

UZBEKISTAN

REGIONAL ROADS AND DEVELOPMENT PROJECT (P146334)

RESETTLEMENT ACTION PLAN

DRAFT 1

TASHKENT - 2015

CONTENTS

CONTENTS	2
ABBREVIATIONS	3
GLOSSARY	4
EXECUTIVE SUMMARY	6
INTRODUCTION	8
CHAPTER I: INFORMATION ABOUT PROJECT	9
1.1 PROJECT DESCRIPTION	9
CHAPTER II: PROJECT IMPACTS	11
2.1 PROJECT IMPACT	11
2.2 RAP COMPONENTS	12
2.3 MEASURES APPLIED TO MINIMIZE RESETTLEMENT AND ACQUISITION OF LAND	14
CHAPTER III: THE MAIN PRINCIPLES AND OBJECTIVES OF THE RESETTLEMENT ACTION PLAN	15
3.1 PRINCIPLES OF INVOLUNTARY RESETTLEMENT POLICY	15
3.2 OBJECTIVES OF INVOLUNTARY RESETTLEMENT ACTION PLAN	15
CHAPTER IV: RESULTS OF THE EVALUATION OF THE ASSETS OF THE PROJECT AFFECTED PEOPLE	17
4.1 EVALUATION OF THE ASSETS OF THE PROJECT AFFECTED PEOPLE	17
CHAPTER V: LEGAL FRAMEWORK	18
4.1 LIST OF LEGAL DOCUMENTS ON RESETTLEMENT POLICY	18
4.2 POSSIBLE DISCREPANCIES OF THE COUNTRY LAWS WITH THE WORLD BANK POLICY IN THE SPHERE OF RESETTLEMENT AND MECHANISMS FOR ELIMINATION OF THESE DISCREPANCIES	19
CHAPTER VI: SOCIO-ECONOMIC PROFILE OF THE AFFECTED HOUSEHOLDS	23
6.1 AFFECTED POPULATION	23
5.2 AFFECTED STRUCTURES	25
CHAPTER VII: RIGHT FOR COMPENSATIONS AND HELP	27
6.1 CATEGORY OF PERSONS SUBJECT TO INVOLUNTARY RESETTLEMENT	27
CHAPTER VIII: INSTITUTIONAL FRAMEWORK	29
8.1 GOVERNMENTAL ORGANIZATIONS AND STRUCTURES RESPONSIBLE FOR RESETTLEMENT ISSUES	29
8.2 LEGAL ACTS REGULATING INSTITUTIONS WHICH ARE RESPONSIBLE FOR THE RESETTLEMENT IMPLEMENTATION	29
CHAPTER IX: PUBLIC CONSULTATIONS	30
9.1 PUBLIC MEETINGS AND CONSULTATIONS	30
9.2 DISCLOSURE OF INFORMATION	31
CHAPTER X: PROCEDURES OF CONSIDERATION AND REDRESSING OF GRIEVANCES	32
10.1 MECHANISM FOR REDRESSING OF GRIEVANCE	32
CHAPTER XI: EXPENSES AND BUDGET	34
CHAPTER XII: IMPLEMENTATION SCHEDULE	36
CHAPTER XIII: MONITORING AND EVALUATION (M&E)	37
ANNEX I MAPS OF THE PROJECT AREA	39
ANNEX II SUMMARY LIST OF THE AFFECTED HOUSEHOLDS BY THE PROJECT	48
ANNEX III RPF ENTITLEMENT MATRIX	51

ABBREVIATIONS

IFI	International Financial Institutions
UZS	Uzbek Sum
NGO	NonGovernmental Organization
OP	Operational Procedure
PAP	Project Affected Persons
RAP	Resettlement Action Plan
RoW	Right-of-Way
RU	Republic of Uzbekistan
Cadastral Service	State committee of the Republic of Uzbekistan for land resources, geodesy, cartography and state cadaster
TOR	Terms of Reference
WB	World Bank

GLOSSARY

Affected Persons	People, Households, or Legal Entities affected by the project related changes in use of land, water, natural resources, or income losses.
Compensation	Payment in cash or in kind to which the Affected Persons are entitled in order to replace land or other assets taken for project use.
Cut-off-date	Date after which people WILL NOT BE considered eligible for compensation, i.e., they are not included in the list of PAPs as defined by the census.
Entitlement	Entitlement means the range of measures comprising compensation in cash or in kind, relocation cost, income rehabilitation assistance, transfer assistance, income substitution, and business restoration which are due to PAPs, depending on the type, degree and nature of their losses, to restore their social and economic base.
Household	Household means all persons living and eating together as a single-family unit and eating from the same kitchen whether or not related to each other. The census used this definition, and the data generated by the census forms the basis for identifying a household unit.
Income restoration	Income Restoration means re-establishing productivity and Livelihoods of PAPs.
Involuntary Resettlement	For the purposes of this policy, "involuntary" means actions that may be taken without the displaced person's informed consent or power of choice
Land acquisition	Land Acquisition means the process whereby a person is compelled by a public agency to alienate all or part of the land she/he owns or possesses, to the ownership and possession of that agency, for public purposes in return for fair compensation.
Low income/ Vulnerable people	Low income is the population who has income less than living wage. The living wage in Uzbekistan is 48 USD according to the data of State Committee for Statistics in Uzbekistan. The socially vulnerable people (as defined in Uzbekistan) have income in the amount of 72 USD per person in the family per month. ¹ Vulnerable people in the project are understood to be any or a combination of these: low income households, female-headed households with fewer than 2 adult income-earners, the elderly headed HHs with unemployed family members ² and disabled, representatives of aboriginal peoples, ethnic minorities.
Owner	Person who own, use and dispose of appurtenant property (resources, enterprises, things, including buildings, apartments, structures, equipment, raw materials and production, money, equities and other property, as well as objects of intellectual property) at his/her discretion and in his/her interests.
Ownership	ownership or property right represents the right of the person to own,

¹According to the Decree of the Cabinet of Ministers of the Republic of Uzbekistan No.165 as for 07.06.2012 socially vulnerable people have income of 1.5 minimal salaries (one minimal wage is 118 400 UZS) per person in the family which makes about 177.600 sums (approximately US\$2.39 per person a day). Exchange rate of the Central Bank of the Republic of Uzbekistan for March 3, 2015 is US\$ 1 =2466.86 sums.

²In case of unemployed APs, necessary required paper from local Labour authorities.

		use and dispose of appurtenant property at his/her discretion and in his/her interests, and also require elimination of any violations of his/her property right from whoever they are originated. The property right is perpetual.
Replacement (assets)	cost	For houses and other structures, it is the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.
Replacement (land)	cost	Replacement cost for land 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
Rehabilitation		Assistance provided to the affected persons to supplement their income losses in order to improve, or at least achieve full restoration of their pre-project living standards and quality of life.
Makhalla		Organization of the community type at local level, officially recognized in Uzbekistan, serving as interface between the government and the community and responsible for provision with the means of social support and cultural interaction of its members. Chairmen of makhalla are elected by local gatherings.
Khokimiyat		Public authority in places, carrying out interaction between local communities and the government at regional and national levels. Possesses the highest administrative and legal authority over the local population living in the territory within the jurisdiction.

*** The rate of the Central bank (CB) of the Republic of Uzbekistan
(as for March 3, 2015)**

US\$ 1 (USD) = 2466.86Uzbek Sums (UZS)

1 UZS = 0,000405USD

EXECUTIVE SUMMARY

This report describes the principles and procedures which will be observed during the resettlement activity of the structures affected by the project. The main objective of the report is to give the total number of the affected households, define their losses as the result of project implementation. This Resettlement Action Plan (RAP) is designed for the first 10 roads included in the first phase of the project which are located in four raions of Tashkent region, i.e. UrtaChirchik, Zangiota, Pskent, Yangiul raions.

This report is prepared on the base of the results of census of the households in the territory affected by the project.

During the field visit Consultant 'walked the RoW of 10 road sections under Component 1 in' with responsible authorities and identified that the total number of households whose informal substructures will be affected is 11 households. The total number of the affected structures is 12 units, including:

- Fences;
- Gazebos;
- Grids;
- Benches; and
- Bearing structures of the tent;
- Dumbbell pier for grapes.

The project implementation will require the removing these informal structures. Project implementation is not expected to require neither physical displacement of households nor demolishing the affected structures. Rather, these substructures will be removed closer to the household houses. The removal and reinstallation of the substructures will be done at the same time. This period will be short and no delays in reinstallation of these small substructures are expected.

In case if some delays occur (engineering problems, unforeseen conditions etc.), the following measures will be applied:

- The household reserves the right for the rebuilding / reinstallation of the affected substructures at the expenses of the local authorities;
- The occurred problems will be solved and the rebuilding / reinstallation will be carried out as soon as possible;
- The possible losses / damages of the affected household will be calculated based on actual damage and covered by contingencies.

The required assistance to the affected households to remove and rebuild or reinstall these substructures will be provided by the local authorities (makhalla and khokimiat) at no cost the owners. The land plots occupied by these small structures are owned by Avtoyul. No compensation for the affected substructures is required. No substructures are expected to be damages as the results of removing. However, should damage occur, compensation enabling those affected to build new equivalent assets will be provided.

Probable damages of the affected substructures the total replacement value (material) of the damaged substructures will be covered by contingencies. The calculation of the damages (material) of the affected substructure will be carried out based on actual damage of the substructure.

There are no trees planted among the RoW.

The budget is UZS 395 931 030 or US\$ 160 500 which based on expenses for monitoring and evaluation activity and risk of damage to affected structures. **UZS 25 902 030 US\$ 10 500 amount in case of damages to assets and property** (replacement value of materials) **is included in the budget.**

This RAP includes Entitlement matrix and describes mitigation measures for impacts associated with project implementation.

The official cut-off date is the last date of census and socio-economic study of the affected households, i.e. April 17, 2015³.

³ Cut-off date is a date after which people WILL NOT BE considered eligible for compensation, i.e., they are not included in the list of PAPs as defined by the census.

INTRODUCTION

The following report introduces data of the Resettlement Action Plan (RAP) prepared for « Regional roads and development project».

The Government of Uzbekistan (GoU) intends to receive a loan/credit from the International Bank for Reconstruction and Development (IBRD) in connection with the Uzbekistan Regional Roads and Development Project

The Project proposes rehabilitation of priority regional roads. The Project will be carried out in four of the thirteen Oblasts of Uzbekistan, namely Ferghana, Tashkent, Namangan and Andijan Oblasts. The Project is expected to cover rehabilitation of around 300 km of regional roads. The roads to be included under the project have been selected based on road data analysis as well as economic criteria (pre-feasibility screening).

According to the preliminary data, the RAP was prepared on the basis of the socio-economic information on project area as well as consultations and meetings with stakeholders. The RAP describes the number of households who have their informal structures and assets such as fences or gardens within the planned Right of Way (RoW); provides losses of these households; determines principles and legal basis of compensations for damages due to project implementation; reveals mechanism of compensation procedures; and provides monitoring arrangement and grievance redress.

RAP that corresponds to the WB Operation Policy (OP) 4.12 “Involuntary Resettlement” is developed in order to minimize and mitigate the social and economic impacts of associated with the loss of assets under the project.

CHAPTER I: INFORMATION ABOUT PROJECT

1.1 PROJECT DESCRIPTION

The Government of Uzbekistan (GoU) intends to receive a loan/credit from the International Bank for Reconstruction and Development (IBRD) in connection with the Uzbekistan Regional Roads and Development Project.

