		
utility pipelines, power transmission lines etc.) to pre-Project level.	Community Loss or damage Community owned Structures to public Assets and Assets infrastructure and utility				roads, communication lines, water pipelines, power transmission lines etc.)
G. Any unanticipated impacts					

Any unanticipated impacts identified during Project implementation will be compensated in full at replacement rate.

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<sup>10</sup> In case of unemployed APs, paper (proving) from local Labour authorities is required.

#### VIII. INCOME RESTORATION AND REHABILITATION

118. Income restoration and rehabilitation plan includes improving the livelihood of AH whose income would be adversely affected by the project to either at par or better than the pre project conditions. The AH who would be incurring impact on 10% or more of their productive assets will be eligible for income restoration assistance and support from the project.

#### 8.1. Severely affected AHs

119. This Project will not have any physical displacement of residential assets and cause unemployment on affected farms. Construction of PV power plant will affect land acquisition of 304.2 ha from 3 AHs, by having impact from 29.2% to 41.5% from their total land. Two AHs during the consultations expressed willingness to give up all required land without land to land compensation While 1 AH requested compensation for the structure only. However, they requested to deduct this to be acquired land area from taxable amount of land on their balance. Construction of access road and 220 kV transmission line will not have any severely impact. All severely affected households will be entitled severely affected allowances in accordance with the entitlement matrix in this LARP.

#### 8.2. Rehabilitation and livelihood improvement

- 120. As it was mentioned in previous sections, this Project will not have any physical displacement of residential assets and cause unemployment on affected farms.
- 121. However, if after detailed design and update of this LARP will be identified AHs with employment impact then losing employment APs will be eligible for rehabilitation and livelihood improvement support from the local authority in frame of the project's civil works. In order to be eligible for rehabilitation and livelihood improvement support, APs before registering at local labor agency as unemployed will need to register at PMU. In this case PMU will be able to monitor progress of APs application at local labor agency and in case of problem assist to resolve appeared issues.
- 122. PMU of the EA will be responsible for planning and implementing above described support measures. For that purpose, PMU will closely work with Mahalla, Khokimiyats, Land Resources and Cadastre Department and local labor agencies for effective implementation of income restoration strategy. A detailed action plan will be prepared and submitted to ADB before start of civil works at affected land parcels.

### IX. RESETTLEMENT BUDGET AND FINANCING PLAN

- 123. This chapter provides an itemized budget for all resettlement activities, including all compensation and assistance and cost for implementation of LARP.
- 124. In order to ensure that sufficient funds are available for LAR tasks, the Uzbekenergo as the EA will allocate 100% of the cost of compensation at replacement cost and expected allowances estimated in each LARP plus contingencies before LARP implementation. EA will compensate all compensation by their own resources. PIU will be responsible for timely allocation of the funds to implement the LARPs. The PIU will provide compensation for lost assets and other allowances in accordance with the entitlements agreed in the LARP and reflected in the Entitlement matrix.
- 125. The details of the compensation cost for each category of impact are provided in the following subsections. Enumerated compensation costs are estimated on approximate manner, therefore numbers have to be updated and confirmed through valuation by licensed firms and request of tax/income statements before disbursement of compensation and assessment of actual impact.

## 9.1. Agricultural land

126. The compensation for the **permanent loss of land** use rights over the affected agricultural land has been determined using the following formula:

Compensation = Total agricultural area affected by LA X 4 net income based average net income of the last 3 year<sup>11</sup>.

127. Data for calculation of compensation is obtained from affected farmers, District Land Resources and Cadastral Department and District Statistical Department. Based on the same, the compensation for cropping farms is enumerated in following Tables below.

Table 9.1: Compensation for cropping farms of PV power plant area

ID	Affected land, ha	Unit price, UZS/ha	Total compensation UZS
AH-1	199.2	135,000	26,892,000
AH-2	35.0	180,000	6,300,000
AH-3	70.0	180,000	12,600,000
Total	304.2		45,792,000

Table 9.2: Compensation for cropping farms of access road area

ID	Affected land, ha	Unit price, UZS/ha	Total Compensation. UZS (x 4 years)	Type of crop
AH-4	0.01	855,000	34,200	wheat
AH-6	0.64	855,000	2,188,800	wheat
AH-7	0.07	1,655,000	463,400	cotton
AH-8	0.39	855,000	1,333,800	wheat
AH-10	0.20	1,500,000	1,200,000	corn
Total	1.31		5,220,200	

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<sup>&</sup>lt;sup>11</sup> The payment of compensation will be defined by conclusion of LRCD or SSLDI in terms of annual crop existence.

Table 9.3: Compensation for permanent land loss in TL area

ID	Affected land, ha	Unit price. UZS/ha	Total Compensation. UZS (x 4 years)
AH-12	0.023	180,000	16,560
AH-13	0.080	180,000	57,600
AH-14	0.125	180,000	90,000
Total	0.228		164,160

128. The compensation for the **temporary loss of land** use rights over the affected agricultural land is determined by the following formula:

Compensation = Total agricultural area affected by LA X 1 net income based average net income of the last 3 year. Multiplication for 1 is the construction period of less than 1 year.

129. Data for calculation of compensation is obtained from affected farmers, District Land Resources and Cadastral Department and District Statistical Department. Based on the same, the compensation for cropping farms is enumerated in following Tables below.

