

Land Acquisition and Resettlement Plan

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Afghanistan: Energy Supply Improvement Investment Program (Tranche 5)

Prepared by the project preparatory consultant, on behalf of Da Afghanistan Breshna Sherkat of the Government of Afghanistan for the Asian Development Bank.

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**ISLAMIC REPUBLIC OF AFGHANISTAN
DA AFGHANISTAN BRESHNA SHERKAT (DABS)**

**AFG: Energy Supply Improvement Investment
Program – Tranche 5**

**ADB Grant
0184-AFG
DRAFT LAND ACQUISITION AND RESETTLEMENT PLAN
(LARP)**

**Jalalabad-Kunar and Ghazni-Sharana 220 kV Double Circuit
Transmission Line Project**

September- 2018

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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
GOA	Government of Afghanistan
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	kilo-volt
kWh	kilo-watt hour
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	multitranche financing facility
MoF	Ministry of Finance
MW	mega-watt
MVA	mega-volt ampere
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
TL	transmission line

EXECUTIVE SUMMARY

ES-1: Introduction

A- Jalalabad-Kunar Transmission Line

1. Nangarhar is one of the 34 provinces of Afghanistan located in the eastern part of the country, the total population of Nangarhar province is 1,545,448. The city of Jalalabad, which is the center of the province, has a total population of about eight hundred thousand people. At present, electricity is received from the Daroonta Electric Power Dam (9 MVA in case of availability of water and working of all 3 turbines) and Naghlu Electric Dam (56 MVA sub-station capacity). The percentage of families who access electricity are: residential =18.7%, and commercial = 1.179%. The annual amount of electricity sold in 2017 by Nangarhar DABS = 185,871,800kWh = 1,397,755,940AFN.

2. According to the Census Department of Kunarha, population of this province is 465,706 persons. Approximately 320 kW electricity produced by Asad Abad electricity dam is used by 3,000 families and government offices in Asad Abad city. Electricity is sold at 2.5AFN per kW. Only 0.65% of the population are using electricity. Almost all (99.35%) of the population are not.

3. The extension of these lines would have a crucial role in transferring the electricity of the dams to be built in Kunar river that would produce more than **1500 MB** electricity to the whole Afghanistan.

4. The price of electricity throughout Afghanistan for residential areas is from 2.19AFN per kWh to 12.5AFN per kWh depending on the usage category and province. Electricity price for business and industrial usage taking into consideration the availability of business license starts from 7.5AFN to 16.88AFN per kWh. Power projects are very important for the people for development of their economic and social level and people support such projects.

5. The Project will finance the construction of 100 km 220 kV transmission line (TL) from Nangarhar to Kunar provincial capital Asadabad. The TL will be connected to the 220/20-kV Jalalabad substation (under construction in Nangarhar province through ADB grant G-0184) and with an already operational 220/20-kV sub-station in Asadabad City (Kunar Province) in eastern Afghanistan. A 200 MVA (megavolt amperes) will be procured and installed at this substation. Of the 402 towers that will be installed for the Nangarhar-Kunar TL, 349 towers will be located on government land while 53 towers will be located on private land.

B – Ghazni-Sharana Transmission Line

6. The Government of Afghanistan requested the Asian Development Bank (ADB) to finance the extension of the power network toward the Paktika Sharana City. Currently, the Sharana City is not connected to the power grid supply. This has badly impacted the economic growth and social life in the province. The Project will finance construction and commissioning of a 68.5 km 220 kV TL between Ghazni substation and Sharana City capital of Paktika Province.

7. The exact location of the towers will be selected at the detailed design stage by the turnkey contractor to be procured later. Most of the project corridor is owned by the Government. The approximate number of towers considered for the Ghazni-Sharana TL is 247 (96 tension, 151 suspension towers). Of these, 119 towers will be on government land, while 128 towers will be on private land. The exact location of these towers can safely be adjusted by 10-15 m to minimize

resettlement impact as the average distance between two transmission towers ranges from 200-225 m.

8. The line routing was assessed considering social, technical and economic aspects. In preparing the preliminary design, focus was on establishing the line routing that is (i) feasible from a technical point of view, (ii) avoids significant adverse, and (iii) increases positive environmental and social impacts of the project. The turnkey contractor will prepare the detailed design of the TL and substation including the final land survey.

9. The land route for the TL is mountainous areas connecting Jalalabad in the west of Jalalabad to Kunar. There are no major cities or towns located along the route. 83.16% of the lands required for the towers is unoccupied public lands, while 82.84% of the lands required for the transmission line towers is privately-owned. The Jalalabad-Kunar TL corridor comprises of plain lands at either end (12 kms) within and adjacent to the municipal limits of Jalalabad and Kunar cities and mountainous terrain in the middle (88 kms). The Ghazni-Sharana TL corridor comprises of plain lands at either end (32 kms) within and adjacent to the municipal limits of Ghazni and Sharana cities and a mountainous terrain in the middle (36.5 kms).

10. During the preparation of the initial design of the route, measures were adopted to minimize project impacts. Wherever possible, non-agricultural government-owned land is used, and built-up areas are avoided. 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).

ES-2: Resettlement Impacts

9. Land acquisition and resettlement field survey (LARFS), including estimated measurement of affected assets, census of AHs and community consultations were carried out from 26 February to 11 September 2018.

10. The LARFS, together with interpretation of satellite imagery revealed that 181 AHs will be affected by these two TLs (Jalalabad-Kunar and Ghazni-Sharana). The final impacts may be minimized during the final design stage.

11. For these two TLs, it is estimated that 36,784 m² of land will potentially be affected, including 24,886 m² of private agricultural land and 11,898 m² of private residential land. Approximately 26,980 m² of land planted with wheat, 481 fruit trees and 983 non-fruit trees could be lost. Among the 181 AHs, 169 AHs will lose land, 143 AHs will lose crops, 88 AHs will lose trees, and 13 AHs will lose structures. All the 13 AHs losing structures may need to relocate. The 65 members of the 13 AHs that need to relocate are considered as likely to experience major impact (be physically displaced). The summary of the impact for Jalalabad-Kunar and Ghazni-Sharan TLs is provided in Table ES-1 and ES-2.

Table ES-1: Summary of Number of Towers on Private Land, Affected Land and Affected Households

Type of Tower	Jalalabad-Kunar TL		Ghazni-Sharana TL		Both	
	No. of Towers	Affected Land (m ²)	No. of Towers	Affected Land (m ²)	No. of Towers	Affected land (m ²)
A	11	1,650	69	15,614	80	17,264
B	23	2,300	19	4,950	42	7,250
C	19	1,520	10	4,360	29	5,880
D	0	0	24	3,940	24	3,940
E	0	0	6	2,450	6	2,450
Total	53	5,470	128	31,314	181	36,784
Category of AHs	Jalalabad – Kunar TL (No. of AHs)		Ghazni – Sharan TL (No. of AHs)		Both (No. of AHs)	
AHs losing land	51		118		169	
AHs losing crops	43		100		143	
AHs losing trees	8		80		88	
AHs losing structures	2		11		13	
AHs that may need to relocate	2		11		13	
AHs (DPs) that may experience major impacts	2 (10 DPs)		11 (55 DPs)		13 (65 DPs)	
Vulnerable AHs	33		52		85	
Total AHs (w/o double count)	53		128		181	

Table ES-2: Summary of Estimated Affected Land and Non-Land Assets

Affected Land and Non-land Assets	Quantity of Affected Assets		
	Jalalabad-Kunar TL	Ghazni-Sharana TL	Both
Private agricultural lands	5,286 m ²	19,600 m ²	24,886 m ²
Private residential lands	184 m ²	11,714 m ²	11,898 m ²
Crops (Wheat)	3,340 m ²	23,640 m ²	26,980 m ²
Trees	226 fruit trees & 87 non-fruit trees	255 fruit trees & 896 non-fruit trees	481 fruit trees & 983 non-fruit trees

12. 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.