The Project will finance part of the priority regional road rehabilitation roads program. The Project will be carried out in four of the thirteen Oblasts of Uzbekistan, namely Ferghana, Tashkent, Namangan and Andijan Oblasts. The Project is expected to cover rehabilitation of around 300 km of regional roads. The roads to be included under the project have been selected based on road data analysis as well as economic criteria (pre-feasibility screening). Specifically, the Project will finance the rehabilitation works including structure renewal as well as existing ancillary road connections (crossroads, access roads, drainage systems). This project will also support integration of road safety considerations into the design of the project's road sections and their subsequent implementation towards the mainstreaming of these practices in all roads.

The proposed project would consist of three components:

Component 1: Road Rehabilitation and Safety. The component will finance part of the priority regional road rehabilitation roads program. The Project will rehabilitate the priority roads in four raions (Urta Chirchik, Zangiota, Pskent, Yangiul). Specifically, the Project will finance the rehabilitation works of existing roads, including structure renewal as well as the rehabilitation of ancillary road connections (crossroads, access roads, drainage systems). This component will also support integration of road safety considerations into the design of the project's road sections and their subsequent implementation towards the mainstreaming of these practices in all roads;

Component 2: Institutional Strengthening Component. This component is envisioned among others, (i) to develop a Road Safety Strategy and Action Plan and implementation of Road Safety Improvements Interventions on a set of road sections (ii) to support the GoU to improve road management practices and financial/institutional sustainability of the road sector (iii) to support the GoU to improve the operating environment for the local construction industry; (iv) to help institutional strengthening of the RRF for improving the efficiency and effectiveness of its organizational arrangements (i.e. internal business processes, multiannual planning and development; development and implementation of a communication strategy; training and various other studies to be determined).

Component 3: Project management support: Design and Supervision Consultants to provide support as may be necessary in project management, procurement, and financial management, environmental and social safeguard

Under Component 1, 10 road sections have been already identified. These are presented in the table below.

Table1 Road section to be rehabilitated under Component 1

	Code	Road site	Address	Capital reconstruction (km)
1	4K785B	A373 – settlement Urtasaray	0-12	12
2	4K730	Carasu - Yangikhayot – railway station Kuchlik	5-16	11
3	4K731	Corasuv – Darkhon – Yorik – Tyabugiz	3-16	13
4	4H708	Corasuv – Beshboy – Huzha	0-13	13
5	4K761	Murotali – Kelog	4-16	12
6	4H698	Gishtkuprik – Telman – road M39 (806 km)	0-11	11
7	4K708B	4P4 – M39 – warehouse of timber	0-2	2
8	4K716B	SettlementBozsu – M39	0-2	2
9	4K744A	M39 – settlementZangiota	0-4	4
10	4K743	M39 – city Yangiyul – farm Tinchlik	0-7	7
TOTAL:				87

This RAP is developed for those roads that have social or economic impacts covered under OP 4.12. The remaining road sections to be part of the project will be identified during project implementation based on road data analysis as well as economic criteria (pre-feasibility assessment). A screening tool is used to identify the social and economic impacts covered under OP 4.12 for each road. This screening tool will provide an indication of the affected structures and be used to evaluate the specificity of these structures. According to the screening carried out for the first 10 roads, there is no significant impact of project implementation on project area. The Resettlement Policy Framework (RPF)⁴ developed to serve as a guide for the preparation of all site-specific Resettlement Action Plans (RAP) necessary under the project. The RAPs will be reviewed and cleared by the Bank as well as disclosed prior to commencing any displacement or civil works on the subprojects.

The Project will be implemented through the existing Project Management Unit (PIU), within Republican Road Fund (RRF). A social consultant has been contracted by the PIU to prepare this RAP for the first phase covering 10 road sections. The consultant has also been tasked with reviewing the social and economic impacts under OP 4.12 and prepare and support monitoring of RAP. The PIU team has gained good experience working with the Asian Development Bank and bilateral donors on the Uzbekistan sections (404 km) of the Central Asia Regional Economic Cooperation Road Investment Program (CAREC) since 2006.

⁴ The public consultations on RPF were conducted with stakeholders in each of the four raions where the project will take place on March 24 and 25, 2015, at districts Hokimiyats in the project sites. During the stakeholder meeting the project and the contents of the RPF including the potential impacts and mitigation measures of resettlement and land acquisition upon the project was shared with participants. The RPF was published shortly on Website of the Ministry of Finance, PIU and Website of WB (InfoShop, <http://www.worldbank.org/en/country/uzbekistan>)

CHAPTER II: PROJECT IMPACTS

2.1 PROJECT IMPACT

The project will address the transport connectivity issues starting in Tashkent region and in the Ferghana Valley, one of the main reasons for the Valley's lag in economic growth. The Ferghana Valley constitutes the eastern most region of Uzbekistan, where almost one third of the country's population lives. Despite a vast industrial and agricultural potential, the region has very high poverty levels and poverty density. The lack of intra-regional and local connectivity is a significant obstacle to development of the Ferghana Valley.

Component 1, Road rehabilitation and Safety, will finance part of the priority regional road rehabilitation roads program. In its' first phase, the Project will rehabilitate the priority roads in four raions (Urta Chirchik, Zangiota, Pskent, Yangiul). Specifically, the Project will finance the rehabilitation works of existing roads, including structure renewal as well as the rehabilitation of ancillary road connections (crossroads, access roads, drainage systems).

This component will also support integration of road safety considerations into the design of the project's road sections and their subsequent implementation towards the mainstreaming of these practices in all roads;

The project will also have negative social and economic impacts associated with project implementation. **The project implementation will require removing informal structures and assets such as fences or gardens that have been built within the Right of Way (RoW). Project implementation is not expected to require neither physical displacement of households nor demolishing the affected structures.**

The main affected structures are fences, gazebos, grids, benches, and bearing structures of the tent. **No one of these structures will be demolished. These substructures will be removed closer to the household structures.**

The main interventions will consist of rehabilitating the existing roads, using the same alignment. The Project will not build new roads - the rehabilitation work will be extended to access roads for safety reasons and structural reasons. Structures within the RoW **will be removed to give space to sidewalks and water drainage canals.**

The removal and reinstallation of the substructures will be done at the same time. This period will be short and no delays in reinstallation of these small substructures are expected.

In case if some delays occur (engineering problems, unforeseen conditions etc.), the following measures will be applied:

- The household reserves the right for the rebuilding / reinstallation of the affected substructures at the expenses of the local authorities;
- The occurred problems will be solved and the rebuilding / reinstallation will be carried out as soon as possible;
- The possible losses / damages of the affected household will be calculated based on actual damage and covered by contingencies.

During the field visit Consultant 'walked the RoW of 10 road sections under Component 1' with

responsible authorities and identified that the total number of households whose informal substructures will be affected is 11 households. List of the affected households is presented in the Annex IV.

These impacts are managed according to this RAP and Project Affected People (PAP) will receive compensation according to the nature of the impact, which reflect the state safety measures and the World Bank's policy on Involuntary Resettlement (OP 4.12), including situations when private property (fences, gardens, etc.) can be lost as a result of rehabilitation of the road. These compensations are detailed in the Entitlement Matrix.

The affected structures are not used for the livelihood of the affected persons. Thus, there are no impacts on livelihoods of the affected households.

There are no trees planted among the RoW.

Consultant notes that no land acquisition will be required. All the affected substructures are located in the area (lands plots) belonging to the Avtoyul. Project implementation will not require physical displacement of households

Some temporary occupation of land may take place during the works. These land plots are owned by local authorities and Avtoyul. The period and type of such occupation as well as rehabilitation will be negotiated with the contractor before the reconstruction works start.

2.2 . RAP COMPONENTS

Project will not require physical displacement of households, acquisition of land beyond the Right of Way, any demolition of houses, commercial facilities or existing infrastructure for rehabilitation of regional roads (87 km).

The preparation of the RAP includes the following steps:

- i. Collection of basic data which are necessary for preparation of the RAP:
 - Overall census of affected households and their family members;
 - Overall inventory of affected assets like fences, gazebos, grids, benches, and bearing structures of the tent beyond the RoW;
 - Collection of data on income and sources of livelihood at the household level;
 - Calculation of losses for each household (if it is required);
 - Brief analysis of laws describing the valuation of affected substructures;
 - Analysis of valuation procedures;
 - Results of compensation for damages to affected persons (if compensation is required).
- ii. Identification and determination of alternatives that minimize removing these structures before Project implementation;
- iii. Planning and realization of a consultative program that involves beneficiaries in elaboration of conceptual models, planning, realization and assistance;
- iv. Preparation of the resettlement strategy, i.e. removing and reinstalling the structures;

- v. Description of rights for each affected person and determination that project implementation will be based on special regulations of the RAP⁵. Description of valuation methods for affected constructions, fences, gazebos, grids, benches, and bearing structures of the tents (if compensation is required), and preparation of legislation principles, such as redress of grievances and appeal mechanisms;
- vi. Preparation of the RAP and its entitlement matrix;
- vii. Realization of meetings for RAP implementation, including project implementation agencies, nongovernmental organizations (makhalla, women committee etc.) and other appropriate organizations;
- viii. Calculation of budget for implementation of the RAP, including administration costs, consulting services, equipment expenditures and compensation of losses (if compensation is required);
- ix. Grievance redress mechanism;
- x. Monitoring arrangements.

⁵ In this case “special regulation” means the order of the providing right for the affected persons designed in RPF and used in this RAP. For more detailed information on legislation base see RPF Chapter IV:Legal Framework

2.3 MEASURES APPLIED TO MINIMIZE RESETTLEMENT AND ACQUISITION OF LAND

Efforts were made to minimize probable adverse effects of the project (such as probable demolishing the affected structures, cutting down the trees, destruction of sidewalks etc.) in order to prepare the RAP in compliance with the WB Involuntary Resettlement requirements. Thus, the following measures were applied.

The resettlement plan or resettlement policy framework includes measures to ensure that the affected persons are:

- i. informed about their Project options and rights of the affected households pertaining to resettlement;
- ii. consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
- iii. if required, provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

CHAPTER III: THE MAIN PRINCIPLES AND OBJECTIVES OF THE RESETTLEMENT ACTION PLAN

3.1 PRINCIPLES OF INVOLUNTARY RESETTLEMENT POLICY

According to the document of Operational Policy (OP) of the World Bank OP 4.12 on involuntary resettlement and project design provided by the Design Institute all measures have been taken for reduction of negative impact of resettlement activity and minimizing of temporary use of lands by attentive examination of implementation options and the provided procedures of monitoring during construction stages.

According to the project design, Project **will not require acquisition of land beyond the Right of Way, any demolition of houses, commercial facilities or existing infrastructure. Some temporary occupation of land may take place during the works. The project implementation will require the removing the informal structures and assets such as fences or gardens that have been built within the Right of Way (RoW). All the informal structures will be removed (and reinstalled closer to owners residences) to give space to sidewalks and water drainage canals.**

The impacts part of the first phase of component 1 (the first 10 roads) and covered by this RAP will be managed according to the following principles:

- It is necessary to minimize performance of works on reconstruction which may cause the necessity of involuntary resettlement; when carrying out construction and rehabilitation works damage to houses and objects of infrastructure should be minimized;
- During design acquisition of lands on permanent basis should be minimized;
- Temporary negative impact on lands should be minimized by accurate implementation of construction/rehabilitation works;
- It is necessary to make all efforts to use more public lands, and also to the most limit construction and repair works in irrigated plots. In case it appears impossible to avoid works in the territory of irrigated plots outside the settlements, damage to fields, crops and plantings should be compensated;
- Households should have an opportunity to raise complaints in regards to the compensation process;
- Implementation of the RAP will be traced by carrying out internal monitoring by PIU.
- Compensations will be paid in full to the affected parties prior to any construction or rehabilitation works.

