

Resettlement Planning Document

Land Acquisition and Resettlement Framework
Document Stage: updated Final
Project Number:
January 2012

Republic of Uzbekistan: Water Supply and Sanitation Services Improvement Investment Program

Prepared by the Uzbekistan Communal Services Agency of the Republic of
Uzbekistan for the Asian Development Bank (ADB)

The resettlement framework is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

ABBREVIATIONS

ADB	-	Asian Development Bank
AH	-	affected household
AP	-	affected person
CoM	-	Cabinet of Ministers
CRC	-	council of rural communities
DI	-	design institute
DMS	-	detailed measurement survey
EA	-	executing agency
EMC	-	external monitoring consultant
FDEA	-	farmers and dekhans enterprisers' association
FY	-	fiscal year
GOU	-	Government of Uzbekistan
GRC	-	grievance redress committee
IA	-	implementing agency
IP	-	indigenous people
IPSA	-	initial poverty and social assessment
IR	-	involuntary resettlement
LAR	-	land acquisition and resettlement
LARC	-	Land Acquisition and Resettlement Commission
LARF	-	land acquisition and resettlement framework
LARP	-	land acquisition and resettlement plan
MFF	-	multi-tranche financing facility
NGO	-	non-government organization
PC	-	project consultants
PFR	-	periodic financing request
PIU	-	project implementation unit
PPMU	-	program preparation and management unit
PPTA	-	project preparatory technical assistance
SCLRGCS	-	State Committee on Land Resources, Geodesy, Cartography and State Cadastre
SES	-	sanitary and epidemiologic services
SESU	-	social and environment sub-unit
SPS	-	Safeguard Policy Statement
UCSA	-	Uzbekistan Communal Services Agency
WUA	-	water users association

NOTE

- (i) In this report, "\$" refers to US dollars.

Table of Contents

ABBREVIATIONS	I
DEFINITION OF TERMS	III
1: INTRODUCTION	1
II. LAND ACQUISITION AND RESETTLEMENT PROCESSING REQUIREMENTS	1
III. LARP APPROVAL PROCESS	2
IV. LEGAL AND POLICY BACKGROUND	2
A. Uzbekistan Laws and Regulations on Land Acquisition and Resettlement....	2
B. Compensation Valuation Methods in Uzbekistan	5
C. The ADB Safeguard Policy Statement (2009).....	6
D. Comparison of Uzbekistan Laws and Regulations Relevant to Land Acquisition and Resettlement and ADB’s Safeguard Policy Statement (2009)	7
E. Remedial Measures to Bridge the Gap	8
V. COMPENSATION ELIGIBILITY AND ENTITLEMENTS FOR THE	8
INVESTMENT PROGRAM.....	8
A. ELIGIBILITY AND ENTITLEMENTS	8
B. Assessment of Compensation Unit Values	10
VI. PROVISION OF LAND FOR LAND COMPENSATION	11
VII. GENDER IMPACT AND MITIGATION MEASURES	11
VIII. PUBLIC PARTICIPATION AND DOCUMENTS DISCLOSURE	11
IX. INSTITUTIONAL ARRANGEMENTS.....	12
X. COMPLAINTS AND GRIEVANCES	14
XI: MONITORING AND EVALUATION	14
XII. TRAINING IN IMPLEMENTATION OF THE LAND ACQUISITION AND RESETTLEMENT PLANS.....	16
XIII. RESETTLEMENT BUDGET AND FINANCING.....	16
XIV. IMPLEMENTATION PROCESS OF LAND ACQUISITION AND.....	16
RESETTLEMENT PLANS	16
ANNEX A.....	19
ANNEX B	
LIST OF UZBEKISTAN EXISTING NATIONAL LEGISLATION RELATED TO LAR.....	21

DEFINITION OF TERMS

Beneficiary Community: All persons and households situated within the government-owned or acquired property, who voluntarily seek to avail and be part of the Program and represented by a community association that is duly recognized by the community residents, accredited by the local government, and legally registered with appropriate institutions/competent authorities.

Compensation: Payment in cash or in kind of the replacement cost of the acquired assets.
Entitlement: Range of measures comprising compensation, income restoration, transfer assistance, income substitution, and relocation which are due to affected persons, depending on the nature of their losses, to restore their economic and social base.

Cut-off-date: shall conform to the date of commencement of the affected persons (AP) census in the specified subproject area.

Land Acquisition: The process whereby a government agency compulsorily alienate all or part of the land a person owns or possesses and transfer the ownership and possession to the government agency for public purpose in return for a consideration.

Affected Person/People (AP): Any person affected by Program-related changes in use of land, water, natural resources, or income losses. APs include those having losses as described in Table 2, the Entitlement Matrix which includes both titled and non-titled persons experiencing resettlement impacts due to the Program.

Affected Household: All members of a household, residing in one house and operating as a single economic unit, who are adversely affected by the Program or any of its components. It may consist of a single nuclear family or an extended family group.

Rehabilitation: Compensatory measures provided under the Land Acquisition and Resettlement Framework other than payment of the replacement cost of acquired assets.

Replacement Value: The amount required for the Affected Household to replace/reconstruct the assets acquired by the government agency through purchase in the open market. See Table 2: Entitlement Matrix in this document.

Resettlement: All measures taken to mitigate any and all adverse impacts of the Program on AP's property and/or livelihood, including compensation, relocation (where relevant), and rehabilitation.

Below Poverty Line (BPL) Households: There is no designated sum determined by the Government of Uzbekistan to define a BPL household. The minimum wage rate¹ declared as 37,680 Soum per person a month is considered as the poverty line for the program. Besides, households availing of assistance under Govt. scheme for the poor families will also be considered BPL households.

Vulnerable Households: Households headed by women, having disabled persons, ethnic minorities, elderly persons living alone and BPL households.

¹ This rate will be adjusted for each LARP based on the current minimum wage at the time of finalizing the plan.

1: INTRODUCTION

1. The Water Supply and Sanitation Improvement Program (the Program) involves rehabilitation, improvement or construction of water supply and sanitation systems in the country's urban settlements. The program is financed by ADB through a Multi-tranche Financial Facility (MFF). There will be four or more tranches associated with the Program. Tranches 1, 2 and 3 have been approved and is under implementation. Tranche 1 comprised investments in three provinces (Oblast) of Navoi, Bukhara, and Surkhandarya, while Tranche 2 covered the rehabilitation of the water supply systems in the cities of Andijan, Fergana, Kokand, Margilan and Rishtan, and Tranche 3 covered rehabilitation of sewerage in Andijan, and rehabilitation of water supply system in Djizak Province, Republic of Karakl'pakstan; and Khorezm Region.

