

Land Acquisition and Resettlement Plan

October 2017

AFG: Energy Supply Improvement Investment Program - Tranche 4

Prepared by Da Afghanistan Breshna Sherkat of the Government of Afghanistan for the Asian Development Bank. This is a draft land acquisition and resettlement plan (LARP) posted in October 2017 available on <http://www.adb.org/projects/47282-006/documents>.



ISLAMIC REPUBLIC OF AFGHANISTAN
DA AFGHANISTAN BRESHNA SHERKAT (DABS)

**AFG: Energy Supply Improvement Investment
Program – Tranche 4**

ADB Grant

LAND ACQUISITION AND RESETTLEMENT PLAN
(LARP)

**ARGHUNDY-JALALABAD 220 KV DOUBLE CIRCUIT TRANSMISSION
LINE PROJECT**

October 2017

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Abbreviations and Acronyms

ADB	Asian Development Bank
AFN	Afghani Currency
AH	Affected household
Cf	See quoted source/s
CSC	Construction Supervision Consultant
DABS	Da Afghanistan Breshna Sherkat (Afghanistan Electricity Company)
DDT	Due Diligence Team
DES	Domestic Environment Specialist
DMS	Detailed Measurement Survey
DP	Displaced Person
DRS	Domestic Resettlement Specialist
EA	Executing agency
EMA	External Monitoring Agency
GRC	Grievance Redress Committee
IR	Involuntary Resettlement
ha	hectare
HH	households
HVTL	High Voltage Transmission Line
IES	International Environment Specialist
IRS	International Resettlement Specialist
IPSA	Initial Poverty and Social Assessment
<i>Jirga</i>	traditional Afghan local and regional council
Kg	kilogram
kV	kilovolt
LAL	Land Acquisition Law of Afghanistan
LAR	Land acquisition and resettlement
LARF	Land Acquisition and Resettlement Framework
LARFS	Land Acquisition and Resettlement Field Survey
LARP	Land Acquisition and Resettlement Plan
M&E	Monitoring and Evaluation
MFF	Multitranchise Financing Facility
MoF	Ministry of Finance
MW	Mega Watt
NGO	Non-Government Organization
OHL	Overhead Line
PMO	Project Management Office
PVCC	Provincial Valuation and Compensation Committee
ROW	Right Of Way
<i>Shura</i>	Modern councils on various levels
SPS	Safeguard Policy Statement
S/S	Substation

EXECUTIVE SUMMARY

ES-1: Introduction

1- The Project will finance Tranche 4 of the MFF-0090: Energy Supply Improvement Investment Program (Energy MFF-2) in Afghanistan. The tranche will finance construction and commissioning of a 220 kV transmission line (211km) between capital city Kabul and Nangrahar provincial capital Jalalabad. The transmission line will be connected to the 220/20-kV Arghandi substation (under construction in Kabul province through ADB assisted G-0184) at its western end, with an already operational 220/20-kV sub-station in Jalalabad city (Nangrahar province) in eastern Afghanistan, at its eastern end. An additional transformer of 200 MVA (megavolt amperes) will be procured and installed at this substation.

ES-2: Resettlement Impacts

2- The land route for the transmission lines is mountainous areas the sealed road connecting Arghandi in west Kabul to Jalalabad. There is no major city or town located along the route and 41.5% of the lands required for the towers is public unoccupied lands while 58.5% of the lands required for the transmission line towers is owned privately by the people. The transmission lines corridor comprises plain lands at either ends (135kms) within and adjacent to the municipal limits of Kabul and Jalalabad cities and mountainous terrain in the middle (76kms).

3- The precise location of transmission towers will be ascertained at the detailed design stage by the contractor to be procured in 2018. It is pertinent to note that the location of 220-kV towers can safely be adjusted by 10 - 15 meters to minimize resettlement impact as the average distance between two transmission towers ranges from 200-225 meters. The project will affect a total of 374 AHs who will all lose land on permanent basis. In addition to land, some of these AHs will also lose trees, crops and structures. The summary of the impact is provided in the table below:

Table ES-1: Land Acquisition on Permanent Basis for the Proposed Transmission Line project

Type of Tower	No. of Towers	Affected Land
		m ²
A	82	12,300
B	165	16,500
C	146	11,680
Total	393	40,480
Affected Households		
Total No. of AHs		374 AHs
No. of AHs losing land		374 AHs
No. of AHs losing crops in addition to land		110 AHs
No. of AHs losing trees in addition to land		78 AHs
No. of households losing structure		7 AHs
No. of Households needing relocation		7 AHs
Vulnerable AHs		135 AHs

4- This draft Land Acquisition and Resettlement Plan (LARP) has been prepared based on site visit survey and on information from the Preliminary Technical Design Report (Pre-design Report). All proposals and recommendations of the draft LARP have to be discussed in the further planning process.

5- During the initial design of the route, measures have been adopted to minimize project impacts: non-agricultural government-owned land is used wherever possible; built-up areas are avoided wherever possible; the shortest feasible crossing distance is sought on privately owned land; where tower placement allows it, suitable land is sought from a land user with a large plot to minimize the number of affected households (AHs).

6- Land acquisition and resettlement field survey (LARFS), including estimated measurement of affected assets, estimated census of AHs and community consultations were initially carried out from **11rd Sep to 30 of Sept. 2017**.

7- The LARFS, together with interpretation of satellite imagery revealed that **374 AHs** will be affected by this transmission line that will lose land, crop, fruit and non-fruit trees, structures and partial perimeter walls. The impact magnitude is summarized as follows:

Impact Type	Quantity
Private agricultural lands	39,535 m ²
Private residential lands	945 m ²
Loss of crops (Wheat)	1,523 m ²
Fruit and Non-fruit trees	2,115 pcs fruit trees 2,986 pcs of non-fruit trees

The final impacts may be minimized during the final design stage.

8- Compensation and assistance to be provided to people affected by the project is guided by the provisions in the approved Land Acquisition and Resettlement Framework for the MFF (<https://www.adb.org/sites/default/files/project-document/175469/47282-001-rf-01.pdf>), which are based on national legislation and ADB's requirements found in the Safeguard Policy Statement (SPS, 2009).

9- A consultation process was carried out in September 2017 with the potentially affected people/public for sharing of information related to the project planning and execution activities. The people have the opinion that the traditional (tribal) *shura*, the government established *shura*, or (in fewer cases), the community development councils shall organize the valuation of losses, fix the compensation, and conciliate in case of grievances. The predominant concerns of the interviewed people are related to a possible unfairly distributed supply network, and to problems with the compensation values. Complaints and grievances can be directed to grievance redress committees (GRC) to be established for each affected district in case if the issue or complaint remains unresolved through the grievance redress mechanism.

10- The draft LARP will be finalized by the Project Management Office (PMO) of DABS. This will be updated based on the detailed design of the project. A detailed measurement survey (DMS) and a census of the AHs will be conducted by a resettlement specialist based on the final location

of the towers and other project structures. Based on this, a final and implementation-ready LARP will be prepared.

11- The project supervision consultant is obliged to carry out the land acquisition assessment prior to construction and in full compliance with this LARP and the program LARF. LARP implementation will be monitored internally by the PMO and externally by the construction supervision consultants (CSC).

ES-3: Compensation for Losses

12- Compensation for losses and impacts will be provided in accordance with the entitlement matrix as provided in Table below. This entitlements matrix contains provisions for the actual impacts of this Subproject.

Table ES-2 Entitlement Matrix

Item	Application	Eligibility	Compensation Entitlements
Permanent agricultural/ residential/ commercial land loss	Land affected by right-of-way (ROW)	AP with title, formal/customary deed, or traditional land right as vouched by local Jirga, elders or Community Development Council.	- Compensation at replacement cost either through replacement plots of similar value or in cash based on replacement/current market to be approved by the council of ministers. All fees, taxes, or other charges, as applicable under relevant laws are to be borne by the project
Structure loss	Residential/ commercial or auxiliary structures affected	Owners of structures (including informal settlers)	- Cash compensation for affected structure and other fixed assets at replacement cost of the structure free of depreciation, taxes/fees and salvaged materials. - In case of partial impacts full cash assistance to restore remaining structure. - Right to salvage material from demolished structure
Crops losses	Crops on affected land	Owners of crops / sharecroppers	- Cash compensation equal to replacement cost of crop lost plus cost of replacement seeds and restoration of future crop activities.
Trees Losses	Trees on affected land	Owner of trees (including informal settlers)	- Fruit bearing trees will be compensated at the value of 1 harvest multiplied by the number of years needed to re-grow a tree at the same productive level of the tree lost. - Non-fruit bearing/timber trees will be valued based on the market value of their dry wood volume. - The compensation of the tree will be free of deduction for the value of the wood left to the AH.

Item	Application	Eligibility	Compensation Entitlements
Business losses	Permanent / temporary	Business / shop owners (including informal settlers)	<p>- Owners: Business compensation based on monthly income from that business by month of business stoppage. The compensation for business loss will be calculated based on tax receipts or when these are not available based on fixed rates⁴.</p> <p>-Employees: indemnity for lost wages up to 3 months income</p>
Transitional Allowance	Relocating households	All relocating households (including renters and informal settlers)	-transitional allowance per household for livelihood losses at AF 5,200 multiplied by 3 months
Relocation Allowance	Relocating households	All relocating households (including renters and informal settlers)	-Relocation allowance per household of AF5,000
Assistance to Vulnerable Affected Households	Affected by land acquisition, resettlement, etc.	AH which are: female-headed; poor (below poverty line) or headed by handicapped/ disabled persons	<p>-Additional cash assistance equivalent to 3 months average household income (AF28,500)</p> <p>-Preferential employment in project related jobs.</p>
Severe Loss of Agricultural Land	Agricultural land		-Allowance for severe land impacts equal to replacement cost of a year's net income from crop yield of land lost.
Temporary land occupation		Title holders (formal and informal) lease holders	-Rent for duration of use equal to potential crop loss plus plot rehabilitation. Tenants to share the lump-sum with land-use certificate holders as per their contract
Unidentified Impacts			-Unforeseen impacts compensated based on above entitlements during project implementation by EA.
Loss of Community, Cultural, Religious, or Government Sites	Temporary or permanent loss due to the transmission line component activities		-Conservation, protection and cash compensation for replacement (schools, communal centres, markets, health centres, shrines, other religious or worship sites, tombs. Cash compensation for affected structures based on the above structures entitlements
Impact on irrigation channels	Temporary or permanent loss due to the Project activities	Community/affected households	-Irrigation channels are diverted and rehabilitated to previous standards

ES-4: Determination of Land Price

13- Affected land will be compensated in cash based on replacement cost. The primary replacement cost rate has been estimated based on assessment of the market which will eventually need to be updated during LARP update and finalization. Price which were assessed was ranging from 800 AFN/sqm – 2500 AFN/sqm.