3.2 OBJECTIVES OF INVOLUNTARY RESETTLEMENT ACTION PLAN

The main objectives of resettlement action plan are:

- (i) To identify the exact affected households, type of affected structures and other losses as the result of project implementation;
- (ii) To assess the damage and appropriate measures to minimize or mitigated the project negative impact;
- (iii) To calculate the compensation (of required) of the lost assets;
- (iv) To provide basis for consultations with the relevant involved parties;
- (v) To allow the affected groups of population to receive and deepen knowledge of their rights and duties;

- (vi) To give opportunity to the affected groups of population to declare claims to the relevant instances.

CHAPTER IV: RESULTS OF THE EVALUATION OF THE ASSETS OF THE PROJECT AFFECTED PEOPLE

4.1 EVALUATION OF THE ASSETS OF THE PROJECT AFFECTED PEOPLE

Project will not require acquisition of land, physical displacement of households, any demolition of houses, commercial facilities or existing infrastructure (beyond the Right of Way). **The project implementation will require removing structures and assets such as fences or gardens that have been built informally within the Right of Way (RoW). No demolishing of the affected structures will be carried out. Rather, these will be removed and reinstalled or rebuilt with the assistance of local authorities (makhalla and khokimiat) closer to owner's residences, at no cost the owners. Households are not expected to lose the affected structures and can use their affected structures after removing.** All the informal structures will be removed to give space to sidewalks and water drainage canals that will be of benefit to local residents.

Since the structures will not be lost, no appraisal activity on the affected structures is required. However, in case of damage to the structure full compensation will be provide to acquire equivalent assets, including all costs associates with installing or building the structures.

CHAPTER V: LEGAL FRAMEWORK

4.1 LIST OF LEGAL DOCUMENTS ON RESETTLEMENT POLICY

This chapter presents the review of normative and legal documents of the Republic of Uzbekistan concerning resettlement. These documents provide guarantee of the rights of the project affected persons and the order of compensations payment to these persons in case of loss of property and other objects of property.

Name	Date of approval and amendments	Description
Land Code of the Republic of Uzbekistan	Code was approved by the Law of the Republic of Uzbekistan as for 30.04.1998, considering amendments as for 30.08.2003 and 03.12.2004.	Code regulates the issues of withdrawal and provision of land plots for nonagricultural needs and compensation of losses of agricultural production.
Civil Code of the Republic of Uzbekistan	Code approved by the Laws of the Republic of Uzbekistan as for 21.12.1995 No.163-I and as for 29.08.1996 No.256-I according to the last amendments as for 22.09.2010 No. ZRU-260.	Code provides definition of the property, main concepts to property objects, basics of termination of the property rights and the right for compensation payments in view of the property right loss.
Decree of the CM of the Republic of Uzbekistan № 146	25.05.2011	"On measures for improvement of the order of provision of the land plots for town-planning and other nonagricultural needs"
Decree of the CM of the Republic of Uzbekistan № 97	29.05.2006	"On the order of compensations payment to the citizens and legal entities in view of withdrawal of the land plots for the state and public needs"

As a rule, these standard and legal documents provide general basis for acquisition of lands for public and social needs and compensation to land tenants, users or lessees according to the registered use of land.

Within implementation of this project the order of compensations payment to these persons in case of loss of property and other objects of property is also governed by the following standard and legal documents:

- i. Law of the Republic of Uzbekistan "On Evaluation Activity" as for 19.08.1999. No. 811-I;
- ii. Decree of the President of the Republic of Uzbekistan "On further improvement of activity of evaluation companies and increases of their responsibility for the quality of rendered services" (No. PP-843 as for 24.04.2008);
- iii. Law of the Republic of Uzbekistan No.269-II "On protection and use of objects of archaeological heritage" as for August 30, 2001.

The detailed review of legal framework is provided in RPF.

4.2 POSSIBLE DISCREPANCIES OF THE COUNTRY LAWS WITH THE WORLD BANK POLICY IN THE SPHERE OF RESETTLEMENT AND MECHANISMS FOR ELIMINATION OF THESE DISCREPANCIES

According to the World Bank OP 4.12 the resettled persons can be referred to the one of the three following categories:

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

Thus, according to OP 4.12, persons referred to the categories a) and b) receive compensation for the land plots withdrawn from them, as well as other necessary assistance to achieve the objectives of OP 4.12 (including assistance to restore livelihoods). Persons referred to the category (c), are provided with the help at resettlement to a new residence instead of compensation for the land plots withdrawn from them, and resettlement assistance, for achievement of the objectives of OP 4.12 (including assistance to restore livelihoods). However, entitlements are due to affected persons, provided that they occupied the land plots allocated for project implementation before the cut-off final date⁶ determined by the borrower in agreement with the Bank. The persons settled in this territory after the determined final date, have no right to compensation or any other type of the help in view of resettlement. Compensation for property loss besides the land plots is paid to all persons referred to the categories (a), (b) and (c).

OP 4.12 specifies that the special attention should be paid to the needs of the most vulnerable categories of resettled persons, especially to the people living below level of poverty, not having land, aged, to women and children, representatives of aboriginal peoples, ethnic minorities, and also other categories of the resettled persons which interests cannot be protected by the national legislation regarding compensations for the land plots subject to withdrawal.

As it was already mentioned in the chapter above, the national legislation does not provide for the compensation of cost of unauthorized built residential, production and other buildings and constructions, and also unauthorized occupation of the land plots. Thus, under national law, the resettled persons referred to the category b) and c) should not be provided with any type of compensation. Under this Bank Policy 4.12, persons under b) and c) would be entitled to compensation for lost assets and transition expenses. **The Bank Policy 4.12 will prevail in cases of discrepancies between OP 4.12 and Uzbekistan legislation.**

It was developed Comparison table of legislation of the Republic of Uzbekistan and the WB policy (Table below) which allows following main discrepancies (they are taken into account in this RPF).

1. Public consultations / meetings / disclosure of information
2. Assessment market rate of the target;
3. Illegal construction / persons without legal rights on assets;

⁶The cut-off date will be the date of the census, planned for end of March 2015. The specific date will be included in the RAP.

4. Transitional allowance;
5. Allowances to vulnerable households
6. Compensation for appraisal/evaluation costs
7. Census

Table 2 Comparative Table of the Uzbek Legislation and the WB's Policy

OP 4.12 WB Requirements	Laws and Decrees of the Republic of Uzbekistan on lands acquisition and resettlement	Agreement
All the affected households/persons should be informed/consulted on resettlement/compensations options.	Legislation and normative-legal base does not provide for conducting consultations/public meetings.	Within this Project all the affected households/persons participate in consultations during the group sessions and individual meetings. The main provisions of resettlement policy are presented in the special brochures, issued in Uzbek language and disseminated through the Administration of land resources and cadastre or khokimiyats. Similar brochures are disseminated during the consultations/meetings. Consultations are undertaken for the preparation of the RPF. Consultations will be undertaken as part of the preparation of subsequent RAPs (during preparation of the draft as well as on the draft itself).
Compensations and assistance to PAP should be arranged so that their economic/social future is as favorable in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.	Legislation and normative-legal base provides for payment of compensations for the loss of property right for land, structures, harvest, plantations and other assets. Nevertheless there is no compensation for income loss of working people and vulnerable affected households.	The present project envisages compensation for the loss of land, structures and loss of crops. Besides that, additional assistance payments for socially vulnerable households are provided as necessary. Support will be provided to affected households to ensure livelihood restoration.

OP 4.12 WB Requirements	Laws and Decrees of the Republic of Uzbekistan on lands acquisition and resettlement	Agreement
<p>Compensation should be provided in full at full replacement cost rates⁷. In case of “land for land” exchange, the replacement land should have a combination of productive potential, locational advantages, and other factors at least equivalent to the advantages of the old site.</p>	<p>Compensation at compensation rates through allocation of land plots – “land for land” is provided. However location of compensation lands is not always taken into account.</p>	<p>Land is allocated taking into account a number of factors including productivity and location. Productive potential and location advantages should be at least equivalent to the advantages of the old site. The allocated land plots should be located in the same agricultural, residential and working environment and/or at the distance agreed with the affected household.</p>
<p>Replacement cost for structures: Is the market cost of the materials to build a replacement structure with an area and quality equal to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors’ fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.</p>	<p>According to the established order replacement cost includes market cost of the affected structure or the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure. Deductions are made for salvage material, age and wear of materials.</p>	<p>Replacement cost includes market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors’ fees, plus the cost of any registration and transfer taxes. No deductions shall be made for salvage materials or, aging, wear and tear.</p>

⁷ Replacement cost for land 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

OP 4.12 WB Requirements	Laws and Decrees of the Republic of Uzbekistan on lands acquisition and resettlement	Agreement
Lack of official legal right of some affected groups should not be an obstacle to receiving of compensation or possibility of recovery.	Compensation is envisaged only for officially registered owners.	In case there is any affected household with non-registered land use, for this project, the Executive Agency (EA/PIU) will ensure legalization of right for land tenure which makes the affected household eligible for compensations. Informal structures and assets such as fences or gardens that are affected should be fully compensated at market value.
According to the WB requirements, vulnerable HH should be provided with assistance to mitigate negative and disproportionate impacts on these households and individuals.	Uzbek legislation does not provide additional payments specified in WB requirements.	Additional payments and/or other appropriate assistance for socially vulnerable households affected by the project are foreseen.
According to the WB requirements, affected HH should be provided with compensation for appraisal costs.	Uzbek legislation does not provide payments for appraisal, PAPs pay for evaluation themselves.	Payment of compensation includes appraisal/evaluation costs. These costs will be borne by the project.
According to the WB requirements the census of the affected household should be carried out to collect the database for household demographics, their land and immovable assets, assess any impacts on income streams and financial sustainability of households or businesses, tenure status, and any other salient characteristics which may require special assistance, such as the elderly, handicapped or otherwise vulnerable households.	According to Uzbek legislation the owner of demolished house (apartment) after receiving of the notice of the forthcoming demolition should submit within one month period the application agreed with the family members and others together living (registered) persons to khokimiyats of the respective raions (cities) for allocation of dwelling premises instead of demolished housing with the indication of family structure, number of constantly living persons, and also privileges available for them for obtaining of additional living space over the social norm of the area of housing.	The census of the affected household will be carried out as part of the preparation of the RAP to collect the database for household demographics, their land and immovable assets, assess any impacts on income streams and financial sustainability of households or businesses, tenure status, and any other salient characteristics which may require special assistance, such as the elderly, handicapped or otherwise vulnerable households. This will be at no cost, beyond time, or require no special efforts on the part of the PAP.

CHAPTER VI: SOCIO-ECONOMIC PROFILE OF THE AFFECTED HOUSEHOLDS

Socioeconomic survey was carried out during the preparation of the draft RAP in April 16-17, 2015.

At this stage 11 households are identified as affected and were interviewed to obtain socio economic and demographic data.. A structured socio-economic questionnaire was used during the census.

6.1 Affected Population

In all, 11 households will be affected by the project implementation. Four of the affected households are located in Urtachirchik raion, seven AHHs are located in Zangiota raion. The total number of the Affected People is 61 persons. The average household size is seven members per household. Most of heads of households are Uzbek (73%). The rest 27% of the heads of households are Kazakh.

