



REPUBLIC OF ARMENIA



**Local Economy and Infrastructure
Development Project**

**RESETTLEMENT POLICY
FRAMEWORK**

October 2015

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ACRONYMS AND ABBREVIATIONS

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ACRONYMS AND ABBREVIATIONS

AMD	Armenian Dram
ATDF	Armenian Territorial Development Fund
DFA	Development Foundation of Armenia
EIA	Environmental Impact Assessment
GoA	Government of Armenia
IBRD	International Bank for Reconstruction and Development
IT	Information technology
LA	Local authorities
LEID	Local Economy and Infrastructure Development
MoE	Ministry of Economy
MTA	Ministry of Territorial Administration
NGO	Non-Governmental Organization
OP	Operational Policy of the World Bank
PAP	Project Affected Person
PPI	Public Private Infrastructure
RAP	Resettlement Action Plan
RAPIU	Resettlement Action Plan Implementation Unit created under LEID Project
RoA	Republic of Armenia
RPF	Resettlement Policy Framework
SNCO	State Non-Commercial Organization
USD	United States of America Dollars
WB	World Bank

DEFINITIONS

The terms used in this document are defined as follows:

- **Asset Inventory** – a complete count and description of all property that will be acquired.
- **Compensation** – loss reimbursement for Project Affected Persons. Includes payments in cash or in kind of the due amount (replacement value) in return for lost assets, property, resources, or income;
- **Cut-off date** - the “cut-off date” refers to the final date by which claims for eligibility for compensation or rehabilitation under the Project will be considered. The cut-off date is specific to each Resettlement Action Plan (RAP). The cut-off date will be publicly announced by the relevant Authorities of the Republic of Armenia (RoA) and the census of PAPs will be undertaken immediately after this announcement;
- **Direct road impact** – when privately owned land parcels are physically affected by the road rehabilitation works;
- **Economic rehabilitation** – measures taken for income restoration or economic recovery so that the affected population can improve or at least restore its previous standard of living;
- **Eligibility** – the criteria for qualification to receive compensation, rehabilitation or other assistance under the Project’s resettlement program;
- **Grievance procedures** – the processes established under law, local regulations, or administrative decision to enable property owners and other displaced persons to redress issues related to acquisition, compensation or other aspects of resettlement;
- **Grievance redress mechanism** – the process established under the current Project to enable Project Affected Persons and communities to voice and resolve grievances related to project activities;
- **Grievance Redress Committee** - the committee established at Project level to hear and facilitate the resolution of complaints and grievances of PAPs regarding resettlement, including acquisition of land, loss of houses, or assets, livelihoods, or other disturbances caused by the Project;
- **RAP Baseline survey** – the population census, asset inventory, and socio-economic survey together constitute the baseline survey for the affected population;
- **Income restoration** – re-establishing income sources and livelihoods of affected persons;
- **Involuntary** – refers to actions taken without the displaced person’s informed consent or power of choice;
- **Involuntary resettlement** – refers to development project scenarios resulting in unavoidable resettlement losses, in which the people affected have no option but to

rebuild their lives, income and asset bases elsewhere;

- **Land** – in addition to land plots, includes anything growing on or permanently affixed to land, such as crops and buildings;
- **Land Acquisition** - the process of acquiring land from private or public owners, for public purpose, in return for a compensation;
- **Land parcels under road impact** – when privately owned land plots that are physically affected by road rehabilitation activities;
- **Land parcel with residential house attached under road impact** – when privately owned land plots as well as residential houses are physically affected by road rehabilitation activities and may require demolition of the residential house as well;
- **Population census** – a complete and accurate count of the population that will be affected by land acquisition and other project activities. When properly conducted, the population census provides the basic information necessary for determining eligibility for compensation;
- **Project cycle** – the cycle of project development from initial phases of identification and assessment of feasibility to its implementation and completion. From the standpoint of the implementing Agency it is convenient to represent the project cycle as consisting of the following phases: Pre-Feasibility, Assessment, Feasibility Studies, Project Design, Appraisal, Implementation.
- **Project Affected Person or household (PAP)** – refers to any person or household affected by project-related changes in use of land, water, or other natural resources. These include permanent or temporary losses of land, assets, and income. Affected persons, entitled to compensation or at least rehabilitation provisions under the Project are: all persons losing land, or access to land, permanently or temporarily either covered by legal title/traditional land rights or without legal status; tenants and sharecroppers whether registered or not; owners of affected buildings, crops, plants or other objects attached to the land; and affected persons losing business, income and salaries.
- **Rehabilitation** - the compensatory measures provided under the Project other than payment of the replacement value of acquired property. This may include assistance in re-establishing incomes, access to services, community and social structures and networks;
- **Relocation** - the physical relocation of PAPs from their pre-project place of residence on either a temporary or permanent basis depending on the nature of project impacts (temporary or permanent). Includes replacement or rebuilding of housing, replacement or lost assets such as productive land and public infrastructure in another location;
- **Replacement Value** - the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account;

- **Resettlement** – in accordance with the World Bank’s Involuntary Resettlement Operational Policy (OP) 4.12, ‘resettlement’ is a general term that refers to land acquisition and loss of assets, whether it involves actual relocation, loss of land, shelter, crops, assets or other means of livelihood. It includes all the measures taken to mitigate any and all adverse impacts of the Project on PAPs’ property and/or livelihood, including compensation, relocation (where relevant), and rehabilitation;
- **Resettlement entitlements** – resettlement entitlements with respect to a particular eligibility category are the sum total of compensation and other forms of assistance provided to displaced persons in the respective eligibility category;
- **Resettlement effects** – permanent or temporary loss of physical and non-physical assets, including homes, productive land, crops, access to income-earning assets or sources, subsistence or other resources, community structures such as cultural sites, social structures, access to essential social services, loss of community networks and ties, cultural identity, and mechanisms for mutual help. A resettlement effect is considered significant if PAPs would lose 10% or more of their productive assets as a result of the project.
- **Resettlement Action Plan (RAP)** – the planning document that describes what will be done to address the direct social and economic impacts associated with involuntary resettlement as per this RPF; An abbreviated RAP is a shorter form of resettlement action plan that can be done when expected impacts are not severe and affect few (e.g., fewer than 10) persons or households;
- **Resettlement Policy Framework** - refers to the present document which is the overall Policy Framework for Resettlement of Project Affected Persons for the Local Economy and Infrastructure Development (LEID) Project. The Resettlement Policy Framework describes the process and methods for carrying out OP 4.12 policy under the Project, including compensation, relocation and assistance of persons whose assets or livelihoods are adversely affected by the Project;
- **Resettlement strategy (Rehabilitation strategy)** – the approaches used to assist people in their efforts to improve (or at least to restore) their incomes, livelihoods, and standards of living in real terms after resettlement. The resettlement strategy typically consists of consulting with project affected persons on their options for compensation and assistance, payment of compensation at replacement cost, transition support arrangements, relocation to new sites (if applicable), provision of alternative income-generating assets (if applicable), and assistance to help convert income-generating assets into income streams;
- **Right-of-Way Easement** - the process whereby the owner or possessor of land is compelled to permit the continued use of a part of his land as a means of transit of persons or services, in return for a compensation, but where the ownership of the land remains unchanged;
- **Servitude** - according to Armenian Land Code, servitude of a land plot is the right of one or more owners to use the land with limitations. A servitude may be established to provide for walking and riding through the neighboring land parcel, installation and exploitation of lines of electric transmission, communication and pipelines, provision of water supply and melioration. Servitude can be temporary or permanent. ;

- **Socio-economic survey (SES)** – a complete and accurate survey of the project-affected population. The survey focuses on income-earning activities and other socio-economic indicators;
- **Stakeholders** – a broad term that covers all parties affected by or interested in a project or specific issue – in other words, all parties that have a stake in particular issue or initiative. Primary stakeholders are those most directly affected – in resettlement situations, the population that loses property or income because of the project, and the host communities that might lose permanent or temporary access to certain areas or services, or suffer other disturbances. Other people who have an interest in the project – such as the project authority itself, local government authorities, broader beneficiaries of the project e.g. population of certain regions/settlements, interested NGOs – are termed secondary stakeholders.
- **Task Manager or Task Team Leader** – World Bank officer in charge of a Bank-supported project or activity;
- **User** – physical person, occupying certain land or structure or using it for productive purposes, that is not the registered owner, or holding the right to use the land;
- **Usufruct** – the right to use and profit from land belonging to other person, or group of persons; unlike the owner, the person holding this right will have no right to alienate, mortgage or bequeath of the land parcel;
- **Vulnerable groups (people)** – project affected persons that face specific and additional constraints to cope with impacts of the project and require additional assistance to restore their assets or livelihoods, for example, persons living below the poverty line, elderly persons, persons with disability, families with many children or single-parent households, refugees and IDPs, etc. Vulnerable groups will be identified during the resettlement strategy planning process, and additional measures to assist them will be defined in the RAP;

SUMMARY

The purpose of the Resettlement Policy Framework is to provide general guidelines for the Local Economy and Infrastructure Development (LEID) Project financed by the World Bank for timely, adequate and efficient action to address, minimize and mitigate adverse resettlement impacts and to solve resettlement issues, if and when these occur. In accordance with the World Bank resettlement policy, a Resettlement Policy Framework needs to be prepared if the extent and location of resettlement cannot be known at appraisal, which is the case with the LEID Project. The RPF is prepared in the framework of World Bank's policy on Involuntary Resettlement (OP4.12) and Republic of Armenia (RoA) legal requirements.

1. INTRODUCTION

1.1. Project Description

The proposed Local Economy and Infrastructure Development (LEID) Project would be a new World Bank-financed project implemented by the Ministry of Economy, Development Foundation of Armenia, and the Armenian Territorial Development Fund (ATDF). MoE and DFA will be responsible for overall coordination of the Project. ATDF will implement key infrastructure activities. ATDF is an implementing agency with strong administrative capacity and technical expertise. It was created in 1996 as Armenian Social Investment Fund (ASIF) and has successfully completed two IDA financed projects (ASIF I and II). It is currently implementing the ASIF III project, including three additional financings. As of January 2015, ASIF was transformed into the Armenian Territorial Development Fund (ATDF) through a formal decision of the Government of the RoA on “Approval of the ASIF’s Development Strategy and the Creation of a Territorial Development Fund on the Basis of the Restructuring of ASIF.” In the short-term, ATDF will maintain its focus on short-term local social infrastructure micro-projects, while it develops the blueprint and criteria for longer-term, larger and sustainable development projects and the diversification of its funding. The main goals of the ATDF will be aimed at supporting the Government’s initiatives in: (a) raising the living standards of the poor and vulnerable groups of population, (b) institutional strengthening at the municipal and community level.

ATDF (formerly ASIF) has generated a sound implementation record through 18 years of project implementation. Since its inception, it has implemented over US\$90 million of investments into local social and economic infrastructure through over 900 local infrastructure micro-projects. It has a solid foundation in local social infrastructure project management and has overseen some of the most cost-effective, efficient and high quality local social infrastructure projects in Armenia.

The proposed project will build on ATDF’s current high capacity in implementing social infrastructure projects, while working to evolve existing delivery model to meet the current needs and strategies of Armenia in line with the objectives of the Armenian Development Strategy 2012-2025 on reducing regional socio-economic disparities and promoting harmonic regional development.

The project is aligned with the World Bank twin goals of eliminating poverty and boosting shared prosperity, as it aims at increasing private sector-led growth and job creation, supporting improvement of infrastructure, services, and institutional capacity for boosting tourism and the local economy of the Southern Regions of Armenia.

The team and the counterparts discussed the proposed Project costs and financing. IBRD will provide \$55 million for the proposed Project. The Government contribution as a counterpart funding will be around 20% of the IBRD loan. The proposed Project would be implemented within four years.

Implementation of the project is planned to be carried out within the following components:

Component 1: Urban regeneration and tourism circuit development (USD 48 mln)

Component 2: Institutional Development (USD 7 mln)

Component 3: Contingent Emergency Response (USD 0 mln)

The Project will support the increased contribution of tourism to the local economies of selected regions. It will do so by implementing an integrated approach entailing infrastructure investment, urban regeneration, cultural heritage restoration, skills development, tourism product development and diversification, and attracting private sector investment. The Project will help create and build tourism circuits that connect multiple sites in the selected regions. Together, these activities will help attract more visitors to the regions and increasing their spending and this will, in turn, fuel job creation and local economic growth.

Component 1: Urban regeneration and tourism circuit development (US\$48 mln)

This Component will finance three sub-components. Most of the construction activities under the Project are expected to occur in this Component.

Sub-component 1.1: Heritage Hub Regeneration. This sub-component includes restoration of public infrastructure, building facades, public spaces, museums, roads and water. Based on product development and marketing potential, infrastructure needs, and Marz employment needs, the destination hubs with the greatest potential to be catalysts for tourism development along the Corridor are: Areni, Goris, and Meghri.

Sub-component 1.2: Tourism Circuits Development. This sub-component will finance implementation of an integrated approach to cultural heritage site upgrading and improved management in the most attractive cultural heritage sites located along the main tourism circuit/route in Southern and Northern Corridors. These activities include: a) site management plans, b) construction of tourism facilities at each attraction, such as information centers, cafés, rest areas, public toilets, parking, c) preservation of cultural heritage monuments, museums, etc., and improving the Southern Corridor access roads. Based on the South Corridor Tourism Destination Strategy, the following spokes were selected for enhancement of tourism circuit: Garni (temple and gorge), Geghard Monastery, Khor Virap Monastery, Areni marketplace, Mozrov cave, Yeghegis, Zorats Qarer (Stonehenge), and Khndzoresk. Two World Heritage Sites in the Northern Corridor, Haghpap and Sanahin, will also be restored and developed.

Sub-component 1.3: Public-Private Infrastructure (PPI). This sub-component will finance selected public sector investments in municipal or regional infrastructure which will benefit the selected community as a whole and will lead to increased medium-size private sector investments along the corridors. To encourage private sector investments in the region, this component is to support a selected number of private sector entities which show interest in and capacity to invest along the Corridors in the tourism sectors or in agro-processing, but seek complementary public infrastructure necessary to make their investments viable (e.g., public facilities within vicinity of the investments, road/sidewalk, water/sanitation, communications, etc.). They would be subject to screening by a selection committee and there will be appropriate conditions tied to that. Selection of private sector investments will be based on transparent and competitive processes. The support offered will include streamlined business startup procedures and provisions of the public infrastructure mentioned above.

Component 2: Institutional Development (USD 7 mln)

This Component will aim to enhance the institutional capacity of the Development Foundation of Armenia and other institutions to carry out: destination management and promotion; marketing; workforce development; construction supervision; management of cultural heritage sites; and monitoring and evaluation. Two sub-components are envisioned:

Sub-component 2.1: Capacity Building: Enhancing the institutional capacity and performance of the Development Foundation of Armenia and other tourism and cultural heritage entities (local and regional) to carry out the following activities: destination management and promotion, marketing and promotion; workforce development with specific gender focus; construction supervision and sustainable site management of cultural heritage; and performance monitoring and evaluation activities with specific gender disaggregation.

Sub-component 2.2: Business Advisory Services for SME Development: Private investors, particularly those investing in small and medium enterprises, shall be incentivized through the provision of various incentive schemes such as public infrastructure and streamlined business start-up procedures. This component can help encourage local communities to start up, or expand, small and medium enterprises. This component will provide business advisory services for SME development – for example, to guest-houses, restaurants, handicraft workshops, organic food and beverage firms; so that SMEs can access micro-credit financing resources available at the Ministry of Economy (MoE).

The Project is likely to have differential impacts on men and women. It is expected to increase employment opportunities in tourism/hospitality sectors for both men and women, but the types of jobs available are likely to be different. The results of project activities will be monitored, using gender disaggregated data. Improving the urban infrastructure will also have some positive direct effects on women, given their greater role in domestic work. The Project will collect gender-disaggregated data to better understand and assess the role of men and women in the tourism economy and its potential impact on both. In terms of participation, the Project will ensure that women are adequately represented in public consultations. In assessing the demand for tourism sites and designing the marketing activities, the Project will consider different experiences that male and female tourists would like to have.

Component 3: Contingent Emergency Response (CER) (USD 0 mln)

This component is being introduced, without introducing changes to the PDO or the Results Framework. Having this component is a precautionary measure that would allow the GoA and the Bank to quickly channel the loan financing for emergency recovery efforts following an adverse natural or man-made disaster and declaration by the GoA of a State of Disaster and Emergency. The built-in CER with an associated new disbursement category would allow the GoA to request the Bank to reallocate loan proceeds to this sub-component towards an emergency response for the municipal infrastructure sector within the five regions targeted by this Project in the Borrower's territory. The new disbursement category will have a zero dollar allocation, with 100 percent IBRD financing. If the CER were to be triggered, and the Bank is satisfied with the evidence that the withdrawal conditions, as defined in the Loan Agreement, are met, the Borrower will request the reallocation of proceeds to the CER sub-component and can start disbursing. The Project may require at a later date the need to revise the PDO and the Results Framework and Monitoring Indicators in order to reflect the revised scope of the project. This component could also be used to channel additional funds should they become available as a result of the emergency.

1.2. Rationale for Preparation of a Resettlement Policy Framework

World Bank funding for activities under LEID Project will be provided upon condition that each component of the Project will conform (among others) to the World Bank (WB) Operational Policy (OP) on Involuntary Resettlement 4.12. WB OP 4.12 indicates that a Resettlement Policy Framework (RPF) needs to be prepared if the extent and location of resettlement

cannot be known prior to Project Appraisal.

For a multi-component Project of this type, it would not be expedient or realistic to assess each sub-project individually within the given time framework. Instead thorough review and analysis of written documentation on the LEID Project components/sub-components was made to identify the most likely range of potential resettlement impacts and formulate the most appropriate and reasonable set of mitigation measures. However, unforeseen impacts may arise from certain individual sub-projects. Some of the impacts may also require other and more adapted mitigation measures than the ones described in this report. Therefore, it will be important to adapt/adjust the findings and recommendations of this RPF as needed during Project implementation.

1.3. Objective and Principles of the Resettlement Policy Framework

The Resettlement Policy Framework aims to prevent and mitigate the potential negative social impacts of implementation of project activities associated with land use or land acquisition. The objective of this RPF is to guide the preparation of Resettlement Action Plans (RAPs) that will ensure that, in the event of any future resettlement issues, all project affected persons (PAPs) will receive compensation, rehabilitation and assistance so that they are at least as well off as they would have been in the absence of the Project.