13. 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-documents/47282/47282-006-rf-en.pdf>.

14. The draft LARP will be finalized by the Project Management Office (PMO) of DABS based on the detailed design of the TLs prepared by the contractor. Separate LARPs for each of the subprojects, Jalalabad-Kunar 220kV and Ghazni-Sharana 220kV TLs, will be developed based on final design. 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.

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

ES-3: Compensation for Losses

16. 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 the TLs.

Table ES-3: Entitlement Matrix

Item	Application	Eligibility	Compensation Entitlements
Permanent agricultural/ residential/ commercial land loss	Land affected by right-of-way (ROW)	DP 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.

Item	Application	Eligibility	Compensation Entitlements
Trees Losses	Trees on affected land	Owner of trees (including informal settlers)	<ul style="list-style-type: none"> - 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)	<ul style="list-style-type: none"> - 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. -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 AFN5,200 multiplied by 3 months
Relocation Allowance	Relocating households	All relocating households (including renters and informal settlers)	-Relocation allowance per household of AFN5,000
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	<ul style="list-style-type: none"> -Additional cash assistance equivalent to 3 months average household income (AFN28,500) -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 centres, markets, health centres, shrines, other religious or worship sites, tombs. Cash compensation for affected structures based on the above structures entitlements

Item	Application	Eligibility	Compensation 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

17. 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 the preparation of the final LARP. Prices which were assessed range from 1,500 AFN/m² - 3,300 AFN/m².

ES-5: Cut-off-Date

18. Compensation eligibility will be limited by the cut-off date that has been established as **26 Aug 2018**. This cut-off date is determined for the preliminary alignment based on which this LARP has been prepared. 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. In case the alignment is changed during detailed design, a new cut-off date will be established for the sections where alignment has been changed.

ES-6: Significance of Impacts

19. 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 these two subprojects is 181 AHs with a total population of 905 persons. There will be 13 AHs (65 DPs) that need to be relocated due to loss of their houses. Efforts will be made to reduce or avoid this impact at the detailed design stage. This project is assessed to be Category B for involuntary resettlement (IR) according to the ADB Safeguard Policy Statement (SPS) (2009).

ES-7: Consultation and Disclosure

20. For the preparation of this LARP, DABS with assistance from project preparation consultant conducted field surveys in March to September 2018 and held consultations with local government agencies, AHs, as well as wider community groups for sharing of information related to the project. 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 that are not resolved by the shura can be directed to grievance redress committees (GRC) to be established for each affected district.

21. The LARF has been uploaded to ADB's website. This draft LARP will also be disclosed in the ADB and DAB's websites upon approval by ADB. Further consultations will be held during updating of this LARP following the detailed design where exact tower locations would be ascertained, and actual AHs are identified. The updated TL-specific LARPs and monitoring reports will also be disclosed to the DPs and on the ADB and DABS' websites.

ES-8: Grievance Redress Mechanism

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

23. A Grievance Redress Committee (GRC) would be established for the project to receive and facilitate the resolution of DPs' concerns, complaints, and grievances about the project's LAR performance. A GRC would 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
- DP representative Member

ES-10: Resettlement Budget

24. The total LARP cost for Jalalabad-Kunar TL is estimated at AFN21,179,360 or USD 304,739. For Ghazni-Sharana TL, LARP cost is estimated at AFN 160,615,280 or USD 2,294,504. Overall, total LARP cost is estimated at AFN181,794,640 or USD 2,599,243. This includes the payment of compensation, LARP implementation cost and 10% contingencies. Funds for LARP cost will be provided by the Government of Afghanistan.

Table ES-4: Estimated LARP Cost

Item	Jalalabad-Kunar TL (AFN)	Ghazni-Sharana TL (AFN)	Total (AFN)
Compensation for permanent land loss	13,681,300	75,608,000	89,289,300
Compensation for structures	799,000	50,526,000	51,325,000
Compensation for trees	1,704,000	5,114,000	6,818,000
Compensation for crops	66,800	472,800	539,600
Allowances	981,700	1,708,600	2,690,300
Subtotal Compensation	17,232,800	133,429,400	150,662,200
External Monitoring Agency for 2 months	500,000	500,000	1,000,000
LARP implementation cost @ 10%	1,723,280	13,342,940	15,066,220
Contingency 10% of the total	1,723,280	13,342,940	15,066,220
Subtotal Implementation Costs	3,946,560	27,185,880	31,132,440
Total Estimated Land Acquisition and Resettlement Budget	21,179,360	160,615,280	181,794,640

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). Tranches 1, 2, 3 and 4 have already been approved and are being implemented. Tranche 5 of this MFF includes construction of 220 kV transmission line (TL) from Jalalabad of Nangarhar Province substation to the Kunar Province substation and from Ghazni Province substation to the Sharana of Pakteka Province substation. This draft LARP has been prepared for the 220 kV overhead TL from Jalalabad to Kunar and from Ghazni to Sharana.

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 all Tranches of the MFF, including Tranche 5 (The Project).

3. The 220 kV Jalalabad-Kunar TL will pass through suburban parts of Jalalabad City that include Kanal-e-Nangarhar area Char Bagh villages Sorkhroad district area, Dasht Gamberi, Shegy villages, and Khewa districts of Nangarhar Province, and Nurgal, Khas Kunar, Soky, Narang and Sarkano districts and Dandona villages of Kunar Province.

4. The land route for the TL is a green field site along the sealed road connecting Jalalabad in the west of Nangarhar Province to Kunar Province. There is no major city or town located along the route and 93.11% of the lands required for the towers is public unoccupied lands while 6.89% of the lands required for the TL towers is owned privately by the people. The TL corridor comprises plain lands at either ends (12kms) within and adjacent to the municipal limits of Jalalabad and Kunar Provinces and mountainous terrain in the middle (88kms). Of the total 402 towers to be installed for the Jalalabad-Kunar TL, 349 towers will be on government land, while 53 towers will be on private land.

5. The Ghazni-Sharana TL includes the construction and commissioning of a 68.5 km 220 kV TL between Ghazani substation and Sharana City capital of Paktika Province.

6. The exact location of the towers will be selected at the detailed design stage by the turnkey contractor to be procured later. Most of the project corridor is owned by the Government. The approximate number of towers considered for the Ghazni-Sharana TL is 247 (96 tension, 151 suspension towers). Of these, 119 towers will be on government land, while 128 towers will be on private land. The location of these towers can safely be adjusted by 10-15 m to minimize environmental impact as the average distance between two transmission towers ranges from 200-225 m.