Table 3 Population by gender

Raion	Affected households	Affected persons	Male	Female	Average household size
Urtachirchik	4	28	14	14	7
Zangiota	7	33	14	19	7
Total	11	61	61		7

Only one of the heads of the affected households is female. 91% of the heads of the affected households are male.

Table 4 Households' head by gender

Raion	Affected households	Head of households	
		Male	Female
Urtachirchik	4	4	0
Zangiota	7	6	1
Total	11		

Sources of income

About 55% of the surveyed heads of households are retired employers. 27% of the heads of the affected households depend on white-collar jobs, such as work in the Government sector. 9% (one head of surveyed household) are stated that private sector (private enterprise and small business) is their main economic activity. Approximately 9% of the surveyed households are retired people.

Table 5 Sources of income of households' head

Main Source of Income	No. of affected households	%
Government employees	3	27%

Private sector (private enterprise and small business)	1	9%
Unemployed	1	9%
Retired	6	55%
Total	11	100%

Household income

Governmental sector is the highest contributor to the monthly income of the affected households. The survey data shows the average income of the households. As can be seen in table below, the average income for a household in Urtachirchik raion is US\$ 595 per month per family. Average income per capita of affected households is US\$85 per capita per month or US\$3 per day.⁸

In Zangiota raion the average income for a household is US\$ 478 per month per family. Average daily income per capita of affected households is US\$68 per capita per month or US\$ 2.7 per day.

All the affected households are above the poverty line.

Table 6 Household income, UZS per month

Raion	Affected HHs	Affected persons	Income for per family			Income for per capita		
			Min	Average	Max	Min	Average	Max
Urtachirchik	4	28	1 300 000	1 466 667	1 600 000	185 714	209 524	228 571
Zangiota	7	33	900 000	1 178 571	1 800 000	128 571	168 367	257 143
Total	11	61						

The main item of expenses of the affected households in both raions is food, 40% (193US\$) of the household expenditures in Urtachirchik raion and 42% (177US\$) of the household expenditures in Zangiota raion respectively.

About 15% of the household expenditures in both raions fall on education. Affected household spend about 14% of their income on payments for public utilities.

5% of the household expenditures is expenses on health needs.

Table 7 Household expenditures, average, UZS per month

Item	Urtachirchik	Zangiota
Food	475 000	435 714
Public utilities (gas, water, power etc.)	150 000	142 857
Cloth	116 667	125 000
Health	60 000	48 571
Education	183 333	150 000
Communication	13 750	16 667
Social needs	50 000	0
Agriculture	0	0

⁸ The poverty line is taken as: monthly per capita income is less than the equivalent of UZS 177 600 (approximately US\$2.39 per capita per day), which is close to the internationally accepted income poverty line of US\$1.65 per capita, per day.

Other	150 000	125 000
TOTAL:	1 198 750	1 043 810

Vulnerability Status of the affected households.

Based on the census data, it was noted that no one of 11 affected households comprising vulnerable households. There are 6 retired heads of the households in the project area. All of them are retirement pensioners.

Impact on Income and livelihood.

According to the census, the main affected structures are fences, gazebos, grids, benches, and bearing structures of the tent. No relocation of the affected households is expected upon the project. No one of these structures will be demolished. These substructures will be removed and reinstalled/rebuilt closer to the household structures.

The affected structures are not used for the livelihood of the affected persons. Thus, there are any impacts on livelihoods of the affected households.

5.2 Affected structures

The project will affect the following substructures:

- Fences;
- Gazebos;
- Grids;
- Benches; and
- Bearing structures of the tent;
- Dumbbell pier for grapes.

Table 8 Affected structures

Item	Urtachirchik	Zangiota
Fence	3	2
Grid	1	2
Bench		1
Bearing structures of the tent		2
Dumbbell pier for grapes		1
TOTAL	4	8
	12	

In total, project implementation will affect 12 structures located outside of residential house, including 5 fences, 3 grids, 1 bench, 2 bearing structures for tent, 1 dumbbell pier for grapes.

Project implementation will not require demolishing these substructures. All the affected substructures will be removed closer to the houses. It will be possible to rebuild /use the same structures as they will not break down because of removing. Such structures can be removed without any risk of damage.⁹

⁹ The bearing structure of the tents will be removed with the cutoff of the affected 'roof'. In the case of the wooden structures those be affected they will be rebuilt by a skilled carpenter.

CHAPTER VII: RIGHT FOR COMPENSATIONS AND HELP

6.1 CATEGORY OF PERSONS SUBJECT TO INVOLUNTARY RESETTLEMENT

All land users or owners of structures who are directly impacted by the project, irrespective of the property right to lands, are determined as Persons Affected by the Project (PAP), and have the right for compensation (or alternative forms of help). The policy covers direct economic and social impacts that result from the project and that are caused by:

- a. the involuntary taking of land resulting in
 - i. relocation or loss of shelter;
 - ii. loss 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 access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

Persons subject to involuntary resettlement refer to the following categories:

- Owners of land who lose all or part of their land, building or property owned by them;
- persons who are not owners of land or the property, however livelihood funds of which directly depend on the land or property, but this land or property is necessary for project implementation (for example, private land plots);
- Owners of land.
- Informal users of land
- owners of informal structures impacted by the project

The entitlement matrix (provided below) explains the losses for the affected categories of households and affected structures as it was determined during the preparation this RAP. More detailed entitlement matrix for each categories described in RPF is presented in Annex IV. It explains entitlements for a range of standard impacts that are theoretically possible under the project.

However, the most impacts are those related to compensation of smaller structures) and temporary works within the RoW. The procedures on compensation for these small structures are described below.

The census was carried out 16-17 April, 2015. The cut-off date was determined as the last day of the census, April 18, 2015. The population living along the roads have been informed on this date by the carried out census. Population was informed that after this date, people who are not included in the list of PAPs as defined by the census will not be considered eligible for compensation.

Table 9 Entitlement matrix

Losses	Application	Type of PAP	Compensation policy	Mode of compensation payment
Loss of Informal substructures adjoining to residential structures of the households	Losses of adjoining substructures to the residential houses such as fences, shed /tents etc.	Owners of substructures (informal)	<p>a) Assistance to remove, reinstall or rebuild the structure. This service will be provided free of charge to the owners.</p> <p>In case of damage of any kind to the structure, owners will receive:</p> <p>a) Full compensation of the affected substructures (full replacement cost of affected assets in local markets), adjacent to the house; No deductions shall be made for salvage materials or wear and tear.</p> <p>b) Calculation of compensation is based on the results of the market estimation of cost of the specified objects.</p>	<p>a) Local authorities will provide all necessary assistance to the owners to remove / reinstall or rebuild the structure. The local authorities will provide the manpower / workers (skilled workers such as carpenter / woodworker, worker for digging, cutting and other works) to help the affected household to remove and reinstall the affected structures. The manpower is existing staff of the local authorities, thus no expenses will be required to cover the cost of workers.</p> <p>In case of damage to structures,</p> <p>b) Payment of compensations is carried out on the basis of full replacement cost of affected assets in local markets for the actual moment of compensation payment, taking into account inflation and market fluctuation in prices in the real estate sphere, including all payments related to it; The calculation of the damages (material) of the affected substructure will be carried out on the basis of actual damage of the substructure.</p>

CHAPTER VIII: INSTITUTIONAL FRAMEWORK

8.1 GOVERNMENTAL ORGANIZATIONS AND STRUCTURES RESPONSIBLE FOR RESETTLEMENT ISSUES

According to the legislation of the RUz, the following governmental organizations and structures are responsible for the resettlement implementation:

1. Regional and raion khokimiats;
2. Regional Committee on land acquisition;
3. Regional department of the State Committee of the Republic of Uzbekistan on Land Resources, Geodesy, Cartography and State Cadastre;
4. Regional valuation committee;
5. Regional department of the State Committee of the Republic of Uzbekistan for Nature Protection;
6. Regional sanitary-and-epidemiologic services;
7. Regional fire inspection agency

These institutions have all appropriate opportunities and authorities to implement measures on resettlement and compensation of losses issues as well as restoration and rehabilitation of the livelihood. Project implementation will not require any activity to improve their institutional potential.

8.2 LEGAL ACTS REGULATING INSTITUTIONS WHICH ARE RESPONSIBLE FOR THE RESETTLEMENT IMPLEMENTATION

Procedures, functions and authorities of organizations which are responsible for implementation of acquisition of land for non-agricultural purposes are determined by the Resolution of the Cabinet of the Ministers of the RUz #146 as for 25.05.2011 “On measures of improvement of the order of land acquisition for town planning and non-agricultural purposes”.

As the project implementation will not need land acquisition and displacement of the households the legal institution relevant for the project is Regional (municipal) khokimiat.

Regional (municipal) khokims will be responsible for the following:

1. Make a decision on assistance with indication:
 - a. to whom, for what purposes and what terms and also name of owners of the affected structures;
 - b. total number of affected structures according to its owners;
 - c. the amount of losses (if it is required);
 - d. necessity of removing / reinstalling or rebuilding the affected structures;
 - g. water protection, ecological, fireproof, sanitary and other requirements.
2. Ratify the scope of the requires assistance;
3. Development and implementation the programs on activity.

The Council of Ministers of the Republic of Uzbekistan ratifies the decision of the regional (municipal) khokim.

Contact information of main stakeholders is in Annex III.

CHAPTER IX: PUBLIC CONSULTATIONS

9.1 PUBLIC MEETINGS AND CONSULTATIONS

The individual consultations with the households, whose substructures affected as the result of project implementation, were conducted during the socioeconomic survey in April 16-17, 2015. The participants of the consultations expressed their support for the project. Many questions pertained to the start of the project and whether more roads could be added. Some questions also related to where to obtain additional information on the scope and impact of the project and the Grievance redress mechanism. They were also informed on the project impact.

The special attention was paid to the female members of the households. They expressed their support for the project, willingness to provide the required assistance to hurry up the start of the project. They are not concerned / bothered with the removing the affected substructures. They are ready to participate in removing / reinstallation or rebuilding the affected substructure. The key problem for them is bad quality of the roads that worsen the quality of transport connection.

The key questions the participants were interested are presented below:

Question	Answer
When will the project start?	The start of the project start is planned in 2016 year.
Will the project propose capital repair and rehabilitation? The most roads are not rehabilitated more than 30- years.	The representatives of raion Autoyul explained that the project would propose capital repair and rehabilitation. Earlier these roads were repaired by patching of holes.
Bad condition of the roads is one of the main problems for the residents. What about the other roads which requires rehabilitation as well? Will the project cover the other roads which are not included into the developed pre-feasibility study by designing the same additional feasibility study?	The roads to be rehabilitated upon the project have been selected based on road data analysis as well as economic criteria (passenger traffic, traffic capacity etc.). The selected roads are agreed with ministers and design institutes. The project will not cover other roads which are not included into the designed pre-feasibility study of the project.
Who will be engaged in rehabilitation work, i.e. who will be responsible for quality of work?	The contractor will be responsible for quality of rehabilitation works. The contractor will be selected by tender, i. e. on a competitive basis.
Who will implement the rehabilitation work?	The contractor selected by tender, i. e. on a competitive basis, will implement rehabilitation works.
Who will rehabilitate / clean the irrigation canals after the rehabilitation works on the road?	The representative of raion khokimiat answered the question. The irrigation canals will be cleaned by the fund of local authorities.