ES-5: Cut-off-Date

14- Compensation eligibility will be limited by the cut-off date that has been established as **30 September 2017**. The AHs that settle in the RoW of transmission line after this cut-off-date will not be eligible for compensation. They will, however, be given a notice requesting them to vacate the premises/corridor and dismantle the affected structures and/or other establishments (if any) prior to project implementation.

ES-6: Significance of Impacts

15- The impacts on permanent land loss and loss of crops will be minor or non-significant for all AHs. The number of households affected by this subproject is 374 AHs with a total population of 1,870 persons. However, the magnitude of impact is not very significant. There will be 7 AHs that need to be relocated due to loss of perimeter walls of their houses. However, during the detailed design stage, this impact will be avoided.

ES-7: Consultation and Disclosure

16- The LARF has been prepared and endorsed by DABS and uploaded to ADB's website. For the preparation of this LARP, DABS with assistance from project preparation consultant conducted field surveys in September 2017 and held a number of consultations with local government agencies, affected households, as well as wider community groups. Further consultations will be held during update of this LARP upon award of turnkey contract and detailed design where exact tower locations would be ascertained and actual AHs are identified.

ES-8: Grievance Redress Mechanism

17- A grievance redress mechanism will be available to allow an AH appealing any disagree-able decision, practice or activity arising from land or other asset compensation. The main objective of the grievance redress procedure would to provide a mechanism to mediate conflict and cut down lengthy litigation which may delay this development project.

18- A Grievance Redress Committee (GRC) would be established for the project in order to receive and facilitate the resolution of affected peoples' concerns, complaints, and grievances about the project's LAR performance. A GRC would be proposed to be composed of the following members:

- | | |
|--|----------|
| • Representative from DABS
(from the respective DABS office in the Province) | Convener |
| • Representative of the local administration
(from the respective office of the Governor) | Member |
| • Representative from DABS/ESU | Member |
| • Representative from Directorate of Agriculture | Member |
| • Representative from Provincial Council | Member |
| • Representative from project supervision consultant | Member |
| • Affected person or his/her duly appointed Representative | Member |

ES-10: Resettlement Budget

19- The total LARP cost is estimated as **AFN 132,151,892.00 or USD 1,929,224.7** this includes the payment of compensations, LARP cost and 10% contingencies cost.

Item	Total (AFN)
Compensation for permanent land loss	76,725,750.00
Compensation for structures	4,328,000.00
Compensation for trees	24,634,000.00
Compensation for crops	30,460.00
Allowances	3,991,700.00
Sub-Total Compensation	109,709,910.00
External Monitoring Agency for 2 months	500,000.00
LARP implementation cost @ 10%	10,970,991.00
Contingency 10% of the total	10,970,991.00
Sub-Total Implementation Costs	22,441,982.00
Total Estimated Land Acquisition and Resettlement Budget	132,151,892.00

CHAPTER ONE: INTRODUCTION

A. Background

1. The Asian Development Bank (ADB) has supported the Energy Sector of Afghanistan since 2001. In December 2015 ADB approved the MFF Energy Supply Investment Improvement Program (ESIIP for the Islamic Republic of Afghanistan (Afghanistan). The tranches 1, 2 and 3 have already been approved and are being implemented. This tranche, tranche 4, of this MFF includes construction of 220kV transmission line from Arghandi substation to the Jalalabad substation of Nangarhar province. This draft LARP is for the 220 kV overhead transmission line from Arghandi-Jalalabad.
2. The Da Afghanistan Breshna Sherkat (DABS - Afghanistan Electricity Corporation), established as an independent and autonomous corporation for the generation, import, transmission and distribution of power across the country, is responsible as the executing agency (EA) to implement the Project.
3. The 220kV transmission line will pass through suburban parts of Kabul city that include Paghman, Charasyab, Mosaye, Bagrami, and Khak-e-Jabar districts of Kabul province. Hesarak, Sherzad, Khogyani and Sorkhrod districts of Nangarhar province.
4. The land route for the transmission line is a green field site along the sealed road connecting Arghandi in the west of Kabul to Jalalabad. There is no major city or town located along the route and 41.5% of the lands required for the towers is public unoccupied lands while 58.5% of the lands required for the transmission line towers is owned privately by the people. The transmission line corridor comprises plain lands at either ends (135kms) within and adjacent to the municipal limits of Kabul and Jalalabad cities and mountainous terrain in the middle (76kms).

B. Objectives

5. This draft Land Acquisition and Resettlement Plan (draft LARP) has been prepared for the Tranche 4 of the MFF ESIIP, Arghandi – Jalalabad 220kV Transmission Line, in accordance with provisions of the laws in Afghanistan, the ADB Safeguard Policy Statement (2009) and the Land Acquisition and Resettlement Framework (LARF) for the MFF Program (October 2015).
6. As noted in the LARF, impacts are considered severe when >10 AHs are physically displaced or suffer 10% or more loss of productive assets (income-generating) and a subproject is classified as category “A”, for which a full LARP is to be prepared. Conversely, when losses are minor or non-significant, i.e. < 10 AHs are to be resettled or lose 10% or more of productive assets, a subproject is classified as category “B” for which also a LARP is required.
7. This draft LARP is based on information collected by the tranche preparation consultants in September 2017 in consultation with the stakeholders, especially DABS and community leaders and householders in the alignment of the transmission line impact zone.
8. The LARP contains estimates of the affected households (AHs) and displaced persons (DPs), types of impacts, and compensation procedures. The implementation arrangements, monitoring, reporting, and grievance redress procedures are also documented in this LARP in accordance with the LARF for the overall MFF Program (October 2015).

9. The key objective of the LARP is to guide the PMO of DABS, consultants and the contractor on LAR procedures specific to this Project that must be complied with. The key tenets that will guide the compliance with LAR aspects during the Project phases are:

- a. land acquisition will be avoided or at least minimized
- b. compensation will ensure maintenance of pre-project living standards of AHs
- c. AHs will be fully consulted/informed on compensation options
- d. AHs socio-cultural institutions will be supported/used
- e. LAR procedures will equally apply to women and men
- f. lack of formal title will not prevent compensation rights under the entitlements matrix
- g. LAR will be conceived and executed as an integral part of the Project and budgets for LAR will be included in the Project costs
- h. impact to structures will be avoided at all costs and
- i. all LAR and compensation payments will be completed and LARP implementation compliance report submitted to ADB prior to civil works commencement in the impact area.

10. The transmission line component will be implemented through a contract, wherein the contractor will prepare the detailed design. Based on the detailed design, the specific locations (spotting) of towers and poles, which have been identified in the previous planning and optimization process, will be confirmed. The LARP will be finalized by DABS PMO through project supervision consultant upon completion of the detailed design after the Detailed Measurement Survey (DMS) which aims at providing a detailed inventory of all losses. The final LARP will provide precise valuation and compensation amounts.

11. The LARP requires approval of ADB and disclosure to the ADB website and AHs. The external monitor will also issue a no-objection certificate (NOC) when all compensations have been fully implemented in the areas identified with LAR impacts.

C. LAR-related Project Appraisal and Implementation Conditions

12. Based on ADB procedures for MFFs, the Investment Program appraisal is carried out together with the appraisal of the first tranche of subprojects, collectively referred to as Project 1. The following tranches are appraised once the EA sends to ADB a Periodical Financing Request (PFR) accompanied by the final documents and technical studies for each subproject/component under the respective tranche.

13. The appraisal of the MFF and each tranche, and subsequent approval of subproject/component implementation will be based on the following LAR-related conditions:

- a. MFF and Project 1 appraisal: Conditional to the preparation and disclosure of: a) LARF acceptable to ADB; b) IPSA; and c) LARPs acceptable to ADB for Project 1 subprojects/components requiring LAR.
- b. Approval of PFR for following tranches: Conditional to: a) LARF review, update, re-disclosure, and b) preparation and disclosure of LARPs consistent with the revised LARF and acceptable to ADB and Government for each tranche subproject/component with LAR.
- c. Implementation – Start of Contract (construction) for subprojects with LAR impacts: Conditional to the finalization and disclosure of —implementation-ready LARPs acceptable to ADB and reflecting final impacts, Affected Households (AHs) lists, and compensation rates.

- d. Initiation of physical civil works in subproject sections with LAR Impacts: Conditional to the full implementation of the relevant LARP including full delivery of compensation and rehabilitation. Such a condition will be clearly spelled out in the text of the civil works contract.

D. Description of the Transmission Line and substations

14. The required load transfer can be accommodated by a double circuit **220 kV overhead line** connecting Arghandi and the Jalalabad substations. The proposed line will be approximately 211 km long. It generally bypasses inhabited zones, except on the approach to Jalalabad. There is a good network of regional and country roads which should enable relatively easy access to the line.

15. The line routing was initially determined taking into account technical and economic aspects as well as environmental and social aspects.

16. The detailed design will be the responsibility of the turnkey contractor. The final location of the towers will be fixed by the constructing contractor after conducting the final design.

17. The source substation for the 220 kV double circuit transmission line to Jalalabad is the **Arghandi 220/20 kV AIS substation**. Arghandi 220/20 kV substation is located at 38°14'22.04"N, 49°55'05.90"E. Space for the extension is currently available in Arghandi 220/20 kV AIS switchyard for the two additional line bays required for the double circuit OHL feeders to Jalalabad.

18. The **Jalalabad 220/20 kV AIS substation** is located at 34°23.382"N 070°25.140"E and 34°23.264"N 070°24.936"E. Jalalabad 220/20 kV substation will be sized for the load of Jalalabad city which will require two power transformers which could be accommodated in the available space within the substation.

19. The **Back to Back Converter Station** (including the HVDC Converter and the necessary switchyards to connect the 500 kV systems) will be integrated into the Arghandi Substation. The Arghandi Substation is currently a Greenfield location (approx. 400 x 1,500 m) and is located approx. 10 km north of Paghman district, Kabul Province, Afghanistan along the ring road connecting Kabul with Ghazni Province. At this location a 500/220 kV substation is currently under procurement.

E. Right of way and clearance

20. Regarding the planned 220 kV line, the Right of Way (RoW) is calculated to be 40 m (20 m on both sides of the center line) on the basis of the span-width, the proposed line swinging and the electrical safety distance. However, there is no national standard available in Afghanistan for RoW.

21. The minimum safety distance to conductors to respect international standards for electric and magnetic fields (EMF) is 15 m in view of the public.

22. Complete clearing of the RoW would be required in the center strip of 25 m (12.5 meters on both sides) allowing for stringing of conductors. Outside this strip but still inside the RoW vegetation above 7 m height needs to be cleared, including possible tall trees outside but nearby the RoW corridor.

23. Concerning ground clearance, below table shows the transmission line standards for the Soviet Union (PUE) which is applicable to the Project.

Clearance as per PUE for 220 kV transmission lines

Clearance	220 kV Line
Above normal ground	7.0
To roads	8.0
To other OHLs	3.0

F. Project Area

24. The planned transmission line, substations and converter station are located in eastern Afghanistan in the provinces of Jalalabad city Kabul Province. The terrain is from mild to highly mountainous, mostly rocky and barren.

