

UZBEKISTAN

**REGIONAL ROADS AND DEVELOPMENT PROJECT
(P146334)**

RESETTLEMENT POLICY FRAMEWORK

TASHKENT - 2015

ABBREVIATIONS

IFI	International Financial Institutions
UZS	Uzbek Sum
NGO	Non-Governmental 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 cadastre
TOR	Terms of Reference
WB	World Bank

*** 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

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.

¹ According 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.

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

Ownership		ownership or property right represents the right of the person to own, 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.

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INTRODUCTION

Resettlement Policy Framework is the objective of the Terms of Reference for implementation of Regional roads and development project. The main objective of the report of Resettlement Policy Framework is to give definition to the principles of involuntary resettlement, organizational structure as well as to develop criteria which will be applied during project implementation.

Resettlement Policy Framework describes how the involuntary resettlement components will be applied for “Regional roads and development project”. The present report describes the principles and procedures which will be observed during the project implementation in order to correspond to the existing laws of the Republic of Uzbekistan and main provisions of the guarantees of rights of the project affected persons according to the World Bank (WB) Operation Policy (OP) 4.12.

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 1000 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 (UrtaChirchik, 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 list below.

	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

Photos of the Project sections are presented in Annex I.

This RPF is developed to serve as a guide for managing land acquisition, loss of assets or access to assets or other associated impacts to result from the project. It serves to guide the preparation of site-specific Resettlement Action Plans (RAP). Site-specific RAP will be developed for those roads that have social or economic impacts covered under OP 4.12, as soon as the detailed design of the roads becomes known. 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 will be used to identify the social and economic impacts covered under OP 4.12 for each road. RAP will be prepared as needed during project implementation. Public consultations will be organized on these in the selected raions. 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 RPF and will also be involved in the preparation of the RAP needed for the first 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 subsequent 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.

1.2 PROJECT IMPACT

The project social and economic impacts associated with land acquisition are expected to be minimal. 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.

Project implementation is not expected to require physical displacement of households. During the field visit of project area Consultant identified the main impacts to concern informal structures and assets such as fences or gardens that have been built within the Right of Way (RoW). Some of these will have to be removed to give space to sidewalks and water drainage canals.

These impacts will be managed according to 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.

In the unlikely event that there are any impacts on livelihoods, measures will be offered to assist affected persons in their efforts to improve their livelihoods and standards of living or at least restore them, in real terms, to pre-displacement levels or levels prevailing prior to the project (whichever is higher). More details are provided in the entitlement matrix.

This RPF is developed as the module of procedures and measurements for probable social and economic impacts associated with the loss of assets, land or access to assets or land that may occur during project implementation. This Resettlement Policy Framework describes mitigation measures in case of land acquisition and other associated impacts to be undertaken under the project.

CHAPTER II: PLANNED ACTIVITY ON IMPLEMENTATION OF RESETTLEMENT POLICY

Within Regional Roads and Development Project rehabilitating the existing roads is provided. This RPF was prepared on the basis of the project design, provided by the Project Implementation Unit (PIU), discussions with local authorities (khokimiyats) together with the involved services, and also results of the field visits to the first 10 sites, discussions with interested parties, and also meeting with the corresponding officials.

As a result, the project impact is expected to be minimal. No physical relocation of households is expected, no residential houses, farms, orchards, business structures or public buildings are affected by the project. Project will affect such structures adjoining to the residential houses such as fences, gazebos, borders of flower gardens, shed /tents etc. The exact number of such structures will be identified during RAP preparation.

In case of acquisition of lands and resettlement is required Resettlement Action Plan will cover the following elements, consistent with the provisions described in OP 4.12 (a detailed outline for the RAP is provided in Annex II):

- a. Description of project and impacts
- b. Efforts to minimize Resettlement
- c. Census and Socioeconomic Survey
- d. National legal framework and gap analysis with OP 4.12
- e. Eligibility and Entitlements (including entitlement matrix)
- f. Consultation and Participation of affected people
- g. Grievance Redress Mechanism
- h. Institutional Arrangements
- i. Implementation Schedule
- j. Monitoring, Evaluation and Closure
- k. Costs and Budget

CHAPTER III: PRINCIPLES AND OBJECTIVES OF INVOLUNTARY RESETTLEMENT POLICY

3.1 MAIN PRINCIPLES OF IMPLEMENTATION OF INVOLUNTARY RESETTLEMENT POLICY

According to the document of Operational Policy (OP) of the World Bank OP 4.12 on involuntary resettlement, in the course of development of project activities by Design institute, all measures will be taken for reduction of resettlement and minimizing of temporary use and acquisition of valuable 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 and some small structures within the RoW will have to be removed (e.g., fences, gazebos, and bricks surrounding flower gardens). As there is a probability of social and economic impacts associated with the land used by the project, OP 4.12 applies to the project; this RPF was developed to manage these impacts and guide the preparation of site-specific RAP.

These impacts will be managed according to the following principles:

- a. 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;
- b. Due to careful selection of necessary plots all the best should be done to minimize acquisition of productive and private lands and to avoid acquisition of lands where people live and carry out business activity;
- c. During design acquisition of lands on permanent basis should be minimized;
- d. Temporary negative impact on lands should be minimized by accurate implementation of construction/rehabilitation works; it is necessary to take additional measures on informing of households to minimize damage to available crops / fruits;
- e. 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;
- f. The amount of compensations to households for the damage caused to crops and trees, will be determined basing on replacement cost;
- g. Households should have an opportunity to raise complaints in regards to the compensation process;
- h. Implementation of the RAP will be traced by carrying out internal monitoring by PIU.
- i. Compensations will be paid in full to the affected parties prior to any construction or rehabilitation works.
- j. Affected persons will be assisted in their efforts to improve their livelihoods and standards of living or at least restore them, in real terms, to pre-displacement levels or levels prevailing prior to the project (whichever is higher).

3.2 OBJECTIVES OF INVOLUNTARY RESETTLEMENT POLICY

The main objectives of resettlement policy framework are:

- a. To guide the preparation of the necessary site-specific RAP
- b. To provide implementation of recommendations and principles when carrying out construction, rehabilitation and repair (recovery) works of the objects affected by the project;
- c. To provide direction in efforts to assist the restoration of livelihoods;
- d. To provide basis for consultations with the relevant involved parties;
- e. To allow the affected groups of population to receive and deepen knowledge of their rights and duties;
- f. To give opportunity to the affected groups of population to declare claims to the relevant instances; and
- g. To describe measures for monitoring of restoration process of damages and losses.

CHAPTER IV: 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,

4.2 LAND CODE

According to the Land Code of the Republic of Uzbekistan all lands in the Republic of Uzbekistan are state property, and permissions to use land are given and controlled by the government through rayon and regional administrations.

Land Code identifies several categories of land users in Uzbekistan, who are eligible for compensation for losses and damages in view of disposal of lands:

- **Land tenants**– citizens who were allotted land plots for individual housing construction and dehqan farming on the basis of lifelong inheritable tenure.
- **Lessees (leaseholders)** – farmers, who were allotted land plots for agricultural production purposes, on the basis of a long-term lease.
- **Land owners** – users of land plots occupied with the objects of trade and services sphere, which are used as private property.
- **Land users** – all other enterprises, organizations and institutions, which are entitled to use non-agricultural lands. This is the largest category, which includes enterprises and institutions of all forms of property (private and public). Examples are hospitals, schools, private enterprises, factories, etc.

Legislation envisages transfer of land plots to:

- ii. **Legal entities**– for use, lease and ownership (only together with the objects of services and trade sphere);
- iii. **Natural persons**– for lifelong inheritable ownership (together with the housing), use or lease.

In no case land as a separate resource can be subject of purchase and sale. In case of individuals the land turns to life tenure to the new tenant only at sale of the house and cannot be sold separately, without structures on it. The same concerns the land which is the property of legal entities – owners of objects of trade and services sector. In Uzbekistan the right of private property for land is not applied for lands of agricultural purpose.

All lands occupied under constant facilities and structures, required within the project, namely: for temporary organization of construction sites and pits, working settlements, premises for storage and utility rooms, sites of materials processing and transportations, and also other sites, are provided by the government through local authorities and after termination of the Project remain government property.

In case of acquisition of lands of agricultural purpose besides compensations payment the legislation provides for compensation of losses of agricultural production.

The main articles of the Land Code concerning resettlement process are:

Article 23. Provision of land plots

Allotment (acquisition) of the land plots to ownership, lease and use is carried out in form of acquisition.

Acquisition of the land plots is made by the Cabinet of Ministers of the Republic of Uzbekistan, khokims of the regions, Tashkent city, raions, cities in the order established by the legislation.

Allotment (acquisition) of the land plot in ownership and use is carried out only after acquisition of this land plot in the order established by law.

Lands of nonagricultural purpose or unsuitable for agriculture or agricultural lands of the worst quality are allotted (are realized) for construction of industrial enterprises, railways and highways, communication and transmission lines, the main pipelines, as well as for other nonagricultural needs. Allotment (acquisition) of the land plots for the above-mentioned needs out of land resources of forestry is carried out first of all in the areas not covered with afforestations, or the areas covered with bushes and plants of little value.

Ownership and use of allotted (realized) land plot is prohibited prior to establishment of borders of this plot in nature (in place) by the relevant land planning service and issuance of the documents certifying the right for the land plot.

Procedure of allotment (acquisition) to ownership and use of the land plots is performed according to the existing legislation.

Article 86. Payment of compensations to land owners, land users, tenants and owners of the land plots

Losses induced to land owners, land users, tenants and owners of the land plots, are subject to compensation in full amount (including the lost benefit) in cases of:

- withdrawals, acquisition or temporary occupation of lands;
- abridgement of their rights in view of establishment of security, sanitary and protective zones around the national reserves, wildlife areas, national natural parks, nature sanctuaries, cultural and historical monuments, reservoirs, sources of water supply, resorts, along the rivers, canals, drainages, roads, pipelines, communication and transmission lines;
- deterioration of lands as a result of the impact caused by construction and operation of reservoirs, canals, collectors and other objects emitting harmful for crops and plantings substances, and other actions of legal entities and individuals leading to decrease in crops and worsening of agricultural production quality.

Compensations is paid by the enterprises, establishments and organizations to which the withdrawn land plots are allotted, as well as by the enterprises, establishments and organizations activity of which results in restriction of the rights of land owners, land users, tenants and owners of the land plots or deterioration of nearby lands, in the order established by the legislation.

Article 87. Compensation of losses of agricultural and forestry production

Losses of agricultural and forestry production caused by withdrawal of agricultural and forest lands, including the agricultural lands which are in ownership and use by natural persons, for their use for the purposes not related to agriculture and forestry, restriction of the rights of land owners, land users and tenants or deterioration of lands as a result of the impact caused by the activity of the enterprises, establishments and organizations, are subject to compensation besides the indemnification, provided by the article 86 of the Land Code.

Losses of agricultural and forestry production, are paid to legal and natural persons:

- to which the withdrawn agricultural and forest lands for the needs not connected with agriculture and forestry are allotted;

- around objects of which security, sanitary and protective zones with withdrawal of agricultural and forest lands from use or their transfer to less valuable lands are established.

Losses of agricultural and forestry production, are not compensated at:

- at withdrawal of the land plots for individual housing construction and housing service;
- at withdrawal of the land plots for construction of schools, boarding schools, orphanages, preschool and medical institutions;
- at allocation of the land plots for water management for construction of ameliorative objects and hydraulic engineering constructions.

Legal acts may establish other cases at which legal entities and individuals are exempted from compensation of losses of agricultural and forestry production.

Amounts and order of determination of subjects to compensation of losses of agricultural and forestry production are established by the legislation.

Article 88. Use of funds received as compensation of losses of agricultural and forestry production

Funds received as compensation of losses of agricultural and forestry production, are spent for the purpose on:

- development of new lands and complex reconstruction of irrigated lands;
- increase of fertility of soils;
- construction and reorganization of collector and drainage network, capital planning and increase of water supply of irrigated lands;
- radical improvement of hayfields and pastures;
- adjustment or drawing up design and other documentation on the land management broken in view of withdrawal and allotment of lands.

According to the decision of the khokim of the region funds mentioned in the first part of the present article, can be spent on implementation and other activities directed on increase of agricultural production. Funds received as compensation of losses of forestry production, are accounted separately and are spent on creation and restoration of forests and fruit plantings, afforestation of sand, coastal strips of reservoirs and rivers, and also on implementation of other activities directed on improvement of the condition of forest lands.

According to the **Article 90 Responsibility for Violation of the Land Legislation**, the Land Code of the Republic of Uzbekistan, the responsibility for self-willed occupation of the land plots and other violations is borne by the persons guilty for unauthorized occupation of land plots. This responsibility is established by the law.

4.3 LABOR CODE

According to the Labor Code of the Republic of Uzbekistan there are measures which provide safety net programs.

Article 59. State assistance to employment

Assistance to employment of the population is maintained by the appropriate authorities of the system of the Ministry of Labour and Social Protection of the Population of the Republic of Uzbekistan.

For financing of actions on realization of employment policy and effective activity of labour authorities the State fund for assistance of employment in the order established by the Government of the Republic of Uzbekistan is created.

Article 60. Recognition of the unemployed

The unemployed – the able-bodied persons of the age from sixteen years to their entitlement for pensions who do not have paid work or income-generated occupation, seeking for a job and ready to start it as soon as it is offered to them or who should attend vocational training, retraining or professional development (except for the attendees of educational institutions).

The persons specified in the part one of the present article, addressed to the local labour authorities for receiving assistance in employment and registered by them as seeking for job, are recognized unemployed.