Table 9.4: Compensation for temporary land loss in TL area

АН	Affected land, ha	Average net profit, UZS/ha	Total Compensation, UZS (x 1 year)
AH-12	0.12	180,000 <sup>12</sup>	21,600
AH-13	0.45	180,000	81,000
AH-14	0.75	180,000	135,000
TOTAL	1.32	180,000	237,600

- 130. In total 401,760 UZS will be paid to the account of cropping farms for loss of permanent and temporary lose of crops. Additionally, special rehabilitation assistance in the form of exempting the permanently affected land plot out of cropping farms land balance will be provided. According to the entitlements, AHs will be offered land to land compensation.
- 131. The affected land under ROW was not included in the resettlement budget due to no crops will be damaged within ROW. This strip is needed to conduct cables of 220 kV for temporary period. After stringing the cables the area of ROW will be returned to the owners for further use as of pre project condition.

#### 9.2. Trees

- 132. Fruit trees will be compensated at replacement cost equivalent to the 1 year net income. No fruit bearing period has been applied since the fruit trees are young and not fruit bearing stage. However, after final design the LARP will be updated then calculation should be based on the entitlements for trees described in this LARP.
- 133. The timber trees will be compensated at the rate equal to the market value and costs to grow trees until the time when the trees need to be cut. The compensation for the affected trees will be free of deduction for the value of the timber left to the affected households.

<sup>&</sup>lt;sup>12</sup> The compensation amount is based on the average net profit per ha derived from the data during the SES of cropping farms. All cropping farms in TL area have the same type of land.

Table 9.5: Compensation for tree of access road area

ID	Affected trees	Unit price. UZS/tree	Total Compensation. UZS	Tree
AH-5	215	12,000	2,580,000	mulberry
AH-9	50	14,000	700,000	poplar
AH-11	500	6,000	3,000,000	poplar
Total	765		6,280,000	

134. In total 6,280,000 UZS needs to be paid affected households (Table 9.5) in monetary value for their cut trees. The payment will be paid in accordance with the final LARP that will be based on final detailed design and the valuation report valued by independent valuator.

## 9.3. Houses / buildings / other structures

135. Demolished structures will be valued at the estimated replacement rate based on construction materials and size together with of labor, transport/other construction costs. No deduction for depreciation/transaction costs has been applied. The estimate additional allowance is based on the assumption that all unregistered land and structures can be converted into titled landholdings. The Valuation has taken into account view of the affected households through consultation, market replacement value based comparable sales approach and cost of construction. Table 9.6 describes compensation for affected structures respectively.

Table 9.6: Compensation for Structures of PV Power Plant area

ID	Affected structure size, sq.m.	Unit price, UZS/sq.m.	Total compensation UZS
AH-1	675	14,829.6	10,010,000

136. In total 10,010,000 UZS shall be paid in monetary form to AH-1.

#### 9.4. Compensation payment for land use change

137. As per COM Resolution # 146 (2011) compensation needs to be paid for transfer of agricultural land to non-agricultural land. This compensation payment is used to develop new land for agriculture purpose and restore the pre-Project amount of land available for agricultural production (Table 9.7).

Table 9.7: Compensation for new land reclamation and development. PV Power plant area (Pastdargom district)

Type of Land	Affected land, ha	Unit price, UZS/ha	Total compensation UZS
Rainfed	230	825,000	189,750,000
Pasture	24	160,400	3,849,600
Total	254		193,599,600

138. In this calculation of compensation 1 ha of land was excluded since this land is under "other" type that is not subject for compensation.

Table 9.8: Compensation for new land reclamation and development. PV Power plant area (Nurabad district)

Type of Land	Affected land, ha	Unit price, UZS/ha	Total compensation UZS
Rainfed	140	825,000	115,500,000
Pasture	4.2	160,400	673,680
Total	144.2		116,173,680

139. In this calculation of compensation 5.8 ha of land was excluded since this land is under "other" type that is not subject for compensation.

Table 9.9: Compensation for new land reclamation and development. Access road area

Type of Land	Affected land, ha	Unit price, UZS/ha	Total compensation UZS
Irrigated land (soil bonitet 55)	1.56	23,661,000	36,911,160
Total			36,911,160

Table 9.10: Compensation for new land reclamation and development. TL area

Type of Land	Affected land, ha	Unit price, UZS/ha	Total compensation, UZS
Rainfed	0.48	825,000	396,000
Total			396,000

140. In total 347,080,440 needs to be paid for the special account for Land reclamation and development under Samarkand Regional Land Resource and State Cadastre Department (RLRSC). The exact amount of the compensation will be determined after the provision of approved detail design and in accordance with the decision of Samarkand RLRSC that will be described in the Decree of Samarkand Regional Khokim and this amount can be decreased or increased.

#### 9.5. Relocation and Additional Assistance

141. Affected household that needs physically displace his structure as a result of the Project is entitled to relocation allowance of 1,000,000 UZS assistance to hire transportation. In cases where an AH requires support which would typically involve the provision of labor for dismantling of house/building and transportation of materials, Uzbekenergo will provide the necessary support in addition to seeking assistance from the local Khokimiyat to acquire a new land plot. All the relocation and additional assistance to be paid to different category of households is detailed in Table below:

Table 9.11: Compensation for severely AH

АН	Allowance period, month	Unit price. UZS	Total compensation UZS
AH-1	3	79,590 <sup>13</sup>	238,770
AH-2	3	79,590	238,770
AH-3	3	79,590	238,770
Total			716,310

142. In total 716,310 UZS needs to be paid to the account of farmers which has significant impact by permanent land acquisition for PV plant area (AH-1-2-3).

# 9.6. Public and community assets

143. All affected (dismantling and rerouting) public and private infrastructure costs will be covered or restored by Uzbekenergo.