2. Construction activities under the Program are expected to cause no or minimal land acquisition and resettlement (LAR) impacts. A Land Acquisition and Resettlement Framework (LARF) was agreed between the Government of Uzbekistan and ADB in 2009 to address LAR issues if and when they occur in the course planning and implementation of the whole Program. The LARF established the principles and procedures for the compensation of possible loss of land, houses, buildings, crops, and livelihoods during the Program implementation in line with the *ADB Policy on Involuntary Resettlement (1995)* and the relevant policies and guidelines on land acquisition of the Government of Uzbekistan. Subproject land acquisition and resettlement plans (LARP) under Tranches 1, 2 and 3 were prepared in accordance with the approved LARF.

3. In line with the preparation of Tranche 4, the LARF was reviewed and updated to reflect the provisions of ADB's Safeguard Policy Statement of 2009 (SPS). This updated LARF has been approved by UCSA, the Program Executing Agency (EA), and its provisions have been endorsed by the rayon executive powers in the Program impact areas.

II. LAND ACQUISITION AND RESETTLEMENT PROCESSING REQUIREMENTS

4. Based on ADB SPS (2009) and practice, the appraisal of the MFF and each specific tranche and the approval of the implementation of subprojects under a tranche will require the preparation of the following documents:

- (i) A LARF for the whole MFF and applicable to all subprojects. The LARF will be reviewed, updated if necessary, and submitted for ADB approval at the start of the preparation of each tranche under the MFF;
- (ii) An Initial Poverty and Social Assessment (IPSA) indicating, for each tranche, whether LAR impacts will occur, if so, their type and magnitude.
- (iii) A LARP based on detailed design for each subproject with LAR impacts. The LARP will include detailed compensation and administration budgets and implementation schedules linking LAR tasks to the initiation of civil works.

5. Appraisal of the MFF/tranche 1, PFR approval for each successive tranche, approval of contract awards and provision of notice to proceed to the contractors for projects with LAR impacts will be based on the following LAR-related conditions:

- (i) **MFF and first tranche appraisal:** Conditional to the preparation and disclosure of:
 - (a) a LARF for the whole MFF approved by ADB and EA and, (b) acceptable draft

LARPs² approved by ADB and EA for all Tranche 1 subprojects with LAR impacts.

- (ii) **PFR approval for successive tranches:** Conditional to (a) review and, if needed, updating of the LARF, and (b) preparation of a final/implementation-ready LARP approved by ADB and EA consistent with the revised LARF for each project requiring LAR.
- (iii) **Civil Works Contract Awards signing:** Conditional to the preparation and disclosure of an implementation-ready LARP approved by ADB and the EA consistent with the revised LARF for each subproject requiring LAR.
- (iv) **Provision of notice to proceed to contractors:** Conditional to full LARP implementation (full delivery of compensation/rehabilitation provisions) for the relevant project and verified independently. This condition will be clearly spelled out in the civil works contract.

III. LARP APPROVAL PROCESS

6. LARP preparation will be carried out by the resettlement specialist from the Social and Environmental Sub Unit (SESU) of Program Preparation and Management Unit (PPMU) with support from the Project Consultants (PC) hired by UCSA for the duration of the Program's LAR activities. The PC will have international and local LAR capacity sufficient to cover all LAR planning and implementation needs throughout the Program implementation. The LARPs will be first approved by UCSA before these are endorsed by the rayon executive powers in the subproject impacted areas.

IV. LEGAL AND POLICY BACKGROUND

A. Uzbekistan Laws and Regulations on Land Acquisition and Resettlement

7. There are no laws or legislation in Uzbekistan that specifically address matters related to involuntary resettlement (IR). The most important regulations of these are:

- (i) The Land Code; approved by the Republic of Uzbekistan on 30 April 1998, and amended from 2003-2004;
- (ii) The Civil Code of Republic of Uzbekistan from 1996, and amended from 2004-2008;
- (iii) Law of the Republic of Uzbekistan on "State Cadastre" N171-II from 15.12.2000
- (iv) Law of the Republic of Uzbekistan on "State land cadastre" N666-I from 28.08.1998, as amended between 2002-2004
- (v) Cabinet of Ministers (CoM) resolution on "legalization of seizure and allocation of land plots for non-agricultural needs in the Republic of Uzbekistan" No. 248, 27 May 1992
- (vi) CoM resolution on "adjudication of land disputes in the Republic of Uzbekistan" №246 dated 25.05.1992;
- (vii) CoM resolution on "realization into private property of objects of trade and public services together with land plots, where they are located, and land plots into life-long inheritable tenure" №126 dated 11.04.1995, as amended by CoM resolution № 202 dated 30.04.1999;

² Defined as a LARP with an agreed framework/entitlements, impact assessment, costs and schedule that can be finalized/implementation-ready within 6 months.

- (viii) CoM resolution on “compensation for agricultural production losses related to land acquisition, for needs not connected with farming or forestry management” № 223 dated 16.06.1995 and No. 282 dated 15.06.1992.
- (viii) Cabinet of Ministries Resolution № 146 (25 May 2011) on procedure of granting land plots, to protect the rights of legal entities and individuals on land, improving the architecture of settlements and the efficient use of their land for construction in accordance with the Land Code and the Town Planning Code.

8. Collectively, these regulations provide the basis for acquiring land for public purpose and for compensating land users registered for particular purpose, such as for cultivation, business, residence etc. However, no one is compensated for land as land is a state owned asset. A brief account of the provisions is given below. A detailed matrix of the relevant provisions is given in Annex B.

9. **Land Code of Republic of Uzbekistan (2003).**

- (i) **Article 16** of the Land Code of the Republic of Uzbekistan states that land is the property of the state, and considered to be national wealth and protected by the state. Individuals and juridical persons may petition and receive land plots for specific use through auction or other legal means. However, lands required for water supply and sanitation cannot be awarded for private use.
- (ii) **Article 17** provides rights of legal entities and individuals for land plots on the basis of constant possession, constant and temporary use, lease and property.
- (iii) **Article 23** regulates the assignment of the land plots. Assignment (realization) of land plots into possession or use is fulfilled as if allotment is made. Land plots allotment is implemented by the CoM, provincial, Tashkent, districts and cities hokimiats in the order to be established by the legislation. Assignment (realization) of land plots, being possessed or used, is carried out only after acquisition of this plot in an established order. Lands that are not suited for agricultural purposes or of low-quality are assigned for construction of industrial enterprises, housing projects, railway, automobile, water and air transport, electric transmission lines, communications and pipelines and for other nonagricultural purposes. Assignment (realization) of land plots for the above mentioned purposes out of land resources of forestry’s is carried out firstly in the districts, not covered by plantation, or in regions, covered by bushes or plants, of little value. It is forbidden to start possession or use the given (realized) land plots before appropriate land surveying authority defines the borders of this plot in field and issue documents, identifying rights for this plot. The procedures of concession (realization) into possession and use are carried out according to current legislation.
- (iv) **Article 35** establishes that the right of entities and individuals for land plots is subject to state registration by local authority to be completed within 10 days since the appropriate documents are submitted.
- (v) **Article 37** defines terms of redemption/ seizure of land plot for state and public needs. Land plot acquisition or part of it for state and public needs is carried out at agreement with landowners or with the concurrence of land user and lease holder at decision of district or province hokim or CoM. In case of disagreement with landowner, landuser and leaseholder with the decision on acquisition of land plot, this decision can be appealed in court.