Article 68. Additional guarantees of employment to separate categories of the population

The Government provides additional guarantees to:

- the persons requiring social protection, experiencing difficulties in seeking for a job and not capable to equally compete in labor market, including to the lonely and parents having many children at the age till fourteen years old and disabled children;
- the youth graduated from secondary special vocational educational institutions, and also to the graduates of higher educational institutions studied under the state grants;
- the disabled and persons of pre-retirement age;

Additional guarantees are provided by creation of additional workplaces, the specialized enterprises, including the enterprises for work of disabled people, organization of special programs of training, establishment in the enterprises of the minimum quantity of workplaces for employment of the categories of citizens specified in the part one of the present article, as well as other measures provided by the legislation.

The employer is obliged to employ the persons specified in the part one of the present article, assigned by local labour authorities and other bodies in the order established by the legislation for employment to the workplaces against the established minimum quantity of workplaces. The employer and the persons authorized by him who unreasonably refused employment of these persons bear responsibility in accordance with the established procedure.

In cases of impossibility of provision guarantees to the employees the local labour authority provides for employment, and if necessary - their free vocational education.

Article 282. Cover of all employees by the state social insurance

All employees are subject to the state social insurance.

4.4 ORDER OF PROVISION OF LAND PLOTS FOR TOWN-PLANNING AND OTHER NONAGRICULTURAL NEEDS

The order of provision of the land plots for town-planning activity and other nonagricultural needs is determined in the Decree No. 146 of the Cabinet of Ministers of the Republic of Uzbekistan of the same name as for May 25, 2011.

Provision of land plots is carried out on the basis of applications of legal and physical entities in two stages:

At the first stage placement of the land plot, registration of materials on the choice of the land plot for object design, their agreement with the interested organizations and approval of the choice of the land plot by the decision of appropriate government authority is made;

At the second stage - on the basis of the submitted by legal or natural person cost estimates (hereinafter — construction design), agreed in the established order, registration of materials on allotment of the land plot and approval of allotment of the land plot by the decision of the appropriate government authority which is the basis for issuing of the permission for construction of the object is made.

Provision of the land plot (hereinafter — the land plot) for town-planning and other nonagricultural needs, being in ownership, tenure, lease or property of legal or natural persons, is made only after withdrawal (acquisition) of this site in the established order.

Placement of the land plots and preparation of materials on it are carried out by the department (administration) of architecture and construction of the region (city).

Preparation of materials on choice and allotment of the land plot on the basis of materials on placement of the land plot in the settlements is carried out by the department (administration) of architecture and construction of the region (city), and in the rest territory — by self-supporting service of land management and cadastre of real estate of the region (city).

Agreement of materials on choice and allotment of the land plot with the authorized bodies is carried out in the settlements by the department (administration) of architecture and construction of the region (city), and in the rest territory — by self-supporting service of land management and the cadastre of real estate of the region (city) according to the principle "one window";

Works on placement of the land plots, preparation of materials on choice and allotment of the land plots are carried out on contractual basis with the legal or natural person. Cost of works is established by Gosarkhitektstroy (State Committee of the Republic of Uzbekistan for Architecture and Construction) and Goskomzemgeodezcadastre (The State Committee of the Republic of Uzbekistan on Land Resources, Geodesy, Cartography and State Cadastre) in agreement with the Ministry of Finance of the Republic of Uzbekistan.

Preparation of materials on the choice of the land plot is carried out in the period not exceeding one month.

Materials on the choice of the land plot include:

- a. materials on object placement;
- b. plan of borders of the land plot, registered in the established order;
- c. reports of the organizations where materials on the choice of the land plot are agreed;

- d. list of resettled families of citizens with indication of persons wishing to receive new land plots or apartments, and also the list of corresponding legal entities and individuals, if necessary — list of houses and other structures subject to demolition located in the allotted land plot;
- e. act of determination of the amounts of other losses of owners, tenants, users and leasers of the land plots, as well as losses of agricultural and forestry production (if necessary);
- f. act of technical inspection of the allotted land plot in case of its withdrawal from land tenure of the forestry enterprises (if necessary);
- g. report of the State environmental examination of Goskompriroda (State Committee of the Republic of Uzbekistan for Nature Protection) of the Republic of Uzbekistan;
- h. report of the department of land resources and the state cadastre of the region (city) on compliance of the chosen land plot to the requirements of land legislation;
- i. documents on agreement of materials with legal entities and individuals from whom the land plot is withdrawn.

Scheme on order of choice of the land plot is presented in Annex V.

Dossier on choice of the land plot is developed in triplicate, the first copy of which is transferred to the legal entity and individual for whom the choice of the land plot is made, after his/her payment to the department (administration) of architecture and construction of the region (city) or self-supporting service of land management and cadastre of real estate of the region (city) for works on placement of the land plot and preparation of materials on the choice of the land plot in compliance with contractual obligations of the parties, the second copy — to the department (administration) of architecture and construction of the region (city), the third copy — to the department of land resources and state cadastre of the region (city).

Registration of materials on allotment of the land plot is made on the basis of materials on the choice of the land plot and the construction design of the object agreed and approved in the established order.

Allotment of lands, used in agriculture for nonagricultural purposes is made according to their actual need and, as a rule, after harvesting of the crops cultivated on them.

Monitoring of the course of development of the construction design is conducted by the department (administration) of architecture and construction of the region (city).

Legal or natural person within three working days from the moment of the beginning of development of the construction design notifies in obligatory order in writing the department (administration) of architecture and construction of the region (city) on the design progress, with submission of the following data:

- name of the design organization;
- address of the design organization;
- copy of the license for design;
- date and number of the contract for development of the design;
- start date of development of the design;
- calendar schedule of design works.

After agreement and approval of the construction design of the object the legal or natural person submits the application for allotment of the land plot which is considered in the order presented in the diagram 2 in Annex V.

The following documents are enclosed to the application:

- materials on the choice of the land plot;
- copy of the master plan of the object with the indication of construction sequence;
- documents on agreement of the construction design with the authorized government bodies in the order established by the legislation;
- copy of the protocol of agreement of the construction design with architectural and town-planning department at Gosarkhitektstroy of the Republic of Uzbekistan;
- report of the state examination body on the construction design of the object.

Plan of borders of the land plot is prepared with the standard symbols in the scale allowing to define borders in the area with the required accuracy. Borders of the land plot are drawn on the plan of borders of the land plot; if land plots are allotted out of the lands of several legal entities and individuals, then borders of these land plots are drawn as well, description of borders by topographical elements of the area, coordinates of turn points are provided. The plan of borders is signed by heads of the departments (administrations) of architecture and construction of the region (city) and departments of land resources and state cadastre of the region (city).

Documents on the right of use of the land plots are prepared by self-supporting service of land management and cadastre of real estate of the region (city) on the basis of the decision of appropriate government authority on allotment of the land plot for construction.

Owners, users, leasers and tenants in case of disagreement with the decision of the appropriate government authorities on withdrawal (acquisition) of lands or with the conditions of withdrawal (acquisition) can appeal against it in the order established by the legislation.

4.5 CIVIL CODE

The **property right**, according to the Civil code of the Republic of Uzbekistan, represents the right of the person to own, 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.

The main articles of the Civil Code concerning the process of resettlement, are:

Article 169. Objects of property right

The property can be the land, subsurface, waters, air, flora and fauna and other natural resources, enterprises, things, including buildings, apartments, structures, equipment, raw materials and production, money, equities and other property, as well as objects of intellectual property.

Article 197. Grounds for termination of property right

The property right is terminated by voluntary execution of the obligation by the owner, making of the unilateral decision by the owner determining the destiny of property, withdrawal (acquisition) of property on the basis of the judgment, as well as the legislative act terminating the property right.

Article 199. Withdrawal of property from owner

Property withdrawal from the owner is allowed only at resort to collection for this property according to the obligations of the owner in cases and the order provided by the legal acts, and also in the course of nationalization, requisition and confiscation.

If the property of the person includes the property which according to the law cannot belong to him/her, the property right for this property is terminated in a judicial order with compensation of cost of the withdrawn property to the person.

Article 205. Determination of property cost at withdrawal and right for compensations

Cost of withdrawn property at termination of the property right is determined by the evaluation organization at the time of the property right termination if other is not established by the legislation.

Evaluation according to which the owner is compensated the cost of the withdrawn property, can be litigated in the court.

The owner has the right to require also compensation of other losses caused by withdrawal of property.

In turn, property evaluation is carried out according to the Law of the Republic of Uzbekistan N 811-I "On evaluation activity" as for 19.08.1999 and the National standards of property evaluation of the Republic of Uzbekistan NSOI No. 1-11 approved by the Resolution of the State Property Committee as for 14.06.2006 developed on the basis of this Law.

4.6 ORDER OF COMPENSATIONS PAYMENT TO CITIZENS AND LEGAL ENTITIES IN VIEW OF THE LAND PLOTS ACQUISITION FOR STATE AND PUBLIC NEEDS.

The order of compensations payment to citizens and legal entities in view of withdrawal of the land plots for the state and public needs, is determined by the Regulation of the same name approved by the Decree of the Cabinet of Ministers # 97 as for 29.05.2006.

Decisions on withdrawal of the land plot and demolition of residential, production and other buildings, constructions and plantings (hereinafter - objects) are made according to the master plans, and designs of detailed planning and construction of residential areas and residential districts of the cities and settlements.

Unreasonable demolition of residential, production and other buildings, constructions and plantings at the withdrawn land plots is not allowed.

Thus, the decision on withdrawal of the land plot and demolition of residential, production and other buildings, constructions and plantings are made by the khokims of the respective raions (cities) and regions on the basis of the decision of the Cabinet of Ministers of the Republic of Uzbekistan.

Khokimiyats of the respective raions (cities) are obliged to notify owners of residential, production and other buildings, constructions and plantings on the made decision in writing for signature no later than six months prior to demolition, attaching to the notice copies of the relevant decisions of the khokims of raions (cities) and regions on the basis of the decision of the Cabinet of Ministers of the Republic of Uzbekistan on withdrawal of the land plot, demolition of residential, production and other buildings, constructions and plantings located in the land plot.

After making of the decision on withdrawal of the land plot and demolition of residential, production and other buildings, constructions and plantings located in the land plot by the khokims of regions (cities), the above-mentioned houses (apartments), structures, constructions and plantings are not subject to acquisition to other persons.

The decision of the khokim of the respective raion (city) on demolition and approval of the cost of residential, production and other buildings, constructions and plantings subject to demolition, can be appealed in the khokimiyats of the region and the city, and also in a judicial order.

The cost of unauthorized built residential, production and other buildings and constructions is not subject to compensation.

In case of allotment of the withdrawn land plots to the enterprises, establishments and organizations, payment of compensations, provision of dwelling houses (apartments) and temporary accommodation, and also covering of all expenses connected with moving to a new place, according to the decision of khokims of the respective raions (cities) are made by these enterprises, establishments and organizations.

Land plots withdrawal is made under condition of provision of one of the following types of compensation:

- provision to citizens for ownership of other equivalent well-planned premises of the area not below the social norm of the area of housing and payment of the cost of plantings;
- payment to citizens of the cost of subject to demolition house, other structures, constructions and plantings;
- provision to citizens of the land plot for individual housing construction within the established standard with provision of temporary accommodation on terms of the rent contract for the period of development of the land plot for up to two years with full compensation of costs of demolished houses (apartments), structures, constructions and plantings;
- provision to legal entities of equivalent property and compensation of other losses caused by withdrawal of the land plot for the state or public needs;
- full compensation of losses caused by withdrawal of the land plot for the state or public needs;
- transfer and restoration in the new place of houses, structures and the constructions subject to demolition owned by the citizens and legal entities;
- construction in the new place of houses, structures and transfer to ownership to citizens and legal entities.

The order of calculation of the amount of compensations to the citizens and legal entities for demolished houses (apartments), constructions, facilities and plantings in view of land plots acquisition for state and public needs:

1. Khokimiyats of the respective raions (cities) create the commissions for determination of the amount of compensation and type of compensation (hereinafter - **commission**) headed by the deputy khokim of the raion (city) together with representatives of financial and other administrations (departments) of khokimiyats, state inspector for control of use and protection of lands, body of citizens self-governing, land user, tenant from whom the land plot is withdrawn, representative of the enterprise, establishment or organization for whom the land plot is allocated, and representatives of other competent authorities at discretion of khokimiyats.

2. Evaluation of houses (apartments), structures and constructions, as well as perennial plantings on the withdrawn land plots, is in all cases made by an evaluation organization at the expense of the applicant. Evaluation report is then transferred to the commission. The evaluation organizations use the National standards of property evaluation. The key principle of evaluation is the principle of replacement based on of the relevant market data. Methods of evaluating used in the National standards of property are summarized e below and described in section 4.7.

In case of withdrawal of the land plots used by the citizens on the right of lifelong inheritable ownership, acquired on an auction basis, **the equivalent new land plot with the right of lifelong inheritable ownership is provided to them.**

Estimation of cost of the land plot used by the citizens on the right of lifelong inheritable ownership at the time of its withdrawal, is made by the **departments of land resources and state cadastre of raions (cities), according to the current prices for the moment of evaluation.** All materials from dismantling of demolished houses (apartments), other structures and constructions (except unauthorized construction) in withdrawn plot remain at disposal of the builder or land user, tenant, lessee, making full payment of compensation to the owner of the structures.

In some cases, at will of the owner of demolished house (apartment), structures, constructions and plantings, materials from its dismantling, according to the decision of khokims of the respective raions (cities) can be transferred/recuperated by the owner. In this case the commission should determine the cost of transferred/recuperated materials from dismantling according to the market prices for the moment of demolition considering depreciation.

3. Specific terms and order of payment of monetary compensations are established by the decision of khokims of the raions and regions with payment of monetary compensation prior to demolition.

The order and conditions for provision of residence premises of the owner of demolished houses

In case of demolition of the houses (apartments) owned by the citizens, in view of withdrawal of the land plots for the state or public needs, the specified citizens, members of their families, and also the citizens who are constantly living in these houses (apartments), at their choice and by the agreement of the parties are provided with another equivalent well-planned dwelling with the area not below the social norm of the area of housing and the cost of plantings is paid, or the cost of withdrawn houses (apartments), other structures, constructions and plantings is paid.

