



**KYRGYZ REPUBLIC
COMMUNITY DEVELOPMENT AND INVESTMENT AGENCY**

THIRD RURAL WATER SUPPLY AND SANITATION PROJECT

RESETTLEMENT POLICY FRAMEWORK

JUNE 2016

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ABBREVIATIONS AND DEFINITIONS

ARIS	Kyrgyz Republic’s Community Development and Investment Agency
CDWUU	Community Drinking Water Users Union
DDE	Detailed design and estimates
IOL	Inventory of Losses
JK	Jogorku Kenesh
KR	Kyrgyz Republic
LSG	Local Self-Government Bodies
OM	Operational Manual
PAP	Project Affected Person
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RWSSP-3	Third Rural Water Supply and Sanitation Project
WB	World Bank
WSS	Water Supply and Sanitation System
Census	a complete count of the population affected by the project activity including collation of demographic and property information. This will identify and determine the number of Project Affected Persons (PAPs) and the nature and levels of impact.
Compensation	the payment in kind or cash given in exchange for the assets to be acquired under the project
Cut-off date	Date of registry or census that serves as the eligible cut –off date to prevent any further encroachers or other persons willing to take advantage of benefits. The cut-off date will be the date of commencement of the census for the Resettlement Action Plan.
Economic rehabilitation assistance	the provision of assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable PAPs to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels.
Involuntary resettlement	the involuntary taking of land resulting in direct or indirect economic and social impacts caused by: a) Loss of benefits from use of such land; b) relocation or loss of shelter; c) loss of assets or access to assets; or d) loss of income sources or means of livelihood, whether or not the PAP has moved to another location.
Project affected Party (PAP)	Person or household exposed to direct economic or social impact caused by: A) involuntary taking of their land that led to (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of sources of income or means of livelihood regardless of whether or not the said PAP physically relocate. B) involuntary restriction of access to legally marked parks and protected areas that

adversely impact the life activities of displaced people.

Resettlement Action
Plan (RAP)

a resettlement instrument (document) to be prepared when subproject locations are identified. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities.

Resettlement Assistance

the measures to ensure that project affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation

1. INTRODUCTION

1.1 PROJECT CONCEPT, OBJECTIVES AND GEOGRAPHIC COVERAGE

The objective of the Project is to assist the Kyrgyz Republic to (i) improve access and quality of water supply and sanitation services in target rural communities, and (ii) strengthen capacity of institutions in the water supply and sanitation (WSS) sector.

The Project is expected to cover the Panfilovka, Sultan, Kun-Tuu, Alekseevka, Kyzyl-Tuu, Tolok subprojects in Chui Oblast, Otuz-Adyr, Kyrgyz-Ata, Togotoi, Gulbaar, Sary-Tash, Achyk-Suu subprojects in Osh oblast; Darhan, Chelpek in Issyk-Kul oblast as marked on the following map.



The project is expected to benefit more than 105,000 people residing within the participating rural villages in Osh, Chui and Isyk-Kul Oblasts. The majority of beneficiaries within the project areas will be provided with access to piped water services through a new household connection¹. Furthermore, some 14,000 people (mostly children), will directly benefit through the investments in sanitation facilities and associated hygiene, nutrition and behavior change interventions in schools and other eligible public institutions (for example, health clinics).

The RWSSP-3 has been structured in four components. A summary of activities to be financed under each Component is provided below.

¹ A metered connection serving a household yard standpipe.

Component 1. Water supply infrastructure and equipment investments. This component will address the needs for rehabilitation of existing and/or construction of new water supply systems in the target areas. The component will finance goods, works and services (including engineering design and construction supervision) and will include civil and electrical/mechanical installations for water supply production (boreholes, well-fields, intakes, etc., as well as disinfection, and pumping as required), and transmission and distribution (networks, storage, meters, etc.) to households in the project areas. This component will also finance preparatory activities including detailed engineering designs for scaling up investments under the program.

Component 2: Sanitation Development. This component will finance goods, works and services to provide strategic support for improved sanitation within the target rural communities and to enhance the Government's strategy for improved sanitation in rural areas. It will include, retrofitting of existing sanitary facilities in schools, kindergartens and possibly other public buildings (e.g health clinics). It will also finance a range of other activities at the national and local levels towards supporting improved sanitation. This will include the development of a set of standard designs for latrines and septic systems for rural areas, this together with related education programs will support private household investments for these facilities.

Component 3: Development of sector strategies and institutions will support strategic studies and technical assistance to the Government in making informed policy decisions for the development, modernization and reform of the WSS sector. It will also support consultancies and studies to help develop and implement (i) capacity building activities for State agencies; and (ii) capacity building activities for Community Drinking Water User Unions, local authorities, and other WSS local institutions.

Component 4: Project management. This component will finance the project management costs of the project management unit related to staffing, consultancies and equipment costs, Monitoring and Evaluation program, and financial management including internal and external financial audits. .

1.2 JUSTIFICATION FOR AND SCOPE OF THE RESETTLEMENT POLICY FRAMEWORK (RPF)

The Resettlement Policy Framework (RPF) provides guidelines for development of appropriate mitigation measures, including compensations for mitigation and reparation of the damages due to impacts of land acquisition and resettlement, caused by future project activities whose exact locations are not known yet. RPFs are applicable to all RWSSP-3 sub-projects, which may have impacts in the form of:

- Resettlement or loss of shelter;
- Loss of assets or access to them;
- Loss of income sources or means of subsistence, regardless of the fact, whether people affected by the project impact (PAPs) are forced to resettle.

Designs of subprojects have not been prepared yet and the exact sites for rehabilitation / construction works have not been identified. Potential impacts will be known in detail at the stage of development of design estimate documentation (DED) and at the beginning of construction / rehabilitation works. At this stage, we cannot exclude the possibility of land acquisition, restriction of access to the land or loss of assets for the population or commercial structures affected by the project.

This requires the development of RPF, defining: (i) the scale of potential impacts (temporary or permanent) on the possible use of land by the project, access to the land, buildings / structures and sources of income; (ii) describe in detail the legal foundation for land acquisition; (iii) determine the mechanisms of compensation or assistance, resettlement procedures, eligibility criteria for compensation to the resettled population, methods of assessment; (iv) contain a matrix of the right for compensation, describe the processes of implementation, publication, dissemination of information and consultation procedures; and (v) grievance mechanisms and monitoring.

The RPF will determine if there is any impact resulting from project activities, and will be developed as legally binding instrument for preparation of the Resettlement Action Plans (RAPs) for sub-projects during implementation of the RWSSP-3.

Key objectives of RPF:

- (i) Determination/ identification, compensation and restoration of means of subsistence of the PAPs;
- (ii) Identify requirements for preparation, updating, implementation and monitoring of RAPs under sub-projects.

RPF contains measures to ensure that the PAPs:

- (i) Are informed of their options of choice and rights related to the resettlement;
- (ii) Participate in consultations on possible options for compensation, have the right of choice and are provided with technically and economically feasible alternatives of resettlement;
- (iii) Are provided with the prompt and effective compensation at full cost of replacement² for the loss of assets related to implementation of RWSSP-3.

RPF is developed on the following principles:

- To avoid or at least minimize the need for involuntary resettlement;
- PAPs should at least be provided with adequate assistance to improve or at least to restore previous pre-project living conditions;
- PAPs should be fully informed and consulted on compensation / replacement options;
- Lack of the formal legal land title is not an obstacle to get compensation or alternative forms of assistance;
- Special attention during the resettlement process should be given to socially vulnerable groups of population, such as ethnic minorities, female-headed households, the elderly, and so on, providing them with proper assistance to improve the standard of living;
- Compensations must be paid to PAPs at full cost of replacement prior to land acquisition, without any deductions for other purposes.

² OP 4.12 footnote 11, item 6(a) (iii); OP 4.12 Annex A footnote 1.

The cost of replacement for the land is equal to the market value of the land, which has the same production potential or use, located near the land exposed to impact, plus the cost of fees for registration of rights for land ownership, land use and land transfer.

The cost of replacement of buildings and facilities is equal to the market value of materials that will be needed for construction of the replacement structure, with location and quality similar or better than of the impacted structure, or repair of partially affected facilities, plus the cost of delivery of building materials to the construction site, plus the cost of work of contractors, and plus taxes for registration and re-registration of property rights. At this, depreciation of objects and costs of usable materials are not taken into account, as well as the cost of benefit of the project implementation.

2. LEGAL FRAMEWORK

2.1 LAND ACQUISITION AND RESETTLEMENT IN THE KYRGYZ REPUBLIC

The main legal document regulating the citizen' rights for land is the **Constitution of the Kyrgyz Republic** as of 2010, according to which land is under the state, municipal, private and other forms of ownership.

Article 12 specifies as follows (excerpt):

1. In the Kyrgyz Republic it is recognized the variety of forms of ownership and their equal protection is guaranteed.
2. Ownership is inviolable. None can be arbitrarily deprived of his property. Expropriation of property against the will of the owner is possible only through a court decision.
3. Land, sub-soil resources, air space, waters, and forests are an exclusive property of the Kyrgyz Republic; those are used for protection of the unified environmental system being a basis of life and livelihood of KR people and are under the special protection of the Government.
4. The extent and procedures used by owners to exercise their rights and ensure protection of those are regulated by the Law.

Below are the articles of the **Land Code** of the Kyrgyz Republic³ containing the most suitable issues on land use and land acquisition:

Article 4. Ownership of Land

1. In accordance with the Constitution of the Kyrgyz Republic, land may be the state, communal, private or other forms of ownership.
2. State - owned land shall include lands allocated to the state land users, lands of forest, water funds, lands of especially protected natural territories, lands of reserve stock, lands of frontier area, lands of the State fund of agricultural land, pastures of rural settlements, pastures in the zone of intensive use, as well as distant pastures, and other lands have not been transferred in private or municipal ownership.

State ownership shall also include lands of state livestock breeding, seed-growing, experimental farms, testing stations and areas, bases of education and scientific research institutions of agricultural profile formed on the lands of the State agricultural fund, except for the lands allocated as a land shares to the citizens residing and working in the given farms.

The right of the State ownership to land shall be exercised by the Government of the Kyrgyz Republic on the entire territory of the Republic and by the local state administrations within jurisdiction established by this Code.

3. Lands within the borders of Aiyl Okrug and towns/cities belong to municipal ownership, except for land in private and state ownership.

Management and disposal of lands in municipal ownership shall be exercised by:

- within the borders of Aiyl Aimaks - by the executive body local self-government;
- within the borders of cities - by local self-government body;

³ As of 2 June 1999 No45. The Laws of KR as in force on 28 December 2000 No 93, 4 January 2001 No 2, 4 January 2001 No 3, 12 March 2001 No 30, 11 May 2002 No 78, 17 February 2003 No 36, 9 July 2003 No 123, 5 December 2003 No 227, 23 June 2004 No 77, 7 February 2005 No 15, 28 February 2005 No 40, 4 June 2005 No 67, 20 January 2006 No 7, 25 July 2006 No 126, 28 December 2006 No 217, 26 February 2007 No 22, 26 February 2007 No 23, 17 October 2008 No 231, 26 January 2009 No 29, 11 March 2009 No 79, 26 May 2009 No 171, 22 July 2011 No 117, 16 November 2011 No 213.

Management of lands in the state ownership within the borders of AAs and towns shall be exercised by the bodies of local self-government in cases stipulated by this Code.

4. Pastures cannot be transferred to private ownership or lease.

Article 7. Terms of utilization of land plots by land users

1. The use of a land plot may be unlimited (without indication of term) or fixed-term (temporary).
2. The fixed-term (temporary) use of the land plot including the conditions of the lease agreement shall be recognized the use of land limited in term up to 50 years. After expiration of this period, the period of use of the land plot may be prolonged subject to the agreement of parties.
3. Land plots shall be provided to foreign individuals for fixed-term (temporary) use only.
4. As a rule, agricultural land of the State agricultural fund shall be granted for lease for the period of not less than 5 years.

Article 35. Transfer of a land plot. Payment for transfer of a land plot (excerpt)

1. An owner of a land plot or a land user may transfer his right to a land plot fully or partially to other individual or legal entity without any permission of state agencies unless otherwise provided by this Code, other legislative acts of the Kyrgyz Republic, and conditions of allocation of a land plot.
2. Upon transfer of a right to land plot by the owner or land user to other individual or legal entity the amount of payment for land plot shall be determined by the agreement of parties.

Article 53. Establishment of an easement

1. An easement may be established by the agreement of parties (voluntary easement) or, if necessary, by decision of the authorized agency (involuntary easement).
2. Encumbrance of land with an easement shall not deprive the land owner or land user to use and dispose his right to a land plot.

Article 56. Purposes of establishment of an involuntary easement

1. In cases provided by this Code and other legislation, an authorized agency may establish involuntary easement upon request of an interested party.
2. The involuntary easement shall be established to provide:
 - 1) access to a land plot if another access is impossible, extremely difficult, or requires incommensurate expenses;
 - 2) laying and operation of electric transmission lines, communications, water supply, heat supply, reclamation, and other needs that may not be provided without establishment of the involuntary easement.

Article 57. Indemnification of damages related to establishment of the involuntary easement. Fee for the involuntary easement (excerpt)

1. Infliction of loss upon a land owner or land user by establishment of the involuntary easement shall be subject to indemnification by the person in whose interests the easement is established.

Article 62. Termination of the title to a land plot

The title to land plot shall terminate in the following cases:

- 1) alienation of the right to land plot to another person;

- 2) foreclosure of the land plot being in ownership or in use upon the claims of creditors in accordance with legislation;
- 3) death of a land owner or land user in the absence of heirs;
- 4) voluntary waiver of the rights to land plot by the land owner or land user;
- 5) expiration of the term of the land use;
- 6) termination of labor relations or equivalent relations, based on which the official land plot was allocated for use;
- 7) impossibility of further use of the land plot caused by a natural disaster;
- 8) withdrawal of the land plot on the grounds and in the procedure provided in [Chapter 11](#) of this Code.
- 9) disestablishment of the state or municipal land user, public association, social fund, and of a religious organization;
- 10) withdrawal of citizenship of the Kyrgyz Republic of the owner of the agricultural land plot or land plot, except in case of mortgage housing construction.
- 11) upon termination of the concession agreement, contract on mining concessions, production sharing agreements, as well as the termination of mineral rights;
- 12) termination of the agreement concluded in the framework of public-private partnership.