25. The line is close bypassing of 5 districts from Kabul province and 4 districts from Nangarhar Province. Most of the tower locations are across the Bagrami-Jalalabad highway road.

26. The line generally takes nine directions: from the Arghandi substation, it runs eastern; from Arghandi bi-way to Bagrami district kabul province, it runs east to; from Bagrami to Hesarak, Sherzad, Khogyani and Sorkhroad districts, pass to Jalalabad center.

27. From where the line turns towards eastern up to Buthkhak village belonging to Bagrami district of Kabul province (about 53 km), it passes a mix of agriculture land, rocky hills of high slope, and residential areas. This is a mix of mildly mountainous and highly hilly area which ends with a highly mountainous terrain. This is located in the east areas of Paghman, Charasyab and Bagrami districts belonging to Kabul province. Other area also passes in the vicinity (158 km) of Bagrami up to Jalalabad city.

29. Other agricultural products include potatoes, tomatoes, onions, garlic, and a few other vegetables in small or marginal quantities. Melons and watermelons have the largest share amongst these crops with average yields of 2.8 to 3.5 ton for each type per ha.

30. Fruit trees, such as peaches, apples, citrus, berry, etc. might only be affected in exceptional cases as it is easy to avoid the few, mainly small, orchards during the planning of the sites for the towers.

G. Measures to Reduce LAR-related Impacts

31. The following measures have been adopted to minimize project impacts at this preliminary route selection stage:

- non-agricultural government-owned land is used wherever possible
- if the HVTL has to traverse agricultural land, the shortest feasible crossing distance is sought
- where tower placement allows it, suitable land is sought from a land user with a large plot to minimize the number of DPs and impact magnitude on any single DP
- Built-up areas are avoided wherever possible.

32. In some areas there are empty places along the line corridor. If possible, the towers shall be installed in these empty spaces, even if it goes out of the corridor alignments.

CHAPTER TWO: SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Introduction

33. This chapter has been written based on site visits to the project area and on the project's preliminary design. As a general strategy, the identification and layout of the site and a technical drawing showing the line profile with complete tower spotting have been made as pre-requisites for carrying out the **land acquisition and resettlement field survey (LARFS)**.

34. The LARFS involved impact assessment by quantifying and estimating the costs for the losses/disturbances to land, structures and other assets (crops, etc.) based on consultations with various stakeholders including AHs. Through a participatory approach, socio-economic data on affected households (AHs) was collected, and consultation with the occupants and AHs and the affected communities was undertaken.

35. The LARP team, comprising Social Safeguard specialist and a field surveyor, conducted the LARFS in the project area between **14th and 30th of September 2017**.

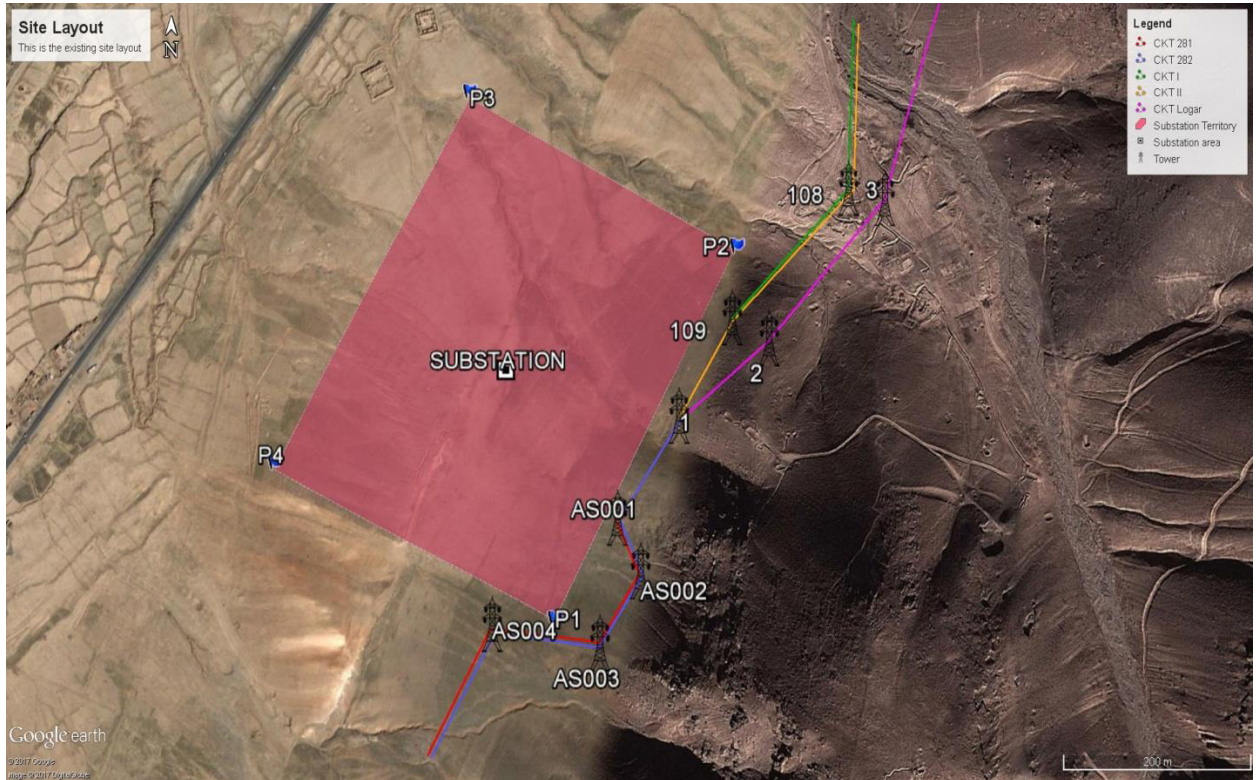
36. This LARP will need to be updated upon finalization of detailed design by the PMO and construction supervision consultant.

B. Potential LAR Impacts

37. The project will have various impacts on the local population. Apart from the positive impacts of rural electrification, some adverse impacts cannot be avoided, such as permanent land acquisition for the 220 kV towers, crops and fruit and non-fruit trees during civil works, some limited losses of properties such as houses, adjoining buildings, walls, and other properties with marginal and partial impacts.

Type of Tower	No. of Towers	Affected Land
		m ²
A	82	12,300
B	165	16,500
C	146	11,680
Total	393	40,480
Affected Households		
Total No. of AHs		374 AHs
No. of AHs losing land		374 AHs
No. of AHs losing crops in addition to land		110 AHs
No. of AHs losing trees in addition to land		78 AHs
No. of households losing structure		7 AHs
No. of Households needing relocation		7 AHs
Vulnerable AHs		135 AHs

38. The new substation in Jalalabad is located in an empty land composed of sand and soil. DABS has allocated the plot and excavated the boundary of the substation area (500×500 m) For the extension of the substation in Arghandi, there is no need to acquire additional land (Figures below) Neither economic nor physical displacement impacts are therefore expected from this component of the project.



39. In a similar way, no land acquisition is required for the back-to-back converter station, as the land is owned by DABS. Besides, it is located outside of the municipal limits of Kabul city identified for further expansions.

40. Land owners/users affected by the project belong to two groups (which may overlap in a few cases):

- a. Farmers planting crops or trees in agricultural lands
- b. Owners of plots with provisional walls, houses, stables and other adjoining buildings.

41. Herders using land along the corridor are not expected to be affected. The adverse impacts on public lands which are used for pasture will be minimized. The long term impacts are limited to the little space taken by towers which has almost no impact on the utility of the land. Temporary impacts are also unimportant as the land requirements are extremely small. Inconvenience during construction, if at all, will last only for some weeks, probably at least partially during summer and autumn when pastures are almost deserted and this will be compensated for the impact on crops.

42. A total of **374 households** are estimated to be affected. Loss of houses will be avoided wherever possible. It is estimated that in the worst case up to **7 houses will be moved** either onto land already belonging to the owners of the dwellings, or to another site to be provided. **7 houses will partially be affected** and in case this impact is not avoided during the detailed design, the houses will need to be relocated due to the long-term impacts of electromagnetic fields on the residents. In some cases other properties such as garden walls and field paths could be damaged during stringing.

43. So far, there is no evidence of any potential adverse impacts on business along the HVTL route. The field survey identified some houses agriculture land mud buildings which must be moved due to the civil works within the line corridor.

44. Losses to agricultural production may occur on irrigated land. As vegetable gardens (only irrigated) are small and take up only a small percentage of the area used, it would be possible to avoid the destruction of such lands during construction works. Sufficient clearance shall be provided below the transmission lines to ensure access by tractors, allowing the affected farmers continued and unhindered cultivation of their land.

45. Apart from possible damage to the land, construction works have little effect on the living conditions of the local population. Construction will only be conducted close to living areas in Jalalabad city and in some villages of Sorkhroad and of Khogyani. Adverse impacts in such areas could be: additional traffic with some danger for children, emission of dust from the construction vehicles on unpaved roads, noise from construction works and some pollution e.g. from welding.

C. Impact on land

46. Of the total 696 towers that will be required to be installed for the 220 kV line from Kabul to Jalalabad, most will be located on private lands. Few of the towers will be located in urban areas, where they could hinder housing development. No tower will have a low-bar to restrict future cultivation of the farmlands. Therefore, minimal land compensation will be applicable to the lands under the towers.

47. The construction of towers on agricultural land will require compensation for crops and trees lost immediately below the tower and also in a small area surrounding it. The area included in this perimeter depends on the type of towers. As per the preliminary design, there are three types of towers requiring different areas of land. Type A tower will require 150sqm of land and a total of 82 towers of this type will be installed on private lands. Type B tower will require 100sqm of land and 165 towers of this type will be installed on private lands. Type C tower will require 80sqm of land and 146 towers of this type will be installed on private lands, requiring **a total of 40,480.00 m² of private land which will need to be acquired permanently.**

Type of Tower	No. of Towers	Affected Land
		m ²
A	82	12,300
B	165	16,500
C	146	11,680
Total	393	40,480

48. **Impact on Crops:** In addition to the permanent losses of land under the towers, the farmland around these structures will be affected temporarily by the loss of crops and trees during a 3-tier process of tower construction, i.e.; 1) construction of foundations, 2) erection of towers, and 3) stringing of power lines. The whole process is usually completed in a period of 18 to 24 months thereby causing crop losses for a total of two cropping seasons within two years. Accordingly, cash compensation will be paid to the affected farmers for the loss of agricultural crops for two seasons. A 25 m corridor would be required for the 3-tier process and, in the worst case, all works would be made during the cropping seasons of spring and summer (this shall, however, be avoided). For the affected agricultural land, **1,523 m² of wheat crops would be affected.**

49. **Impact on Trees:** Crop cultivation within the corridor can continue after the stringing of lines has taken place. Inside the RoW vegetation above 7 m height needs to be permanently cleared, including possible tall trees outside but nearby the ROW corridor. A total of **2,986 timber trees and 2,115 fruit trees** will be lost.