The equivalence of provided dwelling premises is determined as the amount equal to the price of the demolished house (apartment) of the owner.

In case of excess of the cost of demolished house (apartment) over the cost of provided housing the difference is compensated to the owner.

For obtaining of dwelling premises 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.

After approval by the khokimiyats of the respective raions (cities) of the commission decision on the amount and type of compensation, provision of premises to the owner instead of demolished house (apartment) or payment at the will of the owner of compensations in a monetary form, the owner submits the letter of guarantee on vacation of the house (apartment) subject to demolition to khokimiyat.

Demolition of a house (apartment) can be carried out only by agreement of the parties after provision of the dwelling premises to the owner instead of demolished house (apartment).

In some cases, at the consent of the owner of the demolished house (apartment), khokimiyats of the respective raions (cities) provide premises in houses under construction with indication in the relevant decisions of exact terms of delivery of these houses. In case of non-provision of premises in houses under construction in the established periods, khokimiyat of the raion (city) is obliged to provide dwelling premises within one month period.

Property of the owner of demolished house (apartment) is transported to the new apartment at the expense of organization, builder or land user, tenant to whom the withdrawn land plot is allocated.

The order and conditions of provision of the land plot to the citizens for individual residential construction in turn of demolished house (apartment)

In case of demolition of houses (apartments) owned by the citizens in view of withdrawal of the land plots for the state or public needs the specified citizens, members of their families, and also the citizens who are constantly living in these houses (apartments) are at their will provided with the land plot for individual housing construction within the established standard. At the same time temporary accommodation on terms of the rent contract for the period of development of the land plot for up to two years with full compensation of the cost of demolished houses (apartments), structures, constructions and plantings is provided.

In case of allotment of the withdrawn land plots to the enterprises, establishments and organizations provision of the land plot as compensation for individual housing construction and compensation payment to the owner of demolished houses (apartments) are carried out at the expense of these enterprises, establishments and organizations.

In order to obtain the land plot the owner of demolished house (apartment) after receiving of the notice on the forthcoming demolition should submit the application for allocation of the land plot for individual housing construction with the indication of family structure, number of constantly living persons, and also need for temporary accommodation on the terms of the rent contract to the khokimiyat of the respective raions (cities) within one month period.

After approval by the khokimiyats of the respective raions (cities) of the commission decision on the amount and type of compensation the owner provides the khokimiyat with the letter of guarantee on vacation of the house (apartment) subject to demolition, within the terms established by the khokimiyats of the relevant raions (cities).

Demolition of a house (apartment) can be carried out only after allocation of the land plot for individual housing construction to the owner, as well as provision of temporary accommodation on the terms of the rent contract for the period of development of the land plot for up to two years.

The order of compensation of losses to legal entities in view of land plots acquisition for state or public needs

In case of withdrawal of the land plot with residential, production, other buildings, constructions, plantings belonging to the legal entity within the property right, the equivalent property is provided to it and losses caused by withdrawal of the land plot for the state or public needs are paid in full.

Payment of compensations to land users, tenants, lessees of the land plots and losses of agricultural and forestry production is carried out according to the land legislation of the Republic of Uzbekistan.

Compensation of losses of the legal entities caused by withdrawal of the land plot, is performed by the khokimiyats of the respective raions (cities).

In case of acquisition of the withdrawn land plots to the enterprises, establishments and organizations payment of compensations, provision of dwelling premises, provision of temporary accommodation and property transportation to a new place are made at the expense of the enterprises, establishments and organizations according to the decision of khokims of the respective raions (cities).

For receiving of compensation in view of withdrawal of the land plot the legal entity after receiving of the notice about the forthcoming demolition should submit the application with the indication of the chosen type of compensation to the khokimiyats of the respective raions (cities) within one month period.

After approval of the decision of the commission by the khokimiyats of the respective raions (cities) the legal entity provides the khokimiyat with the letter of guarantee on vacation of the house, other structures and the constructions subject to demolition within the period established by the khokimiyats of the relevant raions (cities).

Demolition of residential, production and other structures and the constructions belonging to the legal entity, can be carried out only after agreement of type, amount and term of compensation with it.

The order and conditions of calculations at transfer and restoration in a new place of houses, structures and constructions subject to demolition

At the will of the citizens and legal entities residential, production and other buildings and constructions owned by them on the property right and subject to demolition, can be transferred and restored in a new place.

Transfer and restoration in a new place of residential production and other buildings and constructions owned by the citizens and legal entities on the property right, are carried out according to the decision of khokimiyats of the relevant raions (cities) at the expense of the enterprises, establishments and organizations to which the withdrawn land plots are allocated. At the same time citizens and legal entities - owners of housing are provided with the temporary accommodation by khokimiyats on the terms of rent contract for the period of up to two years during development of the land plot and transfer and restoration of housing.

Transfer and restoration should be carried out within the area (settlement) in the land plots allotted according to the established norms, and only provided that technical condition of houses, structures and constructions allows their transfer, i.e. the condition of structures and elements should allow possibility of dismantling, transportation and assembly in a new place.

Possibility of transfer of houses, structures and constructions is determined by the commissions in compliance with the corresponding feasibility study (FS) and the design estimates developed by the

specialized design organizations, at the expense of the builder to which the withdrawn land plot is allocated.

Transfer and restoration in a new place of residential, production and other buildings and constructions should be carried out within the terms determined by the khokimiyats of the relevant raions (cities), but no more than one year.

All expenses on transfer and restoration in a new place of residential, production and other buildings and constructions, rent of temporary accommodation, transportation of property of citizens or legal entities to temporary accommodation, and also from temporary accommodation to the house, structure and construction restored in a new place, are carried out according to the decision of khokimiyats of the respective raions (cities) at the expense of the builder or land user, tenant, lessee to which the withdrawn land plot is allocated.

Transfer of equivalent residential, production and other buildings and constructions owned by the legal entity on the property right to a new place, is carried out only after agreement of a type, the amount and term of compensation with it.

The order and conditions of calculations at construction in new places of residence houses and constructions for citizens and legal entities houses (apartments) of which are subject to demolition

Houses, structures are constructed at will and for citizens and legal entities, which houses (apartments) are subject to demolition, in a new place and transferred to them for the ownership. Thus monetary compensation of cost of the demolished houses (apartments), structures and constructions is not paid.

Construction of houses, structures in a new place and their transfer for ownership to citizens and legal entities which houses (apartments) are subject to demolition, is carried out by khokimiyats of the respective raions (cities).

In case of acquisition of the land plots to the enterprises, establishments or organizations construction in a new place of houses, structures and their transfer for ownership to the citizens and legal entities which houses (apartments) are subject to demolition, is carried out at the expense of these enterprises, establishments or organizations.

Construction in a new place of houses for citizens and legal entities, which houses (apartments) are subject to demolition, should be carried out within the area (settlement). At the same time citizens and legal entities which houses (apartments) are subject to demolition, are provided with the temporary accommodation for rent for the period of construction of a house, structure in a new place, by the khokimiyats of the respective raions (cities).

All expenses on rent of a temporary accommodation, transportation of property of citizens and legal entities to the temporary accommodation and from the temporary accommodation to the house constructed in a new place, according to the decision of khokimiyats of the respective raions (cities) are beared at the expense of the builder or land user, tenant, lessee for whom the withdrawn plot is allocated.

For obtaining of the house, structure constructed in a new place instead of demolished house (apartment), citizens and legal entities, which houses (apartments) are subject to demolition, should submit application with the indication of family structure, number of constantly living persons, and also privileges available for them on provision of housing to the khokimiyats of the respective raions (cities) within one month period after receiving of the notice on demolition.

4.7 NATIONAL STANDARDS OF PROPERTY EVALUATION

The national standards of property evaluation is approved by Decree # 01/19-19 of State property committee as for July 24, 2006. These standards provide the general definitions and methods of evaluation.

The appraiser applies one or number of appraisal approaches to determine the cost of any type of object of evaluation, both market value, and non-market types of costs. Approach to evaluation is understood as the standard analytical methodology.

The key principle of evaluation is the principle of replacement based on of the relevant market data.

According to the National standards of property evaluation the following methods are used by appraisal companies to evaluate the property in the territory of the Republic of Uzbekistan:

4.7.1 COST-BASED METHOD APPRAISAL APPROACH

Cost based approach - set of the methods of evaluation of **cost of object based on definition of the expenses necessary for restoration or replacement of object taking into account its ageing**. It is supposed the possibility to create other property which or is the copy of the original, or can provide equal usefulness.

This approach shall be performed as follows:

1. Assessment of the reinstatement value of the buildings/structures;
2. Assessment of entrepreneurship income size;
3. Calculation of the identified ageing and wear;
4. Assessment of the right to use the land plot

The immovable property market value is calculated according to the following formula:

$$C_H = C_3 + C_{cmp} + III - И,$$

Where:

C_H : immovable property value; C_3 : land plot value; (right)

C_{cmp} : appraisal object replacement value; III : entrepreneurship income.

$И$: total ageing.

Assessment of the aggregate ageing of appraisal object

The aggregate ageing of the appraisal object consists of physical, external, functional ageing. The functional and external ageing have been described above.

Assessment of physical ageing of design faults of the building in quantity terms was performed by using Residential house. Collection No. 2. Guidelines as well as the “The procedure of assessing physical wear”, KMK 2.01.16-97 guidelines were also used. Quantities of physical ageing were determined by using the scales of assessment of physical ageing provided in the guidelines.

Assessment of entrepreneurial income

The entrepreneurial income is assessed as a part of the property market value using the cost method and is considered to be the reward for the entrepreneur’s costs for risking his funds in constructing this building.

In general, the entrepreneurial income is considered to be the standard of income for investing capital by the investor in construction. This value is always included in the property sale value. In this case, the appraiser assumingly determines the investor's standard income proceeding from the expenses and periods of time required to construct exactly a similar building.

The entrepreneurial income is calculated according to the formula below:

$$\Pi_{np} = 0.5 n Y_a [1 + n Y_a/3 + C_0(1 + 2 n^2 Y_a^2/3) 100\%]$$

Π_{np} : entrepreneurial income, %;

C_0 : advance payment part of payments in the total payment, %

n : construction period, years;

Y_a : annual IRR on capital investment

In calculation of the capitalization rate, the riskless rate of return has been taken as the basis, then rate of return was added to it for financing risk in the sad market segment. The capitalization rate is thus assessed as per rate of return for private capital:

$$R_k = (CB + C_3 + CJL + CIM) + \Delta$$

Where:

CB: riskless rate

CP: payment for risk of investments in the specific market segment, %

CJL: payment for low liquidity, %

CIM: payment for investment management, %

Percentage norm of 6.5% of medium-term treasury liabilities of the Republic of Uzbekistan has been taken as the *riskless rate*.

Adjustment for risk of investments in the specific market segment.

This type of risk is determined based on analysis of risks which are more urgent for investments in the said type of immovable property. These risks are divided into two types: systematic and non-systematic risks, static and dynamic risks.

According to the rule, the whole systematic risk is considered to be prevailing in the market. The value of specific earning immovable property may depend on the economic and institutional conditions in the market.

Non-systematic risk is the risk that is not related to risks pertaining to the appraised immovable property and compared properties.

Static risk is the risk that may be assigned to calculation and insurance companies. The adjustment quantity to the static risk is assessed as the quantity of insurance allocations for full insurance of immovable property in insurance companies of high reliability.

Dynamic risk may be identified as the potential of generation of profits or losses due to higher economic competition. Dynamic risk depends on changes in the property's external relations system. The size of the insurance premium of this type of risk in the international practice varies within 0-5%.

The risk of investments in the specific market segment amounts to over 2%.

Liquidity risk. Low liquidity risk (y liq.). This adjustment value is taken based on the individuals' national currency demand deposit rate, as of the appraisal date this value is in average 3.5%.

Inflation risk means the tempo of unexpected changes in inflation that affect the purchasing power indicator. According to the rules, the risk of inflation for investments in immovable property is not significant, because a growth will appear in the property replacement value under inflation. Unlike permanently earning financial capital, investments in immovable property may generate revenues adjusting to changes in inflation in lease terms (for example, an agreement on regular indexation of rentals). It is of this reason that investments in immovable property are considered to be a reliable protection against unexpected inflation.

Adjustment for investment management. Investment management fee depends on demand of permanent management by revenues from any property. So, investment management means management of the "investment portfolio" and adjustment for risk amounts to 2-5% depending on the investment property.

Capital rate of return (Δ). The immovable property feature is reduction in the value with age at the end of service life amounting to zero. The possibility of reduction in the immovable property value in future will require making positive adjustments to the capitalization rate.

So, in order to obtain the capitalization rate, it is necessary to determine the capital rate of return due to projections of variations in the assets value.

Inwood's method was used in determining the capital rate of return, i.e. the straightline-annuity method. According to this method, the capital rate of return(Δ) equals to fund coverage ratio (SSF (I.n)).

If the revenue generated by the property is nearly permanent, while the remaining period of use of property is quite long, then the fund coverage ratio (SFF) will tend to zero and the capital rate of return will be ignored.

Calculation of property right value of the land plot

In accordance with the Civil Code, Land Code and Housing Code, the land plots were not considered as the object of sale. Therefore, the land market is the market of the right to use land. Land areas are usually given for use under short-term and long-term lease. The value of the right to use land areas of private property nature is called the right to use property. Any other legal status of land area is deemed to be the type of permitted use. For instance, the legal status of the land area pertaining to the appraisal property comes under the type of permitted use. Due to lack of enough information about the expenses, the cost method is not actually used in assessment of the property right to land plots.

4.7.2 COMPARATIVE SALES ANALYSIS APPROACH

Comparative approach - set of the methods of evaluation of the cost of the object based on comparison of object with similar objects concerning which there is information on the prices of transactions with them or the offer prices with justification of size of the introduced adjustment. At this approach sales of the similar or replacing objects and the relevant data of the market are considered, and the rating value of cost is established by means of the comparison process. Generally the object is compared to sales of similar objects which took place in the market.