Article 66. Grounds for withdrawal of the land plot (excerpt)

1. Withdrawal of the land plot shall be allowed in the event of:
 - 1) utilization of a land plot in violation of its targeted use;
 - 2) withdrawal (redemption) of the land plot for the state and public needs in accordance with provisions of this Chapter;
 - 3) failure to use a land plot or part of the land plot allocated for agricultural production within three years;
 - 4) failure to use within the specified period a land plot allocated for non-agricultural production in accordance with the legislation of the Kyrgyz Republic;
 - 5) failure to pay land tax within the period established by the tax legislation;
 - 6) failure to pay insurance fees within the period established by the Law of the Kyrgyz Republic «On Tariffs of Insurance Fees for the State Social Insurance».
 - 7) termination (cancellation) the mineral rights by the State body on use of subsoil resources in cases provided by the Law of the Kyrgyz Republic “On Subsoil”.

4. The land plot may be withdrawn for satisfaction of the state and public needs subject to payment of the value of the right to land plot and indemnification of losses.

Article 68. Withdrawal (redemption) of the land plot for the State and Public needs (abstract from the Article)

- 3 Upon calculation of the redemption price of the land plot, it shall include the market value of the right to land and of the buildings and structures located on the land, and the damages inflicted to the land owner or land user by termination of the right to land plot, including the losses connected with early termination of his obligations to third parties.

2.2 WORLD BANK POLICIES ON INVOLUNTARY RESETTLEMENT

The WB Operational Policy 4.12 is focused on prevention and/or minimizing the risks related to involuntary resettlement.

The overall objectives of the OP 4.12 are as follows:

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

(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 PAPs to share in project benefits. People to be resettled should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

(c) Resettled people 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.

The policy requires development of RAPs to minimize impacts of involuntary resettlement. RAPs will stipulate measures to ensure informing about possible resettlement options and entitlements, proposed and technically and economically suitable resettlement alternatives and ensuring prompt and efficient compensation of costs of full relocation based on the replacement cost for loss of assets directly resulting from the project implementation.

Where the impacts on total resettled population are small (less than 200 people under the subproject), the abbreviated RAP can be prepared. For projects that have a significant impact on resettlement (more than 200 people), it is required to prepare the complete RAP. The policy requires that the following issues have to be taken into account in the process of resettlement planning:

1. Displaced persons as well as the residents of the host settlements should be provided with timely and relevant information, participate in consultations on resettlement options, and have opportunities to participate in planning, implementing, and monitoring of the resettlement activities. Appropriate and accessible mechanisms for administration and redress of grievances should be established for these groups.
2. In new resettlement sites or in host communities, the necessary infrastructure and public services should be provided to improve, restore, or maintain accessibility and quality of service for the displaced persons and local residents. Alternative or similar resources to be provided to compensate the loss of access to common utility resources.

To achieve the policy objectives the WB requires, that particular attention is paid to the needs of vulnerable groups among the resettled population, especially those below the poverty line, the landless, the elderly, women and children, and ethnic minorities.

2.3 COMPARISON OF REQUIREMENTS OF OP 4.12 WITH KYRGYZ LEGISLATION ON RESETTLEMENT POLICY

The main differences between the Land-Laws of the Kyrgyz Republic and WB Operational Policy 4.12 are outlined in the table 2.3.1 below.

MAIN DIFFERENCES
BETWEEN LAND-LAWS OF THE KYRGYZ REPUBLIC AND OP 4.12 “INVOLUNTARY RESETTLEMENT”

Table 2.3.1

Provisions of the KR' Land Code	Requirements of the WB OP 4.12	Actions on implementation ⁴
Compensation for acquired land only for titled landowners, i.e. for those PAPs who have formal document for the right to land use, or who are holders of customary rights.	Lack of formal title to land will not prevent PAPs from entitlements, i.e. those people without legal title to land and/or facilities/structures occupied or used by them, are entitled to compensation for various options of resettlement assistance according to the entitlement matrix, subject to that they cultivated/occupied the land before the eligibility cut-off date.	Within the RWSSP-3, regardless of the presence or absence of legal rights to the land PAPs are entitled to compensation for structures, crops and trees, and rehabilitation measures in accordance with the WB OP 4.12.
Consultations with PAPs or communities in respect of land or asset confiscation are not required.	PAPs are to be fully informed and consulted on compensation, entitlements and resettlement options including location of new settlements. This includes consultations with participation of PAPs, information dissemination campaigns, and opportunities to participate in monitoring depending on the nature and scale of impacts. Resettlement plans to be developed and prepared in consultation with PAPs and other stakeholders. Separate consultations may be needed on gender issue and disclosure of information in order to provide women with information and sufficient opportunities to express comments.	During RWSSP-3 implementation, there will be obligatory consultations on resettlement options for PAPs.
There is no separate grievance mechanism on resettlement.	RPF and RAP set forth grievance redress procedures.	RAP provides for procedures for administration of grievances.
The lack of information disclosure procedures.	Information disclosure is a mandatory requirement. RPF and RAPs must be disclosed both on the World Bank InfoShop and on the	The procedure for the disclosure of information is provided in RAP.

⁴ Implementation of international legal norms by the Project.

Provisions of the KR' Land Code	Requirements of the WB OP 4.12	Actions on implementation ⁴
	Project Executing Agency's webpage. Copies of these documents must be provided to local self-government bodies and directly to project affected households	
<p>Compensation for land is carried out at the redemption price of the land plot, including market value of the rights to a land plot and of buildings and structures located on it, as well as losses caused by an early termination of obligations of the land owner to the third parties.</p>	<p>It is preferably to allocate the land in exchange to acquired lost land plot, and the proposed plot should be acceptable for PAPs and it should match in size and fertility to the acquired land.</p> <p>If it is impossible to find a suitable land, then compensation to be made in cash or allocation of another plot with a surcharge on the cost of replacement. The cost of replacement for the land is equal to the market value of the land, which has the same production potential or use, located near the land exposed to impact, plus the cost of preparation of land to a condition similar to that of the land affected by the project, plus the cost of fees for registration and re-registration of rights for land ownership and land use.</p>	<p>Priority option is to provide a land plot at equivalent market value as a replacement. However, if replacement of land for land is not possible, compensation will be made in cash at the full cost of replacement.</p> <p>The Kyrgyz legislation does not stipulate for state duty for registration/re-registration of right for land ownership and use but during implementation of RWSP-3 these costs will be covered by the Ministry of Finance of the Kyrgyz Republic.</p>
<p>Compensation for other assets (buildings, crops, trees, and the business income) is made to official users at market value.</p>	<p>The cost of replacement of buildings and facilities is equal to the market value of materials that will be needed for construction of the replacement structure, with location and quality similar or better than that of the structure under impact, or repair of partially affected facilities, plus the cost of delivery of building materials to the construction site, plus the cost of work of contractors, and plus taxes for registration and re-registration of property rights. At this, depreciation of objects and costs of usable materials are not taken into account, as well as the cost of benefit of the project implementation.</p>	<p>Compensation for any other assets that fall under the impact of the project (structures, crops and trees, as well as commercial losses / loss of income) will be made in cash or in kind, at the full cost of replacement both to the official and non-official users.</p>
<p>Provisions on support to vulnerable PAP are not specified.</p>	<p>Vulnerable groups will be provided assistance.</p>	<p>Vulnerable and poor PAPs have the right to appropriate additional measures to help prevent further negative impacts during</p>

Provisions of the KR' Land Code	Requirements of the WB OP 4.12	Actions on implementation ⁴
		implementation of the RAP. Additional assistance can be provided in the form of allocation of land and other property, the payment of cash benefits and compensations, employment and so on - depending on the specific conditions. Gender issues will be also taken into account. In addition, impact will be monitored to identify whether proposed additional measures for prevention of adverse impact are adequate and if other measures are required.
Payment for transportation costs and involuntary displacement is not specified.	The replacement cost includes delivery costs of building materials and relocation costs.	Transportation costs will be included in the RAP budgets.
At DED development stage, proposals for acquisition of agricultural, high-yielding land are not applied when other land is available.	Any land acquisition and resettlement is to be avoided, or if it cannot be avoided, it should be minimized by exploring all possible options.	Consideration of alternatives, both placements and technical capabilities of subprojects, to avoid or minimize, as far as possible, the need for land acquisition and resettlement.
No compensation for temporary or permanent loss of income/livelihood is stipulated for.	Requires compensation for loss of livelihoods and income as a result of temporary or permanent land acquisition.	Providing compensation for loss of land or assets, or for the temporary cessation of revenue.

In case of differences between the Laws of the Kyrgyz Republic and the requirements of OP 4.12 “Involuntary Resettlement”, the principles and procedures of OP 4.12 should be applied.

This priority of WB standards over the State legislation is a requirement for projects funded by the World Bank.

3. ELIGIBILITY CRITERIA AND PROCEDURES FOR VARIOUS CATEGORIES OF AFFECTED PEOPLE

3.1 PRINCIPLES

The involuntary withdrawal of land results in relocation or loss of shelter; and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to another location or not. OP 4.12 suggests the following three criteria for eligibility⁵:

(a) Those who have formal rights to land including customary/communal land, traditional and religious rights recognized under Kyrgyz Law.

(b) Those who do not have formal legal rights to land at the time the project or census commences but have a claim to such land or assets provided that such claims are recognized under the laws of Kyrgyzstan or become recognized through a process identified in the RAP.

(c) Those who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from before the cut-off date, but are recognized under World Bank OP 4.12. Those covered under (a) and (b) above are to be provided compensation for the land they lose, and other assistance in accordance with this RPF

Persons covered under (c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF, if they occupy the project area prior to a cut-off date established by the project authorities in close consultation with the potential PAPs, local community leaders and the respective local authorities and acceptable to the World Bank.

Persons who encroach on the area after the cut-off date⁶ are not entitled to compensation or any other form of resettlement assistance. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land.

It is therefore clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land or had use of it, before the entitlement cut-off date.

⁵ Para 15 OP 4.12

⁶ Annex OP 4.12 par. 21. The cut-off date is the day when the census is started.

3.2 ELIGIBILITY CRITERIA AND RIGHT TO COMPENSATION

Entitlement Matrix
Eligible PAPs
Assets and compensation guidelines

Table 3.2.1

Project Impact	PAP Category	Asset Affected	Compensation Guide
Temporary acquisition of land for works and construction	Land owner	Land	Rental for land based on market tariffs taking into account the rates as of the current period and land restoration and all assets located on the land in the previous condition.
	Informal user	Land	Restoration, replacement or compensation of all assets damaged or removed. In the case of loss of income, compensation in the amount of confirmed lost income shall be paid.
Permanent acquisition of land for works, construction or as part of first sanitary protection area.	Land owner	Land	Replacement land of equivalent market value as priority option within the acreage and fertility. In case of non-availability of land, cash compensation at market rate and replacement value will be paid, including fees for registration and re-registration of rights and the costs for recovery of land to ensure the condition of affected land. If the remainder of the plot is not economically viable the entire plot will be purchased upon the owner's request.
	Informal user	Land	Land compensation is not envisaged. However, if a land plot was used as a means of subsistence then such means are restored.

Project Impact	PAP Category	Asset Affected	Compensation Guide
		Assets	Compensation in cash for linked assets at replacement value.
Permanent acquisition of legal structure.	Owner of structure	Any structure including fence, sanitation structure etc.	Replacement with structure of equivalent value or compensation in cash at replacement value and the right for usable materials.
Permanent acquisition of illegal structure	Owner of structure	Any structure including house, fence, sanitation structure etc.	Replacement with structure of equivalent value or compensation in cash at replacement value and the right for usable materials.
Restriction of access to houses	Tenant or House owner	Section of residential compound temporarily affected or access to house affected by works	Recovery of lands up to its initial condition. In-kind compensation for affected need such as alternative car parking facility. Disturbance allowance set on the basis of minimum wage for each week (7 days) of disturbance calculated on a pro rata basis (a specific formulation of the allowance would be established in the relevant RAP).
Vendors or business entrepreneur	Owner of business	Temporary loss of business due to works.	Cash compensation of estimated business loss assessed from records of preceding 3 months or equivalent business (if no records). Disturbance allowance equivalent to 7 days of business profit
Farmer with land title	Owner	Crops	In addition to land compensation, will be allowed to take standing crop and cash compensation at highest market value for agricultural season or according to the rates of the Ministry of Agriculture and Land Reclamation of KR, whichever higher at highest market rate. For temporary use of land, when swing time is lost, compensation will be paid for lost vegetation based on market value of previous crop.
Formal tenant farmer and informal farmer	Tenant	Crops	Allowed to take standing crop and cash compensation for agricultural season or according to the rates of the Ministry of Agriculture and Land Reclamation

Project Impact	PAP Category	Asset Affected	Compensation Guide
			of KR, whichever higher at highest market rate. For temporary use of land, when sowing time is lost, compensation will be paid for lost vegetation based on market value of previous crop.
Fruit tree owner	Owner	Fruit tree	Price of a sapling and cash compensation for the value of the harvest multiplied by number of years it will take for the sapling to reach maturity.
		Non-fruit trees	Timber or cash equal to timber value.
Vulnerable people	Identified on the basis of social assistance payments (disability payments, pensioners, widows, female-headed households, and poor households) as determine by the legislature of KR and consultations	Residential and commercial assets	<ol style="list-style-type: none"> 1. In addition to compensation for assets lost, a disturbance allowance set to be one year of supplemental social assistance payments. 2. Support rendered in removal and transportation of materials. 3. Special attention will be paid to income recovery.
Loss of income	Business owner Unofficial user	Assets	Compensation will be paid in cash for lost assets at the cost of replacement. In case of loss of income compensation will be paid at the rate of minimum salary for six month and the PAP will be granted the right for retain the usable materials.

3.3 METHODS TO DETERMINE CUT-OFF DATES

Once detailed subproject design and setting-out are finalized, all PAPs will be defined by detailed census of PAPs and their land plots and assets. Consultations will be carried out with project affected persons to inform those about the subproject, its acreage, impact etc. Measures will be taken to inform PAPs and get their feedbacks, which might result in change of project scale to minimize the need in resettlement.

Cut-off date is the day of beginning of census or the date of demarcation of project boundaries if the boundaries had been defined prior to the census, providing that the information about forthcoming demarcation has been properly furnished to local population and that after demarcation, information was spread to ensure non-admission of new residents to this area⁷.