B. Objectives

7. This draft land acquisition and resettlement plan (draft LARP) has been prepared for the Jalalabad-Kunar and Ghazni-Sharana 220 kV TLs in accordance with provisions of the laws in Afghanistan, the ADB Safeguard Policy Statement (2009) and the land acquisition and resettlement framework (LRF) for the MFF Program updated in October 2017.

8. As noted in the LARF, impacts are considered significant when 200 or more DPs are physically displaced and/or lose 10% or more of productive assets (income-generating). Projects with significant impacts are classified as category “A” for involuntary resettlement (IR) safeguard, for which a LARP is to be prepared. When losses are minor or non-significant, a project is classified as category “B” for IR for which a LARP is also required.

9. This draft LARP is based on information collected by the tranche preparation consultants from March to September 2018 in consultation with the stakeholders, especially DABS and community leaders and householders in the alignment of the TL impact zone. It 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.

10. 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.

11. The Project will be implemented through a design-build contract. Based on the detailed design to be prepared by the contractor, 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 the project supervision consultant upon completion of the detailed design, after the detailed measurement survey (DMS) and detailed inventory of all losses. The final LARP will provide precise valuation and compensation amounts.

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 (Project 1). The succeeding 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 succeeding 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.
- d. For “design and build” or “turnkey” type of contracts under which the design must be completed for the Project before the LARP is finalized, the installation and construction phase (and commencement thereof) is strictly conditional upon: (i) the final LARP based on the detailed design having been submitted to, and cleared by ADB; (ii) and DABS having notified the contractor and ADB in writing that due consultation, compensation payments and other entitlements have been provided to DPs fully in accordance with the LARP. 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 Jalalabad and the Kunar substations. The proposed Jalalabad-Kunar TL will be approximately 100 km long. It generally bypasses inhabited zones, except on the approach to Kunar. There is a good network of regional and country roads which should enable relatively easy access to the line. The required load transfer can be accommodated by a one circuit **220 kV overhead line** connecting Ghazni and the Sharana substations. The proposed Ghazni-Sharana TL will be approximately 68.5 km long. It generally bypasses inhabited zones, except on the approach to Sharana. There is a good network of regional and country roads to enable relatively easy access to the line.

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

16. The source substation for the 220 kV double circuit TL to Kunar is the **Jalalabad 220/20 kV AIS substation**. Space for the extension is currently available in Kunar 220/20 kV AIS switchyard for the two additional line bays required for the double circuit OHL feeders to Kunar. Land for this substation belongs to DABS. Figure 1 shows the coordinates of Kunar 220/20 kV substation.

17. The source substation for the 220 kV double circuit transmission line to Sharana is the **Ghazni 220/20 kV AIS substation**. Sharana municipality has allocated 20,000 m² land for the new substation construction near the Sharana City Kotwal village at (Latitude: 33.113237°; Longitude: 68.721979°). The area is government-owned and is a free land with very little primary natural plants. Figure 2 shows the photo of the proposed location for the Sharana 220/20 kV substation.



Figure 2. Proposed location of the Sharana 220/20 kV substation.

18. Figure 3 shows the photo and coordinates of the location of the **Jalalabad 220/20 kV AIS substation**.

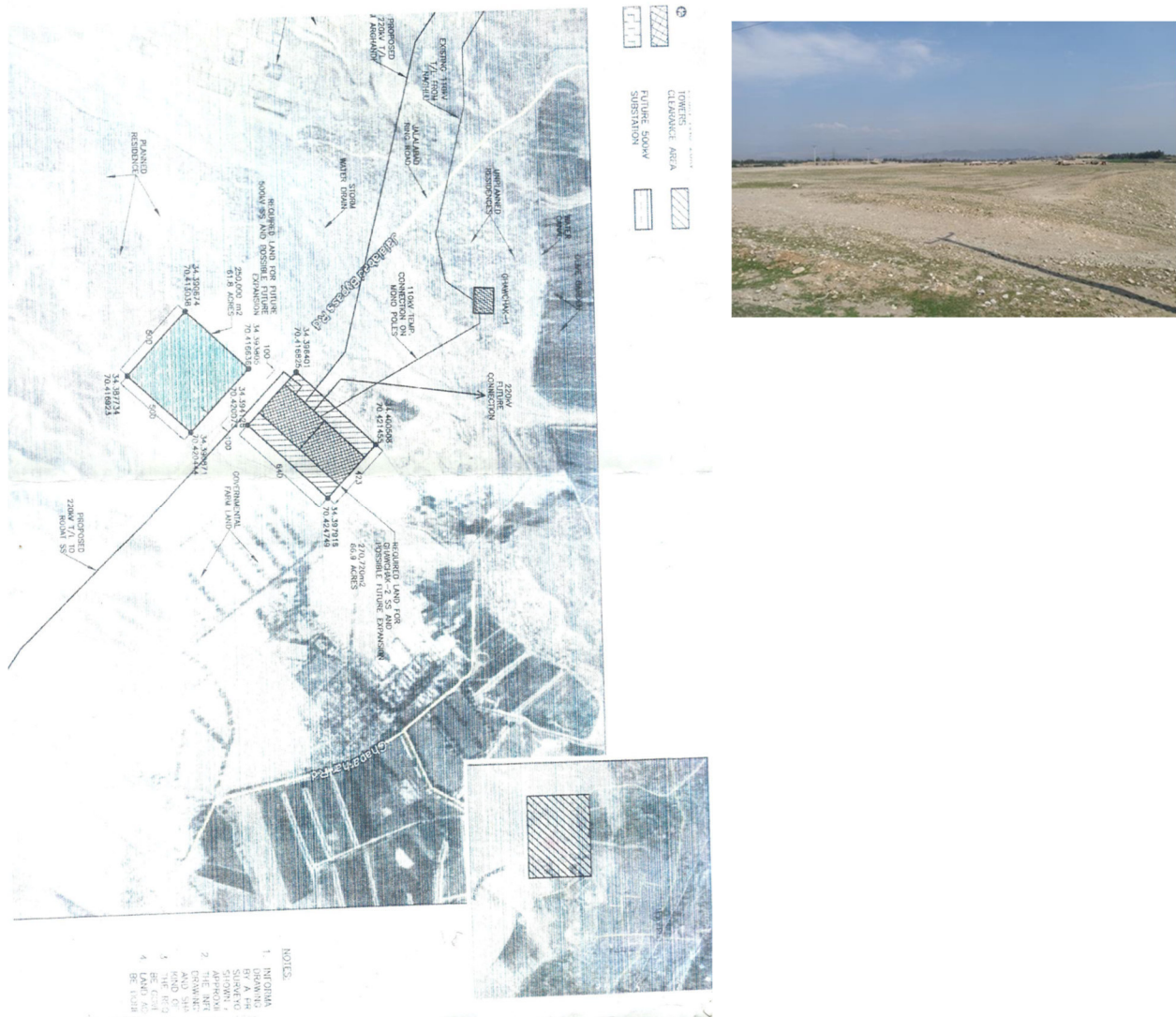


Figure 3: Location of the Jalalabad 220/20 kV substation

19. Jalalabad 220/20 kV substation will be sized for the load of Jalalabad City. It will require two power transformers which could be accommodated in the available space within the substation. Land for this substation belongs to DABS. The **Jalalabad 220/20 kV AIS** second (alternate) area is located at the following coordinates (see Figure 4).