- (vi) **Article 41** ensures the rights for land plots and establishes, that outraged rights of land owners, landusers, leaseholders and owners of land plots are subject to reinstating in legislative order. Losses, caused by the infringement on rights of landowners, landusers, leaseholders and owners of plots (including lost profits) are subject to compensation in full amount. Compensation for land acquisition for state and public needs is regulated by Article 86.
- (vii) **Article 80** defines environmental requirements to location, design, construction and operation of objects, buildings and constructions with reference to environmental protection legislation. For allocation, design, construction and launching of new and under rehabilitation objects, buildings and constructions, as well as realization of new technologies, that has negative impact to land state, land protection activities shall be provided and carried out. Negative impact of newly realized object and technology on a land state and performance of provided activities on land use and protection assessment is done on the basis of environmental expertise. Installation of objects and application of new technologies, not provided with land protection against degradation or infringement and satisfactory conclusion of environmental expertise is forbidden. Allocation of objects, having impact on land state, shall be agreed with land surveying, environmental protection and other bodies in an established legislative order.
- (viii) **Article 86** defines common procedures of compensation to landowners, landusers, leaseholders and owners of plots. Losses, inflicted to landowners, landusers, leaseholders and owners of plots, are subject to compensation in full amount (including lost profits) in the following cases of:
- Acquisition, redemption or temporal occupation of lands;
 - Limitation of their rights in connection with assignment of conservation, sanitary and protection zones around state reservations, wildlife preserves, national recreation areas, natural monuments, cultural-historical monuments, water reservoirs, water supply sources, resorts, along rivers, canals, water escapes, roads, transmission lines, communication and electrical lines;
 - Deterioration of lands, resulting impact, caused by construction and operation of reservoirs, canals, collectors and other objects, emitting harmful for agricultural crops and plants substances, and other activities of legal entities and individuals, causing harvest reduction and agricultural products deterioration.

Losses compensation is carried out by enterprises, organizations and agencies, which has been allocated with plots under acquisition, as well as by enterprises, agencies and organizations, whose activity causes limitation of rights of landowners, landusers, leaseholders and owners of plots or deterioration of nearby lands, in order established by legislation.

- (ix) **Article 91** provides return of self willingly occupied land parcels and establishes, that occupied lands shall be returned according to their property without refunding the expenses made during illegal possession and use. Bringing land parcels into suitable condition for use, including demolition of buildings, shall be done on the expense of those, who occupied land plots self willingly. Return of land plots occupied in such manner to landowners, landusers, leaseholders and land holders is carried out in agreement with local authority or under the court decision.

10. **Civil Code (1996/1997).**

- (i) **Article 187** establishes acquisitive prescription and states that a person who is not the owner of property but who has in good faith, openly, and uninterruptedly possessed as his own immovable property for fifteen years or other property for five years, shall acquire ownership of this property.
- (i) **Article 199** states that the alienation of property from an owner shall be allowed only by the procedure provided by legislative acts. If property has come into ownership by a person to whom by virtue of a Law the property may not belong to him, the right of ownership for this property shall be terminated by the procedure of a court with compensation the value of taking of property to the person.
- (iii) **Article 206** states that termination of the right of ownership in connection with a decision of state body non-directed to the taking of property from an owner including with a decision on the taking of land parcel on which there are a house of the owner, other buildings, structures or plantations, shall be allowed only in cases and by the procedure established by legislative acts with provision to the owner equal property and compensation to him in full of value of losses caused by termination of the right of ownership. In case of disagreement of an owner with a decision entailing termination of the right of ownership, it may not be made before the rendering of a decision in the dispute by a court
- (ii) **Article 212** defines an unauthorized building is a dwelling house, other structure, construction, or other immovable property made on a land parcel not allocated for these purposes by the procedure established by legislation and also made without receipt of the necessary permissions thereto or with substantial violation of architectural and construction norms and rules. A person who has made an unauthorized building does not acquire the right of ownership to it. He does not have the right to dispose of the building.
- (v) An unauthorized building by a suit of a person whose rights have been violated or the respective state body must be torn down by a decision of a court at this person's expense. The right of ownership to an unauthorized building may be recognized by a court for the person who made the building on a land parcel not belonging to him on the condition that the given parcel shall be granted to this person by the established procedure for the building that was made. The right of ownership to an unauthorized building may not be recognized for the person if the keeping of the building violates the rights and interests of other persons or creates a threat to the life and health of citizens.

B. Compensation Valuation Methods in Uzbekistan

11. **Land.** If land is alienated for public needs from individuals, who have right of owner, user and land owner, optionally the equal land is provided. In case it is impossible to provide equal land or if the land user prefers, he will be compensated in cash based on the value of the land plot. The value is calculated according to the normative value in accordance with CoM Resolution No. 126 dated 11 April 1995 and instruction³ on calculating normative value of agricultural lands. These acts provide opportunity to apply multiplying factors in estimating the cost of land plots depending on demand and supply.

³ Decree No. 19 dated 16, February 2006 of the Chairman of Uzbekistan State Committee for Land Resources, Geodesy, Cartography and State Cadastre.

12. **Other immovable property, including buildings, constructions, structures, and plants.** Estimation of compensation for immovable property (buildings, constructions, perennial and annual planting) is undertaken by an evaluation commission of the khokimiyat. The amount of compensation should be agreed with all effected persons and households.

C. The ADB Safeguard Policy Statement (2009)

13. The ADB Safeguard Policy Statement, 2009, applies to losses due both to physical and economic displacement caused by involuntary acquisition of land and is based on the following basic principles:

- Involuntary resettlement should be avoided or wherever feasible
- Where population displacement is unavoidable, it should be minimized by providing viable livelihood options.
- Replacing what is lost: If individuals or a community must lose all or part of their land, means of livelihood, or social support systems, so that a project might proceed, they will be compensated and assisted through replacement of land, housing, infrastructure, resources, income sources, and services, in cash or kind, so that their economic and social circumstances will be at least restored to the preproject level. All compensation is based on the principle of replacement cost.
- Each involuntary resettlement is conceived and executed as part of a development project or program. ADB and executing agencies or project sponsors, during project preparation, assess opportunities for affected people to share project benefits. The affected people need to be provided with sufficient resources and opportunities to reestablish their livelihoods and homes as soon as possible, with time-bound action in coordination with the civil works.
- The affected people are to be fully informed and closely consulted. Affected people are to be consulted on compensation and/or resettlement options, including relocation sites, and socioeconomic rehabilitation. Pertinent resettlement information is to be disclosed to the affected people at key points, and specific opportunities provided for them to participate in choosing, planning, and implementation options. Grievance redress mechanisms for affected people are to be established. Where adversely affected people are particularly vulnerable groups, resettlement planning decisions will be preceded by a social preparation phase to enhance their participation in negotiation, planning, and implementation.
- Social and cultural institutions: Institutions of the affected people, and, where relevant, of their hosts, are to be protected and supported. Affected people are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
- No formal title. Indigenous groups, ethnic minorities, pastoralists, people who claim for such land without formal legal rights, and others, who may have usufruct or customary rights to affected land or other resources, often have no formal legal title to their lands. The absence of a formal legal title to land is not a bar to ADB policy entitlements. APs who neither have formal legal rights nor recognized or recognizable claims to land should be compensated for all non-land assets and for other improvements to the land.
- Identification: Affected people are to be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cutoff date, preferably at the project identification stage, to prevent a subsequent influx of encroachers or others who wish to take advantage of such benefits.