This communication will be done through ARIS with its staff assigned to resettlement and communication in line with the consultation procedures outlined in this document. The potential PAPs will be informed through both formal notification in writing and by verbal notification delivered in the presence of the community leaders or their representatives.

⁷ Annex OP 4.12, par. 21

4. RPF AND RAP IMPLEMENTATION ARRANGEMENTS AND PROCEDURES

4.1 OVERVIEW

The overall coordination of the project will be provided by ARIS which will oversee all resettlement planning and coordinate all issues relating to the compensation. ARIS will collaborate closely with the local self-government bodies: aiyl okmotu and raion state administration bodies.

RPF is based on implementation arrangements of:

- RWSSP-3;
- Resettlement and ensuring compensations following the requirements set forth in this document.

This section describes the optimal arrangements that build on responsibilities already in place to ensure that the requirements of this RPF are met for each project activity. Should these institutional structures change, this will need to be reflected in RPF and further RAPs.

4.2 SCREENING OF PROJECT ACTIVITIES

The first step in the process of preparing individual RAPs is the screening process to identify the land/ areas that may result in resettlement impacts. This screening will be carried out in conjunction with ARIS staff, local government bodies (architecture, CDWUUs schools, and kindergartens) to identify the types and nature of potential impacts related to the activities proposed under this project, and to provide adequate measures to address them.

It also ensures that the avoidance or minimization of resettlement is a key criterion when designing RAP for project activities under the RWSSP-3.

Screening will be undertaken in accordance with established screening criteria and documented as a report on screening of potential social impacts described in Annex 1.

No design will be finalized unless it is clearly determined that every effort has been made to minimize resettlement impacts. If the screening will show the need in resettlement, the following step should be social and economic profiling and inventory of land reserves and assets to define the extent of required resettlement. Then, a RAP development under this subproject should be carried out.

4.3 SOCIO-ECONOMIC PROFILING AND INVENTORY OF LOSSES

Should the screening process show that land acquisition will be required, the next step will be census/inventory of all PAPs individually reflecting their assets and income sources in order to set required compensation (both in appropriate cases and other assistance). This activity should be carried out by ARIS specialist/consultant at the same time as the inventory and evaluation of all assets affected for each individual PAPs.

During census, the date of completion should be specified according to item 3.3. The census will show that if there are some resettlement issues, RAP will be developed based on the data collected.

The screening process will involve direct consultation with the PAP(s) who will work with a safeguards specialist/consultant and local officials (architect, deputies of local keneshes, NGOs representatives and other stakeholders) in simple language and communication to verify the affected assets and discuss their socio-economic situation. During the consultations resettlement related entitlements will be explained

to PAPs verbally. This will include description of grievance redress procedures and entitlement matrix. Verbal information will be provided to illiterate people. PAPs will be provided with the opportunity to express their feedback and concerns.

In case of inability to conduct direct consultations with PAPs due to their stay in other towns or countries, the safeguards specialist/consultant together with the local self-government bodies will take efforts to deliver resettlement related information to the absent PAPs through relatives or neighbors.

4.4 DEVELOPMENT OF THE RAP

Following the socio-economic census and identification of affected parties, RAPs will be prepared by the ARIS safeguards specialist/consultant.

It will be prepared in consultation with affected parties, particularly in relation to setting the cut-off date, eligibility to receive compensation as well as disturbances to livelihoods and income-earning activities, methods of valuation, compensation payments, potential assistance and timeframes. The basic elements of a RAP, as outlined in OP 4.12 are provided below. Each element of a RAP is described in this RPF, but more detailed guidelines for preparing a RAP are available on the World Bank's website (www.worldbank.org) or in the World Bank's Resettlement and Rehabilitation Guidebook.

It is expected that in this project, the impacts on the entire displaced population will be minor (i.e. affected people are **not** likely to be physically displaced and less than 10% of their productive assets will be lost). Overall it is expected that fewer than 200 people will be affected in any activity under a subproject, so that abbreviated RAPs (as defined in OP 4.12) can be prepared. Also, for any given RAP it is likely that only a handful of people will be affected as RAPs will be prepared for individual sub-projects that require land acquisition. Thus it is proposed that the RAPs will contain a number of standardized sections as front matter (project description, legal and institutional framework, eligibility and entitlement matrix etc.) that are already found in the RPF, followed by a section specific to the affected site, and the PAP(s) along with their assets (inventory of losses, compensation and resettlement costs and budget, socio-economic profile etc.). While household-level data is essential to the RAP, for the purposes of privacy, information identifying individuals or households in the RAP need not be publicly disclosed.

RAP for each subproject will include the information on baseline census and social and economic assessment, eligibility matrix and compensation rights, compensation amounts, rights related to additional impacts identified during census or assessments, description of resettlement areas, and the programs for improvement and recovery of income sources and livelihood, schedule for implementation of resettlement activities, detailed cost estimates and grievance redress mechanisms.

4.5 DISCLOSURE AND APPROVAL OF RAP(s)

Following RAP preparation, a number of steps must be followed:

1. Draft RAP is subject to discussion with local self-government bodies (aiyl okmotu) and PAPs who will receive a copy of RAP in advance.
2. Following discussion, comments and proposals are reflected in RAP.
3. RAP will include the section of consultation process with a matrix, comments and proposals for implementation thereof.
4. Safeguards Consultant will provide RAP for approval by the Project Coordinator.

5. Following incorporation of comments from public disclosure, and Project Coordinator approval, the RAP must also be formally sent to the World Bank for review and approval.
6. Following approval of the RAP by the World Bank, it will be disclosed on the World Bank's info-shop website, re-disclosed on the ARIS website and disseminated again to all stakeholders.

No changes to the RPF entitlement matrix, eligibility criteria, compensation rates or other entitlements to assistance can be made without prior approval of the World Bank.

4.6 ESTIMATES OF AFFECTED POPULATION AND ASSETS IN THE PROJECT AFFECTED AREAS

It is impossible to fully exclude the cases of temporary or permanent use of private land during works, particularly at the sites of rehabilitation of water distribution networks along the streets in villages.

It is still uncertain, whether permanent land acquisition will be needed, or temporary use of it will be needed.

The Project doesn't envisage demolition of any capital structures during implementation, though, at this stage, it is impossible to exclude the probability of demolition of small structures (fencing, plantations etc.). Taking into account that affected people/assets are not defined, impact assessment will be carried out after the launch of the main Project.

5. METHODS OF VALUING AFFECTED ASSETS

This section sets out the guidelines for determining the value of affected assets.

5.1 TYPES OF COMPENSATION PAYMENTS

Compensation in cash and in-kind for use of land and other assets fixed based on the entitlement matrix will be paid for the following assets:

1. Land;
2. Structures, buildings, and installations;
3. Harvest (in cash or crops) and trees;
4. Loss of business or employment.

Moreover, cash compensation will be paid for disturbances in:

- Domestic and economic activity;
- Storage of goods;
- Replacement of lost services;

Or other assistance as stipulated in the entitlement matrix (Tables 3.2.1.).

All these types of compensation are approximate, current market prices or other valid sources of prices will be applied to calculate actual compensation amounts when developing detailed RAPs. If necessary, additional assistance may be rendered to vulnerable households⁸. All compensations in cash will be duly reviewed to reflect all economic changes and purchasing power. An authorize/certified valuator will calculate compensations to be incorporated in RAP at market value, following the Kyrgyz legislation and in strict compliance with requirements of OP 4.12 “Involuntary Resettlement”.

5.2. PREPARATION OF ASSET INVENTORY

During the census each asset will be enumerated and inscribed on an inventory and a valuation of the asset carried out using the principles and guidance of the RPF. Copy of inventory list of assets will be sent to PAPs. The total list of affected assets and their assigned values including any additional compensatory measures will be recorded in a register and shown to the affected person for agreement. At this time, is indicated that after approval by WB and Project Coordinator, a copy of the grievance procedure will also be given to the affected person as stated in the grievance redress mechanism.

5.3 VALUATION METHODS

5.3.1 Replacement cost approach

The replacement cost approach is based on the premise that the costs of replacing productive assets is based on damages caused by project operations. The approach involves direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement, moving expenses and other transaction costs.

Land plot replacement cost is defined as a mean value of land of equal size and purpose over last three years and located in the subject area plus the cost of recovery of the land up to condition similar to the condition of affected land plot, plus the fees for registration and re-registration of land ownership.

Cost of replacement of buildings and structures⁹ is defined by the cost of materials to be required for construction or repair of affected building or structure, plus costs for transportation of construction

⁸OP 4.12, par.32.

⁹ OP 4.12 footnote 11; OP 4.12 Annex A footnote 1.

materials to construction site, plus costs for contractors' services, and plus the fees for registration and re-registration of land ownership.

5.3.2 Schedule of rates from Appropriate Ministries

The Ministry of Agriculture and Water Resources has a compensation matrix for damages during land acquisition, crop loss, and cutting of fruit trees. When applied, rates current for the period of actual replacement must be used.

The State Agency for Construction and Architecture under GoK, the Construction Departments have a schedule of rates for preparing estimates for construction projects, which the consultant can use to assess costs for construction materials and labor. When applied to calculate replacement cost, rates current for the period of actual replacement must be used.

5.4 COMPENSATION FOR VARIOUS ASSETS

5.4.1 Compensation for Land

In the event of permanent land acquisition of titled land, the first premise is provision of replacement land. In the case where no alternative land is available within a reasonable distance such as to minimize disruption to other aspects of socio-economic life, cash compensation at full replacement value should be provided (see reference 1).

In addition, the PAP will be compensated for any permanent improvements made to the land (for instance irrigation structures) based on current market labor, equipment and materials costs.

Where land lost is only a small proportion of total land owned by the PAP, but renders the remaining land as unusable, the compensation provided should be calculated based on the total land affected (i.e., the actual land lost plus the remaining unusable land).

Where land is temporarily acquired, standing crop will be compensated at fully matured market rate or government rate according to the rate established by the Ministry of Agriculture, whichever is higher. The compensation will be paid to the tiller rather than the owner, where the tiller is not the owner (e.g. tenant or share cropper). Compensation will be also paid for lost horticultural crops
Aside from the payment for standing crop, the project will ensure that the land is returned to its original form so it is suitable to resume its former use.

5.4.2 Calculation of Crops and Fruit Trees Compensation Rate

The current prices for the crops will be determined, taking into account the rate recommended by the Ministry of Agriculture and the highest market price, whichever is higher. Where land is rented, if crop is or has been grown, the compensation calculation will be based on the previous year's revenue.

Where land is rented, the owner will also get compensation for the entire agricultural season.

Where land is owned, aside from the replacement land or cash compensation for land, the owner will also get compensation for the entire agricultural season.

Prices for the crop currently or earlier cultivated on the affected land will be used to calculate the compensation amount. In addition, PAPs will be encouraged to harvest their produce before loss of land. In order to ensure that this is possible, and that appropriate market prices are received for yields, there needs to be sufficient consultation beforehand so that harvesting can be properly planned.

The value of the labor invested in preparing agricultural land will be compensated at the average wage in the community for the same period of time. The rate used for land compensation should be updated to reflect values at the time compensation is paid.

Fruit trees will be compensated to the owner by estimating the value of a seedling of a fruit tree considering the number of years needed to grow the tree to full maturity, and the cost of fruit crop produced by this tree within the indicated period.

5.4.3 Compensation for Buildings and Structures

The preferred option is to provide alternate structures (huts, storage facilities etc.) of improved quality where possible.

The second option is provision of cash compensation at full replacement value. Replacement values will be based on:

1. Measurements of structures and detail of materials used;
2. Prices of these items collected in different local markets;
3. Costs for transportation and delivery of these items to acquired/ replacement land or building site;
4. Estimates of construction of new buildings including labor required;
5. Any associated taxes, registration fees;
6. No deduction for depreciation and salvage materials can be made.

Compensation will be made for structures that are (i) abandoned because of relocation or resettlement of an individual or household or (ii) destroyed or became unusable for owners as a result of subprojects.

5.4.4 Compensation for Community Assets

Compensation will be provided for community assets identified through the socio-economic survey. In all cases these will be provided in kind and new facilities will be constructed or partially affected facilities will be repaired.

5.4.5 Compensation for Loss of Businesses

Compensation will be paid for the lost income and production during construction period (time lag between losing the business and re-establishment). This will be estimated based on the daily or monthly income of the affected parties.

6. IMPLEMENTATION SCHEDULE

The activities involving land acquisition or loss, denial or restriction to access will include compensations and other assistance required for relocation and preparation of land to be resided by PAPs, providing them, if needed, with proper conditions. 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 displaced persons.

The measures to ensure compliance with this RPF will be included in the RAPs that will be prepared for each subproject involving land acquisition. A RAP will include implementation schedule to address resettlement, including all stages: from preparation to completion of works with indication of specific terms for achievement of intended benefits both for PAPs and local population and cease of various assistance forms. RAPs will be disclosed in accessible manner in public places both in draft and final versions. How these activities are linked to the implementation of the overall subproject must also be agreed between the parties (ARIS, aiyl okmotu, contractors and PAPs). Following the valuation process all RAPs should include relevant measures to link resettlement with construction works.

The timing mechanism of these measures would ensure that no individual or affected household would be displaced (economically or physically) due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or homestead affected. Construction works cannot be launched until complete implementation of the RAP. If a resettlement need occurs in the process of construction, the policy procedures will be also triggered.

Compensation will be paid to PAP after his or her written approval.

7. GRIEVANCES REDRESS MECHANISMS

7.1 GRIEVANCES REDRESS PROCESS is built as follows:

During the initial stages of the valuation process, the affected persons will be given copies of grievance procedures as a guide on how to handle the grievances;

1. The first step in the grievance process will be to verbally contact the head of aiyl okmotu or appeal by phone (a cell phone number will be provided on the information board of the local self-government body (aiyl okmotu) or indicated in the announcement placed on popular public places). If the problem cannot be resolved within 5 days, then the problem will be reviewed at the next level.