Further consultations will be undertaken after the preparation this RAP as a part of disclosure of information.

9.2 DISCLOSURE OF INFORMATION

Public consultations will be undertaken as part of the preparation of the RAP in May, 2015. Information sheet in the local language (Uzbek, Russian) will be distributed to all households, the relevant agencies and organizations during the meeting. Information sheet will describe the information about the project as well as the matrix of entitlements and grievance redress mechanism.

CHAPTER X: PROCEDURES OF CONSIDERATION AND REDRESSING OF GRIEVANCES

10.1 MECHANISM FOR REDRESSING OF GRIEVANCE

Resettlement activity is difficult process which can be complicated by judicial proceedings in view of complaints of the affected persons. The Grievance Mechanism is a process that enables any stakeholder to make a complaint or a suggestion about the way a project is being planned, constructed or implemented.

The PIU of RRF will establish a simple and accessible Grievance Redress Mechanism. The GRM provides a number of avenues and levels for grievance resolution and appeals process.

The main objective behind project specific grievance mechanism is to ensure timely and user-friendly solution to the complaints received from the affected persons (AP). However, the Project Grievance Redress Mechanism does not prevent any affected household to approach the national/ Government legal system to resolve their complaints at any stage of the grievance redress process. The APs can address their complaints to the courts at any time and not only after using the GRM.

1. Level 1 (Mahalla / Village Assembly). Under this project grievance redress mechanism, complaints can be submitted to Mahalla, Village Assembly of Citizens, Farmer Councils, Women Association or directly to RRF. The mahalla/village assembly will try to resolve or clarify the issue within 1 week. Unresolved issues will be referred to the district hokimiyat Grievance Focal Point (GFP).
2. Level 2 (District Hokimiyat). In case, complaint is submitted to the GFP, the GFP will establish a contact with the RRF and its PIU, mahalla and other bodies such as village assembly of citizens, farmers councils of which AH are members and will try to resolve the issue within 1 to 2 weeks.
3. Level 3 (Project Implementation Unit). The RRF through its PIU on a regular basis will check with the GFP whether any complaint is received by GFP. The PIU, on receipt of a complaint from GFP or any other local bodies, will immediately take the following actions:
 - (i) Will inform the complainant within 2 days
 - (ii) Inform WB;
 - (iii) Establish complaint handling team with members Head of PIU, representatives from RRF area representative office, District Hokimiyat. The team will be headed by one of the RRF management staff designated for handling grievances of the project.
 - (iv) The team will consult the complainant and gather complainant's concerns;
 - (v) All complaints will be resolved in 15-20 days, and in case additional details are required, a maximum of 30 days will be used to resolve and close the complaint.
 - (vi) If complaint is not resolved by Project Grievance Mechanism Team, the PMU will inform ADB office and District Hokimiyat regarding the same.
4. Level 4 (Provincial Khokimiyat). If a grievance is not resolved within 30 days, the complainants or her/his representative, can submit its complaint to the provincial khokimiyat. The Provincial khokimiyat will also have 15 calendar days to resolve the complaint.
5. Level 5 (Court). If the complaint is still unresolved, the complainant can submit his/her complaint to the appropriate court of law.

The grievance mechanism applies equally to affected households who wish to seek grievance in project district. When reference is made to the Mahalla, it is to the Mahalla that the affected households is a member of. In massives where affected households are not members of a specific Mahalla, the Village Assembly of Citizens or Farmer Councils, or Women Association can play a role similar to that of Mahalla. The district refers to the district that has administrative jurisdiction over the Mahalla of the affected households

The PIU will be responsible for recording the complaint, the step taken to address grievance, minute of the meetings, and preparation of a report for each complaint. The complaint handling process will be reported to WB through the project implementation report.

Some forms public of announcements for the establishment of Grievance Mechanism includes,

- Distribution of leaflets to the public places
- Notice Boards
- Website
- Telecommunication Tools
- Public Meetings

It is recommended that a Grievance Form is shared by RRF and the follow up actions are identified accordingly. This should also be recorded by using a Grievance Closeout Form. A sample Grievance Redress and Closeout form is presented in Annex IV.

In addition to the project GRM, communities and individuals who believe that they are adversely affected by a World Bank (WB) supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

CHAPTER XI: EXPENSES AND BUDGET

The resettlement budget includes all anticipated expenses related to the implementation of this RAP: evaluation and compensation of affected structures, administration costs, external control, and also contingencies.

At this stage of preparation of RAP the total number of households whose small substructures are be affected by the project is 11 households. The total number of the affected substructures are 12 units.

The project implementation will require the removing these informal structures. Project implementation is not expected to require neither physical displacement of households nor demolishing the affected structures.

No one of these structures will be demolished. These substructures will be removed closer to the household structures. It will be possible to rebuild /use the same structures as they will not break down because of removing. Such structures can be removed without any risk of damage.

In case of damage to structures, the compensation for the damaged structure will be paid to the household. The compensation will be calculated as described in Entitlement matrix, i.e. on the basis of full replacement cost of damaged substructure in local markets for the actual moment of compensation payment,, including all payments related to it to rehabilitate or reconstruct it at the pre-project level or better. The amount of compensation (in such cases) will be calculated individually of the damages substructure. The probable amount of compensation for the risk of damage of the affected substructures is included into the compensation as the contingencies.

The removal and reinstallation of the substructures will be done at the same time. This period will be short and no delays in reinstallation of these small substructures are expected.

In case if some delays occur (engineering problems, unforeseen conditions etc.), the possible losses / damages of the affected household will be calculated based on actual damage and covered by contingencies as well.

The required assistance to the affected households to remove these substructures will be provided by the local authorities (makhalla and khokimiat), especially: local authorities will provide the manpower / workers (skilled workers such as carpenter / woodworker, worker for digging, cutting and other works) to help the affected household to remove and reinstall the affected structures. The manpower is existing staff of the local authorities, thus no expenses will be required to cover the cost of workers.

The land plot occupied by these small structures are owned by Avtoyul. No compensation for the affected substructures is required. No substructures will be damages as the results of removing.

In case of probable damages of the affected substructures the total replacement value (material) of the damaged substructures will be covered by contingencies. The calculation of the damages (material) of the affected substructure will be carried out on the basis of actual damage of the substructure.

So, detailed information of forthcoming expenditures is presented in following table:

Table 10 Estimated costs of the land acquisition and resettlement issues*

Item of expenses	Total, UZS	Total, US\$
M&E	370 029 000	150 000
Contingencies (7%)	25 902 030	10 500
GRAND TOTAL	395 931 030	160 500
	UZS	US\$

**The required assistance to the affected households to remove these small structures will be provided by the local authorities (makhalla and khokimiat)*

At present the approximate budget is **UZS 395 931 030** or **US\$ 160 500** at the exchange rate of the Central bank (CB) of the Republic of Uzbekistan as for March 3, 2015.

All the expenses upon the resettlement actions will be covered by local authorities (khokimiats) by funds of the state budget of RUz. The Ministry of Finance is responsible for the distribution and transferring the funds from the state budget to the local authorities in time.

CHAPTER XII: IMPLEMENTATION SCHEDULE

This section includes a detailed, time bound, implementation schedule for all and resettlement activities.

A timeline for RAP preparation, implementation and post implementation is summarized in Table below:

Table11 RAP Implementation schedule

Step	Action	Responsibility	Timing
A)	COMPLETING THE RAP PREPARATION		
	Follow-up surveys and disclosure/consultations on compensation policy	Resettlement Consultant	April 2015
	Identification of required assistance for removing the affected structures by local authorities	District Khokiniats, makhalla and Resettlement Consultant PIU	April 2015
	No objection notice from WB for RAP	Resettlement Consultant	April 2015
	Disclosure of RAP through public consultation	Resettlement Consultant	April 2015
B)	RAP IMPLEMENTATION		
	Preparation for removing the affected small structures	District Khokiniats, makhalla and Resettlement Consultant PIU	June 2015
	Distribution of Notices to AH	District Khokiniats, makhalla and Resettlement Consultant PIU	June 2015
	Removing and reinstallation of the affected small structures	District Khokiniats, makhalla and Resettlement Consultant PIU	July-September 2015
	No objection notice from WB if RAP implementation found to be satisfactory	WB	October 2015
	Notice to proceed for civil works is issued	WB / RRF	November-December 2015
C)	POST-IMPLEMENTATION TASKS		
	Independent evaluation of RAP	Independent Monitoring	To be confirmed
D)	ITERATIVE TASKS		
	Internal monitoring. Quarterly progress reporting to WB	Resettlement Consultant, PIU	Quarterly during 2016-2017

CHAPTER XIII: MONITORING AND EVALUATION (M&E)

Effective monitoring and evaluation both during the project implementation and long term after project completion is a vital part of the overall project cycle; without M&E the lessons necessary to ensure continued improvements in performance will not be learned and applied.

Initiative groups consisting of the representatives of local authorities and other stakeholders will take active part in consideration monitoring of RAP implementation. The key task is to monitor the responsibility and legal guarantees of organizations involved in resettlement related activity.

Monitoring of all resettlement related impacts is the responsibility of the PIU and will be part of the quarterly project reports submitted to the World Bank. PIU has hired services of consultants to support detailed monitoring of the RAP.

Evaluation of all resettlement related impacts will be carried out by an independent consultant after the final compensation/assistance has been paid in order to verify that all PAP have been compensated according to the RAP and that no outstanding issues related to the RAP remain. The timeframe of compensation should be in compliance with the schedule of RAP implementation.

A dedicated resettlement focal point within the PIU responsible for supervising the resettlement process has been assigned to support cooperation with the Resettlement Consultant PIU.

The main objectives of the monitoring and evaluation (M&E) component of the project are to:

- Provide independent and continuous feedback to the implementing agencies on the project's performance and progress in implementation;
- Monitor and provide feedback on the success in meeting the project objectives, and assess its physical, agricultural, social, financial/ fiscal, and economic impact;
- Monitor and evaluate the effectiveness of redress mechanism and number of appeals placed, improvement the continuous feedback;
- Socio-economic monitoring;
- Impact evaluation monitoring: Income standards restored/improved, and socio-economic conditions.