# 9.7. Summary Budget

144. The tentative LARP Budget is around **US\$ 240,000** (two hundred forty thousand). The detailed budget items are summarized in Table 9.12 below.

Table 9.12: Summary Budget

Subproject	Description	Cost Estimate UZS	Cost Estimate USD
	(A) Direct cost		
	Land reclamation - (Pastdargom district)	193,599,600	92,856
	Land reclamation - (Nurabad district)	116,173,680	55,720
PLANT	Permanent crop loss	45,792,000	21,963
AREA	Structure demolition	10,010,000	4,801
	Land reclamation	36,911,160	17,704
ACCESS	Permanent crop loss	5,220,200	2,504
ROAD	Tree loss	6,280,000	3,012
	Land reclamation	396,000	190
	Permanent crop loss	164,160	79
220 kV TL	Temporary crop loss	237,600	114
	Sub Total (A)	414,784,400	198,942
	(B) Indirect cost		
PV Power	Additional Support for Severely Affected HH	716,310	344
Plant	Relocation for structure	1,000,000	480
	Duties & Fees	6,000,000	2,878
	Sub Total (B)	7,716,310	3,701
	(C) Administrative costs		

<sup>&</sup>lt;sup>13</sup> The rate shall be revised in accordance with the current rate of minimum wage of Uzbekistan to the date of payment.

Grand Total	500,388,000	240,000
Contingency cost	45,887,665	22,009
Total of (A)+(B)+(C)	454,500,710	217,991
Sub Total (C)	32,000,000	15,348
LARP update	18,500,000	8,873
Monitoring and evaluation (external, internal)	13,500,000	6,475

#### X. INSTITUTIONAL ARRANGEMENTS

- 145. This chapter provides a comprehensive assessment of institutional capacity and resource capability for preparing, implementing, and monitoring resettlement activities, and describes additional measures necessary to enhance institutional capacity. It describes the organizational procedures for delivering entitlements; and describes the implementation process, including how resettlement preparation, approval, and implementation will be linked to contract awards and the start of the project's civil works.
- 146. Uzbekenergo will have overall responsibilities to implement LARP as executing agency (EA), and Uzbekenergo will provide all budget to implement LARP. Uzbekenergo has adequate experience in dealing of implementing LARP for their projects funded by international financial institutions and has a staff who has knowledge and understanding on how LARP is prepared and implemented. There are other governmental agencies that will also be involved in LAR activities such as the local khokimiyat of Pastdargom district as well as branch offices/departments of Goskomzemgeocadastre (Land Resource and Cadastre Committee represented in District Acquisition and Valuation Committee and District Land Acquisition and Resettlement Committee).

#### 10.1. Uzbekenergo – PMU

- 147. The Uzbekenergo will have overall responsibility for all aspects of the program. The Project Management Unit (PMU) within Uzbekenergo will be responsible for the day to day management of the Project including cross-agency coordination, and via the PMU Resettlement Consultant (RC) for LARP implementation and monitoring the compensation and disbursement.
- 148. The RE under the PMU will be directly involved in all LAR related planning, implementation, inter-agency coordination, monitoring and reporting. The RE will receive support from the relevant project consultants and benefit from inputs from the Design Institute (DI), district / city executive authority and land resources and cadastre department as appropriate.
- 149. After approval of this LARP, the PMU through Uzbekenergo central administration office will request local khokimiyat in Pastdargom and Nurabad districts avoid reallocation of affected land parcels to any other parties.

## 10.2. Design Institute (DI)

- 150. The Design Institute will be in charge of elaborating the design and construction documents for the project. It will collaborate and work closely with the PMU/RE to:
  - (i) look for measures and alternatives to avoid and minimize land acquisition and resettlement impacts;
  - (ii) assemble all documents required for compensation;
  - (iii) carry out topographic surveys of the expropriated land and replacement lands;
  - (iv) elaborate layouts indicating the location of the worksites and the permanent infrastructures and the perimeter of the required surfaces differentiating the land use patterns in the areas being occupied to serve as a base for the selection of compensation land;
  - (v) Conduct land marking and pegging of the land assigned for temporary use and permanent occupation of acquired land.

#### 10.3. Land resources and cadastre department

- 151. This is a permanent department at District levels. However it plays an enhanced role throughout implementation. It is responsible for:
  - (i) identifying land losses incurred by land owners and land users plus agricultural output losses;
  - (ii) determining the degree and area of land restitution, including removal and temporary storage of productive soil layer;
  - (iii) determining the need for protective sanitary and water protection zones around constructions;

- (iv) preparing proposals on allocation of land plots of equal value under land for land;
- (v) investigating alternatives to acquiring currently used land through developing unused land;
- (vi) approving the Implementation Act and the attached plan;
- (vii) amending government edicts on land use and land ownership as well as other cadastre documents.