2. The affected person should file his/ her grievance, related to any issue associated with the resettlement process or compensation in writing to RWSSP-3 Coordinator. The grievance note should be signed and dated by the aggrieved person. Anonymous and confidential complaints will be considered too. RWSSP-3 Safeguards Consultant will be the direct liaison with the complainant and define validity of grievance and notify the aggrieved person on forthcoming assistance. The answer will be provided within 14 working days, within which meetings and discussions with the aggrieved person will be conducted. If the grievance relates to asset valuation, the project will carry out repeated asset valuation unless and until a consensus is reached by the both parties. Subsequent valuations can be carried out by independent appraiser at the expense of dissenting party. ARIS will assist to the aggrieved person throughout all stages of grievance redress to ensure that the grievance is being redressed properly;

3. Should there be any objection to the decision of aiyl okmotu and ARIS, and if a response is not provided within 30 working days, the case can be taken to court by the PAP.

Annex 6 provides the procedure of grievance redress.

7.2 MANAGEMENT OF REPORTED GRIEVANCES

The procedure for managing grievances should be as follows:

Project municipality representative is responsible for providing RWSSP-3 with a weekly report detailing complaints of the complainant and status of grievance redress at first instance. Grievances redress procedures in local self-government bodies are carried out in compliance with existing system and are registered in a Grievance Log.

After grievances are reported to RWSSP-3, the Safeguards Consultant will ensure that each complaint has an individual reference number and status of grievance redress is reflected in matrix developed in the RAP. Matrix also contains a record of the person responsible for an individual complaint, and records dates for the following events:

- ✓ date the complaint was reported;
- ✓ date the Grievance Log was uploaded onto the project database;
- ✓ date information on proposed corrective action sent to complainant (if appropriate);
- ✓ date response was sent to complainant.

General information on reported grievances (reference number, type of a grievance), their status and evolving problems will be included in regular RWSSP-3 reports submitted to the World Bank.

8. BUDGET FOR RAP IMPLEMENTATION

At this stage, it is not possible to estimate the exact number of people who may be affected since the technical designs and details have not yet been developed; it is also not certain that the project design will definitively require temporary or permanent land acquisition. It is therefore not possible to provide an estimated budget for the total cost of resettlement that may be associated with implementation of RWSSP-3.

Detailed and accurate budget will be drawn up in each RAP and financed through the administrative and financial management rules and manuals like any other activity eligible for payment.

The budget will include compensations to be paid by the Ministry of Finances as stipulated by the RAP. Other costs will be covered from the project budget:

- - payment for services of the consultant for social issues;
- Information campaign costs, including costs for communication, organization and facilitation of consultations (lease of premises, printing of information materials and other expanses);
- Expenses related for information disclosure;
- Monitoring expenses;
- Expenses associated with grievance redress mechanism.

9. MECHANISM FOR PAP CONSULTATIONS

Public consultations on the draft RPF were held in February 2016 in Panfilovka, Sultan subprojects in Chui Oblast, Otuz Adyr, Kyrgyz –Ata, Togotoi subprojects in Osh Oblast.

For additional subprojects public consultations on the draft RPF were held in June 2016 in Kun-Tuu, Alekseevka, Kyzyl-Tuu, Tolok subprojects in Chui Oblast, Gulbaar, Sary-Tash, Achyk-Suu subprojects in Osh oblast; Darhan, Chelpek in Issyk-Kul oblast.

Participants of the consultations included representatives of aiyl okmotu, deputies of local councils, representatives of architecture agencies, environmental services, raion services, Sanitary and Epidemiological Inspectorate, NGOs and local community members. Minutes of public hearings were prepared and included in this RPF (see Annex 3).

PAPs will be consulted in the following manner at each stage of the project:

1. RPF will be discussed with the stakeholders prior to implementation of RWSSP-3;
2. Following the identification of the construction site, the RWSSP-3 team will visit PAPs to inform them on the project, its scope and impacts and to receive their opinion. This may result in a change to the project scope in order to minimize the need for resettlement;
3. Once the inventory and valuation of assets is complete, RWSSP-3 Safeguards specialist/consultant will present and discuss the details with PAPs and whether or not the inventory is accurate and the valuation is acceptable to them;
4. Once the RAP is complete the PAPs will be provided with copies thereof in a language and format acceptable to them;
5. Prior to implementation of the sub project the amount of cash or in kind (land) offered for compensation will be discussed with each eligible PAP for consideration and endorsement before transfer of the asset is effected;
6. PAPs are entitled to have a third party (in this case, represented by deputies of the local councils) at the steps leading up to this final transfer. At any point PAPs can instigate a complaint using the grievance redress process described above.

When holding the consultations some socio-cultural factors should be taken into account. These factors include low literacy rate, cultural obstacles to participation of population and ways of elimination of those (e.g. choosing appropriate time and venue for and format of consultations to ensure maximum participation).

Informational materials in that format and language acceptable to participants will be provided prior to consultations. Population will have enough time to consider and discuss provided information before resettlement activity takes place. Communities' opinion will be taken into account when elaborating and implementing RAP, and, if needed, when implementing the project at larger scale.

Information on participants (age, gender, interest group), discussed issues, type of provided information, raised questions and answers to them was included in minutes of consultations.

10. ARRANGEMENTS FOR MONITORING AND EVALUATION

10.1 OVERVIEW

The arrangements for monitoring will fit the overall monitoring plan of the entire project which will be implemented through ARIS. All RAPs will set goals by which to evaluate their success which will include:

- (i) affected individuals, households, and communities being able to maintain their pre-project standard of living, and even improve on it;
- (ii) the local communities remaining supportive of the project;
- (iii) number of complaints and appeals, upon which the decision was taken.

In order to assess whether these goals are met, RAPs will indicate parameters to be monitored, institute monitoring milestones and provide resources necessary to carry out the monitoring activities. All collected data will be gender-oriented. RWSSP-3 safeguards specialist/consultant will institute an administrative reporting system that will:

- ✓ Provide timely information about all resettlement arising as a result of project activities;
- ✓ Identify any grievances that have not been resolved and require resolution;
- ✓ Document the timely completion of project resettlement obligations;
- ✓ Evaluate whether all PAPs have been compensated in accordance with the requirements of this RPF;
- ✓ Alert project authorities to the necessity for land acquisition in the project's planned activities

The objective will be to make a final evaluation in order to determine:

- ✓ Amount of compensations to PAPs in full and in a timely manner;
- ✓ Standard of living of PAPs and maintaining their pre-project standard of living;
- ✓ Specific impacts on vulnerable households.

Indicators will be set within each RAP. Data will be gathered by the ARIS specialist at regular intervals (e.g., quarterly or half yearly depending on circumstances) and compared over time.

10.2 MONITORING OF RAP IMPLEMENTATION

The RWSSP-3 safeguards specialist/consultant should:

- I. Be responsible for collection and accumulation of basic information on all physical or economic displacement arising from the project, including the data on:
 - a) Number of subprojects requiring the preparation of RAPs;
 - b) Number of households and individuals physically or economically displaced by each activity;
 - c) Length of time from design finalization to payment of compensation to PAPs;
 - d) Timing of compensation in relation to commencement of physical works;
 - e) Amount of compensation paid to each PAP household (if in cash), or the nature of compensation (if in kind);
 - f) Number of people raising grievances in relation to each sub-project;
 - g) Number of resolved and unresolved grievances.
- II. Ensure timely payment of compensations to PAPs or households.
- III. Maintain a complete database on resettlement activities, which will be included in official documents under RWSSP-3.

11. INSTITUTIONAL RESPONSIBILITY

Below is the table describing responsibility for implementation of RPF.

Table 11.1

№	Responsible Party	Activities
	Ministry of Finance	In case of lack of replacement land, the Ministry of Finances will pay compensation for land and assets of PAPs as stipulated in the RAP.
1	Municipalities of Panfilovka, Sultan, Kun-Tuu, Alekseevka, Kyzyl-Tuu, Tolok in Chui Oblast; Otuz-Adyr, Kyrgyz-Ata, Togotoi, Gulbaar, Sary-Tash, Achyk-Suu in Osh oblast; Darhan, Chelpek in Issyk-Kul oblast	<p>Inform of stakeholders.</p> <p>Fulfill the provisions of agreement.</p> <p>Render of assistance during public consultations.</p> <p>Provide PAPs with land plots as part of compensatory replacement</p> <p>Grievance redress in the course of RPF implementation.</p>
2	RWSSP-3 Safeguards Specialist/Consultant	<p>Consultations with PAPs.</p> <p>Identification of PAPs, examination of documents of entitlement and list of affected assets.</p> <p>Preparation of RPF and RAPs allowing for the fact that all expenses for acquisition of land and resettlement will be included in the budgets of the Ministry of Finance.</p> <p>Disclosure of information about RPF and RAP.</p> <p>Implementation of RPF and RAP.</p> <p>Assessment of list of affected assets.</p> <p>Conduction of socio-economic survey of PAPs.</p> <p>Monitoring.</p> <p>Submission of information about RPF and RAP to the World Bank.</p> <p>Grievance Management.</p>

12. ANNEXES

ANNEX 1. FORM OF THE REPORT ON SCREENING OF POTENTIAL SOCIAL IMPACT

(Report should be concise)

1. Sub project name

2. Sub project site _____

(Specify sub project site, tag it on the map/scheme, attach pictures of it)

3. Type of activity: _____

(New construction, re construction, rehabilitation, running repairs)

4. Estimated cost: _____

5. Scheduled date of activities commencement: _____

6. Reviewed engineering drawings/ specifications: _____

7. List of questions:

№	Potential impact factors	Presence (yes/no)
1	Does the subproject cover the territory of private lands?	
2	Is there a need for physical resettlement of population or economic displacement?	
3	Is social impact potentially significant?	
4	Is there a need for identifying a valuation level of institutional resources necessary for protection measures?	
5	Are there any assets of third parties at subproject site?	
6	Are there any structures that belong to private persons or commercial structures? If yes, indicate the type of structure and number.	
7	Are there any disputed territories?	
8	Will it be possible to drive or to walk to houses and business entities during subproject implementation?	
9	Is there a need for temporary or permanent acquisition of land for construction under the project?	
10	Will construction lead to change in social environment? Will income from business and household income reduce?	
11	Will planned construction affect the health of population or cause any damage?	
12	Will subproject cause protests from and concerns among local population?	
13	Will there be negative impact on living conditions, values and life style of population?	
14	Will subproject cause inequalities among various groups of population?	
15	Is there a high degree of interest to subproject?	
16	Are there any anticipated latent impact or risks?	
17	Are there any consequences of previous resettlement at this territory that require mitigation at the moment?	

8. Recommendations:

Answers to the abovementioned questions will identify if there is a need for application of procedures of the OP 4.12 Involuntary Resettlement?

Full name of Safeguards Specialist/Consultant:

Signature: _____/

Date: _____/

ANNEX 2

TEMPLATE FOR CENSUS OF PAPs AND INVENTORY OF LAND

1. INTERVIEWS WITH HOUSEHOLDS

Full name	Gender		Age	Marital status and level of education	Breadwinner		Employed		Employment		Education level
	Male	Female			yes	no	yes	no	Formal	Informal	
1.											
2.											
3.											
4.											
5.											
6.											
7.											

Interviewer's name _____

Signature _____/

Full name of the representative of Aiyl Okmotu _____

Signature _____/

Full name of the representative of Land Management Service _____

Signature _____/

Date _____/

2. INVENTORY OF LAND RESOURCES OF PAPs

Venue _____

Date: _____

Survey #	Full name of the head of household	Number of family members	Number of families in the household	Total area of land owned by a family (m ² /ha)	Official documents for land and lease	Area of land to be lost (m ² /ha)	Percentage of loss	Loss of assets (m ² , m, pcs. etc) Type and number of assets (structures, fences, boreholes, etc) should be specified		Lost area of housing (m ²)	Loss of crop			Other losses, (rented housing, structure, etc)
								Permanent loss	Temporary loss		Fruit trees, type and number (pcs)	Loss of agricultural plants	Other (specify)	

Full name of interviewer _____

Signature _____/

Full name of the representative of Aiyl Okmotu _____

Signature _____/

Full name of the representative of Land Management Service _____

Signature _____/

Date _____/

3. ENTITLEMENT MATRIX

Survey #	Full name of the head of household	Compensation for land			Compensation for housing			Compensation for crop and trees			Compensation for other assets (boreholes, business, etc.)		
		Area (m ² or ha)	Amount of compensation (for 1 m ² or 1 ha)	Right	Area (m ² or ha)	Amount of compensation (for 1 m ² or 1 ha)	Right	Area (m ² or ha)	Amount of compensation (for 1 m ² or 1 ha)	Right	Area (m ² or ha)	Amount of compensation (for 1 m ² or 1 ha)	Right

Full name of interviewer _____

Signature _____/

Full name of the representative of Aiyl Okmotu _____

Signature _____/

Full name of the representative of Land Management Service _____

Signature _____/

Date _____/

ANNEX 3

DOCUMENTS FOR PUBLIC CONSULTATIONS

PROGRAM OF PUBLIC HEARINGS

Goal: *Informing population on social and environmental safety of planned construction /rehabilitation of water supply system in _____ under the Third Rural Water Supply and Sanitation Project.*

Venue:

Date and time of the public hearings:

Registration of participants	Meerim Kerimbekova	
Opening of the public hearings	Arstan Muktarov	
Presentation of RWSSP-3 concept	Chubak Chynaliev	
Presentation of Environmental and Social Management Plan (ESMP) and Resettlement Policy Framework (RPF) under RWSSP-3	Elena Kutmanova– ARIS Safeguards Specialist Meerim Kerimbekova	
Discussion of presentation, questions and answers, public speaking, closing remark and closing of public hearings		



INVITATION

Dear _____

We invite you to participate in public hearings on social and environmental safety of planned construction /rehabilitation of water supply system in _____ under Third Rural Water Supply and Sanitation Project.

Public hearings will be conducted on ____ _____ 2016

at _____

at _____ o'clock, registration of participants starts at _____ o'clock.

We request to confirm your participation on the phone _____ or via e-mail

Table of questions / answers of public hearings.