Furthermore, in consultation with the PIU, the M&E consultants will establish the appropriate M&E procedures targeted on key project input, output and impact indicators to be agreed with the government and the World Bank. The component would include, but not be limited to, the following activities:

- Physical implementation progress in the field on compliance with the prepared RAP implementation schedule/ work schedule;
- Risk management within the project (probable damage of the affected substructures) and measures applied to compensate it;
- Financial management within the project, incidental expenses, contingencies, and other unanticipated expenditures;
- Quality management of the project activity (removing, reinstallation or rebuilding the affected substructures);

- Additional works completed, such as completion of drainage canals, rehabilitation of ariks, sidewalks¹⁰ etc.;
- Feedback to the implementing agencies, the Government of Uzbekistan and the Bank, on project implementation progress;
- Feedback to the implementing agencies, in particular identifying lessons to be learned;

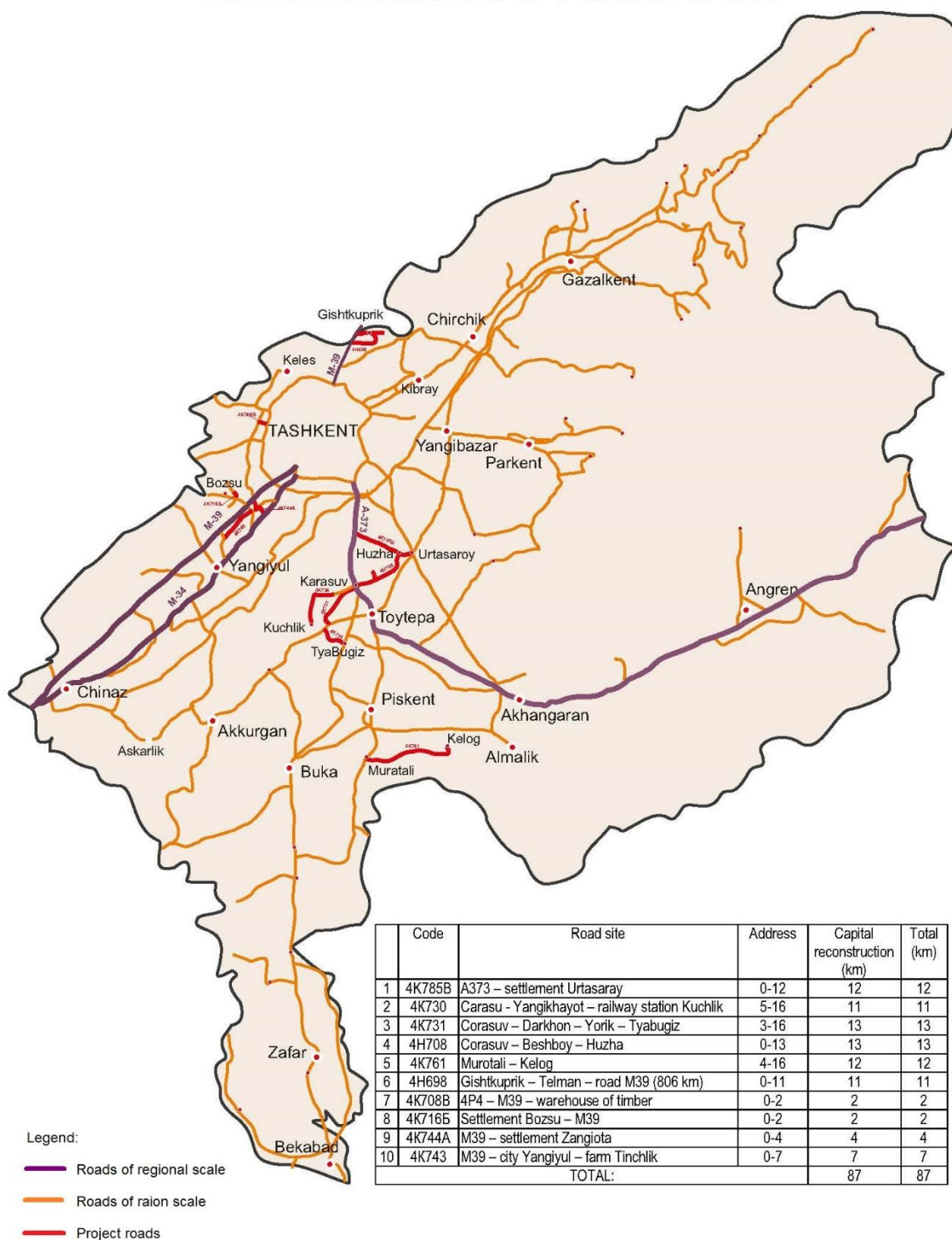
Monitoring will be conducted during two years on continuing basis. The budget for RAP M&E is US\$150 000 and included into the preliminary resettlement budget.

The report on M&E will be prepared on as the part of quarterly reports of RAP Implementation and Progress reports.

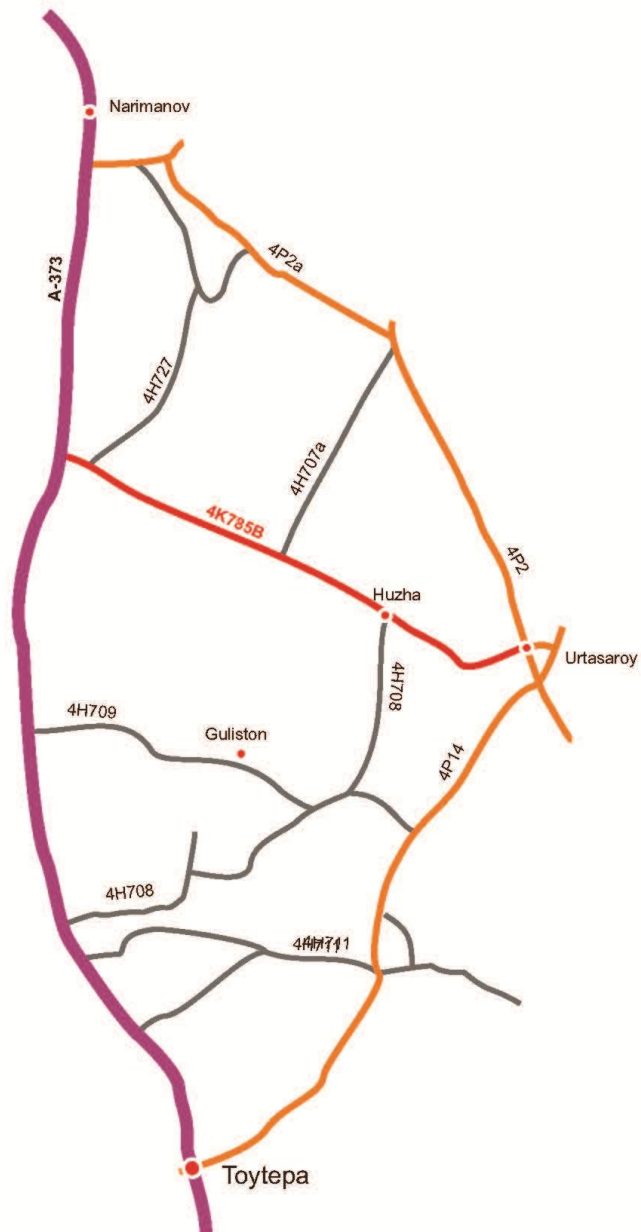
¹⁰Arik is irrigation ditch / canal in Central Asia