Appraisal of the value of buildings and structures by direct comparison-based method of their sales, the value of the property is derived from conditions determined from the prices of contracts for properties similar in their descriptions.

In appraisal it is used the information entered in the registry of information and sales related to actual agreements on similar properties. Calculation of the market value is performed in the following sequence:

- collection of information about sales of properties similar to the appraised one;
- selection of comparison parameters;
- assessment of the appraisal object by way of comparison of the object and the analogue and by adjusting the analogue sale price;
- calculation of the appraisal object's price.

The consistency of adjustments made to the compared property data is determined according to analysis of the market information about (sale) agreements. Adjustments on the properties are made according to the expert method that is based on the appraiser's professional opinion. Percentages are used in order to take into account the extent of the property rights being transferred, financing terms, sale terms, market situation, location, economic characteristics, types of use – whether they prevail or are low in respect of the compared property and other factors (components).

4.7.3 INCOME-BASED METHOD APPRAISAL

The approach in terms of income reflects the procedure of assessment of the value proceeding from the principle that the value of an immovable property is related to the present value all net incomes that the said property would generate in future. In other words, the investor purchases the earning property for the today's funds in order to generate income by using it later for commercial purposes (for instance, by letting it) and by sale.

The main prevailing feature of the income-based approach is explained by the fact that it is aimed at future and if correctly used, it will allow to take into account all future interests. If it is used now, the main projected information will have to be used, the approach is quite difficult for proper application. Appraisal of any property, first of all, depends on the interest expected from it in the nearest future.

The time when the proprietor will generate income and the fact that the said income is linked to risks are considered to be very important.

Application of the income approach is considered to be more feasible if market relations encourage investment objectives in the area. Because by investing funds, for instance, in commercial immovable property or an enterprise, the investor purchases the future flows of incomes that allow to recover the invested funds and generate profits rather than a collection of assets consisting of buildings, structures, equipment, etc.

So, the income-based approach is always used for appraising a property's investment value and mostly for appraising its substantiated market value.

CHAPTER V 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 date³ 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;

³The 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.

3. Illegal construction / persons without legal rights on assets;
4. Transitional allowance;
5. Allowances to vulnerable households
6. Compensation for appraisal/evaluation costs
7. Census

Table 1 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
<p>All the affected households/persons should be informed/consulted on resettlement/compensations options.</p>	<p>Legislation and normative-legal base does not provide for conducting consultations/public meetings.</p>	<p>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).</p>
<p>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.</p>	<p>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.</p>	<p>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.</p>

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 rates⁴. 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>

⁴Replacement 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
<p>Lack of official legal right of some affected groups should not be an obstacle to receiving of compensation or possibility of recovery.</p>	<p>Compensation is envisaged only for officially registered owners.</p>	<p>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.</p>
<p>According to the WB requirements, vulnerable HH should be provided with assistance to mitigate negative and disproportionate impacts on these households and individuals.</p>	<p>Uzbek legislation does not provide additional payments specified in WB requirements.</p>	<p>Additional payments and/or other appropriate assistance for socially vulnerable households affected by the project are foreseen.</p>
<p>According to the WB requirements, affected HH should be provided with compensation for appraisal costs.</p>	<p>Uzbek legislation does not provide payments for appraisal, PAPs pay for evaluation themselves.</p>	<p>Payment of compensation includes appraisal/evaluation costs. These costs will be borne by the project.</p>
<p>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.</p>	<p>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.</p>	<p>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.</p>

CHAPTER VI RIGHT FOR COMPENSATION AND SUPPORT

6.1 CATEGORY OF PERSONS SUBJECT TO INVOLUNTARY RESETTLEMENT

All land users who get under project impact, 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

Affected persons who lose assets, livelihoods or access to livelihoods as a direct result of the project will be identified in the process of preparing a Resettlement Action Plan and consulted so as to identify compensation and measures that can be put in place to assist them in restoring their incomes. These measures may include job placement assistance and/or training. Resettlement Action Plans will include specific measures for compensation and supporting livelihood restoration, in the event that livelihoods are affected.

The entitlement matrix (provided below) explains the losses by each category of objects. **It explains entitlements for a range of standard impacts that are theoretically possible under the project. However, the most likely impacts are those related to compensation of smaller structures (such as fences, gazebos, bricks surrounding flower gardens) within the RoW.**

The cut-off date will be the date of the census, planned for end of March 2015. It is a date, after which people who are not included in the list of PAPs as defined by the census will not be considered eligible for compensation. The census will be carried out to collect data on the affected households, whose small structures (fences, sheds/ tents etc.) are affected by the project. The specific date will be included in the RAP.

Table 2Entitlement 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 ⁵	

⁵To 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' rent⁶ 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>⁶Decree 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>			33	

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>a) 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>b) Compensation for moving;</p> <p>c) 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 ⁷ and disabled. Other markers of vulnerability may be added to the matrix depending on the census.	previous income. (More detailed measures will be described in specific RAP)	
Rehabilitation and reclamation of the affected land	Agricultural lands, orchard, state reserve lands, pastures and other classified as agricultural land	The state (Special account of rational/regional Department for Land Use and State Cadastre of Goscomzemgeodezcadastre). <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>	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 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. The compensations are paid to the local Hokimiyats and relevant agencies that are responsible to rehabilitate and develop affected land. All losses to economic trees, crops, pasture land, and/or other economic activities will be compensated based on the entitlement matrix.	
Loss of livelihood	Households that lose livelihoods		Livelihood restoration measures such as training and safety net programs to assist the continuation, or increase, or previous income, including the following measures: <ul style="list-style-type: none"> • The farm-based livelihood restoration efforts for households that rely on agriculture for 	

⁷ In case of unemployed APs, necessary required paper from local Labour authorities.

Losses	Application	Type of PAP	Compensation policy	Mode of compensation payment
			<p>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;</p> <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. • Priority for employment in project-related jobs, self-employment and wage employment assistance • Preference will be given to severely affected HH as well as vulnerable households for employment in the project-related work. Training and safety net programs to be provided to the affected HH on financial and life skills. 	
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. 	

CHAPTER VII PROCEDURES OF CONSIDERATION AND REDRESSING OF GRIEVANCES

7.1 MECHANISM FOR REDRESSING OF GRIEVANCE

Withdrawal of lands and involuntary resettlement of citizens is difficult process which in addition can be accompanied by judicial proceedings in view of complaints concerning compensation payments, as well as non-fulfillment of other obligations on assistance to citizens in resettlement issues. On the basis of the existing practice of development of the similar mechanism in the similar projects providing involuntary resettlement, the grievance procedure described below was developed. If necessary, it will be further defined in the RAP after consultation with Project Affected People. This mechanism provides for the appeal of any actions and decisions violating the rights and freedoms of citizens affected by the project.

As it was discussed above, laws of the Republic of Uzbekistan and various regulations determine the procedures of allotment of land and the amount of compensation payments in view of withdrawal of the land plots, and also are directed on avoidance of the possible conflicts and violations of the rights of land users. These procedures provide for participation of all land users and members of their families in decision-making process on the choice of the new land plot and on the rate of losses and the suffered damage in connection with implementation of the project. In cases when the persons having legal rights for withdrawn property, do not agree with the decisions of the organizations or establishments on compensation, or with other decisions, they have the right to submit the preliminary claims to local authorities (raional or regional khokimiyats) either directly or via the PIU.

Process of redressing of grievances is as follows:

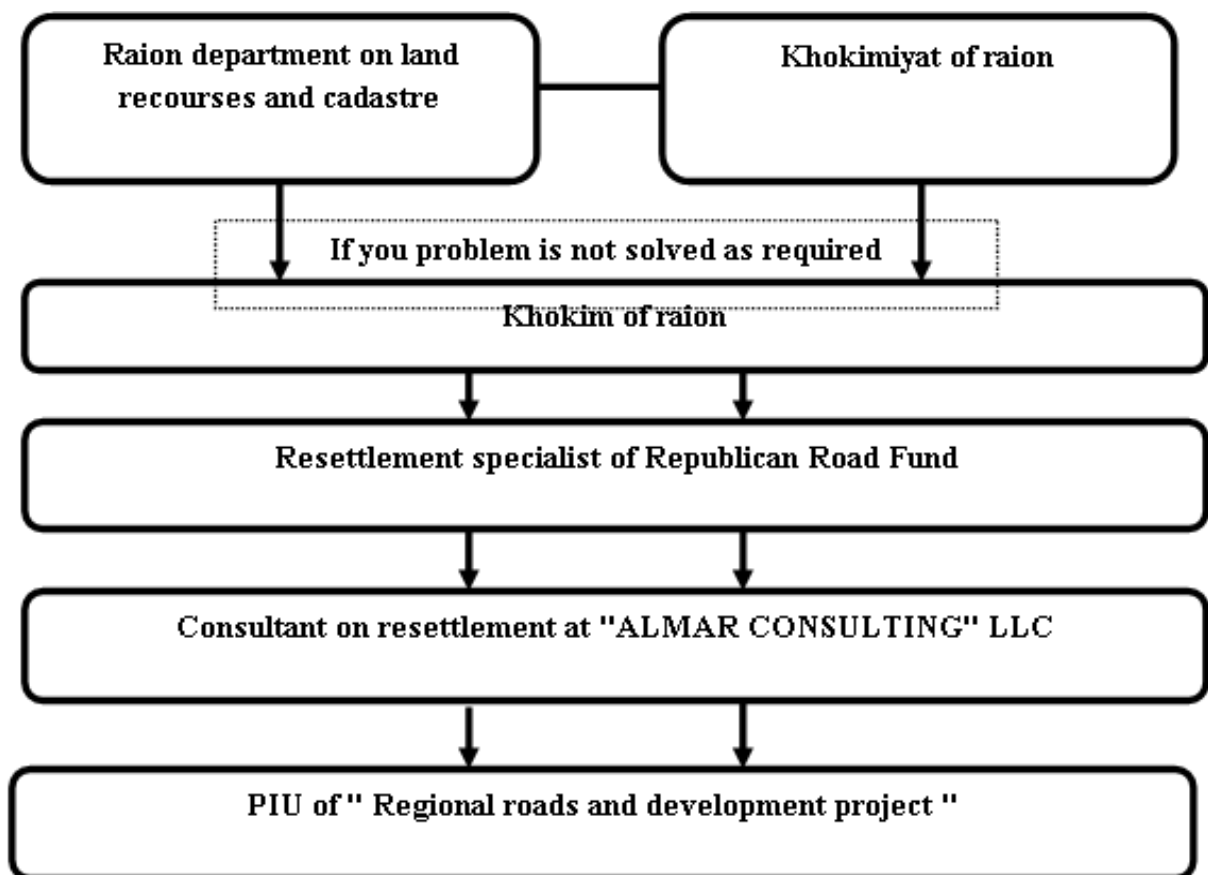
1. The affected persons will submit their complaints to the chairman of makhalla committee or to PIU (the responsible person for resettlement) which will register these complaints and will try to resolve them. If the complaint is not solved within one week, it goes to raional/regional level. Initiative groups under makhalla committees consisting of representatives of farms and households, taking active part in consideration of issues on involuntary resettlement and compensations within the project will also be created.
2. Bodies responsible for resettlement (makhalla committees and PIU) should have stitched journals for complaints registration. The submitted complaints should be considered within 21 working days. Also PIU representative is obliged to look through the journals for complaints registration of the makhalla committees every 14 calendar days.
3. All possible measures for solution of the arisen problem will be taken in regional khokimiyat within the powers of the rational khokim. If within two weeks the solution is not found, the complaint is transferred to the commission on consideration of issues of provision (acquisition) of the land plots.
4. The authorized person of the commission receives the complaint, registers it and tries to find the solution.
5. If there is no decision within two weeks, the complaint is brought into the Supreme Court of the Republic of Uzbekistan and is resolved according to the legislation of the Republic of Uzbekistan taking into account the agreements between Government of Uzbekistan and the World Bank. In these cases the state law will prevail as long as it is aligned with the World Bank policy OP 4.12

Reports and settlement of disputes will be monitored through the monitoring and evaluation and khokimiyat.

The grievance redress mechanism for the affected persons in the resettlement upon Project must be:

1. transparent and meet the principles of legislation of the Republic of Uzbekistan and the World Bank Operational Policy;
2. carefully studied by the representative, where the complaint was submitted and, if necessary, the defendant may request the necessary documents and take other measures to address the issue;
3. the relevant response should be prepared on each written complaint in writing on the outcome of proposals, applications and complaints , with their denial, specify the reasons to explain the procedure of appeal;
4. justified decision on the proposals, statements and complaints, and the timely and correct implementation of these decisions on the side of the defendants.

The figures below present the main stakeholders responsible for the grievance redress mechanism:



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 VIII PUBLIC CONSULTATIONS

The public consultations on this 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 this RPF including the potential impacts and mitigation measures of resettlement and land acquisition upon the project was shared with participants. Within these activities announcements, brochures containing relevant information was distributed. Representatives of relevant state organizations, khokimiyats, makhalla committees, cadastral service and other local authorities took part in these consultations. The meeting minutes are provided in Annex VI.

The following points were presented:

- 1) Introduction: General information on Project implementation;
- 2) General statements of national legislation, order of land acquisition and compensation; WB policy on involuntary resettlement.
- 3) Right to compensation. Entitlement matrix by category of the affected households;
- 4) Grievance redress mechanism;
- 5) Discussion of the questions and problems which beneficiaries and stakeholders are interested in.

The participants in each of the consultations sessions 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. The meeting explained that the RPF is available at the Hokimiyat and that additional consultation session will be held in the RAPs. The RPF will be published shortly on Website of the Ministry of Finance, PIU and Website of WB (InfoShop, <http://www.worldbank.org/en/country/uzbekistan>). The RAP will also be available on those sites.

The key questions the participants were interested are presented below. These do not require changes to the RPF.