Figure 4: Alternative site for the Jalalabad substation

20. The starting point of the overhead transmission line (OHL) is the Ghazni Substation. Consultants' visited the substation and reviewed the existing configuration of the outgoing 220 kV feeder bays and discussed with the DABS team on the availability of the feeder bay for connecting the new 220 kV OHL. It is assumed that spare bays are available at this substation to connect the OHL. DABS needs to shift the Kandahar line bay in order to avoid the OHL crossover.

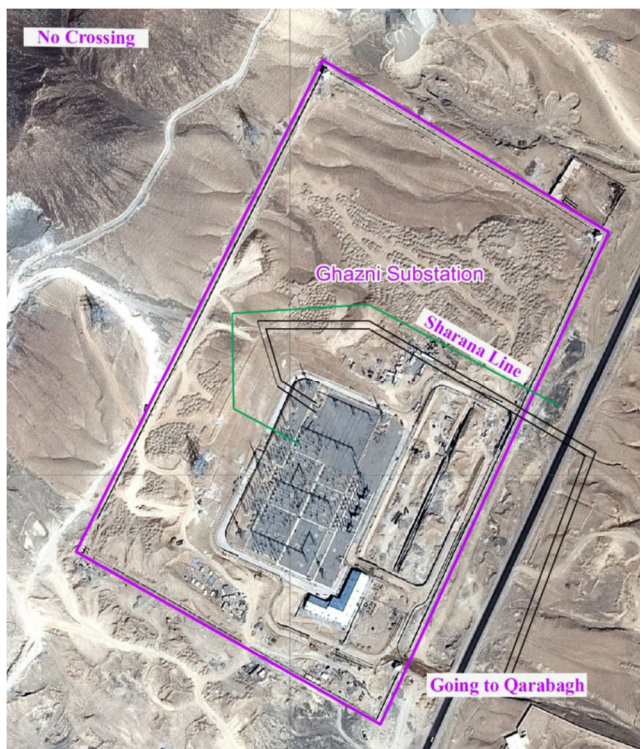


Figure 5: Ghazni Substation view

21. The site for the proposed new station belongs to DABS and is located Kotwal Village of Sharana City. Figure 6 shows the new substation area (latitude: 33.113237°, longitude: 68.721979°).



Figure 6: Proposed location of the Sharana substation

22. 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 Jalalabad Substation. The Jalalabad Substation belongs to Nangarhar DABS (approx. 500 x 500 m) and is located approximately 10 km north of Jalalabad City, Nangarhar Province, Afghanistan along the ring road connecting Jalalabad with Torkham border.

E. Right of way and clearance for transmission lines

Jalalabad-Kunar TL:

23. For 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) based on the span-width, the proposed line swinging and the electrical safety distance. There is no national standard available in Afghanistan for ROW. The minimum safety distance to conductors with respect international standards for electric and magnetic fields (EMF) is 15 m in view of the public.

24. Complete clearing of the ROW would be required in the center-strip of 25 m (12.5 m 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 near the ROW corridor. Concerning ground clearance, the following are the TL 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

Ghazni-Sharana TL:

25. The ROW for the 220 kV TL is 20 m (on both sides of the center-line) based on the span-width, the line swinging and the electrical safety distance.

Table 1 Clearance for 220 kV TL (Northern Ireland Electricity NIE, 2017)

Clearance	220 kV Line
Above normal ground	7.0
To Roads	9.8
To other OHLs	4.5

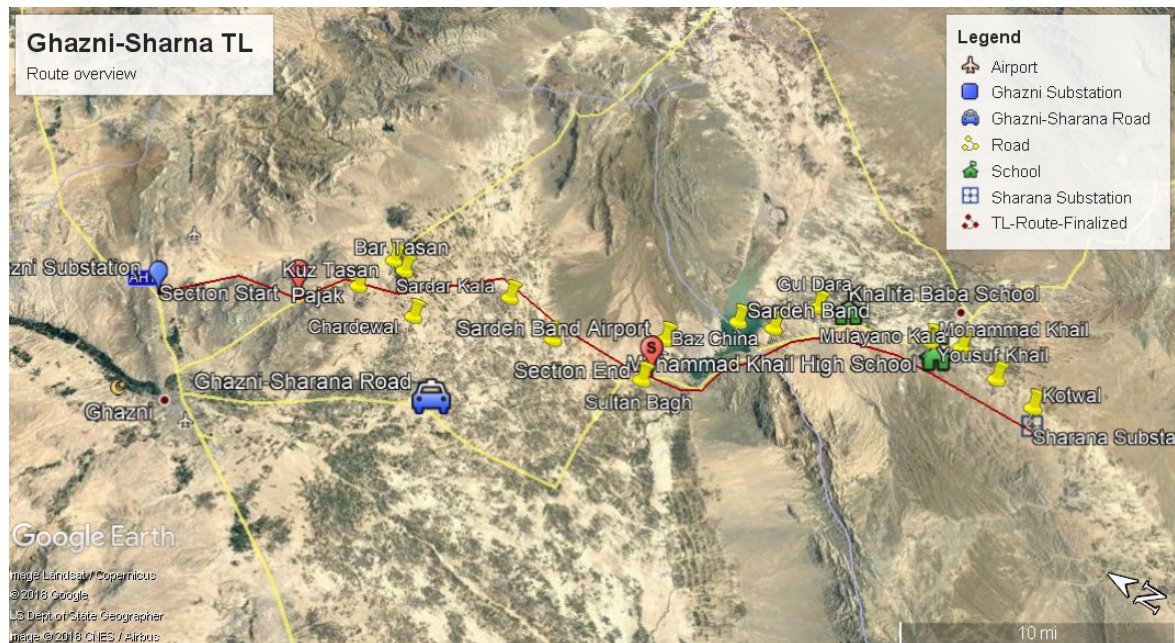


Figure 7: Ghazni-Sharana transmission line route overview

F. Project Area for Jalalabad-Kunar TL

26. The planned TL, substations and converter station are in eastern Afghanistan in Jalalabad City and Kunar Province. The terrain is from mild to highly mountainous, mostly rocky and barren.

27. The TL passes 2 districts from Nangarhar Province and 5 districts from Kunar Province. Most of the tower locations are across the Jalalabad-Kunar highway road. From the Jalalabad substation to Charbagh Safa area of Sorkhrod District Nangarhar Province, it runs east. From Sorkhrod, it goes to Dasht-e-Gambury area, Shegy villages, Khewa, Nurgal, Khas Kunar, Soky, Narang and Sarkano districts and passes through Dandona village of Kunar Province.

28. From where the line turns towards eastern up to Charbagh Safa village, Sorkhrod district and Dasht-e-Gambury area and Shegy villages of Nangarhar Province (about 32 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 in the east areas of Sorkhrod, Dasht-e-Gambury and Khewa districts of Nangarhar Province. It also passes in the vicinity (68 km) of Nurgal District up to Dandoona area near Asadabad City of Kunar Province.