- The Poorest: Particular attention must be paid to the needs of the poorest affected people, and vulnerable groups that may be at high risk of impoverishment. This may include those without legal title to land or other assets, households headed by females, the elderly or disabled and other vulnerable groups, particularly indigenous peoples. Appropriate assistance must be provided to help them improve their socio-economic status.
- The full resettlement costs are to be included in the presentation of project costs and benefits. This includes costs of compensation, relocation and rehabilitation, social preparation and livelihood programs as well as the incremental benefits over the without project situation (which are included in the presentation of project costs and benefits). The budget also includes costs for planning, management, supervision, monitoring and evaluation, land taxes, land fees, and physical and price contingencies. Where loans include subprojects, components or investments prepared only after project approval and loans through financial intermediaries that are likely to cause involuntary resettlement, sufficient contingency allowance must be allocated for resettlement prior to approval of the loan. Similarly, resettlement plans should also reflect the timeframe for resettlement planning and implementation.
- Eligible costs of compensation: Relocation and rehabilitation may be considered for inclusion in ADB loan financing for the project, if requested, to assure timely availability of the required resources and to ensure compliance with involuntary resettlement procedures during implementation.
- Compensation and rehabilitation is to be provided before the land is acquired.

D. Comparison of Uzbekistan Laws and Regulations Relevant to Land Acquisition and Resettlement and ADB’s Safeguard Policy Statement (2009)

14. Key elements of the ADB Policy are present to a certain degree in Uzbekistan laws, specifically with regard to evaluation and compensation of immovable property, except for unregistered land or structure. The principle of avoiding or minimizing resettlement is also reflected in Uzbekistan legislation. According to Land Code, land acquisition for non-agricultural purposes will only be allowed if the agricultural is of poor quality and are not covered by forests or without valuable plants. Land can be acquired only for locating state, municipal or public utility services for common use of settlements (Article 64 of the Land Code). The main gaps between Uzbek laws/regulation and ADB policy are outlined in table 1 below.

Table 1: Comparison of LAR-related Laws and Regulations in the Republic of Uzbekistan and ADB’s Safeguard Policy Statement (2009)

Uzbekistan Land Laws and Regulations	ADB’s SPS
Land compensation only for titled landowners.	All DPs, including non-titled DPs, are eligible for compensation of all non-land assets.
Only registered houses/buildings are compensated for damages/demolition caused by a project.	All affected houses/buildings, regardless of registration, are compensated at replacement cost, free of transaction cost, and without deducting for depreciation..
Crop losses compensation provided only to registered landowners.	Crop losses compensation provided to landowners and sharecrop/lease tenants.

Uzbekistan Land Laws and Regulations	ADB's SPS
Land valuation based on current market value.	Land valuation based on replacement value (inclusive of transaction costs and other related expenses)
Complaints regarding quantification and assessment of compensation for the affected assets are resolved only through formal means and through the courts.	Disputes, complaints and grievances are resolved informally through community participation in the Grievance Redress Committees, local governments, and NGO and/or local community based organizations.
No provision for income/livelihood rehabilitation measure, allowances for severely affected persons and vulnerable groups, or resettlement expenses.	Requires the rehabilitation for income and livelihood, for severe losses, and for expenses incurred by displaced persons during the relocation process.

E. Remedial Measures to Bridge the Gap

15. The Program LARF is intended to clarify these issues and to reconcile the gaps between the Land Code of Republic of Uzbekistan and the ADB Policy. The LARF ensures compensation at replacement cost for all acquired assets, rehabilitation benefits to informal/unregistered settlers/dwellers/land users and provision of subsidies or allowances for APs who suffer income losses or are required to be relocated, as well as vulnerable households.

V. COMPENSATION ELIGIBILITY AND ENTITLEMENTS FOR THE INVESTMENT PROGRAM

16. The land acquisition and resettlement tasks under the program will be carried out according to the compensation eligibility and entitlement provisions developed in line with the Uzbek laws and the ADB policy as detailed in the next chapter.

A. ELIGIBILITY AND ENTITLEMENTS

17. Under the Program LARF the following categories of affected persons will be entitled to compensation and/or rehabilitation benefits:

- (i) APs losing land irrespective of whether land is held under valid legal rights or customary rights with or without legal status;
- (ii) Tenants and sharecroppers (the workers working for a share of a crop) whether registered or not;
- (iii) Owners of buildings, crops, trees or other objects attached to the land; and
- (iv) APs losing business or income/employment opportunities.

18. APs and affected assets will be identified through a detailed survey/census or DMS. The DMS end date will be the census cut-off date for compensation eligibility. APs settling in affected areas after this date will not be eligible for compensation. They, however, will be given sufficient advance notice to vacate and dismantle the affected land/structures. Their dismantled structures will not be confiscated nor will they be fined or sanctioned.

19. The compensation and rehabilitation entitlements for each type of loss due to involuntary resettlement for the program are detailed below on Table 2.