Question	Answer
Bad condition of the roads is one of the main problems for the residents. What about the other roads which requires rehabilitation as well?	The project will not cover other roads which are not included into the designed pre-feasibility study of the project.
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.
When will the project start?	The start of the project start is planned in 2016 year.
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..
What about the bridges which are the closer to the roads to be rehabilitated upon the project?	These bridges will be rehabilitated upon the project by additional feasibility study which will be designed for these bridges.
Project will affect informal structures and assets such as fences or gardens that have been built within the Right of Way (RoW). How can we get information on probable changes in design, i.e. if project will require demolishing the buildings or houses?	You will be informed on any changes in design of RoW by representatives of khokimiat, raion Autoyul, PIU or the same consultations and meetings.

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.
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.
How can we take more detailed information on procedures for compensation and filing complaints?	<p>We submitted the printed copy of the designed report on Resettlement policy framework to local khokimiat. You can turn to the deputy khokim and obtain required information.</p> <p>You also can obtain the required information on Website of the Ministry of Finance, PMU and Website of WB (InfoShop).</p> <p>All the required contact information to file your complaint is provided in the manipulative material you received in the meeting.</p>

Further consultations will be undertaken in the preparation of site-specific RAPs (in case of social and economic impacts related to the loss of assets or land) and will include all elements of impacts and mitigation measures including valuation, timeline for compensation payments, and livelihood restoration. The RAP will also be formally consulted upon and the minutes included as an annex in the RAP. Comments will be included in the RAP where relevant. Where comments are not integrated, the consultation protocols will note why this was not taken into account. Roads for which detailed design will be known prior to Negotiation of the project will be consulted and disclosed prior to Negotiation. Further RAP needed during implementation will be consulted, disclosed and compensation paid prior to the commencement of the works. RAP will need to be reviewed and approved by the Bank and will be published on InfoShop. In country, the RPF and RAP will be disclosed on the Ministry website, and available in local departments of the Road fund in each project raion.

Contact information of main stakeholders is in Annex IV.

CHAPTER IX EXPENSES AND BUDGET

The project impact is expected to be minimal. 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. Project implementation is not expected to require physical displacement of households. During the field visit of project area Consultant identified the main impacts to be informal structures and assets such as fences, gazebos or gardens that have been built within the Right of Way (RoW) that will have to be removed.

Project will affect such substructures adjoining to the residential houses as fences, shed /tents etc. Thus it will be necessary to calculate the cost of the affected property along the road and to pay compensation to the persons affected by the project, prior to rehabilitation works.

For the present there is no land acquisition or affected household losing their productive assets. The exact number of substructures affected will be identified during RAP preparation. Thus it is not possible to calculate the approximate cost of withdrawn property at this stage. Specified cost indicators will be available only after appraisal of the affected substructures. In this case preliminary calculations which will be prepared and detailed during project implementation and evaluation.

Thus, according to the current stage of project implementation expenses for resettlement will include compensation for the affected substructures adjoining to the houses such as fences, shed /tents etc.

All the expenses upon the resettlement actions will be covered by local authorities (khokimiyats) by funds of the state budget of Republic of Uzbekistan. The order of financing with the borrower will be assigned by the terms of the agreement /contract. Each Resettlement Action Plan, prepared by a representative of the PIU or a consultant contracts by them, will include a detailed budget.

The Ministry of Finance is responsible for the distribution and transferring the funds from the state budget to the local authorities in time. In their turns, local authorities will provide the affected households with the required amount of evaluated compensation.

CHAPTER X 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 RPF 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 may hire 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 to verify that all PAP have been compensated according to the RAP and that no outstanding issues related to the RAP remain.

A dedicated resettlement focal point within the PIU responsible for supervising the resettlement process will be assigned and will cooperate with the PIU consultants. All these measures will allow achieving the objectives of training national consultants and staff according to the requirements for M&E of a large internationally funded project and introduce exact M&E techniques in the PIU structure.

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.

The RAP will contain information on the specific M&E timelines related to the affected road sections detailing a program of regular data collection as well as the final evaluation.

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 as compared with the prepared implementation schedule/ work schedule in the contractors' contracts;
- Financial management within the project, costs, expenditures, payments to the contractors, and loan disbursements;

- Works completed under various contracts, such as completion of new canals, rehabilitation of roads, ariks⁸ 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;
- Development and utilization of geographical and management information systems to monitor project implementation and operational performance;
- On-the-job-training to PIU counterpart staff and national consultants, with the objective that such staff become knowledgeable in the survey and evaluation techniques.

Monitoring will be conducted during two reason continuing basis. The budget for M&E will be calculated and included into the RAP. The report will be prepared to coincide with the regular quarterly project progress reports to the World Bank.

⁸Arik is irrigation ditch / channel in Central Asia

CONCLUSION

During the Project works no temporary and permanent withdrawal of lands and relocation under project rehabilitation works will be carried out. The project impact is expected to be minimal. 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.

Project implementation is not expected to require physical displacement of households. During the field visit of project area Consultant identified main impacts to concern informal structures and assets such as fences or gardens that have been built within the Right of Way (RoW). The exact number of such structures and detailed expenses and budget will be identified during RAP preparation.

This RPF, including Entitlement matrix, is developed as the module of procedures and measurements for probable social and economic impacts associated with the loss of assets, land or access to assets or land that may occur during project implementation. This Resettlement Policy Framework and designed Entitlement matrix describe mitigation measures in case of land acquisition and other associated impacts to be undertaken under the project.

ANNEXI: PHOTO OF ROAD SECTIONS BY KM

	Code	Road site		
1	4K785B	A373 – settlement Urtasaray		

2	4K730	Carasu - Yangikhayot – railway station Kuchlik		
3	4K731	Corasuv – Darkhon – Yorik – Tyabugiz		

4	4H708	Corasuv – Beshboy – Huzha		
5	4K761	Murotali – Kelog		

6	4H698	Gishtkuprik – Telman – roadM39 (806 km)		

7	4K708B	4P4 – M39 – warehouse of timber		
8	4K716B	Settlement Bozsu – M39		

9	4K744A	M39 – settlement Zangiota		
10	4K743	M39 – city Yangiyul – farm Tinchlik		

ANNEX II: SAMPLE OUTLINE FOR A RESETTLEMENT ACTION PLAN (RAP)

The structure and content of a RAP is provided below:

1. Introduction: Provide a brief description of the sub-project, its components and any associated facilities requiring land acquisition, either permanent or temporary. Describe the amount of land needed, the number of households and people affected, and provide a typology of impacts on land, assets, and income streams. Maps or plans should be provided at appropriate scale.

2. Minimizing Resettlement: Describe efforts made to minimize displacement in establishing the sub-project's design footprint and during construction.

3. Census and Socioeconomic Survey: Survey all affected people to take stock of 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. It is important to survey affected areas as early in the process as is possible. *The census- socio-economic survey establishes the cut-off date for the list of affected people; it serves to preclude issues of entitlements for any influx of people from outside the area who may attempt to establish a presence in the area in anticipation of benefits.*

4. Legal Framework: Summarize relevant local laws and practices which apply to land acquisition, compensation, and resettlement. Identify any gaps between local laws and practices and the World Bank policy on resettlement, OP 4.12. Indicate how any gaps will be addressed to ensure compliance with OP 4.12 and local laws.

5. Eligibility and Entitlements: The borrower carries out a baseline census and socio-economic survey to identify the persons who will be affected by the project, the precise nature of impacts on project-affected people, and to determine who will be eligible for assistance, and to discourage inflow of people ineligible for assistance. The borrower also develops a procedure, satisfactory to the Bank, for establishing the criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance.

Displaced persons are classified in one of the following three groups:

- a) those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- b) those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets; provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement, and
- c) those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under (1) and (2), above are provided compensation for the land they lose, and other assistance in which may be needed for economic rehabilitation. Those covered under paragraph (3) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives of the policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank. All persons included (1), (2), and (3) above are provided compensation for loss of assets other than land.

Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. It is the responsibility of the borrower to notify the general public in the area that people encroaching after the cut-off date, which is normally the date of the census survey, will not be eligible for benefits.

On the basis of census-survey data and consultations with stakeholders, the implementation team’s social scientist will establish a table or matrix listing the typology of affected people and impacts and describe the compensatory or other measures needed to remediate impacts.

The RAP will set out the methods of valuation used for affected land, structures, trees and other fixed assets, bearing in mind: (1) the standard of using the replacement cost for lost assets and a fair market price for land; and (2) remediation of impacts which negatively affect the income streams of affected people as identified in the baseline census-survey.

An *indicative* entitlement matrix is provided, below. This matrix may require further additions or adjustments to ensure that all categories of affected people and all types of impacts are identified and remediated. This Resettlement Policy Framework and subsequent specific Resettlement Action Plans must be publically disclosed and included in public consultations to ensure that affected people and any other relevant stakeholders are aware of entitlements and the related provisions for mitigation of land acquisition impacts.

Entitlement Matrix (*Indicative*)

The entitlement matrix will distinguish between owners, tenants and project affected people (PAP) with and without occupancy rights; people who use the land for commercial purpose; and people who have made improvements of any nature.

<i>Category of Affected Person</i>	<i>Type of Impact</i>	<i>Entitlement</i>
Land tenant	Loss of house or structures & fixed assets.	Compensation at replacement cost.
Land lessee	Loss of land	Compensation at market replacement value. If partial loss & remaining land is not economically viable: entire plot is taken at owner’s request.
Informal resident	Loss of house or structures & fixed assets.	Compensation at replacement cost for structures; moving - transition allowance.
Informal resident	Loss of land	No compensation
Informal users of public land: people without formal title whose livelihoods depend on the land used.	Loss of income Loss of land base.	Compensation for crops lost and cost of investments made on the land. Assistance to improve living standards /livelihoods to restore them to pre-displacement levels at a minimum.
Renters	Loss or residence	3 months’ rent and shifting allowance to cover moving costs.
Agricultural or other economic use of land, titled land owner.	Loss of income Loss of assets Loss of land Lost income for workers	Compensation for standing crops Compensation at replacement cost for lost assets. Compensation adequate to

		purchase replacement land of similar quality. Financial or other assistance needed to re-establish on new land. Payment of up to 3 months wages for employees.
Shops & commercial establishments, land owner	Loss of income Loss of business location Loss of land Loss of assets Lost income for workers	Transitional assistance to re-establish business at suitable location. Market rate compensation for land. Replacement cost for lost assets. Payment of up to 3 months wages for employees during transition.
Land / structure renters for commercial, agricultural, other economic ends.	Loss of income Loss of location Loss of assets Loss of income for workers	Transition assistance to re-establish business elsewhere. Replacement cost of any fixed assets made by the renter. Up to 3 months wages during transition.
Shops & commercial establishments, informal tenure	Loss of income Loss of location Loss of assets Loss of income for workers	Transition assistance to re-establish business elsewhere. Replacement cost of any fixed assets made by the renter. Up to 3 months wages during transition.
Vulnerable People	Loss of shelter Loss of access to employment Assistance with resettlement at new site.	Special assistance as needed to facilitate
Land owner	Temporary use of land for project purposes.	Market rate rental for use; land returned in same condition; compensation for lost crops at market value. Loss of trees: compensation with new root stock and income lost until tree begins production.
Land leaser	Temporary use of land for project purposes.	Payment of lease for time taken. Market rate compensation for lost crops. Replacement cost for any affected investments on the land. Land restored to same condition as when taken.
Informal land user	Temporary use of land for project purposes.	Market rate compensation for lost crops. Restoration of the land.

6.Consultation and Participation of affected people: Describe the relevant stakeholders; elaborate a strategy, including procedures and mechanisms, for information sharing, consultations, and participation of affected people throughout the resettlement operation, including the key functions of planning, implementation, monitoring, and closure. Public consultations serve to inform affected people of entitlements, to describe the salient project features, impacts, and timing. Public consultations are also

used to provide contact details for questions or claims, and to learn of any issues or specific concerns of affected people. It is important to provide project-affected people with the name, title, and contact details of the individual designated to answer queries and respond to any issues which may arise during project implementation. It is essential that people have easy contact and quick responses to questions or issues which arise to ensure early solutions of potential problems and to facilitate smooth implementation.

7. Grievance Redress: The RAP will include a detailed description of the formal GRM mechanism in place. Providing an accessible and credible means for project affected people to pursue any grievance facilitates the identification and management of risks in projects and ensures that concerns/grievances from the communities or others are promptly heard, analyzed, handled and answered in order to detect causes and take corrective or preventive actions.

A grievance redress committee is put in place to resolve RAP-related issues which may arise during implementation. The aim is to provide easily accessible and cost-free redress for persons who have claims or specific problems, such as delivery of entitlements or evaluation of assets. The RAP must describe the specifics of the grievance redress mechanism and its composition. In addition to project representatives and government officials, grievance committees typically include respected members of the community, who provide an independent and unbiased perspective in resolving claims or issues. If people are not satisfied with the findings of the grievance committee, they have recourse to the law courts.

8. Institutional Arrangements: Describe the broader organizational structure of the project implementation team, showing the position of the RAP implementation unit. In the context of RAP implementation, clearly show the functional relationships and responsibilities of any agents or institutions which are tasked with delivery of each item in the entitlement matrix, monitoring and evaluation, public consultation, etc.

9. Implementation Schedule: Prepare a chronological sequence of steps / activities to be taken in implementing the RAP. Identify any external institutions or agents tasked with implementing each activity. Ensure that implementation is synchronized with project planning and civil works to ensure that no land acquisition-related impact occurs before entitlements have been delivered.

10. Monitoring, Evaluation and Closure: Prepare a monitoring plan which identifies key indicators needed to track progress and facilitate any adaptive changes needed during implementation. Establish the reporting frequency and basic content of progress reports. In the final stage of implementation, prepare an evaluation and closure report which verifies that entitlements have been successfully delivered and no significant issues remain unresolved. The monitoring plan and its indicators must be adequate to facilitate evaluation and closure. It is good practice to engage the services of an independent third-party for the evaluation and closure of the RAP.