29. 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 yield 2.8 to 3.5 ton for each type per ha.

30. Fruit trees, such as peaches, 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.

Project Area for Ghazni-Sharana TL

31. **Ghazni Substation to Gardez Road near Khashek village (0-10 KM):** The TL passes through hilly and desert areas. No sensitive receptors have been noticed in the area. Three floodways are in this section. The largest floodway is at latitude: 33.600110°; longitude: 68.490768°. The TL also passes through Kabul-Ghazni highway at the start point. Very few diverse primary natural plants are visible at the area.



Figure 8: Ghazni Substation to Gardez Road near Khashek village (0-10 KM) section of the TL



Figure 9: A view of the flood-prone area at (Lat: 33.600110°; Lon: 68.490768°) Ghazni, along with the TL route

32. **Khashek Village to Sardeh Band and Sardeh Airport (11-38 KM):** The TL goes parallel with the Gardez road for 5 km then crosses the road at latitude: 33.512194°/longitude: 68.566648° southward. This area is highly insecure and various insurgent groups are active. The line passes

Pajak, Tasan, Sardar Kala, Janabad, Gumbat villages and reaches Sardeh Band water dam area. In this section the line passes mainly through agricultural land and flat terrain for 15 km until it reaches Balay village. It then follows the semi-desert area of mountain skirt until Sardeh Band (dam) airport. The Sardeh airport is 2 km to the east side of the line. There is no sensitive receptor near the TL.



Figure 10: Khashek Village to Sardeh Band and Sardeh Airport (11-38 KM) section

33. **Sardeh Band to Sharana Substation (38-68 KM):** From this section, the TL follows the Ghazni-Sharana main road. The Sardeh Band dam is 600 m from the line. The Soviet Union constructed the dam in 1967. It contains an earth dam, intake, spillway, one main canal, and administration buildings. An Afghan government army checkpoint is near the dam. The system provides irrigation water for around 15,280 ha of agricultural land. Mahmood Khail high school is 400 m from the line.



Figure 11: Sardeh Band to Sharana Substation (38-68 KM) section of the TL



Figure 12: Sardeh Band dam view with respect to the line



Figure 13: Sardeh Band dam overview



Figure 1: Overall Transmission Line Route Overview

G. Measures to Reduce LAR-related Impacts

34. 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.

35. 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

36. This chapter is 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)**. The LARP team, comprising Social Safeguard specialist and a field surveyor, conducted the LARFS between 26 March to 30 August 2018.

37. The LARFS involved 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. Socio-economic data on AHs was collected. Consultation with the occupants of the structures and the affected communities was undertaken. This LARP will be updated by the PMO and construction supervision consultant upon finalization of the detailed design by the design-build contractor.

B. Potential LAR Impacts

38. 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. Table 1 summarizes the number of towers to be erected, the affected land and number of AHs by type of impact.

39. The new substation in Jalalabad is on 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 Jalalabad, there is no need to acquire additional land (See Figure 15). Neither economic nor physical displacement impacts are therefore expected from the construction of the Jalalabad substation.

Type of Tower	Jalalabad-Kunar TL		Ghazni-Sharana TL		Both	
	No. of Towers	Affected Land (m ²)	No. of Towers	Affected Land (m ²)	No. of Towers	Affected land (m ²)
A	11	1,650	69	13,800	80	15,450
B	23	2,300	19	3,800	42	6,100
C	19	1,520	10	2,000	29	3,520
D	0	0	24	4,800	24	4,800
E	0	0	6	1,200	6	1,200
Total	53	5,470	128	25,600	181	31,070
Category of AHs	Jalalabad – Kunar TL (No. of AHs)		Ghazni – Sharan TL (No. of AHs)		Both (No. of AHs)	
AHs losing land	51		118		169	
AHs losing crops	43		100		143	
AHs losing trees	8		80		88	
AHs losing structures	2		11		13	
AHs that may need to relocate	2		11		13	
AHs (DPs) that may experience major impacts	2 (10 DPs)		11(55 DPs)		13 (65 PDs)	
Vulnerable AHs	33		52		85	
Total AHs (w/o double count)	53		128		181	



Figure 15: Location of the proposed Jalalabad substation

40. In a similar way, no land acquisition is required for the back-to-back converter for Jalalabad and Kunar substations, as these lands are owned by DABS. These lands are located outside of the municipal limits of Jalalabad and Asadabad cities identified for further expansion.



Figure 16: Jalalabad-Kunar TL route

41. Land owners/users affected by the transmission line to be built under 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.

42. 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.

43. A total of **181 households** are estimated to be affected. Loss of houses will be avoided wherever possible. It is estimated that in the worst case up to **13 households will need to move** either onto land already belonging to the owners of the dwellings, or to another site to be provided. 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. Other properties such as garden walls and field paths could be damaged during stringing.

44. 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 TL corridor.

45. 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.

46. 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 district and of Dandona villages. 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

Jalalabad-Kunar TL

47. Of the total 402 towers that will be required to be installed for the 220 kV line from Jalalabad to Kunar. Of these, 349 towers will be on governmental lands, while 53 towers will be on private land. No tower will have a low-bar to restrict future cultivation of the farmlands.

48. The construction of towers on agricultural land will require compensation for crops and trees lost immediately below the tower and 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 11 Type A towers (each requiring 150 m²), 23 Type B towers (each requiring 100 m²), and 19 Type C towers (each requiring 80 m²) that will be installed on private lands. A total of 5,470.00 m² of private land will need to be acquired permanently for the Jalalabad-Kunar TL.

Table 2: Jalalabad-Kunar TL: Number of towers to be erected on private land and area of affected land

Type of Tower	Total No. of Towers to be Erected	No. of Towers Located on Private Land	Affected Land m²
A	108	11	1,650
B	162	23	2,300
C	132	19	1,520
Total	402	53	5,470

Ghazni-Sharana TL

49. Of the total 247 towers that will be required to be installed for the 220 kV line from Ghazni to Sharana, 119 towers will be on government lands, while 128 towers will be on private land. No tower will have a low-bar to restrict future cultivation of the farmlands.

50. The construction of towers on agricultural land will require compensation for crops and trees lost immediately below the tower and 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 69 Type A towers, 19 Type B towers, 10 Type C towers, 24 Type D towers and 6 Type E towers that will be installed on private lands. A total of 31,314 m² of private land will need to be acquired permanently for 128 towers to be erected for the Ghazni-Sharana TL.

Table 3: Ghazni-Sharana TL: Number of towers to be erected on private land and area of affected land

Type of Tower	No. of Towers on Private Land	Affected Land /m ²
A	69	13800
B	19	3800
C	10	2000
D	24	4800
E	6	1200
	128	25600

51. **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, 3,340 m² of wheat crops would be affected in Jalalabad-Kunar TL and 23,640 m² of wheat crops would be affected in the Ghazni-Sharana TL.

52. **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 87 timber trees and 226 fruit trees will be lost in the Jalalabad-Kunar TL and a total of 896 timber trees and 255 fruit trees will be lost in the Ghazni-Sharana TL.

53. **Impact on Structures in Jalalabad-Kunar TL:** A total of **247 m²** 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 Table 3 below.