50. **Impact on Structures:** A total of **1,493.00sqm** of structures will also be affected which include houses and perimeter walls. All the affected structures are made of mud and brick. Details of the affected structures is provided in the table below:

Type of Structure	Area (sqm)
Houses/Buildings(Mud/brick/wood)	945.00
Perimeter Walls(Mud/Brick/Wood)	548.00
Total structures	1,493

51. **Vulnerable AHs:** A total of **135 AHs** were considered to be vulnerable households living below poverty line while there were no women-headed households among AHs.

52. The final impacts may be minimized as towers may be constructed with priority on islands of barren land within agricultural areas, on public space along streets and channels,

and on other types of government owned land in order to avoid interference into private land ownership rights.

53. The highest possible figures are taken to be on the safe side with the land acquisition and resettlement budget. Detailed figures can only be presented after the final route design by the civil works contractor. With regard to the definite losses it is also important if construction works could be done during autumn and winter. During this time no damages at all or almost no damages of crops (apart from winter wheat) would be caused.

CHAPTER THREE: SOCIO-ECONOMIC PROFILE OF AFFECTED PEOPLE

A. Background

54. This chapter presents the socioeconomic profile of the population along the tentative route of the alignment. The detailed socioeconomic surveys specific to the affected households will be conducted as part of the final LARP preparation once the alignment of the transmission line has been fixed.

55. As the HVTL route crosses the Kabul and Jalalabad provinces, the focus of the socio-economic data has been on these two provinces. The data is based on national statistics and interviews by the local research team during the field survey in September 2017.

B. Provinces Traversed by the Transmission Line

56. The 2 provinces traversed by the transmission line are Kabul and Jalalabad:

- Kabul province: is situated in the Capital of Afghanistan,
- Jalalabad Province: is located in the Eastern of Afghanistan

C. Census of Affected Households

57. Land acquisition and resettlement field survey (LARFS), including estimated measurement of affected assets, estimated census of AHs and community consultations were initially carried out from the **14rd to the 30th of September 2017**.

58. The census included questions about the socio-economic characteristics of AHs to obtain necessary information about their livelihood conditions. A preliminary assessment of the population, land and other assets that would potentially be affected by the implementation of the project has been based on the primary and secondary data collection. The sources of data and information are described in the following:

- a. Reconnaissance of the Affected Area. A thorough reconnaissance of the route of the transmission line corridors was conducted to develop a broad understanding of the area and to identify social issues likely to emerge in the implementation of the project. A walkthrough survey of the area was also undertaken to study the ground realities and the nature of developments that may have taken place.
- b. DABS Department Records No official records as such about the land owners are available with the DABS. However, many meetings were held with the staff and information was obtained as to number of affected people and land holding.
- c. Satellite Image Imagery of the route of the TL area was used in making the preliminary assessment and estimation of the land utilization, terrain characteristics, etc. Very minimal differences were found in the area estimated by using satellite images and the assessment on site.

D. Socio-Economic Surveys

61. In order to have comprehensive and detailed information, the socio-economic data of the affected people was collected using different tools including reference to national statistics data of the two provinces, discussions, walk-over surveys and consultative meetings.

63. The survey revealed that the total number of AHs is **374**. A summary of the affected houses and their household members is given in Table 4-1.

Table 4-1: Number of affected houses and household members, according to location

Location	Number of AHs	Number of household members (APs)
Between Arghandi and Bagrami district	68	340
Between Bagrami and Khak Jabar district	32	160
Between Khak Jabar and Hesarak district	46	230
Between Hesarak and Sherzad district	37	185
Between Sherzad and Khogyani district	81	405
Between Khogyani and Sorkhroad district	63	315
Between Sorkhroad and Jalalabad Substation	47	235
Total	374	1870

64. During field surveys, AHs reported that they had been working on their lands on their own land for many years - not giving them to lease or hiring wage earning farmers.

65. The survey results regarding socio-economic conditions and the impact assessment in the affected area are described briefly below.

1) Demographic characteristics

66. The first part of the questionnaire concerns the demographic details of the APs.

Age distribution table

Age Group / year old	Population %
From 1-20	14.3
From 20-35	25.1
From 36-50	42.5
From 51-60	9.9
Over 60	8.2
Total	100

Household Members

67. The total number of households affected by the project is 374 with an average household size of 5. The affected population is 53.7% male and 46.3% female.

Education Level

68. The data shows that 71.5% of the respondents are illiterate, while the other 9.5% has different educational levels: 10% have primary education, 7% have middle education, and 2% have graduate education degrees.

Ethnic composition

69. The survey revealed that the affected population is comprised of Hazara Pashtuns, Tajiks and Pashaea. Out of the 374 affected households, 34 were Hazara, 186 Pashton, 140 Tajik and 14 Pashton for 49.7%, Pashton 37.4% Tajik 9% Hazara and Pashae 3.8% of the affected people.

2) Socio-economic characteristics

Economic Activities

70. The main economic activity of the 374 AHs is agriculture. The second important activity is either businesses or labour. The economic activities of a sample of approximately 10% of the total APs are shown in Table 4-2 below.

Table 4-2: Economic Activities of the Sample APs

Economic Activities of Affected People		
Economic activity	No. of APs	%
Agriculture	88	47.8
Business	31	16.9
Labor	25	13.5
Employment (public and private)	18	9.7
Livestock raising	22	12.1
Total	184	100

Cropping Pattern

71. The affected area is mainly a wheat, rice and vegetable growing area. The main crops during the winter season are wheat, vegetables and fodder. Summer crops in all affected locations are vegetables, melons and watermelons.

Borrowing Status

72. During the survey, respondents were asked about amounts borrowed during recent years from any source. The results indicated that none of the respondents had borrowed money from any source.

E. Gender issues

73. In the project provinces, men and women are economically active and contribute to the household economy. Men are the main responsible for agricultural activities from

cultivating to irrigation and for looking after the crops up to collecting the harvest. Women support the men of their family in agriculture mainly during the cultivating time (weeding) and during the harvest. Women also contribute to agro processing (prevailingly with regard to their family's own products).

74. In case of purchasing food and clothes, a recent study shows that the majority of the decision is made by women. Men mainly decide if household devices, agriculture inputs and utensils or animals are purchased. The men are also the main decision makers for school enrolment for both boys and girls. Men control the major household assets. The man is the owner of the house, the agricultural land, the farming equipment and the animals (larger animals like cows, horses, and donkeys, and small animals like sheep and goats). Only chicken and ducks often belong to the women. For the LARP, the men will likely receive the cash compensation for affected assets.

F. Project Impact Assessment Surveys

75. Project impact identification and assessment related to population, land and land-based assets to be affected by the construction is carried out through field surveys.

77. There are six major project impacts: 1) damages to crops, 2) permanent losses of land, 3) impacts on residences 4) impacts on fruit and wooden trees. These have been described in Section 3.

CHAPTER FOUR: LEGAL AND POLICY FRAMEWORK

A. General

78. This LARP is prepared following the provisions of the Land Acquisition and Resettlement Framework (LARF) for the Investment Program prepared in October 2015. This chapter discusses the national legislation of Afghanistan and the differences and/or gaps in relation to the ADB safeguards. A synthesis of both systems of standards/safeguards is also provided in detail. A description of the various entitlements for different types of impacts and displaced persons is finally given.

B. Afghanistan's Legal Framework on Land Acquisition and Resettlement

79. The 2004 Constitution of Afghanistan provides that property shall be safe from violation, that is, that no one shall be forbidden from owning and acquiring property except by law and private property can only be confiscated by legal order.

80. In 2007, the Cabinet of Ministers approved a new Land Policy that allows for the formalization of land rights in informal settlements, and addresses bottlenecks in land rights administration as well as the overlap in different institutions' authority over questions of land rights (USAID, 2010).

81. The 2008 Law on Managing Land Affairs sets out definitions for various land types and classifications, requirements for land deeds, and principles governing allocations of state land, land leasing, land expropriation, settlement of land rights, and restoration of lands. The law recognizes Shari'a, and defers to applicable principles of Shari'a in some areas. Issues that are not covered by the Law on Managing Land Affairs are governed by the country's Civil Code, which in large measure also reflects the Shari'a. Islamic law governs when the Civil Code is silent on an issue (USAID, 2010).

82. Customary Law dominates in Afghanistan, and the Civil Code recognizes its application regarding land rights. The Ministry of Justice estimates that, due to lack of trust and confidence in formal judicial institutions, 90% of Afghans rely solely on customary law. The Constitution is silent on the authority of customary law but prohibits the adoption of laws that are inconsistent with the tenets of Islam (USAID, 2010). According to Chapter 16, Article 193 of the Customary Law (Draft February 17, 2005), if any provisions from this law are in conflict with the provisions of any other legislation, its provisions shall prevail.

83. The amended Land Acquisition and Law (amended LAL - approved in mid-2017) addresses the land expropriation process and legal rights in relation to the process. The 2005 Land Acquisition Law (LAL) has been amended to align it with international best practices in land acquisition and resettlement. This amended law also covers resettlement and rehabilitation. For public interest purposes, such as construction of public infrastructure and acquisition of land with cultural or scientific values, land of higher agricultural productivity, or large gardens, the amend law provides that:

- Private lands will only be acquired for the purpose of pre-defined types of projects for public interest. (Article 5, amended LAL)
- Limitations in land acquisition: Lands with historic, cultural values and protected areas will not be expropriated. (Article 6, section 1, amended LAL). Expropriation of agricultural and orchard lands, forests, agricultural farms and green areas with environmental values will require state approval. (Article 6, section 2, amended LAL).

- In case parts of the private land is expropriated in a way that the remaining parts are useable by the owner, these remaining parts will not be expropriated. (Article 15, section 3, amended LAL).
- In case the remaining part is not usable by the owner, subject to owner's agreement, the expropriating agency will need to expropriate the remaining parts as well. (Article 15, section 4, amended LAL).
- The expropriating agency can acquire/purchase land, out of the city master plan area, upon settlement and agreement of the owner. (Article 18, section 1, amended LAL).
- The expropriating agency will need to pay the compensation for the expropriated assets to the affected person before commencement of the project. (Article 37, section 1, amended LAL).
- Resettlement: The expropriating agency will need to take necessary measures in accordance with the Law of Mines, Electricity provision law and other relevant laws, to resettle those families living out of the city master plan area losing houses in a collective manner and for this purpose a resettlement committee is proposed. (Article 38, sections 1 & 2, amended LAL).