11. Costs and Budget: List the key line items, including: the cost of specific entitlements, services, salaries, and logistics. Indicate the budget allocation, source of funds, and contingency arrangements.

ANNEXIII: OPERATION POLICY OP 4.12

This document is OP 4.12 Involuntary Resettlement, as for December 2001 and revised on April 2013 containing official text approved by the World Bank.

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

Involuntary resettlement

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

Revised April 2013

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

Policy Objectives

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

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

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

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

Impacts Covered

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

(a) the involuntary⁷ taking of land⁸ resulting in

(i) relocation or loss of shelter;

(ii) lost of assets or access to assets; or

- (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- (b) the involuntary restriction of access⁹ to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

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

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

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

Required Measures

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

- (a) The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are
 - (i) informed about their options and rights pertaining to resettlement;
 - (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
 - (iii) provided prompt and effective compensation at full replacement cost¹¹ for losses of assets¹² attributable directly to the project.
- (b) If the impacts include physical relocation, the resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are
 - (i) provided assistance (such as moving allowances) during relocation; and
 - (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.¹³
- (c) Where necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy framework also include measures to ensure that displaced persons are
 - (i) offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living;¹⁴ and
 - (ii) provided with development assistance in addition to compensation measures described in paragraph 6(a);
 - (iii) such as land preparation, credit facilities, training, or job opportunities.

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

- (a) specific components of the project will be prepared and implemented;
- (b) the criteria for eligibility of displaced persons will be determined;
- (c) measures to assist the displaced persons in their efforts to improve their livelihoods, or at least to restore them, in real terms, while maintaining the sustainability of the park or protected area, will be identified; and

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

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

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

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

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

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

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

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

(a) Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.

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

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

Eligibility for Benefits¹⁹

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

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

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

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

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

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

Resettlement Planning, Implementation, and Monitoring

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

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

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

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

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

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

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

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

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

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

24. The borrower is responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. The Bank regularly supervises resettlement implementation to determine compliance with the resettlement instrument. Upon completion of the project, the borrower undertakes an assessment to determine whether the objectives of the resettlement instrument have been achieved. The assessment takes into account the baseline conditions and the results of resettlement

monitoring. If the assessment reveals that these objectives may not be realized, the borrower should propose follow-up measures that may serve as the basis for continued Bank supervision, as the Bank deems appropriate (see also [BP 4.12](#), para. 16).

Resettlement Instruments

Resettlement Plan

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

Resettlement Policy Framework

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

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

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

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

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

Process Framework

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

Assistance to the Borrower

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

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

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

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

(d) financing of the investment costs of resettlement.

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

-
1. "Bank" includes IBRD and IDA; "loans" includes IDA credits and IDA grants, guarantees, Project Preparation Facility (PPF) advances and grants; and "projects" includes projects under (a) PPFs advances and Institutional Development Fund (IDF) grants, if they include investment activities; (b) grants under the Global Environment Facility and Montreal Protocol, for which the Bank is the implementing/executing agency; and (c) grants or loans provided by other donors that are administered by the Bank. The term "project" does not include programs supported by Development Policy Lending (for which the environmental provisions are set out in [OP/BP 8.60, Development Policy Lending](#)), or by Program-for-Results Financing (for which environmental provisions are set out in [OP/BP 9.00, Program-for-Results Financing](#)). "Borrower" also includes, wherever the context requires, the guarantor or the project implementing agency.
 2. In devising approaches to resettlement in Bank-assisted projects, other Bank policies should be taken into account, as relevant. These policies include [OP 4.01, Environmental Assessment](#), [OP 4.04, Natural Habitats](#), [OP 4.10, Indigenous Peoples](#), and [OP 4.11, Physical Cultural Resources](#).
 3. The term "displaced persons" refers to persons who are affected in any of the ways described in para. 3 of this OP.
 4. Displaced persons under para. 3(b) should be assisted in their efforts to improve or restore their livelihoods in a manner that maintains the sustainability of the parks and protected areas.
 5. Where there are adverse indirect social or economic impacts, it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups. Other environmental, social, and economic impacts that do not result from land taking may be identified and addressed through environmental assessments and other project reports and instruments.
 6. This policy does not apply to restrictions of access to natural resources under community-based projects, i.e. where the community using the resources decides to restrict access to these resources, provided that an assessment satisfactory to the Bank establishes that the community decision-making process is adequate, and that it provides for identification of appropriate measures to mitigate adverse impacts, if any, on the vulnerable members of the community. This policy also does not cover refugees from natural disasters, war, or civil strife (see [OP 8.00, Rapid Response to Crises and Emergencies](#)).
 7. For the purposes of this policy, "involuntary" means actions that may be taken without the displaced person's informed consent or power of choice.
 8. "Land" includes anything growing on or permanently affixed to land, such as buildings and crops. This policy does not apply to regulations of natural resources on a national or regional level to promote their sustainability, such as watershed management, groundwater management, fisheries management, etc. The policy also does not apply to disputes between private parties in land titling projects, although it is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse social impacts, especially those affecting poor and vulnerable groups.
 9. For the purposes of this policy, involuntary restriction of access covers restrictions on the use of resources imposed on people living outside the park or protected area, or on those who continue living inside the park or protected area during and after project implementation. In cases where new parks and protected areas are created as part of the project, persons who lose shelter, land, or other assets are covered under para. 3(a). Persons who lose shelter in existing parks and protected areas are also covered under para. 3(a).
 10. *The Involuntary Resettlement Sourcebook* provides good practice guidance to staff on the policy.
 11. "Replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account (for a detailed definition of replacement cost, see [Annex A](#), footnote 1). For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard. Such additional assistance is distinct from resettlement assistance to be provided under other clauses of para. 6.
 12. If the residual of the asset being taken is not economically viable, compensation and other resettlement assistance are provided as if the entire asset had been taken.
 13. The alternative assets provided with adequate tenure arrangements. The cost of alternative residential housing, housing sites, business premises, and agricultural sites to be provided can be set off against all or part of the compensation payable for the corresponding asset lost.
 14. Such support could take the form of short-term jobs, subsistence support, salary maintenance or similar arrangements.
 15. See [OP 4.10, Indigenous Peoples](#).
 16. Where the borrower has offered to pay compensation to an affected person in accordance with an approved resettlement plan, but the offer has been rejected, the taking of land and related assets may only proceed if the borrower has deposited funds equal to the offered amount plus 10 percent in a secure form of escrow or other interest-bearing deposit acceptable to the Bank, and has provided a means satisfactory to the Bank for resolving the dispute concerning said offer of compensation in a timely and equitable manner.
 17. See [OP 4.04, Natural Habitats](#).
 18. As a general principle, this applies if the land taken constitutes less than 20% of the total productive area.
 19. Paras. 13-15 do not apply to impacts covered under para. 3(b) of this policy. The eligibility criteria for displaced persons under 3 (b) are covered under the process framework (see paras. 7 and 30).
 20. Such claims could be derived from adverse possession, from continued possession of public lands without government action for eviction (that is, with the implicit leave of the government), or from customary and traditional law and usage, and so on.
 21. Resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate.

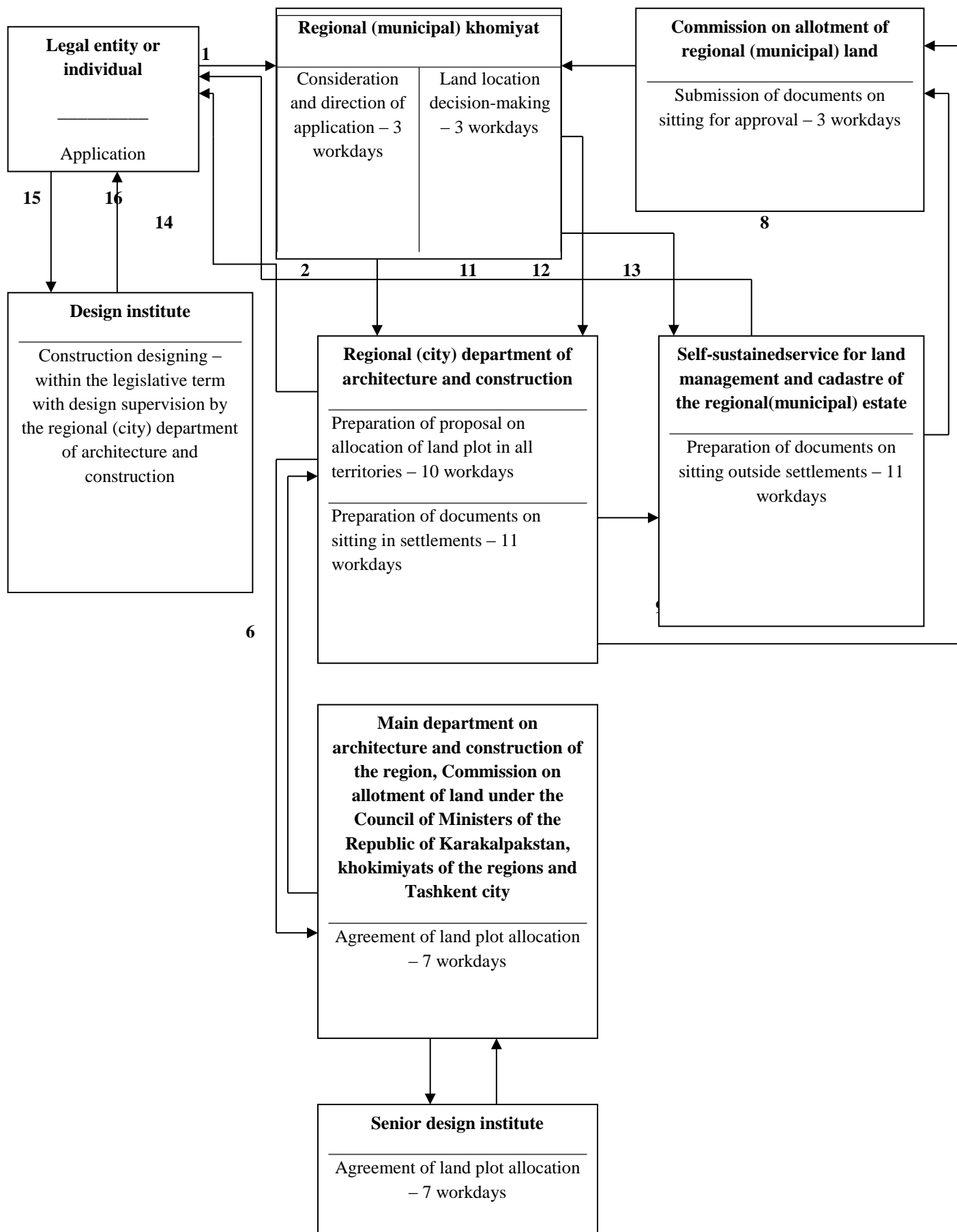
22. Normally, this cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination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

ANNEX IV: CONTACT INFORMATION OF MAIN STAKEHOLDERS

Khokimiats	Personal information	Contact information
Khokimiati of Pskent	Khokim- ErgashkhojaevIslamjanJasurovich Deputy Khokim- vacant position	Khokim, tel:(+99898)363-89-89 Reception room, tel: (370)545-28-00
Khokimiati of Yangiul	Khokim- norbutaevRavshanMamraimovich DeputyKhokim- ibrogimovKhairulloFayzulaevich	Deputy Khokim, tel:-(95)513-16-66 Reception room of Deputy Khokim, tel: (+99893)188-90-05; (370)602-20-60
Khokimiati of Urta-Chirchik	Khokim- IbragimovBektimirAbdukadirovich DeputyKhokim- KhashimovShukhratUrazalievich	Deputy Khokim, tel:(+99898)127-18- 28;(99894)660-41-86. Reception room, tel.:(370)762-17-77.
Khokimiati of Zangiota	Khokim— AbdullaevSodikSamitovich Deputy Khokim – FayzallaMurievich	Reception room, tel: (371)150-94-40 Deputy khokim, tel:150-01-32
Chief engineer of UrtaChirchikAvtoyul	Khakimov Murad	Tel: (+99890)071-20-21
Chief engineer of YangiulAvtoyul	Akilov Chingiz	Tel: (+99894)660-42-11
Assistant chief engineer of YangiulAvtoul	Ganijonov Bakhrom	Tel: (+99890)117-37-33
Chief engineer ofZangiotaAvtoyul	Ackarov Shashlam Inoyatovich	Tel: (+99890)930-11-72, Office tel: (371) 150-27-45
Head of construction gang. Pskent	MakhsomovKhamid	Tel: (+99894) 217-46-37
Head of the road section (Pskent)	MiralievZafarli	Tel: (+99893) 6082330
Design Institute «Toshuyjoy LITI» Chif project engineer	Rajabov Khasan	Tel: (+99891) 6078780
Design Institute «Toshuyjoy LITI» Lead engineer	DjamalitdinovZukhritdin	Tel: (+99893) 3823881