### 10.4. Pastdargom and Nurabad district khokimiyats

- 152. Pastdargom and Nurabad district khokimiyats will be closely involved in the LARP review and implementation. Particularly khokimiyats will not allow reallocation and transfer of affected land parcels to any other parties. Khokimiyats will form the Land Acquisition and Evaluation Commissions. These will form a district land acquisition and resettlement committee (DLARC) which will undertake the following:
  - (i) outline locations of constructions and structures affected by the project;
  - (ii) select land for construction sites;
  - (iii) prepare and approve legislation for the right (lease) to use land plots and;
  - (iv) approve the decree for the right to use the land plot.
- 153. In addition to permanent members, the Commission may include representatives of Uzbekenergo, as well as affected legal entities and individuals. It is proposed that Land Acquisition and Valuation Commission as part of the DLARC composed of the following members:
  - (i) Uzbekenergo PMU
  - (ii) Local Department of Agriculture and Water Resources
  - (iii) Local Department of Environmental Protection
  - (iv) Organizations to which the alienated land has been transferred for use (Uzbekenergo as EA, PMU/RE and DI).
  - (v) Mahalla leaders, NGO, Dehkan Association (as relevant)
  - (vi) Representatives of the affected people
- 154. Farmer's and Dehkan Associations (FDA) and Mahalla authorities will be involved in resettlement activities to ensure the rights and interests of affected households.
- 155. Implementation of LARP will require close coordination with the local Mahalla and farmer associations. This coordination will help Uzbekenergo in the following:
  - (i) Dissemination information related with LARP:
  - (ii) Checking timely disbursement of compensation to displaced HHs;
  - (iii) Obtaining early warnings on the grievances of displaced HHs;
  - (iv) Verifying as to whether the Vulnerable displaced HHs were identified according to requirement laid down in this LARP; and
  - (v) Obtaining information regarding any unexpected impacts, if any, being incurred by the displaced HHs.

#### 10.5. Independent valuation firms

156. Independent valuation firms will comprise of an accredited private firm with valid license for valuation activities. These firms will be involved both by displaced households and if required by the PMU to estimate the replacement cost of the affected assets.

#### 10.6. External monitoring

157. Implementation of the LARP will be subject to external monitoring. This external monitoring will be conducted by a qualified External Resettlement Consultant to be engaged by the PMU as per the Terms of Reference, which should be approved by ADB. The monitoring aspect of LARP implementations is discussed in detail in Section XII of this LARP.

158. Figure 10.1 below illustrates the Institutional and Project Implementation arrangement for this Project.

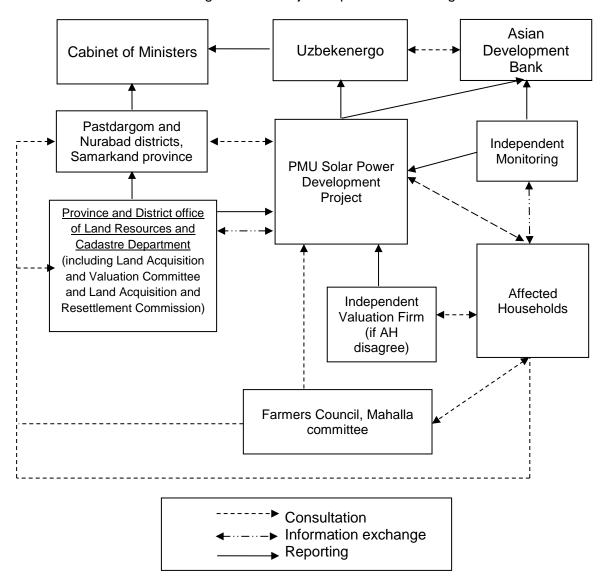


Figure 10.1: Project implementation diagram

# XI. IMPLEMENTATION SCHEDULE

159. This chapter includes a detailed, time bound, implementation schedule for all key land acquisition and resettlement activities synchronized with the project schedule of civil works construction.

Table 11.1: Steps for LAR Activities

Step	Action	Responsibility	Timing
Α	LARP PREPARATION		
1.	LARP Disclosure to AHs	Uzbekenergo	September 2013
2.	Submission final draft LARP for ADB approval	Uzbekenergo	September 2013
В	LARP IMPLEMENTATION		
1.	Updating LARP	Uzbekenergo / PMU	after finalizing detailed design
2.	Preparation of plan for compensations including schedule for compensation action plan	PMU	after updated LARP approved by ADB
3.	Public consultation and information sharing on LAR activities	PMU	prior to providing compensation to APs
4.	Payment compensation to AHs / APs	Uzbekenergo and PMU	prior to awarding contract award for any civil works that require land acquisition
5.	Making available new land parcel and signing land lease contract	Uzbekenergo and Pastdargom and Nurabad districts khokimiyat	prior to awarding contract award for any civil works that require land acquisition
6.	Updating LARP	Uzbekenergo / PMU	after finalizing detailed design
7.	External Review of LARP Implementation through submission of a compliance report	External Resettlement Consultant	Has to start after APs received compensation
8.	Construction works	After payment of all compensation Report	ons and Compliance
С	MONITORING		
1.	Internal monitoring: Reporting to ADB	PMU	Continuous during the project
2.	External Monitoring: Reporting to ADB	Independent Resettlement Expert	after completion of implementation

#### XII. MONITORING AND REPORTING

- 160. While effective institutional arrangements can facilitate implementation, effective monitoring ensures that the course and pace of implementation continues as originally planned. Monitoring is important for ensuring that the LARP is effectively implemented, unforeseen impacts related with land acquisition activities can be identified and appropriate measures to address the same can be taken in a timely manner.
- 161. The monitoring mechanism for the LARP shall comprise of both internal and external monitoring. While internal monitoring as a mechanism will be carried out in parallel to project implementation and at different stages respectively, external monitoring will be carried out by an External expert to verify the effective implementation of the LARP as well as the monitoring data collected by the PMU. The specific details of internal and external monitoring are summed up below:
- 162. The implementation of LARP will be monitored by the Resettlement Consultant of the PMU in close coordination with local khokimiyat and CBOs. The External Resettlement Consultant will verify the results of the internal monitoring.