Table 2: Entitlement Matrix

Loss type	Specification	Affected People	Compensation Entitlements
Permanent loss of Arable Land	All land losses independent of impact severity	Farmer/Titleholder	Land for land compensation with plots of equal value/productivity to plots lost; or cash compensation at replacement cost with application of multiplying factors, considering real supply and demand, registration and transfer charges if any to be borne by the project: if the land plot is obtained at auction, then compensation of land purchase cost. Unaffected portions of a plot will also be compensated if they become unviable after impact occurs.
		Leaseholder <i>(registered or not)</i>	Transfer of lease to other plots of equal value/productivity of plots lost, or Cash equivalent to the net income from the land calculated on the basis of the market value of annual production of affected land for the remaining lease years (up to maximum 10 years).
		Sharecroppers <i>(registered or not)</i>	Cash compensation equal to market value of the lost harvest share once (temporary impact) or twice (permanent impact)
		Agricultural workers losing their contract	Cash indemnity corresponding to their salary in cash and kind for the remaining part of the agricultural year/or contractual period.
		Non-titled cultivators	1 rehabilitation allowance equal to 1 year's net income from the affected land (in addition to lost crop compensation) for land use loss.
	Additional provisions for severe impacts (> 10% of land loss)	Farmer/Titleholder	1 severe impact allowance equal to the net income from annual crop production (inclusive of winter and summer crop in addition to standing crop compensation) and the waiving of taxes and fees
		Leaseholder	1 severe impact allowance equal to the net income from their annual share of harvest lost (additional to standard crop compensation)
		Sharecroppers <i>(registered or not)</i>	1 severe impact allowance equal to the net annual income from the affected land (additional to standard crop compensation). cash compensation in amount of taxes and compulsory payments for 1 year
Temporary Land Acquisition		All APs <i>(including those, who has right of use)</i>	Affected land/communal infrastructure will be restored or reconstructed to pre-project conditions. Rent shall be agreed between landowner and contractor equal to the revenue lost at market value (e.g. compensation for harvests lost at average yield/hectare). Payment of such compensation to be assured by the Project by the means of LA for temporary use Act
Residential/ Commercial Land		Titleholder	Land for land compensation through provision of a plot comparable in value/location to the plot lost; or Cash compensation for affected land at full replacement cost with application of multiplying factors, considering real supply and demand, registration and transfer costs, if any, to be borne by the project: if the land plot is obtained at auction, then compensation of land purchase cost
		Non-titled land owners	Provision of a free or leased plot in a Government resettlement area or a self-relocation allowance equal to 1 year at minimum salary:
Houses Buildings and Structures	Full/partial loss of structures	owners <i>(with/without house or building registration)</i>	Cash compensation at replacement rate for affected structure/ fixed assets free of salvageable materials, depreciation and transaction costs. For partial impacts, full cash assistance to restore remaining structure. Cost of lost water and electricity connections will be included in the compensation.

Loss type	Specification	Affected People	Compensation Entitlements
		Tenant/Leaseholder	Compensation of the lost incomes of tenancy of houses, buildings and structures at a rate of annual cost of rent
Standing Crops	Crops affected	All APs (<i>including non-titled land owners</i>)	Cash compensation equivalent to the gross income from the crop computed as the market value of the total annual produce from affected land. To be paid both to landowners and tenants based on their specific sharecropping agreements.
Trees	Trees affected	All APs (<i>including non-titled land owners</i>)	Cash compensation shall reflect income replacement. Fruit trees will be valued at market value multiplied on the number of years until the end of fruiting period; or in case of granting the land plot instead of alienated one, the compensation of full cost of seedling, cost of preparation of a garden and lost profit at annual income multiplied the number of years till the trees gain fruiting period will be paid
Business/ Employment	Temporary/ permanent loss of business or employment	All APs (<i>including non-titled land owners</i>)	Business owner: (i) Cash compensation equal to 1 year's income, if loss is permanent; (ii) cash compensation for the period of business interruption, if loss is temporary. Compensation is estimated on the basis of tax declarations, imputed earnings or average income in this area Worker/employees: Indemnity for lost wages for the period of business interruption (including fixed by oral agreement with employer) up to a maximum of 3 months.
Vulnerability		Vulnerable HH	1 additional allowance equal to 3 months at minimum salary. Priority for employment in project-related jobs, training opportunities, self-employment and wage-employment assistance
Relocation	Transport/ transitional livelihood costs	All APs affected by relocation House tenants	Provision of cash compensation to cover transport expenses and livelihood expenses for one month on the basis of documents, confirming the income of household members, but no less than 1 minimum salary per member
Community assets	Loss/damage to public infrastructure/ utilities		Rehabilitation/replacement of affected structures/utilities (i.e. mosques, footbridges, roads, schools, health centres, etc.) to pre-Program level

B. Assessment of Compensation Unit Values

20. The methodology for assessing minimum compensation rates of different items is as follows:

- (i) Land will be valued at replacement normative cost with application of multiplying factors, considering real supply and demand. Transaction cost, registration fees, if any, will be shouldered by the project.
- (ii) Houses/buildings will be valued at replacement cost based on cost of materials, type of construction, labor, transport and other construction costs. No deduction will be applied for depreciation and transaction costs. Salvaged materials will be allowed to be taken away by the APs.
- (iii) Annual crops will be valued based on gross income from the crop computed as the total annual produce from the affected land.
- (iv) Fruit trees will be valued based on age of the trees, such as seedling, not yet productive or productive. Productive trees will be valued at market price of 1 year produce multiplied by the number of years until the end of fruiting period: or in case of granting the land plot instead of alienated one, the compensation of full cost of seedling, cost of preparing a garden and lost profit at annual income multiplied the number of years till the trees come to fruiting period will be paid.

21. Initial asset valuation will be done by the SESU, with support from the Project Consultants (PCs) in coordination with the Design Institute (DI), the evaluation committee

headed by the district's SCLRGCS and district Vodokanal. It will be verified and certified first by the UCSA-SESU and then by the Rayon LARC. The Rayon LARC will be comprised of local government, council of rural communities (CRC) and the representative of the Mahalla communities of the affected area. This evaluation will be used as the basis of negotiation between the owners and the local authorities.

VI. PROVISION OF LAND FOR LAND COMPENSATION

22. The decision to provide land for land compensation will be made by the district/province khohimiyats. If this option is chosen, the SESU/PC will locate on the town map the possible relocation site / replacement plots from which the APs can choose. They will also identify the associated infrastructure requirements (service roads, drainage, sanitation, water supply and electricity facilities) and site-preparation costs. All relocation activities will be carried out with the consent and cooperation of the APs and local authority can be instrumental in carrying out resettlement activities as scheduled.

VII. GENDER IMPACT AND MITIGATION MEASURES

23. Women have important economic roles and engage in a very wide range of income generating activities in the agricultural, small scale industry and marketing sector. The Program will pay particular attention to ensure that women are the recipients of the compensation pertaining to their activities and to ensure that women who are de-facto household heads are clearly listed as beneficiaries of compensation and rehabilitation proceedings under the loan. In order to ensure the above the following actions will be considered:

- (i) Impact assessment will disaggregate the APs gender-wise and will clearly indicate the number of affected women-headed households and their pre-Program socioeconomic status.
- (ii) Women will be encouraged to actively participate in all LAR-related consultations and negotiations about compensation for loss of productive assets.
- (iii) Both internal and external LARP monitoring/evaluation and documentation will pay special attention on the impact of resettlement on women and other vulnerable groups.
- (iv) All compensation due to woman-headed households will be given to the woman head.

VIII. PUBLIC PARTICIPATION AND DOCUMENTS DISCLOSURE

24. All land acquisition and resettlement activities will be carried out with the cooperation and assistance of affected people, the respective Mahallas and the local administrative agencies. More specifically:

- (i) Officials of district (rayon) and municipal towns will be informed about the Program and their assistance will be solicited in the supervision of the AP census and the inventory of affected assets and verification during implementation stage;
- (ii) The PC will carry out the DMS with the cooperation of affected households and will inform them the results of the survey and the inventory prior to the finalization of the LARP and its submission to Program authorities.
- (iii) The preference of APs will be taken into consideration while working out on compensation and other resettlement assistances during the planning process.
- (iv) The SESU of UCSA will establish and announce the census cut-off-date for the proposed subproject based on the eligibility criteria defined in this LARF.
- (v) Specific mechanisms for ensuring the active involvement of APs and other stakeholders will be detailed in subproject LARPs which also will include an

appendix on participatory consultation meetings with date, list of participants, and minutes of meetings.