This Project will be guided by the principle that involuntary resettlement should be avoided where feasible, or minimized, and that all viable alternatives to minimize or avoid resettlement will be explored in the project design¹. If unavoidable, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced or adversely affected by the project to share the benefits of the project. Furthermore, displaced persons should be meaningfully consulted and should be involved in planning and implementing resettlement programs; and be assisted in their efforts to improve their livelihoods and standards of living; or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of Project implementation, whichever is higher. These principles – and resettlement measures stemming from them – apply to LEID Project and all its components, whether or not the scale, magnitude and complexity of resettlement issues requires preparation of resettlement plans.

1.4. Extent and Scope of Potential Resettlement within LEID Project

At this stage of LEID Project preparation the team does not have clear information on specific construction works that will be conducted and resettlement impacts that might occur as a result of the Project activities. Physical construction works envisaged within the framework of the Project can potentially have some negative implications on the community or PAPs and may require permanent or temporary loss of land, crops or trees or, of access to these same; temporary restriction of access to private and public properties during the construction period, disturbance to businesses, etc. The project is not expected to require PAPs physical displacement, or any severe impact on PAPs livelihood and income.

Resettlement impacts are likely to be related to temporary or permanent land use or acquisition for construction or operation of such investments. The project will prioritize the avoidance of private land use/acquisition as feasible. All sub-projects will be required to

¹ World Bank Operational Policy on Involuntary Resettlement (WB OP 4.12); January 2002, p.1

detail all potential resettlement impacts within their proposals. All relevant procedures for sub-project screening will be detailed in the Project Operations Manual.

Some civil works are anticipated under Component 1, which may result in impacts as detailed below. RAPs will be prepared accordingly to mitigate impacts from such activities. Component 2 is not expected to include activities that would require RAP preparation and implementation.

Extent and Scope of the Resettlement Scenarios Expected within the LEID Project

Resettlement Scenarios	Situational	Probability	Status / Action
Temporary impact on the visual quality of private land; disturbance during construction works without any losses of income or property.		Moderate	Allowed / Impact mitigation measures within EMP
Temporary impact on private land; disturbance during construction works associated with the loss of income (loss of harvest and annual income for farmers; losses of income for small businesses, such as roadside commercial activities etc.)		Moderate	Allowed / Abbreviated RAP; Compensation and rehabilitation for losses as applicable
Temporary impact on private land; losses of productive assets (trees; ancillary buildings)		Moderate	Allowed / Abbreviated RAP; Compensation and rehabilitation for losses as applicable
Land take; (less than 10 affected households) Acquisition of certain part of private land parcels without or with associated loss of assets; Change in use of public land under use by informal settlers		Low	Allowed / Abbreviated RAP; Compensation and rehabilitation for losses as applicable
Land take; (more than 10 affected households) Acquisition of certain part of private land parcels without or with associated loss of assets; Change in use of public land under use by informal settlers		Low	Allowed / RAP; Compensation and rehabilitation for losses as applicable

Structural demolition resulting in physical relocation of households or businesses	Low	Allowed / RAP; Compensation and rehabilitation for losses
PAP's occupied or using land that is owned by private investors.	Low	Allowed / RAP; Compensation and rehabilitation for losses
Loss of livelihood or reduction in income (less than 10 affected individuals)	Moderate	Allowed/ Abbreviated RAP, compensation of losses, livelihood restoration plan developed and implemented with affected individuals.
Loss of livelihoods or reduction in income (more than 10 affected individuals)	Low	Allowed/ RAP, compensation of losses; livelihood restoration plan developed and implemented with affected individuals.
Restriction of access to land or natural resources, including informal users	Moderate	Allowed/ RAP, compensation of losses

1.5. Conclusion

The works to be implemented under LEID Project will be carried out predominantly in areas owned by the state or community, which do not pose significant resettlement risks. However, some use of private land, as well as permanent or temporary disruption to local businesses or income-generating activities may be expected under the project. Adequate mitigation of all impacts to either the property or the incomes and livelihoods of project-affected persons will necessitate compliance with the WB policy principles, preparation and implementation of RAPs.

2. INSTITUTIONAL AND LEGAL FRAMEWORK

2.1. Institutional Framework

Several institutions, each with different roles and responsibilities, will be responsible for overseeing and implementing the principles and objectives of the RPF while developing and implementing subsequent RAP(s)². The key institutions that play a role in resettlement and resettlement issues associated with the implementation of the LEID Project are listed below. A diagram showing the key actors, including their roles and interrelationships, is also included below in this section.

2.1.1. Overview

ATDF bears overall responsibility for oversight and monitoring of all activities under this RPF. ATDF will guide, supervise and report on progress in preparation and implementation of Resettlement Action Plans, and will handle resettlement issues requiring action and coordination with all stakeholders, including central and local government authorities, communities, civil society, etc..

The responsibility for the assessment of social risks associated with the resettlement, provision of the respective conclusions and preparation of any RAPs required will reside with the ATDF RAP Implementation Unit (RAPIU) created within ATDF. RAPIU will include project and institutional development specialists, legal, environmental and social safeguard specialists.. Day-to-day responsibility will reside with the social safeguard specialist working within the ATDF RAPIU, who will receive baseline information with the help of civil engineers of the Project, carry out visual inspection of the site and prepare the above-mentioned documents. RAPIU will send ARPs to ATDF Board for approval, and subsequently to the World Bank. RAPs must be approved by the ATDF Board and the World Bank before their implementation can begin. During implementation of any RAP, the social expert must directly coordinate these activities and ensure overall compliance with the RAP by all relevant project partners. ATDF will be responsible for coordination of relations with the World Bank and financial management of RAP as necessary.

Final responsibility for initiation and implementation of all activities relating to resettlement policy will be borne by the ATDF.

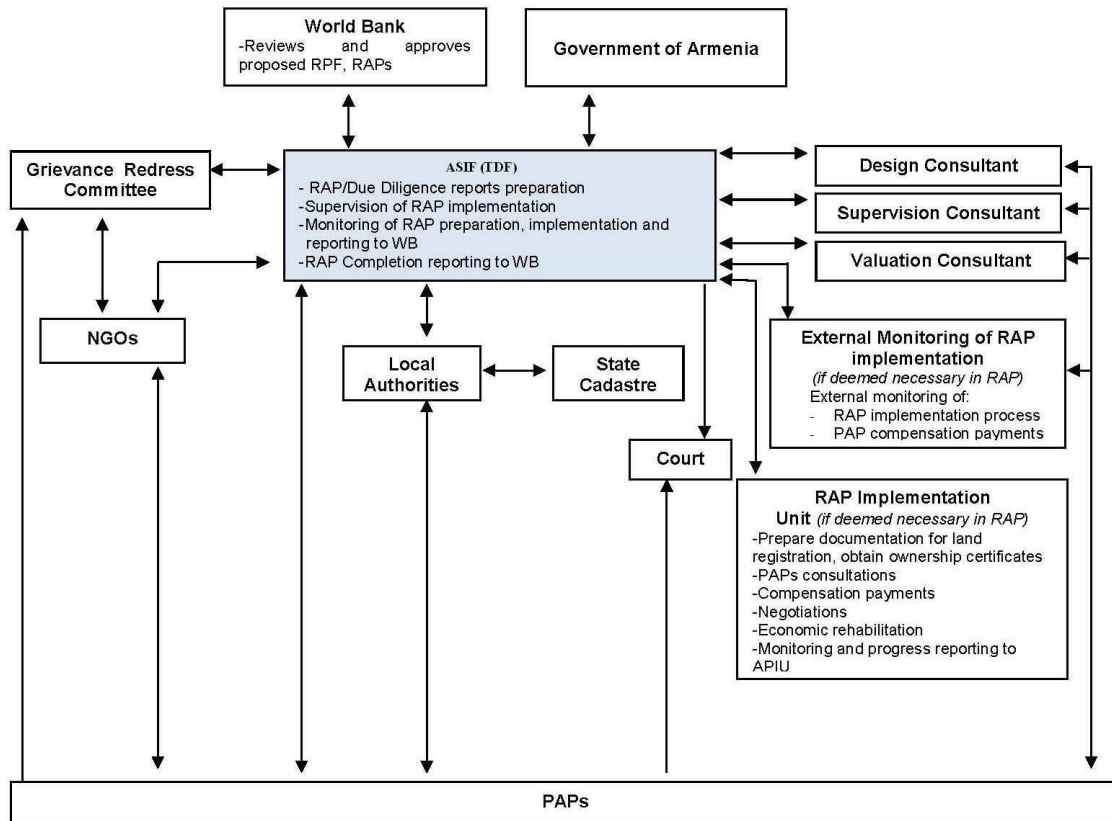
ATDF

- As the main supervisory body, ATDF will oversee all aspects of RPF implementation. ATDF will be the initiating agency for the preparation and implementation of RAPs aimed at mitigating impacts of LEID sub-projects;
- ATDF will contract consultants to conduct census of PAPs, asset inventory, socio-economic survey of survey of project impacts, supervision and valuation consultants as specified below to facilitate the process of PAP compensation and rehabilitation;
- ATDF will also approve recommendations on compensation, rehabilitation, livelihood restoration support or other forms of assistance.

ATDF (TDF) can be supported by different consultants in the resettlement-related tasks and activities, particularly:

- a. **Design Consultant (DC)** will prepare designs for the Project. DC will be responsible for the determination of the project alignment and location in accordance with RPF principles to avoid or minimize the Project impact. DC will be responsible for the collection of the data on the affected land plots, assets as well as PAPs and their families/households for Census and Socio-economic survey as needed, dissemination of Project and component related information during design stage.
- b. **Supervision Consultant** will be appointed to supervise the construction works and ensure its compliance with the design as well as all social and environmental requirements of the Project. Supervision consultant will provide social safeguards monitoring data to ATDF (TDF).
Licensed valuator will be temporary contracted to carry out assessment of the affected assets and calculation of the compensation in accordance with RA Valuation law and standards, WB OP 4.12 and this RPF as needed.

Figure 1. Overview of key actors in implementing resettlement strategy and plans



Other institutions that will associate and coordinate within the context of resettlement issues include, but may not be limited to, those listed below³. Main relevant functions of the selected agencies that may pertain to resettlement-related issues are presented below.

Funds for the resettlement plan will be provided to ATDF as project implementing agency from the RoA budget. Budget for RAP preparation and implementation will be allocated to ATDF (or its fiscal agent) that is responsible for financial management of the Project. ATDF will monitor and supervise the implementation of land acquisition and resettlement activities in the components / sub-components falling within their jurisdiction.

ATDF will be in charge of preparing the RAP, including PAP identification, census and socio-economic surveys, consultations and dissemination of Project and component / sub-component related information to PAPs, implementation, monitoring and recording of the RAPs. In order to assist in implementation of these works, a temporary consultant will be also contracted who will carry out financial assessment of compensation. If and when necessary ATDF will provide oversight and advisory services to other state entities authorized by the GoA to perform aspects of RAP implementation.

³ The list of relevant agencies is presented in accordance with the GoA decision No 26 from January 14, 2002 on defining of state authorized bodies of land resources in accordance to Article 2 of the Land Code of Armenia, and updated from the official website of the Government of Armenia: www.gov.am

2.1.2. National level

1. *Ministry of Territorial Administration (MTA)*

The MTA has the following roles and responsibilities, among others, that may pertain to resettlement-related issues:

- Development and enforcement of policy provisions for territorial administration, laws, programs and plans for social-economic development of territorial administrations and local self-governments through the bodies of territorial administration and local self-governments;
- Development and coordination of implementation of the policy on state regulation of migration processes;
- Formation and management of the state mobilization reserves, etc.

2. *Ministry of Nature Protection of RoA (MoNP)*

The MoNP is responsible, among others, for protection and conservation of all natural resources through:

- Development, management and implementation of the state policy on effective management use, and protection of atmospheric air, water, land and mineral resources, mitigation and prevention of adverse negative impacts on flora and fauna, especially protected areas;
- Development and enforcement of environmental legislation, including, but not limited to environmental norms and standards, permits and associated fees and charges, etc.

The MoNP might be consulted in the process of preparation of the RAP.

3. *State Committee of the Real Estate Cadastre under the GoA*

The State Committee of the Real Estate Cadastre under the GoA has the following roles and responsibilities, among others, that may pertain to resettlement related issues:

- Development and implementation of the state policy on the unified national cadaster of the real property (including land);
- Within its jurisdiction, development of the principles of land resources management and use policy, implementation of the state supervision of the land use to support the establishment of land rights institution and land market;
- Development of cadastral maps, including for lands;
- Creation and maintenance of the real property information system and provision of cadastral data;
- State registration of the real property rights;
- Development of the land balance of the RoA Land fund and lands classification by types;
- Cadastral valuation of the real estate, including lands;
- Setting of the base tax for the real property, including land tax;
- Setting of the initial price for private land; etc.

The State Committee of the Real Estate Cadaster under the GoA has its regional subdivisions and closely works with bodies of local self-governance. The Cadaster will be consulted in the process of development of the RAP, specifically in relation to

identification and validation of the PAPs assets and property rights, assessment of losses.

The Ministries presented below may be consulted in the process of RAP preparation and implementation, depending on the type of project:

- *Ministry of Energy and Natural Resources of RoA* is, among others, responsible for protection, sustainable use, and regeneration of natural resources, and implements its relevant functions through the Agency of Mineral Resources and Subsoil Concession Agency.
- *Ministry of Health of RoA* is, among others, responsible for development and enforcement of policy principles of sanitary protection zones of land use for different purposes.
- *Ministry of Culture of RoA*, among others develops the principles, parameters, norms for inventory, protection, use of historical and cultural monuments, as well as approve the designs and protection regime of protection zones of cultural and historical monuments.
- *Ministry of Emergency Situations of the RoA* elaborates and implements the policies of the GoA in the area of civil defense and protection of population in emergency situations. Armenian State Hydro-meteorological and Monitoring Service SNCO is among the structural entities acting within the Ministry of Emergency Situations.
- *Ministry of Urban Development of RoA*, among other functions, develops the policy provisions on establishment of urban development limitations and norms for use and development of certain types of land defined in accordance with the Land Code requirements.

2.1.3. Regional and Marz level

A summary of the role of *local self-governing bodies in regulation of land relations* is as follows:

- Development of basic settlement plans and implementing land zoning and use mechanisms within the administrative territory of the community, according to defined procedures;
- According to basic settlement plans, within the administrative territory of the community and according to defined procedures, provide and allocate land belonging to the community and the State in accordance with the Law on Property;
- Release / allow for change in use of land belonging to the community in accordance with the Law on Property, according to defined procedures;
- Implement:
 - Contiguous registration of the land;
 - Charges of land taxes and rent for the use of community land;
 - Control over use of the land and maintenance of the restrictions on use;

- Other obligations defined by the law;
- Support:
 - State registration of the land;
 - Provision of protection of the land allocated to administrative territories of the communities;
 - Performance of nature protection and historical-cultural norms and implementation of measures directed to that;
 - Implementation of Republican and regional plans of the mechanisms for the utilization of forestland.

State authorities in Marzes (Marzpetarans) implement the GoA's regional policies in the following areas: finance, urban development, housing and utilities, transport and road construction, agriculture and land use, education, healthcare, social security, culture and sports, nature and environmental protection, commerce, public catering, and services. The regional policies in the aforementioned sectors are implemented by means of Marzpetarans, as well as organizations subordinate to the respective Marzes.

Representatives of the Marzpetarans may be involved in the Grievance Redress Committee and consulted in the process of preparation and implementation of the RAP as the regional state authorities for regulation of land relations.

2.1.4. Community level

Heads of Municipalities and Community Councils shall be consulted and actively involved in the preparation and execution of resettlement processes in their area of jurisdiction. They will be consulted and involved as mediators in the processes of redressing the complaints/grievances, before those are deposited with the Grievance Redress Committee.

2.1.5. Grievance Redress Committee

A Grievance Redress Committee (GRC) at the Project level will be established to address complaints and grievances pertaining to resettlement and to pre-empt all disagreements being referred to the court (Details are provided below).

2.1.6. Non-Governmental Organizations

Non-governmental organizations (NGOs) functioning in Armenia and particularly in the project related regions are closely involved in community life. Particularly, NGOs can help to resolve community issues, promote interests of vulnerable groups, protect the environment, provide basic social services, organize awareness campaigns etc. The social specialist at ATDF will reach out to NGOs in the project locations to encourage their participation in project activities. NGOs may also be involved in the process of preparation and implementation of ARPs where they are willing to do so and have this capacity. NGOs will be invited to participate in all public consultations to be organized in the affected communities to present their views and recommendations on the process, and to assist PAPs during the process at their convenience.

2.1.7. World Bank

World Bank will be the funding agency of the project. Besides supervising periodically the Project, the World Bank will conduct prior review and approval of Project RPF, ESMF, RAPs, Due Diligence Reports, Compliance reports. Consultations plans (location, agenda, list of invitees) and minutes, including participants' lists will also be shared with the World Bank team.

2.2. Legal Framework

2.2.1. Legislation of the Republic of Armenia

In the Republic of Armenia the legal framework for land takings and resettlement issues mainly consists of the following legal acts:

1. The Constitution of the Republic of Armenia (*adopted in 1995 amended in 2005*),
2. The Civil Code of the Republic of Armenia (*adopted on 05.05.1998, entered into force from 01.01.1999, published in Official Bulletin No 1998/17 on 10.08.1998*),
3. The Law on Alienation of Property for the Needs of Society and State (*adopted on 27.11.2006, entered into force from 30.12.2006, published in Official Bulletin No 2006/64 on 20.12.2006*),
4. The Land Code of the Republic of Armenia (*adopted on 02.05.2001, entered into force from 15.06.2001, published in Official Bulletin No 2001/17 on 15.06.2001*),
5. The Law on Real Estate Valuation Activity (*adopted on 04.10.2005, entered into force from 26.11.2005, published in Official Bulletin No 2005/71 on 16.11.2005*),
6. The Code of Civil Procedure (*adopted on 17.06.1998, entered into force from 01.01.1999, published in Official Bulletin No 1998/20 on 09.09.1998*),
7. The Code of Administrative Procedure (*adopted on 28.11.2007, entered into force from 01.01.2008, published in Official Bulletin No 2007/64 on 19.12.2007*)

The Constitution

Article 8 of the Constitution of the Republic of Armenia (hereinafter referred to as the Constitution) acknowledges that the right to property (ownership right) is recognized and protected in the RoA. Article 31 of the Constitution states that the property can be alienated for social and state needs only in case of exceptional priority public interest, in accordance with the procedure set by the law and on the basis of appropriate compensation. In this context special attention shall be paid to Article 1 of Protocol 1 of the European Convention of Human Rights, stating that —Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided by law and by general principles of international law.