№	Question	Answer
1.	When will the construction/rehabilitation of the water supply system begin?	The project design is under discussion now. Next we are going to develop detailed design estimates (DDE) and invite tenders to select a contractor, then sign a contract and proceed with the project. The exact dates have not been confirmed yet.
2.	Will individual water meters be installed? Who will pay for individual household connections?	The connection of individual households to the distribution network and installation of water meters will be at the expense of the household owners. RPADWU should supervise this work to make sure that everything is done properly and hydraulic systems are not damaged. We recommend that similar water meters be installed at all households. It will be cheaper and more effective to install water meters during the construction phase.
3.	Does the project allow for the rehabilitation of the sanitation system?	The project budget does not allow for the sanitation system rehabilitation, but we plan to consider a number of standard options in this respect.
4.	If any household (private) turns out to be located on the way of the proposed water transmission main, what will you do? Will the owners receive any compensation in this case?	In this case, we will develop a Resettlement Action Plan. If any household is affected by the project, it will receive a compensation in accordance with the DDE.
5.	What measures will be taken to protect water bodies against pollution?	As part of the water protection measures, we plan to clean up all construction sites, establish water protection zones around local water bodies and streams, contain and remove any potential oil spills in a timely manner, prohibit car and equipment washing within the construction sites, and check equipment for potential oil leaks on a daily basis.
6.	If any tree cutting is planned, will you pay compensations?	Trees and shrubs will be cut down only when needed and only after all necessary permits are obtained. In addition, new trees and shrubs will be planted as part of remedial landscape improvements: in particular, 2 new trees will be planted to replace each cut one.
7.	What measures will be taken to minimize negative impacts on local communities? Does the project allow for any noise and dust control measures?	The project allows for a rigorous contractor selection process. One of the primary requirements will be the availability of new modern equipment that meets the Euro-3 standard and has noise control fixtures. The use of heavy equipment near residential areas will be limited during the night time. All construction works will be carried out at working days during normal working hours only. The contractors will be required to ensure proper dust control, including spraying water on the

		ground surface at the work sites, selecting effective transportation routes and establishing speed limits for trucks and other vehicles. Solid domestic wastes will be stored in special containers with lids.
8.	Does the project allow for water disinfection? Do you plan to install any water disinfection units? If yes, what will be installed: germicidal lights or chlorination equipment?	The project allows for water disinfection, but this issue is yet to be discussed with the design firm. The type of the water disinfection system has not been selected yet.
9.	When will the construction/rehabilitation of the water supply system begin? Who will obtain necessary permits?	The project design is under discussion now. Next we are going to develop detailed design estimates (DDE) and invite tenders to select a contractor, then sign a contract and proceed with the project. The exact dates have not been confirmed yet. All necessary permits should be obtained by the client, i.e. ayil okmotu.
10	There are trees and shrubs growing at the proposed construction sites. If any trees are cut down during construction, will there be any compensation?	Trees and shrubs will be cut down only when needed and only after all necessary permits are obtained. In addition, new trees and shrubs will be planted as part of remedial landscape improvements: in particular, 2 new trees will be planted to replace each cut one.
11	If any building has to be demolished for construction purposes, who will do this and at whose expense?	During the design, we will make every effort to avoid house demolition where possible and look for alternative options. However, if demolition is unavoidable, the building will be demolished by the contractor using resettlement funds.
12	Will ARIS provide technical supervision?	Yes, the project allows for technical supervision by ARIS.
13	Will the construction agreement be a tripartite agreement, i.e. between the ayil okmotu, ARIS and contractor?	No, this will be a bilateral agreement between the ayil okmotu and the contractor.
14	There is no water disinfection system in our ayil okmotu. Does the project cover water disinfection issues?	Yes, the project allows for water disinfection. The design institute will consider and offer a number of water disinfection options. The design institute will consult with ayil okmotu and RPADWU on this matter.
15	Does the project budget allow for individual household connections?	No, all individual household connections will be at the expense of households. RPADWU should supervise this work to make sure that everything is done properly and hydraulic systems are not damaged. It will be cheaper and more effective to install water meters during the construction phase.
16	Does the project allow for water meters?	The project budget has certain constraints, so it does not allow for water metering. Water meters should be purchased and installed by households as well. We recommend that RPADWU and ayil okmotu organize centralized procurement of similar water meters (same type).

17	Who will set the tariffs on water?	The ayil kenesh will establish the tariffs and submit them for approval to the Anti-Trust Committee.
18	Does the project cover rehabilitation of sanitation systems?	No, the project does not cover sanitation issues, but we will offer for consideration standard designs of cesspools and waste pits that allow for localized wastewater treatment.
19	Our current water supply system uses asbestos pipes. Will they be replaced under the project? Why are asbestos containing materials are prohibited?	If any section of the water supply system subject to rehabilitation turns out to consist of asbestos pipes, they will be replaced. The use of asbestos bearing materials should be avoided in any new construction or rehabilitation due to the health risks posed by asbestos. During the rehabilitation, all necessary precautions will be taken when handling such materials: all asbestos containing materials will be immediately removed from the worksite and disposed to the landfill; workers will necessarily use appropriate safety tools. Since today it is widely recognized that exposure to asbestos is dangerous to human health, world health organizations, trade unions, research institutes and governments of some countries have banned the commercial use of asbestos. In all cases, the World Bank expects its borrowers and other clients to use alternative options where possible.
20	How were villages selected? What were the selection criteria?	The list of villages was provided by the Government of the Kyrgyz Republic, as represented by the Department of Drinking Water and Sanitation under the State Agency for Architecture, Construction and Communal Services.
21	Will the proposed project strongly affect the natural environment in our area?	Environmental pollution, waste generation and natural resource depletion are very unlikely. Risk management will include preventive environmental management and regular monitoring.
22	In case of resettlement or land acquisition, who will pay compensations?	Compensations for land acquisition are the responsibility of the Ministry of Finance of the Kyrgyz Republic, i.e. the Government of the Kyrgyz Republic.
23	What is the share of the loan in total financing? Who is responsible for repaying the loan?	The project is financed by the World Bank; 55% is a loan and 45% is a grant. The loan will be repaid by the Kyrgyz Government.
24	What action will be taken if water system construction affects any property?	In this case a Resettlement Action Plan will be prepared and the project affected persons (PAPs) will receive compensations.
25	Will individuals who have no formal title to property but claim they own it be entitled to any compensation?	If such individuals can formalize their ownership of property and this ownership will be recognized by the law of the Kyrgyz Republic, then they will

		receive compensation as planned.
26	What will be done to minimize tree cutting?	Trees and shrubs will be cut down only when necessary and only upon receipt of permitting documents and with due regard to tree replacement requirements.
27	Will water resources be affected?	Environmental risks are very low and necessary action will be take to minimize them: cleanup of construction sites, establishment of buffer zones along local waterways as required by law, timely containment and removal of petroleum and oil spills, prohibition of car and equipment wash at construction sites, and daily equipment inspections for potential oil leaks.
28	Are our village officially on the list?	Yes, the Department of Drinking Water and Sanitation under the State Agency for Architecture, Construction and Communal Services has officially included your villages on the list.
29	Who will have the facilities after the works are complete?	The facilities will be transferred to ayil okmotus.
30	What water disinfection methods does the project allow for? Can you consider any disinfection methods other than chlorination? Germicidal lamps could be used as an alternative, because they are cheaper to maintain and a chlorination unit will require staff and regular chlorine supplies.	The project allows for water disinfection, but this issue will be discussed with the design firm. We do not know yet what disinfection equipment will be used. Germicidal lamps have some drawbacks too; if there is a leak, the water will be cross-contaminated, so chlorination is a preferred choice in this case. However, this issue will be considered in detail during the design phase. The strengths and weakness of each disinfection option will be discussed in detail.
31	Does the project budget cover the preparation of detail designs and estimates? Or this will be the responsibility of ayil okmotus?	The project budget covers detail designs and estimates. The ayil okmotus will not have to do it on their own.
32	Does the project allow for sanitation improvements? Will households have septic tanks installed?	No, the project does not allow for sanitation improvements or septic tank installation. However, a number of standard designs will be considered to address this issue.
33	Households will pay for individual connections to the water system. Are you going to keep outdoor standpipes?	We plan to keep 2 or 3 outdoor standpipes for emergency purposes. However, this issue is subject to discussion with ayil okmotus.
34	Some systems use asbestos containing pipes, will the proposed project use such pipes?	No, asbestos-containing materials will not be used in rehabilitation works, because it is widely recognized today that asbestos is harmful for health. Many international health organizations, labor unions, research institutes and governments of some countries have already banned all commercial use of asbestos. If any asbestos-containing materials or waste are identified during rehabilitation works, they will be removed and stockpiled in an isolated (closed) place with all

		necessary precautions taken and later disposed (upon agreement with the local administration and environmental inspectors) to a designated landfill.
35	There is some risk that trees will be damaged or cut down during construction/rehabilitation. What are you going to do in this respect?	The following measures are proposed: replanting or fencing for protection. If any trees have to be cut down, this issue will be first discussed with ayil okmotus and environmental authorities. If there are any large trees near the work sites, they will be marked properly and fenced to protect their trunks and root systems and thus avoid any damage.
36	What about privately owned trees? Will there be any compensation for the loss of such trees ? Which budget will this compensation be paid from?	Yes, our resettlement policy allows for compensations to all project affected persons (PAPs). The compensations will be paid from the budget of the Government of the Kyrgyz Republic (Ministry of Finance).
37	If any land has to be acquired for construction purposes, what compensation will the land owner have?	Every effort will be made to avoid land acquisition and resettlement. However, if this is unavoidable, all available options will be scrutinized to minimize potential impacts. In case of land acquisition, the priority option is to replace the acquired land by another land plot of equivalent market value that will be acceptable to the PAP and similar to the affected land in terms of size and soil fertility. If there is no such land available, the land owner will receive a cash compensation that will include the replacement cost, plus any registration and transfer taxes and the costs of preparing the land to levels similar to those of the affected land. If the remainder of the land plot is not economically viable, the entire plot will be purchased.

Discussion of the Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF) for water supply rehabilitation in Chu Oblast under the Third Rural Water Supply and Sanitation Project (RWSSP-3)

Date and venue:

February 11, 2016; 12.00 p.m.

ARIS Office, Bishkek

A. Muktarov, Deputy Executive Director of ARIS, opened the meeting, greeted all the present, and introduced ARIS staff engaged in RWSSP-3.

Ch. Chanaliev presented the concept, timeline, goals and objectives of the project.

E. Kutmanova, Safeguards Specialist, presented project's social and environmental safeguards and provided detailed information on environmental safety and social security plans.

Question: J. Mambetbaev, Head of Ak-Beshim Ayil Okmotu

When will the construction/rehabilitation of the water supply system begin?

Answer: A. Muktarov

The project design is under discussion now. Next we are going to develop detailed design estimates (DDE) and invite tenders to select a contractor, then sign a contract and proceed with the project. The exact dates have not been confirmed yet.

Question: N. Bashakhanov, Chairman of Rural Public Association of Drinking Water Users (RPADWU), Kurama Ayil Okmotu

Will individual water meters be installed?

Who will pay for individual household connections?

Answer: A. Muktarov

The connection of individual households to the distribution network and installation of water meters will be at the expense of the household owners. RPADWU should supervise this work to make sure that everything is done properly and hydraulic systems are not damaged. We recommend that similar water meters be installed at all households. It will be cheaper and more effective to install water meters during the construction phase.

Question: M. Ibraimov, Head of Burana Ayil Okmotu

Does the project allow for the rehabilitation of the sanitation system?

Answer: A. Muktarov

The project budget does not allow for the sanitation system rehabilitation, but we plan to consider a number of standard options in this respect.

Question: T. Bekturganov, Land Specialist, Kurama Ayil Okmotu

If any household (private) turns out to be located on the way of the proposed water transmission main, what will you do? Will the owners receive any compensation in this case?

Answer: E. Kutmanova

In this case, we will develop a Resettlement Action Plan. If any household is affected by the project, it will receive a compensation in accordance with the DDE.

Question: T. Arunov, Chairman of RPADWU, Ibraimov Ayil Okmotu

What measures will be taken to protect water bodies against pollution?

Answer: E. Kutmanova

As part of the water protection measures, we plan to clean up all construction sites, establish water protection zones around local water bodies and streams, contain and remove any

potential oil spills in a timely manner, prohibit car and equipment washing within the construction sites, and check equipment for potential oil leaks on a daily basis.

Question: A. Babyshev, Deputy of Ayil Kenesh, Kurama Ayil Okmotu

If any tree cutting is planned, will you pay compensations?

Answer: E. Kutmanova

Trees and shrubs will be cut down only when needed and only after all necessary permits are obtained. In addition, new trees and shrubs will be planted as part of remedial landscape improvements: in particular, 2 new trees will be planted to replace each cut one.

Question: S. Murodoshev, Leading Specialist, Ak-Beshim Ayil Okmotu

What measures will be taken to minimize negative impacts on local communities? Does the project allow for any noise and dust control measures?

Answer: E. Kutmanova

The project allows for a rigorous contractor selection process. One of the primary requirements will be the availability of new modern equipment that meets the Euro-3 standard and has noise control fixtures. The use of heavy equipment near residential areas will be limited during the night time. All construction works will be carried out at working days during normal working hours only. The contractors will be required to ensure proper dust control, including spraying water on the ground surface at the work sites, selecting effective transportation routes and establishing speed limits for trucks and other vehicles. Solid domestic wastes will be stored in special containers with lids.

Question: S. Moldokulova, Head of the District Center for Disease Control and Prevention (State Sanitary & Epidemiological Supervision), Kurama Ayil Okmotu

Does the project allow for water disinfection? Do you plan to install any water disinfection units? If yes, what will be installed: germicidal lights or chlorination equipment?

Answer: A. Muktarov

The project allows for water disinfection, but this issue is yet to be discussed with the design firm. The type of the water disinfection system has not been selected yet.

Upon discussion, it was RESOLVED to:

- Accept the proposed water supply construction/rehabilitation project in Chu Oblast as feasible for implementation;
- Approve the proposed project and proceed with the implementation.

A. Muktarov

Chairman (Deputy Executive Director of ARIS)

M. Kerimbekova (Secretary)

ПРОТОКОЛ
Общественных слушаний по обсуждению
Плана управления окружающей средой и Основ политики переселения при
реабилитации систем водоснабжения в Чуйской области в рамках Третьего Проекта
сельского водоснабжения и санитарии (ПСВС-3)

Место и время проведения: г.Бишкек, офис АРИС
11 февраля 2016 г. в 12:00 часов

Муктаров А. – заместитель исполняемого директора АРИС открыл слушания, поприветствовав приглашенных и представил сотрудников АРИС, участвовавших в подготовке ПСВС-3.

Чаналиев Ч. представил презентацию о концепции, сроках реализации, целях и задачах, проекта.