25. This LARF will be translated in Uzbek language and will be made available to the APs at the relevant rayon and municipal offices once subprojects are identified. Its English version will be disclosed on the ADB website after EA endorsement. The LARPs in Uzbek will be disclosed to the affected communities and a pamphlet in Uzbek, summarizing compensation eligibility and entitlement provisions, will be sent to all APs before tranche appraisal. The English translations of the LARPs and pamphlets will be disclosed on the ADB website prior to tranche appraisal.

IX. INSTITUTIONAL ARRANGEMENTS

26. The main institutions that will be involved in LAR activities are UCSA the program executing agency (EA), Social and Environmental Sub Unit (SESU), Design Institute (DI), Project Consultants (PC), rayon (district) and municipal towns authorities, the State Committee on Land Resources, Geodesy, Cartography and State cadastre (SCLRGCS) at the provincial and district level.

27. In accordance with Uzbekistan legislation, the following organizations are responsible for resettlement activities:

- (i) provincial/district department of Goskomzemgeocadastre State Committee on Land Resources, Geodesy, Cartography and State cadastre (SCLRGCS)
- (ii) provincial/district Hydrogeology and land reclamation expedition
- (iii) provincial department on environment protection
- (iv) provincial/district subdivisions of state sanitary-epidemiologic service (SES)
- (v) provincial/district subdivisions of fire-fighting service
- (vi) organizations, and civil works subcontractors to whom the alienated lands are transferred for use (UCSA, EA, Social issues and environment protection department, design institute, consultants)

28. Water Users Association (WUA) and Farmers' and Dehkans' Enterprisers' Association (FDEA) and mahallas may be involved in resettlement activities to ensure legal rights and interests of land users affected by land acquisition and resettlement.

A. UCSA

29. UCSA has overall responsibility for all aspects of the program. The Program Preparation Management Unit (PPMU) within UCSA is responsible for the day to day management of the Program including LAR activities and cross-agency coordination.

30. The social section of the Social and Environmental Sub-Unit (SESU) under the PPMU will be directly involved in all LAR related planning, implementation, inter-agency coordination and monitoring. This includes establishing layout of lands proposed as option for compensation. However, they will carry out this responsibility with technical assistance from the PC and with the active participation of the DI, district executive powers and as advised by SCLRGCS from time to time. SESU will review the LARPs and provide the necessary information for updating the LARP and related cost for each subproject.

B. Design Institute

31. The DI is in charge in elaborating the design and construction documents for the project. It will collaborate with the PPMU/SESU, PC and PIU to: (i) assemble all documents required for compensation; (ii) carry out topographic surveys of the expropriated land and

replacement lands; (iii) elaborate layouts indicating the location of the worksites and the permanent infrastructures and the perimeter of the required surfaces differentiating the land use patterns in the areas being occupied to serve as a base for the selection of replacement land; (iv) conduct the land marking and pegging of the land assigned for temporary use and permanent occupation and of the compensation lands.

C. Project Consultant–Resettlement Team

32. The PC designs and assists in the implementation of subprojects under the Program. The PC will have sufficient in house expertise on resettlement consisting of international and national resettlement specialists. Together with the DI, SESU and PIU, they will analyze the cadastral maps, carry out DMS, conduct first level compensation negotiation with the APs and prepare subproject LARPs. The LARPs will be submitted to the respective vodokanal for approval and to the respective provincial and rayon LARC.

D. Province/District Governments

33. The Provincial (oblast) and district (rayon) executive powers form the provincial LARC and the district evaluation commissions. Established through a provincial khokimiyat decision, the provincial LARC: i) outlines location of constructions and structures, envisaged by the project; ii) selects land plot for construction site, iii) prepares and approves the act for the right to use the land plot (title) and (iv) approves the act for the right to use the land plot, specifying areas of the acquired farm land, accepted norms and total agricultural production losses. In addition to its permanent members, the provincial LARC includes representatives of UCSA, as well as affected legal entities and individuals.

34. The district evaluation commission established through a district khokim decision estimates losses of land owners and land users in accordance to the standard procedure, as well as losses in agricultural output as a result of the farm land acquisition based on data provided by the DI. The commission prepares the Act for the right to use the plot of land specifying the acquired farm land area, accepted norms and total value of losses and agricultural output losses.

35. The provincial SCLRGCS is the key executive authority that: i) identifies land losses incurred by land owners and land users as well as agricultural output losses; ii) determines the degree and area of land recultivation, including removal and temporary storage of productive soil layer; iii) determines the need for protective sanitary and water protection zones around the constructions being built and regime of their use; (iv) prepares proposals on allocation of land plots of equal value instead of the acquired; (v) estimates the cost of developing replacement land; (vi) approves the benchmark setting up act and the attached plan; and, (vii) amends the government acts on land use and land ownership as well as other cadastre documents.

36. The provincial department on environment protection: (i) conducts environmental impact assessment of construction projects; (ii) approves location of the sites affecting the land condition; (iii) develops measures for land protection for designed sites and launched facilities adversely affecting the land; and (iv) approves the act for land acquisition.

37. SES and the fire inspection and water supervision authorities also approve the act of the Land Plot Acquisition.

38. At the town/regional/rayon level a grievance redress committee (GRC) will be established with the involvement of PIU/SESU/PC, leaders of affected mahallas and khokimiyat.

X. COMPLAINTS AND GRIEVANCES

39. A grievance mechanism will be established to redress grievances/disagreeable decision, practice or activity arising from land or other assets compensation or payment disbursement. APs will be fully informed of their rights and of the procedures for addressing complaints verbally during consultation, measurement survey and the procedure will also be incorporated in the disclosure pamphlet. The GRC formed at the rayon and provincial level will play a key role in grievance redress.

40. Special attention will be taken to prevent grievances rather than going through a redress process by ensuring active consultation with and participation of affected households during the LAR planning and implementation process. If grievances still arise, all attempts will be made to resolve those informally at the local mahalla. If this attempt fails, APs will have the option of taking their complaints to the formal mechanism of addressing grievances described in Table 3.

Table 3: Grievance Resolution Process

Level	Parties Involved
1	First, complaints resolution will be attempted at the rayon/city level of the GRC with the involvement of the PC, leaders of the affected Mahallas and khokimiyat
2	If not resolved, APs may lodge a complaint to the oblast khokimiyat as part of the provincial LARC. The LARC will reply within 15 days.
3	If the oblast khokimiyat. decision is unacceptable to the APs, they may approach the appropriate court of law for its resolution.