The Civil and Land Codes

In addition to land and property acquisition, a separate group of issues may arise during the implementation of the Project, related to the right of limited use of the other's property. This

issue addressed in the Civil and Land Codes of the Republic of Armenia.

Article 210 of the Civil Code (as well as Article 50 of the Land Code) states that the owners/users of a land plot can demand from the owner of the land plot neighboring with theirs and/or from the owners of other land plots to grant the right of limited use of their land plots (*servitude*). A servitude may be established to provide for walking and riding through the neighboring land parcel, installation and exploitation of lines of electric transmission, communication and pipelines, provision of water supply and melioration. The servitude can be voluntary or compulsory, if the agreement on servitude is not reached between the parties. Article 212 (3) of the Civil Code stipulates that for preservation and maintenance of pipelines, engineering infrastructures established to serve the public needs, a compulsory permanent free of charge servitude shall be established.

The Law on Alienation of Property for the Needs of Society and State

The most important legal act dealing with the issues of land/property takings and resettlement issues is the Law on Alienation of Property for the Needs of Society and State (the Law). The Law stipulates the cases when the alienation of the property needs to be executed and the procedure as to how the alienation should be conducted.

Article 3 of the Law stipulates the exceptional public interest as the constitutional basis for the alienation and sets the following requirements for execution of the alienation in question: (a) alienation in accordance with the procedure set by the law, and (b) prior payment of appropriate compensation against the property to be alienated.

Article 4 of the Law sets the principals/conditions in accordance to which the exceptional priority public interest should be determined. Thus, the Law stipulates that (a) the public interest must be superior over the interests of the owner of the property, (b) the effective implementation of the public interest cannot be achieved without the alienation of the property, (c) the alienation of the property must not do unjustified harm to the owner of the property, (d) the public interest must be acknowledged as superior through the Government decision, (e) the fact of existence of the exceptional public interest may be argued through litigation in the court .

The same article states that exceptional public interest shall serve the following purposes: (a) protection of public and state security, (b) implementation of the obligations assumed by the Republic of Armenia under international treaties, (c) preservation of historical and cultural values or monuments of international and national importance, and creation and preservation of special protected nature areas, (d) protection of the environment, (e) development of education, healthcare, sport as well as science and culture, (f) implementation of projects of community and intercommunity importance in the fields of communication, transport, energy, land use, city construction, energy and water supply, (g) protection of the property, health and private life of citizens, (h) prevention and/or mitigation/reduction of the possible effects of emergencies.

The Law also regulates the issues related to the determination of the scope of the property under alienation. In particular, Article 5 of the Law stipulates that, in case of alienation of a land parcel, all the items of real estate (buildings and other property) as well as all the improvements on the land parcel are also subject to alienation. In case of alienation of a building, the land plot necessary for the usage of the property is also subject to alienation. If a part of a property is alienated, then the non-alienated part(s) of the property should also be alienated at the demand of the owner. Such a demand should be presented within two months after the decision of the Government on acknowledgement of the exceptional public interest enters into force.

The Law furthermore stipulates that the state, a community and/or an organization can act as the acquirers of the property being alienated for public and state needs.

Article 7 of the Law states that the restrictions arising from the resolution of the Government on acknowledging the exceptional superior public interest shall be registered in accordance with the procedure set by the law within 15 days upon entering into force of the resolution of the Government. The resolution is sent to the owners of the property and other persons having registered property rights in that property within 7 days after the subject Government resolution enters into force. The Government resolution shall be published in the Official Bulletin of the Republic of Armenia and in mass media being published in not less than 3000 copies and can be appealed in the court within one month from the day it enters into force.

The same article also stipulates that, after the Government resolution enters into force, the protocol (census) on the description of the property should be prepared by the authorized governmental authority whereas the owner and the persons having property rights over the property subject to alienation are entitled to take part in the preparation. The copy of the census is sent to the owner and to the parties having property rights over the property within 3 days after it is completed. The census can be challenged / appealed before the government authorized body or the court within 10 days after they receive the copy.

The Law recognizes also the option to conduct preliminary study of the property subject to alienation (which includes also the preparation of census) before the adoption by the Government of the resolution mentioned above at the request of the potential acquirer. The preliminary study is conducted based on the resolution of the Government.

Article 10 of the Law states that the acquirer/purchaser of the property shall, before the final date of starting the alienation of property for public and state needs set by the Government, send to the owners and other persons having property rights over the property the draft of the agreement of alienation of the property. The owners of the property are obliged to inform the acquirer/purchaser within two weeks from the date of receipt of the agreement on the persons having property rights over the property who have not registered their rights or are not subject to registration. If the owner does not inform the acquirer about the mentioned persons then he/she bears the liability for the losses of those persons arising out of the alienation without their participation.

Article 11 of the Law stipulates that equal compensation shall be paid to the owner against the property to be alienated whereas the price exceeding the market price by 15 per cent shall be deemed to be equal compensation for the purposes of the Law. The market price of the real property and/or property rights over the property shall be determined in accordance with the procedure set by the Law of the Republic of Armenia on Activity of Real Estate Valuation. In this context, it should be mentioned that the Real Estate Valuation Law (Article 8) states that the valuation of the real estate is mandatory in the cases of alienation of the property for social/public and state needs, whereas the valuation is to be conducted by licensed valuers/appraisers based on the agreement. The results of valuation are reflected in the valuation statement, which shall, *inter alia*, include (a) the names of real estate valuation subjects, their addresses, (b) the date when the real estate was visited and valued, (c) the reference of application of three classical methods of valuation to valuation standard, (d) the rights and restrictions over the property valued, (e) the data about valued real estate, the source of their authenticity, (f) the result of on-site examination of the property and the description of the property

valuated, (g) the calculations of market prices received as a result of application of three classical valuation methods and their reconciliation, (h) the terms of commercial secrecy of the results of real estate valuation, (i) the analysis of the most efficient use of the property, if the customer requests so, (j) the list of documents used in the process of valuation, (k) the liability of the valuator before the customer and third parties, (l) the full name and signature of valuator and his/her license number.

The Law also stipulates that the persons having property rights over the property under alienation are compensated from the amount of the compensation paid against the property being alienated. As per articles 12 of the Law, if no agreement on alienation of the property is signed between the acquirer and the owners/persons having property rights over the property within three months after sending the draft alienation agreement to them, the acquirer must deposit the compensation amount with the notary public or the court, whereas the amount of compensation shall be calculated as of not more than one week prior of the date when the deposit is made. If the amount of deposit is received by the owners and/or persons having property rights before the court's decision on alienation of the property, the agreement of alienation is deemed to be made.

Article 13 of the Law provides that if no agreement on alienation is signed within 7 days after the acquirer deposits the amount of compensation, then, for the alienation of the property, the acquirer must resort to the court within one month. In this case only the issue on the size of the compensation amount can be the matter for discussion. The court's decision on the amount of compensation shall be the basis for alienation of the property.

The law also provides for the grounds when the resolution of the Government on acknowledging the superior public interest will become void. In particular, Article 16 states that if the acquirer does not send the draft alienation agreement to the owner and/or persons having property rights, or does not deposit the amount of compensation with the notary public or court within the time set by the Law, or does not resort to the court within the time period set by the Law then it will be construed as waiver from the right to acquire the property and all the documents on recognizing the superior public interest related to that item of property shall be deemed void. The mentioned resolution may be recognized as void by the court if the acquirer, *inter alia*, have not started the activity serving as a basis for property alienation for two years from the enactment of the resolution.

Another group of issues which are relevant to the resettlement project is connected with the procedure of application to the court should PAPs decide to choose the court for settlement of disputes arising out in the process of resettlement. In this respect it should be noted that the Law contains also several provisions setting limitation of actions i.e. time periods for being entitled to challenge/appeal some issues before or in the courts. Thus, the Law stipulates that the resolution of the Government on acknowledging the superior public interest can be challenged before the court within one month and the resolution of the Government on conducting preliminary study within two months after their enactment.

These resolutions shall be challenged / argued in the Administrative Court of the Republic of Armenia in accordance with the requirements of *the Code of Administrative Procedure*. As per Article 3 an individual or a legal entity shall be entitled to resort to the Administrative Court, if the actions and/or inactions and administrative acts of state or municipal bodies or their officials have violated or will violate his rights and freedoms guaranteed by the Constitution of the Republic of Armenia, international treaties, laws and other legal acts. In the meantime, it should be noted that the Code does not set a time frame for the proceedings in the Administrative Court. Article 81 states that the court proceedings shall as a rule be completed in one session, without delays. The preparation

to court proceedings and the proceeding itself shall be completed within a reasonable period of time. Along with the above-mentioned, the Code of Administrative Procedure provides for simplified/accelerated proceedings in several cases, among which the most applicable in our case are the following: (a) when the presented claim is evidently well-substantiated or (b) when the presented claim is evidently groundless. The decision of the Administrative Court enters into force from the moment it is publicized.

The case is a bit different when the case goes to court in the cases provided by article 13 of the Law (the signing of alienation agreement by resort to court). These cases are heard by the court of General jurisdiction if the amount of compensation in dispute is less than AMD 5 mln and by the civil court if it is equal to or exceeds AMD 5 mln. The proceedings in court are conducted as per the requirements of the Code of Civil Procedure of the Republic of Armenia. As in the previous case, the Code of Civil Procedure also does not stipulate any strict time limits for case hearings and set that the case should be heard in the court within a reasonable time period (Article 111). Here also the court may use accelerated hearings. Article 125 of the Civil Procedure Code stipulates that the court is entitled to use accelerated hearings if (a) the nature of the case requires immediate hearing; (b) the claim is evidently substantiated; (c) the claim is evidently groundless.

The decisions of the courts of general jurisdiction and the civil court enter into force after one month and can be appealed to the appeal court for civil cases. In its turn, the appeal court also is not bound by strict time-frames and shall hear the case within reasonable period taking into consideration the time period when the case was heard by the general jurisdiction / civil court. The decision of the appeal court enters into force from the moments it is publicized.

2.2.2. World Bank Policies

The primary objective of the WB OP 4.12 is to explore all alternatives to avoid, or at least minimize, involuntary resettlement. Where resettlement is unavoidable, the living standards of displaced persons should be restored or improved relative to those conditions that prevailed prior to the Project. The policy applies to the taking of land and other assets when land acquisition results in the permanent or temporary loss of shelter, the loss of all or part of productive assets, or access to them, and the loss of income sources or other means of livelihood. This policy also applies to other activities resulting in involuntary resettlement, that in the judgment of the Bank are: (a) directly and significantly related to the Bank-assisted project, (b) necessary to achieve its objectives as set forth in the project documents; and (c) carried out, or planned to be carried out in the course of the project.

2.3. Comparison of Armenian Laws and the World Bank’s Involuntary Resettlement Policy

Legislation of the Republic of Armenia	WB Involuntary Resettlement Policy	Conclusion on gaps	Actions to address the gaps
<i>1. Eligibility</i>			

<p>Persons having documented ownership over the property (land, buildings, crops, etc.) are eligible to receive compensation for the land being alienated, damages/ demolition and lost crops caused by a project (the Law on Property Alienation for Social/Public and State Needs), or in the cases their lands are not alienated but partially used for public projects (servitude) (the Civil Code (Articles 210- 218), Land Code (Articles 50-and 100)</p>	<p>Persons who have formal legal rights to land or property (including customary and traditional rights recognized under the laws of the country) or can acquire such legal rights and do so prior to the RAP cut-off date are provided compensation for the land and property they lose;</p>	<p>No gaps regarding formal / legal owners</p>	<p>N/A</p>
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<p>Persons enjoying other property rights over the property (right to lease, right to free use, etc.) are eligible for compensation. The compensation for these persons is included and paid from the compensation paid to titled owners and titled owners are responsible to inform the relevant public authority about registered users of their property (the Law on Property Alienation for Social/Public and State Needs (Article 11)). Persons having constructed buildings on their own lands but not registered them as of the cut-off date may receive compensation. (Article 188 of the Civil Code).</p>	<p>Persons enjoying other property rights (right to use, lease, tenants, etc.) can receive compensation and/or rehabilitation directly under the project RAP</p>	<p>Under Op 4.12 all PAPs can receive compensation under RAP, while under Armenian legislation compensation occurs through the legal owner.</p>	<p>To address this gap: WB OP 4.12 will be followed, The GoA will allow the application of WB OP 4.12 for the LEID Project.</p>
<p>Persons who have no legal ownership or recognizable title, having built a construction or planted trees in areas belonging to others cannot receive compensation for loss of assets. (above mentioned RoA laws)</p>	<p>Persons who have no recognizable legal right or claim to the land they are occupying are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance as necessary, if they occupy the project area prior to the cut-off date. They are also entitled to compensation at full replacement cost for any structures or assets they own on the land.</p>	<p>WB OP 4.12 envisions assistance to PAPs with no legal claims to property or land, whereas national legislation does not.</p>	<p>To address this gap it is recommended: WB OP 4.12 is followed, The GoA allows the application of WB OP 4.12 for the LEID Project.</p>

2. Entitlements			
As per Armenian legislation the compensation is paid only to the owners and persons having the property rights over the assets if the ownership/property rights has been acquired before the project cut-off date, whereas all the improvements done after the cut-off date in excess of the scope set by the law and all the encumbrances generated over the property after the cut-off date are not subject to compensation.	Compensation is paid for property owned, occupied prior to the cut-off date; claims for property or assets constructed or acquired after the cut-off date are not subject to compensation	There are no contradictions between Armenian law and WB OP 4.12 policy. However WB OP 4.12 has some additional requirements: under Armenian law only legal owners are entitled to compensation; Armenian legislation has fewer requirements on publicizing the cut-off date (it needs to be published in the Official Bulletin of RoA and in mass media published in no less than 3,000 copies).	Armenian law as well as additional requirements of World Bank OP 4.12 will be followed
The adequate compensation should be paid to the owner in case of alienation. A compensation amount exceeding market value by [no more than] 15% will be considered as adequate (The Law on Alienation of the Property for Social/Public and State Needs Article 11)	Compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.	Both Armenian legislation and WB OP 4.12 provide for compensation of lost land and assets with somewhat different provisions. In some cases, national legislation may be more beneficial for the PAPs.	Compensation should be no lower than the replacement value as specified in this RPF.

<p>No provision for income/livelihood rehabilitation measures and/or allowances for severely affected PAPs and vulnerable groups, and/or resettlement expenses (Per above mentioned RoA laws)</p>	<p>The WB policy requires rehabilitation for income/livelihood, for severe losses, and for expenses incurred by any and all PAPs during the relocation process, with special attention to vulnerable</p>	<p>Armenian legislation provides very limited provisions for income/livelihood compensation and/or expenses incurred by the PAPs during the relocation process.</p>	<p>To address this gap it is recommended:</p> <ol style="list-style-type: none"> 1) WB OP 4.12 is followed, 2) The GoA allows the application of WB OP 4.12 for the LEID.
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<i>3. Information Requirements</i>			
<p>The resolution of the Government on acknowledgment of exceptional superior public interest is to be properly communicated to the owners and persons having property rights over the assets within seven days after it enters into force. The owner and the persons having property rights over the property to be alienated are entitled to participate in completing the description of the property to be alienated. The copy of the protocol on description is to be sent to the owner and the persons having property rights over the property. (The Law on Alienation of the Property for Social/Public and State Needs Article 7)</p>	<p>Information related to quantification and costing of land, structures and other assets, entitlements, and amounts of compensation and financial assistance are to be disclosed in full to all affected persons (not only legal owners).</p>	<p>Armenian legislation does not specifically require communication on resettlement plan with informal users of property, whereas per WB OP 4.12 all PAPs should be informed and consulted.</p>	<p>To address this gap it is recommended: WB OP 4.12 is followed, The GoA allows the application of WB OP 4.12 for the LEID.</p>
<p>Local municipalities are required to acknowledge the communities through mass media and public discussions on expected changes in their living environment</p>			

2.4. Conclusions: Bridging the Gaps

In principle, Armenian laws and regulations relevant to land acquisition and resettlement and WB OP 4.12 adhere not only to the objective of compensation for affected families or persons, but also to the objective of rehabilitation. However, Armenian laws are unclear on how rehabilitation is to be achieved and in practice the provision of rehabilitation is left to ad hoc arrangements taken by the local governments and the specific project proponents. Another and rather major difference between the RoA laws and the WB policies is that the WB OP 4.12 recognizes titled and non-titled owners as well as registered and unregistered tenants, i.e. lack of legal title is no bar to compensation and rehabilitation. To clarify these issues and reconcile eventual gaps between the Armenian laws and regulations and WB OP 4.12, this RPF mandates⁴ compensation at full replacement cost of all items, including the rehabilitation of informal/non-titled settlers, and rehabilitation packages (as appropriate, to be determined in the RAP) for PAPs that may need to be relocated, suffer business losses, or may be severely affected⁵.

Furthermore, public disclosure and consultation are not well articulated in the RoA laws and the project will ensure due inclusion of (potential) PAPs and, in particular, of vulnerable groups affected by the project, in the public consultation and participation process prior to and during project implementation. In addition, an accessible grievance redress

⁴ It should be noted that the measures proposed require approval both by the GoA and WB.

⁵ For a global overview of entitlements see section 3 below and Annex 1 attached.

mechanism will be instituted (see also section 5.2 below) and physical project implementation works will not commence until all compensation and rehabilitation measures of a project or sub component are completed.

In line with the Paragraph 4 of WB OP 4.12, these measures apply to all components of the project that result in involuntary resettlement, regardless of the source of financing.

3. ELIGIBILITY AND ENTITLEMENTS

Resettlement tasks under the Project will be implemented according to a compensation eligibility and entitlements framework developed in line with both RA legislation and WB OP 4.12. The basic principle of the RPF is that PAPs should be assisted in their efforts to improve their living standards, income earning capacity, and production levels, or at least to restore them to pre-project level whereby lack of legal title does not exclude individuals from the eligibility to receive compensation or rehabilitation assistance.