Кутманова Е. – специалист по мерам безопасности, представила презентацию о мерах социально-экологической безопасности, предусмотренных в проекте. Подробно рассказала об экологической безопасности, социальных мерах защиты.

Вопрос: Мамбетбаев Ж.-глава айыл окмоту Ак-Бешим

Когда начнется строительство/реабилитации системы водоснабжения нашего проекта?

Ответ: Муктаров А.

В настоящее время идет обсуждение дизайна проекта. Далее будет разрабатываться Проектно-сметная документация (ПСД), а затем объявлен тендер на отбор подрядной организации, следующий этап - подписание контракта, а затем начнется реализация проекта. Точные сроки еще не определены.

Вопрос: Башаханов Н.- председатель СООППВ айыл окмоту Курама.

Будут ли установлены индивидуальные домовые счетчики учетов воды?
За чей счет будут домовые подключения?

Ответ: Муктаров А.

Затраты на подключение от распределительных сетей к домохозяйствам с включением водомеров будет за счет собственника. Данные работы должны быть проведены под контролем главы СООППВ для выполнения работ надлежащим образом и неповреждения системы гидравлики. Желательно, использовать однотипные водомеры. Стоимость домовых подключений будет дешевле и качественнее если будут произведены в ходе строительных работ.

Вопрос: Ибраимов М.- глава айыл окмоту Бурана

Будет ли проектом предусмотрена реабилитация системы канализации?

Ответ: Муктаров А.

В бюджете проекта не предусмотрена канализация, но будут проведены работы по ознакомлению нескольких вариантов типовых решений.

Вопрос: Бектурганов Т.-специалист по земельным вопросам айыл окмоту Курама

Если объекты собственников (частных лиц) попадет под предполагаемую трассу водовода что будет предпринято? Будут ли какие-либо компенсации?

Ответ: Кутманова Е.

В этом случае будет готовиться План действий по переселению. Если данный объект попадет под воздействие проекта будут выплачиваться компенсации согласно ПДП.

Вопрос: Арунов Т.-председатель СООППВ (Ибраимовский айыл окмоту)

Какие меры будут предприняты для защиты водных объектов от загрязнения?

Ответ: Кутманова Е.

Будут применяться следующие меры: санитарная очистка территорий, отведенных под строительные работы, соблюдение режима водоохраных зон местных водотоков, своевременная зачистка территорий от нефти и мазутных проливов, запрет на мойку машин и механизмов на территории строительства, ежедневные проверки оборудования на предмет утечки масел.

Вопрос: Бабышев А.-депутат айылного Кенеша (айыл окмоту Курама)

В случае вырубки деревьев при строительстве будут ли предусмотрены компенсации?

Ответ: Кутманова Е.

Вырубка деревьев и кустарников будет проводиться строго по необходимости только и после получения разрешительных документов с учетом компенсационного озеленения. За одно вырубленное дерево будет посажено 2.

Вопрос: Муродов С.-ведущий специалист (айыл окмоту Ак-Бешим)

Какие меры будут предприняты для минимизации воздействия на местных жителей? Предусмотрены ли меры по минимизации шума и пыли?

Ответ: Кутманова Е.

В рамках проекта будет строгий отбор подрядных организация, важнейшим условием будет наличие новой оснащенной техники со стандартом Евро-3, также техника будет оснащена глушителями, будут ограничения строительных работ с помощью тяжелой техники возле жилых районов в ночное время, выполнение работ строго по будним дням, в течение, стандартного рабочего времени. Будут применять меры по пылеподавлению путем увлажнения территорий строительства, ограничение скорости движения транспортных средств и выбор подходящих транспортных маршрутов. Твёрдо-бытовые отходы будут храниться в специальных контейнерах с закрытыми крышками.

Вопрос: Молдокулова С. - глава ПРЦПЗ и ГСЭН (СанЭпидемНадзор Курама АО):

Будет ли проектом предусмотрено обеззараживание воды? Будут ли установлены обеззараживающие установки? Если да, то какой что предусмотрено: бактерицидные лампы или хлорирование.

Ответ: Муктаров А.

Обеззараживание воды предусмотрено, но это будет обсуждаться с проектировщиком. Пока не известно, что точно будет установлено.

РЕШИЛИ:

Считать разработанный проект по строительству/реабилитации систем водоснабжения в Чуйской области приемлемым к реализации.

Одобрить проект и приступить к реализации.

**Председатель
(зам. исполнительного директора)**

А.Муктаров

Секретарь:

Керимбекова М

LIST OF REGISTRATION

СПИСОК

участников общественных слушаний по обсуждению Плана управления окружающей средой и Основ политики переселения при реабилитации систем водоснабжения в Чуйской области в рамках Третьего Проекта сельского водоснабжения и санитарии (ПСВС-3)

Третий Проект сельского водоснабжения и санитарии (ПСВС-3)

г.Бишкек

11 февраля 2016 г.

№ п/п	Ф.И.О. участника	Организация/Должность	Подпись
1	Башаханов Н.Э	председатель совхоза "Саталыч" АТН Чуйской обл.	
2	Васаркулов В.А.	глава А/О Курманга	
3	Курбанов К.	председатель сурхон. Курманга	
4	Варгуяров А.С.	Наз. М.Т.Х. (АО Курманга)	
5	Байбакиев А.Т.	депутат Жылы-Кенгелери (Чуйская обл.)	
6	Мандокулова С.С.	ин.вр ТРАПИС и ЮЗАН	
7	Жамалбаева С.Ж.	Ж.С.М.К. (АО Курманга)	
8	Исаева Д.З.	спец. по инвент. АО Курманга	
9	Бектурганов В.	спец. по зем. вопр. АО Курманга	
10	Ахмедов М.З.	депутат Жылы-Кенгелери	
11	Бегалиев С.	Жылы-Кенгелери (Чуйская обл.)	
12	Сабдаров Т.С.	гл. Ибраимовский о/а	
13	Арунов Т.Б.	Ибраимовский о/а	
14	Беккушев Н.	Ибраимовский о/а	
15	Намдобаев И.	Ж-Бичири о/а	
16	Муратов М.	Ж-Бичири о/а	
17	Ибраимов М.А.	бурана о/а	
18	Осмонов Т.О.	бурана о/а	
19	Субанов М.	бурана о/а	
20	Муктаров А.	Зам. исполнителя областного управления	
21	Чоксанов Ч.	АРЦЕ	
22	Кутманова Е.	специалист по вопросам безопасности	
23	Керимбекова И.	АРЦЕ	



PUBLIC CONSULTATION MEETING MINUTES

Discussion of the Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF) for water supply rehabilitation in Osh Oblast under the Third Rural Water Supply and Sanitation Project (RWSSP-3)

Date and venue:

February 16, 2016; 11.00 a.m.

Osh

Chubak Chynaliev opened the meeting, greeted all the present, introduced ARIS staff engaged in RWSSP-3, and presented the concept, timeline, goals and objectives of the project.

E. Kutmanova, Safeguards Specialist, presented project's social and environmental safeguards and provided detailed information on environmental safety and social security plans.

Question: Sh. ul. Rakhmanberdi, Head of Kashka-Jol Ayil Okmotu

When will the construction/rehabilitation of the water supply system begin?

Answer: Ch. Chynaliev

The project design is under discussion now. Next we are going to develop detailed design estimates (DDE) and invite tenders to select a contractor, then sign a contract and proceed with the project. The exact dates have not been confirmed yet.

Question: T. Tuybaev, Head of Otuz-Adur Ayil Okmotu

Who will obtain necessary permits?

Answer: Ch. Chynaliev

All necessary permits should be obtained by the client, i.e. ayil okmotu.

Question: A. Attokurov, Chief Specialist, Kyrgyz-Ata Ayil Okmotu

There are trees and shrubs growing at the proposed construction sites. If any trees are cut down during construction, will there be any compensation?

Answer: E. Kutmanova

Trees and shrubs will be cut down only when needed and only after all necessary permits are obtained. In addition, new trees and shrubs will be planted as part of remedial landscape improvements: in particular, 2 new trees will be planted to replace each cut one.

Question: T. Bazarbaev, Land Surveyor, Otuz-Adur Ayil Okmotu

If any building has to be demolished for construction purposes, who will do this and at whose expense?

Answer: E. Kutmanova

During the design, we will make every effort to avoid house demolition where possible and look for alternative options. However, if demolition is unavoidable, the building will be demolished by the contractor using resettlement funds.

Question:

Will ARIS provide technical supervision?

Answer: Ch. Chynaliev

Yes, the project allows for technical supervision by ARIS.

Question: Sh. ul. Rakhmanberdi, Head of Kashka-Jol Ayil Okmotu

Will the construction agreement be a tripartite agreement, i.e. between the ayil okmotu, ARIS and contractor?

Answer: Ch. Chynaliev

No, this will be a bilateral agreement between the ayil okmotu and the contractor.

Question: B. Maripov, Head of Kyrgyz-Ata Ayil Okmotu

There is no water disinfection system in our ayil okmotu. Does the project cover water disinfection issues?

Answer: Ch. Chynaliev

Yes, the project allows for water disinfection. The design institute will consider and offer a number of water disinfection options. The design institute will consult with ayil okmotu and RPADWU on this matter.

Question: A. Ardinov, Land Surveyor, Kashka-Jol Ayil Okmotu

Does the project budget allow for individual household connections?

Answer: Ch. Chynaliev

No, all individual household connections will be at the expense of households. RPADWU should supervise this work to make sure that everything is done properly and hydraulic systems are not damaged. It will be cheaper and more effective to install water meters during the construction phase.

Question: M. Asanov, Chairman of RPADWU, Kyrgyz-Ata Ayil Okmotu

Does the project allow for water meters?

Answer: Ch. Chynaliev

The project budget has certain constraints, so it does not allow for water metering. Water meters should be purchased and installed by households as well. We recommend that RPADWU and ayil okmotu organize centralized procurement of similar water meters (same type).

Question: Abdyrazakov, Kashka-Jol Ayil Okmotu

Who will set the tariffs on water?

Answer: Ch. Chynaliev

The ayil kenesh will establish the tariffs and submit them for approval to the Anti-Trust Committee.

Question: B. Absatarov, Chairman of RPADWU, Kyrgyz-Ata Ayil Okmotu

Does the project cover rehabilitation of sanitation systems?

Answer: Ch. Chynaliev

No, the project does not cover sanitation issues, but we will offer for consideration standard designs of cesspools and waste pits that allow for localized wastewater treatment.

Question: T. Tuybaev, Head of Otuz-Adur Ayil Okmotu

Our current water supply system uses asbestos pipes. Will they be replaced under the project? Why are asbestos containing materials are prohibited?

Answer: E. Kutmanova

If any section of the water supply system subject to rehabilitation turns out to consist of asbestos pipes, they will be replaced. The use of asbestos bearing materials should be avoided in any new construction or rehabilitation due to the health risks posed by asbestos. During the rehabilitation, all necessary precautions will be taken when handling such materials: all asbestos containing materials will be immediately removed from the worksite and disposed to the landfill; workers will necessarily use appropriate safety tools. Since today it is widely recognized that exposure to asbestos is dangerous to human health, world health organizations, trade unions, research institutes and governments of some countries have banned the commercial use of asbestos. In all cases, the World Bank expects its borrowers and other clients to use alternative options where possible.

Upon discussion, it was RESOLVED to:

- Accept the proposed ESMF for subprojects in Kyrgyz-Ata, Otuz-Adyr and Kashka-Jol Ayil Okmotus, Osh Oblast (water supply rehabilitation/ reconstruction) as feasible for implementation;
- Approve the proposed project and proceed with the implementation.

B. Maripov

Chairman

(Head of Kyrgyz-Ata Ayil Okmotu)

M. Kerimbekova

Secretary

ПРОТОКОЛ
Общественных слушаний по обсуждению
Плана управления окружающей средой и Основ политики переселения при
реабилитации систем водоснабжения в Чуйской области в рамках Третьего Проекта
сельского водоснабжения и санитарии (ПСВС-3)

Место и время проведения: г.Ош

16 февраля 2016 г. в 11:00 часов

Чыналиев Чубак открыл слушания, поприветствовав приглашенных и представил сотрудников АРИС, участвовавших в подготовке ПСВС-3. Представил презентацию о концепции, сроках реализации, целях и задачах, проекта.

Кутманова Е. – специалист по мерам безопасности, представила презентацию о мерах социально-экологической безопасности, предусмотренных в проекте. Подробно рассказала об экологической безопасности, социальных мерах защиты.

Вопрос: Рахманберди у. Ш. - глава айыл окмоту Кашка-Жол

Когда начнутся строительные работы по строительству/реабилитации систем водоснабжения?

Ответ: Чыналиев Ч.

В настоящее время идет обсуждение дизайна проекта. Далее будет разрабатываться Проектно-сметная документация (ПСД), а затем объявлен тендер на отбор подрядной организации, следующий этап - подписание контракта, а затем начнется реализация проекта.

Вопрос: Туйбаев Т.-глава айыл окмоту Отуз-Адыр

Кто будет заниматься оформлением разрешительных документов?

Ответ: Чыналиев Ч.

Все разрешительные документы должен обеспечить заказчик, то есть айыл окмоту.

Вопрос: Аттокуров А.-главный специалист (айыл окмоту Кыргыз-Ата)

На месте предполагаемого строительства в нашем айыл окмоту находятся деревья и кустарники. В случае вырубки деревьев при строительстве будут ли предусмотрены компенсации?

Ответ: Кутманова Е.

Вырубка деревьев и кустарников будет проводиться строго по необходимости только и после получения разрешительных документов с учетом компенсационного озеленения. За одно вырубленное дерево будет посажено 2.

Вопрос: Базарбаев Т.- землеустроитель айыл окмоту Отуз-Адыр

Если для строительства системы водоснабжения понадобится снести дом, кто будет это делать и за чей счет будет снос дома?

Ответ: Кутманова Е.

При проектировании будут по возможности обходить объекты сноса, будут искаяться альтернативные пути, но при неизбежных случаях эта процедура будет производиться подрядной организации за счет компенсационных мер по переселению.

Вопрос:

Будет ли технический надзор со стороны АРИС

Ответ: Чыналиев Ч.

Да, технический надзор предусмотрен.

Вопрос: Рахманберди у. Ш. - глава айыл окмоту Кашка-Жол

При осуществлении строительных работ договор будет трёхсторонним, то есть айыл окмоту, АРИС и подрядная организация?

Ответ: Чыналиев Ч.