C. The ADB Safeguard Policy

85. The ADB Safeguard Policy Statement, 2009, applies to losses due both to physical and economic displacement caused by involuntary acquisition of land. The objectives of involuntary resettlement safeguard policy is 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 displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups. SPS IR safeguards is based on the following basic principles:

- Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- Improve, or at least restore, the livelihoods of all displaced persons through (a) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (b) prompt replacement of assets with access to assets of equal or higher value, (c) prompt compensation at full replacement cost for assets that cannot be restored, and (d) additional revenues and services through benefit sharing schemes where possible.
- Provide physically and economically displaced persons with needed assistance, including the following: (a) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially

- into their host communities, and extension of project benefits to host communities; (b) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (c) civic infrastructure and community services, as required.
- Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
 - Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
 - Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
 - Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
 - Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
 - Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
 - Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout subproject implementation.
 - Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions, and the results of resettlement monitoring, and disclose monitoring reports.

D. Identification of Gaps between the ADB Policy and the Afghanistan Law

86. The Land Acquisition and Compensation Law (LAL) of Afghanistan and the ADB policy diverge on some key points related to the compulsory acquisition of land. It simply requires that declaration and notice be given about temporary use of land or acquisition or resumption of land (lease) and the purposes for which it is required. Nor does the LAL require preparation of a documenting process, consultations with DPs, or any specification of procedure for the acquisition and compensation. Finally, the LAL does not entitle to compensation DPs without title nor provides compensation for income losses caused by LAR. [Table 5-1](#) presents the differences between the LAL and the ADB safeguards, and identifies the resolutions taken on this LARP to reconcile the gaps.

Table 5-1: Comparison of the ADB Safeguard Policy Statement (2009) and the LAL of Afghanistan

ADB SPS 2009	Amended Land Acquisition Law (LAL, 2017)	Remarks/Agreed Reconciliation Measures
DPs are to be fully informed and consulted on compensation options.	The amended LAL provides for full information and compensation options to be discussed with the AHs.	No reconciliation required.
DPs should be compensated for all their losses at replacement cost.	LAR for public interest is to be compensated based on equal/fair value per current market rates. In case of residential land, land for land is offered, subject to availability and AH agreement. Affected crops and trees will be valued by the competent authorities.	The LARF specifies that affected land will be compensated at replacement cost, free of transaction cost, while buildings/structures are compensated without deducting for depreciation. Crops or trees will also be compensated in cash at replacement rates.
Lack of formal title should not be a barrier to compensation/rehabilitation.	The amended LAL provides for compensation to the users without any legal/formal documentation.	No Reconciliation required.
DPs should be timely compensated.	LACL provides for compensation to be paid prior to commencement of project works.	The LARF provides for crops compensation whether they have been harvested or not to avoid civil works delays and pressures on land users to harvest a crop before it is fully ripe. Land users harvesting their crops after notification of the land occupation date will not lose any part of their due compensation.
DPs should be compensated and/or assisted, to guarantee at least the maintenance of their pre-project livelihood level.	Compensation at replacement rate will be given for land, house, crops, or trees losses. Compensation for income losses/relocation costs is not considered.	General rehabilitation for income losses and for relocation costs will be given if these impacts occur.

E. Entitlements

1) Principles for Entitlement and Eligibility

87. The compensation eligibility and entitlements for this LARP are detailed below:

- The negative impact on DP must be avoided or minimized as much as possible.
- Where negative impacts are unavoidable, the persons affected by the project and vulnerable groups will be identified and assisted in improving or regaining their standard of living.
- Information related to the preparation and implementation of the LARP will be disclosed to DPs and all key stakeholders and people's participation will be ensured in planning and implementation.
- Land acquisition for the project would be done as per the Land Acquisition Law of Afghanistan. The Act specifies payment of adequate compensation for the properties to be acquired. Additional support would be extended for meeting the replacement

value of the property, that includes all transactions costs and without deduction for depreciation, and salvageable materials. DPs who neither have titles nor recognized or recognizable claims to land will be compensated for their structures and for other improvements to the land.

- Widening and strengthening work will take place mostly on the existing alignment except at locations where the existing alignment may require shifting to accommodate bridges reconstructed in new locations adjacent to existing structures.
- Before taking possession of the acquired lands and properties, compensation and resettlement assistance will be paid in accordance with the provision described in this document.
- An entitlement matrix for different categories of people displaced by the project has been prepared and provisions will be kept in the budget for those who were not present at the time of census survey. However, people moving in the project area after the cut-off date will not be entitled to any assistance. In case of land acquisition the date of notification for acquisition will be treated as cut-off date. For non-titleholders such as squatters and encroachers the date of project census survey or a similar designated date declared by the executing agency will be considered as cut-off date.
- Appropriate grievance redress mechanism will be established at the project level to ensure speedy resolution of disputes.
- All activities related to resettlement planning, implementation, and monitoring would ensure the involvement of women and other vulnerable groups.
- Consultations with DPs will continue during the implementation of resettlement and rehabilitation works.
- Compensation and rehabilitation is to be provided before the land is acquired.

88. DPs entitled to compensation or rehabilitation under the Investment Programs are:

- all DPs with formal title, formal or customary deed, or traditional land right as vouched by the local Jirga, elders or Community Development Council;
- tenants and sharecroppers, whether registered or not
- owners of buildings, crops, plants, or other objects attached to the land (including those with no legal rights to the land) and
- DPs losing business, income, and salaries (including those with no legal rights to the land).

89. Compensation eligibility will be limited by a cut-off date to be set on the completion day of the impacts assessment and DP census. All DPs settling in affected areas after that date and who cannot prove that they are displaced users of affected plots will not be eligible for compensation.

2) Entitlements and Valuation

90. DPs are entitled to various types of compensation and resettlement assistance as detailed below. Some of these impacts have not been noted in the preliminary assessment and may not be applicable for the transmission line component, but were included in case these are identified during the LARP finalization:

- **Acquisition of land** will be compensated at replacement cost either through replacement plots of similar value and condition or in cash based on replacement/current market to be approved by the council of ministers. DABS will shoulder all fees, taxes, and other charges, as applicable under relevant laws incurred in the acquisition and resource establishment.
- **Houses, Structures and Buildings** will be compensated in cash at replacement cost free of depreciation or transaction costs. Replacement costs are calculated in consultation with local governments, provincial DABS engineers and AP and will not include depreciation or salvaged materials which can be used for free by the AH. A lump sum shifting allowance of AFN 5,000 will be paid for each resettled AH in addition to building compensation.
- **Loss of crops** will be compensated at market rate of the crops lost.
- **Loss of trees:** Fruit bearing trees will be compensated at the value of 1 harvest multiplied by the number of years needed to re-grow a tree at the same productive level of the tree lost. Non-fruit bearing/timber trees will be valued based on the market value of their dry wood volume. The compensation for the tree will be free of deduction for the value of the wood left to the AH.
- **Vulnerable Households** – Vulnerable households (AHs below the poverty line, women household heads, mentally challenged headed households, etc.) will be provided an additional three months of average household income allowance (AF 28,500) as assistance and will be given priority in employment in project-related jobs.
- **Severe agricultural land impacts** – When 10% or more of an AP's agricultural land is affected, the AP will get an additional allowance for severe impacts equal to the market value of a year's net income crop yield of the land lost.
- **Transitional livelihood allowance**³ — AHs forced to relocate will receive a lump sum livelihood allowance of AF 15,600 AFN.
- **Community structures and public utilities** — Will be fully replaced or rehabilitated so as to satisfy their pre-project functions.

91. The determination of replacement cost will be based on a detailed assessment undertaken to verify local market rates from local people (based on land transactions done in the area in the last three years) and government rates (if any) prevalent in this region. The government-registered price will be ascertained from the revenue papers. However, in Afghanistan there may be situations where land or building markets are insufficiently developed and land sales prices are not systematically recorded. In these cases valuation will be based on local government revenue rates and will then be negotiated with the local communities. The replacement value rates payable to the affected households will be determined based on extensive consultations with the local Jirgas and the affected households. These negotiated rates will be adopted once endorsed by the Governor's Office. The final LARP will detail the consultation and negotiation activities that led to the definition of the final land rates so as to document the fairness and transparency of the land valuation process and the final agreement of the AHs.

92. The above described entitlements are summarized in the Entitlements Matrix provided in [Table 6-1](#).

Table 6-1: Entitlements Matrix

Item	Application	Eligibility	Compensation Entitlements
Permanent agricultural/residential/commercial land loss	Land affected by right-of-way (ROW)	AP with title, formal/customary deed, or traditional land right as vouched by local Jirga, elders or Community Development Council.	- Compensation at replacement cost either through replacement plots of similar value or in cash based on replacement/current market to be approved by the council of ministers. All fees, taxes, or other charges, as applicable under relevant laws are to be borne by the project
Structure loss	Residential/commercial or auxiliary structures affected	Owners of structures (including informal settlers)	- Cash compensation for affected structure and other fixed assets at replacement cost of the structure free of depreciation, taxes/fees and salvaged materials. - In case of partial impacts full cash assistance to restore remaining structure. - Right to salvage material from demolished structure
Crops losses	Crops on affected land	Owners of crops / sharecroppers	- Cash compensation equal to replacement cost of crop lost plus cost of replacement seeds and restoration of future crop activities.
Trees Losses	Trees on affected land	Owner of trees (including informal settlers)	- Fruit bearing trees will be compensated at the value of 1 harvest multiplied by the number of years needed to re-grow a tree at the same productive level of the tree lost. - Non-fruit bearing/timber trees will be valued based on the market value of their dry wood volume. - The compensation of the tree will be free of deduction for the value of the wood left to the AH.
Business losses	Permanent / temporary	Business / shop owners (including informal settlers)	- Owners: Business compensation based on monthly income from that business by month of business stoppage. The compensation for business loss will be calculated based on tax receipts or when these are not available based on fixed rates ⁴ . -Employees: indemnity for lost wages up to 3 months income
Transitional Allowance	Relocating households	All relocating households (including renters and informal settlers)	-transitional allowance per household for livelihood losses at AF 5,200 multiplied by 3 months
Relocation Allowance	Relocating households	All relocating households (including renters and informal settlers)	-Relocation allowance per household of AF5,000
Assistance to Vulnerable Affected Households	Affected by land acquisition, resettlement, etc.	AH which are: female-headed; poor (below poverty line) or headed by handicapped/disabled persons	-Additional cash assistance equivalent to 3 months average household income (AF28,500) -Preferential employment in project related jobs.

Item	Application	Eligibility	Compensation Entitlements
Severe Loss of Agricultural Land	Agricultural land		-Allowance for severe land impacts equal to replacement cost of a year's net income from crop yield of land lost.
Temporary land occupation		Title holders (formal and informal) lease holders	-Rent for duration of use equal to potential crop loss plus plot rehabilitation. Tenants to share the lump-sum with land-use certificate holders as per their contract
Unidentified Impacts			-Unforeseen impacts compensated based on above entitlements during project implementation by EA.
Loss of Community, Cultural, Religious, or Government Sites	Temporary or permanent loss due to the transmission line component activities		-Conservation, protection and cash compensation for replacement (schools, communal centres, markets, health centres, shrines, other religious or worship sites, tombs. Cash compensation for affected structures based on the above structures entitlements
Impact on irrigation channels	Temporary or permanent loss due to the Project activities	Community/affected households	-Irrigation channels are diverted and rehabilitated to previous standards

CHAPTER FIVE: CONSULTATION AND DISCLOSURE

A. Introduction

93. A consultation process was carried out with the potentially affected people/public along the transmission line routing from Arghandi to Jalalabad (the only project component where LAR-related impacts are expected). The objective was sharing of information related with the project planning and execution activities. The information shared included project activities and their expected impacts on the physical, biological and socio-economic conditions. Accordingly, the concerns/issues of the affected population/locals associated with the project were documented and understood.