During identification of the impacts associated with particular Project component, the entitlement matrix and description of compensation entitlements shall be revised and updated accordingly.

3.1. Eligibility

PAPs eligible for compensation and or rehabilitation assistance include the following three groups:

- a. those who have formal legal rights to land that are properly registered as per RA law;
- b. those who do not have formal legal rights to land at the time the census begins but have a claim to such land provided that such claims are recognized under the RA laws;
- c. those who have no recognizable legal right or claim to the land they are occupying.

All PAPs living in the project area before the cut-off date may be considered for compensation for their losses and/or rehabilitation assistance. Lacks of legal rights or titles do not make them ineligible for entitlements;

WB OP4.12 covers the following direct economic and social impacts of the project to be compensated/ rehabilitated that are caused by the involuntary taking of land resulting in:

- a. relocation or loss of shelter;
- b. permanently or temporarily affected land;
- c. loss of assets or of access to assets including: houses or other structures, crops, trees, or other assets; Businesses and or factors of production;
- d. loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- e. the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

3.2. Cut-off Date

Compensation eligibility will be limited by a cut-off date. The OP 4.12 recognizes that PAPs who occupy project-affected areas after the cut-off date are not eligible for compensation. The fact that the Project will identify a cut-off date for compensation eligibility will be communicated to affected communities during preliminary public consultations. The precise cut-off date will be publicly announced by ATDF and local authorities (LA) in advance and the census survey of PAPs and assets inventory will commence immediately following this

announcement. The cut-off date will be the date of commencement of the census survey of PAPs. Affected assets description protocols will be prepared during the assets inventory. Information on the affected assets will be registered in the presence of PAP and/or LAs. Then, the protocol will be signed by the PAP and/or LA if PAP is unavailable. Every effort will be made to arrange signing at a convenient time for the PAP and to postpone signing until the PAP is available. If the PAP remains unavailable, the reasons of the PAPs' absence should be documented and attached to the protocol. All people, organizations moving into the project area and/or people conducting construction works, planting trees, etc. after the cut-off date are non-eligible PAPs and thus will not receive any compensation. They, however, will be given sufficient advance notice, requesting them to vacate their premises and dismantle affected structures prior to project implementation. The materials of their dismantled structures will not be confiscated and they will not pay any fine or suffer any sanction. To facilitate this, the Project will put at their disposal the necessary transportation means for their relocation.

3.3. Entitlements

The compensation entitlements are based on the premise that resettlement, rehabilitation and compensation programs should improve or, at a minimum, restore the PAPs' pre-project living standards and ensure their participation in Project benefits. All the PAPs that are eligible for compensation and/or rehabilitation will be compensated prior to construction works. Some PAPs will be provided compensation for the land they lose, and other assistance in accordance with RAP. Other PAPs (those with no recognizable claim) will also be provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, in accordance with the RAP. All PAPs will be eligible for compensation for loss of assets other than land.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

3.4. General Principles of Compensation

PAPs will be compensated at full replacement and substitution costs without depreciation, and relocated after due consultation with them. Compensation will not be deducted for salvageable materials, registration costs, taxes and other applicable payments. The preliminary compensation rates for the replacement will be proposed to the PAPs to give them an opportunity to compare those with the prevailing market rate. In the case of land loss, alternative land plots of equivalent value will be offered; PAPs will given a choice between land-for-land substitution and monetary compensation, and will also be compensated for loss of crops, trees, structures, or other assets.

All fees and taxes on land and/or house transfers will be waived or otherwise fees and taxes will be included in a compensation package for land and/or house. The competent government authorities will give preferential treatment to PAPs reconstructing their houses on their own, and support them in obtaining the necessary property titles and official certificates. In the event that community infrastructure and services such as schools, factories, water sources, roads, sewage systems, electrical supply are affected, or other community resources such as a wood lot or pastures are lost, they will be replaced at no cost to the community. They will be re-built and/or improved, so that their pre-project function will be restored and the PAPs will have access to these services. In cases where the Project will have temporary land impact on a small fraction of land plots, compensation will be given in cash at the replacement cost for any lost value of land, crops, or other affected assets. PAPs

will be provided full assistance for transportation of personal belongings, inventory and/or movable assets/structures if any.

3.5. Resettlement strategies

Preference will be given to land-based resettlement strategies for PAPs whose livelihoods are land-based. These strategies may include resettlement on public land or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential, location advantages and other factors is at least equivalent to the advantages of the land taken.

If land is not the preferred option of the PAPs, or the provision of land would adversely affect the sustainability of a park or protected area, or sufficient land is not available at a reasonable price⁶, non-land-based options built around opportunities for employment or self-employment will be provided in addition to cash compensation for land and other assets lost.

3.6. Cash compensation

Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction⁷ of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, PAPs use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets, calculated as of the cut-off date.

Compensation in cash for all residential, commercial or other structures will be paid at replacement cost of these structures, without any depreciation of the structure and without deduction for salvageable materials.

3.7. Consultation and Planning

Resettlement plans will be developed and implemented in consultation with the PAPs. If any relocation of PAPs (for example, households or small businesses) occurs as a result of the Project, ATDF will ensure that in addition to proper compensation, PAPs will be provided with equal or improved access to community services to which they have had access prior to the relocation. All consultations will be gender-sensitive and inclusive of vulnerable groups.

Effective and timely design, planning and implementation of resettlement and rehabilitation measures will be conducted to avoid unnecessary delays and consequent inconveniences to the PAPs.

3.8. Relocation

PAPs will be provided full assistance for transportation of personal belongings, household inventory and salvaged material, and will be given a relocation allowance in addition to the compensation at replacement cost of their houses, lands and other properties.

⁶ The lack of adequate land shall be demonstrated and documented to the satisfaction of the WB.

⁷ As a general principle, this applies if the land taken constitutes less than 20% of the total productive area; see also WB OP 4.12, point 12, footnote 17.

In cases where community infrastructure such as schools, factories, water sources, roads, sewage systems, electrical supply, or other community resources such as a woodlot or pasture is lost, this will be replaced at no cost to the community.

3.9. Timing

Resettlement, compensation and rehabilitation programs for PAPs will be timed so as to guarantee the availability of new land and residences, prior to commencement of project or sub component related construction activities; clearance for commencing Project activities will not be started before the PAPs have received compensation and rehabilitation assistance.

3.10. Monitoring

Institutional arrangements will be made for internal monitoring of resettlement activities by ATDF. A RAP completion report will be prepared and submitted to the World Bank. The report must be acceptable to the World Bank i.e. World Bank must agree that the resettlement has been satisfactorily completed prior to the launch of construction activities. An external monitoring entity will also be involved to ensure independent audit of RAP preparation and implementation activities at the completion of RAP implementation.⁸

4. Compensation Entitlement Matrix

Type of Loss	Application	Definition of PAPs	Compensation Entitlements
Land			
Permanent loss of land (agricultural, commercial, residential, or other)	PAPs losing land regardless of impact severity	Owner with full registration	Cash compensation at full replacement cost or replacement land of the same value at location acceptable to PAPs, as feasible. If residual plots become unusable the Project will acquire it in full if the PAP desires so. Technical, financial, and/or material assistance provided to ensure full restoration of livelihood according to individual plan as detailed in section 5.8.
		Legalizable owner	PAPs will be legalized and provided with cash compensation at full replacement cost and, if needed, assistance in acquiring replacement land at a location acceptable to the PAP, as feasible. Measures provided to ensure full restoration of livelihood according to individual plan as detailed in section 5.8.
		Renter/Leaseholder	Rental allowance in cash for 3 months and measures provided to ensure full restoration of

⁸ For further details see section 5.3 below

			<p>livelihoods according to individual plan as detailed in section 5.8.</p> <p>If renters had paid rent in advance, any unused portion should be returned to them by the owner or as compensation from the Project.</p>
		<p>Informal settler/PAPs with no registration or valid documentation/Non-legalizable owner</p>	<p>One-time self-relocation allowance in cash equal to 12 months at minimum subsistence income of family of 5 as defined in national legislation. Measures provided to ensure full restoration of livelihood according to individual plan as detailed in section 5.8.</p>
		<p>PAPs occupying or using land that is owned by private investors</p>	<p>One-time self-relocation allowance in cash equal to 12 months at minimum subsistence income of family of 5 as defined in national legislation. Measures provided to ensure full restoration of livelihood according to individual plan as detailed in section 5.8. The costs of this compensation will be spent by the private investor.</p>

Buildings and Structures

Residential and non-residential structures/assets	PAPs losing their place of residence, property, and/or incomes related to buildings and structures.	<p>All PAPs regardless of legal ownership (legal and legalizable owners, informal settlers/ non-legalizable owners)</p>	<p>All impacts will be considered as full impacts disregarding the actual impact percentage. Impacts to the property and other assets will be compensated in cash at full replacement cost free of depreciation or transaction cost.</p>
		<p>PAPs occupying or using land that is owned by private investors.</p>	<p>Compensation at full replacement cost for any assets owned and structures built by PAPs</p> <p>One-time self-relocation allowance in cash equal to 12 months at minimum subsistence income of family of 5 as defined in national legislation. Measures provided to ensure full restoration of livelihood according to individual plan as detailed in section 5.8. The costs of this compensation will be spent by the private investor.</p>

Loss of Community Infrastructure/Common Property Resources

Loss of common property resources	Community / Public Assets	Community / Government	Reconstruction of the lost structure in consultation with
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			the community and restoration of their main functions.
Loss of Income and Livelihood			
Crops	Standing crops affected or loss of planned crop incomes	All PAPs regardless of legal status	Crop compensation in cash at gross market value of actual or expected harvest. Compensation will be provided regardless of the expected harvest time.
Trees	Trees affected	All PAPs regardless of legal status	Cash compensation at market rate on the basis of type, age, and productive value of the trees.
Business/Employment	Losses from business or loss of employment	All PAPs regardless of legal status	Owner: (i) permanent impact: cash indemnity of 1 year net income; (ii) temporary impact: cash indemnity of net income for the months of business stoppage. Assessment to be based on tax declaration or in its absence, on minimum subsistence income for a five person household (adjusted accordingly for larger households) Permanent workers/employees: indemnity for lost wages equal to 3 months of regular salaries of 3 months of minimum subsistence income for a five person household (adjusted accordingly for larger households). For both business owners and employees: Measures provided to ensure full livelihood restoration according to individual plans as per section 5.8 in this RPF.
Restriction to public space	The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of affected persons.	All PAPs regardless of legal status	Measures to assist PAPs in their efforts to restore livelihoods in accordance with individual plans as detailed in section 5.8 of this RPF. ATDF and respective contract will collaborate with PAPs to address and resolve any potential conflicts.
Allowances			
Severe impacts	>10% income loss Or loss of >10% of productive land	All severely affected PAPs, including informal settlers and business owners who are losing more than 10% of their income as a result of	Agricultural income: 2 additional crop compensations each covering 1 year's worth of yield from affected land. Other income: 1 additional

		Project activities.	compensaiton for 3 months' worth of minimum subsistence income for 5 person household.
Relocation / Shifting	Transport / transition costs	All PAPs who require relocation of residence, or business/economic activity	Provision of allowance covering transpotr expenses. If the PAP left residential house but over a certain period of time due to objective reasons cannot move into a new one, s/he will receive relevant rental allowance.
Vulnerable People Allowances (below the poverty line, single-parent households, disabled, elderly persons living alone)	To be identified in PAP census	PAPs below poverty line, single-parent households, disabled, elderly persons living alone	Allowance equivalent to 3 months of minimum subsistence income for a family of five and employment priority in project-related jobs. This is an additional allowance to all other entitlements presented in this matrix.
Temporary impact during construction		All affected persons.	Due compensation will be assessed and paid based on this RPF during construcion or before if priory identified as described in section 5.9.
Unforeseen resettlement impacts			ATDF and construction contractors will address and mitigate / compensate unforeseen resettlement impacts during the project.

5. Valuing Affected Assets

During RAP preparation, the ATDF will engage the services of a competent and acknowledged independent valuator, responsible for determining replacement cost of the affected assets. During the valuation process, PAPs, LAs and relevant government offices (such as the State Committee for the Real Estate Cadastre under the GoA) can be consulted. Valuation will be done in the framework of the RoA Valuation Law and RoA Valuation Standard. Where domestic law does not meet the standard of compensation at full replacement cost, WB policies, guidelines and technical specifications for compensation at replacement cost will be applied. Subsequently, compensation and rehabilitation measures will be developed by ATDF based on the valuation reports. Guiding principles for the valuation of the predictable types of losses are listed below.

Valuation of land and assets shall consider the following:

- Applicable current regional guidelines for land values obtained from municipal land commissions, if available;
- Applicable current regional guidelines for valuing structures, crops, trees from local municipalities, if available;
- Applicable current market prices;

The calculation of unit value will be done keeping in consideration the current market rate so as to meet with the replacement cost of the land or lost assets. An experienced and registered independent authorized auditing company or contractor shall be employed to do the valuation of land, structures, buildings, trees, crops, etc. The PAP has an option to choose a different valuation company at his/her own expense. The approach of the evaluator will consider the assessment for each type of land and assets by location. The valuation should be done when the census and DMS (detailed measurement survey) are conducted by the surveying company, who prepares the map of affected plots and assets with demarcation of affected areas. The valuation company will engage experts for respective areas who will undertake site visits for physical verification of each category of losses. The expert team will also consider the reference of previous valuation if available and use latest release of market survey.

The methodology for assessing compensation value for different items is as follows:

5.1. Valuation of Land

Replacement value: The calculation of the replacement value of land and structures will be based on: (i) fair market value at the time of dispossession; (ii) transaction/legalization costs, other taxes and fees; (iii) transitional and restoration (land preparation and reconstruction) costs, and (iv) other applicable payments. In order to ensure compensation at replacement cost, good practice examples in compliance with WB OP 4.12 will be followed for determining the replacement value of acquired assets.

As part of the valuation process, the Implementation Agency (ATDF) will request that local authorities identify replacement land that meets these requirements and to determine the costs for PAPs or the project to obtain this land. Where replacement land cannot be found locally, a value for monetary compensation shall be developed. Valuation shall include the cost to prepare the land to a level similar to that of the affected land, plus the cost of land registration, including any applicable taxes.

With regard to land, the replacement value is defined as follows:

For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes done based on the comparative method as per the RA Valuation Standard (details are provided in the ANNEX 7).

For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar public infrastructure facilities and services and located in the vicinity of the affected land, plus the cost of any registration and transfer taxes done based on the comparative method as per the RA Valuation Standard (details are provided in the ANNEX 7);

5.2. Valuation of Structures

Valuation of structures shall consider size and construction materials used, transport, and other construction costs. In determining replacement cost or design of replacement structures, depreciation of the asset and the value of salvageable material shall not be taken into account. If the PAP does not wish to relocate, partial impacts may be paid only for the affected portion of the building or repairs.

Where domestic law does not meet the standard of compensation at full replacement cost, WB policies, guidelines and technical specifications for compensation at replacement cost will be applied. Compensation for land, structures, business, fixed improvements and other temporary assets will be based on market valuation, productivity valuation, negotiated settlements, material and labor valuation, disposition of salvage materials and other fees paid. It should be noted that lack of title, license or permit is not a bar to compensation.

5.3. Valuation of Crops

Standing annual crops will be valued at gross market rates at the farm gate for the first year of crop. In the eventuality that more than one year of compensation is due to the PAP, the crops after the first year will be compensated at net market value. ATDF will contract an independent and impartial third party specialist in agricultural land values to identify market rates and value.

5.4. Valuation of Trees

Trees will be valued according to different methodologies depending on whether the tree lost is a wood tree or a productive tree.

- a. Wood trees will be valued based on the category (a. seedling; b. medium growth and c. full growth) and wood value and volume.
- b. Decorative trees will be valued based on market value of the tree.
- c. Fruit/productive trees will be valued based on the category (a. seedling; b. adult-not yet fruit bearing; and c. fruit bearing). Stage (a) and (b) trees are compensated based on the value of the investment made; stage (c) trees are compensated at net market value of 1 year income x number of years needed to grow a new fully productive tree.

The unit compensation rates will be assessed by project valuation consultant/s or by the authorized independent valuator based on clear and transparent methodologies acceptable to the World Bank. The assessed compensation rates will be verified and certified by the resettlement unit of the implementing agency (ATDF) and then offered to PAPs.

5.5. Other Losses

In relation to losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts will be made to establish access to equivalent and culturally acceptable resources and earning opportunities.

5.6. Rehabilitation costs

In addition to compensation for lost assets, PAPs will be entitled to transitional assistance which includes moving expenses, temporary residence (if necessary), employment training and income support while awaiting employment. PAPs should have an option for full compensation as regulated by RoA legislation, and WB procedures, which were described in detail in previous paragraphs, if the duration of impact is to exceed two years. These losses will be estimated for each individual case and may vary from (temporary or permanent) loss of business opportunities to loss of crops, orchards, trees, and other items.

5.7. Vulnerable Affected Households

Vulnerable Affected Households will be identified during the RAP census stage. Vulnerable households will be entitled to an allowance equivalent to 3 months of minimum subsistence income and employment priority in project-related jobs. Affected households are considered as vulnerable if they are registered as poor in the local social services, or are proven to live below the national poverty line, are single-parent households, have household members with disability, or consist of elderly or pensioners living alone.

Vulnerable household allowances will be provided for the following reasons:

- They may not be as able to negotiate fair replacement value compensation for their affected assets;
- Due to their situation, they may experience greater difficulty keeping or saving compensations to restore lost productive assets. They may feel pressured to spend the compensation they receive on food, medical care or other basic expenses, thus remaining worse off in the long run;
- Should any of the affected customary land belong to vulnerable households, these might face discrimination in replacement land allocations;
- These groups could face more severe time constraints in building replacement dwellings because of other economic or household responsibilities;
- Vulnerable households could be at a disadvantage in making contractual arrangements with local contractors.

The above households will receive an allowance, additional to other compensation for entitlements listed in the matrix above. The allowance will be in the amount of 3 months of minimum subsistence income for 5 person household, adjusted accordingly for larger households. They will be provided with any transitional assistance needed for livelihood restoration as will be detailed in individual livelihood restoration plans.

5.8. Livelihood Restoration Support

PAPs will be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. The involuntary restriction of access to legally designated parks, protected areas and to community resources (such as fishing areas, grazing areas, fuel, fodder, etc.) resulting in adverse impacts on the livelihoods of the displaced persons. Measures to assist the displaced persons in their efforts to improve their livelihoods, or at least to restore them, in real terms, while maintaining the sustainability of the park or protected areas and community resources, will be identified and potential conflicts involving displaced persons will be resolved.

Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land, or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettled persons are provided with land for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for

land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.

Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction⁹ of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.

For the effective implementation of these requirements, the following actions will be carried out:

- Assess the groups of people affected and their vulnerability as individuals and as households.
- Determine the type of livelihoods affected and the amount of temporary and permanent losses.
- Determine the market potential for livelihoods restoration in the same type of work/sector after the project is implemented.
- Develop a process of consultation with PAPs that describes the project and expected impacts on livelihoods.
- Consultation with project affected persons (PAPs) to jointly develop strategies for income restoration. Help PAPs develop distinct strategies based on their skills, experience, and location. Whenever possible, link these strategies to other livelihoods improvement activities provided by the Government or NGOs in the project area;
- Determine the amount of compensation necessary to restore income streams for each PAP.
- Determine the type and cost of additional economic rehabilitation measures;
- If income restoration requires changes in livelihoods, the development of alternative farmlands, etc., or involve some other activities which require a substantial amount of time for preparation and implementation, support measures that help PAPs adapt to these changes.
- Develop special measures for women and pensioners that will have to change their source of livelihoods.
- Complete an action plan to address impoverishment risks.

As part of the livelihoods restoration process, choices and options will be built into the entitlements. PAPs will receive assistance in understanding risks and benefits of each option. A mechanism will be put in place to encourage vulnerable groups among PAPs to choose lower risk options, such as ones that support the continuation of livelihoods activities in an area where these activities are likely to succeed.

Institutional support for livelihoods restoration will be put in place for each sub-project. Monitoring and evaluation of resettlement and land acquisition will be carried out systematically. Monitoring of impacts on resettled individuals and households, and on those receiving livelihoods restoration assistance will take place immediately after the implementation of RAPs as well as six and twelve months after displacement has occurred. If after 12 months of displacement, negative impacts, such as reduced income are found, the project will provide additional financial or/and material or/and technical assistance to those individuals.

⁹ As a general principle this applies if the land taken constitutes less than 20% of the total productive area.

5.9. Compensation for Temporary Loss of Land, Income or Assets

In case of temporary land impact the following steps will be followed:

- a. Information-sharing with possible PAPs to ensure they understand their rights to decline the participation in the process, as well as their right to compensation for affected crops/trees, structures or other assets;
- b. Undertaking of Land Use Agreement between the concerned PAPs, ATDF, and Local Authorities of the respective community;
- c. Compensation Agreement, if any;
- d. Payment of the compensation for the affected crops/trees and other losses if any;
- e. Registration of the use write (Servitude) in the Cadaster if needed.

Affected land & communal infrastructure will be restored to pre-project conditions.

- Rent shall be agreed between landowner and Contractor equal to the revenue lost based on market value (example: compensation for harvests lost at average yield/hectare)
- Cash compensation will be provided for assets lost (example: structures, trees)

Temporary loss of business or employment will be compensated as follows:

- Business owners will receive cash compensation for the period of business interruption, based on tax declaration or based on subsistence level for a five-person household for the period of business interruption.
- Workers/employees will receive compensation for lost wages for the full period of business interruption.

5.10. Gender Impact and Mitigation Measures

Women have important economic roles in project areas and engage in a very wide range of income generation activities in the agricultural and marketing sectors. The project will pay particular attention to ensure that women are the recipients of the compensation pertaining to their activities and to ensure that women who are de-facto household heads are clearly listed as beneficiaries of compensation and rehabilitation proceedings under the loan.

In order to ensure the above, the following actions will be considered:

- Provide adequate and accurate information to women in a language and format that is user-friendly to them;
- Ensure that women are able to access information and that there is enough staff available to answer any questions women may have;
- Ensure that the process of land acquisition and resettlement does not disadvantage women;
- Facilitate as much as possible compensation transactions where women are affected by the project but may lack legal title over the land or property;
- Consider special needs and requirements of women in terms of replacing land, housing, restoring access to services and making compensation payments;
- Ensure that women leaders and women's groups are involved in planning and implementing the income restoration programs for better income generation;
- Indicators for monitoring and evaluation should include gender-specific questions and indicators. Appropriate mechanisms should be developed for participatory monitoring and ensure that women are included.

Impacts related to gender and other sources of vulnerability require the development of approaches that include locally appropriate replacement cost values, careful research of title or customary ownership or assets, and offer in-kind replacement as a realistic alternative to cash compensation where appropriate. RAP preparers should collaborate with external facilitators such as women’s groups or other community organizations to identify needs and potential solutions. RAP preparers shall be responsible for meeting the needs of vulnerable individuals and groups that might emerge in the process of preparing the census/inventory, assessing affected assets, or conducting the socio-economic surveys, and for considering these in the implementation schedule.

6. OVERVIEW: RAP PREPARATION AND IMPLEMENTATION PROCESS

6.1. Summary of Tasks for Preparation of Resettlement Action Plan (RAP)

Step	Action	Responsibility
A)	Preparation of Resettlement Action Plan (RAP)	
1	Review of ESMF / RPF	ATDF
2	Finalization of Detailed Design	ATDF
3	Prepare survey forms for Census and Detailed Inventory of Losses, PCDP and Timeline for RAP	RAPIU
4	Acquire Cadastral Information and Land Parcel Maps	ATDF with Communities/Village leaders support
5	Coordination with local Government	RAPIU
6	Drafting of the Government Decree including Cut-off Date	ATDF/RAPIU
7	Conduct Socio-Economic Census	RAPIU
8	Public Consultation with PAPs	RAPIU
9	Verify land ownership and identify non-entitled land users to get support by independent legal experts for legalization of land titles	ATDF with Communities/Village leaders support
10	Valuation of Assets	RAPIU/Valuation Consultant
11	Integrate data from Census in Resettlement Plan	RAPUI
B)	Finalization of RAP	
1	Review of impacts and lists of PAPs based on detailed design	RAPIU
2	Socio Economic Survey of vulnerability situations	RAPIU
3	Legalization of land where applicable	Communities/Village leaders
4	RAP approval and submission to WB of draft	ATDF
5	WB Review and Approval	WB

Step	Action	Responsibility
6	Public disclosure and consultation on draft RAP	ATDF
C)	RAP implémentation	
1	Consultation with PAPs	RAPIU
2	Preparation of RAP Compliance report	External body upon MTA request
3	Submission of RAP Compliance Report to World Bank	ATDF
4	World Bank approval of RAP Compliance Report	WB
5	Contract signing	MTA
6	COMMENCE CIVIL WORKS	ATDF
D)	Continuous tasks	
1	Monitoring of RAP implementation	ATDF
2	Grievance Redress	Grievance Redress Committee
3	External Audit	Independent agency

6.2. Census and Inventory of Project Affected Persons

Soon after the completion of feasibility studies, a cut-off date will be set and publicly announced and, where applicable, a census of families and persons adversely affected by the Project's component/sub-component will be conducted by the Project. The census will include a complete inventory of all losses to be incurred by each PAP. This information will include as a minimum: (a) number of persons, main occupation and level of income; (b) number, type, and dimension of the houses; (c) number, quality, and area of all the residential plots; (d) number, category, type, and area of agricultural land held and to be lost by each PAP; (e) tenure status of agricultural land and amount of rent paid by tenant/lessee, where applicable; (e) quantity, category, and dimension of all rent of other fixed assets adversely affected; (g) productive assets lost as a percentage of total productive assets; (h) temporary damage to productive assets; (i) quantity, category, and quality of non- agricultural livelihood adversely affected; (j) quantity, type, and quality of community resources to be acquired¹⁰.

6.3. Identification of Losses

If the LEID Project component/sub-component involves physical relocation of PAPs, or provision of replacement land, data will be collected on the location, area, type, and category of the replacement land available for residential and/or agricultural purposes. ATDF will be responsible for these and will carry out - through the RAPIU and/or official surveys - initial research and provide recommendations in cooperation with all institutions, agencies and organizations involved in the process. Care will be taken to ensure that the relocation site or replacement land is in the vicinity of the PAPs' previous location to avoid social dislocation and unrealistic division of the PAPs' economic livelihood¹¹.

¹⁰ See also (i) **Annex 2**: Checklist for Census Information; and (ii) **Annex 3**: List of Data for Census Survey

¹¹ See also **Annex 4**: List of Data for Inventory of Losses

6.4. RAP Baseline Survey

In addition to the census and inventory of affected land and assets, components / sub-components requiring physical relocation of PAPs may include a baseline survey of the affected population as part of the RAP¹². The baseline survey will provide data on the existing social structure, tenure arrangements and resource use, access to common property resources, social services and infrastructure facilities by different social groups in the project area, and for the host population at the proposed resettlement site (if relevant), clearly identifying all special interest groups, particularly those who are poor and vulnerable (e.g. tenants, landless laborers, and female-headed households), and describing their special characteristics in relation to the project¹³.

7. RAP PREPARATION AND APPROVAL PROCESS

7.1. Overview

This RPF guides the preparation of Resettlement Action Plan (RAP). Sub-project specific RAPs, consistent with this RPF, will be submitted to the ATDF and WB for approval after specific planning information becomes available.

RAPIU will revise and submit final version of the RAPs to ATDF and WB for approval. During implementation of these works, ATDF is responsible for monitoring RAP implementation and compliance of works with the terms of the RPF and RAP.

The component specific RAPs under this RPF will include RAP baseline survey (baseline census and socio-economic survey information); specific compensation rates and standards; policy entitlements related to any additional impacts identified through the census or survey; description of resettlement sites; programs for improvement or restoration of livelihoods and standards of living; implementation schedule for resettlement activities; and detailed cost estimates¹⁴. While carrying out these tasks, specific attention will be paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the disabled, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced persons who may not be protected through national land/property compensation legislation.

RoA legislation requires the same level of protection for all groups of the society, including those mentioned as vulnerable groups. This principle is reflected in the RoA Constitution. In particular, Article 14.1 of the Constitution states: All the people shall be equal before the law. Discrimination based on sex, race, ethnicity, political or other views, belonging to ethnic minorities, property status, birth, disability, age or other personal or social circumstances is prohibited.

Article 6 of the Constitution states that the Constitution has superior legal force and its norms shall be applied directly. All the laws and other legal acts shall be in conformity with the Constitution.

¹² If a full RAP is required, a baseline survey is mandatory. For an abbreviated RAP a baseline survey is undertaken if physical relocation of PAPs is unavoidable and/or if some of the PAPs lose more than 10% of their productive assets; cf. footnote 6, OP 4.12, Annex A

¹³ See also **Annex 6: Data for Baseline Survey**

¹⁴ See also later sections of this RPF

7.2. RAP Development and Approval Process

RAPs, as needed, will be developed by the ATDF RAPIU with the help of the resettlement expert, social expert, civil engineer consultants and valuation consultant engaged by ATDF. ATDF will be overall responsible for RAP preparation and oversight. RAP preparation will commence immediately after a cut-off date has been declared and main activities to be undertaken include – but may not be limited to – the following:

- Identification of and consultation with PAPs;
- Census survey and inventory of losses of PAPs;
- Valuation of lost land and assets;
- Development of compensation matrix;
- Preparation of indicative budget and schedule for implementation.

The draft and final version of RAP(s) will be submitted by the RAPIU to ATDF and to the WB for approval and disclosure.

7.3. Resettlement Action Plans

According to WB OP 4.12, all projects that entail resettlement, land acquisition, permanent or temporary damages to property, livelihood and income-generating activities require a RAP. The scope and level of detail of the resettlement plan will vary with the magnitude and complexity of resettlement, i.e. a full RAP is required whenever land acquisition in a project affects more than 200 people or households, takes more than 10 percent of any holding, and involves physical relocation of population. An abbreviated RAP is acceptable if fewer than 10 people are displaced. Even if more than 200 people are affected, if all land acquisition is minor (10 percent or less of all holdings is taken) and no physical relocation is involved, an abbreviated RAP is acceptable. If fewer than 200 people/households are displaced but some physical relocation is involved, the abbreviated RAP is expanded to include a rehabilitation program. An overview is provided in Table 1 below:

Subcomponent Categorization and Resettlement Planning Requirements

Category	No. of Affected People	Resettlement Impact	Planning Requirement
A	200 or more people / households experience major impacts, defined as <ul style="list-style-type: none"> • Physical displacement and/or • Loss of 10 % or more of their productive assets 	Significant	Full RAP
B	Less than 200 people experience major impacts	Minor	Abbreviated RAP
C	No loss of assets and incomes or displacement	None	No RAP

Full or abbreviated RAPs for components will be developed – as needed –and supervised by ATDF. Direct responsibility for these works will bear the social expert working within ATDF,

who will prepare RAP the help of civil engineers of the Project and valuation expert engaged for that purpose and present it for the review and official endorsement. RAPs will document in detail the implementation arrangements for resettlement, including asset acquisition, compensation, relocation and rehabilitation. A census and inventory of assets, livelihoods and losses of all PAPs will be prepared immediately after the relevant GoA authorities have publicly announced the cut-off date for PAP identification purposes.

Each completed RAP will be submitted by RAPIU to ATDF and WB to obtain approval. After approval has been obtained, compensation, resettlement and rehabilitation activities will be initiated, and will be completed before awarding contracts of civil works under each component / sub-component of LEID Project.

7.4. Resettlement Screening Process

In the early stage of projects preparation it is difficult to have clear information on possible resettlement impacts that might be associated with the proposed activities. Therefore, design of RAP at this stage is impossible, given that location/ownership and associated problems of the territories where works are planned are still not known. At the same time, in order to identify possible resettlement and ensuing effects under each component/subcomponent, the process of preliminary inspection will be initiated within the framework of the project, including the following steps:

1. The engineer Consultant(s) for ATDF components / sub-components provides an initial and documented description of the existing baseline situation, in particular related – but not limited – to resettlement, land required for the component / sub component (either permanent or temporary), and identification and mapping of landownership in the affected area;
2. Once completed, the feasibility studies / designs are reviewed by ATDF and WB as needed. Potential impacts are identified and followed up by the engineer Consultant(s) and, when necessary, by ATDF through visits to those sites where impacts are expected;
3. Site visits include (a) initial discussions with local authorities; (b) verifying information provided by the engineer Consultant(s); and if required or warranted, (c) obtaining additional information on the scale and magnitude of the potential impacts;
4. Each sub component thus confirmed to include potential resettlement or resettlement effects is subsequently scheduled for an intensive sensitization and consultation process to involve the potentially impacted communities, in which the RPIU (social specialist) is involved;
5. The consultation process is properly documented by the engineer (Consultant) and RPIU social specialist, and the outcome is presented to ATDF for further processing and eventual approval to proceed (or otherwise) with the specific component / sub component;
6. If approval to go ahead is obtained and a cut-off date for eligibility declared, PAPs and the local authorities are informed about the impending steps in RAP (census, valuation of assets, PAPs negotiations, grievance and redress mechanism, compensation and resettlement);
7. Subsequently, a PAP census survey – as an integral part of RAP preparation – is undertaken and combined with preparing the inventory of losses to limit the inconvenience for the PAPs and speed up the process of RAP preparation. If required, a baseline survey is simultaneously undertaken¹⁵.

¹⁵ See also Annexes 2, 3, 4, and 6; a RAP baseline survey is required if physical relocation of PAPs is unavoidable and/or if some of the PAPs lose more than 10% of their productive assets; footnote 6, WB OP 4.12, Annex A.

8. Once the results of the survey instruments are compiled and completed, a decision is made whether a RAP (abbreviated or full, as applicable) for that component / sub-component needs to be drafted by Design Consultant, or if Due Diligence is sufficient.
9. If RAP(s) is(are) required, the outlines shown in Annex 5 will be used. Sufficient detail should be provided and the RAPs should be in conformity with (the principles of) this RPF.

8. RAP IMPLEMENTATION PROCESS

ATDF will establish/ appoint an entity to act as the RAP Implementation Unit (RAPIU) and to implement approved RAP(s) for the Project. RAPIU will work under the supervision of ATDF and WB. All activities indicated in the RAP shall be covered from loan funds, and be completed prior to commencing related construction activities. In case of the small scale of the impact, ATDF can decide to delegate these functions to one of ATDF's units. In that case, as needed ATDF capacity will be strengthened with the short-term services of some specialists (for example licensed measurement specialist) as needed. Major responsibilities and activities of the RAPIU include, but may not be limited to, the following:

- a. Closely consult with PAPs and Local Authorities. Provide the public with necessary information, and ensure transparent and timely awareness-raising and communications around resettlement issues with all affected communities (not only PAPs);
- b. Verify the RAP census and asset inventory data;
- c. Undertake cadastral and topographic surveys and ensure correction of data of measuring and inventory if required by possible design changes;
- d. Prepare contracts and/or agreements to be signed by PAPs. Negotiate and agree them with PAPs;
- e. Prepare documentation for registration of new land plots or cadastral registration of servitude writes for the land as needed;
- f. Deliver compensation. Cash compensations will be paid by bank transfer. If PAP will not have bank account, the last will be opened for him/ her by the Project free of charge.
- g. Observe grievance procedures;
- h. Court processing of cases where no agreement is reached;
- i. Construction of infrastructure (in case the resettlement is necessary) and arrangement of relocation of PAPs;
- j. Prepare RAP Completion Report.

It should be emphasized that satisfactory completion of the RAP is a condition for physical construction works on the component to start.

9. COMPLAINTS AND GRIEVANCES

In order to receive and facilitate the resolution of PAPs and beneficiary community members' concerns, complaints, and grievances concerning the project performance a grievance redress mechanism will be established to be used for addressing any complaints that arise during the during design, RAP preparation and construction phases.

The grievance redress mechanism will address affected people's concerns and complaints proactively and promptly, using an understandable, communicated, and transparent process that is gender responsive, culturally appropriate, and accessible to all segments of the PAPs and beneficiary community at no costs. The mechanism will not impede access to the

Country’s judicial or administrative remedies. The LEID Project Operations Manual will also provide detail on the Grievance Redress Mechanism, including the Grievance Redress Committee.