Нет, договор будет двухсторонним, будет заключен договор между айыл окмоту и подрядной организацией.

Вопрос: Марипов Б. - глава айыл окмоту Кыргыз-Ата

В настоящее время в нашем айыл окмоту нет обеззараживания питьевой воды. Обеззараживание воды предусмотрено проектом?

Ответ: Чыналиев Ч.

Обеззараживание воды предусмотрено. Проектный институт определит и предложит варианты обеззараживания воды. Проектный институт будет консультироваться с айыл окмоту и СООППВ по данному вопросу.

Вопрос: Ардинов А.- землеустроитель айыл окмоту Кашка-Жол

В проектном бюджете заложены домовые подключения?

Ответ: Чыналиев Ч.

Нет, домовые подключения будут за счёт собственника домовладений. Данные работы должны быть проведены под контролем главы СООППВ для выполнения работ надлежащим образом и не повреждения системы гидравлики. Стоимость домовых подключений будет дешевле и качественнее если будут произведены в ходе строительных работ.

Вопрос: Асанов М.-председатель СООППВ айыл окмоту Кыргыз-Ата

А водомеры предусмотрены проектом?

Ответ: Чыналиев Ч.

Бюджет проекта ограничен, поэтому по проекту пока не предусмотрен и закуп водомеров также будет производиться за счет собственника. Рекомендуются чтобы СООППВ и айыл окмоту организовали централизованный закуп однотипных водомеров.

Вопрос: Абдыразаков –Кашка-Жол айыл окмоту

Кто будет устанавливать тариф на воду?

Ответ: Чыналиев Ч.

Тариф будет утвержден айылным кенешем и согласован антимонопольным комитетом.

Вопрос: Абсатаров Б.-председатель СООППВ айыл окмоту Отуз-Адыр

Будет ли проведена канализация?

Ответ: Чыналиев Ч.

Нет, система канализации не предусмотрена проектом, но будут предложены для домохозяйств типовые проекты септиков и выгребных ям с применением локальных очистных сооружений.

Вопрос: Туйбаев Т.-глава айыл окмоту Отуз-Адыр

В настоящее время в нашей системе водоснабжения используются асбестовые трубы. Будут ли они заменены в предстоящем проекте? И почему запрещено использование асбестосодержащих материалов?

Ответ: Кутманова Е.

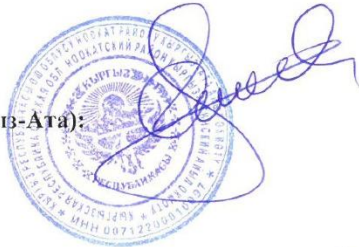
Если участок попадет под реконструкцию то асбестовые трубы будут заменены. В связи с риском для здоровья населения использования асбестосодержащих материалов сводится к минимум путем исключения таких материалов из нового строительства/реабилитации. При реабилитации систем водоснабжения будут применяться все меры предосторожности при работе с такими материалами: немедленный вывоз материала на захоронение, применение рабочими инструментов мер безопасности. Поскольку сейчас широко признается риск для здоровья при нахождении в зоне распространения асбеста, мировые организации по здравоохранению и объединения трудящихся, исследовательские институты и правительства некоторых стран ввели запрет на его коммерческое применение. Во всех случаях Всемирный банк ожидает от заемщиков и других заказчиков, что они по возможности будут применять альтернативные материалы.

РЕШИЛИ:

Считать ПУОСС, разработанный для подпроектов Ошской области в айыл окмоту Отуз-Адыр, Кыргыз-Ата, Кашка-Жол (строительство/реабилитация систем водоснабжения) приемлемым к реализации.

Одобрить проект и приступить к реализации.

Председатель (глава АО Кыргыз-Ата):



Марипов Б.

Секретарь (главный специалист ДРПВ):

A handwritten signature in blue ink, appearing to be 'M. Toktobaev', written in a cursive style.

Токтобаев М.

LIST OF REGISTRATION

СПИСОК

участников общественных слушаний по обсуждению Плана управления
окружающей средой и Основ политики переселения при реабилитации систем
водоснабжения в Чуйской области в рамках Третьего Проекта сельского
водоснабжения и санитарии (ПСВС-3)

Третий Проект сельского водоснабжения и санитарии (ПСВС-3)

г.Ош

16 февраля 2016 г.

№ п/п	Ф.И.О. участника	Организация/Должность	Подпись
1.	Карахотоев. @	ДРПВЧВ жееп. одиесе	<i>[Signature]</i>
2.	Шоктобаев. @	ДРПВЧВ гл. спец	<i>[Signature]</i>
3.	Рахманбарди Ч.Ш.	г.с/ч. Кашка. жееп.	<i>[Signature]</i>
4.	Ардинов А.	зем. устр. о/о. Кашка/Нол	<i>[Signature]</i>
5.	Исмаилов. @	СООБВП. Исмаилов о/о	<i>[Signature]</i>
6.	Ибрагимов Б.Н	глава с/у Киргиз-Ата	<i>[Signature]</i>
7.	Асанов М	СООБВП. (Мад. Токой. с/у)	<i>[Signature]</i>
8.	Толубаев С.	г.с. жееп. о/о. Кашка/Нол	<i>[Signature]</i>
9.	Мамуров С.	ДРПВЧВ - зав. отделом	<i>[Signature]</i>
10.	Торонмурзеев Т	г.с. спец. с/у Огуз-Ата	<i>[Signature]</i>
11.	Абсатаров А	Кызыл-Таш. с/у "СООБВП"	<i>[Signature]</i>
12.	Аттокуров А	Кызыл-Ата о/о гл. спец	<i>[Signature]</i>
13.	Эшкенов Т	Исмаилов о/о СООБВП	<i>[Signature]</i>
14.	Ботобаев М	Исмаилов о/о СООБВП	<i>[Signature]</i>
15.	Бабарбаев Ф	Огуз-Ата тер одиесе	<i>[Signature]</i>
16.	Алибаев. @	Огуз-Ата о/о Балеке	<i>[Signature]</i>
17.	Чоппанов Ч.	ДРПВЧВ	<i>[Signature]</i>
18.	Керимбекова М	ДРПВЧВ	<i>[Signature]</i>
19.	Керимбекова Э	ДРПВЧВ	<i>[Signature]</i>



Additional public hearings were held due to adding subprojects Kun-Tuu, Alekseevka, Kyzyl-Tuu, Tolok in Chui Oblast; Gulbaar, Sary-Tash, Achyk-Suu in Osh oblast; Darhan, Chelpek in Issyk-Kul oblast.

MINUTES OF MEETING

Public consultation on the Environmental and Social Management Framework (ESMF) and the Resettlement Policy Framework (RPF) of water system rehabilitation in Chui and Issyk-Kul oblasts under the Third Rural Water Supply and Sanitation Project (RWSSP-3)

Date and venue: Bishkek, ARIS Office
June 23, 2016; 01.00 p.m.

A. Muktarov, ARIS Deputy Executive Director, opened the meeting by greeting the participants and introduced ARIS staff who worked on RWSSP-3 preparation.

Ch. Chynaliev, Institutional Strengthening Specialist, presented the concept, lifetime, goals and objectives of the project.

M. Kerimbekova, Safeguards Specialist, presented social and environmental safeguards and provided details of environmental and social security measures proposed under the project.

Question 1: How were villages selected? What were the selection criteria?

Answer: The list of villages was provided by the Government of the Kyrgyz Republic, as represented by the Department of Drinking Water and Sanitation under the State Agency for Architecture, Construction and Communal Services.

Question 2: Will the proposed project strongly affect the natural environment in our area?

Answer: Environmental pollution, waste generation and natural resource depletion are very unlikely. Risk management will include preventive environmental management and regular monitoring.

Question 3: In case of resettlement or land acquisition, who will pay compensations?

Answer: Compensations for land acquisition are the responsibility of the Ministry of Finance of the Kyrgyz Republic, i.e. the Government of the Kyrgyz Republic.

Question 4: What is the share of the loan in total financing? Who is responsible for repaying the loan?

Answer: The project is financed by the World Bank; 55% is a loan and 45% is a grant. The loan will be repaid by the Kyrgyz Government.

Question 5: What action will be taken if water system construction affects any property?

Answer: In this case a Resettlement Action Plan will be prepared and the project affected persons (PAPs) will receive compensations.

Question 6: Will individuals who have no formal title to property but claim they own it be entitled to any compensation?

Answer: If such individuals can formalize their ownership of property and this ownership will be recognized by the law of the Kyrgyz Republic, then they will receive compensation as planned.

Question 7: What will be done to minimize tree cutting?

Answer: Trees and shrubs will be cut down only when necessary and only upon receipt of permitting documents and with due regard to tree replacement requirements.

Question 8: Is any co-financing required from ayil okmotus?
Answer: No, co-financing from ayil okmotus is not required.

Question 9: Will water resources be affected?
Answer: Environmental risks are very low and necessary action will be take to minimize them: cleanup of construction sites, establishment of buffer zones along local waterways as required by law, timely containment and removal of petroleum and oil spills, prohibition of car and equipment wash at construction sites, and daily equipment inspections for potential oil leaks.

Upon discussion, it was RESOLVED to:

- Accept the proposed water system construction/rehabilitation project for Chui oblast as feasible;
- Approve the project and proceed with the implementation.

A. Muktarov
Chairman
(Deputy Executive Director)

M. Kerimbekova
Secretary

ПРОТОКОЛ
Общественных слушаний по обсуждению
Основ управления окружающей социальной средой и Основ политики переселения
при реабилитации систем водоснабжения в Чуйской и Иссык-Кульской областях в
рамках Третьего Проекта сельского водоснабжения и санитарии (ПСВС-3)

Место и время проведения: г.Бишкек, офис АРИС
23 июня 2016 г. в 13:00 часов

Муктаров А.– заместитель исполнительного директора АРИС открыл слушания, поприветствовав приглашенных и представил сотрудников АРИС, участвовавших в подготовке ПСВС-3.

Чыналиев Ч.- специалист по институциональному развитию представил презентацию о концепции, сроках реализации, целях и задачах, проекта.

Керимбекова М.– консультант по мерам безопасности, представила презентацию о мерах социально-экологической безопасности, предусмотренных в проекте. Подробно рассказала об экологической безопасности, социальных мерах защиты.

Вопрос 1: Как происходил отбор сел? По каким критериям отбирались села?

Ответ: Список был предоставлен Правительством Кыргызской Республики в лице Департамента развития питьевого водоснабжения и водоотведения при ГААСЖКХ.

Вопрос 2: Экология в нашей окрестности сильно пострадает от предстоящего проекта.

Ответ: Риски загрязнения, засорения и истощения природных ресурсов маловероятны. Управление рисками будет осуществляться за счет превентивных природоохранных мероприятий и проведения регулярного экологического мониторинга.

Вопрос 3: В случаях переселения, отвода земель за чей счет будет выплачиваться компенсация?

Ответ: Ответственность за выплату возмещаемых компенсационных расходов, вследствие изъятия земель, возлагается на Министерство Финансов Кыргызской Республики, то есть Правительство Кыргызской Республики

Вопрос 4: Какова доля кредит от всей суммы финансирования? И кто будет возвращать кредит?

Ответ: Данный проект финансируется Всемирным Банком- 55%-кредит, 45% грант. Кредит будет выплачивать Правительство Кыргызской Республики.

Вопрос 5: Если при прокладке водовода будет затронуто чье то имущество какие меры будут предприняты?

Ответ: В таком случае будет составляться План действия по переселению и соответственно будут выплачиваться компенсации лицу подвергшемуся влиянию проекта (ЛПВВ).

Вопрос 6: Имеют ли лица не имеющие формальных юридических прав на имущество, но предъявляющие права на них получить компенсации.

Ответ: Если лицо сможет легализовать свои права на имущество, и данный факт будет признан законодательством Кыргызской Республики, то он сможет получить компенсации в полной мере.

Вопрос 7: Каковы меры по вырубке зеленых насаждений?

Ответ: Вырубка деревьев и кустарников будет проводиться строго по необходимости и только после получения разрешительных документов с учетом компенсационного озеленения.

Вопрос 8: Предвидится ли загрязнение водных объектов.

Ответ: Риск загрязнения низок, для их предотвращения будут применяться следующие меры: санитарная очистка территорий, отведенных под строительные работы, соблюдение режима водоохраных зон местных водотоков, своевременная зачистка территорий от нефти и мазутных проливов, запрет на мойку машин и механизмов на территории строительства, ежедневные проверки оборудования на предмет утечки масел.

РЕШИЛИ:

Считать разработанный проект по строительству/реабилитации систем водоснабжения в Чуйской области приемлемым к реализации.
Одобрить проект и приступить к реализации.

Председатель
(зам. исполнительного директора)



А.Муктаров

Секретарь:



Керимбекова М

LIST OF REGISTRATION

СПИСОК

участников общественных слушаний по обсуждению Основ Управления
окружающей социальной средой и Основ политики переселения при реабилитации
систем водоснабжения в Чуйской области и
Иссык-Кульской областях в рамках Третьего Проекта сельского водоснабжения и
санитарии (ПСВС-3)

г.Бишкек

23 июня 2016 г.

№ п/п	Ф.И.О. участника	Организация/Должность	Подпись
1	Ажумашев Ч.К.	Город Бишкек 2/1	
2	Жалмаев А.А.	зам.директора ТОО «Ташкент-Ташкент»	
3	Джамбаева З.Э.	директор ИТЭСЗ	
4	Жураманов К.М.	пред. СОСНВ «Иссык-Куль-Сур»	
5	Исаев Р.Т.	г-н Исаев Р.Т.	
6	Ерашев Н.К.	спец. землеустройство	
7	Сарапова С.Б.	нач. фид. отдела	
8	Омурзаева А.Б.	ст. инж. фид. отдела	
9	Хасанов К.М.	пред. СОСНВ «Иссык-Куль»	
10	Маманова О.Т.	зам. дир. ИТЭСЗ	
11	Карибокова И.И.	пред. СОСНВ «Иссык-Куль»	
12	Секиев Б.С.	окр. инж. окружного центра	
13		спец. ИТЭСЗ	
14	Телеменов М.Э.	инж. ИТЭСЗ	
15	Баймонов Б.М.	нач. фид. отдела, спец. по ремонту сетей ИТЭСЗ	
16	Кадаркулов Р.	ЭПРО по Московскому району	
17	Султанов З.Э.	ИТЭСЗ	
18	Нурмаматов З.О.	Ташкент КИЗМА - Ташкент	
18	Исмаилов А.М.	пред. СОСНВ	
20	Журманов Т.	Брат СОСНВ	
21	Джамбаев	Пр. СОСНВ	
22	Омуров А.	спец. фид. отдела	
23	Таймраева	объект ИТЭСЗ	



MINUTES OF MEETING

Public consultation on the Environmental and Social Management Framework (ESMF) and the Resettlement Policy Framework (RPF) of water system rehabilitation in Osh oblast under the Third Rural Water Supply and Sanitation Project (RWSSP-3)

Date and venue: Osh, ARIS Office
June 24, 2016; 01.00 p.m.