94. The public consultations conducted in September 2017 included scoping sessions with stakeholders and focused group discussions with local communities.

B. Identification of Stakeholders

95. Possible stakeholders of the project are: The Ministry of Agriculture, Irrigation and Livestock, the Ministry of Rural Rehabilitation and Development, the World Food Programme, the National Solidarity Programmed working with Community Development Councils, the National Area Based Development Programmed developed by District Development Assemblies. NGOs active mainly in the water and sanitation sector, in health care, education, women's empowerment, agricultural development, human rights, child care, socio-economic development, cultural and community development.

96. In addition to the above, the local government, local electricity departments, and the Departments for Women's Issues at provincial level are quite active and it would be possible to involve them in supporting the project. Local units of DABS and the Ministry of Energy are the overall responsible organizations for all electricity-related issues: planning, development and operation of the existing properties. They are also key players when addressing supply issues and conflicts.

97. In general, when it comes to the impacts of the project the primary stakeholders are the people in the two provinces who are affected in different ways according to the type of losses to be expected and by the construction works themselves. Most negative impacts are small and short term so that the positive impacts of the project will most probably compensate the people for the nuisance caused by the civil works (apart from the compensation payment for losses).

C. Stakeholder Consultation

98. During the field survey, some meetings were held in the Jalalabad center and others along the line corridor with regional and local stakeholders from Jalalabad to Arghandi. At the same time, information on the project was provided to those stakeholders who, until that point, had not been informed.

D. Results from the Preliminary Consultation Process

99. The communities along the line corridor (apart from the Jalalabad center and some villages in Charasyab district) are connected to either the grid or stand-alone public electricity networks. The rest of the communities are either not connected to any type of electricity, or connected to a mini hydropower network. The mini hydropower network supplies power from 30 to 160 HHs without any or with very low technical standards, privately run by untrained people.

100. All the people asked along line corridor indicated that they would be happy to pay for electricity.

101. When asked who should organize the valuation of losses, fix the compensation, and conciliate in case of grievances, most people favored either the traditional (tribal) *shura* or the government established *shura*. In some cases Community Development Councils (CDC) were also mentioned.

102. The predominant concern is that the future supply would not be fair (i.e. that their village would not be included in the public network - as it had been left out once before). Some groups expressed the fear that compensation payments would not be made at all, or that the compensation money would not cover losses adequately.

103. The majority of the people would not have any problems with land acquisition and compensation procedures. However, they all pointed out that there were vulnerable households living in their communities (not affected by the ROW though). The areas where a relatively high number of very poor and vulnerable people were reported are between Hesarak district and Khogyani district of Nangarhar province, and between Sorkhtapa and Butkhak area of Kabul provinces.

104. List of consultations conducted along the transmission line route including the number of participants is provided in **(Annex 2)**.

E. Conclusions and Further Proceedings

105. One conclusion from the social survey is that the implementation of the land acquisition and resettlement process requires an improved gender approach. As far as security conditions allow for the integration of female staff members into the contractor's and the consultant's teams, contacts with women as land owners and women as heads of households in general should be made by female social experts.

106. With regard to the next steps, after the initial consultations with various stakeholders and especially with members of the possibly affected communities, the following activities will be carried out:

- After agreement of the LARP between DABS and ADB, both reports will be put onto the homepage of the concerned organization.
- DABS will also in parallel provide a translation of the summary of the principles of the LARP, and the land acquisition and compensation process to the concerned district administrations for further distribution to the possibly affected communities.
- With the start of the final HVTL design with the Detailed Measurement Survey, a leaflet will be elaborated and printed with a summary of the land acquisition and compensation process (including the grievance redress mechanism and all addresses

of concerned institutions) and distributed to all persons identified as owners of affected land and other properties. A draft leaflet is shown in Annex 1.

107. The involvement of the affected population and their representatives will be ensured by their participation in the Provincial Valuation and Compensation Committees (PVCC) and in the Grievance Redress Committees (GRC), respectively. Apart from the institutional participation of representatives of the population, all affected persons are invited at any time to apply to the PMO and their Due Diligence Team (DDT). Phone numbers and other information about the concerned institutions will be provided in the project leaflet mentioned above.

F. Grievance Redress Mechanism

108. In accordance with ADB safeguards, great care is taken in the project to prevent grievances. The special situation in the conflict marked Afghanistan requires special attention in order to avoid any additional development of conflicts.

109. Prevention of grievances will be achieved mainly through careful land acquisition design and implementation, by ensuring full DPs participation and consultation; and by establishing extensive communication and coordination between the community, the PMO and their consultants and coordinators, and the local governments. In order to include women, the team for the implementation of the land acquisition and resettlement (and compensation) process will be gender-sensitive and culturally-adapted.

110. This notwithstanding, complaints are sometimes unavoidable if, for example, a different understanding of the value of losses and consequently of compensation payment arises. Therefore, a grievance redress mechanism is being adopted for the project to allow the DP the opportunity to appeal against any disagreeable decision, practice or activity arising from valuation of losses and the compensation/rehabilitation process. Efforts to make DPs fully informed of their rights and of the procedures for addressing complaints will continue during the updating of the LARP and at the time of compensation.

111. The various queries, complaints and problems that are likely to be generated among the DP and that might require mitigation, include the following:

- DP not listed as affected
- losses not identified correctly
- compensation/assistance considered inadequate or not as provided by the entitlement matrix
- dispute about ownership
- internal dispute amongst owners, leaseholders, and /or sharecroppers
- delay in disbursement of compensation payments/assistance
- improper distribution of compensation payments/assistance in case of joined ownership of land and other properties
- rehabilitation work not properly done by contractor.

112. Complaints and grievances will be addressed through the following steps and actions. However, such steps shall not prevent any complainant to seek redress of his or her complaint directly to the court. These are only offered as an alternative complaint resolution.

First Step: A Grievance Redress Committee (GRC) will be established for each concerned district. It includes two members of the community along the HVTL corridor (preferably one DP and one non-directly affected person from two different villages concerned) to be elected by the regional *jirga*, one representative of the district governor with juridical experience, one representative of the concerned district DABS office, and one representative of a regionally active NGO (who will act as a civil society organization), preferably with experience in mediation/conflict management.

The committee is chaired by the representative of the concerned district governor. Grievances should be sent in written form to the committee and must be heard and resolved within 21 days of submission of the complaint.

Second Step: If the district-level GRC is not able to resolve the grievance within a 21-day period, the complaints should be presented via the local DABS representative to the DABS General Manager on the central level. The elected representatives of the DP at the provincial level will have the opportunity to mediate by providing their written comments and proposals to the manager. A final decision will be made by the Director of DABS after the assessment of the case and a careful preparation of the decision by the PMO representative. Grievances should be sent in a written form and must be heard and resolved within 14 days of submission of the complaint.

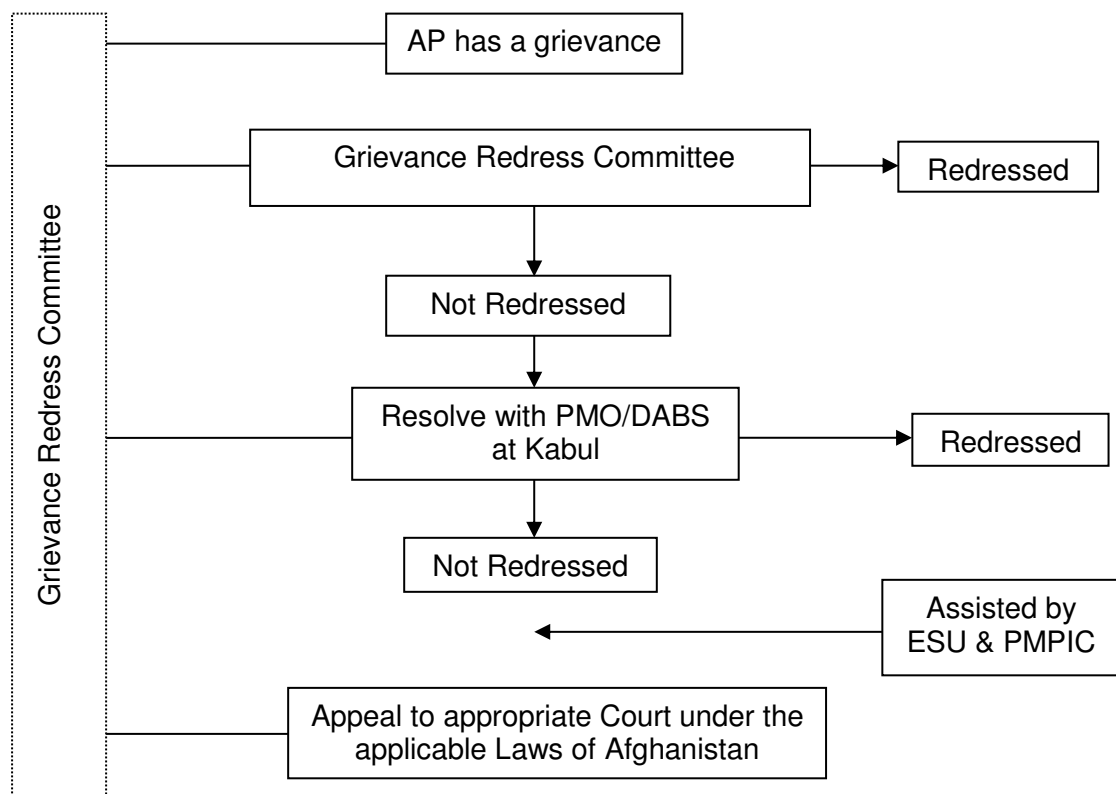
113. While applying the Grievance Redress Mechanism, the DP can seek support from the representative of the coordinator who may also be assisted by the national and international consultants. The contact addresses/phone numbers will be disseminated via the project information leaflet to be distributed amongst all possibly affected HH.

114. If the cause of a grievance is the contradiction between traditional law and modern legislation, the DP may also seek support from the local *jirga* and/or from elders which may hear the legal position of the DP.

115. If the issue or complaint remains unresolved through the grievance redress mechanism, the case can be referred to the appropriate court for resolution.

116. The PMO will design a pro-forma letter to be used for filling complaints. A representative of the coordinator or a member of the DDT will help in filling the form and transmitting it to the appropriate committee/authority and will assist the DP at every stage of the complaint process.