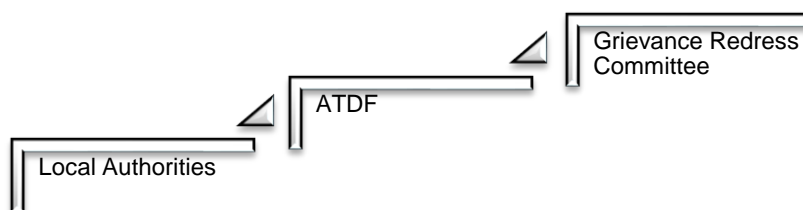
9.1. Local Authorities

ATDF will establish a first step of grievance redress mechanism at the local level in cooperation with local authorities, in order to provide a direct channel to the affected PAPs and community members for voicing any grievances with the Project. A local Grievance Redress Committee may consist of local government, and civil society representatives. The contact information and mechanism to submit verbal or written grievances will be publicized extensively among the local community (for example, through visible boards, complaints boxes, information boards in public offices, during project consultations, etc.) In doing this, contact information such as name, telephone, email of local focal point for grievances will be clearly stated. ATDF is responsible to verify that local grievance redress mechanisms are present and properly advertised. It is also ATDF’s responsibility to monitor that grievances are properly recorded at the local level.

Grievances will be resolved at the local level, where possible. Where this is not possible they will be forwarded to the Grievance Redress Committee established at the Project (national) level. Grievances and their resolution will be recorded and redressed in an appropriate time frame of no more than 2 weeks.

ATDF will inform the beneficiary community about the grievance redress mechanism and provide contact details of persons responsible for grievance collection and response in the community and at the national level prior to RAP preparation and to commencement of construction works. .

Figure 2. Grievance Redress Mechanism



9.2. Grievance Redress Committee: Tasks and composition

A Grievance Redress Committee (GRC) at Project level will be established to address complaints and grievances pertaining to resettlement and to pre-empt all disagreements being referred to the court. GRC will include ATDF, Ministry of Territorial Administration (MTA) staff, and representatives of the relevant state authorities and/or Marzpetaran in the project area, and/or representatives of local NGOs and communities affected by the particular component of the LEID Project. The composition of the GRC will be shared with the WB team prior to commencement of RAP preparation and of any construction work under the Project. A GRC will be convened by ATDF on a case by case basis, to address complaints and grievances pertaining to resettlement.

Within one week after establishment, the GRC will submit to ATDF the procedure and mechanisms of work. The procedure will explicitly define mechanisms and rules of sending complaints and addressing them, including grievance reporting mechanisms, as well as addresses and names of responsible officials at central and local levels, conditions and mechanisms for referring grievances from local level to Project-level GRC. This procedure

must ensure maximum access, transparency, disclosure and participation and will be aimed at maximum protection of interests of affected population. In order to achieve these goals, the Committee must use mass media facilities, websites, hot-lines and IT systems of the ATDF, MTA, municipalities and local governments, and other stakeholders in active cooperation with NGOs. After approval of the procedure, it must be published in mass media outlets and be available on the ATDF website throughout the effective period of the Project.

9.3. Procedure

ATDF will make every effort to achieve an amicable settlement of all identified resettlement issues under the RAP at the community and then Project level. If this attempt fails, the PAP may at his/her discretion, deposit a complaint either with the court or GRC. The proposed redress procedure and mechanisms will be presented to and discussed with the PAPs at the early stages of the RAP preparation process. In order to effectively collect all grievances from the potential PAPs, a specific site(s) may be designated for timely depositing and collection of all complaints. The PAPs can deposit complains orally (these shall be properly documented at the moment of depositing complain at the designated site) or in writing to the designated local contract point. Complete contact information will be shared at public consultations, ATDF and regional authorities websites, and displayed in accessible public places in the project site and community.

The response will be provided within a period of two weeks after receiving the complaint. If the case is not resolved at the level of the Local Authorities, then ATDF, and then GRC, it may be submitted by either party to the Court. Any fees required for this purpose will be paid by Project after verifying that the PAP is a recipient of allowances under the Family Assistance Program of the GoA¹⁶. All other PAPs will be responsible for their own costs.

9.4. Expropriation Proceedings

If the ATDF and the PAP fail to reach an agreement on the acquisition of private properties, the GoA may pursue the expropriation proceedings in accordance with the RA Law on property alienation for social/public and state needs (No: HO-185-N of 27 November 2006)".

9.5. Court

The Court of Armenia shall be the last resort for issues and concerns regarding the implementation of the RAP. In case of failure in the negotiation between the ATDF and the PAP concerning the acquisition of private properties, the GoA with the mandate for expropriation based on existing legislations will submit to the Court a request for expropriation. Upon its approval and following prescribed procedures, the GoA will take over the concerned property after having been given the right of Expropriator by the Court.

In cases where complaints and grievances regarding the RAP implementation and compensation are not amicably settled and mediation by the Grievance Redress Committee remains also unsuccessful, the PAP will also have the right to appeal the case to the Court as a last resort. The Courts' decision shall be final and be executed.

As per the Law on Alienation of property for social/public and state needs (Article 13) the acquirer shall be obliged to resort to the Court if the alienation agreement is not signed voluntarily by the owner and/or persons enjoying property rights over the property subject to alienation, whereas only the issues connected to the amount of compensation can be discussed in the court. Hence, PAPs cannot argue the amount of compensation in the courts on their own initiative. If they do not agree with the amount suggested, they do not

¹⁶ Based on a number of (wealth and income) indicators, this Program assists to varying degrees families that are not in a position to fully or partially cater for their daily necessities.

sign the alienation agreement, in which case the acquirer should go to court, if he still wants the property to be alienated.

10. SUPERVISION AND MONITORING

Institutional arrangements will be made for internal monitoring of resettlement activities. If deemed necessary in the RAP, an external monitoring entity will be involved to ensure independent monitoring of RAP preparation and implementation activities.

Resettlement activities in all components will be regularly supervised and monitored by personnel of ATDF. Reporting on internal monitoring will be carried out by the ATDF and included in Project Progress Reports. At the end of each RAP completion, a RAP Completion Report will be submitted to WB. Internal monitoring and supervision will:

- verify that the census of all PAPs has been carried out;
- that the RAP and baseline survey (as appropriate) has been prepared where it is required;
- that property valuation and resettlement has been carried out in accordance with the provisions of this RPF and the respective RAP;
- oversee that all resettlement measures are implemented as approved;
- ensure that all affected PAPs and local communities are receiving adequate information, communication and opportunities for consultation related to the RAP;
- Ensure that all grievances related to RAP preparation or implementation (including valuation of assets) are addressed in a sensitive, clear and timely fashion;
- ensure that funds for implementing resettlement activities are provided in a timely manner, are sufficient for their purposes, and are spent in accordance with the provisions of this RPF and the respective RAP.

An external monitoring entity will be engaged to carry out an independent monitoring of RAP implementation at the close of the RAP implementation and relevant civil works. In addition to verifying the reports generated by internal monitoring, external monitoring will:

- evaluate the social and economic impact of resettlement on the PAPs;
- verify if the objective of enhancement or at least restoration of income levels and standards of living of the PAPs has been met; and
- as needed, provide suggestions for improvement of resettlement implementation to ensure achievement of the principles and objectives set forth in this RPF and respective RAP(s).

11. PUBLIC PARTICIPATION

According to WB OP4.12. PAPs must be fully consulted and provided with opportunities to participate in all stages of the planning and implementation of the RAP. ATDF shall outline the conditions and the process for ensuring participation of PAPs and NGO sector representatives in the development and implementation of activities relating to resettlement and land acquisition. Under the same principles, the PAPs have to be informed in an appropriate and timely manner of the outcomes of the planning process, as well as the schedules and procedures for the implementation of the RAP.

A public information and consultation campaign must be carried out by the ATDF during all stages of the RAP implementation process. The affected parties will be provided with an opportunity of presenting their ideas and suggestions as inputs into the planning and implementation of the resettlement activities. The RAPIU will invite PAPs and NGO sector

representatives to participate in public consultations organized by LEID Project at the initial stage of the process, as well as in public consultations organized by LEID Project during preparation and implementation of RAPs. Different interested NGOs will be actively invited and engaged by the ATDF in the process of Public Consultations. All consultations will be gender-sensitive and inclusive for vulnerable groups.

ATDF will consult with PAPs and invite them, their local officials and relevant civil society organizations, to participate in public consultations at the initial stage of the process, as well as in public consultations during preparation and implementation of RAP as described in previous sections.

The RAPs will be available in the LAs office with reliable information on the project, its impacts and the proposed mitigation strategies and economic rehabilitation activities.

Public Information Leaflets with cut-off date, eligibility criteria and entitlements, modalities of compensation, complaints and grievance redress procedures will be provided to each affected household. This information will be made easily accessible to the public at no cost to the PAPs, and the location of disclosure will also be announced during Public Consultations.

All consultation discussions will be documented and kept by the ATDF.

After completion of each RAP a brief survey will be undertaken by the RAPIU among PAPs to assess their satisfaction with the process and results of the RAP. The findings from this survey will be included in the RAP compliance report and provided to external monitors as an input to their audit. Lessons learned from these surveys will be incorporated in subsequent RAP(s).

12. COSTS AND BUDGETS

ATDF will submit to RoA Government and the WB detailed cost of resettlement based on the finalized RAPs, and including a breakdown by agricultural land, residential land, houses, other assets, and livelihood to be affected and compensated. The cost estimates will make adequate provision for monitoring and supervision as well as for contingencies. All costs for resettlement will be funded through government funds. The Project cannot be considered completed until all the objectives of the RAPs have been achieved.

ANNEXES

ANNEX 1: World Bank OP 4.12

[In separate attachment]

OP 4.12 - Involuntary Resettlement

These policies were prepared for use by World Bank staff and are not necessarily a complete treatment of the subject.

OP 4.12
December, 2001

Note: OP/BP 4.12, *Involuntary Resettlement*, were revised on April 2013 to take into account the recommendations in “*Investment Lending Reform: Modernizing and Consolidating Operational Policies and Procedures*” (R2012-0204 [IDA/R2012-0248]), which were approved by the Executive Directors on October 25, 2012. As a result of these recommendations: (a) OP/BP 10.00, *Investment Project Financing*, have been revised, among other things, to incorporate OP/BP 13.05, *Supervision* and OP/BP 13.55, *Implementation Completion Reporting*, (which have consequently been retired); and (b) OP/BP 8.60, *Development Policy Lending*, and OP 9.00, *Program-for-Results Financing*, have also been revised. OP/BP 4.12 have consequently been updated to reflect these changes, to clarify the extent of applicability of OP/BP 4.12 to Development Policy Lending and Program-for Results-Financing, and to reflect the updated title of the Bank’s policy on access to information.

Questions on this OP/BP may be addressed to the Safeguard Policies Helpdesk in OPCS (safeguards@worldbank.org).

Revised April 2013

1. Bank¹ experience indicates that involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks: production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. This policy includes safeguards to address and mitigate these impoverishment risks.

Policy Objectives

2. Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank’s policy on involuntary resettlement are the following:

(a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.²

(b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons³ should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

(c) Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.⁴

Impacts Covered

3. This policy covers direct economic and social impacts⁵ that both result from Bank-assisted investment projects,⁶ and are caused by

- (a) the involuntary⁷ taking of land⁸ resulting in
 - (i) relocation or loss of shelter;
 - (ii) lost of assets or access to assets; or
 - (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- (b) the involuntary restriction of access⁹ to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

4. This policy applies to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement, that in the judgment of the Bank, are

- (a) directly and significantly related to the Bank-assisted project,
- (b) necessary to achieve its objectives as set forth in the project documents; and
- (c) carried out, or planned to be carried out, contemporaneously with the project.

5. Requests for guidance on the application and scope of this policy should be addressed to the Resettlement Committee (see [BP 4.12, para. 7](#)).¹⁰

Required Measures

6. To address the impacts covered under para. 3 (a) of this policy, the borrower prepares a resettlement plan or a resettlement policy framework (see paras. 25-30) that covers the following:

- (a) The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are
 - (i) informed about their options and rights pertaining to resettlement;
 - (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
 - (iii) provided prompt and effective compensation at full replacement cost¹¹ for losses of assets¹² attributable directly to the project.
- (b) If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are
 - (i) provided assistance (such as moving allowances) during relocation; and
 - (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.¹³
- (c) Where necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy framework also include measures to ensure that displaced persons are
 - (i) offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living;¹⁴ and

(ii) provided with development assistance in addition to compensation measures described in paragraph 6(a);

(iii) such as land preparation, credit facilities, training, or job opportunities.

7. In projects involving involuntary restriction of access to legally designated parks and protected areas (see para. 3(b)), the nature of restrictions, as well as the type of measures necessary to mitigate adverse impacts, is determined with the participation of the displaced persons during the design and implementation of the project. In such cases, the borrower prepares a process framework acceptable to the Bank, describing the participatory process by which

(a) specific components of the project will be prepared and implemented;

(b) the criteria for eligibility of displaced persons will be determined;

(c) measures to assist the displaced persons in their efforts to improve their livelihoods, or at least to restore them, in real terms, while maintaining the sustainability of the park or protected area, will be identified; and

(d) potential conflicts involving displaced persons will be resolved.

The process framework also includes a description of the arrangements for implementing and monitoring the process.

8. To achieve the objectives of this policy, particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples,¹⁵ ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.

9. Bank experience has shown that resettlement of indigenous peoples with traditional land-based modes of production is particularly complex and may have significant adverse impacts on their identity and cultural survival. For this reason, the Bank satisfies itself that the borrower has explored all viable alternative project designs to avoid physical displacement of these groups. When it is not feasible to avoid such displacement, preference is given to land-based resettlement strategies for these groups (see para. 11) that are compatible with their cultural preferences and are prepared in consultation with them (see [Annex A](#), para. 11).

10. The implementation of resettlement activities is linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place. For impacts covered in para. 3(a) of this policy, these measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons. For impacts covered in para. 3(b) of this policy, the measures to assist the displaced persons are implemented in accordance with the plan of action as part of the project (see para. 30).¹⁶

11. Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land (see footnote 1 above), or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area,¹⁷ or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented to the satisfaction of the Bank.

12. Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction¹⁸ of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.

13. For impacts covered under para. 3(a) of this policy, the Bank also requires the following:

(a) Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and

monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.

(b) In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).

(c) Patterns of community organization appropriate to the new circumstances are based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers' preferences with respect to relocating in preexisting communities and groups are honored.

Eligibility for Benefits¹⁹

14. Upon identification of the need for involuntary resettlement in a project, the borrower carries out a census to identify the persons who will be affected by the project (see the [Annex A](#), para. 6(a)), to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance. The borrower also develops a procedure, satisfactory to the Bank, for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. The procedure includes provisions for meaningful consultations with affected persons and communities, local authorities, and, as appropriate, nongovernmental organizations (NGOs), and it specifies grievance mechanisms.

15. *Criteria for Eligibility.* Displaced persons may be classified in one of the following three groups:

(a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);

(b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets--provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan (see [Annex A](#), para. 7(f)); and²⁰

(c) those who have no recognizable legal right or claim to the land they are occupying.

16. Persons covered under para. 15(a) and (b) are provided compensation for the land they lose, and other assistance in accordance with para. 6. Persons covered under para. 15(c) are provided resettlement assistance²¹ in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank.²² Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in para. 15(a), (b), or (c) are provided compensation for loss of assets other than land.

Resettlement Planning, Implementation, and Monitoring

17. To achieve the objectives of this policy, different planning instruments are used, depending on the type of project:

(a) a resettlement plan or abbreviated resettlement plan is required for all operations that entail involuntary resettlement unless otherwise specified (see para. 25 and [Annex A](#));

(b) a resettlement policy framework is required for operations referred to in paras. 26-30 that may entail involuntary resettlement, unless otherwise specified (see [Annex A](#); and

(c) a process framework is prepared for projects involving restriction of access in accordance with para. 3(b) (see para. 31).

18. The borrower is responsible for preparing, implementing, and monitoring a resettlement plan, a resettlement policy framework, or a process framework (the "resettlement instruments"), as appropriate, that conform to this policy. The resettlement instrument presents a strategy for achieving the objectives of the policy and covers all aspects of the proposed resettlement. Borrower commitment to, and capacity for, undertaking successful resettlement is a key determinant of Bank involvement in a project.

19. Resettlement planning includes early screening, scoping of key issues, the choice of resettlement instrument, and the

information required to prepare the resettlement component or subcomponent. The scope and level of detail of the resettlement instruments vary with the magnitude and complexity of resettlement. In preparing the resettlement component, the borrower draws on appropriate social, technical, and legal expertise and on relevant community-based organizations and NGOs.²³ The borrower informs potentially displaced persons at an early stage about the resettlement aspects of the project and takes their views into account in project design.

20. The full costs of resettlement activities necessary to achieve the objectives of the project are included in the total costs of the project. The costs of resettlement, like the costs of other project activities, are treated as a charge against the economic benefits of the project; and any net benefits to resettlers (as compared to the "without-project" circumstances) are added to the benefits stream of the project. Resettlement components or free-standing resettlement projects need not be economically viable on their own, but they should be cost-effective.

21. The borrower ensures that the Project Implementation Plan is fully consistent with the resettlement instrument.

22. As a condition of appraisal of projects involving resettlement, the borrower provides the Bank with the relevant draft resettlement instrument which conforms to this policy, and makes it available at a place accessible to displaced persons and local NGOs, in a form, manner, and language that are understandable to them. Once the Bank accepts this instrument as providing an adequate basis for project appraisal, the Bank makes it available to the public through its InfoShop. After the Bank has approved the final resettlement instrument, the Bank and the borrower disclose it again in the same manner.²⁴

23. The borrower's obligations to carry out the resettlement instrument and to keep the Bank informed of implementation progress are provided for in the legal agreements for the project.

24. The borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. The Bank regularly supervises resettlement implementation to determine compliance with the resettlement instrument. Upon completion of the project, the borrower undertakes an assessment to determine whether the objectives of the resettlement instrument have been achieved. The assessment takes into account the baseline conditions and the results of resettlement monitoring. If the assessment reveals that these objectives may not be realized, the borrower should propose follow-up measures that may serve as the basis for continued Bank supervision, as the Bank deems appropriate (see also [BP 4.12](#), para. 16).

Resettlement Instruments

Resettlement Plan

25. A draft resettlement plan that conforms to this policy is a condition of appraisal (see [Annex A](#), para. 2-21) for projects referred to in para. 17(a) above.²⁵ However, where impacts on the entire displaced population are minor,²⁶ or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower (see [Annex A](#), para. 22). The information disclosure procedures set forth in para. 22 apply.