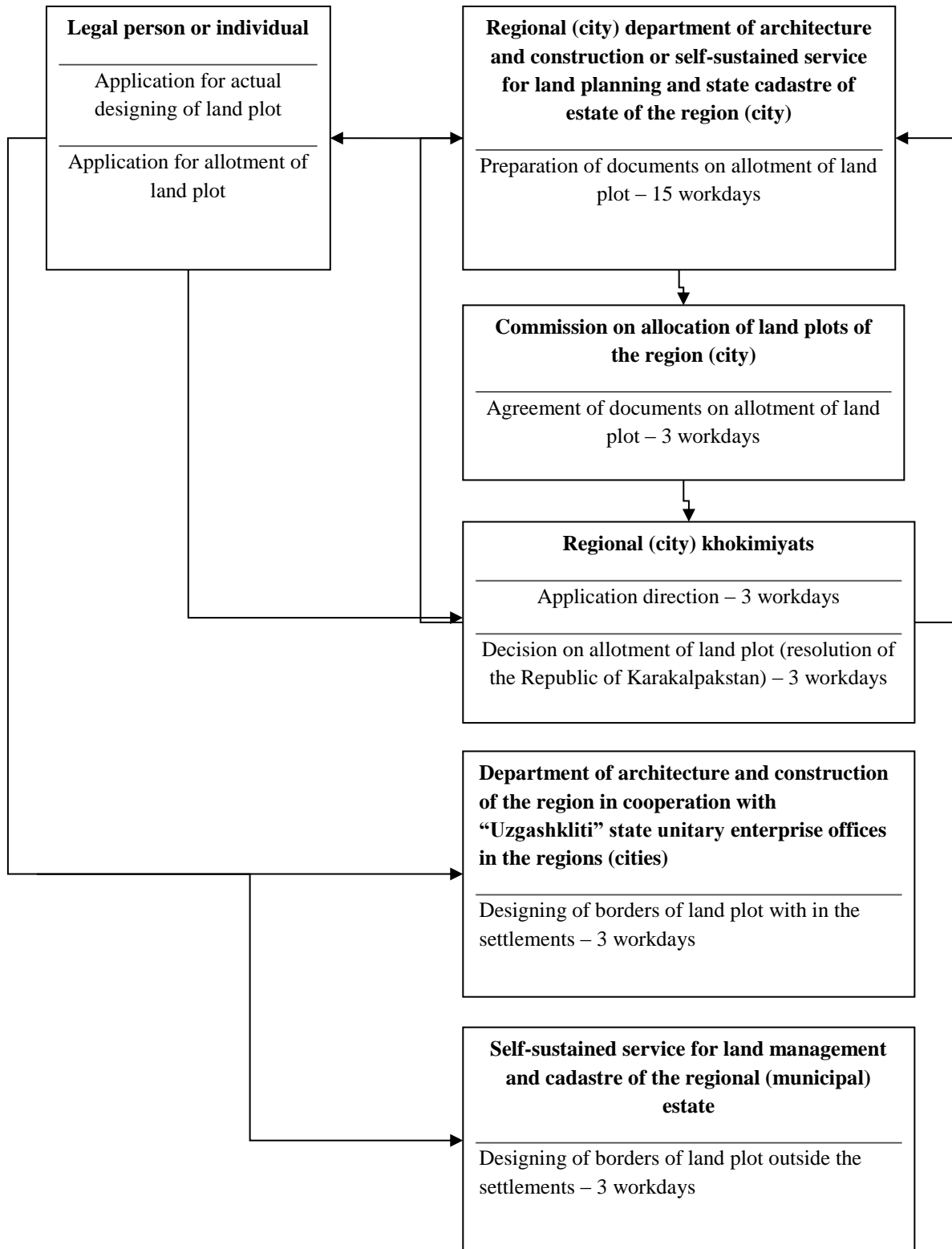
ANNEX V: SCHEME OF CHOICE OF THE LAND PLOT FOR OBJECT DESIGN IN THE ABSENCE OF TOWN-PLANNING DOCUMENTATION

First stage



Preparation, agreement and approval of materials on acquisition of the land plot, bringing of its borders out to the nature

Second Stage



ANNEX VI: THE MINUTES OF PUBLIC CONSULTATIONS

MINUTES OF PUBLIC CONSULTATION IN TASHKENT REGION URTACHIRCHIK RAION UPON REGIONAL ROADS AND DEVELOPMENT PROJECT (P146334)

Date: March 24, 2015

Venue: Urtachirchik raion khokimiat

Participants:

- Chairmen of makhala committees and village gathering of citizens
- Advisers of village gathering of citizens
- Representatives of banks
- Secretary of village gathering of citizens
- Deputy khokim on economics
- Teachers
- Engineering supervision specialists
- Specialists on water and agriculture;
- Representatives of Avtoyul.

Key statements:

- 1) Introduction: General information on Project implementation;
- 2) Briefly: general statements of national legislation, order of land acquisition and compensation; WB policy on involuntary resettlement.
- 3) Right on compensation. Entitlement matrix by category of the affected households;
- 4) Grievance redress mechanism;
- 5) Discussion of questions and problems which beneficiaries and stakeholders are interested in..
- 6) Conclusion.

Introduction: General information on Project implementation

Moderator in cooperation with representatives of local authorities submitted the general information on current project implementation.

This meeting is organized upon «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 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 1000 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.

Under this component of project it is proposed rehabilitation the priority roads in four raions (UrtaChirchik, Zangiota, Pskent, Yangiul).

This consultation is carried out in order to provide information on project implementation, affected land plots, structures and assets, legislation on compensation, order of compensation according to the WB principles and policy, procedures of grievance redress mechanism etc.

Moderator clarified that the impact of project implementation (at this stage of feasibility study) is minimal. Project implementation is not expected to require physical displacement of households which may result in relocation or loss assets or access to assets; or loss of income sources or means of livelihood.

Project will affect informal structures and assets such as fences or gardens that have been built within the Right of Way (RoW). These impacts will be settled according to Resettlement action plan and Project Affected People (PAP) will receive compensation according to the nature of the impact, which reflects the state safety measures and the World Bank's policy on Involuntary Resettlement (OP 4.12).

Then moderator presented the key legislation of the Republic of Uzbekistan and categories of affected persons according to the World Bank policy. Moderator performed the possible discrepancies of the Uzbek Legislation and the World Bank policy as well and emphasized that policy of the WB is prevailing.

Moderator presented the key statements of the right on compensation in compliance with the designed matrix of compensation.

Then the participants were well-informed on detailed procedure of filing complaints (appeals) according to the designed grievance redress mechanism.

After that moderator invited the participants to discuss the problems and questions they were interested in.

The key questions the participants interested in were the following:

Question	Answer
When will the project start?	The start of the project start is planned in 2016 year.
The residents of the raion filed a lot of complaints to local roads services on roads conditions. They promised to rehabilitate roads in 2013 and 2014 year? Why will the project start only in 2016? Is it possible to start the rehabilitation prior to 2016?	No, it is planned to start the project in 2016.
Will the project cover the roads which are included into the developed pre-feasibility study? May other roads be included into the project? The internal roads in makhallas are needed to be rehabilitated as well.	The representatives of raion Autoyul explained that the project would cover the roads which were included into the developed pre-feasibility study. No other roads will be included into the project implementation.
Why were only these roads included into the developed pre-feasibility study? Why the km of roads to be rehabilitated	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 most roads are not rehabilitated more than 25 years. Will the project propose capital repair and rehabilitation?	The representatives of raion Autoyul explained that the project would propose capital repair and rehabilitation. Earlier these roads were repaired by patching of holes.
How can we take more detailed information on procedures for compensation and filing complaints?	<p>We submitted the printed copy of the designed report on Resettlement policy framework to local khokimiat. You can turn to the deputy khokim and obtain required information.</p> <p>You also can obtain the required information on Website of the Ministry of Finance, PMU and Website of WB (InfoShop).</p> <p>All the required contact information to file your complaint is provided in the manipulative material you received in the meeting.</p>

In a whole, all the participants are waiting for this rehabilitation. Bad condition of the roads is one of the main problems for the residents. People are ready to provide any required assistance to speed the start of project implementation.

List of participants and photo of the consultation are provided below.

List of participants

No	NIK	nama	tempat lahir	tanggal lahir	jenis kelamin
1	1901010100000000000	Kusnadi	Yogyakarta	19010101	Pria
2	1901010100000000000	...	...	...	...
3	1901010100000000000	...	...	...	...
4	1901010100000000000	...	...	...	...
5	1901010100000000000	...	...	...	...
6	1901010100000000000	...	...	...	...
7	1901010100000000000	...	...	...	...
8	1901010100000000000	...	...	...	...
9	1901010100000000000	...	...	...	...
10	1901010100000000000	...	...	...	...

No	NIK	nama	tempat lahir	tanggal lahir	jenis kelamin
11	1901010100000000000	...	...	...	...
12	1901010100000000000	...	...	...	...
13	1901010100000000000	...	...	...	...
14	1901010100000000000	...	...	...	...
15	1901010100000000000	...	...	...	...
16	1901010100000000000	...	...	...	...
17	1901010100000000000	...	...	...	...
18	1901010100000000000	...	...	...	...
19	1901010100000000000	...	...	...	...
20	1901010100000000000	...	...	...	...

No	NIK	nama	tempat lahir	tanggal lahir	jenis kelamin
21	1901010100000000000	...	...	...	...
22	1901010100000000000	...	...	...	...
23	1901010100000000000	...	...	...	...
24	1901010100000000000	...	...	...	...
25	1901010100000000000	...	...	...	...
26	1901010100000000000	...	...	...	...
27	1901010100000000000	...	...	...	...
28	1901010100000000000	...	...	...	...
29	1901010100000000000	...	...	...	...
30	1901010100000000000	...	...	...	...

No	NIK	nama	tempat lahir	tanggal lahir	jenis kelamin
31	1901010100000000000	...	...	...	...
32	1901010100000000000	...	...	...	...
33	1901010100000000000	...	...	...	...
34	1901010100000000000	...	...	...	...
35	1901010100000000000	...	...	...	...
36	1901010100000000000	...	...	...	...
37	1901010100000000000	...	...	...	...
38	1901010100000000000	...	...	...	...
39	1901010100000000000	...	...	...	...
40	1901010100000000000	...	...	...	...

No	NIK	nama	tempat lahir	tanggal lahir	jenis kelamin
41	1901010100000000000	...	...	...	...
42	1901010100000000000	...	...	...	...
43	1901010100000000000	...	...	...	...
44	1901010100000000000	...	...	...	...
45	1901010100000000000	...	...	...	...
46	1901010100000000000	...	...	...	...
47	1901010100000000000	...	...	...	...
48	1901010100000000000	...	...	...	...
49	1901010100000000000	...	...	...	...
50	1901010100000000000	...	...	...	...

No	NIK	nama	tempat lahir	tanggal lahir	jenis kelamin
51	1901010100000000000	...	...	...	...
52	1901010100000000000	...	...	...	...
53	1901010100000000000	...	...	...	...
54	1901010100000000000	...	...	...	...
55	1901010100000000000	...	...	...	...
56	1901010100000000000	...	...	...	...
57	1901010100000000000	...	...	...	...
58	1901010100000000000	...	...	...	...
59	1901010100000000000	...	...	...	...
60	1901010100000000000	...	...	...	...

Photo of consultation







MINUTES OF PUBLIC CONSULTATION IN TASHKENT REGION PSKENT RAION UPON REGIONAL ROADS AND DEVELOPMENT PROJECT (P146334)

Date: March 24, 2015

Venue: Pskentraion khokimiat

Participants:

- Chairmen of makhala committees and village gathering of citizens;
- Representatives of Kamolot (NGO);
- Advisers of village gathering of citizens;
- Representatives of banks;
- Secretary of village gathering of citizens;
- Cadastre specialists.

Key statements:

- 1) Introduction: General information on Project implementation;
- 2) Briefly: general statements of national legislation, order of land acquisition and compensation; WB policy on involuntary resettlement.
- 7) Right on compensation. Entitlement matrix by category of the affected households;
- 8) Grievance redress mechanism;
- 9) Discussion of questions and problems which beneficiaries and stakeholders are interested in.
- 10) Conclusion.

Introduction: General information on Project implementation

Moderator in cooperation with representatives of local authorities submitted the general information on current project implementation.

This meeting is organized upon «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 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 1000 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.

Under this component of project it is proposed rehabilitation the priority roads in four raions (UrtaChirchik, Zangiota, Pskent, Yangiul).

This consultation is carried out in order to provide information on project implementation, affected land plots, structures and assets, legislation on compensation, order of compensation according to the WB principles and policy, procedures of grievance redress mechanism etc.

Moderator clarified that the impact of project implementation (at this stage of feasibility study) is minimal. Project implementation is not expected to require physical displacement of households which may result in relocation or loss assets or access to assets; or loss of income sources or means of livelihood.

Project will affect informal structures and assets such as fences or gardens that have been built within the Right of Way (RoW). These impacts will be settled according to Resettlement action plan and Project Affected People (PAP) will receive compensation according to the nature of the impact, which reflects the state safety measures and the World Bank's policy on Involuntary Resettlement (OP 4.12).

Then moderator presented the key legislation of the Republic of Uzbekistan and categories of affected persons according to the World Bank policy. Moderator performed the possible discrepancies of the Uzbek Legislation and the World Bank policy as well and emphasized that policy of the WB is prevailing.

Moderator presented the key statements of the right on compensation in compliance with the designed matrix of compensation.

Then the participants were well-informed on detailed procedure of filing complaints (appeals) according to the designed grievance redress mechanism.

After that moderator invited the participants to discuss the problems and questions they were interested in.

The key questions the participants interested in were the following:

Question	Answer
Will the project propose capital repair and rehabilitation or these roads were repaired by patching of holes?	The project proposes capital repair and rehabilitation of the selected roads.
Bad condition of the roads is one of the main problems for the residents. What about the other roads which requires rehabilitation as well?	The project will not cover other roads which are not included into the designed pre-feasibility study of the project.
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.
When will the project start?	The start of the project start is planned in 2016 year.
Who will be engaged in rehabilitation work, i.e. who	The contractor will be responsible for quality of

will be responsible for quality of work?	rehabilitation works. The contractor will be selected by tender, i. e. on a competitive basis..
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Moderator noted that the printed copy of the designed report on Resettlement policy framework is submitted to local khokimiat and participants can turn to the deputy khokim and obtain required information. The same information is available on Website of the Ministry of Finance, PMU and Website of WB (InfoShop).

In a whole, rehabilitation of the roads is one of the main problems for the residents. People are be filled with enthusiasm of project implementation. They are waiting for the project results and hope on possible inclusion of other roads into the project activity.

List of participants and photo of the consultation are provided below.