#### 12.1. Internal monitoring

- 163. Internal monitoring will be the responsibility of the Resettlement Consultant of the PMU. The internal monitoring will include the following:
  - (i) Administrative monitoring: daily planning, implementation, feedback and troubleshooting, individual displaced person database maintenance, and progress reports;
  - (ii) Socio-economic monitoring: case studies, using baseline information for comparing displaced persons socio-economic conditions, evacuation, demolition, salvaging materials, morbidity and mortality, community relationships, dates for consultations, and number of appeals placed; and
  - (iii) Impact evaluation monitoring: Income standards restored/improved, and socioeconomic conditions of the displaced persons.
- 164. The indicators for internal monitoring will be subject related to immediate activities for LARP implementation and its outputs and results. This information will be collected directly from the field and from the District Land Acquisition Committee. It will be used to assess the progress and results of LARP implementation, and to adjust the work program, if necessary. The quarterly reports will be incorporated in the standard supervision reports to ADB. These monitoring activities will continue until land acquisition is completed. Internal monitoring will need to be carried out continually after completing LARP implementation, and prepare the first semi-annual report, and the second and all subsequent semi-annual reports that will be submitted to the EA, IA management and ADB. The specific monitoring milestones will be:
  - (i) Information disclosure to AH;
  - (ii) Status of land acquisition and payments of compensation for land
  - (iii) Compensation for affected structures and other assets;
  - (iv) Relocation of AH;
  - (v) Payments for loss of assets:

#### 12.2. External monitoring

165. The External Resettlement Consultant will undertake several on-spot monitoring on a randomized basis and also prepare the LARP compliance report to record whether the LARP has been implemented and all displaced HHs have been compensated. The expert will monitor and verify LARP implementation to determine whether resettlement goals have been achieved, livelihood and living standards have been restored, and provide recommendations for improvement. In order to ensure that all displaced households are compensated prior to commencement of civil work, an external monitoring will be undertaken of the LARP, based on which a Compliance Report will be submitted to ADB, EA and IA.

- 166. It is preferred that the External Resettlement Consultant should come from academic or research institutions but the general rule is that it should not be party that prepares and implements the LARP. The Monitoring/Compliance report will be used by ADB and EA as a basis to issue notice to proceed with civil work activities to the contractor for site preparation. The report will be published on the website of the EA, IA and ADB. Independent monitoring will continue beyond the implementation periods of LARP.
- 167. Table 12.1 below provides an indicative set of monitoring indicators that shall help to evaluate effectiveness of implementation.

Table 12.1: Indicators for Outcomes and Impacts

- Satisfaction of land owners with the compensation and assistance paid
- Type of use of compensation and assistance by land owners
- Satisfaction of structure owner with compensation and assistance
- Type of use of compensation and assistance by structure owner
- % of APs provided project employment or otherwise
- % of APs with better income than before
- % of APs provided with alternatives lands for sites
- Types of grievances received
- No. Of grievances forwarded to GFP and time taken to solve the grievances
- % of APs aware about the GRM
- Household income of the vulnerable groups
- % of displaced persons satisfied with resettlement benefits and facilities.

168. The PMU will carry out a post-implementation evaluation of both phases of LARP about a year after completion of the implementation of LARP and report whether or not the objectives of the LARP have been attained. The benchmark data of socioeconomic survey of severely affected HH conducted during the preparation of the LARP will be used to compare the pre and post Project conditions. The PMU will recommend appropriate supplementary assistance for the displaced households if the outcome of the study shows that the objectives of the LARP were not achieved.

#### Annex 1

Table A.1: ID names of AHs and project types\*

AHs	ID	Type of AHs	Impact type
Farxod	AH-1	Farmer	Plant area
Allabobo	AH-2	Farmer	Plant area
Asqar Juraqulov	AH-3 <sup>14</sup>	Farmer	Plant area
Nayrang bobo	AH-4	Farmer	Access Road
Sharif Polvon	AH-5	Farmer	Access Road
Farxod Nurbek	AH-6	Farmer	Access Road
Quvonch	AH-7	Farmer	Access Road
Baxriddin sulolasi pahta dalasi	AH-8	Farmer	Access Road
Juraev Asad	AH-9	Tenant	Access Road
Shuhrat Safarov	AH-10	Tenant	Access Road
Sevara-Elyor	AH-11	Farmer	Access Road
Sanat Sharq Sunmas Chirogi	AH-12	Farmer	220 kV TL_In
Holishon Marvarid	AH-13	Farmer	220 kV TL_In
Bahrom Bobo Vafoqulov	AH-14	Farmer	220 kV TL_In
Yusupov Tuychi	AH-15	Residential	220 kV TL_Out
Jiyanov Zohid	AH-16	Residential	220 kV TL_Out
Narimanov Zokir	AH-17	Residential	220 kV TL_Out

<sup>\*</sup> The following cropping farms "Ettitepa", "Mulki Mahmud" had stopped their activities and belonging land was transferred to District Reserve Land. As a proof, farmers have provided termination certificates during census survey.