Table 3: Jalalabad-Kunar TL: Type and area of affected structures

Type of Structure	Area (m ²)
Houses/buildings(mud/brick/wood)	184
Perimeter walls(mud/brick/wood)	63
Total structures	247

54. **Impact on Structures in Ghazni-Sharana TL:** A total of **15,384.00sqm** 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 Table 4 below.

Table 4: Ghazni-Sharana TL: Type and area of affected structures

Type of Structure	Area (m²)
Houses/buildings(mud/brick/wood)	11,714
Perimeter walls(mud/brick/wood)	3,670
Total structures	15,384

55. **Vulnerable AHs:** Among the households affected by the Jalalabad-Kunar TL, a total of **33 AHs** may be considered vulnerable households as they are living below poverty line. For the Ghazni-Sharana TL, **52 AHs** living below poverty line may also be considered as vulnerable. No women-headed households were identified among the AHs in both TLs.

56. 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 to avoid interference into private land ownership rights.

57. 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. If possible, construction work will 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

58. This chapter presents the socioeconomic profile of the population along the tentative route of the alignment. The detailed socioeconomic surveys specific to the AHs will be conducted as part of the final LARP preparation once the alignment of the TL has been fixed.

59. As the HVTL route crosses the Jalalabad, Kunar, Ghazni and Pakteka Provinces, the focus of the socio-economic data has been on these provinces. The data is based on national statistics and interviews by the local research team during the field survey in March to Aug 2018.

B. Provinces Traversed by the Transmission Line

60. The 4 provinces traversed by the transmission line are Nangarhar, Kunar, Ghazni and Pakteka:

- Kunar Province (eastern part of Afghanistan)
- Nangarhar Province (eastern part of Afghanistan)
- Ghazni Province (west of Afghanistan)
- Pakteka Province (west of Afghanistan)

C. Census of Affected Households

61. Land acquisition and resettlement field survey (LARFS), including estimated measurement of affected assets, census of AHs and initial community consultations were carried out from **26 February to 30 August 2018**.

62. 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 was conducted 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

63. To have comprehensive and detailed information, the socio-economic data on the DPs was collected using different tools including reference to national statistics data of the two provinces, discussions, walk-over surveys and consultations.

64. The survey revealed a total of **181 AHs** for both project (Jalalabad-Kunar and Ghazni-Sharan) with a membership of **905 members**. A summary of the AHs and their household members is given in Table 5.

Table 5: Number of AHs and AH members, according to location

Location	Number of AHs	Number of AH members
1. Jalalabad – Kunar TL		
Jalalaba-Kunar TL		
Shekh Mesri Substation to Pulli-e-Sorkhabe, Sorkhroad district	41	205
Pulli-e-Sorkhabe to Dasht Gambiry	0	0
Dasht Gambiry to Shegy Bazar	0	0
Shegy Bazar to Khewa district	0	0
Kunar Province		
Khewa district to Nurgal district	0	0
Nurgal district to Khas kunar district	0	0
Khas kunar district to Soky Bazar	0	0
Soky Bazar to Narang district	0	0
Narang district to Sarkany district	0	0
Sarkany district to Dandona village	12	60
Dandona village to Kunar substation area	0	0
Jalalabad- Kunar TL: Subtotal	53	265
2. Ghazni – Sharana TL		
Ghazni Province		
Ghazni Substation to Qala Berget	21	105
Qala Berget to Qala Ashraf	12	60
Qala Ashraf to and Dah Khudydad village	11	55
Dah Khudydad village to Pirzada village	9	45
Pirzada village to Beni Kohi Baba and Aorzo village	14	70
Aorzo village to Ziwaj,Sha Khok, Dasht Nazar villages	12	60
Dasht Nazar village to Siny village	11	55
Siny village to Kota Sangi village, Andal district	8	40
Kota Sangi village to Qala Khani village, Andal district	6	30
Qala Khani village to Char Dewar village, Andal district	0	0
Char Dewar village to Qala Sardar village, Andal district	0	0
Qala Sardar village to Sultan Bagh village, Andal district	5	25
Sultan Bagh village to Band sardi, Andal district	2	10
Pakteka Province		
Band sardi, Andal district (Ghazni Province) to Qala Bacha Baz, Shara city .	12	60
Qala Bacha Baz to Sharana substation	5	25
Ghazni – Sharana TL Subtotal	128	640
Total for both TLs	181	905

65. During field surveys, AHs reported that they had been working on their own land for many years - not giving them to lease or hiring laborers. The survey results regarding socio-economic conditions and the impact assessment in the affected area are described briefly below.

1) Demographic characteristics

Age Distribution

Table 6: Age distribution of AH Members

Age Group	% of AH Members	
	Jalalabad-Kunar TL	Ghazni-Sharana TL
1-20	15.2	16.5
21-35	24.3	23.3
36-50	43.6	44.7
51-60	10.7	9.5
Over 60	6.2	6.0
Total	100	100

Household Members

66. A total of 53 households are affected by the Jalalabad-Kunar TL with an average size of 5 members. The affected population is 53.7% males and 46.3% females. There are 128 households affected by the Ghazni-Sharana TL with an average household size of 5. The affected population is 51.8% males and 48.2% females.

Education Level

67. The Jalalabad-Kunar TL data shows that 69.1% of the respondents are illiterate, while the other 10.4% has different educational levels: 11.2% have primary education, 6.9% have middle education, and 2.4% have graduate education degrees. The Ghazni-Sharana TL data shows that 70.1% of the respondents are illiterate, while the other 9.3% has different educational levels: 11.3% have primary education, 7% have middle education, and 2.3% have graduate education degrees.

Ethnic composition

68. The Jalalabad-Kunar TL survey revealed that the affected population is comprised of Pashtuns and Tajiks. Out of the 53 AHs, 37 are Pashtuns and 16 are Tajiks. The Ghazni-Sharana TL survey revealed that out of the 128 AHs, 67 are Pashtuns, 48 are Tajiks and 13 are Hazaras.

2) Socio-economic characteristics

Economic Activities

69. The main economic activity of the AHs is agriculture. The second important activity is either businesses or labour. The economic activities of the AHs are shown in Table 7 below.

Table 7: Economic Activities of the AHs

Economic activity	Jalalabad – Kunar TL		Ghazni – Sharana TL	
	No. of AHs	%	No. of AHs	%
Agriculture	28	52.8	75	58.6
Business	9	17.0	22	17.2
Labor	6	11.3	18	14.1
Employment (public and private)	3	5.7	6	4.7
Livestock raising	7	13.2	7	5.5
Total	53	100	128	100

Cropping Pattern

70. 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

71. 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

72. 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 agricultural processing (prevailingly with regard to their family's own products).

73. 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.

CHAPTER FOUR: LEGAL AND POLICY FRAMEWORK

A. General

74. This LARP is prepared following the provisions of the land acquisition and resettlement framework (LARF) for the Investment Program prepared in October 2015 and updated in October 2017. 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 DPs is finally given.

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

75. 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.

76. 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).

77. 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).

78. 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.

79. 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 are in conflict with the provisions of any other legislation, its provisions shall prevail. 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

80. 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 are 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

81. 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 8](#) presents the differences between the LAL and the ADB safeguards, and identifies the resolutions taken on this LARP to reconcile the gaps.