List of participants

Писемчилер				
№	ИМ	Адреси	Телефон	Башка
1	Байрашева Париза	Манап МП/Сарыагач	7241(9)262615	Иван
2	Алиев Фарис	Кичикес Кичик	721(79)8610905	Иван
3	Абдураманов Абдураман	Иванова МП/Кичик	721(2)3782200	Иван
4	Алиев Фарис	Манап МП/Кичик	721(9)5158635	Иван
5	Алиев Фарис	Иванова МП/Кичик	721(2)1212272	Иван
6	Алиев Фарис	Кичикес Кичик	721(9)94933000	Иван
7	Алиев Фарис	Кичикес Кичик	721(9)3335796	Иван
8	Алиев Фарис	Кичикес Кичик	721(9)410583	Иван
9	Алиев Фарис	Кичикес Кичик	721(9)243243	Иван
10	Алиев Фарис	Кичикес Кичик	721(9)3665266	Иван
11	Алиев Фарис	Кичикес Кичик	721(9)5220160	Иван

12	Алиев Фарис	Кичикес Кичик	721(9)6052018	Иван
13	Алиев Фарис	Кичикес Кичик	721(9)4265600	Иван
14	Алиев Фарис	Кичикес Кичик	721(9)6058535	Иван
15	Алиев Фарис	Кичикес Кичик	721(9)22414	Иван
16	Алиев Фарис	Кичикес Кичик	721(9)9114220	Иван
17	Алиев Фарис	Кичикес Кичик	721(9)5830038	Иван
18	Алиев Фарис	Кичикес Кичик	721(9)9253527	Иван
19	Алиев Фарис	Кичикес Кичик	721(9)11160	Иван
20	Алиев Фарис	Кичикес Кичик	721(9)9947705	Иван
21	Алиев Фарис	Кичикес Кичик	721(9)1879488	Иван
22	Алиев Фарис	Кичикес Кичик	721(9)4025048	Иван
23	Алиев Фарис	Кичикес Кичик	721(9)218528	Иван
24	Алиев Фарис	Кичикес Кичик	721(9)1021156	Иван

25	Алиев Фарис	Кичикес Кичик	721(9)4361878	Иван
26	Алиев Фарис	Кичикес Кичик	721(9)600660	Иван
27	Алиев Фарис	Кичикес Кичик	721(9)22414	Иван
28	Алиев Фарис	Кичикес Кичик	721(9)9254905	Иван
29	Алиев Фарис	Кичикес Кичик	721(9)3153525	Иван
30	Алиев Фарис	Кичикес Кичик	721(9)3108675	Иван
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32	Алиев Фарис	Кичикес Кичик	721(9)5120444	Иван
33	Алиев Фарис	Кичикес Кичик	721(9)9229070	Иван
34	Алиев Фарис	Кичикес Кичик	721(9)1129252	Иван
35	Алиев Фарис	Кичикес Кичик	721(9)9183047	Иван
36	Алиев Фарис	Кичикес Кичик	721(9)201878	Иван
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38	Алиев Фарис	Кичикес Кичик	721(9)5129500	Иван
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40	Алиев Фарис	Кичикес Кичик	721(9)5965525	Иван
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42	Алиев Фарис	Кичикес Кичик	721(9)5860835	Иван
43	Алиев Фарис	Кичикес Кичик	721(9)8059456	Иван
44	Алиев Фарис	Кичикес Кичик	721(9)1002500	Иван
45	Алиев Фарис	Кичикес Кичик	721(9)182582	Иван
46	Алиев Фарис	Кичикес Кичик	721(9)819009	Иван
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48	Алиев Фарис	Кичикес Кичик	721(9)210015	Иван
49	Алиев Фарис	Кичикес Кичик	721(9)933554	Иван
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Photo of consultation



MINUTES OF PUBLIC CONSULTATION IN TASHKENT REGION YANGIYUL RAION UPON REGIONAL ROADS AND DEVELOPMENT PROJECT (P146334)

Date: March 25, 2015

Venue: Yangiyul raion khokimiat

Participants:

- Chairmen of makhala committees and village gathering of citizens;
- Secretary of village gathering of citizens ;
- Representatives of khokimiat;
- Representatives of Avtoyul;
- Representatives of public utilities organizations (gas, water, power supply).

Key statements:

- 1) Introduction: General information on Project implementation;
- 2) Briefly: general statements of national legislation, order of land acquisition and compensation; WB policy on involuntary resettlement.
- 3) Right on compensation. Entitlement matrix by category of the affected households;
- 4) Grievance redress mechanism;
- 5) Discussion of questions and problems which beneficiaries and stakeholders are interested in.
- 6) Conclusion.

Introduction: General information on Project implementation

Moderator in cooperation with representatives of local authorities submitted the general information on current project implementation.

This meeting is organized upon «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 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 1000 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.

Under this component of project it is proposed rehabilitation the priority roads in four raions (UrtaChirchik, Zangiota, Pskent, Yangiul).

This consultation is carried out in order to provide information on project implementation, affected land plots, structures and assets, legislation on compensation, order of compensation according to the WB principles and policy, procedures of grievance redress mechanism etc.

Moderator clarified that the impact of project implementation (at this stage of feasibility study) is minimal. Project implementation is not expected to require physical displacement of households which may result in relocation or loss assets or access to assets; or loss of income sources or means of livelihood.

Project will affect informal structures and assets such as fences or gardens that have been built within the Right of Way (RoW). These impacts will be settled according to Resettlement action plan and Project Affected People (PAP) will receive compensation according to the nature of the impact, which reflects the state safety measures and the World Bank’s policy on Involuntary Resettlement (OP 4.12).

Then moderator presented the key legislation of the Republic of Uzbekistan and categories of affected persons according to the World Bank policy. Moderator performed the possible discrepancies of the Uzbek Legislation and the World Bank policy as well and emphasized that policy of the WB is prevailing.

Moderator presented the key statements of the right on compensation in compliance with the designed matrix of compensation.

Then the participants were well-informed on detailed procedure of filing complaints (appeals) according to the designed grievance redress mechanism.

After that moderator invited the participants to discuss the problems and questions they were interested in.

The key questions the participants interested in were the following:

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 or these roads were repaired by patching of holes?	The project proposes capital repair and rehabilitation of the selected roads.
Will the project cover the roads which are included into the developed pre-feasibility study? Why other roads which need to be rehabilitated are not included into the project? Who selected these roads and why?	The representatives of raion Autoyul explained that the project would cover the roads which were included into the developed pre-feasibility study. No other roads will be included into the project implementation.

Why were only these roads included into the developed pre-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.
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.
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.

In a whole, bad condition of the roads is one of the main problems for the residents. People are ready to assist in project implementation.

Moderator noted that the printed copy of the designed report on Resettlement policy framework is submitted to local khokimiat and participants can turn to the deputy khokim and obtain required information. The same information is available on Website of the Ministry of Finance, PMU and Website of WB (InfoShop).

List of participants and photo of the consultation are provided below.

List of participants

№	Имя	Адрес	Телефон	Замечания
1	Умаров Тимур	Варганов МК/Автом	90/5155939	Иван
2	Саидов Вилмурад	Таш. ДДБ	90/3950048	Иван
3	Тарихов Умаров	Шанши	90/1289394	Иван
4	Алимов Исламжон	Шанши	90/1361939	Иван
5	Маматов Тохир	Шанши	90/9941552	Иван
6	Умаров Ахмед	Шанши	90/1204401	Иван
7	Алимов Вилмурад	Шанши	90/8890000	Иван
8	Маматов Вилмурад	Шанши	90/5092428	Иван
9	Алимов Тохир	Шанши	90/9009990	Иван
10	Алимов Вилмурад	Шанши	90/6439008	Иван
11	Алимов Вилмурад	Шанши	90/9884008	Иван
12	Алимов Вилмурад	Шанши	90/8055514	Иван
13	Алимов Вилмурад	Шанши	90/3832391	Иван
14	Алимов Вилмурад	Шанши	90/5519398	Иван
15	Алимов Вилмурад	Шанши	90/5069977	Иван
16	Алимов Вилмурад	Шанши	90/443752	Иван
17	Алимов Вилмурад	Шанши	90/9882465	Иван
18	Алимов Вилмурад	Шанши	90/9448408	Иван

19	Алимов Вилмурад	Шанши	90/155514	Иван
20	Алимов Вилмурад	Шанши	90/9916142	Иван
21	Алимов Вилмурад	Шанши	90/1899059	Иван
22	Алимов Вилмурад	Шанши	90/5906742	Иван
23	Алимов Вилмурад	Шанши	60/61486	Иван
24	Алимов Вилмурад	Шанши	90/4065269	Иван
25	Алимов Вилмурад	Шанши	90/1084969	Иван
26	Алимов Вилмурад	Шанши	60/32953	Иван
27	Алимов Вилмурад	Шанши	60/36505	Иван
28	Алимов Вилмурад	Шанши	90/6455062	Иван
29	Алимов Вилмурад	Шанши	90/9244401	Иван
30	Алимов Вилмурад	Шанши	90/63083	Иван
31	Алимов Вилмурад	Шанши	60/1000000	Иван

Photo of consultation



**MINUTES OF PUBLIC CONSULTATION IN TASHKENT REGION ZANGIOTA RAION
UPON REGIONAL ROADS AND DEVELOPMENT PROJECT (P146334)**

Date: March 25, 2015

Venue: Zangiota raion khokimiat

Participants:

- Chairmen of makhala committees and village gathering of citizens
- Advisers of village gathering of citizens;
- Secretary of village gathering of citizens;
- Specialists on water and agriculture;
- Representatives of Avtoyul,
- Representatives of khokimiat (khokim, deputy khokim, engineers, architects);
- Representatives of cadaster and land resources department;
- Representatives of power supply organization;
- Residents of makhalla and VGC.

Key statements:

- 6) Introduction: General information on Project implementation;
- 7) Briefly: general statements of national legislation, order of land acquisition and compensation; WB policy on involuntary resettlement.
- 8) Right on compensation. Entitlement matrix by category of the affected households;
- 9) Grievance redress mechanism;
- 10) Discussion of questions and problems which beneficiaries and stakeholders are interested in.
- 11) Conclusion.

Introduction: General information on Project implementation

Moderator in cooperation with representatives of local authorities submitted the general information on current project implementation.

This meeting is organized upon «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 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 1000 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.

Under this component of project it is proposed rehabilitation the priority roads in four raions (UrtaChirchik, Zangiota, Pskent, Yangiul).

This consultation is carried out in order to provide information on project implementation, affected land plots, structures and assets, legislation on compensation, order of compensation according to the WB principles and policy, procedures of grievance redress mechanism etc.

Moderator clarified that the impact of project implementation (at this stage of feasibility study) is minimal. Project implementation is not expected to require physical displacement of households which may result in relocation or loss assets or access to assets; or loss of income sources or means of livelihood.

Project will affect informal structures and assets such as fences or gardens that have been built within the Right of Way (RoW). These impacts will be settled according to Resettlement action plan and Project Affected People (PAP) will receive compensation according to the nature of the impact, which reflects the state safety measures and the World Bank's policy on Involuntary Resettlement (OP 4.12).

Then moderator presented the key legislation of the Republic of Uzbekistan and categories of affected persons according to the World Bank policy. Moderator performed the possible discrepancies of the Uzbek Legislation and the World Bank policy as well and emphasized that policy of the WB is prevailing.

Moderator presented the key statements of the right on compensation in compliance with the designed matrix of compensation.

Then the participants were well-informed on detailed procedure of filing complaints (appeals) according to the designed grievance redress mechanism.

After that moderator invited the participants to discuss the problems and questions they were interested in.

The key questions the participants interested in were the following:

Question	Answer
Will the project propose capital repair and rehabilitation of the roads?	The project proposes capital repair and rehabilitation of the selected roads.
What about the other roads which requires rehabilitation as well? Will they be rehabilitated upon the project?	The project will not cover other roads which are not included into the designed pre-feasibility study of the project.
Why other roads which need to be rehabilitated are not included into the project? Who selected these roads and why?	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.).
Who will implement the rehabilitation work?	The contractor selected by tender, i.e. on a competitive basis, will implement rehabilitation works.
What about the bridges which are the closer to the	These bridges will be rehabilitated upon the project by additional feasibility study which will be

roads to be rehabilitated upon the project?	designed for these bridges.
When will the project start?	The start of the project start is planned in 2016 year.
Project will affect informal structures and assets such as fences or gardens that have been built within the Right of Way (RoW). How can we get information on probable changes in design, i.e. if project will require demolishing the buildings or houses?	You will be informed on any changes in design of RoW by representatives of khokimiat, raion Autoyul, PIU or the same consultations and meetings.

Moderator noted that the printed copy of the designed report on Resettlement policy framework is submitted to local khokimiat and participants can turn to the deputy khokim and obtain required information. The same information is available on Website of the Ministry of Finance, PMU and Website of WB (InfoShop).

As a whole the beneficiaries of the project do not object to project implementation and hope that project implementation will be started as planned.

List of participants and photo of the consultation are provided below.

List of participants

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25	Каримов Абул Абдурашад	Ташкент обл. / Ташкент	787 1257430	[Signature]
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55	Абдурашад Бахриддин	Ташкент обл. / Ташкент	505-43-88	[Signature]
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63	Абдурашад Бахриддин	Ташкент обл. / Ташкент	650 07 62	[Signature]
64	Абдурашад Бахриддин	Ташкент обл. / Ташкент	92 244 93 91	[Signature]
65	Абдурашад Бахриддин	Ташкент обл. / Ташкент	675 06 22	[Signature]
66	Абдурашад Бахриддин	Ташкент обл. / Ташкент	98 117 50 59	[Signature]
67	Абдурашад Бахриддин	Ташкент обл. / Ташкент	985 35 74	[Signature]
68	Абдурашад Бахриддин	Ташкент обл. / Ташкент	787 588 11 55	[Signature]
69	Абдурашад Бахриддин	Ташкент обл. / Ташкент	787 314 30 85	[Signature]
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Photo of consultation