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 $<sup>^{14}</sup>$  AH-3 has two types of impact. 1) Power plant area and 2) 220 kV TL  $\,$ 

# **Socioeconomic Survey Questionnaire**

I. Basic Information				
1. Questionnaire No.:		2. Date (d/m/y):		
3. Name of Interviewer (First/Last/Patronymic):				
4. Region:		5. District: 6. Massive:		
7. Name of the respond (First/Last/Patronymic):				
	Mother			
II. Household Identific				
<ol><li>Name of the Head of (First/Last/Patronymic):</li></ol>		old		
10. Gender:	Male	□ Female		
11. Ethnic background:	□J	zbek □ Tajik □ Kazakh □ Kara ewish □ Russian □ Ukrainian □ Kore ether:	akalpak ean	
12. Religion:				
13. Address: (house No., street)				
14: Total area (ha):				
15. Number of buildings	S:			
16. Building area (ha):				
17. Do you consider yo	urself pa	rt of a minority? ☐ Yes ☐	No □ N/A	
18. Do you consider yo	urself dis	advantaged because of this? ☐ Yes ☐	No □ N/A	
19. How many other ho	useholds	s in your minority do you know?		
20. <b>Household Head (</b> (First/Last/Patronymic):	•			
a. Relationship:				
☐ Father ☐	Mother	☐ Brother ☐ Sister ☐ Other:		
b. Gender:	Male	□ Female c. Age:		
d. Marital status:  ☐ Married ☐	Single	☐ Divorced ☐Widowed ☐ Other:		
e. Education:   Cannot read and write   Elementary school   Other:				
f. Main occupation:				
g. Secondary occupation	n:			
h. Skills:				
i. Requires special care  ☐ Special care		led: Disabled □ Other:		

21. <b>Family member</b> (First/Last/Patronym				
a. Relationship:				
☐ Father	$\square$ Mother	□ Brother	☐ Sister	☐ Other:
b. Gender:	☐ Male	☐ Female	c. Age:	
d. Marital status:				
☐ Married	☐ Single	$\square$ Divorced	$\square$ Widowed	☐ Other:
e. Education: ☐ Cai ☐ Oth	nnot read and v ner:			
f. Main occupation:				
g. Secondary occupa				
h. Skills:				
i. Requires special ca	are of disabled: re   Disa		er:	
22. <b>Family member</b> (First/Last/Patronym	` '			
a. Relationship:				
☐ Father	☐ Mother	☐ Brother	☐ Sister	☐ Other:
b. Gender:	□ Male	☐ Female	c. Age:	
d. Marital status:				
☐ Married	☐ Single	☐ Divorced	□Widowed	☐ Other:
e. Education: ☐ Car ☐ Oth	nnot read and v			I ☐ High school
f. Main occupation:				
g. Secondary occupa	ation:			
h. Skills:				
i. Requires special ca			er:	
23. <b>Family member</b> (First/Last/Patronym				
a. Relationship:  ☐ Father	☐ Mother	□ Brother	□ Sister	☐ Other:
b. Gender:	☐ Male	☐ Female	c. Age:	
d. Marital status:				
☐ Married	☐ Single	☐ Divorced	□Widowed	☐ Other:
e. Education:   Can  Oth	nnot read and v			
f. Main occupation:				
g. Secondary occupa				
h. Skills:				
i. Requires special ca			ıer.	

24. <b>Family member</b> (First/Last/Patronym							
a. Relationship:							
□ Father	☐ Mother	□ Brother	☐ Sister	☐ Other:			
b. Gender:	☐ Male	☐ Female	c. Age:				
d. Marital status:			'	<u>'</u>			
☐ Married	☐ Single	☐ Divorced	□Widowed	☐ Other:			
e. Education: ☐ Cannot read and write ☐ Elementary school ☐ High school ☐ Other:							
f. Main occupation:							
g. Secondary occupa	ation:						
h. Skills:							
i. Requires special c □ Special ca	are of disabled re □ Disa		ner:				
25. <b>Family member</b> (First/Last/Patronym	-						
a. Relationship:  ☐ Father	☐ Mother	☐ Brother	□ Sister	☐ Other:			
b. Gender:	☐ Male	☐ Female	c. Age:				
d. Marital status:							
☐ Married	☐ Single	☐ Divorced	$\square$ Widowed	☐ Other:			
e. Education: ☐ Cal				I ☐ High school			
f. Main occupation:							
g. Secondary occupa	ation:						
h. Skills:							
i. Requires special c □ Special ca			ner:				
26. <b>Family member</b> (First/Last/Patronym							
a. Relationship:  ☐ Father	☐ Mother	☐ Brother	□ Sister	☐ Other:			
b. Gender:	☐ Male	☐ Female	c. Age:				
d. Marital status:							
☐ Married	□ Single	☐ Divorced	$\square$ Widowed	☐ Other:			
e. Education: ☐ Cal			mentary schoo				
f. Main occupation:							
g. Secondary occupa	ation:						
h. Skills:							
i. Requires special c	are of disabled	•					
☐ Special ca	re 🗆 Disa	abled 🗆 Oth	ner:				

27. <b>Family member</b> (First/Last/Patronym				
a. Relationship:				
□ Father	☐ Mother	□ Brother	☐ Sister	☐ Other:
b. Gender:	☐ Male	☐ Female	c. Age:	
d. Marital status:			·	<u> </u>
☐ Married	☐ Single	☐ Divorced	□Widowed	☐ Other:
e. Education: ☐ Cal	nnot read and v		mentary schoo	
f. Main occupation:				
g. Secondary occupa	ation:			
h. Skills:				
i. Requires special c □ Special ca	are of disabled re □ Disa		ner:	
28. <b>Family member</b> (First/Last/Patronym	` ,			
a. Relationship:  ☐ Father	☐ Mother	☐ Brother	□ Sister	☐ Other:
b. Gender:	☐ Male	☐ Female	c. Age:	
d. Marital status:				
☐ Married	☐ Single	☐ Divorced	$\square$ Widowed	☐ Other:
e. Education:   Cal  Oth				I ☐ High school
f. Main occupation:				
g. Secondary occupa	ation:			
h. Skills:				
i. Requires special c  ☐ Special ca			ner:	
29. <b>Family member</b> (First/Last/Patronym				
a. Relationship:  ☐ Father	☐ Mother	☐ Brother	□ Sister	□ Other:
b. Gender:	□ Male	☐ Female	c. Age:	
d. Marital status:			<u> </u>	
☐ Married	☐ Single	☐ Divorced	□Widowed	☐ Other:
e. Education: ☐ Car ☐ Oth	nnot read and v			
f. Main occupation:				
g. Secondary occupa	ation:			
h. Skills:				
i. Requires special c	are of disabled	:		
☐ Special ca	re 🗆 Disa	abled 🗆 Oth	ner:	