Table 8: Comparison of the ADB Safeguard Policy Statement (2009) and the LAL of Afghanistan

ADB SPS 2009	Amended Land Acquisition Law (LAL, 2017)	Remarks/Agreed Measures	Reconciliation
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.	The amended LAL 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

82. 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.

83. 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).

84. Compensation eligibility will be limited by a cut-off date to be set on the completion day of the impact 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

85. 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 allowance³** — 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.

86. 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. The above described entitlements are summarized in the Entitlements Matrix provided in [Table 9](#).

Table 9: 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

Item	Application	Eligibility	Compensation Entitlements
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 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

87. A consultation process was carried out with the potentially affected people/public along the transmission line routing from Jalalabad to Kunar and Ghazni to Sharana. 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.

88. The public consultations conducted in March up to Aug 2018 included scoping sessions with stakeholders and focused group discussions with local communities.

- Findings During the Consultation Meetings with the People and Governmental Offices of the Area:

89. At the most of consultation meetings with the people of Nangarhar, Kunarha, Ghazni and Pakteka provinces they were asking the same question which is why DABS is spending a lot of money for transferring the electricity from outside. Why doesn't the government build the electricity dam of Konarha which can produce enough electricity for both Konarha and Nangarhar provinces and there would be no need to buy electricity from outside the country.

90. Also, people were saying that the electricity produced in Afghanistan would be cheaper than buying from other countries, which has important effects in the economy of our families. According to them, to activate factories in the country cheaper electricity is needed so that it is cheaper to produce goods and would allow Afghans to compete with the imported goods and develop the economy of the country.

91. Some of the affected people wanted to know about the prices of compensations like the prices to be compensated for lands, agricultural products on the lands, fruit and non-fruit trees, constructions and displaced people from one place to another. They wanted to know that is the compensation money enough for them or not. And they wanted to know what the process of payment is or how they are going to get the money.

92. **Answers to the Questions of People:** In response to their question it was explained to the people that not only the construction this electricity dam need a long time but also a huge budget. The extension of these lines are effective to obviate the current needs of people and in the future when the electricity dams of Afghanistan are constructed, these lines will be used for transferring of those electricity, however in the future we would also be in need to extend these lines to smoothly transfer the electricity from one part to another part of Afghanistan. By having these lines in the future it would help us to sell our electricity to our neighboring countries. By giving all the responses, the people's attention was brought to the main point and were satisfied.

93. Regarding the compensation of affected people as a result of Sapary-Jalalabad Road Project, by using the experiences of completed projects funded by Asian Development Bank, the payment process was fully explained and people understood that how systematically and clearly their compensation money will be given to them but of course it would take a long time to do all these. As per our observations during recent years some governmental properties were confiscated by local land grabbers. Even one property was sold to multiple persons by them. That

is why the government is also responsible to make sure that governmental properties are not grabbed anymore and they should separate the governmental lands from private lands. On the other hand, having not enough capacity in some governmental offices caused delays in processing public works which clearly this could be seen in different parts. This would also somehow affect the processing of compensation.

94. In addition, regarding the compensations rates and other ADB policies explanation was given to them. Furthermore, the experiences from other completed ADB project regarding the compensation money was fully explained that the compensation monies were paid in a very clear and obvious process; which the rates of the affected properties would be compensated based on up to date market rates.

95. As a result of the consultation meetings, it was understood that besides all the problems and challenges people have, they are ready to accept implementing economical projects; especially they support infrastructural projects. And this is a positive point that during implementing the project, cooperation of local people and local government has an important role in the success of whole project.

B. Identification of Stakeholders

96. Possible stakeholders of the project are: The Ministry of Agriculture, Irrigation and Livestock, the Ministry of Rural Rehabilitation and Development, the World Food Programmed, the National Solidarity Program working with Community Development Councils, the National Area Based Development Program 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.

97. 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.

98. 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

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

100. The communities along the line corridor (apart from the Jalalabad center and some villages in Sorkhroad 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 20 to 50 HHs without any or with very low technical standards, privately run by untrained people. And the communities along the line corridor (apart from the Ghazni center and some villages in Andal 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 15 to 35 HHs without any or with very low technical standards, privately run by untrained people.

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

102. 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.

103. 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.

104. 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 Ghazni center, Andal district and Band sardi area of Ghazni province, and between Band Sardi and Center of Sharan area of Pakteka provinces. 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.

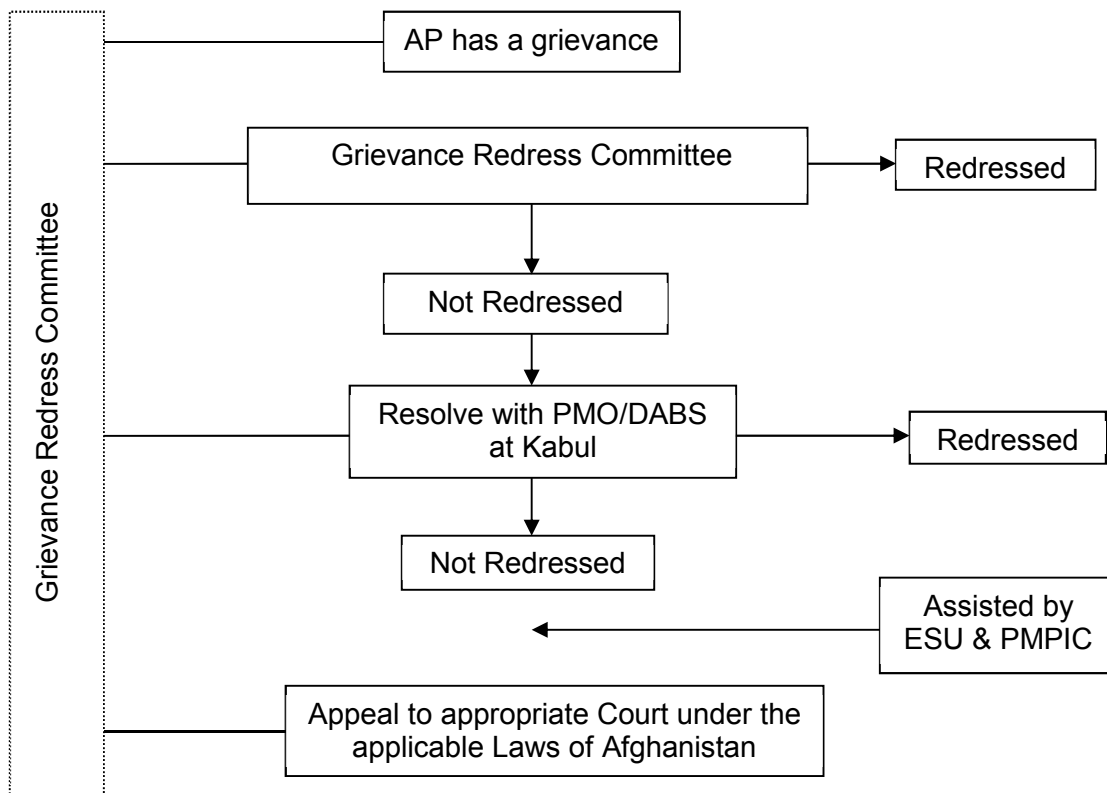
113. While applying the Grievance Redress Mechanism, the DP can seek support from the representative of the coordinator who may also be assisted by the national and international consultants. The contact addresses/phone numbers will be disseminated via the project information leaflet to be distributed 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 (2) 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

133. 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 2018 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.