Resettlement Policy Framework

26. For sector investment operations that may involve involuntary resettlement, the Bank requires that the project implementing agency screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the borrower submits, prior to appraisal, a resettlement policy framework that conforms to this policy (see [Annex A](#), paras. 23-25). The framework also estimates, to the extent feasible, the total population to be displaced and the overall resettlement costs.

27. For financial intermediary operations that may involve involuntary resettlement, the Bank requires that the financial intermediary (FI) screen subprojects to be financed by the Bank to ensure their consistency with this OP. For these operations, the Bank requires that before appraisal the borrower or the FI submit to the Bank a resettlement policy framework conforming to this policy (see [Annex A](#), paras. 23-25). In addition, the framework includes an assessment of the institutional capacity and procedures of each of the FIs that will be responsible for subproject financing. When, in the assessment of the Bank, no resettlement is envisaged in the subprojects to be financed by the FI, a resettlement policy framework is not required. Instead, the legal agreements specify the obligation of the FIs to obtain from the potential subborrowers a resettlement plan consistent with this policy if a subproject gives rise to resettlement. For all subprojects involving resettlement, the resettlement plan is provided to the Bank for approval before the subproject is accepted for Bank

financing.

28. For other Bank-assisted project with multiple subprojects²⁷ that may involve involuntary resettlement, the Bank requires that a draft resettlement plan conforming to this policy be submitted to the Bank before appraisal of the project unless, because of the nature and design of the project or of a specific subproject or subprojects (a) the zone of impact of subprojects cannot be determined, or (b) the zone of impact is known but precise sitting alignments cannot be determined. In such cases, the borrower submits a resettlement policy framework consistent with this policy prior to appraisal (see [Annex A](#), paras. 23-25). For other subprojects that do not fall within the above criteria, a resettlement plan conforming to this policy is required prior to appraisal.

29. For each subproject included in a project described in para. 26, 27, or 28 that may involve resettlement, the Bank requires that a satisfactory resettlement plan or an abbreviated resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the subproject is accepted for Bank financing.

30. For projects described in paras. 26-28 above, the Bank may agree, in writing, that subproject resettlement plans may be approved by the project implementing agency or a responsible government agency or financial intermediary without prior Bank review, if that agency has demonstrated adequate institutional capacity to review resettlement plans and ensure their consistency with this policy. Any such delegation, and appropriate remedies for the entity's approval of resettlement plans found not to be in compliance with Bank policy, are provided for in the legal agreements for the project. In all such cases, implementation of the resettlement plans is subject to ex post review by the Bank.

Process Framework

31. For projects involving restriction of access in accordance with para. 3(b) above, the borrower provides the Bank with a draft process framework that conforms to the relevant provisions of this policy as a condition of appraisal. In addition, during project implementation and before enforcing of the restriction, the borrower prepares a plan of action, acceptable to the Bank, describing the specific measures to be undertaken to assist the displaced persons and the arrangements for their implementation. The plan of action could take the form of a natural resources management plan prepared for the project.

Assistance to the Borrower

32. In furtherance of the objectives of this policy, the Bank may at a borrower's request support the borrower and other concerned entities by providing

(a) assistance to assess and strengthen resettlement policies, strategies, legal frameworks, and specific plans at a country, regional, or sectoral level;

(b) financing of technical assistance to strengthen the capacities of agencies responsible for resettlement, or of affected people to participate more effectively in resettlement operations;

(c) financing of technical assistance for developing resettlement policies, strategies, and specific plans, and for implementation, monitoring, and evaluation of resettlement activities; and

(d) financing of the investment costs of resettlement.

33. The Bank may finance either a component of the main investment causing displacement and requiring resettlement, or a free-standing resettlement project with appropriate cross-conditionalities, processed and implemented in parallel with the investment that causes the displacement. The Bank may finance resettlement even though it is not financing the main investment that makes resettlement necessary.

1. "Bank" includes IBRD and IDA; "loans" includes IDA credits and IDA grants, guarantees, Project Preparation Facility (PPF) advances and grants; and "projects" includes projects under (a) PPFs advances and Institutional Development Fund (IDF) grants, if they include investment activities; (b) grants under the Global Environment Facility and Montreal Protocol, for which the Bank is the implementing/executing agency; and (c) grants or loans provided by other donors that are administered by the Bank. The term "project" does not include programs supported by Development Policy Lending (for which the environmental provisions are set out in [OP/BP 8.60, Development Policy Lending](#)), or by Program-for-Results Financing (for which environmental provisions are set out in [OP/BP 9.00, Program-for-Results Financing](#)). "Borrower" also includes, wherever the context requires, the guarantor or the project implementing agency.

2. In devising approaches to resettlement in Bank-assisted projects, other Bank policies should be taken into account, as relevant. These policies include [OP 4.01, Environmental Assessment](#), [OP 4.04, Natural Habitats](#), [OP 4.10, Indigenous Peoples](#), and [OP 4.11, Physical Cultural Resources](#).

3. The term "displaced persons" refers to persons who are affected in any of the ways described in para. 3 of this OP.
4. Displaced persons under para. 3(b) should be assisted in their efforts to improve or restore their livelihoods in a manner that maintains the sustainability of the parks and protected areas.
5. Where there are adverse indirect social or economic impacts, it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups. Other environmental, social, and economic impacts that do not result from land taking may be identified and addressed through environmental assessments and other project reports and instruments.
6. This policy does not apply to restrictions of access to natural resources under community-based projects, i.e. where the community using the resources decides to restrict access to these resources, provided that an assessment satisfactory to the Bank establishes that the community decision-making process is adequate, and that it provides for identification of appropriate measures to mitigate adverse impacts, if any, on the vulnerable members of the community. This policy also does not cover refugees from natural disasters, war, or civil strife (see [OP 8.00](#), *Rapid Response to Crises and Emergencies*).
7. For the purposes of this policy, "involuntary" means actions that may be taken without the displaced person's informed consent or power of choice.
8. "Land" includes anything growing on or permanently affixed to land, such as buildings and crops. This policy does not apply to regulations of natural resources on a national or regional level to promote their sustainability, such as watershed management, groundwater management, fisheries management, etc. The policy also does not apply to disputes between private parties in land titling projects, although it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse social impacts, especially those affecting poor and vulnerable groups.
9. For the purposes of this policy, involuntary restriction of access covers restrictions on the use of resources imposed on people living outside the park or protected area, or on those who continue living inside the park or protected area during and after project implementation. In cases where new parks and protected areas are created as part of the project, persons who lose shelter, land, or other assets are covered under para. 3(a). Persons who lose shelter in existing parks and protected areas are also covered under para. 3(a).
10. The *Involuntary Resettlement Sourcebook* provides good practice guidance to staff on the policy.
11. "Replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account (for a detailed definition of replacement cost, see [Annex A](#), footnote 1). For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard. Such additional assistance is distinct from resettlement assistance to be provided under other clauses of para. 6.
12. If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.
13. The alternative assets are provided with adequate tenure arrangements. The cost of alternative residential housing, housing sites, business premises, and agricultural sites to be provided can be set off against all or part of the compensation payable for the corresponding asset lost.
14. Such support could take the form of short-term jobs, subsistence support, salary maintenance or similar arrangements.
15. See [OP 4.10](#), *Indigenous Peoples*.
16. Where the borrower has offered to pay compensation to an affected person in accordance with an approved resettlement plan, but the offer has been rejected, the taking of land and related assets may only proceed if the borrower has deposited funds equal to the offered amount plus 10 percent in a secure form of escrow or other interest-bearing deposit acceptable to the Bank, and has provided a means satisfactory to the Bank for resolving the dispute concerning said offer of compensation in a timely and equitable manner.
17. See [OP 4.04](#), *Natural Habitats*.
18. As a general principle, this applies if the land taken constitutes less than 20% of the total productive area.
19. Paras. 13-15 do not apply to impacts covered under para. 3(b) of this policy. The eligibility criteria for displaced persons under 3 (b) are covered under the process framework (see paras. 7 and 30).
20. Such claims could be derived from adverse possession, from continued possession of public lands without government action for eviction (that is, with the implicit leave of the government), or from customary and traditional law and usage, and so on.
21. Resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate.
22. Normally, this cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.

23. For projects that are highly risky or contentious, or that involve significant and complex resettlement activities, the borrower should normally engage an advisory panel of independent, internationally recognized resettlement specialists to advise on all aspects of the project relevant to the resettlement activities. The size, role, and frequency of meeting depend on the complexity of the resettlement. If independent technical advisory panels are established under [OP 4.01](#), *Environmental Assessment*, the resettlement panel may form part of the environmental panel of experts.
24. See [The World Bank Policy on Access to Information, para. 34](#) (Washington, D.C.: World Bank, 2002).
25. An exception to this requirement may be made in highly unusual circumstances (such as emergency operations) with the approval of Bank Management (see [BP 4.12](#), para. 8). In such cases, the Management's approval stipulates a timetable and budget for developing the resettlement plan.
26. Impacts are considered "minor" if the affected people are not physically displaced and less than 10 percent of their productive assets are lost.
27. For the purpose of this paragraph, the term "subprojects" includes components and subcomponents.

ANNEX 2: CHECKLIST FOR CENSUS INFORMATION

Persons:

- * Aggregate number of individuals and households in each affected category;
Age, gender, occupation of every individual.
- * Any particular forms of vulnerability (e.g. disabled, receiving social assistance, etc.)

Property:

Personal property including details of ownership of

- * Structures: houses, farm buildings, shops, industrial structures, grain drying area, latrines, etc.;
- * Land and type: irrigated or non-irrigated, woodlots, grassland, wasteland, etc.;
- * Description and estimate of the value of standing crops on land;
- * Other: livestock, wells, trees, natural resources etc.

Public and common property:

- * Land: village common lands, gathering and foraging areas, fishing areas, etc.;
- * Structures and facilities: schools, health facilities, burial grounds, temples, community centers, public transport, banks, co-ops etc.;
- * Infrastructure: drinking and other water systems, access and internal roads, electricity and other power sources;

PAP incomes from other sources, including:

- * Farm-based income;
- * Off-farm labor;
- * Informal sector activities.

ANNEX 3: LIST OF DATA FOR CENSUS SURVEY

1. Background Information

- (a) Questionnaire code and date of survey
- (b) Name of interviewer
- (c) Name of province, district and village/hamlet

2. Household Census

- (a) Name of household head and all household members
- (b) Relationship of household members to the household head
- (c) Age and sex of each household member
- (d) Information on ethnicity
- (e) Education level of each member
- (f) Primary occupation and monthly income of each member
- (g) Incomes from secondary sources for each member
- (h) Location of job or businesses as the case may be
- (i) Length of stay on present location

3. Tenure Status

- (a) Category of land
- (b) Type of land ownership and the name of the owner/HH member
- (c) Type of document possessed to certify ownership type
- (d) If not owned, name and address of owner
- (e) If informal use right, type of agreement
- (f) Number of years used
- (g) Rent per month paid by tenant
- (h) Deposits made by lessee

Note: In case census and inventory are conducted as separate exercises, some information on land use, affected structures and other fixed assets, and affected businesses should also be collected as part of census surveys.

ANNEX 4: LIST OF DATA FOR INVENTORY OF LOSSES

1. Land Use

- a. Existing use of land
- b. Areas under different land usages, where applicable
- c. Total and affected area of land with breakdown by usages, if applicable
- d. Estimate whether the remaining area is viable for continued use
- e. Total area of land by type for compensation purposes

2. Structures

- a. Type of structure
- b. Number of floors
- c. Area by floor
- d. Name of owner of structure
- e. Year of construction
- f. Whether permit obtained for structure
- g. Use of structure and areas by usages, if applicable
- h. Description of building material used for roof, walls and floors by surface areas
- i. Type of foundation
- j. Description of any special features of structure
- k. Utility connections (electric meter, water supply, etc.)
- l. Charges paid for utility connections
- m. Affected area of structure
- n. Estimate whether the remaining structure is viable for continued use
- o. Total area of building for compensation purposes

3. Other Structures

- a. Types of structures (wells, boundary wall, fence, warehouse, etc.)
- b. Area of fish pond affected
- c. Average household income from fish pond
- d. Description of areas and construction material of affected structures
- e. Use of other structures

4. Agricultural Products

- a. Type of crops affected
- b. Owner of affected crops
- c. Total yearly production of crop on affected land
- d. Average yield of crop
- e. Any products that are sold at the market
- f. Number of employees/labor used for crop production
- g. Average value of crop
- h. Average yearly household income from agriculture

5. Trees

- a. Number and types of affected trees
- b. Age of trees
- c. Name of owner of trees
- d. Average yield of fruit bearing trees
- e. Average yearly income from fruit trees

6. Business

- a. Type of business affected
- b. Name of owner of business
- c. Registration/permit number of business (check document)
- d. Total yearly household income from business
- e. Average operating expenditure of business
- f. Number of employees in business
- g. Number of permanent and temporary employees
- h. Average income and profit as reported for income tax (check document)
- i. Whether the business needs to be relocated

7. Affected Public Utilities and Facilities

- a. Description of affected community infrastructure
- b. Description of affected facilities by area & building material used
- c. Estimated number of population adversely affected by the facilities/infrastructure

8. Preference for Relocation

- a. Whether there is a need for relocation or reorganization
- b. Preferred mode of compensation (cash or kind) for land
- c. Preferred mode of compensation for structure
- d. Preferred type of assistance for income rehabilitation

ANNEX 5: FORMATS FOR RAP AND ABBREVIATED RAP

Full RAP	Abbreviated RAP
<p>Includes a statement of objectives, policies and principles, and typically covers the following:</p> <ol style="list-style-type: none"> 1. Description of the project; 2. Project resettlement potential impacts; 3. Objectives; 4. Socio-economic studies, expected consequences; 5. Legal framework; 6. Eligibility; 7. Valuation of and compensation for losses; 8. Site selection, site preparation and relocation; 9. Housing, infrastructure and social services; 10. Organizational responsibilities; 11. Public participation, consultation and grievance mechanism; 12. Implementation schedule; 13. Cost estimate and budget; 14. Monitoring and Evaluation 	<p>Covers the following minimum elements¹⁷:</p> <ol style="list-style-type: none"> 1. A census survey of displaced persons and valuation of assets; 2. Description of compensation and other resettlement assistance to be provided; 3. Consultations with displaced people about acceptable alternatives; 4. Institutional responsibility for implementation and procedures for grievance redress; 5. Arrangements for monitoring and implementation; and 6. A timetable and budget.

¹⁷ In case some of the displaced persons lose more than 10% of their productive assets or require physical relocation, the plan also covers a socio-economic baseline survey and income restoration measures.

ANNEX 6: DATA FOR RAP BASELINE SURVEY

Note: The background information, household status and land use information would be same as in ANNEX 4 above: List of Data for Census Survey on Project Affected Persons

Additional information would include the following:

1. Access to Facilities

- a. Access to electricity
- b. Type of water supply available
- c. Type of sanitation facilities within the building
- d. Distance to school
- e. Distance to health facilities
- f. Distance to market

2. Household Assets

- a. Type and number of farm equipment and implements owned by the household
- b. Type of other business equipment owned by household
- c. Estimated value of affected equipment
- d. Type of transport owned (bike, motorcycle, truck, animal cart, car, other)
- e. Major kitchen equipment owned (stove, cooker, etc.)
- f. Ownership of fridge, radio, TV, etc.
- g. General condition of building (excellent, good, average, poor)
- h. General condition of household furnishing (furniture, cupboards, etc.)

3. Household Income and Expenditure

- a. Average annual household income from all sources
- b. Average expenditure on major items: food, transport, health, education
- c. Any loans taken from bank, friends or relatives
- d. Approximate savings, if any

4. Skills Possessed

- a. Skills of each household member
- b. Types of training or skills preferred for further upgrading

ANNEX 7: GUIDELINES FOR VALUATION AND COMPENSATION OF PROPERTY

Introduction

As noted above, there are two components that comprise the valuation of property for Project Affected Persons (PAPs). The first is the replacement cost for property owned, or used for productive purposes by the PAP. The second is a one-time payment of allowance to the PAP which is defined as an amount (in financial terms) above the current replacement cost, used to compensate the impacted person for inconvenience, time loss due to change in residence or location, additional inputs required to bring the new location to a productive level equivalent to the property replaced, loss of income during the process of relocating, and similar losses.

Required are practical guidelines for estimating costs for resettlement activities under the LEIDP. It should be restated at the outset that the discussion below is not a fixed framework, but a set of negotiable guidelines and suggestions. The point is that each case will be different; each case will require local consultation with impacted stakeholders. Considerable time and effort are usually needed to achieve satisfactory results.

Process Regulating Documents

The methodology for compensation calculations and unit price calculations was developed in accordance with the following documents:

- (i) World Bank OP 4.12
- (ii) The “RA Law ՀՕ-189-N on Real Estate Assessment Activities” adopted on 04.10.2005
- (iii) The RA National Standard on Real Estate Assessment in the Republic of Armenia
- (iv) The RA Urban Development Minister’s “Decree N 09-N (dated 14.01.2008) on Approving the Construction of Buildings, Structures in the RA Territory and the Collection of the Increased Indicators of the Construction Work Type Cost.”

Valuation of the Land

In a free market economy, the value of land-agricultural as well as nonagricultural -is determined by the price it is bought or sold in the real estate market. Land has been classified by the State Committee of the Real Estate Cadastre under the GoA (SCREC). However, sometimes, the classification is not in line with actual usage of the land. In the frames of the project, the type with higher price will be used for determination of the land price in favor of PAPs.

Assessment of the Land Replacement Cost

Land valuation should be carried out at replacement cost based on market rates. Market rates will be assessed through the comparative method as defined by RA Valuation Standard. Based on this method a plot value is determined by taking into account the adjusted average sale price of at least three recently sold comparable plots with a similar location and use/features. If acceptable comparators in the same location of the valued plot are not available, one or more comparator plots are drawn from a different nearby/comparable location.

In order to reflect small differences between the characteristics / quality of the evaluated land and comparator lands, the average market sales of the comparator lands should be adjusted according to several comparison parameters and corresponding coefficients.

Assessment Procedure

The land assessment comparative method will be applied as follows:

- (i) similar real estate markets should be analyzed
- (ii) at least three comparison units should be defined
- (iii) necessary comparison elements should be distinguished
- (iv) the cost of comparison units should be adjusted according to comparison elements and several adjusted cost indicators averaged for the compared real estate
- (v) obtained market cost should be compared with the cadastral cost
- (vi) the plot price should be defined.