ANNEX I MAPS OF THE PROJECT AREA

SKETCH MAP OF THE SECTIONS OF PUBLIC MOTOR ROAD AT THE TERRITORY OF TASHKENT REGION

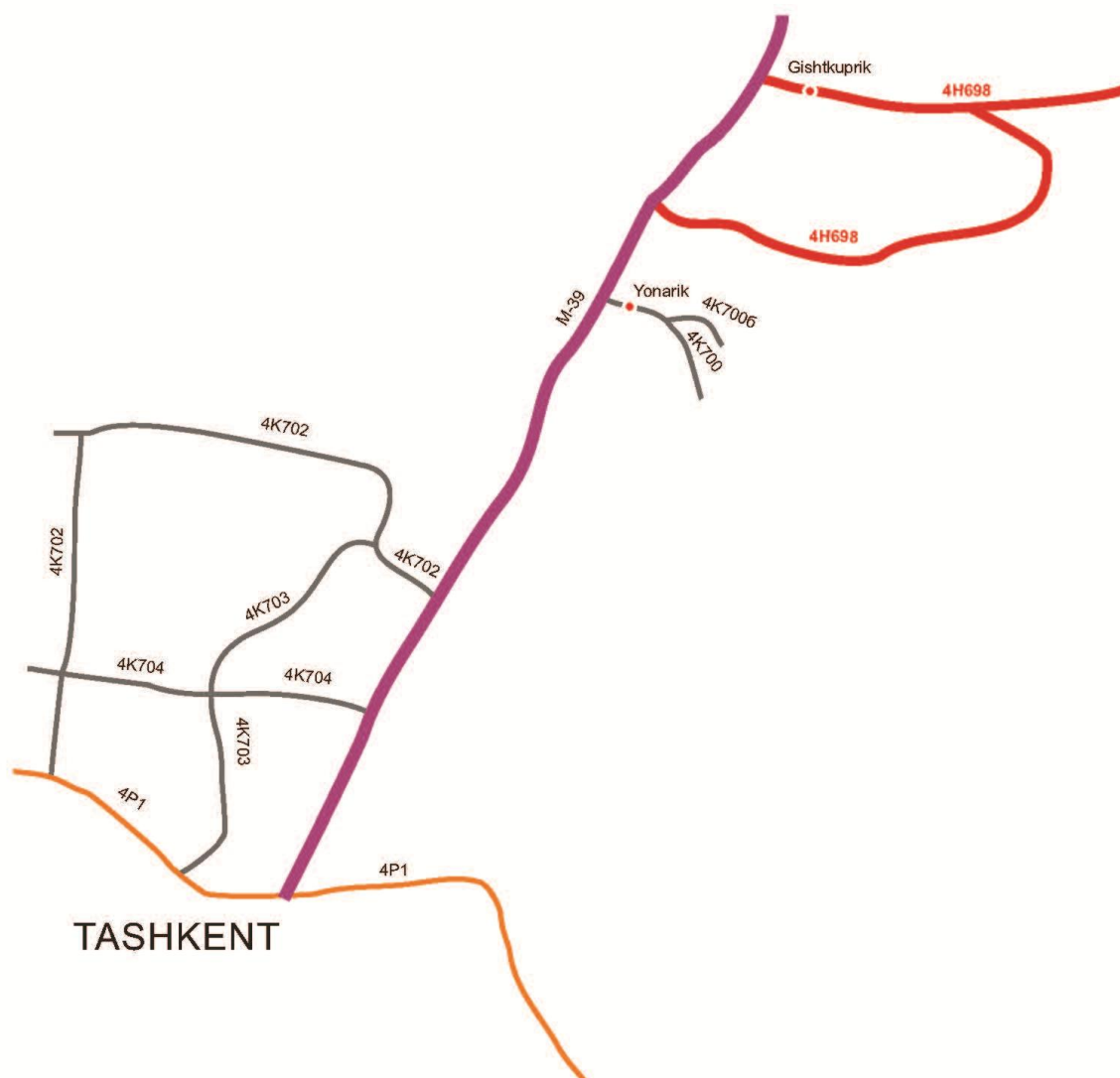


CODE 4K785B
ROAD SITE A373 – settlement Urtasaray

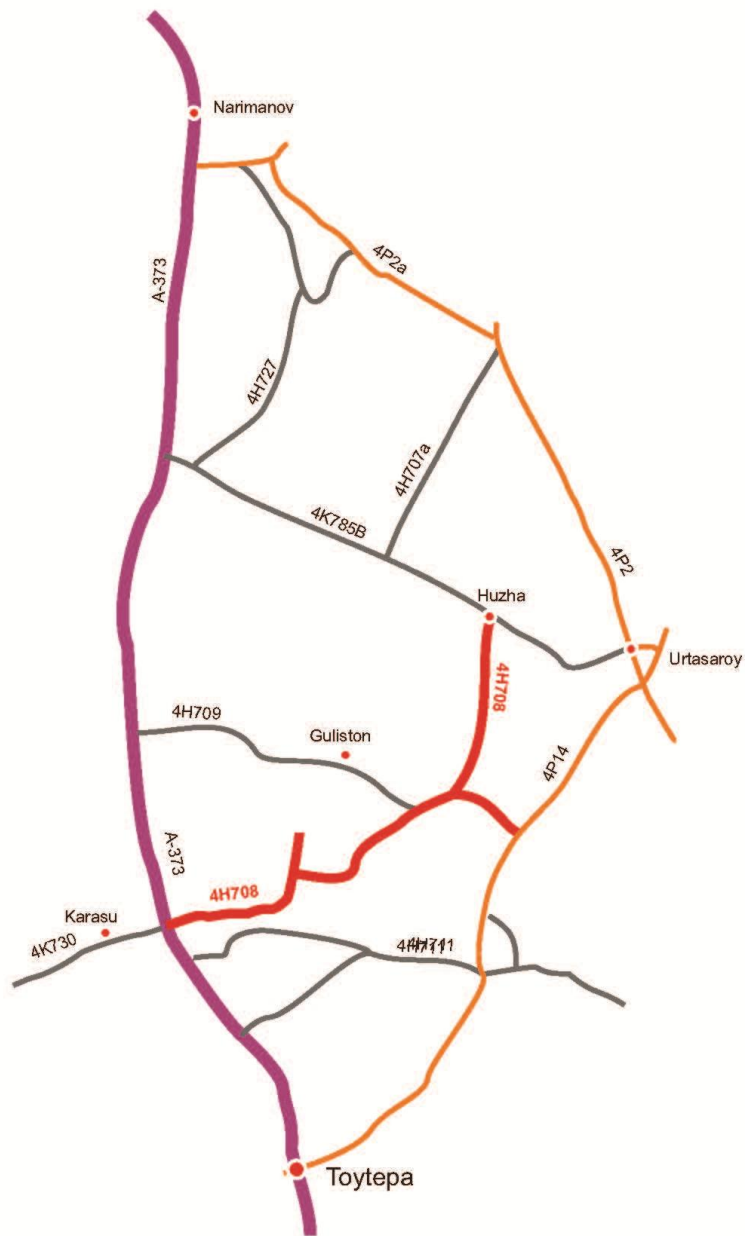


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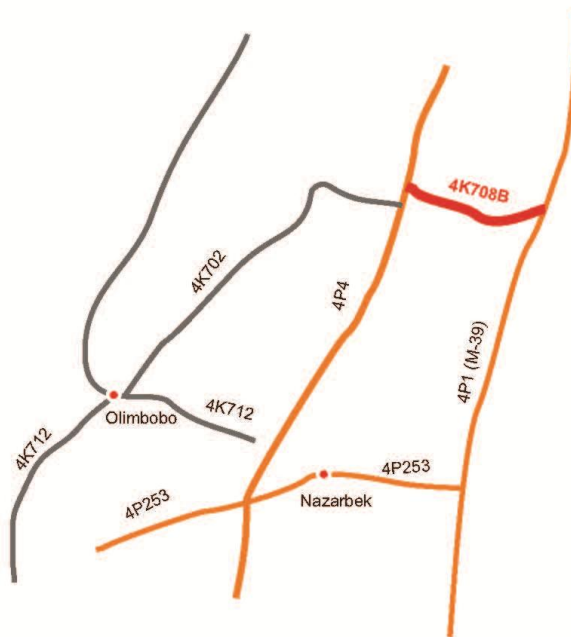
ROAD SITE Gishtkuprik – Telman – road M39 (806 km)



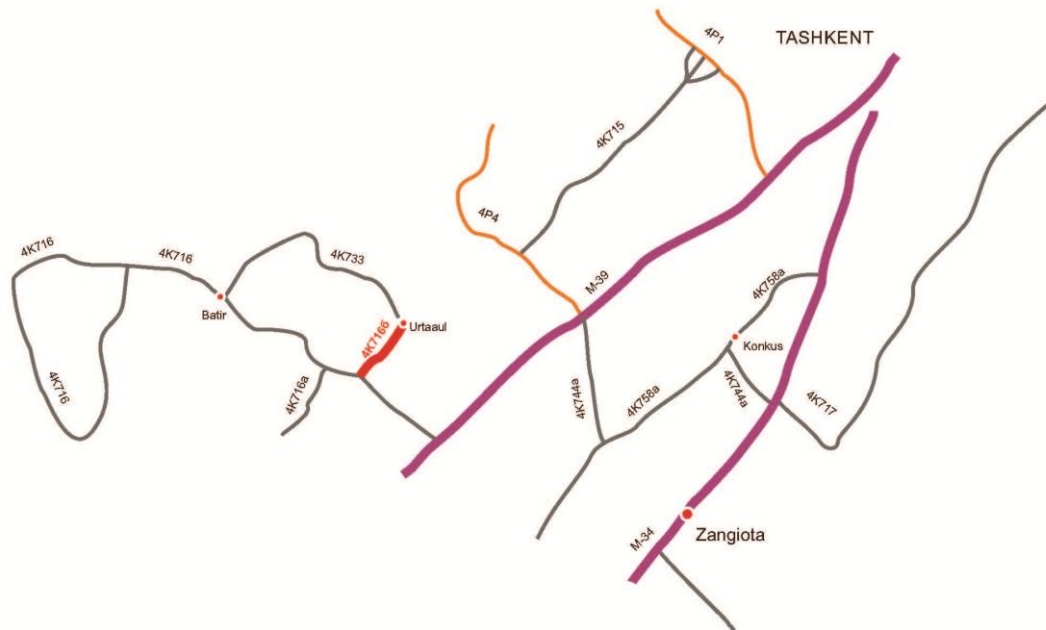
CODE 4H708
ROAD SITE Karasu – Beshboy – Huzha



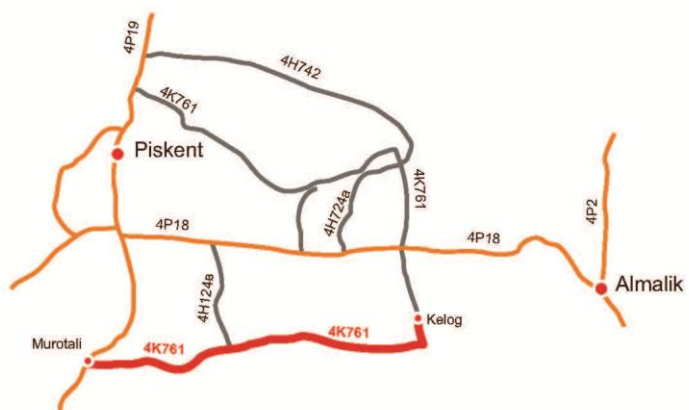
CODE 4K708B
ROAD SITE 4P4 – M39 – warehouse of timber



CODE 4K7165
ROAD SITE Settlement Bozsú – M39

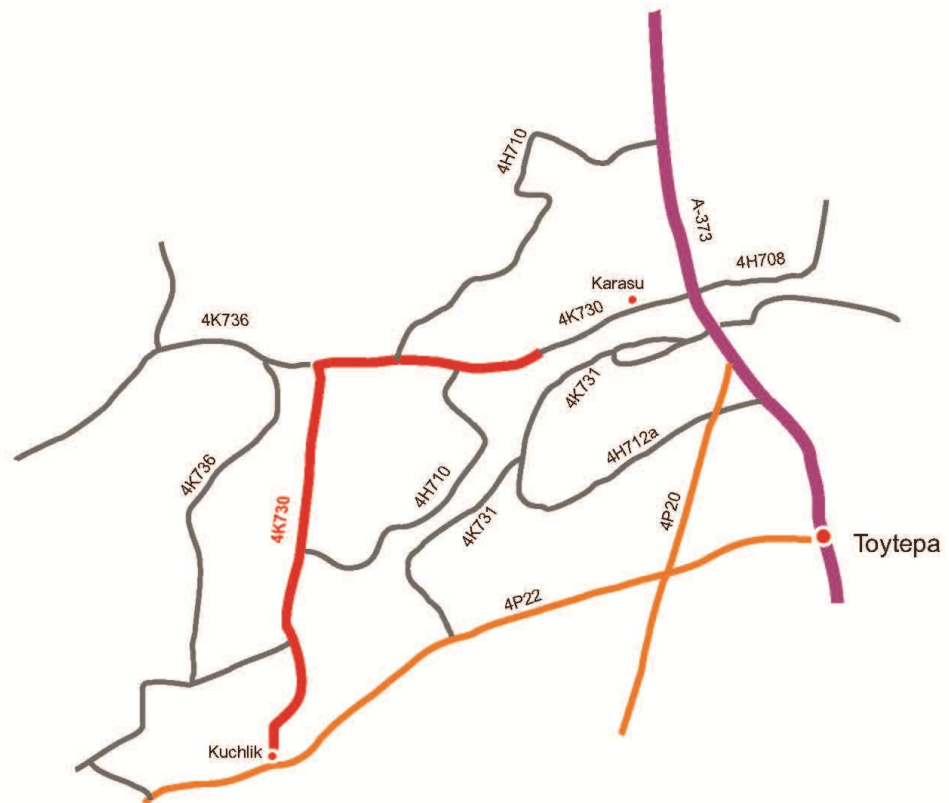


CODE 4K761
ROAD SITE Murotali – Kelog



CODE 4K730

ROAD SITE Carasu - Yangikhayot – railway station Kuchlik



CODE 4K731

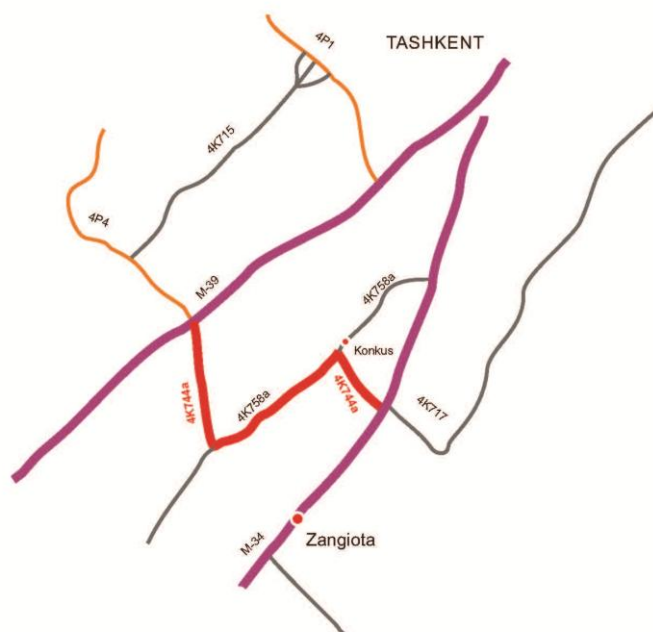
ROAD SITE Karasuv – Darkhon – Yorik – Tyabugiz



CODE 4K743
ROAD SITE M39 – city Yangiyul – farm Tinchlik










CODE 4K744A
ROAD SITE M39 – settlement Zangiota



ANNEX II SUMMARY LIST OF THE AFFECTED HOUSEHOLDS BY THE PROJECT

Road 4N698 Gishtkuprik-Telman-road M39 (806 km)

#	Name of AHHs	Address	Photo of affected structure	Description of affected structure
1	Nomozova Tursunoy	Suloli street, house 17. Left side		Two of six bearing structures of the tent
2	Khodjinazarov Mumin	Suloli street, house 74. Right side		Fence (will be removed to the opposite side)
3	Akilbekov Kamol	Suloli street, house?.Right side		Wooden bearing structures and grid
4	Djamalov Ubaydulla	Sarki street, house 29. Left side.		Dumbbell pier for grapes
5	Sakbaev Sakdulla	Sarki street, house 50. Right side.		Only one bench near the gazebo. Gazebo and benches inside the gazebo will be affected.