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

135. 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 DMS.

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

B. Compensation for Permanent Land Losses

135. The total permanent land requirement in Jalalabad-Kunar TL for towers will be **5,470.00 m²** And the total permanent land requirement in Ghazni-Sharana TL for towers will be **31,314.00 m²** 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.

Jalalabad-Kunar

Type of Land	Rate (AFN/m ²)
Agricultural lands	
Category 1	3,300
Category 2	2,200
Category 3	1,500
Residential land	
Residential land	2,500

Ghazni-Sharana

Type of Land	Rate (AFN/m ²)
Agricultural lands	
Category 1	3,000
Category 2	2,100
Category 3	1,400
Residential land	
Residential land	2,000

C. Compensation for affected structures

136. Structure loss valuation for Jalalabad-Kunar and Ghazni-Sharana TL 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)	M ²	4,000
Perimeter Walls(Mud/Brick/Wood)	M	1,000

D. Compensation for crops

137. 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 m² of land was calculated.

Affected area of crops (Wheat) m ²	Rate (AFN)
3,340.00	20

E. Compensation for trees

138. 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. In the Jalalabad-Kunar TL, there are 226 number of fruit trees that include, 43 pcs of peach, 64 pcs of berry and 121 pcs of citrus. In the Ghazni-Sharana TL, there are 255 number of fruit trees that include, 75 pcs of peach, 68 pcs of berry 53 pcs of Grip and 99 pcs is Jalghoza. The assessed rates for the various affected trees range from 5,000 AFN – 7,150 as per table below. A unified rate of 6,000 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)
Peach	35	45	4	6,300
Berry	50	20	5	5,000
Citrus	110	13	5	7,150

139. 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 AFN 4 and hence the cost of tree is calculated as AFN 4,000. The compensation of the tree will be free of deduction for the value of the wood left to the AP.

F. Allowances

140. Relocation Allowance: The 2 AHs in Jalalabad-Kunar and 11 AHs in Ghazni-Sharana Project who will need to be relocated, will be provided for each a lump sum amount of 5,000 AFN/AH.

141. Transitional Allowance: The 2 AHs in Jalalabad-Kunar TL and 11 AHs in Ghazni-Sharana TL who will need to be relocated, will each be provided a lump sum amount of 15,600 AFN/AH as transitional allowance.

142. Vulnerable AH allowance: The survey found AHs that are living below the poverty line and are therefore considered vulnerable. The 33 vulnerable AHs in Jalalabad-Kunar TL and 52 vulnerable AHs in Ghazni-Sharana TL will receive a lump sum allowance of 28,500 AFN/AH for each.

Summary of total cost

	As per LARP survey						
Description	For Jalalabad-Kunar project			For Ghazni-Sharana project			
Land (A)	Affected Area/m2	Unit Rate	Amount/Afs	Affected Area/m2	Unit Rate	Amount/Afs	Total Cost for two project
1- Private Land							
Agricultural irrigated land			-				
First Category	2,246.00	3,300.00	7,411,800.00	13,800.00	3,000.00	41,400,000.00	48,811,800.00
Second category	1,785.00	2,200.00	3,927,000.00	3,800.00	2,100.00	7,980,000.00	11,907,000.00
Third Category	1,255.00	1,500.00	1,882,500.00	2,000.00	1,400.00	2,800,000.00	4,682,500.00
Residential Land	184.00	2,500.00	460,000.00	11,714.00	2,000.00	23,428,000.00	23,888,000.00
Sub-Total	5,470.00		13,681,300.00	31,314.00		75,608,000.00	89,289,300.00
Structure (B)	Affected Area	Unit Rate	Amount				
Houses/Buildings(Mud/brick/wood)	184.00	4,000.00	736,000.00	11,714.00	4,000.00	46,856,000.00	47,592,000.00
Perimeter Walls(Mud/Brick/Wood)	63.00	1,000.00	63,000.00	3,670.00	1,000.00	3,670,000.00	3,733,000.00
Sub-Total	247.00		799,000.00	15,384.00		50,526,000.00	51,325,000.00
Trees (C)	No of trees	Unit Rate	Amount	No of trees	Unit Rate	Amount	
Non productive Trees	87.00	4,000.00	348,000.00	896.00	4,000.00	3,584,000.00	3,932,000.00
Productive Trees	226.00	6,000.00	1,356,000.00	255.00	6,000.00	1,530,000.00	2,886,000.00
Sub-Total	313.00		1,704,000.00	1,151.00		5,114,000.00	6,818,000.00
Crops Loss (D)	Affected Area	Unit Rate	Amount	Affected Area	Unit Rate	Amount	
Crops	3,340.00	20.00	66,800.00	23,640.00	20.00	472,800.00	539,600.00
Sub-Total	3,340.00		66,800.00			472,800.00	539,600.00
Allowance (E)	Household /Area	Unit Rate	Amount	Household /Area	Unit Rate	Amount	
Transitional Allowance	2.00	15,600.00	31,200.00	11.00	15,600.00	171,600.00	202,800.00
Vulnerable AHs allowance	33.00	28,500.00	940,500.00	52.00	28,500.00	1,482,000.00	2,422,500.00
Relocation AH Allowance	2.00	5,000.00	10,000.00	11.00	5,000.00	55,000.00	65,000.00
Sub-Total			981,700.00			1,708,600.00	2,690,300.00
Total (A+B+C+D+E)			17,232,800.00			133,429,400.00	150,662,200.00
Other Cost			Amount			Amount	
External Monitoring Agency for 2 months			500,000.00			500,000.00	1,000,000.00

LARP Operation cost 10%			1,723,280.00			13,342,940.00	15,066,220.00
Contingencies cost 10%			1,723,280.00			13,342,940.00	15,066,220.00
Sub-Total			3,946,560.00			27,185,880.00	31,132,440.00
Total Project Cost			21,179,360.00			160,615,280.00	181,794,640.00

CHAPTER SEVEN: IMPLEMENTATION SCHEDULE

143. The turnkey contract for this project will be awarded in first quarter of 2019. DABS will begin the update and finalization of this LARP following the finalization of the transmission route and detailed design by the turnkey contractor. Implementation will immediately follow once the updated LARP has been reviewed and approved by ADB and LAR funds have been approved by the Council of Ministers. Figure 4 presents the update, finalization and implementation of this LARP.

Figure 4: LARP finalization and Implementation Schedule

LARP Implementation Tasks	Feb 2019	March 2019	April 2019	May 2019	Jun. 2019	July. 2019	Aug. 2019	Sep. 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						—	—	—

CHAPTER EIGHT: MONITORING AND EVALUATION

144. 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

145. 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.

146. 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.

147. 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

148. 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) recommending issuing of 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 AHs. 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 vulnerable AHs. 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 DPs 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 DPs in the post resettlement period.

149. 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 DPs in case the outcome of the study shows that the objectives of the LARP have not been attained.

Reporting

150. 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 language