41. SESU staff will visit the subproject sites regularly to seek feedback, identify complaints or concerns and inform complainants of the progress of their complaints. The provincial LARC will meet at least once a month to discuss complaints or queries from APs and the general public. SESU will be responsible for recording and following up on complaints received concerning projects/subprojects under the MFF. It will develop and maintain a database/register of all grievances received on the project that will include the nature of the complaint, actions taken, and status of resolution.

XI: MONITORING AND EVALUATION

42. All LAR tasks under the program will be subjected to both internal and external monitoring. Internal monitoring will be conducted by SESU. External monitoring will be assigned to a third-party validator/external monitoring consultant (EMC) to be engaged by the PPMU with a specific terms of reference (TOR) and approved by ADB immediately after commencement of LAR implementation.

A. Internal Monitoring

43. SESU will collect information from the field and report monthly to the PPMU. The monthly reports will be consolidated and included in the standard quarterly supervision reports to ADB. Internal monitoring will focus on the status of:

- (i) information campaign and consultation with APs;
- (ii) land acquisition and compensation payments;
- (iii) compensation for affected structures and other assets;
- (iv) relocation of APs;
- (v) payments for loss of income;
- (vi) selection and distribution of replacement land areas;
- (vii) income restoration activities; and,
- (viii) complaints/feedback from APs and other stakeholders

44. SESU will collect information through the following:

- (i) review of census information for all APs;
- (ii) consultation and informal interviews with APs;
- (iii) in-depth case studies;
- (iv) key informant interviews; and,
- (v) community meetings.

B. External Monitoring

45. The EMC will be mobilized at the start of LARP implementation to observe and record the process. Upon the completion of LARP activities, the EMC will prepare a compliance report that will describe if the LARP was implemented as planned and in compliance with the LARF. The report will also note emerging issues and lessons learned. Subprojects with a LARP implementation time frame under three months will need only one report. In case the LARP implementation exceeds three months, two or more (quarterly) reports will be prepared. External monitoring will cover:

- (i) review and verification of internal monitoring reports prepared by SESU;
- (ii) review of the socio-economic baseline census information of APs;
- (iii) identification and selection of impact indicators;
- (iv) impact assessment through formal and informal surveys with the affected persons;
- (v) consultation with APs, officials, community leaders for preparing review report; and,
- (vi) assess the resettlement efficiency, effectiveness, impact and sustainability, drawing lessons for future resettlement policy formulation and planning.

46. External monitoring will also assess the status of vulnerable groups such as female-headed households, households living below the poverty line and other vulnerable households. The following will be considered as the basis for indicators in monitoring and evaluation of the LARP:

- (i) socio-economic conditions of the APs in the post-resettlement period;
- (ii) feed back and opinion of the APs on entitlements, compensation options, alternative developments and relocation schedule etc.;
- (iii) changes in housing and income levels and hygiene status;
- (iv) rehabilitation of resettled people;
- (v) valuation of property;
- (vi) grievance procedures;
- (vii) disbursement of compensation and
- (viii) level of satisfaction of APs in the post resettlement period.

47. ADB will use as basis for issuing no-objection for commencing physical civil works its review of the EMC compliance report. About a year after the completion of all LARPs in each project, the EMC will evaluate whether or not the LARPs implemented in the project were

able to meet the objective of improving or at least restoring the livelihood and living conditions of APs. The socioeconomic survey of APs conducted during the preparation of the LARP will be used to compare the pre and post LARP implementation conditions. The evaluation will recommend appropriate supplemental assistance for the APs should the outcome of the study shows that the objectives of the LARP have not been achieved.

XII. TRAINING IN IMPLEMENTATION OF THE LAND ACQUISITION AND RESETTLEMENT PLANS

48. All Project Consultants (PCs) involved in LAR activities, SESU staff, and key provincial/rayon staff will undergo a week-long orientation and training in ADB's Safeguard Policy Statement (2009) and implementation of LARP. The training will be provided by the international specialist under the Program consultant's contract and will cover the following topics:

- (i) principles and procedures of land acquisition based on Uzbekistan's law and regulation;
- (ii) principles and guidelines of ADB's Involuntary Resettlement Safeguards under its SPS (2009)
- (iii) public consultation and participation;
- (iv) entitlements and compensation & assistance disbursement mechanisms;
- (v) grievance resolution; and
- (vi) monitoring of resettlement operations.

XIII. RESETTLEMENT BUDGET AND FINANCING

49. All LARP preparation and implementation costs including cost of compensation and LAR administration will be considered as an integral part of the Program cost. Each LARP will include a budget section indicating: (i) unit compensation rates for all affected and resettlement allowances; (ii) methodology followed for the computation of unit compensation rates; and (iii) a table showing budgetary cost for all compensation, assistance, administrative costs, cost of monitoring and contingencies.

50. Finances for compensation, allowances, and administration of LARP preparation and implementation will be included in the project cost under the loan. Costs for external monitoring tasks will be allocated under the loan. In order to ensure that sufficient funds are available for LAR activities, the SESU will have to allocate 100% of the cost of compensation at replacement cost and scheduled allowances estimated in each LARP plus 15% of contingencies before LARP implementation commences.

51. Being the Program owner, UCSA is responsible for the timely allocation of the funds needed to implement the LARPs. Allocations will be reviewed twice a year based on the budget requirements indicated by the LARPs.

52. As per the LAR finances, the budget for land, structures, tree and crop compensation as well as loss of employment / livelihood / income, etc. will be funded by rayon/provincial khokimiyats and will be disbursed to the APs under direct supervision of the SESU of UCSA/PPMU.

XIV. IMPLEMENTATION PROCESS OF LAND ACQUISITION AND RESETTLEMENT PLANS

53. The resettlement team of the PC, including a local and an international resettlement specialist and with assistance of a local non-government organization, if available, will be

engaged by UCSA to facilitate smooth RP implementation process. The SESU within UCSA will establish and announce the census cut-off-date for the proposed subproject based on the eligibility criteria defined in this LARF. The APs of affected structures/assets will be paid their due compensations at least 1 month (30 days) prior to demolition of their affected structures in order to dismantle and remove all salvageable material for rebuilding of houses /structures and re-establishment of businesses, if necessary. However, provincial/rayon khohimiyat reserve the right of demolishing unauthorized structures without paying any compensation by serving a notice of eviction for a period of two weeks, provided it is established that those structures were constructed after the “cut-off” date.

54. The basic LAR-related steps for the preparation and implementation of tranches and within tranches, subprojects are summarized on Table 4 below.