30. Average annual income of the fa	amily:			
III. Expenditure Pattern				
31. What are the main expenditures	of the h	ousehold?		
Expenditures			Amo	ount
a. Food				
b. For utilities (gas, electricity, etc.)				
c. Clothing				
d. Health				
e. Education				
f. Communication				
g. Social functions				
h. Agriculture (hiring tools, seed, etc	c)			
i. Other (specify)				
j. Total				
IV. Indebtedness				
32. Have you received any loans in section)	the last y	year? □ Y	'es □ No	(if "No" go to next
33. Source I: who issued you the lo	an? [	□ Bank	□ Private	☐ Other:
a. How much is the loan?				
b. How much you have repaid?				
c. How much is interest rate?				
34. Source II: who issued you the I	oan? [	□ Bank	☐ Private	☐ Other:
a. How much is the loan?				
b. How much you have repaid?				
c. How much is interest rate?				
35. Source III: who issued you the	loan? [	□ Bank	□ Private	☐ Other:
a. How much is the loan?				
b. How much you have repaid?				
c. How much is interest rate?				
V. Assets				
36. What assets do you have?				
Type of assets	3			Value
a. Durable assets (Car, Bicycle, TV, Video, etc.), list:				
b. Household items				
c. Livestock				
d. Agricultural assets				
e. Other:				
f. Total				
VI. Coverage Under Government	-			
37. Do you have any benefits under	governn	nent schemes	s? □ Yes	□ No (if "No" go to 40)

38. What is the name the scheme?	
39. What benefit did you get? ☐ Loan ☐ Training ☐ Employment ☐ Other	
VII. Migration	
40. Did any of your family members out migrated for work to other parts of Uzbekistan, in the last three years?	
☐ Yes, Where: ☐ No (If "No" go to 46)	
41. Did any of your family members out migrated for work to foreign countries, in the last three years?	
☐ Yes, Where: ☐ No (If "No" go to 46)	
42. Was this migration permanently? ☐ Yes ☐ No	
43. When did they visit home last time?	
44. What kind of employment has the person undertaken?  ☐ Agricultural labour ☐ Construction ☐ Trade & business ☐ Other	
45. How much, on average, did the person/s earn?	
VIII. Resettlement and Rehabilitation Options	
46. If the proposed project affects your property, will you resettle voluntarily (move out from the land/building you are occupying now)? ☐ Yes ☐No (if "No" go to 48)	
47. How far are you willing to move from your current location (km)?	
48. Would you require assistance? ☐ Yes ☐ No	
49. What kind of assistance will you prefer?	_
50. Do you require compensation? ☐ Yes ☐ No	
51. What is your legal status towards the property?  □ Legal owner (skip 53)  □ Tenant/sharecropper (go to 53)	
52. What kind of compensation would you prefer?  Land for land Equivalent property for property lost Government housing scheme Business license Monetary compensation Part property and part monetary Other (please, specify)	
53. How far will you move from here to find a work (km)?	

# **Census Survey Questionnaire**

I. Basic Information							
1. Questionnaire No.:			2. Date (d/m/y):				
3. Name of Interviewe (First/Last/Patronymic)							
4. Region:		5. District:			6. Massive:		
II. Land Acquisition							
7. Length of the line crossing the land plot (m):			8. Temporary land acquisition (ha):				
9. Width of the line (m):			10. Permanent land acquisition (m2):				
III. Land Use Information							
11. Name of the affect owner (First/Last/Patro	•						
12. Gender:	□ Male	☐ Female		13. Land	plot size (ha):		
•	□ Owner □ Other (sp	☐ Tenant ecify):		arecropper			
	☐ Industrial				Commercial		
(If "Agricultural" go to							
	_	<ul><li>□ Arable</li><li>□ Other:</li></ul>			Grassland		-
17. Soil bonitet:							
IV. Economic Assess	ment of the	e Agricultural	Farm				
18. Crop I name:							
			200	09	2010	201	1
a. Planting area (ha):							
b. Yields (centner/ha):							
c. Production costs per tons:							
d. Average price per tons:							
e. Gross harvest:							
f. Product price per tons							
g. Average profit							
19. Crop II name:		·				<u>'</u>	
			200	09	2010	201	1
a. Planting area (ha):							
b. Yields (centner/ha):							
c. Production costs per tons:							
d. Average price per tons:							
e. Gross harvest:							
f. Product price per tons							