Ch. Chynaliev, Institutional Strengthening Specialist, opened the meeting by greeting the participants and presented the concept, lifetime, goals and objectives of the project.

M. Kerimbekova, Safeguards Specialist, presented social and environmental safeguards and provided details of environmental and social security measures proposed under the project.

Question 1: Are our village officially on the list?

Answer: Yes, the Department of Drinking Water and Sanitation under the State Agency for Architecture, Construction and Communal Services has officially included your villages on the list.

Question 2: Who will have the facilities after the works are complete?

Answer: The facilities will be transferred to ayil okmotus.

Question 3: What water disinfection methods does the project allow for? Can you consider any disinfection methods other than chlorination? Germicidal lamps could be used as an alternative, because they are cheaper to maintain and a chlorination unit will require staff and regular chlorine supplies.

Answer: The project allows for water disinfection, but this issue will be discussed with the design firm. We do not know yet what disinfection equipment will be used. Germicidal lamps have some drawbacks too; if there is a leak, the water will be cross-contaminated, so chlorination is a preferred choice in this case. However, this issue will be considered in detail during the design phase. The strengths and weakness of each disinfection option will be discussed in detail.

Question 4: Does the project budget cover the preparation of detail designs and estimates? Or this will be the responsibility of ayil okmotus?

Answer: The project budget covers detail designs and estimates. The ayil okmotus will not have to do it on their own.

Question 5: Does the project allow for sanitation improvements? Will households have septic tanks installed?

Answer: No, the project does not allow for sanitation improvements or septic tank installation. However, a number of standard designs will be considered to address this issue.

Question 6: Households will pay for individual connections to the water system. Are you going to keep outdoor standpipes?

Answer: We plan to keep 2 or 3 outdoor standpipes for emergency purposes. However, this issue is subject to discussion with ayil okmotus.

Question 7: Some systems use asbestos containing pipes, will the proposed project use such pipes?

Answer: No, asbestos-containing materials will not be used in rehabilitation works, because it is widely recognized today that asbestos is harmful for health. Many international health organizations, labor unions, research institutes and governments of some countries have already banned all commercial use of asbestos. If any asbestos-containing materials or

waste are identified during rehabilitation works, they will be removed and stockpiled in an isolated (closed) place with all necessary precautions taken and later disposed (upon agreement with the local administration and environmental inspectors) to a designated landfill.

Question 8: There is some risk that trees will be damaged or cut down during construction/rehabilitation. What are you going to do in this respect?

Answer: The following measures are proposed: replanting or fencing for protection. If any trees have to be cut down, this issue will be first discussed with ayil okmotus and environmental authorities. If there are any large trees near the work sites, they will be marked properly and fenced to protect their trunks and root systems and thus avoid any damage.

Question 9: What about privately owned trees? Will there be any compensation for the loss of such trees? Which budget will this compensation be paid from?

Answer: Yes, our resettlement policy allows for compensations to all project affected persons (PAPs). The compensations will be paid from the budget of the Government of the Kyrgyz Republic (Ministry of Finance).

Question 10: If any land has to be acquired for construction purposes, what compensation will the land owner have?

Answer: Every effort will be made to avoid land acquisition and resettlement. However, if this is unavoidable, all available options will be scrutinized to minimize potential impacts. In case of land acquisition, the priority option is to replace the acquired land by another land plot of equivalent market value that will be acceptable to the PAP and similar to the affected land in terms of size and soil fertility. If there is no such land available, the land owner will receive a cash compensation that will include the replacement cost, plus any registration and transfer taxes and the costs of preparing the land to levels similar to those of the affected land. If the remainder of the land plot is not economically viable, the entire plot will be purchased.

Upon discussion, it was RESOLVED to:

- Accept the proposed water system construction/rehabilitation project for Osh oblast as feasible;
- Approve the project and proceed with the implementation.

A. Muktarov
Chairman
(Deputy Executive Director)

M. Kerimbekova
Secretary

ПРОТОКОЛ
Общественных слушаний по обсуждению
Основ управления окружающей социальной средой и Основ политики переселения
при реабилитации систем водоснабжения в Омской областях в рамках Третьего
Проекта сельского водоснабжения и санитарии (ПСВС-3)

Место и время проведения: г.Ош, офис АРИС
24 июня 2016 г. в 13:00 часов

Чыналиев Ч.- специалист по институциональному развитию открыл слушания, поприветствовав приглашенных, представил презентацию о концепции, сроках реализации, целях и задачах, проекта.

Керимбекова М.– консультант по мерам безопасности, представила презентацию о мерах социально-экологической безопасности, предусмотренных в проекте. Подробно рассказала об экологической безопасности, социальных мерах защиты.

Вопрос 1: Наши села уже официально вошли в список?

Ответ: Да, данные села официально вошли в список, который предоставил Департамент развития питьевого водоснабжения и водоотведения при ГААСЖКХ

Вопрос 2: На чьем балансе будет числиться завершённый объект?

Ответ: Объект будет ставиться на баланс айыл окмоту.

Вопрос 3: Какой вид обеззараживания воды предусмотрен в проекте? Можете рассмотреть и другие варианты обеззараживания кроме хлорирования. Можно установить бактерицидные лампы, так как их содержание обходится дешевле, тогда как при хлораторной необходимо содержать персонал, покупать хлор, доставлять его.

Ответ: Обеззараживание воды предусмотрено, но это будет обсуждаться с проектировщиком. Пока не известно, что точно будет установлено. Но есть и минусы бактерицидной лампы, при утечках может быть вторичное загрязнение воды, в этом случае лучше хлорирование. При проектировке этот вопрос будет тщательно рассматриваться. Все преимущества и минусы каждого вида обеззараживания будут обсуждены.

Вопрос 4: Подготовка проектно-сметной документации предусмотрено в бюджете проекта? Или это будет за счет бюджета айыл окмоту?

Ответ: Подготовка ПСД предусмотрена в бюджете проекта. Нет, необходимости разрабатывать ПСД за счет айыл окмоту.

Вопрос 5: Предусмотрена ли канализация? Будут ли установлены септики для домохозяйств?

Ответ: Нет, проведение канализации не предусмотрено в проекте, септики также не заложены в бюджет. Но будут проведены работы по ознакомлению нескольких вариантов типовых решений.

Вопрос 6: Домовые подключения будут за счет домохозяйств, а уличные колонки останутся?

Ответ: Планируется оставить 2, 3 уличные аварийные колонки. Но этот вопрос еще будет обсуждаться с айыл окмоту.

Вопрос 7: В некоторых системах имеются асбестосодержащие трубы, будут в предстоящем проекте использоваться такие трубы?

Ответ: Нет, при реабилитации асбест не будет применяться, поскольку сейчас широко признается риск для здоровья при нахождении в зоне распространения асбеста, мировые организации по здравоохранению и объединения трудящихся, исследовательские институты и правительства некоторых стран ввели запрет на его коммерческое применение. В случае наличия асбеста в ходе всех реабилитационных работ, асбестосодержащие материалы и отходы будут разбираться и складироваться соответствующим образом в изолированном (закрытом) месте и с последующим захоронением (по согласию местной администрации и инспекторов окружающей среды) в специально отведенном отвале.

Вопрос 8: При строительстве/ реабилитации есть риск повреждения и вырубки зеленых насаждений. Что будет предприниматься в этих случаях?

Ответ: В этих случаях будут применяться следующие меры: пересадка и ограждение сохраняемых деревьев. Необходимый снос деревьев согласуется с айыл окмоту и природоохранными органами. Если рядом с участком работ растут большие деревья, их следует четко обозначить и защитить ограждением, предохраняющим деревья и корневые системы, не допуская их повреждения.

Вопрос 9: А если это будет частное дерево? Будут ли компенсированы потери? И из какого бюджета выплачивается компенсация?

Ответ: Да, в этом случае будет предусмотрена компенсация согласно плану действия переселения, и будет выплачена лицу подвергшемуся влиянию проекта. Компенсационные выплаты будут оплачиваться из бюджета Правительства Кыргызской Республики (Министерство Финансов Кыргызской Республики)

Вопрос 10: Если при строительстве будет необходим необратимый отвод частной земли, то какую компенсацию получит землевладелец?

Ответ: Необходимо избегать любого отвода земли и переселения, или если невозможно их избежать, их следует минимизировать путем изучения всех возможных вариантов. В случае отвода земли, в качестве приоритетного варианта предоставляется взамен участок земли эквивалентной рыночной стоимости, приемлемый для ЛПВП и должен соответствовать по площади и плодородности изъятому участку. При отсутствии доступной земли, выплачивается денежная компенсация по стоимости замещения, а также расходы на пошлины при оформлении и перерегистрации прав и расходы для подготовки земли до состояния, аналогичного состоянию земельного участка, подвергшегося воздействию проекта. Если остаток участка более не пригоден для использования – то должен быть выкуплен весь участок земли.

РЕШИЛИ:


Считать разработанный проект по строительству/реабилитации систем водоснабжения в Чуйской области приемлемым к реализации.

Одобрить проект и приступить к реализации.

Председатель
(зам. исполнительного директора)


А.Муктаров

Секретарь:


Керимбекова М



TEMPLATE OF RAP

Samples of resettlement documents (full and abbreviated RAP, resettlement policy and framework document) are included in Annex A «Arrangements for involuntary resettlement» OP 4.12, published at www.worldbank.org.

Based on experience of previous subprojects in terms of RAP preparation and taking into account that RWSSP-3 is not supposed to have a significant social impact Annex 4 contains abbreviated form of RAP that was taken from abovementioned Annex.

Abbreviated RAP should at least include the following items:

1. General information about the subproject

General description of the subproject, identification of geographical coverage of the subproject.

2. Anticipated impact

The following information should be provided:

- a) Subproject component or types of activities, which caused the need for resettlement;
- b) Areas affected by subproject component or some types of activities;
- c) Alternatives to avoid resettlement or minimize resettlement incidence; and
- d) Arrangements for minimizing resettlement incidence in the course of subproject implementation.

3. Objectives

Key goals and objectives of RAP.

4. Census of population to be resettled and valuation of property including the following information:

- i) Information about population affected by subproject activities. This information is a basis for RAP elaboration, and prohibiting any type of compensation to population that move to subproject affected area after census operation;
- ii) Typical characteristics of households to be resettled (including information about activities, labor force and structure of households). Baseline information about living conditions, income source and income level (including, if needed, output of products, income from authorized and unauthorized economic activities). Information about quality of life (including health condition) of PAPs;
- iii) loss extent (total or partial) of property or land;
- iv) Information about socially vulnerable groups of population, for which some special measures should probably be taken;
- v) System of land tenure and transfer of land, including inventory of natural resources jointly owned by and being income source for local population, system of rights to use property of another, that is not based on ownership right;
- vi) Communal infrastructure facilities and social services systems to be impacted by subproject activities.

5. Information about compensations and other types of resettlement assistance to be provided

There are methods applied for determination of size of damage and replacement value of lost land and property with description of proposed types and amount of compensation provided for by local legislation, as well as additional measures to be taken for ensuring compliance of compensation amount to total value of lost property.

6. Consultations with PAPs

Measures for involvement of local population in the activity, including:

- a) characteristics of the principles of consultations with PAPs and ensuring their participation in preparation and implementation of the activities related to resettlement;
- b) brief description of opinions and the data on whether the opinions were considered in RAP preparation;
- c) description of resettlement options and choice made by PAPs regarding the available options, specifically, compensation forms and assistant types in resettlement.

7. Responsibility of various institutions for resettlement and procedures related to grievance redress

Organizational principles of resettlement including indication of institutions responsible for implementation of resettlement activities and delivery of required services, measures to ensure coordination of activities by various institutions and entities involved in resettlement, measures (incl. technical assistance) aimed to extend the opportunities of executive institutions in planning and implementing resettlement activities.

Development of grievance redress mechanisms considering the possibility of judicial procedure and grievance redress in relevant administrative bodies.

8. Work schedule and budget

The schedule of all resettlement activities from work preparation to completion with indication of milestone dates of achievement of benefits by population and termination of any kind of assistance. The schedule should reflect relation between resettlement activities and implementation of works under the project in general.

Tables with cost estimations, financing sources and measures for timely transfer of required funds and financing of resettlement activities.

COMPLAINT SUBMISSION FORM

Information about complainant	
Full name	_____ _____
Address:	_____ _____
Contact details:	
Tel:	_____
E-mail:	_____
Description of complaint/request/suggestion:	
Date of submission of complaint:	_____
Date of consideration of complaint:	_____
Results of consideration:	_____ _____ _____
Signature	_____/ Date _____/

**GRIEVANCE MANAGEMENT
MATRIX**

Grievance procedures	Grievance redress entity	Grievance form	Procedures for grievance management	Time for consideration of grievance
First instance	Head of Aiyl Okmotu	Verbally or on the phone	Aiyl Okmotu reviews the complaint and informs the ARIS and the complainant of the decision taken following the complaint review.	5 working days
Second instance	RWSSP-3 Coordinator Address: 720001, Kyrgyz Republic, Bishkek, Bokonbaev St., 102 Tel: +996 (312) 30 18 05 e-mail: office@aris.kg	Written, with signature and date. Anonymous and confidential complaints will be considered too.	The Safeguards specialist/consultant: 1) Registers the grievance in a grievance log and assigns a sequence number to it; 2) Explores a grievance; 3) Organizes repeated appraisal, if necessary; 4) Monitors the process of grievance consideration and management; 5) Maintains direct contact with PAP; 6) If needed, holds meetings with complainant and designs measures for grievance management	30 working days
Third instance	Court of the first instance	Grievance should be transferred to the court.	In compliance with legal procedures.	In compliance with legal procedures.