Step 1

To analyze similar real estate markets and choose reliable information for the analysis, the Evaluator can use public sources (professional journals, websites, and external advertisements), a personal database¹⁸ and information obtained from the “Center of Information technologies” SNCO at the SCREC. Based on the obtained information, the Evaluator uses the most compatible/relevant information (by its comparison elements).

Step 2

In principle, the source of comparator values are records of executed sales from the Centre for Information Technologies SNCO at the SCREC. If for a specific plot, records did not include usable comparators, then records from the Cadastre lists of market prices or land sale offers in newspapers and websites are used to form comparators. Each valued plot is matched with at least three comparator plots.

Step 3

Once comparator plots are identified, several additional parameters for comparing the relative quality/features of valued plots and comparator plots are also considered. The parameters and the coefficients for price adjustments are listed below:

Sales condition and market state

These are the market price changes which occurred between the market sales of comparator lands and the evaluation period. The evaluator also considered whether the property was purchased through a mortgage.

Actual usage

This shows how the given plot is actually used, irrespective of its cadastral, targeted and operational purpose.

Location and position

Assessed and comparator plots are shown by districts. Their distance from a main road was also shown. In this case, 20 % step decrease or increase coefficients can be applied.

¹⁸ In his/her office, the Evaluator kept a database, where both the prices of the property subject to sale and the sales data (that became known to the Evaluator, as a result of implemented transactions with the Evaluator’s participation) are entered.

Access to transport

This coefficient described the distance of assessed and comparator plots from main transport junctions. Access to transport can be found to be the same for assessed and comparator plots and no coefficient to be applied in this case.

Total surface area

The size of the total surface area of the affected plots didn't impact the plot price, since it was similar to the surface areas of comparable plots.

Facade

This shows how many meters of facade the given plot has on the main road.

Availability of infrastructures

Describes the distance from the assessed plot to main infrastructures (roads, irrigation pipeline, drinking water pipeline, electricity line, gas pipe, sewage).

Slope

The coordinated market observations show that plots with or without a slope have different prices. For that reason, the Evaluator also can consider this comparison element. Since the assessed and comparator plots are flat, there is no need to correct the given element.

Step 4

The market price unit of the plots will be adjusted according to the listed comparison elements. The adjustment logic is presented in the table below:

Table1

Calculation of cost of 1 square meter of the total plot

Comparison elements	Assessed real estate	Similar real estate 1	Similar real estate 2	Similar real estate 3
Price for 1 square meter		30.064	13.333	12.933
Bargaining (Sales)		Sale	Sale	Sale
Adjustment coefficient		1.00	1.00	1.00
Adjustment by AMD		0	0	0
Time (Market state)	02.2013	11.2012	02.2012	02.2012
Adjustment coefficient		1.00	1.00	1.00
Adjustment by AMD		0	0	0
Targeted purpose	Populated area.	Populated area.	Populated area.	Populated area.
Adjustment coefficient		1.00	1.00	1.00
Adjustment by AMD		0	0	0
Operational purpose	Other lands	Resid. struct.	Resid. struct.	Resid. struct.
Adjustment coefficient		1.00	1.00	1.00
Adjustment by AMD		0	0	0
Actual purpose	Orchard	Resid. struct.	Resid. struct.	Resid. struct.
Adjustment coefficient		1.00	1.00	1.00
Adjustment by AMD		0	0	0
Location	Good	Excellent	Satisfactory	Satisfactory
Adjustment coefficient		0.80	1.20	1.20
Adjustment by AMD		-6.013	2.667	2.587
Position	Excellent	Excellent	Good	Good
Adjustment coefficient		1.00	1.20	1.20
Adjustment by AMD		0	2.667	2.587
Access to transport.	Good	Good	Good	Good
Adjustment coefficient		1.00	1.00	1.00
Adjustment by AMD		0	0	0
Physical characteristics:				
Total surface area (square	400.0	266.10	300.0	300.0

Adjustment coefficient		1.00	1.00	1.00
Adjustment by AMD		0	0	0
Facade (meter)	9.65	14.50	12.0	12.0
Adjustment coefficient		1.00	1.00	1.00
Adjustment by AMD		0	0	0
Availability of infrastructures	Satisfactory	Good	Satisfactory	Satisfactory
Adjustment coefficient		0.85	1.00	1.00
Adjustment by AMD		-4.510	0	0
Slope	Flat	Flat	Flat	Flat
Adjustment coefficient		1.00	1.00	1.00
Adjustment by AMD		0	0	0
Improvements	None	None	None	None
Adjustment coefficient		1.00	1.00	1.00
Adjustment by AMD		0	0	0
General adjustment (AMD)		-10.522	5.333	5.173
Price for 1 adjusted square		19.542	18.666	18.106
Weight coefficient		0.33	0.34	0.33
A unit price for the	18.770			

Step 5

The final decision on the value of the assessed property will be determined through the sales comparison method by analyzing adjusted prices of comparator real estate sales. The Evaluator averages the adjusted prices of three similar plots after establishing that all the three comparator plots are similar to the assessed plot and that the sources for obtaining data are credible.

Step 6

1. Then, the market price of the plot will be calculated by the following formula:

$$\text{PMC} = \text{PSA} \times \text{SMC}$$

where:

PMC – is the market price of the plot,

PSA- is the surface area of the plot,

SMC-is the adjusted market price for 1 square meter of similar plots.

BUILDING/STRUCTURE VALUATION METHODOLOGY

The valuation of building/structures should be carried out at replacement cost. Replacement cost is understood as the total cost to reconstruct a building/structure comparable in area, materials and features to the building/structure to be replaced, free of deductions for transaction costs and amortization. The calculation of the replacement cost was based on the following factors:

- (i) current market value of materials
- (ii) current cost of transportation of materials
- (iii) current labor costs, and
- (iv) cost of specific structural/esthetic features of the affected building.

Calculations should be made in compliance with official measurement indicators and adjustment coefficients established for the whole RA territory and civil works valuation parameters defined under the official Aggregative Indicators for Civil Works (AICW).

The replacement costs of buildings and structures will be determined on the basis of

- (i) data presented in relevant specialized normative bulletins and other reliable sources
- (ii) data on costs mentioned in construction contracts for similar structures in market conditions.

For the assessment of real estate, the replacement costs of structures will be calculated as the sum of direct and indirect expenses and business (constructor's) profit. The required expenses, for constructing 1 square meter of real estate with similar use and purpose, will be defined by the following formula:

$$\mathbf{SE = DE + IE + BP \text{ where:}}$$

SE - required expenses for construction of 1 square meter of real estate with similar use and purpose

DE - sum of direct expenses,

IE - sum of indirect expenses, and

BP - business (constructor's) profit.

Direct expenses included the following expenses directly associated with construction:

- (i) expenses for purchasing materials, products, engineering networks and systems, and constructors' salaries
- (ii) expenses for operation of construction vehicles and machinery
- (iii) expenses related to temporarily constructed structures, safety measures, other expenses considered the norm in the transport and local market
- (iv) expenses related to financing the construction, and
- (v) contractor's overhead expenses and profit.

Indirect expenses will be defined based on market tariffs for works and services. The following expenses arising from the construction of structures will be considered indirect expenses and will be included in the cost of construction:

- (i) design, estimate preparation, technical and other control expenses
- (ii) payments for consulting, legal, accounting and audit services
- (iii) expenses related to advertising, marketing and object sale
- (iv) entrepreneur's administrative and other expenses.

The amount of business profit will be determined on the basis of market analysis. According to the RPF depreciation deductions will not be applied. Structure replacement expenses will be determined using the following formula:

$$\mathbf{RE = BS \times SE \text{ where:}}$$

RE - Structure reproduction (or replacement) expenses

BS – floor surface area of assessed buildings and structures

SE - expenses required for the construction of 1 square meter of real estate with similar use and purpose.

An example of calculation of structure replacement costs is given in the following table:

Table 2. Sample calculation of replacement cost of a residential building

	Type of building/structure Measurement unit	Resident a Cubic
1	1 unit expenses (presented in INCC 2009) directly related to INCC 2009, volume I.	30.42
2	Height between the interfloor ceilings of the assessed real estate (m) (Reference: Ownership certificate and/or topography or measurement results)	2.4
3	1 unit expenses (presented in INCC 2009) directly related to implementation of works: salary, cost of materials, operation cost of Reference: Standard point 6.5, subpoints a., b., c. and e.; section 6 to section 8 of the Urban	73,00 8
4	Exchange rate change coefficient (Å/305.0) (absolute value). Reference: INCC 2009, general provisions, point 5	1.334
5	Reproduction expenses (3x4) (absolute value).	97.42
6	Difference between the construction material (used during the assessed real estate construction) and work prices considered in the Reference: private analysis, format: electronic version, Excel. "tarberutvun", sheet 1	0
7	Reproduction expenses (5+/-6) (absolute value)	97.42
8	Real expenses of buildings and structures that are of temporary, household purpose (moveable or constructible), warehouses.	1.83
9	Line 8 with absolute Reference: Table of section 3 of the "Decree N 69 (dated 21.08.2001) on Approving Estimate Norms of Temporary Buildings and	1.783
10	Additional expenses related to climatic conditions impact on	1.2
11	Line 10 with absolute Reference: Table of the "Decree N 68 (dated 21.08.2001) on Approving Estimate Norms Taking Into Account the Climatic	1.169
12	Work implementation expenses in cramped conditions (%)	0
13	Line 12 with absolute Reference: EPEP-85 collection	0
14	Expenses necessary for mandatory examination of design/ estimate	7.94
15	Line 14 with absolute Reference: Decree N 41-Ü dated 16.06.2008, section 14, arithmetical average of lines 1-9 of	246
16	Additional expenses envisaged for construction and mounting works of	1.5
17	Line 16 with absolute Reference: Decree N 41-Ü dated 16.06.2008, section 15, arithmetical average of lines	1.461
18	Expenses related to activities for transferring waste (not current) formed after construction and mounting works * (%)	0.15
19	Line 18 with absolute	146

Reference: Decree N 41-Ü dated 16.06.2008. section 16. table 6		
20	Object technical control service expenses * (%)	1.41
21	Line 20 with absolute	1.374
Reference: Decree N 41-Ü dated 16.06.2008. section 17. arithmetical average of lines		
22	Object author's control service expenses * (%)	0.5
23	Line 22 with absolute	487
Reference: Decree N 41-Ü dated 16.06.2008. section 18. arithmetical average of table		
24	Expenses required for preparation of design-estimate documents * (%)	3.18
25	Line 24 with absolute	3.098
RA Urban Development Minister's "Decree N 19-Ü (dated 15.02.2008) on Approving the Procedure of Calculating the Preparation Work Cost of Urban Documents (project and architectural)," arithmetical average of lines 1-13		
26	Expenses related to payments for consulting, legal, accounting and	0
Reference: Standard, subpoint b. of point 1 of section 7.7.4		
27	Expenses related to	0
Reference: Standard, subpoint c. of point 1 of section 7.7.4		
28	Expenses related to advertising, marketing and object sale	0
Reference: Standard, subpoint d. of point 1 of section 7.7.4		
29	Entrepreneur's administrative and other expenses	0
Reference: Standard, subpoint e. of point 1 of section 7.7.4		
30	Non-envisaged	3.5
31	Line 30 with absolute	3.410
Reference: Decree N 41-Ü dated 16.06.2008, table 1, arithmetical average of points c., d., e., f.. of section 1 and a., b., c., and d.. of section 2		
32	Equipment cost (ventilation, heating, etc.) (absolute value)	10.0
Reference: INCC 2009, general provisions, point 3, subpoint 1.1		
33	Taxes: VAT * (%)	20
34	Line 33 with absolute	19.4
Reference: INCC 2009, general provisions, point 3, subpoint 1.1, Decree N 41-Ü dated 16.06.2008, section 12, RA Law on Value Added Tax, Clause 2 of Article 6, Article 9		
35	Business profit (%)	0
36	Line 35 with absolute value	0
Reference: Standard, point 3 of section 7.7.4. Analysis		
37	Reproduction (or replacement) expenses (7+9+11+13+15+17+19+21+23+25+26+27+28+29+31+32+34+36)	140,0 83

ANNEX 8: DOCUMENTS CONSULTED

1. MCA-Armenia SNCO, Resettlement Policy Framework (2009);
2. Community Agricultural Resource Management and Competitiveness Project II (2015-2019) Resettlement Policy Framework (2014);
3. Transmission Line Reconstruction Project Hrazdan to Shinuhair Corridor, Resettlement Policy Framework (2011);
4. Lifeline Network Improvement Project, Resettlement Policy Framework (2012);
5. Irrigation System Enhancement Project, Resettlement Policy Framework (2013);
6. Republic of Armenia: Constitution (1995, amended in 2005);
7. Republic of Armenia: the Civil Code (1998);
8. Republic of Armenia: Land Code (2001);
9. Republic of Armenia: Law on Property alienation for social/public and state needs (2006);
10. Republic of Armenia: Code of Civil Procedure (1998);
11. Republic of Armenia: Code of Administrative Procedure (2007);
12. Republic of Armenia: Law on Real Estate Valuation Activity (2005);
13. The “RA Law ՀՕ-189-Ն on Real Estate Assessment Activities” (2005)
14. The RA National Standard on Real Estate Assessment in the Republic of Armenia
15. World Bank: Operational Policy on Involuntary Resettlement (WB OP 4.12) (January 2002);
16. World Bank: Operational Policy on Involuntary Resettlement - Annex A to OP 4.12 (January 2002);
17. World Bank: Bank Procedure (BP) 4.12 (January 2002);
18. World Bank: Involuntary Resettlement Sourcebook and Appendices (2004).

ANNEX 9: CONTRACTOR FORMS FOR TREE AND STRUCTURE REMOVAL

It was agreed that construction contractors would cover the cost of removal any trees (compensated in cash) and the temporary removal of structures (mainly bridges to be rebuilt following works). This compensation and rehabilitation would proceed on the no-objection of ATDF (TDF) and the WB following the completion and submission of the attached forms by the contractor before works commence. In the case of trees these would form the basis for the preparation of RAPs, while the temporary removal of bridges and other non-productive assets would be captured in progress reports submitted by ATDF (TDF).

Tree Removal – Contractor Form and Procedures:

- Do not remove trees unless absolutely necessary; m
- Complete this form in consultation with owner before works commence;
- Do not remove tree without getting ATDF (TDF) approval following submission of form (section 7 completed);
- Following payment completion complete section 7 and re-submit to ATDF (TDF). Refer any complaints to the ATDF (TDF).

1. Information on Tree

Location of trees	Community	
	Land plot lot and code	

	Type of the tree	No	Wood tree	Decorative tree	Fruit tree		
			The volume of the tree in m ³	Size of the tree (<i>mention the unit (sm, m)</i>)	Seedling	Not-yet productive	Productive
1							
2							
3							
4							
5							
6							

2. Information on Owner

Name of the Owner	
Document of the ownership*	
Passport data	
Contact address and phone number	
Date consulted	
Signature of owner	

* In case of registered owners it can be cadaster certificate, in case of leaseholders it can be a lease agreement or lease cadaster certificate, in case of non-registered users it can be certificate from Local Authorities

3. Calculate compensation to be paid for wood trees

	Type of the tree	No	Wood tree	Unit cost	Total compensation
			The volume of the tree in m ³	AMD per m3	AMD per tree
1					
2					
3					
4					
5					
	Grand Total	-	-	-	

4. Calculate compensation to be paid for decorative trees

	Type of the tree	No	Decorative tree	Unit cost	Total compensation
			Size of the tree (mention the unit(sm, m))	AMD per unit	AMD per tree
1					
2					
3					
4					
5					
	Grand Total	-	-	-	

5. Calculate compensation to be paid for fruit trees

	Type of the tree	No	Fruit tree (mention only one type per line)			Unit cost	Total compensation
			Seedling	Not-yet productive	Productive	AMD per unit	AMD per tree
1							
2							
3							
4							
5							
	Grand Total	-	-	-			

6. Submit to ATDF (TDF)

Date Reviewed by	
Signature	
Revised/final compensation estimate	
Comment	

7. After RAPIU approval

Total compensation		
Date of payment		
Owner signature confirming the payment	<i>Name</i>	
	<i>Signature and date</i>	
Contractor signature confirming the payment	<i>Name</i>	
	<i>Signature and date</i>	

LEID Project Structure Removal – Contractor Form and Procedures:

- Only remove structures if absolutely necessary e.g. bridge or wall blocks access to canal;
- Do not remove structure without discussing with owner first;
- Reassure owner that structure will be restored to original state following works completion;
- Inform ATDF (TDF) of structures to be removed by submitting copies (1 per structure, with sections 1-2 complete) of this form along with pictures, before starting works;
- Following rehabilitation complete section 4 and re-submit to ATDF (TDF) for their records.

1. **Information on Structure (attach pictures)**

Location of structure (community)	
Location of structure (land plot lot and code)	
Type/name of structure	
Material of the Structure	
Purpose of use	
Reason for removal	

2. **Information on Owner**

Name of the Owner	
Document of the ownership*	
Passport data	
Contact address and phone number	
Date consulted	
Signature of owner	

** In case of registered owners it can be cadaster certificate, in case of leaseholders it can be a lease agreement or lease cadaster certificate, in case of non-registered users it can be certificate from Local Authorities*

3. Submit to ATDF (as needed ATDF (TDF) may inform WB)

Date Reviewed by	
Signature	
Comment	

4. Compensation for the structure (use valuation report of the licensed valuator)

Name of the structure	Area (sq.m.)	Unit price per sq.m.	Total compensation amount

5. Confirm owner satisfaction once structure is rehabilitated

Owners signature and date	
Contractor signature and date	

ANNEX 10: MINUTES OF PUBLIC CONSULTATION MEETING

Introduction

The round table discussion on Resettlement Policy Framework (RPF) and Environmental and Social Management Framework (ESMF) will be organized by ATDF. Along with representatives of ATDF, the meeting will be attended by representatives of the state and local self-government bodies and NGO sector.

Copies of the draft RPF and ESMF will be publicly posted on ATDF web-page on _____ 2015. Official notification on the public hearing on RPF and ESMF will be disseminated on _____ 2015.

Date:

Venue:

Time:

Agenda:

List of Participants