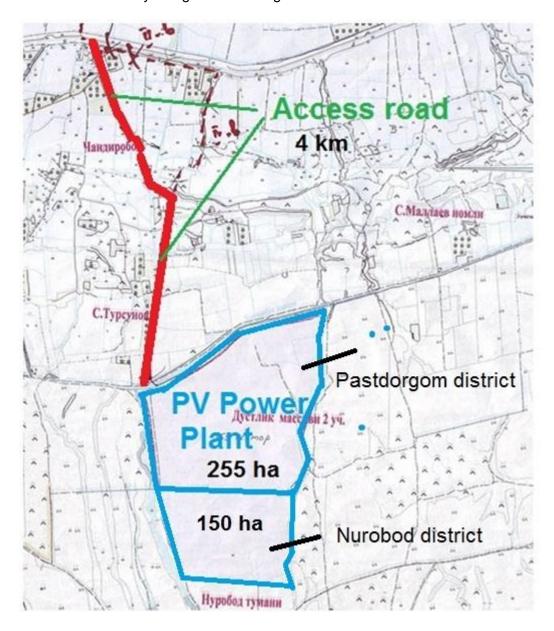
g. Average profit								
20. Crop III name:								
		2009		2010		2011		
a. Planting area (ha):								
b. Yields (enter/ha):								
c. Production costs per t	ons:							
d. Average price per ton	s:							
e. Gross harvest:								
f. Product price per tons								
g. Average profit								
V. Affected Trees								
21. What are the trees the	nat will be affe	cted und	der the pro	gram?				
Type of tree			nber of	Cost to		Incor	Income/Year	
		affec	ted units	grow one unit	2009		2010	2011
a. Fruit tree:(i)								
Fruit tree: (ii)								
Fruit tree: (iii)								
Fruit tree: (iv)								
b. Timber: (i)								
Timber: (ii)								
Timber: (iii)								
Timber: (iv)								
c. Design								
d. Other								
VI. Affected Structures (Buildings)								
22. Structure I (name, description):								
a. Subject for demolition (Y/N)								
b. Type of the building								
c. Construction year								
d. Ownership right								
e. Ownership since (year)								
Structure details								
f. Total building area (square .m)								
g. Foundation material								
h. Wall material								
i. Roof material								
j. Overall condition (1-lov	j. Overall condition (1-lowest, 5-highest)							
k. Estimated replacement cost								

I. Length					
m. Width					
n. Height					
o. Availability of legal documents to support claim for compensation (Y/N)					
p. Document name					
23. Structure II (name, description):					
a. Subject for demolition (Y/N)					
b. Type of the building					
c. Construction year					
d. Ownership right					
e. Ownership since (year)					
Structure details					
f. Total building area (square .m)					
g. Foundation material					
h. Wall material					
i. Roof material					
j. Overall condition (1-lowest, 5-highest)					
k. Estimated replacement cost					
I. Length					
m. Width					
n. Height					
o. Availability of legal documents to support claim for compensation (Y/N)					
p. Document name					
24. Structure III (name, description):					
a. Subject for demolition (Y/N)					
b. Type of the building					
c. Construction year					
d. Ownership right					
e. Ownership since (year)					
Structure details					
f. Total building area (square .m)					
g. Foundation material					
h. Wall material					
i. Roof material					
j. Overall condition (1-lowest, 5-highest)					
k. Estimated replacement cost					
I. Length					

m. Width						
n. Height						
o. Availability of legal documents to support claim for compensation (Y/N)						
p. Document name						
25. Available utilities: ☐ Electric ☐ Gas	•	<ul><li>□ Drinking water</li><li>□ Other</li></ul>	☐ Hot water			
VII. Affected Business						
26. Please indicate the following	information	on the business affect	ted under the p	roject:		
a. Ownership						
b. Type of business						
c. Registration						
d. Value if business sold						
e. Income per year						
f. Expenditure per year						
g. Profit per year						
Workers						
h. Number of workers						
i. Number in full time equivalent						
Including						
j. Number of male workers						
k. Number of female workers						
I. Average salary (monthly)						
	I	Tenants				
m. Rent paid per month						
n. Contract validity						
VIII. Annual Income						
27. Please indicate your income by source and by year starting 2008:						
Source		Years				
		2009	2010	2011		
a. Agricultural production						
b. Forest products						
c. Livestock						
d. Renting						
e. Remittances						
f. Other (specify):						
28. Will construction of the power line affect the value of your land plot, business, and/or real estate?  ☐ Yes ☐ No (if "Yes" go to 29, otherwise go to 30)						

29. How will construction of the power line affectate?	ect the value of your land plot, business, and/or real
30. Comment on potential land acquisition or	resettlement
1 1 1 1	
IX. Additional Information. To be filled-in b	y interviewer
31. Type of effect:	
☐ Losing total house	
☐ Losing house and entire land	
☐ Losing house and part of land	
☐ Losing total land	
☐ Losing part of land	
☐ Losing only part of house	
☐ Losing part of house and part of comme	ercial structure
☐ Losing part of commercial structure	
☐ Losing house and commercial structure	
☐ Losing total commercial structure	m. ak. ma
☐ Losing house and part of commercial st	
☐ Losing total commercial structure and p	art of nouse
☐ Losing source of income only	
<ul><li>☐ Losing only land fixtures (trees)</li><li>☐ Other (specify):</li></ul>	
32. Ownership as per revenue records and fie	
□ Owner as per revenue record and at site	
☐ Owner is not residing/cultivating land bu	it given on lease/rent
☐ Absentee land lord	d-ownership record in the name of previous owner
☐ Recently purchased land, not registered	
33. Any additional comments	
Chacked by (signature of interviewer):	
Checked by (signature of interviewer):	
Name	Date (d/m/y):

Annex 3: Preliminary design for widening of access road and PV Power Plant area



Annex 4: Different public consultation and census survey photos



1. Consultation with AHs



4. Census and SES survey



2. View of proposed 220 kV TL route



5. Existing 220 kV TL to be connected with new 220 kV



3. Location of proposed PV power plant



6. Affected temporary structure

Annex 5: The location of cropping farms within the project area