117. If grievances cannot be resolved at the local level, the DABS will nevertheless pay the amount laid down by the PVCC to the DP. Additional compensation may be paid later upon decision of the DABS general manager or the court appealed to in accordance with the final entitlements of the DP. A schematic of the proposed GRM is provided below:



G. Income Restoration and Rehabilitation

118. The initial assessment shows that the impact of the transmission line component on the income of most AHs is negligible and can be covered by the compensation for loss of assets.

119. Households below the poverty line and otherwise vulnerable households may lose their livelihood base if impacted by the Project / loss of land or relocation. In this case, a special livelihood support program shall be implemented.

120. So far, not a single case has been identified where a business could be affected, and the probability that the final design may result in more than very few (exceptional) cases is also very low. The only significantly affected are the few households (7) who may be displaced from their residence which will need to be avoided through design options in detailed design stage. In case this impact is not avoided, the transition and relocation allowances provided in the entitlement matrix would be sufficient to help these AHs cope with resettlement to the locations they would purchase with the compensation money.

H. Institutional Arrangements

121. The institutional arrangements for the finalization and implementation of this LARP follow the provisions described in the approved LARF.

1) Da Afghanistan Breshna Sherkat (DABS)

122. Da Afghanistan Breshna Sherkat (DABS) is the executing agency (EA) for the project and the primary responsible for LAR planning, implementation and financing. Within DABS, the Project Management Office (PMO) will have day to day responsibility for LAR and, within

it, a Due Diligence Team (DDT). The PMO has overall responsibility of planning, implementation and monitoring of LAR activities in projects under the MFF. It is tasked to:

- ensure availability of a budget for LAR activities
- select and appoint organizations and consults for specific activities
- coordinate with line departments, implementing organization and the Construction Supervision Consultant (CSC)
- train resettlement team; and,
- manage tasks involving local or central government or the affected communities shuras.

123. The EA staff dealing with LAR impacts will require further training on safeguards issues. This will be provided by the project supervision consultant's national and international resettlement specialists.

124. The draft LARP will be finalized by the PMO based on the detailed design of the transmission line component. DMS and AH census will be conducted based on specific tower spotting. A Resettlement Team (or specialist) is a requirement for the PMO and contractor to conduct the DMS, AH census and survey and implement the final/implementation-ready LARP.

2) LARP Coordinator/Facilitator

125. DABS will engage a local organization (NGO or consultant) to assist the implementation of the LARP. The NGO will play the role of coordinator/facilitator and will work as a link between the PMO and the AHs. The LAR coordinator/facilitator will educate the DPs on the need to implement the Project, on aspects relating to land acquisition and LAR measures and ensure proper utilization of various compensations extended to the DPs under the entitlement package. Specific tasks of the coordinator/facilitator are as follows:

- work under close coordination of the PMO to implement the LARP
- involve the shura and local leaders, wherever necessary to implement the LARP to facilitate transparency in the process and public participation
- assist the PMO in dissemination of the LARP and other resettlement related information
- take lead in joint verification and identification of DPs
- identify AHs whose lands can be acquired through negotiated purchase or through expropriation
- identify absent AHs
- carry out a census of the DPs and identify the vulnerable households (if required)
- identify training needs of DPs for income generation activities and ensure that they are adequately supported
- counsel, generate awareness and resolve the grievances of the DPs
- put forth the unresolved grievances of the DPs to the GRC
- generate awareness about the livelihood restoration activities, and help the APs to make informed choices. Including assisting APs in participating in government development programs
- prepare sub-project level plans for implementation of LARP and issue ID cards
- assist in disbursement of compensation checks
- participate in public meetings as and when required
- submit periodic LARP implementation report to the PMO.

3) The Construction Supervision Consultant (CSC)

126. The LARP will need to be updated by the construction supervision consultant upon completion of detailed design. The CSC will also be responsible to monitor LARP implementation and prepare monthly reports.

4) Provincial Valuation and Compensation Committee

127. The assessment of all damages and losses will be done and the valuation of compensation will be decided by the Provincial Valuation and Compensation Committee (PVCC). The Committee consists of the following members (i.) one representative of the Province governor responsible for land affairs, (ii.) one representative of the PMO (preferably a member of Due Diligence Team), (iii.) one representative of the coordinator/facilitator, (iv.) one representative of the land users where lands are taken permanently or temporarily, (v.) one representative of the District Jirga, preferably coming from the most relevant District regarding land acquisition of the respective Province, and (vi.) one representative of the contractor, responsible for the identification of losses, is also a member of the sub-commission without right to vote.

5) Other Agencies and Institutions

128. Several other agencies and institutions will have a role in the preparation and implementation of the LARP. These are:

- **Community Shuras, Local Jirgas and Community Development Councils.** These local entities will assist in various ways the communication between DABS and the affected communities. This includes facilitating public consultation, monitoring the management of complaints and grievances, vouching as needed for the land occupation status of the APs and assisting in the definition of land compensation rates where no clear land markets are established.
- **Provincial Governments.** This entity will ensure government functions at the provincial level, and following the land valuation survey or negotiation, will provide official endorsement of land compensation rates
- **Ministry of Finance (MOF).** The MOF will be responsible to coordinate the approval of the LARP by the Cabinet of Ministers and, once the LARP is approved, deploy the finances needed for LARP implementation.
- **Women's groups** may be an additional stakeholder if present in the districts. They may support the team of the coordinator and the constructor in direct information, consultation, and negotiation with women. This will only be applied if such women's groups exist in the neighborhood of the women affected by the project so that they know their situation and have close contact with them.

6) Capacities of DABS/PMO and Training Requirements

129. The capacity of DABS and especially PMO regarding three key components of adequate project planning and implementation is relatively low:

- participatory planning, implementation and monitoring of projects has, at least so far, little relevance in the day-to-day business
- communication techniques are poor and

- the involvement of women in projects does not play a major role.

130. Especially, a gender-sensitive implementation would require inputs from the side of the international consultant and his resettlement specialist and their national counterparts.

131. Some training should be carried out for the field staff of the PMO with regard to understanding the particular disadvantage of women as heads of households in the land acquisition and resettlement process, and for the DABS management concerning the long-term challenge to recruit women for administrative and even managing functions within their organization.

132. The EA staff dealing with LAR and LAR impacts will also require training on safeguard issues (health, occupational safety, social aspects, danger from traffic, noise and pollution, etc.). This training will be provided by the IRS prior to the final line routing by the contractor for civil works. In parallel to this final line routing, intensive training measures will be provided to the coordinating NGO/consultant.

CHAPTER SIX: RESETTLEMENT/COMPENSATION BUDGET

A. Basic Provisions

135. Funds for the implementation of the LARP are part of the overall project budget. In this chapter the budget is indicated in a preliminary manner based on a rough calculation of the number and type of transmission towers to be constructed, on the estimated market price rates in 2017 of major crop (wheat) grown in the two provinces traversed by the transmission line, and the value of other assets to be lost as has been described in the LARF.

136. The budget includes administration charges, inclusive of fees for the coordinator, contingencies, and monitoring expenses.

137. Due to the preliminary status of the design for the transmission line, only very rough estimations of land acquisition and resettlement costs can be provided. The cost of LARP implementation will be finalized after the elaboration of the final engineering design by the contractor and the Detailed Measurement Survey.

138. DABS will ensure funds availability upon finalization of this LARP based on detailed design.

B. Compensation for Permanent Land Losses

139. The total permanent land requirement for towers will be **40,480.00sqm**. The agricultural lands were divided into 3 categories for valuation. The valuation process included consultations with various land owners and assessment of land transactions in the area.

Type of Land	Rate (AFN/sqm)
Agricultural lands	
Category 1	2,500
Category 2	1,800
Category 3	1,000
Residential land	
Residential land	1,650

C. Compensation for affected structures

140. Structure loss valuation was done based on 'replacement cost' free of depreciation. Replacement costs are calculated in consultation with the local governments and provincial DABS personnel. The replacement costs are arrived at by assessment of market value for replacement of structures and include costs of material, labor and transport.

Item (structure)	Unit	Rate (AFN)
Houses/Buildings(Mud/brick/wood)	Sqm	4,000
Perimeter Walls(Mud/Brick/Wood)	M	1,000

D. Compensation for crops

141. Compensation for crops was valued based on market value of affected crop and on the basis of per sqm productivity of land. As per the assessments conducted, from each sqm

of land, 1 -2 kg of wheat can be harvested. So, on average, 1.5 kg of wheat per each sqm of land was calculated.

Affected area of crops (Wheat) sqm	Rate (AFN)
1,523.00	30

E. Compensation for trees

142. Fruit bearing trees were valued at the value of 1 harvest multiplied by the number of years needed to re-grow a tree at the same productive level of the tree lost. Non-fruit bearing trees were valued at the commercial value of the wood x its volume. There are 2,115 number of fruit trees that include 875 pcs of apple trees, 430 pcs of peach, 646 pcs of berry and 164 pcs of citrus. The assessed rates for the various affected trees range from 8,000 AFN – 9,750 as per table below. A unified rate of 9,000 AFN/fruit tree was calculated.

Tree	Average Annual Yield, Kg	Rate, AFN/kg (Market prices)	Years to regrow to productive level	Rate per tree (AFN)
Apple	55	35	5	9,625
Peach	40	50	4	8,000
Berry	65	30	5	9,750
Citrus	120	15	5	9,000

143. For non-fruit/timber trees, the general height of the tree is 10 m and girth of 0.5 m and produce about 1,000 kg of firewood. Cost of firewood per kg is AF5.5 and hence the cost of tree is calculated as AF 6,000. The compensation of the tree will be free of deduction for the value of the wood left to the AP.

F. Allowances

144. Relocation Allowance: The 7 AHs who will need to be relocated, will be provided a lump sum amount of 5,000 AFN/AH.

145. Transitional Allowance: The 7 AHs who will need to be relocated, will also be provided a lump sum amount of 15,600 AFN/AH.

146. Vulnerable AH allowance: The 135 AHs who were considered to be below poverty line, will receive a lump sum allowance of 28,500 AFN/AH.