6	Sarsanbaev Jiyanboy	Sarki street, house 82. Right side		Grid / Rabitz
7	Khujamkulov Sogindik	Sarki street, house 96. Right side		Fence

4N708. Beshboy VGC

1	Dulabaev Unusali	House- 59.PakhtakorVGC Gulistan makhalla		Grid / Rabitz
2	Ulchiev Shukhrat	Beshboy VGC, house 41.		Slate fence
3	Talapov Mamajon	Beshboy VGC, house 2		Woolen fence

4	Ubaydullaev Tolkin	Beshboy VGC, house24		Fence
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ANNEX III RPF ENTITLEMENT MATRIX

Losses	Application	Type of PAP	Compensation policy	Mode of compensation payment
Agricultural lands	Loss of land regardless of impact degree	Lessee / leaseholder	<p>a) Compensation “land for land” is being provided to all households.</p> <p>AND</p> <p><i>For lost agricultural crops:</i> Monetary compensation is based on market replacement cost by providing compensation for loss of the right of land use, equal to 4 years of average net profit for the last 3 years (of the affected annual crops)</p> <p>Affected persons to be provided opportunity to harvest standing crop prior to land acquisition. If not feasible, compensation for the lost harvest will be provided based on estimate of lost income (average net profit from previous years).</p> <p>In case the PAP is unable to harvest the crop prior to land acquisition additional compensation for standing crop will be paid for the seasonal harvest losses.</p> <p><i>For fruit trees:</i> Monetary compensation is based on market replacement cost by providing compensation for loss harvest equal to 4 years of average net profit for the last 3 years (of the affected tree).</p>	<p>a) Compensation “land for land” is provided to all the affected persons in case of loss of land. Payment of monetary compensations (for crops or assets that were on the land) is carried out on the basis of full replacement cost of affected assets in local markets for the actual moment of compensation, taking into account inflation and market fluctuation in prices in the real estate sphere, including all payments taxes and fees related to it.</p> <p>b) Commissions consisting of representatives of khokimiyats, departments of cadastral service and other departmental structures on selection of the similar (equivalent) land plots of the equal value / productivity, of comparable location and additional agricultural means (or compensation for provision of similar means) as well as PAPs and beneficiary of the land acquisition will be created.</p>

Losses	Application	Type of PAP	Compensation policy	Mode of compensation payment
			b) Arable land plots not directly used for the project will be also compensated if after impact they are unsuitable for use.	
	Additional provision in case of strong impact (loss of more than 10% of production capacities)		In addition to compensation applicable to all lessees/leaseholders, an incremental allowance equal to the net profit from annual harvesting (including summer and winter crops) in addition to the provision the land plot and compensation for crops / trees.	
	Where there is no crop on agricultural land or in the case of the land intended for residential buildings (owner does not depend on agriculture)		In this case single additional allowance in amount of the 3-month income (average income of affected household per the last 3 months) will be paid to the owner ¹¹	

¹¹To calculate the required amount of the compensation based on average monthly income of this household it will be taken into account the monthly income of the household per the last three month (but not more than 1.5 minimal wage in the Republic for each of the family's member). In case if the average income of the affected household is less than 1.5 minimal wage in the Republic for each of the family's member, the compensation will be paid based on 1.5 minimal wage in the Republic for each of the family's member. The 3-month income is calculated based on provisions stated in Cabinet Minister 'decree #165, average aggregate income of affected household.

Losses	Application	Type of PAP	Compensation policy	Mode of compensation payment
Loss of residential structures of the households	<p>Losses of the inhabited structures, adjacent to the territory and the objects located in this territory</p> <p>Losses of adjoining substructures to the residential houses such as fences, shed /tents etc.</p>	Owners of houses/ householders	<p>a) Full compensation of the inhabited structures (full replacement cost of affected assets in local markets), adjacent territories and objects in this territory;</p> <p>b) Calculation of compensation is based on the results of the market estimation of cost of the specified objects, including all the related payments; No deductions shall be made for salvage materials or wear and tear.</p> <p>c) Compensation for moving;</p> <p>d) Rental allowance for temporary accommodation (rental allowance sufficient to get accommodation equivalent to their current homes) in the form of 1 to 24 months' rent¹² in cash for those who plan to construct a new house themselves).</p> <p>a) Full compensation of the affected substructures (full replacement cost of affected assets in local markets), adjacent to the house; No deductions shall be made for salvage materials or wear and tear.</p> <p>b) Calculation of compensation is based on the results of the market estimation of cost of the specified objects.</p>	<p>a) Payment of compensations is carried out on the basis of full replacement cost of affected assets in local markets for the actual moment of compensation payment, taking into account inflation and market fluctuation in prices in the real estate sphere, including all payments related to it;</p> <p>b) The commissions consisting of representatives of khokimiyats, departments of cadastral service and other departmental structures on selection of the similar (equivalent) land plots and inhabited structures as well as PAPs and beneficiary of the land acquisition will be created. Valuation will be undertaken by an appraisal company, which is non-governmental and independent.</p>
<p>¹²Decree of the Cabinet of Ministers N 97 as for 29.05.2006 on Order of compensations payment to citizens and legal entities in view of the land plots acquisition for state and public needs. Decision on the period on rental allowance will be made by Commissions consisting of representatives of khokimiyats, departments of cadastral service and other departmental structures on the base of actual period of rent of temporary accommodation.</p>				

Losses	Application	Type of PAP	Compensation policy	Mode of compensation payment
Loss of commercial, business and industrial objects	Losses of the industrial structures, adjacent to the territory and the objects located in this territory	The owner and employees of commercial, business and industrial activity or those who works in this sphere	<p>1. Full compensation of the structures, adjacent territories and objects at replacement cost of affected assets in local markets, including all payments related to it, including compensation of losses for 2 years based on average annual profit. No deductions shall be made for salvage materials or wear and tear.</p> <p>2. Compensation for moving;</p> <p>3. Compensation for loss of income of employees is based on payment of compensation at the amount of average wage per the last three month for the next 6 months (i.e. average wage of the employer for the last three months will be paid for the next six months).</p>	Khokimiyats of the respective raions will notify and consult with the owners of residential, production and other buildings, structures and plantings on the made decision in writing for the signature not later than in six months prior to demolition, attaching to the notice copies of the relevant decisions on withdrawal of the land plot, demolition of residential, production and other buildings, structures and plantings located in the land plot. Withdrawal of the land plots and the real estate in them will be made only after receiving of compensation by these subjects.
Informal structures / trees (non-fruit trees) located in the territory of public land	Loss of structures/ trees adjacent to the territory and the objects located in the territory of public land	The structures/ trees constructed / planted informally in the territory of public lands	Full compensation of the structures /trees, informally constructed / planted in the territory of public lands or adjacent territories and objects at replacement cost of affected structures / trees in local markets. No deductions shall be made for salvage materials or wear and tear.	Payment of compensations is carried out on the basis of full replacement cost of affected structures /trees in local markets for the actual moment of compensation payment. No deductions shall be made for salvage materials or wear and tear.
Vulnerable Affected Households		Low income households, female-headed households with fewer than 2 adult income-earners, the elderly headed	<p>a) Inclusion in existing safety net programs to ensure the continuation, or increase, of previous income.</p> <p>b) One-time additional allowance equivalent to their 3-month average household income.</p> <p>c) Priority for employment in project-related jobs, training opportunities, self-employment and wage employment assistance.</p> <p>d) Livelihood restoration measures such as training to ensure that continuation, or increase, or</p>	

Losses	Application	Type of PAP	Compensation policy	Mode of compensation payment
		HHs with unemployed family members ¹³ and disabled. Other markers of vulnerability may be added to the matrix depending on the census.	previous income.	
Rehabilitation and reclamation of the affected land	Agricultural lands, orchard, state reserve lands, pastures and other classified as agricultural land	<p>The state (Special account of rational/regional Department for Land Use and State Cadastre of Goscomzemgeodezcadastre).</p> <p><i>The calculated compensations are for the affected lands that remain under the state oversight (ex. Reserve lands, greeneries along roads/highways, orchards, agricultural lands, pastures, and other classified as agricultural lands).</i></p>	<p>Compensations are to be paid to rehabilitate / recultivation and development of lands through irrigation and agro-irrigation activities in order to maintain the fertility/productivity of existing lands in accordance with the unit rate</p> <p>Calculations of compensations are done according to the Cabinet of Ministers Decree # 146. In case of absence of such value category of agricultural land such as pasture, reserve land and others will be calculated by application of special unit rate set by this Decree.</p> <p>The compensations are paid to the local Hokimiyats and relevant agencies that are responsible to rehabilitate and develop affected land.</p> <p>All losses to economic trees, crops, pasture land, and/or other economic activities will be compensated based on the entitlement matrix.</p>	
Loss of livelihood	Households that lose livelihoods		<p>Livelihood restoration measures such as training and safety net programs to assist the continuation, or increase, or previous income, including the following measures:</p> <ul style="list-style-type: none"> The farm-based livelihood restoration efforts for households that rely on agriculture for income (farmers/dekhans) will include provision of training on better agriculture practices (where necessary), enhancement of agricultural productivity, support for equipment's and linkages with various agriculture development programs of the government; 	

¹³ In case of unemployed APs, necessary required paper from local Labour authorities.

Losses	Application	Type of PAP	Compensation policy	Mode of compensation payment
			<ul style="list-style-type: none"> The non-farm based livelihood restoration efforts for households that do not depend on agriculture for income will be developed based on the skill inventory of the existing skills of the affected households, the market survey of new vocations and skills in demand. In line with this, vocational skill trainings will be provided to members of affected/displaced HHs. 	
Temporary loss of services (utilities such as electricity, gas, etc.)	Households affected by the project	All households affected by the project, Local authorities / State Unitary Enterprise Housing and Communal Services (gas, electricity, water supply etc.)	<p>The State Unitary Enterprise Housing and Communal Services enterprises under its control are the suppliers of public utilities, together with the self-funding enterprise, operating at district and city levels as well as local authorities (khokimiats) will:</p> <ul style="list-style-type: none"> Assess the needs and restore facilities (gas, electricity, water supply etc.); Utilities will be provided in temporary and permanent housing prior to relocation of affected persons. For people remaining in original area and who experience loss of public service, compensation will be paid to restore the public service or to pay for an equivalent private service for the duration of the delayed in access of public service. 	

ANNEX IV SAMPLES OF GRIEVANCE FORM AND CLOSEOUT FORM

Grievance Form

Reference No		
Full Name		
Please mark how you wish to be contacted (mail, telephone, e-mail).	Please mark how you wish to be contacted	
Province/Town/Settlement		
Date		
Category of the Grievance		
1. On abandonment (hospital, public housing)		
2. On assets/properties impacted by the project		
3. On infrastructure		
4. On decrease or complete loss of sources of income		
5. On environmental issues (ex. pollution)		
6. On employment		
7. On traffic, transportation and other risks		
9-Other (Please specify):		
Description of the Grievance What did happen? When did it happen? Where did it happen? What is the result of the problem?		
What would you like to see happen to resolve the problem?		

Signature:

Date:

Grievance Closeout Form

Grievance closeout number:	
Define immediate action required:	
Define long term action required (if necessary):	
Compensation Required?	<input type="checkbox"/> YES <input type="checkbox"/> NO
CONTROL OF THE REMEDIATE ACTION AND THE DECISION	
Stages of the Remediate Action	Deadline and Responsible Institutions
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

COMPENSATION AND FINAL STAGES

This part will be filled and signed by the complainant after s/he receives the compensation fees and his/her complaint has been remediated.

Notes:

Name-Surname and Signature

Date.../.../...

Of the Complainant:

Representative of the Responsible Institution/Company

Title-Name-Surname and Signature