Table 4: LAR Tasks Process and Schedule

Step	Action / Tasks	Responsibility	Indicative Schedule
A)	TRANCHE PREPARATION		
	1. subprojects identification	PPMU and PC	Q1
	2. assessment of the project’s poverty and social impacts (IPSA)	SESU and PC	Q1
	3. review and update of LARF	SESU, ADB and LARC	Q1
	4. preparation of an activities plan detailing LARP tasks and schedules for SESU, consultants, and an NGO (if available)	SESU and PC	Q1
B)	LARP PREPARATION		
	1. conduct of public consultations and preliminary identification of potentially affected persons to prevent/minimize resettlement/ acquisition of property.	SESU/PC/ evaluation commission members	Q2
	2. finalization of design plans of subprojects with a view to minimizing land acquisition requirements.	SESU/PC	Q2
	3. collection of cadastral and parcel maps of the subproject area, verification of land records in affected areas, and updating of cadastral maps.	District department of SCLRGCS / DI/ PPMU/PC	Q2
	4. submission of written request to provincial khokimiyat on sites of land for permanent or temporal acquisition for construction, in terms of the projects accompanied with all permission documents.	PIU	Q2
	5. submission of design documentation required for estimating compensation to district department of SCLRGCS and evaluation commission	PIU	Q2
	6. coordination with interested organizations on construction plans (border guards, railways, communal services, etc.).Approval of construction plans and conduct of public consultations	SESU/PC, Mahalla, local gov’t, LARC	Q2
	7. harmonization of land plot sites and issuance of land plot site act	SESU, PC, Mahalla, local gov’t, LARC	Q2
	8. preparation and carrying out of census of affected resources, persons. Document gathering, confirming right of possession on property or right to dispose it. Preparation of calculations for compensation. Amount and types of compensation endorsement with state bodies and APs recognized to have right for compensation	SESU/ PC	Q2
	9. inform households through mahalla and WUAs on forthcoming construction plans and proposed crop and trees losses in alienation zones along canals. Provide information on work schedule, terms and duration, information on land acquisition procedures, compensations, appeal of a decision mechanism, juridical assistance, administration of complaints and satisfaction of claims, processing of complaints and proposals.	SESU, PC, Mahalla, local gov’t, LARC	Q2
	10. receipt of land plot acquisition and property alienation endorsement act from provincial commission	PIU	Q2

Step	Action / Tasks	Responsibility	Indicative Schedule
	11. preparation of final LARP	LARC, PIU, SESU, PC	Q2
	12. submission of LARP to SESU, LARC and ADB	SESU/ PC	Q2
C)	LARP IMPLEMENTATION		
	1. LARP disclosure: Distribution of LARP and information pamphlets in Uzbek among the affected communities; posting of LARP in English on the ADB website.	SESU / ADB	Q3
	2. Notice for relocation /demolition of structures to APs	SESU/PIU/PC	Q3
	3. payment of compensation	SESU/ PIU	Q3
	4. payment disbursement of other compensation and assistance/ rehabilitation	SESU /PIU	Q3
	5. obtaining act of right of land plot use at the provincial khokimiyat	APs with assistance from oblast/ rayon administration, if necessary SESU / LARC / ADB	Q3
	6. review of LARP implementation	SESU / LARC / ADB	Q3
	7. approval of contract awards and commencement of civil works.	ADB	Q3
	8. demolition/relocation of affected buildings/property. Updating of land-cadastral documents	UCSA	Q3
D)	MONITORING, GRIEVANCE REDRESS AND OTHER TASKS		
	1. internal monitoring: submission of quarterly report on LAR implementation to ADB	SESU	Q4
	2. external monitoring: submission of compliance report	EMC	Q4
	3. grievance redress / law suits	PPMU / SESU / LARC / GRC/ mahallas, court	Continuous
	4. inter-agency coordination and communication with APs and other stakeholders	SESU / PC / PPMU, mahallas, oblast local gov't	Continuous
E)	POST-IMPLEMENTATION EVALUATION TASKS		
	1. independent evaluation of the LARP	EMC	1 year after LARP completion

ANNEX A

OUTLINE OF A LAND ACQUISITION AND RESETTLEMENT PLAN

1. LAR issues for the scheme

This chapter describes the scheme activities and items requiring LAR; alternative options, if any, considered to minimize land acquisition effects; and why remaining effects are unavoidable.

1. Socioeconomic Background of the Project Area

This chapter describes the socioeconomic profile and living conditions of displaced persons and identifies vulnerable groups that may require special attention.

2. Scope of land acquisition and resettlement

This chapter describes the preparation of the impacts (who carried it out and when it was initiated) and provides a full assessment of each type of impact and a census of affected peoples. The chapter also includes a description of the methodology followed to determine unit-compensation rates for each affected item and subsidy/allowance.

4. Objectives, policy framework, and entitlements

This chapter outlines the eligibility and compensation framework for the scheme.

5. Consultation and grievance redress participation

This chapter summarizes procedures for redress of grievances by people affected and describes the consultation/participation process and grievance redress that occurred in the subproject at hand.

6. Institutional framework

This chapter outlines the institutional arrangements. It includes the following issues: responsibilities for main tasks and for planning, negotiating, consulting, approving, coordinating, implementing, financing, monitoring, and evaluating land acquisition and resettlement.

7. Compensation, relocation, and income restoration

This chapter outlines the income restoration measures to be implemented.

8. Resettlement budget and financing

This chapter provides the unit compensation rate for each affected item and assesses the LAR budget for the scheme. The LAR budget will include land acquisition and eventual land acquisition costs, amounts due for crop compensation and for the subsidies and allowances, monitoring and evaluation costs, and administrative costs and will be adjusted for inflation and applicable taxes.

9. Implementation schedule

This chapter provides a time schedule showing the LAR process and linking LAR tasks with civil works implementation.

10. Monitoring and evaluation

This chapter specifies arrangements for routine and independent monitoring and evaluation activities.

ANNEX B
LIST OF UZBEKISTAN EXISTING NATIONAL LEGISLATION RELATED TO LAR

No.	Relevant Law	Relevant articles
1.	Land Code (30 April 1998), amended from 2003-2004	16, 17, 23, 35, 37, 41, 80, 86, 91
2.	Civil Code (1996), amended from 2004-2008	187, 199, 206, 212, 230
3.	Law of State Cadastre (N 171-11) 15 December 2000	Full text
4.	Law on State Land Cadastre (N666-1) 28 August 1998, amended from 2002-2004	13, 15, 16, 19
5.	Cabinet of Ministers resolution on the legalization of seizure and allocation of land plots for non-agricultural needs (No. 248, 27 May 1992)	Full text, including appendices
6.	Cabinet of Ministers resolution on regulation on the adjudication of land disputes	Full text, including appendices
7.	Cabinet of Ministers resolution on the realization into private property of objects of trade and public services together with land plots, where they are located and land plots into life-long inheritable tenure (11 April 1995, amended by CoM resolution No. 202 of 30 April 1999)	Full text, including appendices
8.	Cabinet of Ministers resolution on compensation for losses of agricultural production related to land acquisition for needs not connected to farming or forestry management (No. 223 of 16 June 1995 and No. 282 of 15 June 1992)	Full text, including appendices
9	Cabinet of Ministries Resolution № 146 (25 May 2011) on procedure of granting land plots, to protect the rights of legal entities and individuals on land, improving the architecture of settlements and the efficient use of their land for construction in accordance with the Land Code and the Town Planning Code.	7