Summary of total cost

Land (A)	Affected Area/m2	Unit Rate	Amount/Afs
1- Private Land			
Agricultural irrigated land			
First Category	16,637.00	2,500.00	41,592,500.00
Second category	13,345.00	1,800.00	24,021,000.00
Third Category	9,553.00	1,000.00	9,553,000.00
Residential Land	945.00	1,650.00	1,559,250.00
Sub-Total	40,480.00		76,725,750.00
Structure (B)	Affected Area	Unit Rate	Amount
Houses/Buildings(Mud/brick/wood)	945.00	4,000.00	3,780,000.00
Perimeter Walls(Mud/Brick/Wood)	548.00	1,000.00	548,000.00
Sub-Total	1,493.00		4,328,000.00
Trees (C)	Affected Area	Unit Rate	Amount
Non productive Trees	2,986.00	4,000.00	11,944,000.00
Productive Trees	2,115.00	6,000.00	12,690,000.00
Sub-Total	5,101.00		24,634,000.00
Crops Loss (D)	Affected Area	Unit Rate	Amount
Crops	1,523.00	30.00	45,690.00
Sub-Total	1,523.00		45,690.00
Allowance (E)	Household /Area	Unit Rate	Amount
Transitional Allowance	7.00	15,600.00	109,200.00
Vulnerable AHs allowance	135.00	28,500.00	3,847,500.00
Relocation AH Allowance	7.00	5,000.00	35,000.00
Sub-Total			3,991,700.00
Total (A+B+C+D+E)			109,725,140.00
Other Cost			
External Monitoring Agency for 2 months		500,000.00	500,000.00
LARP implementation cost 10%			10,972,514.00
Contingencies cost 10%			10,972,514.00
Sub-Total			22,445,028.00
Total Project Cost			132,170,168.00

CHAPTER SEVEN: IMPLEMENTATION SCHEDULE

147. The turnkey contract for this project will be awarded in mid-2018. DABS will begin the update and finalization of this LARP immediately upon award of civil works turnkey contract and will eventually implement the updated LARP after review and approval by ADB. Figure 4 presents the update, finalization and implementation of this LARP.

Figure 4: LARP finalization and Implementation Schedule

LARP Implementation Tasks	April 2018	July 2018	Aug. 2018	Oct. 2018	Nov. 2018	Dec. 2018	Jan-Feb. 2019	March 2019
Tentative award of civil works	—							
Detailed design completion		—						
LAR field surveys and consultations			—					
LARP update and finalization based on detailed design				—				
Commencement of civil works in areas without LAR impact			—					
DABS and ADB review of final LARP					—			
Approval of LAR budget by Council of Ministers (CoM)						—		
LARP implementation and compensation payment							—	
Grievance Redress		—	—	—	—	—	—	—
Notice to proceed for Civil Works in LAR-affected areas								—
Internal / External Monitoring: Monthly and Quarterly Progress Reporting						—	—	—

CHAPTER EIGHT: MONITORING AND EVALUATION

148. The update, finalization and implementation of the LARP will be monitored regularly to help ensure that it is implemented as planned and that mitigation measures designed to address the Project's adverse social impacts are adequate and effective.

A. Internal Monitoring

149. Internal Monitoring will be conducted by the PMO. Monitoring and Evaluation (M&E) reporting will cover the following:

- compliance with land acquisition and resettlement compensation policies
- adequacy of the organizational mechanism for implementing the LARP
- fair and judicious handling of complaints and grievances
- compensation payments to AP made as mandated by the LARP and
- success in restoring the APs incomes to pre-project levels.
- Grievance cases.

150. Monitoring will be carried out on a monthly basis by the PMO and will be reported to ADB on a semi-annual basis until the end of the compensation and rehabilitation process. The PMO will be responsible for determining if any follow-up actions are necessary and ensuring these actions are undertaken.

151. Prior to the delivery of compensation payments to the AH, the PMO will announce the compensation dates, including a detailed compensation schedule community by community. The PMO will monitor to ensure that no construction in the affected areas will commence until the payment of compensation has been fully completed and that concerns from DPs are identified timely and addressed effectively.

B. External Monitoring

152. An external Independent Monitoring Agency (IMA) or individual expert, with the concurrence of ADB, will be engaged by the PMO upon approval of the LARP. External monitoring will be carried out twice a year and its results will be communicated to the PMU and ADB through semi-annual reports. The IMA will be recruited on an intermittent basis up to one year after the project works are completed. The IMA will also be responsible for (i) issuing a no-objection certification to proceed with work in sections of lots of the subproject where there is no land acquisition and (ii) for sections or lots where there is land acquisition and resettlement, no-objection to proceed after completing an audit confirming that all compensation and related resettlement assistance in cash or kind has been delivered to the affected households. A copy of the no-objection certificate (NOC) will be submitted to the PMU (ESU), implementation consultant and ADB simultaneously. The IMA will also assess the status of project affected vulnerable groups such as female-headed households, disabled/elderly and poor families. The reports prepared by the IMA will include an assessment of the compensation process for temporary loss of land and associated crop and tree loss. The following will be considered as the basis to develop the indicators for monitoring and evaluation of the project:

- Socio-economic conditions of the AHs in the post-resettlement period;
- Communications and reactions from APs on entitlements, compensation, options, alternative developments and relocation timetables etc.;

- Changes in housing and income levels;
- Rehabilitation of squatters;
- Valuation of property;
- Grievance procedures;
- Disbursement of compensation; and
- Level of satisfaction of APs in the post resettlement period.

153. The IMA will carry out a post-implementation evaluation of the LARP about 1 year after its implementation. The compelling reason for this study is to find out whether the LARP objectives were attained or not. The socioeconomic survey base-line will be used to compare pre- and post- project conditions. The IMA will recommend supplemental assistance for the APs in case the outcome of the study shows that the objectives of the LARP have not been attained.

Reporting

154. Resettlement monitoring reports will be sent to ADB along with regular progress reports. The monitoring reports will be posted on ADB website, and relevant information from these reports will be disclosed in the project areas in local languages.

Annex 1: Project Information Leaflet

Islamic Republic of Afghanistan: Regional Power Interconnection

Funded by the Asian Development Bank

Executing Agency: Da Afghanistan Breshna Sherkat (DABS)

Expected Implementation Period: 2018-2019

Project Description

300 MW Back to Back Converter Station at Arghandi

220 kV Overhead Transmission Line Arghandi-Jalalabad

New 220/20 kV Jalalabad S/S & extension 220/20kV Arghandi S/S

Expected Impact and Indicative Entitlements

Transmission line route and location of towers and poles will be designed further in detail during detailed design through full consultation with the displaced persons. The expected impact due to the Project and indicative entitlements are as follows:

Entitlements Matrix

Item	Application	Eligibility	Compensation Entitlements
Permanent agricultural/ residential/ commercial land loss	Land affected by right-of-way (ROW)	AP with title, formal/customary deed, or traditional land right as vouched by local Jirga, elders or Community Development Council.	- Compensation at replacement cost either through replacement plots of similar value or in cash based on replacement/current market to be approved by the council of ministers. All fees, taxes, or other charges, as applicable under relevant laws are to be borne by the project
Structure loss	Residential/ commercial or auxiliary structures affected	Owners of structures (including informal settlers)	- Cash compensation for affected structure and other fixed assets at replacement cost of the structure free of depreciation, taxes/fees and salvaged materials. - In case of partial impacts full cash assistance to restore remaining structure. - Right to salvage material from demolished structure
Crops losses	Crops on affected land	Owners of crops / sharecroppers	- Cash compensation equal to replacement cost of crop lost plus cost of replacement seeds and restoration of future crop activities.
Trees Losses	Trees on affected land	Owner of trees (including informal settlers)	- Fruit bearing trees will be compensated at the value of 1 harvest multiplied by the number of years needed to re-grow a tree at the same productive level of the tree lost. - Non-fruit bearing/timber trees will be valued based on the market value of their dry wood volume. - The compensation of the tree will be free of deduction for the value of the wood left to the AH.

Item	Application	Eligibility	Compensation Entitlements
Business losses	Permanent / temporary	Business / shop owners (including informal settlers)	- Owners: Business compensation based on monthly income from that business by month of business stoppage. The compensation for business loss will be calculated based on tax receipts or when these are not available based on fixed rates. -Employees: indemnity for lost wages up to 3 months income
Transitional Allowance	Relocating households	All relocating households (including renters and informal settlers)	-transitional allowance per household for livelihood losses at AF 5,200 multiplied by 3 months
Relocation Allowance	Relocating households	All relocating households (including renters and informal settlers)	-Relocation allowance per household of AF5,000
Assistance to Vulnerable Affected Households	Affected by land acquisition, resettlement, etc.	AH which are: female-headed; poor (below poverty line) or headed by handicapped/ disabled persons	-Additional cash assistance equivalent to 3 months average household income (AF28,500) -Preferential employment in project related jobs.
Severe Loss of Agricultural Land	Agricultural land		-Allowance for severe land impacts equal to replacement cost of a year's net income from crop yield of land lost.
Temporary land occupation		Title holders (formal and informal) lease holders	-Rent for duration of use equal to potential crop loss plus plot rehabilitation. Tenants to share the lump-sum with land-use certificate holders as per their contract
Unidentified Impacts			-Unforeseen impacts compensated based on above entitlements during project implementation by EA.
Loss of Community, Cultural, Religious, or Government Sites	Temporary or permanent loss due to the transmission line component activities		-Conservation, protection and cash compensation for replacement (schools, communal centers, markets, health centers, shrines, other religious or worship sites, tombs. Cash compensation for affected structures based on the above structures entitlements
Impact on irrigation channels	Temporary or permanent loss due to the Project activities	Community/affected households	-Irrigation channels are diverted and rehabilitated to previous standards

Grievance Redress Mechanism

A grievance redress mechanism will be established commencing detailed design stage for redress of grievances and complaints. The indicative mechanism is as follows:

Complaints may be filed at district DABS offices in project areas. Grievances should be sent in written form to the project level Grievance Redress Committee for each concerned district which will hear and try to resolve the complaint within 21 days upon receipt; the fixed rate will be based

on the average net income of similar businesses in the project areas as determined by the surveys conducted during LARP preparation.

If the AP is unsatisfied or has no reply from the Grievance Redress Committee, she/he can send her/his complaints via the provincial DABS representative to the DABS General Manager on the central level;

If no solution is reached within 14 days at DABS central level, the AP can further submit their case to the appropriate court of law.

Contact Details for Inquiry during Pre-Implementation Stage:

DABS Kabul Office

DABS Jalalabad

DABS Kabul

Prepared October 2017

List of participants of consultation meetings in Charasyab district of Kabul province with CDC members

[illegible]

List of participants of consultation meetings in Charasyab district of Kabul province with district governor's office

ADB

لست اشتراك كننده گان جلسه آگاهي دهی پروژه سب استيشن برق ارغندی - جلال آباد بابت تثبيت خساره متضررين

List of Meting member for Resettlement work In the Charasyab district government office

Meting place Char Asyab District

محل ميټنگ Char Asyab District

Agenda Information about project

موضوع ميټنگ اطلاعات در مورد پروژه

Date 27-Sep-2017

تاريخ 27-Sep-2017

Remarks	Signature	Phone No	Position	Name	شماره
ملاحظات	امضا	نمبر تېلفون	وظيفة	اسم	No
		079949794	کارشناس ارشد	آبدر غني	1
		0776363727	ويزيتور	آبدر غني	2
		0781112222	مدير امور محلي	آبدر غني	3
		0771110000	مدير محلي	آبدر غني	4
		0781914034	کارشناس ارشد	آبدر غني	5
		0774140872	Financial Expert	آبدر غني	6